



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
June 26, 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, June 26, 2006, at 9:46 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock 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 Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Joan M. DuBois, Dranesville District, was absent from the entire meeting.

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 MATTERS1. **MOMENT OF SILENCE** (9:47 a.m.)

Supervisor Gross asked everyone to keep in thoughts the family of:

- Corporal Andy Anderson, who died on June 6, 2006, in Ar Ramadi, Iraq, in a mortar blast. He was a graduate of the class of 2001 at Jeb Stuart High School.
- Ambassador Josiah Horton Beeman V, former chairman of the Fairfax-Falls Church Community Services Board (CSB), who died recently. She noted that he also served as the Mason District Representative to the CSB.

Supervisor Gross stated that there was a blue ribbon panel to review mental health and asked unanimous consent that the Board direct staff to rename the panel the Beeman Commission. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the County Executive to make arrangements for County flags to be flown at half staff in honor of Corporal Anderson. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Frey asked everyone to keep in thoughts the family of Roger Bostic, who died recently. Mr. Bostic was a resident of Centreville who owned and operated an old-time hardware store.

2. **ABSENCE OF DRANESVILLE DISTRICT SUPERVISOR DUBOIS**
(9:50 a.m.)

Chairman Connolly announced that Supervisor DuBois would be necessarily absent today but the Board had her consent to proceed with appointments.

(NOTE: Later in the meeting, the Board made appointments to Citizen Boards, Authorities, Commissions, and Advisory Groups. See Clerk's Summary Item #12.)

AGENDA ITEMS3. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. JOHN FISHER (PROVIDENCE DISTRICT)** (9:50 a.m.)

Supervisor Smyth moved approval of the Certificate of Recognition presented to John Fisher, an Eagle Scout, for his commitment and dedication to the Mantua

community and Fire Station Number 23. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

4. **RESOLUTION OF RECOGNITION PRESENTED TO MR. DINGWALL FLEARY (HUNTER MILL DISTRICT)** (9:55 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition presented to Mr. Dingwall Fleary for ten years of service as music director and principal conductor of the Reston Community Orchestra. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

ADDITIONAL BOARD MATTER

5. **RECOGNITION OF JANE W. GWINN** (10:02 a.m.)

Chairman Connolly recognized the presence of Jane W. Gwinn, former Zoning Administrator, and warmly welcomed her to the Board Auditorium.

AGENDA ITEMS

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. KEVIN BRUGMAN (MOUNT VERNON DISTRICT)** (10:02 a.m.)

(BACs) Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. Kevin Brugman for his service on the Trails and Sidewalks Committee, formerly known as the Countywide Non-Motorized Transportation Committee. Supervisor Bulova and Supervisor McConnell jointly seconded the motion.

Discussion ensued and Chairman Connolly identified several ongoing projects in the County.

The question was called on the motion, and it carried by a vote of nine, Supervisor DuBois being absent.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO CULMORE'S YOUTH ORGANIZERS, SPONSORS, SUPPORTERS, AND VOLUNTEERS (MASON DISTRICT)** (10:08 a.m.)

Supervisor Gross moved approval of the Certificate of Recognition presented to the youth organizers, sponsors, supporters, and volunteers for the third annual Culmore Cleanup which was held on April 29, 2006. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

8. **RESOLUTION OF RECOGNITION PRESENTED TO THE FAIRFAX COUNTY PUBLIC LIBRARY AND APPROPRIATE REPRESENTATIVES** (10:13 a.m.)

Following comments about the “All Fairfax Reads” program, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Resolution of Recognition presented to the County Public Library and appropriate representatives and sponsors for the Countywide reading program, “All Fairfax Reads” with this year’s selection, *Balzac and the Little Chinese Seamstress* by Dai Sijie. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

9. **PROCLAMATION DESIGNATING JUNE 25–JULY 1, 2006, AS “MOSQUITO AWARENESS WEEK” IN FAIRFAX COUNTY** (10:21 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 25–July 1, 2006, as “*Mosquito Awareness Week*” in Fairfax County and urged all residents to “say no to mosquitoes” by eliminating mosquito breeding sites around their home and to prevent mosquito bites by wearing light-colored, long, loose-fitting clothing and using products containing DEET and federally approved insect repellants. Supervisor McConnell seconded the motion.

Discussion ensued and Chairman Connolly thanked the Health Department employees for educating the public about insect control. Supervisor Gross recognized the contributions of Dr. Jorge Arias, West Nile Virus Supervisor, Health Department, who is the lead authority in the world on mosquitoes.

The question was called on the motion and it carried by a vote of nine, Supervisor DuBois being absent.

Discussion continued with input from Dr. Arias concerning the status of the West Nile Virus in the County. Dr. Arias noted that there was a new brochure available on the Asian Tiger mosquito that was printed in seven different languages: English, Spanish, Chinese, Vietnamese, Korean, Urdu and Farzi.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

10. **10 A.M. – PRESENTATION OF THE HISTORY COMMISSION ANNUAL REPORT** (10:31 a.m.)

(BACs) Lynne Garvey Wark, Immediate Past Chair, History Commission, presented the annual report. She was accompanied by Robert E. Beach, the current Commission Chair, and Anne M. Barnes, the current Vice-Chair.

Ms. Wark noted that some of the Commission's recent accomplishments included a highly successful History Conference in November as well as the publication of *Braddock's True Gold, 20th Century Life in the Heart of Fairfax County*. Other projects include the marking in the Clifton area of the Ivakota Farm as well as republishing *Beginning at a White Oak*.

Ms. Wark distributed copies of an oral history in book form entitled *A Country Boy's View: Living in Clifton, Virginia in the 1950s*, written by Mike Foley.

Discussion ensued concerning historical markers and Supervisor Hudgins noted the Commission's work in producing a video on African-American churches and their contributions.

Supervisor Hudgins called the Board's attention to a question that had been raised regarding the inventory and asked unanimous consent that the Board direct staff to keep abreast of those to ensure that resources are available to do the inventory and maintain the history. Without objection, it was so ordered.

Discussion ensued regarding the lack of safe storage space for the Commission files.

Following further discussion on the value of oral histories, Supervisor Gross asked unanimous consent that the Board direct the Commission to provide an *errata* sheet to its report because the Mason District Commissioner was not listed in the biographical sketches. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took action on finding space for the Commission and the Virginia Room in relation to creating a County History Museum. See Clerk's Summary Item #34.)

11. **10:15 A.M. – PRESENTATION OF THE A. HEATH ONTHANK AWARDS**
(10:48 a.m.)

(BACs) The Honorable Rosemarie Annunziata, Chairman, Civil Service Commission, gave a brief presentation regarding the A. Heath Onthank Awards, the highest honor the County bestows on its employees. Jane W. Gwinn, Chairman, A. Heath Onthank Award Selection Committee, introduced the Committee members.

Peter J. Schroth, Director, Department of Human Resources, announced the 2006 A. Heath Onthank Award recipients as follows:

- A. Douglas Allen, Master Police Officer, Police Department
- Thomas N. Black, Master Police Officer, Police Department
- Peter Coles, Safety and Security Assistant, Herndon High School

- Barbara G. Emerson, Budget Analyst IV, Department of Management and Budget
- Sousan Frankeberger, Park/Recreation Specialist IV, Park Authority
- Howard Houghton, Management Analyst II, Department of Family Services
- Robert A. Joy, Fire Technician, Fire and Rescue Department
- Edward L. Long, Jr., Deputy County Executive, Office of the County Executive
- Awilda Perez, Student Information Assistant, Deer Park Elementary School
- Peter M. Schumann, Engineer III, Department of Public Works and Environmental Services

PW:pw

12. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:11 p.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 Mount Vernon and Providence District Representative to the Advisory Social Services Board.

AIRPORTS ADVISORY COMMITTEE

Supervisor Bulova moved the appointment of Mr. Brent Reynolds to fill the unexpired term of Ms. Beverly Wright Caruso as the Braddock District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointments of the Mount Vernon District Business and Mount Vernon District Representatives to the Airports Advisory Committee.

ANIMAL SERVICES ADVISORY COMMISSION

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

ATHLETIC COUNCIL

Supervisor Hudgins moved the reappointment of Ms. Kerri Gilmore Mesiah as the At-Large Women's Alternate Representative to the Athletic Council. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor McConnell moved the reappointment of Mr. J. Roger Sims, III as the Springfield District Principal Representative to the Athletic Council. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointments of the At-Large Diversity Alternate Representative, At-Large Women's Principal Representative, and Hunter Mill District Alternate Representative to the Athletic Council.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Chairman Connolly moved the appointment of Ms. Lilyan Spero as the At-Large Chairman's Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

On behalf of Supervisor DuBois, Supervisor Smyth moved the reappointment of Ms. Deborah Pietras as the Dranesville District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Hudgins moved the reappointment of Ms. Regina Jordan as the Hunter Mill District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Gross moved the reappointment of Ms. Ika Joiner as the Mason District Representative to the Barbara Varon Volunteer Award Selection Committee. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Hyland moved the reappointment of Mr. Mack Rhoades as the Mount Vernon District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Smyth moved the reappointment of Ms. Emilie Miller as the Providence District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor McConnell moved the reappointment of Ms. Diane McIntyre as the Springfield District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Frey moved the reappointment of Ms. Olga Hernandez as the Sully District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointments of the Braddock and Lee District Representatives to the Barbara Varon Volunteer Award Selection Committee

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

The Board deferred the appointment of the Freeholder #3 Representative to the Board of Equalization of Real Estate Assessments.

CELEBRATE FAIRFAX, INCORPORATED BOARD OF DIRECTORS

Chairman Connolly moved the appointment of Mr. Peter Murphy to fill the unexpired term of Ms. Cheryl Berry-Gaines as the At-Large #4 Representative to the Celebrate Fairfax, Incorporated Board of Directors. Supervisor Hyland and Supervisor McConnell jointly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Chairman Connolly moved the appointment of Mr. Francisco Semião as the At-Large Chairman's Representative to the Fairfax County Citizen Corps Council. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Bulova moved the appointment of Mr. Colin Campbell as the Braddock District Representative to the Fairfax County Citizen Corps Council. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Kauffman moved the appointment of Ms. Johna Gagnon as the Lee District Representative to the Fairfax County Citizens Corps Council. Supervisor

Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointments of the Dranesville, Hunter Mill, Mason, Mount Vernon, Providence, Springfield, and Sully District Representatives to the Fairfax County Citizens Corps Council.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the At-Large Chairman's and Sully District Representatives to the Commission on Organ and Tissue Donation and Transplantation.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointments of the Dranesville, Hunter Mill, and Springfield District Representatives to the Criminal Justice Advisory Board.

ECONOMIC DEVELOPMENT AUTHORITY

Chairman Connolly moved the reappointment of Mr. Michael Horwatt as the At-Large #3 Citizen Representative to the Economic Development Authority. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointment of the At-Large #4 Citizen Representative to the Economic Development Authority.

ENGINEERING STANDARDS REVIEW COMMITTEE

CONFIRMATION:

Supervisor Bulova moved the confirmation of the following appointment to the Engineering Standards Review Committee:

- Mr. James Davis as the Federation of Citizens Associations Representative

Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointment of the Citizen #2 Representative to the Engineering Standards Review Committee.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL**CONFIRMATION:**

Supervisor Smyth moved the confirmation of the following appointment to the Environmental Quality Advisory Council:

- Ms. Lipi Gupta as the Student Representative

Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointment of the Springfield District Representative to the Environmental Quality Advisory Council.

FAIRFAX AREA DISABILITY SERVICES BOARD

Supervisor Hudgins moved the appointment of Ms. Michele Hymer Blitz to fill the unexpired term of Mr. Aaron Gray as the Hunter Mill District Representative to the Fairfax Area Disability Services Board. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

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

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

- Mr. Ian Kremer as the Alzheimer's Association Representative
- Ms. Linda Shively as the Business/Corporation #10 Representative
- Ms. Jessica Burmester as the Community #1 Representative
- Ms. Nancy Mercer as the Community #2 Representative

Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

**FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION
BOARD OF DIRECTORS**

Chairman Connolly moved the reappointment of Mr. Stephen Fuller as the At-Large Chairman's Representative to the Fairfax County Convention and Visitors Corporation Board of Directors. Supervisor Smyth seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Kauffman moved the reappointment of Mr. David Melugin as the Lee District Representative to the Fairfax County Convention and Visitors Corporation Board of Directors. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor McConnell moved the reappointment of Mr. Roland David Gunn as the Springfield District Representative to the Fairfax County Convention and Visitors Corporation Board of Directors. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Frey moved the reappointment of General Joseph Anderson as the Sully District Representative to the Fairfax County Convention and Visitors Corporation Board of Directors. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

CONFIRMATIONS:

Supervisor Hyland moved the confirmation of the following appointments to the Fairfax County Convention and Visitors Corporation Board of Directors:

- Mr. Ben Hiatt as the Northern Virginia Hospitality Council #6 Representative
- Mr. Michael Sternberg as the Northern Virginia Hospitality Council #9 Representative
- Mr. Richard Frisch as the Northern Virginia Hospitality Council #11 Representative

Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

(NOTE: Earlier in the meeting, the Board noted the death of Ambassador Josiah Beeman. See Clerk's Summary Item #1.)

Chairman Connolly moved the reappointment of Ms. Diane Engster as the At-Large #1 (Chairman's) Representative to the Fairfax-Falls Church Community Services Board. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Bulova moved the appointment of Mr. Raymond Burmester as the Braddock District Representative to the Fairfax-Falls Church Community Services Board. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Hudgins moved the reappointment of Mr. Glenn Kamber as the Hunter Mill District Representative to the Fairfax-Falls Church Community Services Board. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointments of the At-Large #1 Representative, and the Lee and Mason District Representatives to the Fairfax-Falls Church Community Services Board.

A brief discussion ensued regarding the memorial service recently held for the late Ambassador Josiah Beeman, Chairman of the Fairfax-Falls Church Community Services Board.

(NOTE: Later in the meeting, the Board requested recognition of the outgoing Lee District Representative. See Clerk's Summary Item #48.)

GEOTECHNICAL REVIEW BOARD**CONFIRMATION:**

Supervisor Hudgins moved the confirmation of the following appointment to the Geotechnical Review Board:

- Mr. I. Al Nouri as the Primary #1 Representative

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor DuBois being absent.

HEALTH SYSTEMS AGENCY BOARD

Chairman Connolly moved the reappointment of Mr. James Sutton as the Consumer #3 Representative to the Health Systems Agency Board. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Hudgins moved the reappointment of Ms. Nancy Kader as the Consumer #5 Representative to the Health Systems Agency Board. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Gross moved the reappointment of Dr. Samer Ellahham as the Provider #1 Representative to the Health Systems Agency Board. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Kauffman moved the reappointment of Dr. Stephen Goldberger as the Provider #3 Representative to the Health Systems Agency Board. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointment of the Consumer #1 Representative to the Health Systems Agency Board.

HISTORY COMMISSION

On behalf of Supervisor DuBois, Supervisor Smyth moved the appointment of Ms. Carole Herrick as the At-Large #1 Representative to the History Commission. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Braddock District #2 Representative to the Human Services Council.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Supervisor Smyth moved the appointment of Ms. Amy Smarr as the Providence District Representative to the Juvenile and Domestic Relations Court Citizens Advisory Council. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

Chairman Connolly moved the reappointment of Mr. H. Patrick Walters as the Fairfax County #2 Representative to the Northern Virginia Community College Board. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

On behalf of Supervisor DuBois, Supervisor Smyth moved the reappointment of Ms. Janet Auerbach as the Dranesville District Representative to the Oversight Committee on Drinking and Driving. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Hudgins moved the reappointment of Mr. Adam Parnes as the Hunter Mill District Representative to the Oversight Committee on Drinking and Driving. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

CONFIRMATION:

Supervisor Bulova moved the confirmation of the following appointment to the Oversight Committee on Drinking and Driving:

- The Honorable Thomas Mann as the Juvenile and Domestic Relations District Court Representative

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor DuBois being absent.

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 Hudgins moved the reappointment of Mr. Stuart Rakoff as the Citizen At-Large #3 Representative to the Police Officers Retirement System Board of Trustees. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

REDEVELOPMENT AND HOUSING AUTHORITY

The Board deferred the appointment of the Mason District Representative to the Redevelopment and Housing Authority.

ROAD VIEWERS BOARD

Supervisor Smyth moved the appointment of Mr. Stephen Still as the At-Large #4 Representative to the Road Viewers Board. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

SMALL BUSINESS COMMISSION

The Board deferred the appointment of the Dranesville District Representative to the Small Business Commission.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Reston Association #4 Representative to the Southgate Community Center Advisory Council.

TENANT LANDLORD COMMISSION

Supervisor Bulova moved the appointment of Ms. Karen Geier-Smith to fill the unexpired term of Mr. Steven Larimer as the Landlord Member #1 Representative to the Tenant Landlord Commission. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

TRAILS AND SIDEWALKS COMMITTEE

Supervisor Bulova moved the appointment of Mr. Brent Reynolds to fill the unexpired term of Mr. Allan Jones as the Braddock District Representative to the Trails and Sidewalks Committee. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Trails and Sidewalks Committee:

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

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointment of the Sully District Representative to the Trails and Sidewalks Committee.

TRANSPORTATION ADVISORY COMMISSION

Chairman Connolly moved the reappointment of Mr. George Baker as the At-Large Representative to the Transportation Advisory Commission. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Bulova moved the reappointment of Ms. Janyce Hedetniemi as the Braddock District Representative to the Transportation Advisory Commission. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

On behalf of Supervisor DuBois, Supervisor Smyth moved the reappointment of Mr. Brian Deery as the Dranesville District Representative to the Transportation Advisory Commission. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Kauffman moved the reappointment of Mr. Harry Zimmerman, Jr. as the Lee District Representative to the Transportation Advisory Commission. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Gross moved the reappointment of Mr. Roger Hoskin as the Mason District Representative to the Transportation Advisory Commission. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Hyland moved the reappointment of Mr. Earl Layton Flanagan as the Mount Vernon District Representative to the Transportation Advisory Commission. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor McConnell moved the reappointment of Mr. Eric Thiel as the Springfield District Representative to the Transportation Advisory Commission. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Frey moved the reappointment of Mr. Jeff Parnes as the Sully District Representative to the Transportation Advisory Commission. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointments of the Hunter Mill and Providence District Representatives to the Transportation Advisory Commission.

TREE COMMISSION

The Board deferred the appointments of the Lee and Springfield District Representatives to the Tree Commission.

UNIFORMED RETIREMENT SYSTEM**CONFIRMATION:**

Supervisor Bulova moved the confirmation of the following appointment to the Uniformed Retirement System:

- Deputy Chief Kevin Kincaid as the Fire and Rescue #2 Representative

Supervisor Gross and Supervisor Hyland jointly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

The Board deferred the appointment of the Citizen #2 Representative to the Uniformed Retirement System.

VOLUNTEER FIRE COMMISSION**CONFIRMATIONS:**

Supervisor Gross moved the confirmation of the following appointments to the Volunteer Fire Commission:

- Mr. Timothy Fleming as the Volunteer Fire Chief's Association Representative
- Mr. Gerald Strider as the Zone I Representative
- Mr. John F.X. Ryan as the Zone II Representative

Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

WATER AUTHORITY

Chairman Connolly moved the reappointment of Mr. Richard Terwilliger as the At-Large Chairman's Representative to the Water Authority. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Bulova moved the reappointment of Mr. Paul Andino as the Braddock District Representative to the Water Authority. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Kauffman moved the reappointment of Mr. Frank Begovich as the Lee District Representative to the Water Authority. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

WETLANDS BOARD

Supervisor Hyland moved the appointment of Mr. Raymond Murphy to fill the unexpired term of Mr. Charles Creighton as the Mount Vernon District #3 Representative to the Wetlands Board. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

AD HOC COMMITTEES

LAND USE INFORMATION ACCESSIBILITY ADVISORY GROUP

CONFIRMATION:

Supervisor Bulova moved the confirmation of the following appointment to the Land Use Information Accessibility Advisory Group:

- Mr. Daniel Gonzalez as the Northern Virginia Technology Council Representative

Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY COORDINATING COMMITTEE

The Board deferred the appointment of the Chairman's Representative, the Providence District #2 Representative, and Sully District Representative to the Tysons Corner Transportation and Urban Design Study Coordinating Committee.

VIRGINIA 2007 COMMUNITY CITIZEN PLANNING COMMITTEE**CONFIRMATION:**

Supervisor Smyth moved the confirmation of the following appointment to the Virginia 2007 Community Citizen Planning Committee:

- Ms. Margaret Koplitz as the Library Board Representative

Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

13. **ADMINISTRATIVE ITEMS** (11:28 a.m.)

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

Chairman Connolly noted that Admin 6 – Authorization to Advertise a Public Hearing on a Proposal to Abandon Wimsatt Road (Braddock District) proposes to give the road to the *Washington Post*.

Supervisor Smyth called the Board's attention to Admin 3 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, by Enacting Chapter 109.1 (Solid Waste Management) and Repealing Chapter 109 (Solid Waste) and asked unanimous consent that the Board direct staff to provide information for additional refuse collection due to recent storms. Without objection, it was so ordered.

Discussion ensued, with input from Joyce Doughty, Director, Division of Solid Waste Disposal and Resource Recovery, Department of Public Works and Environmental Services, regarding the impact on small haulers of the ten bag recycling limit. Supervisor Hudgins asked unanimous consent that the Board direct staff to monitor and provide additional information regarding this issue. Without objection, it was so ordered.

Upon notification from staff, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to accept the following correction to a typographical error on handwritten page 34, Section 109.1-5-2 (a) of the Board Agenda Item dated June 26, 2006: "No person shall willfully contract with a solid waste collector(s) or recycling business who does not possess a Certificate to Operate collection services or is ***not*** registered with Fairfax County." This was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Further discussion ensued regarding Section 109.1-2-3, Recycling from Non-Residential Properties.

Supervisor Kauffman asked to amend the motion by amending the language found on handwritten page 15 to include schools and other institutions. Without objection, it was so ordered.

Discussion continued regarding Section 109.1-2-3 with input from David P. Bobzien, County Attorney, regarding the procedural matter to amend this item to include schools and other institutions.

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

Supervisor Kauffman asked to amend Admin 3, handwritten page 38, Section 109.1-5-5(f) by replacing "two weeks" with "ten days." This was accepted.

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

Supervisor Bulova noted that Admin 6 was being considered because it is a cul-de-sac that only serves the Washington Post and Dominion Virginia Power, and it relieves the State from having to maintain that portion of the road and is a security and safety issue.

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITIES REVIEW APPLICATIONS (BRADDOCK 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>
FSA-Y99-29-1	Nextel Communications of the Mid-Atlantic, Incorporated Expand equipment compound and add generator 2750 Towerview Road Sully District	September 4, 2006

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FSA-B01-35-1	Nextel Communications of the Mid-Atlantic, Incorporated Raise level of existing antennas on existing 120-foot monopole (Braddock District)	September 7, 2006

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, MASON, AND PROVIDENCE DISTRICTS)

(R) Approved the request that the following streets be accepted into the State System.

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Talah	Dranesville	Emerson Avenue Route 1811
Sunset Lane	Mason	Sunset Lane Route 895 Additional ROW Only
Morgan Chase	Providence	Capital Beltway Route I-495 Additional ROW Only
Morgan Chase	Providence	Coal Train Drive Railroad Street Route 697 Additional ROW Only
McLean Place	Providence	Magarity Road Route 650 Additional ROW Only

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX BY ENACTING CHAPTER 109.1 (SOLID WASTE MANAGEMENT) AND REPEALING CHAPTER 109 (SOLID WASTE)

(A) (NOTE: Earlier in the meeting, the Board took additional action regarding this item. See page 19.)

Authorized the advertisement of a public hearing to be held before the Board on **July 10, 2006, at 4 p.m.** to consider proposed amendments to the Code of the

County of Fairfax, by enacting Chapter 109.1 (Solid Waste Management) and repealing Chapter 109 (Solid Waste).

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON PART OF THE RIGHT-OF-WAY OF JOCELYNE COURT (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 31, 2006, at 4:30 p.m.** to consider a proposal to abandon part of the right-of-way of Jocelyne Court (Sully District).

ADMIN 5 – APPROVAL OF TRAFFIC CALMING MEASURES FOR ROCK CANYON DRIVE AND OLD CHESTERBROOK ROAD AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (SULLY AND DRANESVILLE DISTRICTS)

- Endorsed the traffic calming plans for Rock Canyon Drive and Old Chesterbrook Road as proposed by staff and the Virginia Department of Transportation (VDOT), consisting of the following:
 - Two speed tables on Rock Canyon Drive
 - Parking and bike lanes, two speed humps, and a speed table on Old Chesterbrook Road
- Directed staff to request VDOT to install the approved measures as soon as possible.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON WIMSATT ROAD (BRADDOCK DISTRICT)

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See pages 19 and 20.)

Authorized the advertisement of a public hearing to be held before the Board on **July 31, 2006, at 4:30 p.m.** to consider the abandonment of Wimsatt Road.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE LAKE BRADDOCK RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 5 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 31, 2006, at 4:30 p.m.** to consider proposed amendments to the Code of the

County of Fairfax, Appendix G, expanding the Lake Braddock RPPD, District 5. The proposed expansion includes Tilia Court (Route 6449).

14. **A-1 – APPROVAL OF REVISIONS TO PERSONNEL REGULATIONS EXPANDING HOLIDAY COMPENSATION, CLARIFYING SHIFT DIFFERENTIAL, AMENDING MILITARY LEAVE PROVISIONS, DETAILING PURPOSE OF WORK IMPROVEMENT PLANS AND HOUSEKEEPING CHANGES (CHAPTERS 4, 10, AND 12) AND THE ADDITION OF JULY 3, 2006, AS A COUNTY HOLIDAY** (11:40 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the proposed revisions to Chapters 4 and 10 of the Personnel Regulations expanding the holiday compensation, clarifying shift differential, amending military leave provisions, and housekeeping changes. Supervisor Gross noted the withdrawal of the Chapter 12 revisions. Chairman Connolly seconded the motion.

Discussion ensued and Chairman Connolly noted that during the 2006 Celebrate Fairfax Sneak Peek, several employees pointed out that the July 4 holiday fell on a Tuesday and asked if Monday, July 3, 2006, could be considered a County holiday.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to direct staff to include Monday, July 3, 2006, as part of the July 4, 2006, County holiday. This was accepted.

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

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Gross asked unanimous consent that the Board direct staff to provide the Board with additional information on the withdrawn revisions to Chapter 12. Without objection, it was so ordered.

15. **A-2 – CHANGES TO THE FAIRFAX COUNTY PURCHASING RESOLUTION** (11:42 a.m.)

(R) On motion of Supervisor Bulova, seconded by Supervisor Gross, and carried by a vote of eight, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Frey being out of the room, Supervisor DuBois being absent, the Board concurred in the recommendation of staff and approved the changes to the Fairfax County Purchasing Resolution as outlined in the Board Agenda Item dated June 26, 2006, to become effective upon approval. These proposed changes incorporate modifications resulting from legislation enacted during the 2006 session of the

Virginia General Assembly and other administrative changes recommended by staff.

16. **A-3 – ENDORSEMENT OF A REQUEST FOR A WAIVER FROM FEDERAL SPECTRUM ALLOCATION RULES TO PERMIT PUBLIC SAFETY AGENCIES IN THE NATIONAL CAPITAL REGION TO PROCEED WITH PLANNING FOR A REGIONAL WIRELESS BROADBAND NETWORK** (11:43 a.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and support the waiver request described in the Board Agenda Item dated June 26, 2006, and authorize staff to convey that support to the Federal Communications Commission. Supervisor Bulova seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive; Wanda Gibson, Director, Department of Information Technology; and Michael Long, Senior Assistant County Attorney, regarding the impact of this process on the County.

The question was called on the motion and it carried by a vote of nine, Supervisor DuBois being absent.

17. **A-4 – APPROVAL OF AGREEMENT WITH NEXTEL OPERATIONS INCORPORATED REGARDING PLANNING FUNDING FOR 800 MHZ RADIO SYSTEMS RECONFIGURATION COSTS** (11:46 a.m.)

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

- Approve the Planning Funding Agreement.
- Authorize the County Executive to sign the agreement on behalf of the County.

Supervisor Bulova seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive; Wanda Gibson, Director, Department of Information Technology (DIT); Michael Long, Senior Assistant County Attorney; and David Barney, staff, DIT, regarding the reconfiguration costs.

Supervisor Gross asked unanimous consent that the Board direct staff to provide the Board with progress reports on the conversion. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor DuBois being absent.

18. **A-5 – APPROVAL OF A PILOT “LEASE-UP TO HOMEOWNERSHIP” PROGRAM TO ASSIST HOMELESS FAMILIES MOVE TO HOMEOWNERSHIP AND REALLOCATION IN FUND 145, HOME INVESTMENT PARTNERSHIP GRANT, TO PROVIDE TENANT-BASED RENTAL ASSISTANCE (TBRA) FOR PROGRAM PARTICIPANTS**
(11:54 a.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the reallocation of funds within Fund 145 to establish and implement a new County “Lease-Up to Homeownership” self-sufficiency pilot program for homeless families. Supervisor Bulova seconded the motion.

Discussion ensued with input from Douglas Lynott, Senior Program Manager (HOME Program), Real Estate Finance and Grants Management, Department of Housing and Community Development; and Kathy Froyd, Director, Children, Youth and Family Division, Department of Family Services, regarding total costs of the program and reallocation of funding.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova asked unanimous consent that the Board direct staff to provide the Board with a status report detailing the costs. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion and it carried by a vote of nine, Supervisor DuBois being absent.

19. **A-6 – APPROVAL TO REALLOCATE ADDITIONAL FUNDS FROM FUND 145, HOME INVESTMENT PARTNERSHIPS PROGRAM, AS A LOAN TO BIRMINGHAM GREEN ASSISTED LIVING, INCORPORATED, TOWARDS CONSTRUCTION OF A NEW ADULT ASSISTED LIVING FACILITY AT BIRMINGHAM GREEN (PRINCE WILLIAM COUNTY)** (12:07 p.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve additional funding in the amount of up to \$675,000 for the construction of a new adult assisted living facility at Birmingham Green. The additional funds are being requested due to the increased cost of construction of the facility, and the amount requested represents the County’s share of the overall increased cost. Supervisor Bulova seconded the motion.

Following discussion, with input from Louise Milder, Associate Director for Real Estate Finance, Real Estate Finance and Grants Management Division, Department of Housing and Community Development, regarding increased costs and the funding formula, the question was called on the motion and it carried by a vote of nine, Supervisor DuBois being absent.

20. **A-7 – APPROVAL OF AGREEMENTS AND CONTRACT AWARD – PUBLIC SAFETY AND TRANSPORTATION OPERATIONS CENTER (PSTOC) AND FORENSICS FACILITY (SPRINGFIELD DISTRICT)**
(12:09 p.m.)

At the request of Anthony H. Griffin, County Executive, Chairman Connolly announced that the Board would consider this item following closed session.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item #63.)

ADDITIONAL BOARD MATTER

21. **SAFE STAFFING ON FIRE EQUIPMENT** (12:10 p.m.)

(BACs) Chairman Connolly noted the omission of an agenda item from the County Executive's items and he asked Anthony H. Griffin, County Executive, to provide details.

Mr. Griffin indicated that in the process of preparing this agenda package, he became aware of a grant application item submitted by the Fire Chief for a federal program for safe staffing of fire vehicles in furtherance of a new standard that was adopted several years ago recommending that every piece of fire equipment have four personnel on the equipment. The staff recommendation was for 52 additional firefighters to staff the ladder trucks on a 24/7 basis. The program, as outlined by the Federal Government in terms of a grant, would support, over a five year period, 20 percent of the cost from the Federal Government, with the difference to be paid by the County. It would not include overtime and other expenses that the County may incur. For 52 positions over a five year period, the total cost would be \$26 million, and the Federal share would be slightly more than \$5 million. Mr. Griffin expressed his belief that this was not a program that the County can afford at this time in light of the upcoming openings of two new fire stations which will need to be staffed. There is also a Policy question as to whether the Board supports the standard of "safe staffing" as promulgated, and whether that is a requirement that must be met on all the vehicles. Presently the County meets that standard on many vehicles, but not all.

Discussion ensued regarding the formulation of the Federal Government's contribution at 20 percent, or approximately \$6 million, with the County being asked to commit to over \$20 million over the next five years.

Further discussion ensued regarding the uncertainty of the program's renewal by the Federal Government.

Supervisor Hyland asked unanimous consent that the Board direct staff to convene the Board's Fire Commission, with additional information from the

Department of Management and Budget and the Fire and Rescue Department, to review this matter. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to provide the Board with a summary on how the change to the standard occurred and the County's position on that, prior to the Fire Commission meeting. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide the Board with additional information on grant funding available for services by the Fire and Rescue Department and the Police Department. Without objection, it was so ordered.

AGENDA ITEMS

22. **C-1 – NATIONAL ASSOCIATION OF COUNTIES' (NACo) ANNUAL CONFERENCE** (12:19 p.m.)

The Board next considered an item contained in the Board Agenda dated June 26, 2006, requesting Board designation of a voting and alternate delegate to represent the County at the NACo Annual Conference to be held in Cook County, Illinois, August 4–8, 2006.

Supervisor Hyland moved the appointment of:

- Chairman Connolly as the County's voting delegate for NACo.

The motion, which was multiply seconded, carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Gross moved the appointment of:

- Supervisor Hyland as the County's alternate voting delegate for NACo.

The motion, which was multiply seconded, carried by a vote of nine, Supervisor DuBois being absent.

23. **C-2 – AUTHORIZATION FOR AMERICAN MEDICAL RESPONSE TO PROVIDE AMBULANCE SERVICE IN FAIRFAX COUNTY** (12:20 p.m.)

The Board next considered an item contained in the Board Agenda dated June 26, 2006, requesting authorization to allow American Medical Response to provide commercial ambulance service, limited to inter-hospital advanced and basic life support ambulance transfers and non-emergency transportation, in the County.

Supervisor McConnell moved that the Board allow American Medical Response to provide commercial ambulance service, limited to inter-hospital advanced and

basic life support ambulance transfers and non-emergency transportation, in the County.

Discussion ensued, with input from David P. Bobzien, County Attorney, regarding the necessity of the authorization because the original company is being purchased by another company.

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor DuBois being absent.

24. **I-1 – CONTRACT AWARD – REGIONAL POND R-17 (SPRINGFIELD DISTRICT)** (12:21 p.m.)

The Board next considered an item contained in the Board Agenda dated June 26, 2006, requesting authorization for staff to award a contract to Tessa Construction and Tech Corporation in the amount of \$3.33 million for the construction of Regional Pond R-17, Project LR0017, in Fund 316, Pro Rata Share Drainage Construction. This project includes construction of a stormwater management pond, boardwalk, asphalt trail, pond outlet structure, and other related items.

The staff was directed administratively to proceed as proposed.

25. **I-2 – AMENDMENT OF CONTRACT WITH WINBOURNE AND COSTAS, INCORPORATED, FOR CONTINUING CAD/RMS CONSULTING AD PROJECT MANAGEMENT SUPPORT AND PUBLIC SAFETY TRANSPORTATION AND OPERATIONS CENTER (PSTOC) OPERATIONS PLANNING SUPPORT** (12:21 p.m.)

The Board next considered an item contained in the Board Agenda dated June 26, 2006, requesting authorization for staff to process required amendments to reflect the increased contract value and enable Winbourne and Costas, Incorporated, to continue to provide support for Information Technology and Operations Planning Support for the PSTOC, ending December 31, 2008, and for CAD/RMS consulting support through selection of the vendor in March 2007.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

26. **RECOGNITION OF GLORY DAYS GRILL AND THE FAIRFAX COALITION OF POLICE FOR THEIR EFFORTS ON BEHALF OF COUNTY POLICE OFFICERS** (12:21 p.m.)

Chairman Connolly recognized the wonderful work of the restaurant Glory Days Grill and the Fairfax Coalition of Police. Last week they held an event to raise

money for the scholarship funds for the children of the tragically slain officers, Detective Vicky Armel and Master Police Officer Michael Garbarino.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to invite the owners of the Glory Days Grill and Marshall Thielen and the Fairfax Coalition of Police, Local 5000, to appear before the Board to be thanked formally and receive a certificate for their contribution to this effort to raise funds for the families of Detective Armel and Officer Garbarino. Without objection, it was so ordered.

27. **WASHINGTON METROPOLITAN AREA NAMED “BEST FOR TELEWORKING”** (12:23 p.m.)

Chairman Connolly announced that a study released this spring ranked the Washington DC Metropolitan Area as the “Best City for Teleworking” in the country. He noted that the County leads the region in this effort.

Supervisor Hyland asked unanimous consent that the Board reach out to the Department of the Army and the BRAC decision makers to encourage them to find ways to persuade their affected workers to telework rather than drive to Fort Belvoir before transportation infrastructure is in place. Without objection, it was so ordered.

28. **FAIRFAX COUNTY GOVERNMENT RECOGNIZED AS A BEST PLACE TO WORK IN INFORMATION TECHNOLOGY (IT)** (12:24 p.m.)

Chairman Connolly announced that *Computerworld* magazine recently released its list of the top 100 “Best Places to Work in IT” in the nation, including four County businesses, and, Fairfax County Government ranked number 98. He provided copies of the list to the Board.

Therefore, Chairman Connolly asked unanimous consent that the Board direct staff to invite David Molchany, Chief Information Officer (Deputy County Executive), Wanda Gibson, Director of the Department of Information Technology, and any other appropriate individuals to appear before the Board to be recognized for this achievement. Without objection, it was so ordered.

29. **CELEBRATE FAIRFAX COUNTY EXPO WINNERS** (12:25 p.m.)

Chairman Connolly noted the success of this year’s Celebrate Fairfax festival including record attendance on some days. He moved that the Board direct staff to invite the winners of the 2006 Celebrate Fairfax! County Expo to appear before the Board to be recognized for their hard work and outstanding exhibits. He distributed copies of the lists of awardees. Without objection, it was so ordered.

30. **AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) LIFESAVING RECOGNITION** (12:25 p.m.)

Chairman Connolly stated that at this year's Celebrate Fairfax festival, someone had a heart attack, but, because of the availability of the AEDs in the Government Center, staff was able to save that person's life. Chairman Connolly noted that 137 AEDs are installed in County facilities and 580 at School facilities for a total of 717 units in 359 locations throughout the County.

Chairman Connolly asked unanimous consent that the Board direct staff to invite Stephen Wells, the career and volunteer members of the Department of Fire and Rescue, and Police officers, all of whom acted quickly and effectively to save a life on June 10, to appear before the Board for recognition. Without objection, it was so ordered.

31. **FIRE PREVENTION WEEK** (12:26 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim the week of October 8-14, 2006, as "*Fire Prevention Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Department of Fire and Rescue to appear before the Board to be presented with the proclamation at the September 25 Board meeting. Without objection, it was so ordered.

32. **NATIONAL THERAPEUTIC RECREATION WEEK** (12:27 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim the week of July 9-15, as "*National Therapeutic Recreation Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Therapeutic Recreation Advisory Board, the Department of Community and Recreation Services, the Park Authority, and the Health Department to appear before the Board to be presented with the proclamation at the July 10 Board meeting. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

33. **ANIMAL CONTROL AND PRIVATE PEST CONTROL SERVICES** (12:27 p.m.)

Supervisor Bulova said that on May 31 she hosted a town meeting on the subject of animal issues. She expressed appreciation to Chairman Connolly for making some opening remarks that set a great tone for the meeting. The program dealt with animal behavior, wild animals that share land with County residents, the role of the Department of Animal Control, operations of the Animal Shelter, and preparing a plan for pets during emergency situations. Michael Lucas, Chief of Animal Control, and Andrew Sanderson, staff, Animal Services, did an outstanding job describing wild animal behavior and to what sorts of situations

Animal Control will respond. Shelter Director Karen Diviney brought some adorable adoption animals from the Animal Shelter, and they were a big hit.

Supervisor Bulova said that it was clear from discussion during the question and answer portion of the agenda that some people are frustrated and unclear about whom to call when Animal Control tells them they should contact a pest control company for some wild animal complaints. Apparently not all pest control companies will respond to animal calls.

Supervisor Bulova asked unanimous consent that the Board direct the County Executive and appropriate staff to review procedures for responding to wild animal complaints, to assess the sufficiency of the private sector to respond to these sorts of complaints, and to make sure staff is providing residents with accurate information about whom they can contact for help.

Supervisor Bulova stated for the record that she continues to believe the County needs more staffing in Animal Control. She added that they do a great job, but they appear to be spread rather thin to be able to respond in a timely and efficient manner in a County of this size.

Without objection, the request was so ordered.

Supervisor McConnell asked unanimous consent that the Board direct staff to publicize the contact information for the animal rescue league in regard to injured wild animals. Without objection, it was so ordered.

A brief discussed ensued about wounded birds and an exhausted carrier pigeon.

34. **FAIRFAX COUNTY HISTORY MUSEUM** (12:31 p.m.)

(NOTE: Earlier in the meeting, the Board heard the report of the History Commission and also discussed the storage of artifacts and records. See Clerk's Summary Item #10.)

Supervisor Bulova said that as soon as the Braddock District *A Look Back at Braddock* Task Force finished presenting its new book, *Braddock's True Gold*, its members began focusing on the next steps and other history-related issues they wish to pursue. One of these is advocacy for the establishment of a Fairfax County History Museum.

Supervisor Bulova stated her understanding that space in the former Lorton Prison site has been designated as space appropriate for a history museum. She also noted that the Chairman had expressed interest in this subject and that staff may already be exploring options and locations that might be available for such a facility.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff to provide information on work that may be underway to establish a Fairfax County History Museum, and, in particular, the possibility of such a museum being developed in the Laurel Hill area. If County staff, or the Laurel Hill Arts Commission, or the Re-use Committee has already given thought to the potential scope and costs of such a facility, and the potential for a public-private partnership, she asked that this information be included as well. Without objection, it was so ordered.

Discussion ensued regarding the need for a museum, centralized and decentralized approaches, and the storage and display of the County's innumerable artifacts.

35. **DEVELOPER DEFAULTS** (12:37 p.m.)

Supervisor Bulova noted that *The Washington Post* published an article on Sunday, June 15 entitled "Developers' Neglect is Costly for Fairfax – Amenities Unfinished in Dozens of Projects." She stated that the Board's Audit Committee took the lead in focusing on this issue.

Noting that the Board's individual offices are not alerted to impending developer defaults until there are problems in the community, Supervisor Bulova asked unanimous consent that the Board direct staff to provide or implement a formalized notification process for alerting the Board offices to potential developer defaults within their districts and providing periodic reports to the Board. Without objection, it was so ordered.

Chairman Connolly stated that he had a pending memorandum requesting information from the County Attorney's Office regarding new legislation effective July 1 that gives the County broadened powers in dealing with developer defaults.

Following further discussion regarding developer defaults, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to alert the Chairman's Office in addition to the District Supervisor Offices, of impending defaults. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following further discussion of this issue, regarding staffing and staff's action on developer defaults, Supervisor Bulova clarified that her request included a status report by staff on what was being done.

Supervisor Smyth asked unanimous consent that the Board direct staff to track proffer commitments in addition to bonding issues. Without objection, it was so ordered.

Further discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the rapid increase in construction costs and the need and new legislative authority for an escalator clause in the formula for setting developer bonds.

36. **CITIZEN CORPS** (12:44 p.m.)

(BACs)

Supervisor Hudgins said that the new Fairfax County Community Services Center, recently opened in Tysons Corner Center, will provide community space as well as a police sub-station. She asserted that it is also a good place to promote County services and programs. A May 24 issue of *The Connection* noted that this will be a location for “Classroom in the Mall” classes, Red Cross blood drives, and Neighborhood Watch. It was also noted that the Department of Fire and Rescue staff will offer AED/CPR and emergency preparedness training. Chief Neuhard, noting the importance of community relationships following 9/11 was quoted as saying, “We can’t do it at all, we need the community to be involved.”

With the Police substation, and Fire and Rescue staff presence, Supervisor Hudgins said it would seem that a new Community Services Center would be an excellent place to establish a display for all of the County’s Citizen Corps and affiliated volunteer emergency preparedness and response programs, a place to learn about and sign up for these programs, and perhaps a good location for training classes. More volunteers are needed for the programs.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to coordinate with the Citizen Corps Council and Citizen Corps program administrators to actively promote the County Citizens Corps and affiliate volunteer training programs at the new Community Services Center and to provide a report to the Board at its September 11, 2006, meeting on what volunteer training opportunities could be provided, not only at the new Center, but also in other community centers. Without objection, it was so ordered.

37. **OTO DEVELOPMENT, LLC EXPEDITED BOARD DATE REQUEST**
(HUNTER MILL DISTRICT) (12:46 p.m.)

Supervisor Hudgins said that OTO Development, LLC has been diligently pursuing the review and evaluation of Final Development Plan Amendment/ Proffered Condition Amendment Applications FDPA C-696-03/PCA C-696-06. These applications propose to establish two upscale, full service hotels on property identified as Land Bay IV with Dulles Station, as an option to the approved office uses. A public hearing is scheduled before the Planning Commission on July 13, 2006. The applicant has requested concurrent processing of the site and building plans, and a hearing date to be scheduled before the Board to allow the application to proceed in a timely manner.

Therefore, Supervisor Hudgins moved that the Board direct the staff of the Department of Public Works and Environmental Services to accept for processing the site and building plans associated with Final Development Plan Amendment/ Proffered Condition Amendment Applications FDPA C-696-03/PCA C-696-06. She further moved that the Board direct the scheduling of a public hearing before the Board for a date certain no later than July 31, 2006.

Supervisor Hudgins noted that this motion should not be construed as a favorable recommendation by the Board on the proposed applications, and does not relieve the Applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards.

Vice-Chairman Bulova seconded the motion, which carried by a vote of eight, Chairman Connolly being out of the room, Supervisor DuBois being absent.

38. **APPOINTMENTS TO VACANCIES ON THE RESTON COMMUNITY CENTER BOARD (HUNTER MILL DISTRICT)** (12:48 p.m.)

(APPTS) Supervisor Hudgins said that at the March 27, 2006, Board meeting, the Board adopted new boundaries for Small District #5. As a result, on July 1, 2006, three members of Reston Community Center Board of Governors will not be eligible to serve out their terms of office.

Supervisor Hudgins moved the following appointments to the Reston Community Center's Board of Governors so that they can be seated at its next meeting:

- Ms. Karen Cleveland, who received the next highest vote in the October 2005 preference poll, to fill the unexpired term of Mr. Kevin Deasey, ending in November 2008.
- Ms. Kathy Vivona, who received the succeeding next highest vote, to fill the unexpired term of Mr. George Lawton, ending in November 2008.
- Ms. Ruth Overton, who received the succeeding next highest vote, to fill the unexpired term of Mr. Peter von zur Muehlen, ending in November 2006.

Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being absent.

39. **SOUTHGATE NEIGHBORHOOD COMMUNITY CENTER OPENING (HUNTER MILL DISTRICT)** (12:49 p.m.)

Supervisor Hudgins said that in 1997, a community task force was established to formulate a plan to redevelop the Southgate Neighborhood Community Center in Reston. The task force included representatives from the Reston Association

(RA) Board of Directors, which owned the property at that time, the local Southgate and Stonegate communities, the Reston Community Center, the Department of Housing and Community Development (HCD), the Department of Community and Recreation Services (CRS), the Police Department, and area businesses. On January 7, 2003, the Board and RA entered into a Memorandum of Agreement whereby the County agreed to build and operate a new Southgate Community Center.

Supervisor Hudgins explained that the Southgate Community Center is governed by the Southgate Community Center Advisory Council. Since its first meeting on May 17, 2005, the Council has been working with the CRS, the Hunter Mill District Office, and the community on defining comprehensive community services and recreational, educational, and cultural activities intended to serve the residents of the Southgate and greater Reston community.

Supervisor Hudgins announced and extended an invitation to the Grand Opening of the Southgate Community Center, located at 12125 Pinecrest Road in Reston, on Saturday, July 8, 2006. Activities are scheduled from 11 a.m. until 3 p.m., with the formal ceremony scheduled for noon. The event is open to the public, with activities available for children and adults.

Supervisor Hudgins asked unanimous consent that the Board direct staff to assist in notifying the public and the appropriate media with information on the grand opening of the Southgate Community Center. Without objection, it was so ordered.

40. **PLUG-IN PARTNERS NATIONAL CAMPAIGN** (12:51 p.m.)

Supervisor Gross said that at the Board's Environment Committee meeting on March 27, Jim Gorby, Director of the Department of Vehicle Services, recommended that the County consider joining the Plug-In Partners National Campaign. Plug-In Partners is a national grassroots initiative to demonstrate to automakers that a market for flexible-fuel Plug-In Hybrid Electric Vehicles (PHEV) exists throughout the country today. Several questions were raised at the March meeting, and additional information was made available through the County Executive's office.

Supervisor Gross reported that at the June 12 Environment Committee meeting, there was consensus by the Board Members in attendance that the County should join the campaign and, therefore, she asked unanimous consent that:

- The County join the Plug-In Partners National Campaign to promote the development and commercialization of plug-in hybrids by major automobile manufacturers. Membership in Plug-In Partners requires no commitment of funds, and wide latitude is permitted in the exact structure of each jurisdiction's local efforts. The campaign suggests that the County estimate, if possible, the

number of plug-in hybrids that would be considered for purchase for the fleet if they were commercially available, performed as projected, and carried a reasonable cost. The County also would commit to supporting local, State, and federal policies that will promote flexible-fuel plug-in hybrid vehicles.

- The Board direct staff to report to the Environment Committee every six months, or sooner, as developments in this environmental arena occur.

Without objection, it was so ordered.

41. **“SAVE THE CRABS, THEN EAT EM”** (12:52 p.m.)

Supervisor Gross said that the Chesapeake Club is a program sponsored by the Commonwealth of Virginia and the Chesapeake Bay Program and is aimed at preventing pollution from entering the Chesapeake Bay. Associated with the Chesapeake Club effort was the County storm drain marking program, which works to raise awareness among the public that storm drains connect directly to County streams, which connect to the Potomac River and, ultimately, to the Chesapeake Bay. Trash, pet waste, motor oil, paint, and other materials dumped or washed into storm drains are major causes of pollution in local waterways. The radio, television, and print advertising for these two campaigns has been well-received in the greater Washington area.

Thanks to the Northern Virginia Soil and Water Conservation District and the Chesapeake Club, Supervisor Gross distributed to each Board member a Chesapeake Club T-shirt and handouts about the campaigns. She also played "the talking sewer" sound bite from radio advertisements.

42. **NACO ACHIEVEMENT AWARD** (12:55 p.m.)

Supervisor Gross said that she has been advised that the County was selected recently to receive a NACo Achievement Award for its Environmental Agenda and Environmental Improvement Program (combined documents) as an innovative environmental program. As single documents, neither met the criteria for the award but, together, they made a strong case which is what the Board intended when it adopted the 20-Year Environmental Vision and staff implementation. She said that once again, the County has been singled out for leadership in the environmental arena, a source of pride.

43. **SALUTE TO QUICK THINKING** (12:56 p.m.)

Supervisor Gross said that County employees provide continuous good service to the residents of the County, but one incident earlier this month reflects some very quick thinking on the part of two summer temporary employees of the Health Department that may have saved a child's life.

On June 12, Mr. Alex Johnson and Mr. Brian McCracken were setting out mosquito traps in Mason District when a child about 10 years of age came running out of a house and flagged them down, asking for assistance. When they stopped the county vehicle to inquire, the child told them that she was being chased by an adult that was under a restraining order to stay away from her. The child previously had been molested by this individual, and was obviously terrified. Alex and Brian acted immediately, taking the child out of harm's way and calling 911 for police assistance. The police arrived, Officer Steven W. Faett (#2418) took control of the situation, and Mr. Johnson and Mr. McCracken continued on their way to set the remainder of the mosquito traps on their route.

Because they are summer temporary employees, Mr. Johnson and Mr. McCracken are not eligible for regular County performance awards. However, Supervisor Gross asserted that they deserve to be recognized and thanked for their quick thinking. Accordingly, she asked unanimous consent that the Board direct staff to invite Mr. Alex Johnson and Mr. Brian McCracken to a future Board meeting to receive certificates of appreciation. Without objection, it was so ordered.

44. **CONCURRENT PROCESSING FOR PNC BANK, N.A. (MASON DISTRICT)** (12:58 p.m.)

Supervisor Gross said that PNC Bank, N.A. has filed and will be diligently pursuing processing of a special exception application currently identified as Temporary I.D. # SE 2006-0171. This application proposes to establish a drive-in bank on property identified on County tax map records as 71-4 ((1)) 28A. The application has been submitted to the County, and the applicant will be working to address any staff and community issues as part of the development review process. The applicant has requested concurrent processing of the site and building plans, and a hearing date to be scheduled before the Board to allow the application to proceed in a timely manner.

Therefore, Supervisor Gross moved that the Board direct the staff:

- Of the Department of Public Works and Environmental Services to accept for processing the site and building plans associated with special exception temporary ID # SE 2006-0171.
- To schedule a public hearing before the Board as soon as possible after a recommendation is issued by the Planning Commission.

This motion should not be construed as a favorable recommendation by the Board on the proposed application, and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

45. **THOMAS JEFFERSON HIGH SCHOOL FOR SCIENCE AND TECHNOLOGY (TJHSST) BOYS' VARSITY CREW 8 ROWING TEAM TO COMPETE AT HENLEY ROYAL REGATTA (MASON DISTRICT)**
(12:59 p.m.)

Supervisor Gross said that the TJHSST Boys' Varsity Crew 8 rowing team has been invited to compete in the Henley Royal Regatta in the United Kingdom for the Princess Elizabeth Challenge Cup from June 28 through July 2, 2006.

TJHSST, established in 1985 as a Virginia Governor's School for Mathematics, Science and Technology, serves nearly 1,800 students from Fairfax and surrounding counties in Northern Virginia. The team has consistently been among the top performing crew teams in the Washington, DC Metropolitan Area. This year, under Coach Jim Granger, the team has won the Virginia State Championship, the Stotesbury Cup Regatta, and the Scholastic Rowing Association National Championship.

At the Henley Regatta, the TJ Boys' Varsity Crew 8 rowing team will represent over 40 high school rowing teams from the greater Washington DC Metropolitan area in competition against top high school crew teams from around the world. High school crew teams from the United States have won the Princess Elizabeth Challenge Cup just three times in the last 15 years. By winning the Stotesbury Cup, they are now the number one seed from the United States to compete at the Henley Royal Regatta. As far as can be determined, the TJ Crew team is the only public high school in the world that is competing this year at Henley!

Therefore, Supervisor Gross moved that the Board:

- Recognize and congratulate the efforts of the TJHSST boys' varsity crew 8 rowing team and wish them the best of luck at the Henley Royal Regatta.
- Direct staff to invite the young men, their coach, and their parents to a future Board meeting to be recognized for their achievements.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

Supervisor Gross asked unanimous consent that the Board work with the County Executive's Office to send an expeditious email on behalf of the Board to the appropriate TJHSST representatives. Without objection, it was so ordered.

PMH:pmh

46. **SPRINGFIELD MALL (LEE DISTRICT)** (1:02 p.m.)

Jointly with Chairman Connolly and Supervisor McConnell, Supervisor Kauffman said that if Springfield has a town square, at various times it has been located somewhere in Springfield Mall. Like it or not, go there or not, the mall remains the largest (at 80 acres) and best positioned piece of real estate in that part of the County. In 1973, it opened its doors as a big, bright focal point for a community that had already been booming for close to 20 years.

In the mid-1980s, the Mall was revamped and repositioned with new parking structures, stores and Macy's as a lead anchor. However, the retail market was changing fast and the mall's ownership did not keep pace. Beginning in the early 1990s, Target notwithstanding, the mall entered into a period of steady decline, disinvestment and, at best, benign neglect. The decline in stores and the overall image of the mall has been a constant source of concern. The community is hungry for change, for a quality place that is a source of pride.

Supervisor Kauffman reported that last October, Vornado (a nationally recognized development and property management firm) purchased the managing partnership interest in the mall. They have already invested in everything from increased security to the repair of leaking roofs.

Earlier this morning, the Board was briefed on the just concluded Urban Land Institute (ULI) study of the greater Springfield area conducted by a select panel of experts from around the country. Among the panel's conclusions is that the "commercial uses are aging and tired," but that the Springfield Mall site is ideally situated to be a "regional town center." The study recommendations also advise the County to use the "Vornado development as a catalyst" for the rest of Springfield. The process can begin today.

In light of these ULI recommendations, the broad-based community support for reinventing the Mall, and the new owners' commitment to make significant, long-term investments, Supervisor Kauffman moved that the Board authorize an out-of-turn plan amendment (OTPA) for the area bounded by Franconia Road, Elder Avenue, the Franconia-Springfield Parkway, and I-95 in the Franconia-Springfield Transit Station area.

The intent of this amendment is to spark a true mixed use redevelopment of the Mall that could include additional retail square footage, residential uses, office uses, mid-rise hotel use within an overall intensity cap of 2.0 floor area ratio. The possible density level is intended as an incentive to ensure serious, quality reinvestment balanced against the need to protect the significant, public sector transportation investments made in greater Springfield over the last decade. The evaluation of this site should also ensure a high quality design with an emphasis on mitigating impacts to adjacent communities.

This motion does not prejudice the review of this OTPA or any subsequent rezoning application and does not relieve the applicant of compliance with the provision of any applicable ordinance, regulation, or adopted standard. Supervisor McConnell seconded the motion.

There was a brief discussion of the motion.

The question was called on the motion and it carried by a vote of nine, Supervisor DuBois being absent.

47. **LENORE LANE (LEE DISTRICT)** (1:09 p.m.)

Supervisor Kauffman said that Lenore Lane at Telegraph Road has been temporarily closed to make room for construction associated with the Woodrow Wilson project. Neighboring residents welcome this as they have long been plagued with cut-through traffic. The results of a cut-thru study by the Department of Transportation show Lenore Lane and Timothy Drive were used by 176 vehicles in one hour with 165 of those being cut-through vehicles. He noted that following a community meeting residents of the neighborhood are requesting that Lenore Lane between Telegraph Road and James Drive be permanently closed.

Therefore, Supervisor Kauffman moved that the Board:

- Direct the Department of Public Works and Environmental Services to coordinate with the Department of Transportation (DOT) to draft the necessary engineering drawings and text to process the vacation/abandonment request.
- Direct the County Attorney's office to coordinate with DOT to draft the necessary legal documents to process the vacation/abandonment request.
- Direct DOT to coordinate with the Virginia Department of Transportation on the permanent physical closure of the road and begin processing the vacation/abandonment upon receipt of the appropriate engineering documents and text and legal documents.
- Authorize the County Executive to act as the agent for the Board in connection with such application.

Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

48. **FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)**
(1:11 p.m.)

(BACs) Supervisor Kauffman announced that resignation of Ben Pepper, Lee District Representative, CSB after years of dedicated service.

Supervisor Kauffman referred to his written Board Matter and outlined Mr. Pepper's accomplishments and asked unanimous consent that the Board direct staff to invite Mr. Pepper to appear before the Board at a future meeting to be recognized for his years of service. Without objection, it was so ordered.

49. **LEE-MOUNT VERNON SOCCER ASSOCIATION'S U-12 PATRIOTS WIN CHAMPIONSHIP** (1:11 p.m.)

Supervisor Kauffman said that the Lee-Mount Vernon Soccer Association's U-12 Patriots, led by head coach Lula Bauer, won the Virginia Youth Soccer Association State Cup Tournament in Richmond. As State champions, the Patriots will represent Virginia in the Region I tournament that will take place June 29 – July 4 in Virginia Beach and will include teams from Maine to Maryland.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct staff to invite the Patriots, their parents and their coaches, Lula Bauer and Pat Kelly, to appear before the Board to receive recognition for this accomplishment. Without objection, it was so ordered.

50. **INTENT TO DEFER PUBLIC HEARINGS (LEE AND MOUNT VERNON DISTRICTS)** (1:12 p.m.)

Supervisor Kauffman announced his intent, later in the meeting at the appropriate time, to defer the public hearing on a proposal to abandon segments of Lockheed Boulevard.

(NOTE: Later in the meeting, it was noted that this public hearing was cancelled. See Clerk's Summary Item #81.)

Supervisor Hyland announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Special Exception Amendment Application SEA 2003-MV-028.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item #66.)

51. **AAA SCHOOL SAFETY PATROL AWARDS PROGRAM** (1:13 p.m.)

Jointly with Supervisor Kauffman, Supervisor Smyth said that the Mid-Atlantic Foundation for Safety and Education's Outstanding AAA School Safety Patrol Awards Program recognizes the most outstanding school safety patrols in 18 jurisdictions around the Washington metropolitan area. Selection criteria include leadership, dependability, academics, promptness, neatness and industriousness.

Miss Ariel Lu, a sixth grader at Fairhill Elementary School and Miss Breanne Coughlin, a sixth grader at Clermont Elementary, were among 18 safety patrols from the 35,000 in the entire Washington metro area selected to receive the AAA Outstanding School Safety Patrol of the Year for the 2005 - 2006 school year. On June 1, 2006, the Mid-Atlantic Foundation for Safety and Education, which is a non-profit organization funded by members of AAA Mid-Atlantic, Incorporated, provided each student with a plaque commemorating his or her exemplary accomplishments and \$150 in US savings bonds during a special ceremony at the Hyatt Regency in Reston.

Therefore, Supervisor Smyth asked unanimous consent that the Board direct staff to invite Miss Ariel Lu, Miss Breanne Coughlin, representatives from their respective schools, the Mid-Atlantic Foundation for Safety and Education representatives as well as the Police Department representatives to appear before the Board and receive a Certificate of Recognition at its next meeting on July 10, 2006. Without objection, it was so ordered.

52. **PROVIDENCE PERSPECTIVE** (1:14 p.m.)

Supervisor Smyth invited residents to submit historical recollections in words and/or pictures and welcomed them to join the Providence Perspective Project Committee by contacting her office.

Furthermore, Supervisor Smyth asked unanimous consent that the Board:

- Direct the Office of Public Affairs to publicize this exciting project.
- Request the assistance of other County agencies for this project as will be needed.

Without objection, it was so ordered.

Supervisor Frey reminded the Board that the *Voices of Chantilly* was the first oral history project in the County.

53. **REQUEST FOR PUBLIC HEARING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 2003-SU-040 (SULLY DISTRICT)** (1:16 p.m.)

Supervisor Frey said that in March 2004, the Board approved Rezoning Application RZ 2003-SU-040, Special Exception Application SE 2003-SU-025, and Proffered Condition Amendment Application PCA 78-S-063-4 to allow retail and fast food uses in the southwest quadrant of the intersection of Route 28 and Westfields Boulevard. Subsequent to that approval, the owner has identified several potential tenants which would provide needed and desirable services to the community, but were not contained in the list of permitted uses. Proffered Condition Amendment Application PCA 2003-SU-040 is a request to amend the allowable uses to permit all C-6 permitted uses, except those which will be expressly prohibited in the proffers. The application proposes no new construction.

Supervisor Frey noted that the Planning Commission public hearing is scheduled for July 27 and the applicant has requested that the Board hold its public hearing prior to the August recess.

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

- Schedule a public hearing to be held before the Board on July 31, 2006, regarding Proffered Condition Amendment Application PCA 2003-SU-040.
- Concurrently process building plans and permits for the application.

The applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

54. **CIVIL WAR SOLDIERS (SULLY DISTRICT)** (1:17 p.m.)

Supervisor Frey announced that the remains of six civil war soldiers that were discovered on property near his former office have been identified as Massachusetts Army soldiers. They have been returned to Massachusetts for burial with full military honors.

Supervisor Frey expressed his appreciation to the Park Authority staff that worked to identify the remains.

55. **NEW BALL FIELD AT WEST SPRINGFIELD HIGH SCHOOL (SPRINGFIELD DISTRICT)** (1:20 p.m.)

Supervisor McConnell expressed her appreciation to Chairman Connolly for attending the groundbreaking of the new ball field at West Springfield High School which will have an artificial surface.

56. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR COX COMMUNICATIONS** (1:20 p.m.)

Supervisor McConnell announced that Gary McCullum of Cox Communications has been promoted and will be leaving the County.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to invite Mr. McCullum to appear before the Board to be recognized for his outstanding service to the County. Without objection, it was so ordered.

57. **LORTON POLLING LOCATION NOTIFICATION (MOUNT VERNON DISTRICT)** (1:22 p.m.)

Supervisor Hyland said that due to the recent population increase in the Lorton and Laurel Hill area of the County, the Electoral Board and the Board of Supervisors split the Lorton Precinct and created a new Laurel Hill Precinct. He added that some constituents said that many of their neighbors were unaware of this change and did not examine their new voter registration cards closely. On the day of the Primary, some voters, out of habit, went to the old polling place for the Lorton Center Precinct at Lorton Station Elementary instead of the new one at the Grace Bible Church. While the turnout was light for the Primary two weeks ago, Election Day this coming November could prove more problematic as more people are apt to cast their ballots.

Therefore, Supervisor Hyland moved that the Board direct the Office of the General Registrar to mail a notification to all registered voters in the Lorton (617), Laurel Hill (628), and Lorton Center (625) precincts about why this change occurred and where their new polling place is located. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

58. **RECESS/CLOSED SESSION** (1:24 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. *William E. Shoup, Fairfax County Zoning Administrator v. Timothy L. Hockenberry, et al.*, In Chancery No. CH-2005-0001301 (Fx. Co. Cir. Ct.) (Providence District)
 - 2. *William E. Shoup, Fairfax County Zoning Administrator v. Bristow Shopping Center Limited Partnership LLP and Twochez and Company, Inc.*, In Chancery No. CH-2005-0003363 (Fx. Co. Cir. Ct.), and *Bristow Shopping Center v. Board of Zoning Appeals*, At Law No. CL-2005-0000109 (Fx. Co. Cir. Ct.) (Braddock District)
 - 3. *William E. Shoup, Fairfax County Zoning Administrator v. Monty J. Fearnow and Susan J. Fearnow*, Case No. CL-2006-0005125 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 - 4. *Board of Supervisors of Fairfax County, Virginia, and John Wesley White, Director, Fairfax County Department of Public Works and Environmental Services v. Board of Zoning Appeals of Fairfax County, Virginia, Young K. Lee, and Young A. Lee*, At Law No. CL-2004-0221391 (Fx. Co. Cir. Ct.) (Providence District)
 - 5. *William E. Shoup, Fairfax County Zoning Administrator v. William T. Fansher*, Case No. CL-2006-0007013 (Fx. Co. Cir. Ct.) (Sully District)
 - 6. *Board of Supervisors v. JACo Horse Pen II, LLC, and Hartford Fire Insurance Company*, At Law No. CL-2006-0006088 (Fx. Co. Cir. Ct.) (Hunter Mill District)

7. *Board of Supervisors of Fairfax County, Virginia v. Temple Rodef Shalom*, Case No. CL-2006-0006755 (Fx. Co. Cir. Ct.) (Dranesville District)
8. *Board of Supervisors v. Glenbrook 8, LLC*, Case No. CL-2006-0001891 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- Bertha Good v. Thomas W. Harrington, Civil Action Number CL-2005-0001197.
- Concerned Citizens of Hollin Hall Village v. Board of Zoning Appeals of Fairfax County, Virginia, et al.
- Tax Map No. 49-3 ((6)) parcels 111, 112, and 113.
- Fairfax County Zoning Ordinance Section 20-300.
- Board of Supervisors of Fairfax County, Virginia v. Governors Run, L.P., et al., At Law No. 201904.
- Consolidated Community Funding Pool RFPO6-826890-31.
- Virginia Code Section 2.2-371 1-A.20.
- Public Safety and Transportation Operations Center Agreement.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

DET:det

At 3:54 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor DuBois and Supervisor Hyland, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

59. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:54 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 a vote of nine, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor DuBois being absent.

60. **AUTHORIZATION TO SETTLE *BERTHA GOOD VERSUS THOMAS W. HARRINGTON*, CIVIL ACTION NUMBER CL-2005-0001197 (FAIRFAX COUNTY CIRCUIT COURT)** (3:54 p.m.)

Supervisor Gross moved that the Board authorize settlement in *Bertha Good versus Thomas W. Harrington*, Civil Action Number CL-2005-0001197 (Fairfax County Circuit Court), according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

61. **AUTHORIZATION TO ACQUIRE THE RIGHT-OF-WAY NECESSARY TO COMPLETE THE FUTURE SOUTH VAN DORN STREET/FANCONIA ROAD INTERCHANGE, PROJECT 064246 (LEE DISTRICT)** (3:55 p.m.)

Supervisor Kauffman moved:

- That the Board authorize and direct staff to acquire on behalf of the Board the right-of-way necessary to complete the future South Van Dorn Street/Fanconia Road Interchange, Project 064246, under the terms and conditions set forth in closed session.
- If it is not possible to acquire the right-of-way under the terms and conditions set forth in closed session today, the Board direct staff to return to it in order to secure the Board's approval of the terms and conditions under which the right-of-way can be acquired.
- That the Board direct staff to continue to work to obtain from the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA) approval from the FHWA to acquire the right-of-way as a "protective buying" acquisition.
- That in the event the FHWA does not approve the "protective buying" acquisition of the right-of-way, the Board authorize the acquisition of the right-of-way with County funds under the terms and conditions set forth in closed session.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

62. **AUTHORIZATION TO EXECUTE A CONTRACT FOR THE PURCHASE OF A PARCEL OF PROPERTY IDENTIFIED AS RESERVE PARCEL A, SECTION 2, BURGUNDY VILLAGE, TAX MAP NUMBER 82-2 ((13)) PARCEL A (RAVINDRANATH KANURI AND ELEANOR L. KANURI) (LEE DISTRICT)** (3:57 p.m.)

Supervisor Kauffman moved that the Board authorize and direct the County Executive, on behalf of the Board, to execute the contract for the purchase of a parcel of property in the Lee District identified as Reserve Parcel A, Section 2, Burgundy Village, Tax Map number 82-2 ((13)) parcel A, which is owned by Ravindranath Kanuri and Eleanor L. Kanuri. The acquisition of this property by the Board is necessary to resolve certain drainage problems in the vicinity of the property. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

AGENDA ITEM

63. **A-7 – APPROVAL OF AGREEMENTS AND CONTRACT AWARD – PUBLIC SAFETY AND TRANSPORTATION OPERATIONS CENTER (PSTOC) AND FORENSICS FACILITY (SPRINGFIELD DISTRICT)** (3:58 p.m.)

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

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

- Approved the construction agreement, ground lease, and joint ownership agreement, in substantially the form provided.
- Authorized staff to award a contract to Manhattan Construction Company in the amount of \$56,111,000 for the construction of the PSTOC and Forensics Facility.

Supervisor Bulova seconded the motion.

Following discussion, regarding the new facility, the question was called on the motion and it carried by a vote of nine, Supervisor DuBois being absent.

ADDITIONAL BOARD MATTER**64. APPROVAL OF AUDIT COMMITTEE QUARTERLY AUDIT REPORTS**
(3:59 p.m.)

(BACs) Supervisor McConnell moved that the Board accept the June 16, 2006, Quarterly Status Report on Operations as prepared by the Board's Auditors. Supervisor Bulova seconded the motion.

Discussion ensued and Chairman Connolly commended the auditors, particularly for finding areas for potential savings for taxpayers.

The question was called on the motion and it carried by a vote of nine, Supervisor DuBois being absent.

AGENDA ITEMS**65. 3 P.M. – PH ON REZONING APPLICATION RZ 2005-SP-019 (MIDLAND ROAD LLC) (SPRINGFIELD DISTRICT)** (4 p.m.)

(O) The application property is located in the northeast quadrant of the intersection of Lee Highway and Ridge Top Road, Tax Map 56-2 ((1)) 37.

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

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

- In excess of \$100 from Carson Lee Fifer, Jr., McGuireWoods LLP

Mr. Riegle 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.

Discussion ensued concerning a current storage facility located on the property with input from Barbara A. Byron, Director, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ).

Following the public hearing, Tracy Strunk, Senior Staff Coordinator, ZED, DPZ, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2005-SP-019, from the I-5 District to the PRM District, subject to the proffers dated June 20, 2006.

- Waiver of construction only of a service drive along Route 29, escrow to be provided.
- Modification of the transitional screening and barrier requirements in favor of that shown on the CDP/FDP.

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

On June 14, 2006, the Planning Commission approved Final Development Plan Application FDP 2005-SP-019 and the conceptual development plan, subject to the amended proffers.

66. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2002-MV-028 (SCOTT A. AND PHYLLIS P. CRABTREE) (MOUNT VERNON DISTRICT)** (4:07 p.m.)

(NOTE: On May 1, 2006, the Board deferred the public hearing on this item until June 5, 2006. On June 5, 2006, the Board deferred the public hearing on this item until June 26, 2006.)

Supervisor Hyland moved to defer indefinitely the public hearing on Special Exception Amendment Application SEA 2002-MV-028. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor DuBois being absent.

67. **3 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)** (4:07 p.m.)

(NOTE: On May 15, 2006, the Board deferred the public hearing on this item until June 5, 2006. On June 5, 2006, the Board deferred the public hearing on this item until June 26, 2006.)

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

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved approval of the Planning Commission's alternative recommendation for proposed APR Item 04-III-1FC as modified with the highlighted text shown on his handout dated June 26, 2006. Supervisor Hyland

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

DS:ds

68. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION)** (4:13 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 June 8 and June 15, 2006.

David M. McKernan, Deputy Chief, Fire Prevention, Fire and Rescue Department, presented the staff report.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection), as outlined in the Board Agenda Item dated June 26, 2006. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Frey and Supervisor Kauffman being out of the room, Supervisor DuBois being absent.

69. **3:30 P.M. – PH ON A PROPOSAL TO ABANDON A PORTION OF A SERVICE DRIVE ADJOINING LITTLE RIVER TURNPIKE (ROUTE 236) (MASON DISTRICT)** (4:16 p.m.)

- (O) (NOTE: On March 27, 2006, the Board deferred the public hearing on this item until May 15, 2006. On May 15, 2006, the Board deferred the public hearing on this item until June 26, 2006.)

Donald Stephens, Transportation Planner, Site Analysis Section, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Gross moved adoption of the order abandoning a portion of the service drive on Little River Turnpike, which is more particularly described and shown on the metes and bounds schedule dated June 22, 2006, and the plat dated October 10, 2005, revised through June 22, 2006. Supervisor Smyth seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Frey and Supervisor Kauffman being out of the room, Supervisor DuBois being absent.

70. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2004-MA-022 (AMERADA HESS CORPORATION) (MASON DISTRICT)** (4:20 p.m.)

Chairman Connolly announced that the public hearing on Special Exception Amendment Application SEA 2004-MA-022 has been deferred until **July 31, 2006, at 3 p.m.**

71. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2003-SP-035 (ROBERT N. DEANGELIS; RONALD A. AND LETA G. DEANGELIS; GEORGE HINNANT, TRUSTEE) (SPRINGFIELD DISTRICT)** (4:20 p.m.)

The application property is located at 9401 Burke Road, Tax Map 78-4 ((1)) 17A, 17B, and 17C. Also under consideration will be the applicant's request for a Water Quality Exception number 8450-WRPA-001-2 under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance to permit encroachment within a Resource Protection Area (RPA) for the purpose of wetland restoration and disturbance of additional RPA to permit plant nursery uses including building and festival uses.

Mr. William C. Thomas, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Thomas 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, Supervisor Bulova stated she had items for the record.

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

Supervisor McConnell moved:

- Approval of Special Exception Application SE 2003-SP-035, subject to the development conditions dated May 8, 2006.
- Modification of the transitional screening requirements and a waiver of the barrier requirements, in favor of that shown on the SE Plat.
- Modification of Additional Standard for Plant Nurseries number four to allow use on a street which is not an arterial.

- Modification of Additional Standard for Plant Nurseries number five to allow an existing building to remain less than 100 feet from the property line.
- Modification of Additional Standard for Plant Nurseries number six to allow parking spaces less than 50 feet from the property line.
- Waiver of the ten foot required setback for parking spaces.
- Modification of the peripheral parking lot landscaping to that shown on the SE Plat.
- Waiver of the stream valley trail requirement.

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

Supervisor McConnell further moved approval of Water Quality Exception number 8450-WRPA-001-2, under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance, to permit the encroachments into the Resource Protection Area (RPA) depicted on the SE Plat, subject to the conditions recommended in the RPA Exception Staff Report found in Appendix Seven of the Special Exception Staff Report for Special Exception Application SE 2003-SP-035. This approval shall be valid for as long as Special Exception Application SE 2003-SP-035 remains valid. Additional amendments to the SE may be approved as long as the amendment does not aggravate conflicts with the provisions of the Ordinance. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey and Supervisor Hyland being out of the room, Supervisor DuBois being absent.

72. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2005-PR-009 (SUNRISE ASSISTED LIVING LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT) (4:35 p.m.)**

The application property is located at 10322 Blake Lane, Tax Map 47-2 ((1)) 66, 67A, and 70A.

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

Mr. Riegle 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, Supervisor Smyth submitted items for the record.

Discussion ensued, with input from Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, regarding the floor area ratio.

Mr. Braham presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Approval of Special Exception Application SE 2005-PR-009, subject to the development conditions dated June 25, 2006.
- Modification of the transitional screening yard requirements along the northern, southern, and western boundaries and waiver of the barrier requirement along the eastern and northeastern boundaries, in favor of that shown on the special exception plat and referenced in the development conditions.
- Approval of Public Facilities Manual Waiver Request 2352 WPFM-002-1, to allow underground stormwater detention and treatment in a residential development, subject to the development conditions contained in Attachment Two of the second staff report addendum dated May 10, 2006.

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

73.

4 P.M. – PH ON PROPOSED PLAN AMENDMENT S05-III-FC1, LOCATED ON FAIR RIDGE DRIVE, NORTH OF LEE HIGHWAY IN THE FAIRFAX CENTER AREA, SUB-UNIT A-6 (SULLY DISTRICT)
(4:49 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 June 8 and June 15, 2006.

Clara Quintero Johnson, Planner III, Policy and Plan Development Branch, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report.

Following the public hearing, which included testimony by one speaker, discussion ensued, with input from Marianne Gardner, Chief, Policy and Plan Development Branch, PD, DPZ, regarding the development.

Ms. Quintero Johnson presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of the Planning Commission recommendation for Plan Amendment S05-III-FC1, which adds an option for an independent living facility with up to 200 units of housing for the elderly. The new plan text adds guidance regarding compatibility with surrounding uses and provision of shuttle service for the elderly residents to be able to have access to bus and rail facilities and community services. This recommendation is shown on the handout dated June 26, 2006. Supervisor Bulova and Supervisor Hudgins jointly seconded the motion and it carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor DuBois being absent.

74. **4 P.M. – PH ON PROPOSED AMENDMENTS THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING EDITORIAL AND OTHER MINOR REVISIONS**
(4:56 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 June 8 and June 15, 2006.

Paige Mathes, Senior Assistant to the Zoning Administrator, Ordinance Administration Branch, Department of Planning and Zoning (DPZ), presented the staff report.

Discussion ensued, with input from Ms. Mathes, regarding grammatical correctness.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as recommended by staff, which is in concurrence with the Planning Commission's recommendation, with the exception of the editorial revisions with respect to changing the term "farmers' markets" to the grammatically incorrect "farmers markets." Supervisor Gross seconded the motion.

Discussion ensued, with input from Lorrie Kirst, Deputy Zoning Administrator, Ordinance Administration Branch, DPZ, regarding the motion.

Supervisor Bulova clarified that her motion included keeping the apostrophe in the term "farmers' markets."

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

75. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) AND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING SERVICE DRIVE REQUIREMENTS AND STREETLIGHT REQUIREMENTS** (5:01 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 June 8 and June 15, 2006.

Judith Cronauer, Engineer III, Code Analysis Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the PFM and the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding service drive requirements and streetlight requirements, as set forth in the staff report dated March 17, 2006. The proposed amendments shall become effective at 12:01 a.m., June 27, 2006. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor DuBois being absent.

76. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, EXPANDING THE KINGSTOWNE COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)** (5:04 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 June 8 and June 15, 2006.

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

The public hearing was held and included testimony by 11 speakers.

Supervisor Kauffman submitted items for the record.

Chairman Connolly submitted items for the record.

Supervisor Bulova submitted items for the record.

Supervisor Kauffman moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Kingstowne CPD, in accordance with existing CPD restrictions. Supervisor Bulova and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor

Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor DuBois being absent.

77. **5 P.M. – PH ON REZONING APPLICATION RZ 2005-MV-001 (BROOKFIELD RIDGE ROAD, LLC) (MOUNT VERNON DISTRICT)**
(5:38 p.m.)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 2005-MV-001 until **July 31, 2006, at 3:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being absent.

78. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE WOODGATE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (5:39 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 June 8 and June 15, 2006.

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

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Woodgate CPD, in accordance with existing CPD restrictions. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hyland and Supervisor Kauffman being out of the room, Supervisor DuBois being absent.

79. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE SECOND LONDON TOWNE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (5:50 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 June 8 and June 15, 2006.

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

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Second London Towne CPD, in

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

80. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)** (5:58 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 June 8 and June 15, 2006.

Hamid Majdi, Transportation Planner II, Traffic Operations Section, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Bulova stated that she had items for the record.

Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Robinson RPPD, District 17. The proposed district expansion includes Commonwealth Court (Route 5483) from Commonwealth Boulevard (Route 4801) to the end. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hyland and Supervisor Kauffman being out of the room, Supervisor DuBois being absent.

81. **4:30 P.M. – PH ON A PROPOSAL TO ABANDON SEGMENTS OF LOCKHEED BOULEVARD (LEE DISTRICT)** (6:01 p.m.)

Chairman Connolly noted that this public hearing has been cancelled.

82. **4:30 P.M. – PH 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** (6:02 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 June 8 and June 15, 2006.

Robert M. Ross, Assistant County Attorney, presented the staff report.

Following the public hearing, which included testimony by one speaker, a brief discussion ensued regarding deletion of the red light camera surveillance (photo red light) from the Code of the County of Fairfax.

Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hyland and Supervisor Kauffman being out of the room, Supervisor DuBois being absent.

83. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-5-32, STOPPING, STANDING, AND PARKING**
(6:05 p.m.)

(APPTS)

(BACs) (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 June 8 and June 15, 2006.

Dave Reidenbach, Director, Consumer Protection Division, Department of Cable Communications and Consumer Protection, presented the staff report.

Discussion ensued, with input from Mr. Reidenbach, regarding the provision of an automated teller machine (ATM) which would accept credit cards at locations where vehicles are towed.

Further discussion ensued concerning an email which the Chairman distributed to Board Members regarding the appointment of John Fee, Consumer Protection Commission, as the public representative on the proposed Trespass Towing Advisory Board.

Following the public hearing, which included testimony by one speaker, discussion ensued, with input from Mr. Reidenbach, regarding the number of representatives which the Board will appoint to the proposed Trespass Towing Advisory Board and the towing issue.

Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5-32, Stopping, Standing, and Parking, to establish a Trespass Towing Advisory Board. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hyland being out of the room, Supervisor DuBois being absent.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved the following appointments to the Trespass Towing Advisory Board:

- Mr. John Fee as the Citizen Representative
- Mr. Ronald P. Miner as the Alternate Citizen Representative

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

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

84. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41.1 (ANIMAL CONTROL AND CARE), SECTIONS 41.1-1-1 AND 41.1-2-7, CONCERNING DANGEROUS AND VICIOUS DOGS** (6:17 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 June 8 and June 15, 2006.

Michael Lucas, Chief Animal Control Officer, Animal Services Division, Police Department, presented the staff report and discussion ensued regarding the definition of dangerous dogs.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 41.1 (Animal Control and Care), Sections 41.1-1-1 and 41.1-2-7, concerning dangerous and vicious dogs, to reflect amendments to State law. Supervisor Frey seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hyland being out of the room, Supervisor DuBois being absent.

85. **5 P.M. – PH ON REZONING APPLICATION RZ 2004-SU-029 (NVP, INCORPORATED) (SULLY DISTRICT)** (6:22 p.m.)

Chairman Connolly announced that the public hearing on Rezoning Application RZ 2004-SU-029 has been deferred until **September 11, 2006, at 4:30 p.m.**

86. **5 P.M. – PH ON REZONING APPLICATION RZ 2005-MV-001 (BROOKFIELD RIDGE ROAD, LLC) (MOUNT VERNON DISTRICT)**
(No Time)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk’s Summary Item #77.)

87. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:22 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 June 8 and June 15, 2006.

Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and included testimony by the following individual:

- Mr. Gregory Hotz regarding the Orange Hunt Community Parking District.

88. **BOARD ADJOURNMENT** (6:26 p.m.)

The Board adjourned.

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