



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
September 25, 2006**

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18-06

CWB:cwb

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, September 25, 2006, at 9:41 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Dana Kauffman, Lee District
- Supervisor Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

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, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:41 a.m.)

Chairman Connolly asked everyone to keep in thoughts the family of Richard King who recently died. Mr. King held several positions during his career with the County including Chief of Police, Deputy County Executive for Public Safety, and Acting County Executive.

AGENDA ITEMS2. **CERTIFICATE OF RECOGNITION PRESENTED TO CRIME PREVENTION OFFICER KATY FERNBACHER** (9:43 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Crime Prevention Officer Katy Fernbacher for her efforts in the conviction of the BORF graffiti artist. Supervisor DuBois seconded the motion and it carried by unanimous vote.

3. **PROCLAMATION DESIGNATING OCTOBER 8-14, 2006, AS "FIRE PREVENTION WEEK" IN FAIRFAX COUNTY** (9:51 a.m.)

Supervisor Hyland moved approval of the Proclamation to designate October 8-14, 2006, as "*Fire Prevention Week*" in Fairfax County. Supervisor Bulova and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO TODD RESTAURANTS, INCORPORATED** (9:57 a.m.)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Todd Restaurants, Incorporated, on the occasion of its twentieth anniversary of operation in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING OCTOBER 1-7, 2006, AS "MENTAL ILLNESS AWARENESS WEEK" IN FAIRFAX COUNTY** (10:01 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate October 1-7, 2006, as "*Mental Illness Awareness Week*" in Fairfax County. Chairman Connolly seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING OCTOBER 2006 AS “DISABILITY EMPLOYMENT AWARENESS MONTH” IN FAIRFAX COUNTY** (10:11 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate October 2006 as “*Disability Employment Awareness Month*” in Fairfax County. Supervisor Hudgins and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

7. **PROCLAMATION DESIGNATING OCTOBER 15, 2006, AS “WHITE CANE SAFETY DAY” IN FAIRFAX COUNTY** (10:21 a.m.)

Supervisor Frey moved approval of the Proclamation to designate October 15, 2006, as “*White Cane Safety Day*” in Fairfax County. Chairman Connolly seconded the motion and it carried by unanimous vote.

8. **PROCLAMATION DESIGNATING OCTOBER 2006 AS “DOMESTIC VIOLENCE AWARENESS MONTH” IN FAIRFAX COUNTY** (10:34 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate October 2006 as “*Domestic Violence Awareness Month*” in Fairfax County. Supervisor McConnell and Supervisor Gross jointly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.*

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

*Upon her return to the Board Auditorium, Supervisor Hudgins asked to be recorded as voting “AYE” on the motion.

9. **PROCLAMATION DESIGNATING OCTOBER 2006 AS “LIBRARY FOUNDATION MONTH” IN FAIRFAX COUNTY** (10:41 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate October 2006 as “*Library Foundation Month*” in Fairfax County. Supervisor Hyland and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

DS:ds

10. **10 A.M. – PRESENTATION OF THE EXCEPTIONAL DESIGN AWARDS**
(10:49 a.m.)

This is the twenty-second year of the Exceptional Design Awards Program. The purpose of the awards program is to recognize achievement in the total design of a building and site and to create an awareness of outstanding planning and design projects among design professionals and the general public. C. Richard Bierce, Chairman of the Design Jury, presented the 2006 Exceptional Design Awards to the following:

- *Honor Award:* Keene Residence
(Residential, Single Family Detached)
Architect: Randall Mars, McLean, Virginia
Owner/Developer: Pam and David Keene
Year Built: 2005
- *Honor Award:* Herndon Senior Center
(Recreational)
Architect: Cunningham & Quill Architects PLCC, Washington, DC
Owner/Developer: Fairfax County Redevelopment and Housing Authority
Year Built: 2005
- *Merit Award:* Labas-Salerno Residence
(Residential, Single Family Detached)
Designer: Amestudio, Alexandria, Virginia
Owner/Developer: Steve Labas and Cathy Salerno
Year Built: 2005
- *Honorable Mention Award:* Sallie Mae Headquarters
(Commercial, Office)
Architect: Boggs and Partners Architects, Annapolis, Maryland
Owner/Developer: Sallie Mae
Year Built: 2004
- *Honorable Mention Award:* Wolf Trap Center for Education
(Institutional)
Architect: Robert Wilson Mobley Partnership, Great Falls, Virginia
Owner/Developer: Wolf Trap Foundation
Year Built: 2004
- *Honorable Mention Award:* Four Stairs
(Historical)
Architect: Barnes Vanze Architects, Washington, DC
Owner/Developer: Name withheld
Year Built: 2003

Chairman Connolly stated that paying attention to the aesthetic is very important to the quality of life. He noted that recently, while attending the National Association of Counties' Annual Meeting in Chicago with Supervisor Gross and Supervisor Hyland, that Chicago emphasizes the beauty of its parks in sculpture, public art, and architecture. He said it was a joy to walk through the central part of Michigan Avenue in Chicago and the waterfront by the lake.

A brief discussion ensued.

11. **10:15 A.M. – PRESENTATION TO THE BOARD OF SUPERVISORS AND THE SCHOOL BOARD – FAIRFAX COUNTY GANG PREVENTION – YEAR IN REVIEW** (10:59 a.m.)

Chairman Connolly recognized the presence of the following School Board Members and warmly welcomed them to the Board Auditorium:

- Chairman Ilryong Moon
- Catherine Belter, Springfield District
- Jane Strauss, Dranesville District
- Daniel Storck, Mount Vernon District
- Stephen Hunt, Hunter Mill District
- Kathy Smith, Sully District
- Phillip Niedzielski-Eichner, Providence District

Chairman Connolly also recognized the presence of Richard Moniuszko, Deputy Superintendent of Schools, and warmly welcomed him to the Board Auditorium.

Chairman Connolly noted that Superintendent Jack Dale was not able to attend because he is testifying elsewhere on '*No Child Left Behind.*'

A handout entitled "Fairfax County Gang Prevention Year in Review" was distributed around the dais.

Bob Bermingham, Gang Prevention Coordinator, and P.D. O'Keefe, Fairfax County Public Schools Violence Prevention Specialist, presented the Gang Prevention report.

Chairman Connolly noted that enormous progress has been made in the County's gang prevention and intervention strategy.

Chairman Connolly recognized the presence of the following individuals and warmly welcomed them to the Board Auditorium:

- Tessie Wilson, Braddock District School Board Member
- Dave Rohrer, Police Chief
- Pamela Minnich, Commander of the Youth Services Division, Police Department

Discussion ensued regarding the methods used to inform the citizens and the public of gang prevention events.

Further discussion ensued regarding outreach to the Parent Teacher Associations, methamphetamines, and recommendations for new legislation.

Chairman Moon expressed gratitude to the Board for inviting the School Board to the presentation. He noted that although a lot of progress has been made in this area, there is still a lot of work to be done. He also noted the importance of having School Resource Officers in all middle and high schools in the County.

Discussion ensued, with input from Alice Farling, Assistant Superintendent, Department of Special Services, School Division, regarding the school counselors' involvement in gang prevention.

Further discussion ensued regarding the "Road Dawg" Program, which was created to mentor children and the need for a staff person in every school whom kids can go to if there is an issue.

Ms. Strauss said that ethical decision-making strong moral character development is a major part of the instructional program for children in Fairfax County Public Schools. She noted that a fuller explanation of the Alternative Education Programs could be provided to the Board in written form at a later time.

Supervisor Hudgins raised a question regarding school suspension and expulsion statistics.

Chairman Connolly noted that the Board of Supervisors and the School Board need to have a more substantial conversation regarding these issues.

Further discussion ensued regarding the involvement of school principals.

Ms. Belcher raised a question regarding which areas in the County have the most gang activity.

Supervisor Kauffman raised a question regarding the multiple programs, prevention initiatives, and groups and how they can be combined to work together on these issues.

PW:pw

12. **11 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (12:02 p.m.)

(APPTS)

(BACs)

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Mason and Mount Vernon District Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointments of the Mount Vernon District Business and Mount Vernon District Representatives.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

CONFIRMATIONS:

Supervisor Hyland moved the confirmation of the following appointments:

- Mr. David Jacobs as the Fairfax-Falls Church Community Services Board Representative
- Ms. Gail Campbell as the Fairfax-Falls Church Community Services Board Alternate Representative

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

ANIMAL SERVICES ADVISORY COMMISSION

Supervisor Hudgins moved the appointment of Ms. Lucinda Stewart as the Hunter Mill District Representative.

ARCHITECTURAL REVIEW BOARD

Supervisor Hudgins moved the reappointment of Ms. Joy Marshall Ortiz as the Architect #2 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Robert Wilson Mobley as the Related Professional Group #1 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Ms. Susan Woodward Notkins as the Related Professional Group #3 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Mark Searle as the Related Professional Group #6 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

ATHLETIC COUNCIL

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

CONFIRMATION:

Supervisor Bulova moved the confirmation of the following appointment:

- Mr. Bret Bailey as the Lacrosse Council Alternate Representative

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Supervisor Bulova moved the reappointment of Ms. Margaret Kugler as the Braddock District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the appointment of Mr. James Raney as the Lee District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Supervisor Gross moved the appointment of Mr. Robert Mansker to fill the unexpired term of Ms. Noelle Maynard as the Freeholder #3 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

CELEBRATE FAIRFAX, INCORPORATED BOARD OF DIRECTORS

Supervisor Kauffman moved the reappointment of Ms. Phyllis Walker Ford as the At-Large #1 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Donald Weber, Sr. as the At-Large #2 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Christopher Welker as the At-Large #3 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. Peter Murphy, Jr. as the At-Large #4 Representative. Supervisor McConnell seconded the motion, which carried by unanimous vote.

CHILD CARE ADVISORY COUNCIL

Supervisor Bulova moved the reappointment of Ms. Janet Reimer as the Braddock District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Ms. Elizabeth Knab as the Dranesville District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Bernice Mayfield as the Hunter Mill District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Judith Falkenrath as the Mason District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Robert Berman as the Springfield District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Providence District Representative.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Supervisor Frey moved the appointment of Mr. Ray Cammas as the Sully District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville, Mason, Mount Vernon, Providence, and Springfield District Representatives.

COMMISSION FOR WOMEN

Supervisor McConnell moved the appointment of Ms. Jeanie Jew to fill the unexpired term of Ms. Mary Byers as the Springfield District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointment of the Sully District Representative.

CONSUMER PROTECTION COMMISSION

Supervisor DuBois moved the reappointment of Mr. James Mrowka as the Fairfax County Resident #6 Representative. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Ms. Cynthia Robinson as the Fairfax County Resident #8 Representative. Supervisor Bulova and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Fairfax County Resident #12 Representative.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointments of the Dranesville and Springfield District Representatives.

CONFIRMATION:

Supervisor Bulova moved the confirmation of the following appointments:

- Ms. Judith Leader as the League of Women Voters of the Fairfax Area Alternate Representative

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

ENGINEERING STANDARDS REVIEW COMMITTEE

Supervisor Smyth moved the appointment of Mr. Seon Cho as the Citizen #2 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the Springfield District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Lee District Representative.

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

Supervisor Bulova moved the confirmation of the following appointments:

- Mr. Kenneth Connelly as the Assisted Living Representative
- Ms. Marilyn Bersoff as the Business/Corporation #1 Representative
- Ms. Lin Wagener as the Business/Corporation #3 Representative
- Mr. Gerald Hopkins as the Business/Corporation #6 Representative
- Ms. Judy Seiff as the Business/Corporation #8 Representative
- Ms. Linda Stiles Shively as the Business/Corporation #10 Representative
- Ms. Barbara Watts as the Business/Corporation #11 Representative
- Ms. Barbara Pope as the Business/Corporation #12 Representative

- Mr. Steve Yaffe as the Business/Corporation #13 Representative
- Ms. Ellamae Doyle as the Commission on Aging Representative
- Ms. Jessica Burmester as the Community #1 Representative
- Ms. Nancy Mercer as the Community #2 Representative
- Ms. Judith Ratliff as the Community #3 Representative
- Mr. Verdia Haywood as the Deputy County Executive Representative
- Mr. Ellwood Witt, Jr. as the Fairfax Area Disability Services Board
- Mr. Ray Burmester as the Fairfax-Falls Church Community Services Board Representative
- Mr. Michael Behrman as the George Mason University Representative
- Mr. Philip Reeves as the Health Systems Agency Board Representative
- Mr. Robert Hager as the Inova Health Systems Alternate Representative
- Mr. Michael Creedon as the Long Term Care Task Force #2 Representative
- Ms. Sally Hottle as the Long Term Care Task Force #4 Representative
- Mr. Heisung Lee as the Long Term Care Task Force #5 Representative
- Ms. Doris Ray as the Long Term Care Task Force #6 Representative

- Mr. Joseph Potosnak as the Long Term Care Task Force #8 Representative

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

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Gross moved the appointment of Ms. Susan Beeman to fill the unexpired term of the late Mr. Josiah Beeman as the Mason District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman expressed appreciation to Mr. Bill Turque of the *Washington Post* for his article on boards, authorities, commissions, and committees (BACs) which generated public interest.

The Board deferred the appointment of the Lee District Representative.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #1 Representative.

HUMAN RIGHTS COMMISSION

Chairman Connolly moved the reappointment of Mr. Victor Dunbar as the At-Large #3 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Lynn Clark as the At-Large #10 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Kenneth Schwartz as the At-Large #1 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

Supervisor Bulova moved the appointment of Mr. Tom Grodeck to fill the unexpired term of Mr. Raymond Burmester as the Braddock District #2 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

Supervisor Bulova moved the appointment of Mr. John Bauer as the Braddock District Representative. This motion, the second to which was inaudible, carried by unanimous vote.

Supervisor Bulova also acknowledged the recent *Washington Post* article regarding vacancies on BACs and thanked the reporter for the increased interest by residents.

The Board deferred the appointment of the Mason District Representatives.

SMALL BUSINESS COMMISSION

The Board deferred the appointment of the Dranesville District Representative.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Citizen #3 Representative.

TRAILS AND SIDEWALKS COMMITTEE

Supervisor Frey announced the resignation of Mr. Travis Combest and moved the appointment of Ms. Deb Leser as the Sully District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

TRANSPORTATION ADVISORY COMMISSION

Supervisor Hudgins moved the appointment of Ms. Jenifer Madden as the Hunter Mill District Representative to the Transportation Advisory Commission. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Providence District Representative.

TREE COMMISSION

Supervisor Kauffman moved the appointment of Ms. Elizabeth Kohm to fill the unexpired term of Ms. Roberta Cain as the Lee District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Springfield District Representative.

UNIFORMED RETIREMENT SYSTEM

Supervisor Hudgins moved the appointment of Mr. Ronald Orr as the Citizen #2 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Citizen #1 Representative.

YOUTH BASKETBALL COUNCIL ADVISORY BOARD**CONFIRMATIONS:**

Supervisor DuBois moved the confirmation of the following appointments:

- Mr. E.J. Thomas as the Chairman and Vienna Youth Incorporated Representative
- Mr. Tom Moore as the Immediate Past Chairman Representative
- Mr. Michael Stensrud as the Commissioner and the Fairfax Police Youth Club Representative
- Ms. Dianne Johnson as the Secretary and as the Mount Vernon Youth Association Representative
- Mr. Rob Barnard as the Member At-Large and the Springfield Youth Club Representative
- Mr. Fred McCarrick as the Treasurer and the Turnpike Basketball Club Representative
- Mr. Ray Cicale as the Boys Deputy Commissioner and the Lee District Basketball Representative
- Ms. Beth Eckert as the Girls Deputy Commissioner and the Great Falls Athletic Association Representative
- Ms. Donna Troup as the Scheduler
- Mr. Christopher Pulley as the Fairfax County Department of Community and Recreation Services Representative

- Mr. Marvin Elliott as the Alexandria City Recreation Representative
- Dr. Frank DeLatour as the Annandale Boys and Girls Club Representative
- Mr. David Green as the Arlington County Recreation Representative
- Mr. John Blevins as the Arlington County Recreation Alternate Representative
- Mr. Bob Modowski as the Ashburn Athletic Association Representative
- Mr. Kevin Prince as the Ashburn Athletic Association Alternate Representative
- Mr. Grady Bryant as the Baileys Community Center Representative
- Mr. Jim Watson as the Braddock Road Youth Club Representative
- Mr. Mark Partonen as the Burke Basketball Representative
- Mr. Jack McHale as the Burke Basketball Alternate Representative
- Ms. Lynne Nolan as the Chantilly Youth Association Representative
- Mr. Marty Small as the Chantilly Youth Association Alternate Representative
- Ms. Michelle Chapman-Campbell as the David R. Pinn Recreation Center Representative
- Mr. Adam Wilk as the David R. Pinn Recreation Center Alternate Representative

- Mr. Russ McClure as the Fairfax Police Youth Club Alternate Representative
- Mr. Chris Madison as the Falls Church Parks and Recreation Representative
- Mr. Danny Schlitt as the Falls Church Parks and Recreation Alternate Representative
- Mr. Richard L. Herman as the Fort Belvoir Youth Services Representative
- Mr. Alton Greene as the Fort Belvoir Youth Services Alternate Representative
- Mr. Kenneth Waters as the Fort Hunt Athletic Association Representative
- Mr. Jim Gallager as the Great Falls Athletic Association Alternate Representative
- Mr. Dan Moon as the Gum Springs Community Center Representative
- Mr. Tom Benton as the Herndon Optimist Club Representative
- Mr. Jimmy Bernardez as a James Lee Community Center Representative
- Mr. Tim Shouman as the Lee District Basketball Alternate Representative
- Mr. Rob Barth as the McLean Youth, Incorporated Representative
- Mr. Antoine Harris as the Mott Community Center Representative
- Ms. Gale Scott as the Mott Community Center Alternate Representative

- Mr. Brian Judd as the Mount Vernon Youth Association Alternate Representative
- Mr. Ron Wiley as the Reston Youth Basketball League Alternate Representative
- Mr. Dave Vennergrund as the Southwestern Youth Association Representative
- Mr. Bob Korman as the Southwestern Youth Association Alternate Representative
- Mr. Chris Spera as the Springfield Youth Club Alternate Representative
- Mr. Tom Stepka as the Turnpike Basketball Club Alternate Representative
- Mr. Taylor Roberts as the Vienna Youth Incorporated Alternate Representative

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

AD HOC COMMITTEES

2006 FALL BOND REFERENDUM CITIZEN COMMITTEE

Supervisor Hyland moved the appointment of Mr. Robert Johansson as the Mount Vernon District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the appointment of Mr. Mark Abbott as the Sully District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY COORDINATING COMMITTEE

Supervisor DuBois moved the appointment of Ms. Carrie Lake as the Dranesville District #3 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Providence District #2 and Sully District Representatives.

ADDITIONAL APPOINTMENT**AUDIT COMMITTEE**

Supervisor Bulova announced that Mr. Frederick Haynes, the At-Large #1 Representative, had resigned and therefore moved the appointment of Mr. Sean Coleman to fill his unexpired term. Supervisor Gross seconded the motion, which carried by unanimous vote.

NV:nv

BOARD MATTER13. **AUDIT COMMITTEE RECOMMENDATIONS** (12:14 p.m.)

(BACs) Supervisor McConnell moved that the Board:

- Approve the Quarterly Status Report on Operations as of September 19, 2006, as presented by the Office of Financial and Programs Auditor to the Audit Committee.
- Direct the County Executive to set the vehicle mileage at a minimum of 5000 miles per year with flexibility for exemptions.

Discussion ensued regarding mileage and exemptions.

Supervisor Bulova seconded the motion.

Following discussion regarding flexibility, exemptions, and different ways of doing business, the question was called on the motion, which carried by unanimous vote.

PW:pw

AGENDA ITEMS14. **ADMINISTRATIVE ITEMS** (12:19 p.m.)

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

Supervisor Smyth called the Board's attention to Admin 1 – Extension of Review Periods for 2232 Public Facilities Review Applications. Discussion ensued with input from David B. Marshall, Planning Division, Department of Planning and Zoning, regarding the rooftop antenna on the Massey Building.

Supervisor Kauffman called the Board's attention to Admin 3 – Additional Time to Commence Construction for Special Exception Application SE 2004-LE-008, Motiva Enterprises, LLC D/B/A Shell Oil Company and asked to amend the motion to approve 3 months of additional time to commence construction instead of 12 months, and this was accepted.

Supervisor Kauffman called the Board's attention to Admin 5 – Authorization to Advertise Public Hearings to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance). Following discussion with input from Donna Pesto, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, Supervisor Kauffman asked to amend the motion to consider Admin 5 separately, later in the meeting, and this was accepted.

Supervisor Smyth called the Board's attention to Admin 8 – Authorization for the Department of Transportation (DOT) to Apply for Fiscal Year (FY) 2008 Regional Surface Transportation (RST) Program and Congestion Mitigation and Air Quality (CMAQ) Program Funds. Discussion ensued with input from Katharine D. Ichter, Director, DOT, regarding receipt of funds.

Supervisor Kauffman called the Board's attention to Admin 11 – Authorization for the Department of Planning and Zoning (DPZ) and the Department of Transportation (DOT) to Apply for and Accept Funding From the Office of Economic Adjustment (OEA), Department of Defense, for Studies Related to Fort Belvoir Base Realignment and Closure (BRAC) 2005 Actions. Discussion ensued noting the possibility of changes to the schedule and creation of additional staff positions.

Supervisor Smyth called the Board's attention to Admin 12 – Authorization to Advertise Public Hearings to Consider Proposed Amendments to the Public Facilities Manual (PFM) Regarding Low Impact Development Practices.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to publicize the ceremony regarding the dam rehabilitation plan for Royal Lake that was held just prior to the Board meeting. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Discussion ensued regarding Admin 12 with input from John Friedman, Code Analyst, Land Development Services, Department of Public Works and Environmental Services (DPWES); Jimmie D. Jenkins, Director, DPWES; and Karen Harwood, Deputy County Attorney, regarding pervious pavement. Following further discussion, Supervisor Smyth moved to defer action on Admin 12 and refer the item to staff for further consideration, and this was accepted.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that Supervisor Frey, as Chair of the Board's Development Process Committee, and Supervisor Gross, as Chair of the Board's Environmental Committee, coordinate their respective committee agendas so that they can report to the Board as soon as possible regarding the issues associated with Admin 12. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion to approve the Administrative Items, as amended, with the exception of Admin 5 and Admin 12, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

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

(NOTE: Earlier in the meeting, there was a brief comment on this item. See page 19.)

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>
FS-P06-47	Sprint-Nextel Rooftop antennas 1951 Kidwell Drive (Providence District)	December 7, 2006
FS-M06-48	Nextel Communications of the Mid-Atlantic, Incorporated Rooftop antennas 3407 Moray Lane (Mason District)	December 8, 2006
FS-L06-49	T-Mobile Northeast LLC Antenna co-location on existing transmission tower 5850 Tilbury Road (Lee District)	December 11, 2006

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-P06-50	National Capital Region Interoperability Program Rooftop antennas 4100 Chain Bridge Road (Massey Building) (Providence District)	December 14, 2006
FS-Y06-51	FiberTower Dish antennas co-located on existing communication tower 15717 Lee Highway (Sully District)	December 17, 2006
FS-S06-46	Nextel Communication of the Mid-Atlantic, Incorporated Antenna co-location on existing communication tower 11209 Fairfax Station Road (Springfield District)	December 21, 2006
FS-V06-52	T-Mobile Northeast LLC Antenna co-location inside existing steeple 2006 Belle View Boulevard (Mount Vernon District)	December 21, 2006
FS-S06-53	T-Mobile Northeast LLC Antenna co-location on extended transmission pole 13122 Moore Road (Springfield District)	December 21, 2006
2232-L06-13	Department of Public Works and Environmental Services 16-bed residential treatment center 8247 Gregory Drive (Lee District)	March 31, 2007

ADMIN 2 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 97-Y-042, FAI OLD CENTREVILLE, LLC (SULLY DISTRICT)

- (AT) Approved the request for nine months of additional time to commence construction for Special Exception Application SE 97-Y-042 to January 28, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2004-LE-008, MOTIVA ENTERPRISES, LLC D/B/A SHELL OIL COMPANY (LEE DISTRICT)

- (AT) (NOTE: Earlier in the meeting, the Board amended this item. See page 20.)

Approved the request for 3 months, instead of 12 months, of additional time to commence construction for Special Exception Application SE 2004-LE-008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

(NOTE: Later in the meeting, the Board clarified this action. See Clerk's Summary Item #41.)

ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-036-2, TRUSTEES OF WORD OF LIFE ASSEMBLY OF GOD CHURCH (MASON DISTRICT)

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Amendment Application SEA 85-L-036-2 to January 5, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING CERTAIN ADDITIONS TO AN EXISTING SINGLE FAMILY DETACHED DWELLING THAT CURRENTLY EXTENDS INTO A MINIMUM REQUIRED YARD BY MORE THAN 50 PERCENT AND/OR IS CLOSER THAN FIVE FEET TO A LOT LINE (AKA "POP-UPS AND CARPORT ENCLOSURES")

(NOTE: Earlier in the meeting, the Board deferred action on this item. See page 20.)

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Items #40 and #42.)

ADMIN 6 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2003-PR-005, RIGGS BANK NA (PROVIDENCE DISTRICT)

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Application SE 2003-PR-005 to February 13, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 7 – STREETS INTO THE SECONDARY SYSTEM (SULLY DISTRICT)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Highland Oaks Section 3	Sully	Muirfield Lane Highland Oaks Drive Highland Oaks Court
Highland Oaks Section 5	Sully	Highland Oaks Drive Route 10612 Poplar Creek Drive Route 10061 Bayhill Court Route 10063 Poplar Creek Court Route 10062

ADMIN 8 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR FISCAL YEAR (FY) 2008 REGIONAL SURFACE TRANSPORTATION (RST) PROGRAM AND CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM FUNDS

(NOTE: Earlier in the meeting, there was a brief discussion of this item. See page 20.)

Authorized DOT to apply for FY 2008 RST and CMAQ program funds to be used to advance the projects listed and described in Attachment I of the Board Agenda Item dated September 25, 2006. No local cash match is required.

ADMIN 9 – INSTALLATION OF “NO PARKING, STOPPING, STANDING, OR PASSENGER DISCHARGE/PICK-UP 8 A.M. TO 4 P.M. SCHOOL DAYS” SIGNS ON RAYMOND AVENUE EAST SIDE FROM CAPITOL VIEW DRIVE TO CHURCHILL ROAD (DRANESVILLE DISTRICT)

- (R)
- Adopted the Resolution approving the installation of “No Parking, Stopping, Standing, or Passenger Discharge/Pick-Up 8:00 a.m. to 4:00 p.m. School Days” signs on Raymond Avenue east side from Capital View Drive to Churchill Road.
 - Directed staff to install these signs at the earliest possible date.

ADMIN 10 – INSTALLATION OF “NO PARKING FOR COMMERCIAL VEHICLES OVER 12,000 POUNDS” SIGNS ON BOTH SIDES OF GOVERNMENT CENTER PARKWAY FROM STEVENSON STREET EAST TO THE FAIRFAX COUNTY/CITY OF FAIRFAX LINE (SPRINGFIELD DISTRICT)

- (R)
- Adopted the Resolution approving the installation of “No Parking for Commercial Vehicles Over 12,000 Pounds” signs on both sides of Government Center Parkway from Stevenson Street east to the Fairfax County/City of Fairfax line.
 - Directed staff to install these signs at the earliest possible date.

ADMIN 11 – AUTHORIZATION FOR THE DEPARTMENT OF PLANNING AND ZONING (DPZ) AND THE DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR AND ACCEPT FUNDING FROM THE OFFICE OF ECONOMIC ADJUSTMENT (OEA), DEPARTMENT OF DEFENSE, FOR STUDIES RELATED TO FORT BELVOIR BASE REALIGNMENT AND CLOSURE (BRAC) 2005 ACTIONS

(NOTE: Earlier in the meeting, there was a brief comment on this item. See page 20.)

Authorized DPZ and DOT to submit a joint application to the OEA and accept funding, if received, in the amount of \$1,320,211 to hire new grant positions and undertake studies of transportation, land use, and public facilities impacts, and help to mitigate the impact of the 2005 BRAC actions at Fort Belvoir on the County. The local cash match of \$124,323 will be fulfilled in kind through the dedication of existing staff resources to oversee the transportation and land use studies.

ADMIN 12 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING LOW IMPACT DEVELOPMENT PRACTICES

(NOTE: Earlier in the meeting, the Board deferred action on this item. See page 20.)

(NOTE: Later in the meeting, the Board scheduled a committee meeting to discuss this item. See Clerk's Summary Item #27.)

ADDITIONAL BOARD MATTER

15. **2006 GENERAL ASSEMBLY SPECIAL SESSION I** (12:45 p.m.)

Chairman Connolly distributed to the Board the following documents:

- Fairfax County Legislative Summary – 2006 General Assembly Special Session I dated September 25, 2006.
- A Press Release from the Housing of Delegates entitled “House Republicans Unveil Land Use Law Overhaul.”

Karen J. Harwood, Deputy County Attorney, and Katharine D. Ichter, Director, Department of Transportation, briefed the Board on pending legislation in the Special Session.

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

- Oppose House Bill 5047, “State highway systems; Virginia Department of Transportation (VDOT) to reconsider and reassign components thereof.”
- Oppose House Bill 5050, “Highway funding; amends law governing revenue-sharing funds.”
- Oppose House Bill 5068, “Toll facilities; prohibits conveyance of any agreement or contract without authorization of General Assembly.”
- No position on House Bill 5070, “Transportation Accountability, Joint Commission on, created. Staff given authorization to express concerns.”

- Oppose House Bill 5093, “Urban transportation service districts, creation thereof.”

Following discussion regarding transportation funding, without objection, it was so ordered.

Supervisor Gross stated that she heard that there was proposed legislation to double the tipping fee at landfills and designate the extra funds for transportation and asked unanimous consent that the Board direct staff to watch for this bill. Without objection, it was so ordered.

Discussion continued on transportation funding and land development, with input from David P. Bobzien, County Attorney.

Supervisor Frey asked unanimous consent that the Board go on record as opposing the Howell proposal as outlined in the aforementioned press release. This includes House Bills 5093, 5094, and 5096, respectively. Without objection, it was so ordered.

Further discussion ensued regarding land development and infrastructure, the allocation of transportation dollars, and State revenue from other jurisdictions.

Following input from Ms. Ichter, Chairman Connolly asked unanimous consent that the Board support House Bill 5034, “Department of Motor Vehicles; assessment of fees on certain drivers, use of fees collected.” Without objection, it was so ordered.

Following input from Ms. Ichter, Chairman Connolly asked unanimous consent that the Board be supportive of the *approach* of House Bill 5056, “Special Transportation Fund for Northern Virginia, created, use of certain revenues, report.” He noted that many of the Board’s previous concerns were addressed in a positive manner.

Discussion ensued regarding the revenue sources for this bill, with input from Ms. Ichter and Ms. Harwood.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide information on the effect of this legislation on affordable dwelling units. Without objection, it was so ordered.

Following further discussion regarding the possible loss of voting rights on the Northern Virginia Transportation Authority and overall concern with the legislation, with input from Ms. Harwood, without objection, it was so ordered that the Board take the position of being *supportive* of the *approach* of HB 5056.

Following an outline by Ms. Ichter and discussion on additional bills, the Board took the following positions:

- No formal position, but concerns, regarding House Bill 5064, “Transportation Board, responsible for promoting private investment in transportation infrastructure.”
- No formal position, but direction to staff to express concerns about rigidity and standards, regarding House Bill 5069, “VDOT, Transportation Commissioner to ensure they competitively bid any and all of its functions.”
- Oppose the diversion of General Fund monies in regard to House Bill 5082, “Transportation; Dedication of certain state recordation tax revenues to localities.”
- No position on House Bill 5092, “Transportation projects, specific; allocating funds therefore.”

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

PW:pw

AGENDA ITEMS

16. **A-1 – PARKING REDUCTION FOR THE ROLLING-FULLERTON PHASE 4, LOT 6 WAREHOUSES** (1:28 p.m.)

On motion of Supervisor Hyland, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 27.4 percent for the Rolling-Fullerton Phase 4, Lot 6 Warehouses located at 7719 Fullerton Road pursuant to Paragraph 4(B), Section 11-102, of the Zoning Ordinance, based on an analysis of the parking requirements for each use on the site and a parking reduction study, on the conditions outlined in the Board Agenda Item dated September 25, 2006.

17. **A-2 – ENDORSEMENT OF FISCAL YEAR (FY) 2008 VIRGINIA DEPARTMENT OF TRANSPORTATIONS (VDOT) ENHANCEMENT PROGRAM PROJECT APPLICATIONS** (1:29 p.m.)

(Rs) On motion of Supervisor Bulova, seconded by Supervisor Smyth, and carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman,

Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” the Board concurred in the recommendation of staff and:

- Endorsed the enhancement projects for which applicants have identified a source for the required 20 percent match.
- Directed the County Executive to execute a Project Endorsement Resolution for each project endorsed by the Board.

18. **A-3 – ALTERNATIVE PARKING LOCATION AND SHUTTLE SERVICE FOR THE HUNTLEY HISTORIC SITE, FAIRFAX COUNTY PARK AUTHORITY (FCPA) (LEE DISTRICT)** (1:29 p.m.)

On motion of Supervisor Kauffman, the second to which was inaudible, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved an alternative parking location for 18.8 percent of the required parking for the Huntley Historic Site at 6918 Harrison Lane, Alexandria, Virginia, pursuant to Paragraph 1(B), Section 11-102 of the Fairfax County Zoning Ordinance), based on an analysis of the parking requirements for each use on the sites and a proposed shuttle service between sites, on the conditions outlined in the Board Agenda Item dated September 25, 2006.

19. **A-4 – APPROVAL OF THE FISCAL YEAR (FY) 2007 STATE PERFORMANCE CONTRACT BETWEEN THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD AND THE VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE SERVICES** (1:29 p.m.)

On motion of Supervisor Hudgins, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the FY 2007 State Performance Contract between the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services and the associated acceptance of funds.

20. **A-5 – ENDORSEMENT OF RESOLUTION TO SUPPORT A TRANSIT LINE ON THE NEW WOODROW WILSON BRIDGE AND FURTHER STUDY OF A TRANSITWAY ACROSS THE BRIDGE (MOUNT VERNON AND LEE DISTRICTS)** (1:30 p.m.)

(R) On motion of Supervisor Hyland, seconded by Supervisor Kauffman, and carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” the Board concurred in the recommendation of staff and adopted the Resolution to support designation of the inner lane of each span of the new Woodrow Wilson Bridge for a public transit line and to support efforts to initiate studies of a transitway across the bridge.

21. **A-6 – ENDORSEMENT OF THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) PROJECT TO DESIGN AND CONSTRUCT THE RICHMOND HIGHWAY TO TELEGRAPH ROAD CONNECTOR ROAD NEAR FORT BELVOIR (MOUNT VERNON AND LEE DISTRICTS)** (1:31 p.m.)

On motion of Supervisor Hyland, seconded by Supervisor Kauffman, and carried by unanimous vote, the Board concurred in the recommendation of staff and endorsed the FHWA project which will reestablish a road connection between Richmond Highway and Telegraph Road and relieve traffic congestion in the surrounding area, as generally depicted in the plans presented at the September 7, 2006, Environmental Assessment Public Hearing. The connector road will include a four-lane facility with a multi-purpose trail as well as intersection improvements at Richmond Highway and Telegraph Road.

22. **I-1 – CONTRACT AWARD – ARCHITECTURAL/ENGINEERING CONCEPTUAL DESIGN SERVICES FOR THE NEWINGTON DEPARTMENT OF VEHICLE SERVICES (DVS) MAINTENANCE FACILITY FEASIBILITY STUDY (MOUNT VERNON DISTRICT)** (1:31 p.m.)

The Board next considered an item contained in the Board Agenda dated September 25, 2006, requesting authorization for staff to award a contract to Gauthier, Alvarado and Associates in the amount of \$175,000 to provide architectural and engineering needs assessment and conceptual design services for the existing Newington DVS Maintenance Facility, Project 009500, in Fund 303, County Construction.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide additional information on the South County animal shelter proposed for this site. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

23. **I-2 – RECOGNITION OF COMPREHENSIVE ANNUAL FINANCIAL REPORTS (CAFR) AND THE ANNUAL BUDGET BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA), PERFORMANCE MEASUREMENT PROGRAM BY THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION; AND THE INVESTMENT POLICY BY THE ASSOCIATION OF PUBLIC TREASURERS** (1:32 p.m.)

The Board next considered an item contained in the Board Agenda dated September 25, 2006, announcing the following:

- The County's CAFR, the CAFR for the County's Integrated Sewer System, and the Annual Budget have been recognized by the GFOA for excellence in financial reporting and budgeting.
- The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the County's Integrated Sewer System for the Wastewater Management Program's third CAFR, for the fiscal year ended June 30, 2005.
- For the third consecutive year, the Certificate of Achievement for Excellence in Financial Reporting has been awarded to the County's Integrated Sewer System for the Wastewater Management Program's third CAFR, for the fiscal year ended June 30, 2005.

24. **I-3 – CONTRACT AWARD – CONSULTING SERVICES FOR ADAPTIVE REUSE PLANNING, ANALYSIS, AND IMPLEMENTATION**

(NOTE: The Board considered this item later in the meeting. See Clerk's Summary Item #26.)

25. **I-4 – CONTRACT AWARD – EMERGENCY HOSPITAL PSYCHIATRIC CARE SERVICES** (1:32 p.m.)

The Board next considered an item contained in the Board Agenda dated September 25, 2006, requesting authorization for staff to award a contract to INOVA Health Care Services in the amount of \$1,661,573.75 inclusive of the initial contract period and four one-year renewal options, for emergency hospital psychiatric care services.

The staff was directed administratively to proceed as proposed.

26. **I-3 – CONTRACT AWARD – CONSULTING SERVICES FOR ADAPTIVE REUSE PLANNING, ANALYSIS, AND IMPLEMENTATION** (1:32 p.m.)

The Board next considered an item contained in the Board Agenda dated September 25, 2006, requesting authorization for staff to award a contract to Basile Baumann Prost and Associates, Incorporated, in the amount of \$100,000 annually for two years with three one-year renewal options, to provide consultant services to assist in the review of Request for Proposal (RFP) responses, conduct financial assessments of candidate proposals, perform quick turnaround site assessments, and help plan construction activities pertaining to the adaptive reuse of the former Lorton prison Reformatory and Penitentiary.

The staff was directed administratively to proceed as proposed.

(NOTE: Later in the meeting, the Board considered an additional Information Item. See Clerk's Summary Item #53.)

ADDITIONAL BOARD MATTERS27. **DEVELOPMENT PROCESS COMMITTEE AND ENVIRONMENTAL COMMITTEE MEETING SCHEDULE** (1:33 p.m.)

(BACs) (NOTE: Earlier in the meeting, the Board deferred action on Admin 12. See page 20.)

Supervisor Gross asked unanimous consent that the Board direct staff to schedule the next Development Process Committee meeting to begin at 9:30 a.m. on October 16, 2006, and, in conjunction with the Environmental Committee meeting, to allow time to address the Low Impact Development practices previously discussed regarding Admin 12. Without objection, it was so ordered.

28. **FAREWELL TO STAFF** (1:33 p.m.)

Chairman Connolly announced that Mr. John Pasek, of his staff, would be leaving the County to begin employment with the Washington Metropolitan Area Transit Authority and wished him well.

Supervisor Hudgins announced that Ms. Phylis Salak, of her staff, would be retiring from the County and wished her well. She noted that Ms. Salak had also worked for former Chairman Hanley.

AGENDA ITEMS29. **RECESS/CLOSED SESSION/INTENT TO DEFER PUBLIC HEARING** (1:35 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. *Mark L. Neal v. Peter Masood*, Civil Action No. 1:05cv1458 (United States District Court for the Eastern District of Virginia)
2. *Gregory S. Hotz v. County of Fairfax Virginia and Bruce Taylor, Acting Chief, Traffic Operations Section, Fairfax County, Virginia*, Case No. CL-2006-0009962 (Fx. Co. Cir. Ct.) (Springfield District)
3. *Phong T. Mai and Anh Trinh-Mai v. Eileen M. McLane*, Fairfax County Zoning Administrator, Case No. CL-2006-0009198 (Fx. Co. Cir. Ct.) (Providence District)
4. *Eileen M. McLane, Fairfax County Zoning Administrator v. Elie Gharib and Celine Kawzaly*, Case No. CL-2006-0009930 (Fx. Co. Cir. Ct.) (Dranesville District)
5. *William E. Shoup, Fairfax County Zoning Administrator v. Michael A. Goodwin and J. Deanne Goodwin*, Case No. CL-2006-0002232 (Fx. Co. Cir. Ct.) (Dranesville District)
6. *Eileen M. McLane, Fairfax County Zoning Administrator v. Juan Carlos Cadima*, Case No. CL-2006-0011524 (Fx. Co. Cir. Ct.) (Mason District)
7. *Board of Supervisors of Fairfax County, Virginia v. Demetrios Nicholakos and George Nicholakos, et al.*, At Law No. (Fx. Co. Cir. Ct.) (Mount Vernon District)

And in addition:

- Board of Supervisors v. TEV, LLC, et al.; At Law No.: CL-2005-0006400
- Amendment of the Belle Haven Watershed Flood Damage Reduction Study Agreement
- Zoning Ordinance Sections 8-901 and 8-904
- Consolidated Community Funding Pool RFP06-826890-31

- Public-Private Education and Infrastructure Act of 2002
- Zoning Ordinance Section 20-300

Supervisor Bulova seconded the motion.

Supervisor Frey announced his intent to defer, later in the meeting at the appropriate time, the public hearing on Rezoning Application RZ 2004-SU-029.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item #34.)

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

DET:det

At 4:45 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

30. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:45 p.m.)

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

31. **MOTION REJECTING THE SETTLEMENT OFFER IN BOARD OF SUPERVISORS VERSUS TEV, LLC, ET AL, AT LAW NUMBER CL-2005-0006400 (FAIRFAX COUNTY CIRCUIT COURT)** (4:45 p.m.)

Supervisor Smyth moved that the Board reject the settlement offer in *Board of Supervisors v. TEV, LLC, et al*, at Law Number CL-2005-0006400 (Fairfax County Circuit Court) and make a counteroffer, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion and it carried by unanimous vote.

32. **AMENDMENT TO THE LETTER OF AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND FAIRFAX COUNTY, VIRGINIA, FOR BELLE HAVEN WATERSHED FLOOD DAMAGE REDUCTION STUDY** (4:46 p.m.)

Supervisor Hyland moved that the existing paragraph 2 of the Letter of Agreement dated July 11, 2006, between the United States of America (hereinafter called the "Government"), and Fairfax County, Virginia, (referenced as "Sponsor") be amended to increase the study cost to the sum of \$1.2 million and authorize the sum of \$1 million to be applied to this contract, the terms of which were presented to the Board in closed session. Supervisor McConnell seconded the motion and it carried by unanimous vote.

33. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2003-SU-040 (WMH, LLC) (SULLY DISTRICT)** (4:47 p.m.)

The application property is located in the southwest quadrant of the intersection of Westfields Boulevard and Sully Road and east of Stonecroft Boulevard, Tax Map 44-3 ((6)) 21A2.

Mr. Carson Lee Fifer, Jr. reaffirmed the validity of the affidavit for the record.

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

- In excess of \$100 from Carson Lee Fifer, Jr., McGuire Woods LLP
- In excess of \$100 from Burgess and Niple, Incorporated of Virginia

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

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 2003-SU-040, subject to the proffers dated September 21, 2006. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

34. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2004-SU-029 (NVP, INCORPORATED) (SULLY DISTRICT)** (4:51 p.m.)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 2004-SU-029 until **November 20, 2006, at 5 p.m.** Supervisor Bulova and Supervisor Kauffman jointly seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

35. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-PR-008 (SONIC DEVELOPMENT LLC) (PROVIDENCE DISTRICT)** (4:52 p.m.)

The application property is located at 2924 Prosperity Avenue and 8427 Lee Highway, Tax Map 49-3 ((1)) 41A and 42.

Mr. Benjamin T. Danforth reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Smyth moved approval of:

- Special Exception Application SE 2006-PR-008, subject to the development conditions dated September 20, 2006.
- A modification of the streetscape requirements in favor of those shown on the Special Exception plat.
- A waiver of the eight-foot planting area.
- A waiver of the service drive along Route 29.

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

36. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2005-SU-031 (UNICORP NATIONAL DEVELOPMENTS, INCORPORATED) (SULLY DISTRICT) (4:57 p.m.)**

The application property is located at 13928 Lee Highway. Tax Map 54-4 ((1)) 47A, 50, 55, 56, and 57.

Ms. Melanie M. Reilly reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved approval of Special Exception Application SE 2005-SU-031, subject to the development conditions dated September 25, 2006. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

Supervisor Frey moved waiver of the service drive requirement along Lee Highway. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

37. **4:30 P.M. – PH REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR PROJECT HOV/I-95-029-114-R20 (MOUNT VERNON DISTRICT) (5:05 p.m.)**

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 7 and September 14, 2006.

Marguerite C. Verville, Assistant Director, Real Estate Services, Facilities Management Department, presented the staff report.

Following the public hearing, Supervisor Hyland moved adoption of the Resolution for the conveyance of County-owned property to the VDOT for Project HOV/I-95-029-114-R20. Supervisor McConnell 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 out of the room.

38. **4:30 P.M. – PH REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY KNOWN AS CLERMONT PARK TO THE FAIRFAX COUNTY PARK AUTHORITY (LEE DISTRICT)** (5:07 p.m.)

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 7 and September 14, 2006.

Marguerite C. Verville, Assistant Director, Real Estate Services, Facilities Management Department, presented the staff report.

Following the public hearing, which included testimony by one speaker, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to work with the Loft Ridge Homeowners Association to resolve conservation issues in the buffer area. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Chairman Connolly noted that the Board had directed the Park Authority to acquire ten percent of the entire land mass of the County, excluding State, federal or regional park holdings, under the Park's auspices, and of 252,828 acres, 25,282 acres would have to be held by the Park Authority to reach that percentage. Chairman Connolly stated that if the Board approved this action, the County will be at 9.4 percent.

Supervisor Kauffman moved adoption of the Resolution for conveyance of County-owned property known as Clermont Park to the Park Authority. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

Supervisor Frey asked unanimous consent that the Board direct staff to provide broader prospective maps of the subject areas in future presentations. Without objection, it was so ordered.

39. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE MAP OF CHESAPEAKE BAY AREAS, CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE), OF THE CODE OF THE COUNTY OF FAIRFAX, REGARDING RESOURCE PROTECTION AREA BOUNDARIES ON MAP PAGES NUMBER 30-2 AND 41-1 (DRANESVILLE DISTRICT) AND 91-4 (LEE DISTRICT)** (5:13 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 September 7 and September 14, 2006.

John Friedman, Code Analyst, Code Analysis Division, Department of Public Works and Environmental Services presented the staff report.

Discussion ensued concerning Resource Protection Areas (RPAs) and encroachments.

Further discussion ensued, with input from Matthew Meyers, Environmental Engineer, Stormwater Planning Division, Department of Public Works and Environmental Services, regarding data collection for an RPA designation,

Following the public hearing, which included testimony by four speakers, Supervisor Kauffman moved adoption of the:

- Proposed amendments to the Map of the Chesapeake Bay Preservation Areas for map pages number 30-2, 41-1, and 91-4, as set forth in the staff report dated July 10, 2006.
- Policy for Treatment of Approved and Pending Plans of Development Affected by the amendment to map pages number 41-1- and 91-4, as set forth in the staff report dated July 10, 2006.

Supervisor DuBois seconded the motion.

Supervisor DuBois asked to amend the motion to direct staff to review the process and make a recommendation concerning a process to administratively incorporate map data from approved Chesapeake Bay Plans into the County's Chesapeake Bay Map, and this was accepted.

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

40. **ADMIN 5 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING CERTAIN ADDITIONS TO AN EXISTING SINGLE FAMILY DETACHED DWELLING THAT CURRENTLY EXTENDS INTO A MINIMUM REQUIRED YARD BY MORE THAN 50 PERCENT AND/OR IS CLOSER THAN FIVE FEET TO A LOT LINE (AKA “POP-UPS AND CARPORT ENCLOSURES”)** (5:41 p.m.)

(A)(R) (NOTE: Earlier in the meeting this item was deferred. See Clerk’s Summary Item #14, pages 20 and 23.)

Supervisor Kauffman moved adoption of the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 26, 2006, at 8:15 p.m. and before the Board on **November 20, 2006, at 5 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance). With an amendment within the advertised ordinance amendment:

- Add a new paragraph seven (7) to proposed Section 8-923 to read as follows, and to renumber the subsequent paragraphs accordingly:
 - No special permit shall be granted if the property is in violation of any provisions of this ordinance, including but not limited to limitations on the number of dwelling units and/or the limits on the occupancy of any dwelling units.

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

41. **CLARIFICATION OF ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2004-LE-008, MOTIVA ENTERPRISES, LLC D/B/A SHELL OIL COMPANY (LEE DISTRICT)** (5:41 p.m.)

(AT) (NOTE: Earlier in the meeting, the Board took action on this item. See Clerk’s Summary Item #14, pages 20 and 23.)

Supervisor Kauffman called the Board’s attention to Admin 3 – Additional Time to Commence Construction for Special Exception Application SE 2004-LE-008, Motiva Enterprises, LLC D/B/A Shell Oil Company, and noted that when the Board took action on this item earlier in the meeting, the special exception application had lapsed in July.

Therefore, Supervisor Kauffman asked unanimous consent that for clarification, the three months' additional time be from September 25, 2006. Without objection, it was so ordered.

42. **ADMIN 5 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING CERTAIN ADDITIONS TO AN EXISTING SINGLE FAMILY DETACHED DWELLING THAT CURRENTLY EXTENDS INTO A MINIMUM REQUIRED YARD BY MORE THAN 50 PERCENT AND/OR IS CLOSER THAN FIVE FEET TO A LOT LINE (AKA “POPPUPS AND CARPORT ENCLOSURES”)** (5:42 p.m.)

- (A) (NOTE: Earlier in the meeting, the Board took action on this item. See Clerk's Board Summary Items #14 and #40).

Supervisor Gross asked unanimous consent that the Board direct the Clerk to provide Board Members with written copies of Supervisor Kauffman's amendment to Admin 5. Without objection, it was so ordered.

CWB:cwb

43. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 05-IV-4LP AND 05-IV-35MV, INVOLVING THE PLAN TRANSPORTATION RECOMMENDATIONS FOR THE RICHMOND HIGHWAY CORRIDOR FROM THE CAPITAL BELTWAY TO THE OCCOQUAN RIVER (MOUNT VERNON AND LEE DISTRICTS)** (5:43 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 September 7 and September 14, 2006.

Meghan Van Dam, Planner II, Policy and Plan Development Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Ms. Van Dam presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of the Planning Commission recommendation for APR 05-IV-4LP and APR 05-IV-35MV, as shown in Attachment V of the Board Item dated September 25, 2006. The nominations involve transportation recommendations for the Lower Potomac and Mount Vernon Planning Districts. APR 05-IV-4LP would revise the Lower Potomac Plan recommendations to allow interparcel access and substitute the reference to “Route 1” with “Richmond Highway.” APR 05-IV-35MV would include the newly revised Lower Potomac

Transportation Plan recommendations in the Mount Vernon District recommendations. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

44. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-IV-5MV, LOCATED WEST OF CENTRAL AVENUE AND NORTH OF MAURY PLACE (MOUNT VERNON DISTRICT)** (5:45 p.m.)

Supervisor Hyland moved to defer the public hearing on proposed APR Item 05-IV-5MV until **October 23, 2006, at 4:30 p.m.** Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

45. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-IV-7MV, LOCATED NORTH OF CEDAR ROAD AND WEST OF COOPER ROAD IN THE WOODLAWN COMMUNITY BUSINESS CENTER (MOUNT VERNON DISTRICT)** (5:46 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 September 7 and September 14, 2006.

Meghan Van Dam, Planner II, Policy and Plan Development Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Ms. Van Dam presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of the Planning Commission recommendation for APR Item 05-IV-7MV, as found in Attachment IV of the Board Item dated September 25, 2006. The nomination involves office use at the intersection of Cedar and Cooper Road in the Woodlawn Community Business Center. The Planning Commission recommended the task force and staff alternative, which would replan the subject area for neighborhood office at 0.35 floor area ratio (FAR) with an option to increase the intensity up to 0.50 FAR with conditions related to consolidation, buffering, and access. The alternative acknowledges that office would function as a better transition between the commercial uses to the north and the low density residential uses to the south. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Frey being out of the room.

46. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-IV-8MV, INVOLVING THE AREA SURROUNDING THE GEORGE WASHINGTON MEMORIAL PARKWAY (MOUNT VERNON DISTRICT)** (5:49 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 September 7 and September 14, 2006.

Meghan Van Dam, Planner II, Policy and Plan Development Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Ms. Van Dam presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of APR Item 05-IV-8MV, as recommended by the Planning Commission and shown in Attachment IV of the Board Agenda Item dated September 25, 2006. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Frey being out of the room.

47. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-IV-34MV, INVOLVING THE TRANSPORTATION RECOMMENDATION FOR THE INTERSECTION OF OLD MOUNT VERNON ROAD AND MOUNT VERNON HIGHWAY (MOUNT VERNON DISTRICT)** (5:52 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 September 7 and September 14, 2006.

Meghan Van Dam, Planner II, Policy and Plan Development Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Ms. Van Dam presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of APR Item 05-IV-34MV, in concurrence with the Planning Commission, Task Force, and staff recommendations. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Frey being out of the room.

48. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-CW-1ED, INVOLVING EDITORIAL UPDATES TO THE MOUNT VERNON PLANNING DISTRICT AND THE RICHMOND HIGHWAY CORRIDOR AREA (MOUNT VERNON AND LEE DISTRICTS)** (5:53 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 September 7 and September 14, 2006.

Meghan Van Dam, Planner II, Policy and Plan Development Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Ms. Van Dam presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of APR Item 05-CW-1ED, as submitted in concurrence with the Planning Commission, Task Force, and staff recommendations, and as shown in Attachment V of the Board Agenda Item dated September 25, 2006. Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Frey being out of the room.

49. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-III-1BR, LOCATED WEST OF UNION MILL ROAD AND SOUTHWEST OF CENTREVILLE HIGH SCHOOL (SPRINGFIELD DISTRICT)** (5:55 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 September 7 and September 14, 2006.

Leanna L. Hush, Planner II, Public Facilities Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Ms. Hush presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of APR Item 05-III-1R, as recommended by the Planning Commission and shown in Attachment IV of the Board Item dated September 25, 2006. This recommendation amends the Plan text to provide an option for the subject property to develop with residential use at 1-2 dwelling units per acre if certain conditions are met. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Kauffman being out of the room.

50. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-III-1FC, PART OF FAIRFAX CORNER DEVELOPMENT; SOUTH OF I-66, EAST OF GOVERNMENT CENTER PARKWAY, NORTH OF MONUMENT DRIVE (SPRINGFIELD DISTRICT)** (5:58 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 September 7 and September 14, 2006.

Leanna L. Hush, Planner II, Public Facilities Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Ms. Hush presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of APR Item 05-III-1FC, as recommended by the Planning Commission recommendation and shown in Attachment IV of the Board Item dated September 25, 2006. This recommendation amends the Plan text to provide an option for the 32-acre mixed-use area of Fairfax Corner to develop with a mix of uses up to 1.0 floor area ratio if certain conditions are met. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova being out of the room.

51. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-III-3FC, PART OF FAIR LAKES DEVELOPMENT; EAST AND WEST OF FAIRFAX COUNTY PARKWAY BETWEEN FAIR LAKES PARKWAY AND FAIR LAKES CIRCLE, SOUTH OF MONUMENT DRIVE, NORTH OF I-66 SOUTH OF FAIR LAKES CIRCLE (SPRINGFIELD DISTRICT)** (6:03 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 7 and September 14, 2006.

Leanna L. Hush, Planner II, Public Facilities Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Ms. Hush presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of APR Item 05-III-3FC, as recommended by the Planning Commission and shown in Attachment IV of the Board Item dated September 25, 2006. This recommendation amends the Plan text to provide options in the relevant Fairfax Center area sub-units for the subject properties in Fair Lakes to develop with a mix of uses, including residential, retail, office, and hotel uses, if certain conditions are met. Supervisor Hyland

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

52. **5 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-III-1P, LOCATED SOUTH OF SILVERBROOK ROAD, EAST OF OAK CHASE CIRCLE AND WEST OF A VIRGINIA POWER EASEMENT (SPRINGFIELD DISTRICT)** (6:07 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 September 7 and September 14, 2006.

Leanna L. Hush, Planner II, Public Facilities Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Mr. Hush presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of APR Item 05-III-1P, as recommended by the Planning Commission and shown in Attachment IV of the Board Item dated September 25, 2006. This recommendation amends the Plan text to add language discouraging automobile-oriented uses on the subject property and adds a condition regarding access to the property. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova being out of the room.

53. **I-5 – CONTRACT AWARD – CONSULTANT SERVICES: EMERGENCY OPERATIONS PLAN AND ASSOCIATED EMERGENCY PLANNING INITIATIVES** (6:09 p.m.)

Supervisor DuBois called the Board's attention to Information Item I-5 and a brief discussion ensued, with input from Anthony H. Griffin, County Executive, regarding this late item.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to confer with the Chairman regarding items to be placed on the agenda. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The Board next considered an item contained in the Board Agenda dated September 25, 2006, requesting authorization for the County Purchasing Agent to proceed to award a contract to provide consultant services for the County's Emergency Operations Plan and Associated Emergency Planning Initiatives to Dewberry and Davis, LLC.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

54. **ADOPTION AWARENESS MONTH AND EARLY START FOR OCTOBER 23 BOARD MEETING** (6:10 p.m.)

Chairman Connolly said that November is nationally recognized as National Adoption Month in an effort to raise awareness about adoption, adoptive families and children who need adoptive homes. Therefore, Chairman Connolly relinquished the Chair to Acting-Chairman McConnell and asked unanimous consent that the Board proclaim November 2006 as “*Adoption Awareness Month*” in Fairfax County and direct staff to invite the appropriate representatives and families associated with the Department of Family Services to be presented with the proclamation at the October 23 Board meeting. Without objection, it was so ordered.

Following a query to Merni Fitzgerald, Director, Office of Public Affairs, regarding the number of presentations scheduled for October 23, Chairman Connolly announced that the meeting would convene at **9 a.m.**

55. **AMERICAN INDIAN HERITAGE MONTH** (6:11 p.m.)

Chairman Connolly announced that the month of November is nationally recognized as American Indian Heritage Month. Accordingly, he asked unanimous consent that the Board proclaim November 2006 as “*American Indian Heritage Month*” in Fairfax County and direct staff to invite the appropriate representatives from the Office of Equity Programs to be presented with the proclamation at the October 23 Board meeting. Without objection, it was so ordered.

56. **AMERICA RECYCLES DAY** (6:11 p.m.)

Chairman Connolly noted that “America Recycles Day” is in November. Accordingly, he asked unanimous consent that the Board proclaim November 15 as “*America Recycles Day*” in Fairfax County and direct staff to invite the appropriate representatives from the Department of Public Works and Environmental Services’ Division of Solid Waste Collection and Recycling to be presented with the proclamation at the October 23 Board meeting. Without objection, it was so ordered.

57. **PEDESTRIAN SAFETY MONTH** (6:12 p.m.)

With reference to his written Board Matter on the subject, Chairman Connolly asked unanimous consent that the Board declare October as “*Pedestrian Safety Month*” in Fairfax County and direct staff to prepare an appropriate resolution. Without objection, it was so ordered.

58. **SEVENTH ANNUAL CLIFTON LABOR DAY CAR SHOW (SPRINGFIELD DISTRICT)** (6:12 p.m.)

Chairman Connolly noted that over the Labor Day weekend, he attended the Clifton Lions Club and Custom Cruisers of Northern Virginia's Seventh Annual Clifton Labor Day Car Show. As outlined in his written Board Matter, this year the organizers decided that 100 percent of the net proceeds would benefit the Detective Vicky Armel and Master Police Officer Mike Garbarino Family Trust Funds. As they have in the past, sponsors and the public responded overwhelmingly to the energy and purpose of this event. The total raised was \$30,000.

Chairman Connolly asked unanimous consent that the Board direct staff to invite, at an appropriate time, former Mayor of Clifton Jim Chesley, representatives of the Clifton Lions Club and Custom Cruisers of Northern Virginia, along with others whose efforts were critical to the success of this event, to appear before the Board to be thanked and recognized for their outstanding efforts. Without objection, it was so ordered.

59. **LEGISLATION CARRIED OVER FROM THE 2006 GENERAL ASSEMBLY REQUIRING LABELING OF SPECIALTY FERTILIZERS** (6:13 p.m.)

Chairman Connolly said that during the 2006 General Assembly Session, Senator Ticer of Alexandria introduced legislation which would require that specialty fertilizers include a label with directions for proper use and precautionary statements to educate users. The labels would also suggest recommended application rates (in units of weight or volume per unit of coverage) and timing for application. It could have a beneficial effect on Chesapeake Bay efforts.

Therefore, Chairman Connolly asked unanimous consent that the Board refer the matter to the Legislative Committee, with consultation with the Board's Environmental Committee, for possible inclusion and support in the Board's 2007 Legislative Program. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board discussed other legislation. See Clerk's Summary Items #66 and #77.)

60. **SUPPORT FOR DIRECT WASHINGTON – CHINA AIR SERVICE** (6:13 p.m.)

Chairman Connolly said that under a bilateral agreement between the United States and China, an additional airline route between the two nations is opened for competition by US airlines on a periodic basis, generally every two years. The US Department of Transportation (USDOT) is the sole selector of the winning bid for service. The Washington area is one of the metropolitan areas competing for

this direct service to China. United Airlines submitted a bid for non-stop service from Dulles International Airport to Beijing.

With reference to his written Board Matter on the subject, Chairman Connolly moved, therefore, that the Board affirm its support for direct Washington-to-Beijing air service and send the proposed letter to the USDOT reflecting the Board's support. He noted that this would be beneficial to Dulles International Airport and the region's economy. Vice-Chairman Bulova seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

61. **NO BOARD MATTERS FOR MOUNT VERNON DISTRICT SUPERVISOR HYLAND** (6:14 p.m.)

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

62. **NO BOARD MATTERS FOR BRADDOCK DISTRICT SUPERVISOR BULOVA** (6:14 p.m.)

Supervisor Bulova announced that she had no Braddock District Board Matters to present today.

63. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 2006-SP-010 (SPRINGFIELD DISTRICT)** (6:15 p.m.)

On behalf of Supervisor McConnell, Supervisor Bulova said that Chevy Chase Bank, FSB, filed Special Exception Application SE 2006-SP-010 to construct a drive-through bank at 11611 Lee Highway, currently the site of Aal-Matic Transmission Service. The application is scheduled for a public hearing before the Planning Commission on October 25, 2006.

The applicant received a recommendation for approval from the Springfield District Land Use Committee and resident neighbors have indicated community support. To ensure that this application, if approved by the Board, can be implemented as quickly as possible, on behalf of Supervisor McConnell, Supervisor Bulova moved that the Board direct staff to concurrently process the site plan with the special exception application. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

64. **RESOURCE PROTECTION AREA (RPA) DISTURBANCES** (6:16 p.m.)

Supervisor Gross said that a couple of serious incidents involving disturbance of RPAs in Mason District led her to question whether the lines of communication

between County staff and constituents need to be enhanced. Both of the situations occurred when a property owner disturbed the RPA, which led County staff to advise that repairs were needed to bring the property into compliance. This is not unusual; however, the owners then took it upon themselves to repair the land disturbance without obtaining the proper permits from the County, which made their situations worse.

Supervisor Gross asserted that it may be appropriate for staff to review the information given, both verbally and in writing, to property owners cited for RPA disturbances, and determine if the information could be more detailed and precise as to the proper steps that need to be followed in carrying out the repairs. There are legal requirements for the language of the notices, but she said that a plain English interpretation would help with follow-up. The information also should be reviewed for its applicability to property owners who are speakers of other languages.

Supervisor Gross asked unanimous consent that the Board refer this issue to the appropriate staff for review and response. Without objection, it was so ordered.

65. **HEARING NOTICES FOR THE BOARD OF ZONING APPEALS (BZA)**
(6:17 p.m.)

(BACs) Supervisor Gross said that a constituent called to her attention that the notices the BZA is required to post for each special permit application case may not be posted in an effective manner. The notices are meant to keep the community informed and solicit involvement in matters that sometimes can play a pivotal role in the future of the community. Therefore, it is essential that the notices be posted in an effective manner.

Supervisor Gross noted that the constituent, whose email inquiry was distributed to the Board, raised several issues about the notices, including the following:

- Location(s) in which notices are posted.
- Placement of signs that makes them visible for pedestrians, or for automobile occupants, when they should be highly visible for both.
- Condition of the notices, with some signs worn beyond the point of easy legibility.
- Notices not stating the information in a way that makes it easy for any community member to understand the message conveyed.

Accordingly, Supervisor Gross asked unanimous consent that the Board refer the issue regarding BZA hearing notices to appropriate staff for review and response. She clarified that the request is not related to any commentary on the issue of the subject of the notice in the correspondence, but simply a general notice issue.

Without objection, it was so ordered.

Supervisor Hyland noted that years ago he raised this issue and suggested that staff examine the notices of other jurisdictions, which he believed to be better than those used by the County.

66. **MISCELLANEOUS LEGISLATIVE ISSUES** (6:19 p.m.)

(NOTE: Earlier in the meeting, the Board took action regarding legislative issues. See Clerk's Summary Items #55 and #77.)

Supervisor Gross said that as the Board prepares for the County's Legislative Program for the 2007 General Assembly session in Richmond, her office received a number of complaints that may require legislative remedies or enabling legislation to resolve. She and her staff worked with constituents on these issues, including research, site visits, and long hours on the telephone explaining why, or why not, they can be resolved. Police officers and County staff are responsive to these complaints, but current regulations hamper adequate enforcement to maintain community standards.

Supervisor Gross noted that many, but not all, of the items are related to Virginia Department of Transportation (VDOT) issues. For instance, VDOT charges neighborhood organizations \$45 for a permit to close a road for a community picnic or block party. In addition, there is a requirement to notify the media, including radio and television stations, and publish a legal notice in a newspaper of record, for such a road closure. For a small civic association of, for example, 48 homes, to close a road that may handle only three neighborhood vehicles per hour, for an afternoon block party, the VDOT requirements are more than onerous. She stated her belief that a change to the VDOT regulations or criteria may be needed to reduce the bureaucratic and expensive burden.

Supervisor Gross also said that graffiti on VDOT's traffic light switches or signal control boxes is a constant problem, and VDOT often does not remove such vandalism from its own property in a timely manner. After notifying the police for gang identification purposes, VDOT should be required to remove graffiti in 24-48 hours.

Supervisor Gross noted that parking of non-motorized vehicles on public streets is a continuing problem. Such non-motorized vehicles include dumpsters, trailers, landscaping trailers, portable storage units, and boats stored on trailers. She cited an example of a resident who is building small trailers for storage and parking them along the street in front of his and his neighbors' homes. Due to their size, the trailers are not blocking a travel lane, but many such trailers and containers have no reflectors, making them dangerous to passing motorists. She said that neighbors are fed up, but the police cannot ticket such non-motorized vehicles under current ordinances.

Supervisor Gross also stated that her office receives many complaints about grass that is not mowed and allowed to grow to a foot or more. The County has authority to address grass issues on properties of less than half an acre, but the law does not apply to larger properties nor commercial lots. In one instance, the property size is just 20 square feet larger than a half acre, and the County cannot help the neighbors who are affected by the unkempt adjacent property. She asserted that the Board needs to explore extending the current law to apply to properties of up to one acre, perhaps only in the County if the General Assembly is concerned about its potential applicability to farmers and farmland.

Accordingly, Supervisor Gross asked unanimous consent that the Board refer these items to the Board's Legislative Committee for consideration. Without objection, it was so ordered.

67. **TWENTY-SEVENTH MASON DISTRICT PARK FESTIVAL** (6:23 p.m.)

Supervisor Gross distributed to the Board a flyer for the Twenty-Seventh Annual Mason District Park Festival that will be held Saturday, September 30 from 10 a.m. until 4 p.m. It will have live entertainment, children's activities, and arts and crafts. She invited Board Members to attend.

68. **REGIONAL LEADERSHIP CONFERENCE ON GREEN BUILDING PRACTICES** (6:23 p.m.)

Supervisor Gross announced that a regional leadership conference on "Green Building Practices" is scheduled for Friday, September 29 at the University of Maryland Conference Center.

DS:ds

69. **REQUEST FOR RECOGNITION OF SERGEANT JIMMY LARSON** (6:24 p.m.)

Supervisor Hudgins said that on September 29, 2006, Sergeant Jimmy "JD" Larson will retire from the Police Department after 37 years of service. For the past 22 years, Sergeant Larson has served as a street patrol commander for the Reston community, which stands as a unique commitment.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Sergeant Jimmy "JD" Larson to appear before the Board at its October 23, 2006, meeting to be recognized for his 37 years of service to the County and his 22 years of service within the Reston community.

Following a query to Merni Fitzgerald, Director, Office of Public Affairs, regarding the number of presentations scheduled for the October 23 Board meeting, the request was amended to November 20, 2006. Without objection, it was so ordered.

70. **REQUEST FOR REALIGNMENT OF SMALL DISTRICT NUMBER FIVE (HUNTER MILL DISTRICT)** (6:24 p.m.)

Supervisor Hudgins said that on March 27, 2006, the Board voted to realign the boundaries of Small District Number Five, with the understanding that staff would further review the boundaries of communities divided by the change. Additionally, some communities with Reston addresses, but not located within the Reston Master Plan area, also requested removal. She said staff has completed a review of the community requests and has created documentation and a map to accommodate the requests.

Therefore, Supervisor Hudgins moved that the Board direct staff to prepare an Administrative Item for the October 23, 2006, meeting to advertise a public hearing on November 20, 2006, to realign the boundaries of Small District #5. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

71. **CEDAR RIDGE FROM LIMITED LIABILITY COMPANY (LLC) TO LIMITED PARTNERSHIP (LP) (HUNTER MILL DISTRICT)** (6:25 p.m.)

Supervisor Hudgins reminded her colleagues that at the July 31, 2006, meeting the Board approved Action Item 1– Formation of Limited Liability Company by the Fairfax County Redevelopment and Housing Authority (FCRHA), Issuance of and Sale of Bonds by FCRHA, Submission of a Letter of Support to Virginia Housing and Development Authority Pursuant to the Low-Income Housing Tax Credit Program for the Acquisition and Rehabilitation of Cedar Ridge Apartments.

Supervisor Hudgins said that since the July 31, 2006, meeting, FCRHA has been advised and, the Department of Housing and Community Development notified her by memorandum that using a LLC instead of a LP prevents the County from continuing to provide property and liability insurance coverage on the Cedar Ridge property under the County's master insurance policies.

Therefore, Supervisor Hudgins moved that the Board amend its approval of July 31, 2006, Action Item 1 to reflect the necessary change of FCRHA ownership structure formulation to LP rather than LLC. Supervisor Bulova seconded the motion.

Discussion ensued, with input from David P. Bobzien, County Attorney, regarding the conversion to LLP.

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

72. **SENIOR FAIR (HUNTER MILL DISTRICT)** (6:27 p.m.)

Supervisor Hudgins said that the Hunter Mill District will have a Senior Resource Fair “*Aging Gracefully: The Hunter Mill District Senior Resource Fair*,” on Friday, October 27, 2006, from 9:30 a.m. – 12 noon at the Reston Community Center, Hunters Woods, located at 2310 Colts Neck Road.

Supervisor Hudgins said she will be joined by Chairman Connolly along with County staff and other non-profit representatives addressing such topics as tax relief for the elderly and disabled, transportation, supportive in-home services, home modifications for accessibility, insurance counseling, and senior housing.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to assist in notifying the public and the appropriate media with information on the Hunter Mill District Senior Resource Fair. She noted to her colleagues that she had attached a copy of the flyer to her Board Matter. Without objection, it was so ordered.

73. **REQUEST FOR RECOGNITION FOR TERRASET ELEMENTARY SCHOOL TEACHERS (HUNTER MILL DISTRICT)** (6:28 p.m.)

Supervisor Hudgins said that last May, two Terraset Elementary School teachers submitted a Target grant application for a reading project called “Parents as Readers: K-3 Reading Program.” This book club was established for parents to become more involved in the reading and development of their children. In 2005, Terraset Elementary School was also the recipient of a \$35,000 Hewlett-Packard (HP) Technology Grant, which provided computers, digital cameras, projectors, and online resources. Its efforts to enrich the lives of students and families in Fairfax County Public Schools warrant recognition.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite MaryAnne Capets and Margie Henry at Terraset Elementary School, to appear before the Board on October 23, 2006, to be recognized and presented with a certificate for obtaining a \$1,500 grant from Target that will support a new reading project.

Following a query to Merni Fitzgerald, Director, Office of Public Affairs, regarding the number of presentations scheduled for the October 23 Board meeting, the request was amended to November 20, 2006.

Without objection, the request was so ordered.

74. **HEAD START AWARENESS MONTH** (6:29 p.m.)

Supervisor Hudgins said that Head Start was established in May 1965, and has provided health, educational, and social services to more than 22 million children

and their families in every US state and territory over the last 40 years. October is recognized nationally as Head Start Awareness Month.

Therefore, Supervisor Hudgins asked unanimous consent that the Board proclaim October 2006 as "*Head Start Awareness Month*" in Fairfax County and direct staff to invite the appropriate representatives from the Office for Children and the Fairfax County Head Start program to be presented with the proclamation at the October 23, 2006, Board meeting. Without objection, it was so ordered.

75. **PUBLIC ACCESS TO RESTROOMS AT METRO STATIONS** (6:30 p.m.)

Supervisor Kauffman noted that Board Members received a memorandum from the County Executive on September 18 noting the successful efforts at providing public access to restrooms at County Metro Stations. On behalf of the Board, Supervisor Kauffman thanked Audrey Clark, Director, Building Plan Review and Permits Division, Department of Public Works and Environmental Services, for making it happen.

76. **SECURITY REDUCTIONS AND BASE GATE CLOSURES AT FORT BELVOIR (LEE AND MOUNT VERNON DISTRICTS)** (6:31 p.m.)

With reference to his joint Board Matter with Supervisor Hyland, Supervisor Kauffman said they recently learned that the US Army is considering a 40 percent reduction in contract security guards at its bases nationwide, effective October 2, 2006. This will force closure of at least two gates serving Fort Belvoir, including the historic "main gate" to Post, the Pence gate. At Fort Belvoir the staffing will shrink from 131 to 78 guards. In addition to closing gates, there are proposed reductions in hours of operations at other gates. These closures come on the heels of two other gates which closed after September 11, and also the permanent closure of Woodlawn Road through the base. As a cumulative result of these actions, traffic delays will continue to worsen along Route One and Telegraph Road.

Supervisor Kauffman asserted that the proposed action to close additional gates to the Base is taking a bad problem and making it unbearable. The existing gates do not provide adequate service to the base during rush hour and cause backups. Funneling traffic into yet fewer entrances could cause Route One and Telegraph Road to basically shut down during rush hour.

Supervisor Kauffman said that in the event there was a disaster that required mass evacuation of people in the Fort Belvoir area everyone would be stuck in traffic that would prevent an exit.

Furthermore, as the County contemplates actions related to the Base Realignment and Closure (BRAC) decision, which roads will service new populations if the Army can, at the drop of a dime, seal off major entrances and force traffic in another direction? How can County and State staff forecast traffic impacts to roads if there is no sure way of knowing if these access points will remain open?

Therefore, Supervisor Kauffman, jointly with Supervisor Hyland, asked unanimous consent that the Board consent to have the Chairman draft a letter to the Secretary of the Army urging him not to take any action that would require a security reduction and thus more base gate closures at Fort Belvoir.

In light of past closures, and the fact that the BRAC decision will send more individuals to Fort Belvoir, Supervisor Hyland said that the area cannot afford to funnel all traffic in and out of the limited number of gates. In addition, the letter should raise concerns about the County's inability to fairly evaluate traffic impacts likely with BRAC if it cannot be guaranteed base entrances and exits. Supervisor Kauffman said that managing traffic flow must be a fundamental part of reducing the impact of all the new car trips coming to and from Fort Belvoir in the years ahead. 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 sure that Supervisor Hyland and Supervisor Kauffman see the draft letter. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Hyland asked unanimous consent that the Board direct staff to send a copy of the letter to the County's Congressional Delegation. Without objection, it was so ordered.

77. **LEGISLATIVE ISSUES** (6:33 p.m.)

(NOTE: Earlier in the meeting, the Board raised legislative issues. See Clerk's Summary Items #59 and #66.)

Supervisor Kauffman asked unanimous consent that the Board direct staff to forward the following to the Board's Legislative Committee, for its meeting scheduled for Friday, September 29:

- Legislation passed in 2006 which requires the disclosure of Building Code violations in real estate transactions to include the requirement to disclose the zoning and property maintenance violations.
- Consider possible legislation that requires homes to be advertised with legal use and proper number of bedrooms.

Supervisor Kauffman said that he will bring to the meeting some of the advertisements that staff has collected to showcase these problems.

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

78. **COMMITTEE ON AGING** (6:35 p.m.)

Supervisor Kauffman shared with his colleagues a 31 page document which the Board's newly formed Committee on Aging has prepared, which is a compilation of all the efforts of the County's departments to serve today's seniors and begin preparing for the "Silver Tsunami" which will soon be hitting the County over the next several years. He noted some of the topics in the document, as follows:

- 70 percent of the nursing staff in the Department of Health is over the age of 50, which may result in staff shortages in the future.
- Issues of the Human Rights Commission regarding age discrimination complaints, which comprise approximately 50 percent of its workload.
- Housing construction – "Peter Pan Housing" – where it is never anticipated that people grow old.
- Police Department – Issues regarding the level of fear, and how it might affect one's lifestyle.

Supervisor Kauffman said that the Commonwealth of Virginia requires all State Agencies to provide the following:

- The impact the aging of the population will have on the Department of Aging's ability to deliver services and a description of how the agency is responding to these challenges.
- Based on guidance from the Secretary of Health and Human Resources, each agency must report to the Governor and General Assembly its progress for addressing the impact of the aging population with five specific actions.

Given the positive example the State has set, Supervisor Kauffman asked unanimous consent that the Board direct the County Executive, as part of the budget, to require each County Department to provide the same type of information to assist the Board as it begins deliberations on budget funding and priorities. Without objection, it was so ordered.

Chairman Connolly thanked Supervisor Kauffman for sharing the report and noted that it was in an easy to follow format. He noted that the Northern Virginia

Transportation Commission study done on Seniors in Mobility was an excellent report and he recommended it to his colleagues.

Supervisor Hudgins asked unanimous consent that the Board direct staff to refer to the Committee on Aging the pedestrian enhancements in the Reston Community. Without objection, it was so ordered.

PMH:pmh

79. **NO BOARD MATTERS FOR SUPERVISOR FREY (SULLY DISTRICT)**
(6:38 p.m.)

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

80. **FAIRFAX SYMPHONY ORCHESTRA** (6:39 p.m.)

Supervisor DuBois said that she had received a letter from the Fairfax Symphony Orchestra expressing its appreciation to the Board for its support of the orchestra.

81. **CLEMYJONTRI PARK (DRANESVILLE DISTRICT)** (6:39 p.m.)

Supervisor DuBois announced the opening of Clemyjontri Park in McLean on Monday, October 9.

The playground itself is one of the largest play areas in the County. The two acre playground is divided into four sections, each with a distinctive bright color scheme. The entire site is barrier-free and covered with a rubberized surface. The play apparatus pieces can accommodate children with physical disabilities and wheelchairs. The regular swings are next to the swings for wheelchairs. Centering the entire site is a 36-foot American classic carousel with both moving and stationary horses to ride.

Supervisor DuBois invited Board Members to join her for a ride on the carousel.

82. **DEATH OF FORMER TENTH DISTRICT CONGRESSMAN JOEL T. BROYHILL** (6:40 p.m.)

Supervisor DuBois announced that former tenth district Congressman Joel T. Broyhill died and that he had served Virginia for 22 years. She added that funeral services are pending.

83. **2006 PROVIDENCE DISTRICT VOLUNTEERFEST** (6:41 p.m.)

Supervisor Smyth said that the 2006 Providence District VolunteerFest is held in conjunction with Volunteer Fairfax, VolunteerFest, and the *National Make a Difference Day* to be held on October 28, 2006, which celebrates extraordinary deeds performed by ordinary people on America's largest day of doing good. She

noted that Providence District will be celebrating all week. It begins with the Second Annual Merrifield Festival on October 21 and will end with a round of activities on October 28.

Supervisor Smyth invited the Board and residents to participate in the 2006 Providence District VolunteerFest events. She asked unanimous consent that the Board direct staff to publicize this event, including those activities coordinated by VolunteerFest in Providence District and the County. Without objection, it was so ordered.

Supervisor Smyth said that more information on this year's projects is available on her Web site at www.fairfaxcounty.gov/providence/projects/Vol_2006.htm or by calling her office.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to contact Volunteer Fairfax regarding an October appearance. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

84. **RECOGNITION OF THE 120TH ANNIVERSARY OF THE FOUNDING OF DUNN LORING (PROVIDENCE DISTRICT)** (6:42 p.m.)

Supervisor Smyth said that Dunn Loring will celebrate its 120th anniversary on October 22, 2006.

Therefore, Supervisor Smyth asked unanimous consent that the Board show unanimous support for this event by proclaiming Sunday, October 22, 2006, as "*Dunn Loring Day*" in Fairfax County and direct staff to prepare a proclamation to be read at the event. Without objection, it was so ordered.

85. **RECOGNITION OF NANCY G. TAXSON, FORMER EXECUTIVE DIRECTOR, HOMESTRETCH, INCORPORATED** (6:43 p.m.)

Supervisor Smyth said that Nancy G. Taxson retired from Homestretch, Incorporated, after 16 years as Executive Director effective August 1, 2006.

Therefore, Supervisor Smyth asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition to be presented to Ms. Taxson at its next meeting on Monday, October 23, 2006.

Following discussion, Supervisor Smyth amended her request to direct staff to invite Ms. Taxson to appear before the Board on November 20, 2006. Without objection, it was so ordered.

86. **FALL FOR FAIRFAX** (6:43 p.m.)

Supervisor Smyth announced that Saturday, September 30, 2006, the “Fall for Fairfax,” event will be held at the Government Center.

87. **REQUEST THAT THE STATE EXERCISE THE COMPETITIVE BID OPTION FOR THE EXTENSION OF RAIL TO AND THROUGH TYSONS CORNER** (6:44 p.m.)

Jointly with Supervisor DuBois, Supervisor Kauffman, Supervisor Hudgins, and Chairman Connolly, Supervisor Smyth said that pursuant to the Board’s discussions about the rail extension to Tysons Corner at the last Board meeting, Supervisor Kauffman, Supervisor Hudgins, and the Board collectively expressed several concerns about the un-bid contract provided to Dulles Transit Partners through the PPTA.

Supervisor Smyth noted that their concerns are heightened by the twice-suspect accuracy of Dulles Transit Partners’ cost estimates. She said that these estimates are clearly driven by excessively high rates of profit, indirect costs, and overhead that approach 40 percent of the project cost. She also said that crucial features (such as escalators, elevators, and pedestrian bridges) have been eliminated to meet cost efficiency guidelines. For the sake of taxpayers and future Metro riders, Supervisor Smyth stated her belief that the Governor should exercise the Commonwealth’s option to competitively bid this large and crucial transportation project. Opening this project to a competitive bidding process is in no way intended to slow down or delay the rail extension. To ensure that all the vital features necessary to make the new rail line fully functional are obtained and to confirm that the taxpayers of the County and the State receive the best value possible, a competitive bid process would facilitate both of these goals.

Therefore, Supervisor Smyth moved that the Board urge Governor Kaine to immediately exercise the Commonwealth’s option to initiate a competitive bidding process for the extension of rail to and through Tysons Corner and that the scope of the project include all the vital design features removed by Dulles Transit Partners in the past as cost reduction measures. Supervisor Hudgins seconded the motion.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the rail for Dulles.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the first sentence of the motion as follows:

- The Board of Supervisors calls upon the Commonwealth of Virginia to explore the option of initiating a competitive bidding process, etcetera.

This was accepted.

Supervisor Kauffman asked to amend the amendment to the motion as follows:

- The Board of Supervisors calls upon the Commonwealth of Virginia to seriously weigh the option of initiating a competitive bidding process, etcetera.

This was accepted.

Following additional discussion, with input from Mr. Griffin, Chairman Connolly asked to amend the amendment to the motion as follows:

- The Board of Supervisors calls upon the Commonwealth of Virginia to seriously weigh the option of initiating a competitive bidding process at the appropriate time during the PPTA process, etcetera.

This was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Kauffman asked unanimous consent that the Board direct staff to keep the Board apprised of the situation. Without objection, it was so ordered.

Following a query from Chairman Connolly, Mr. Griffin announced that the Transportation Committee meeting is scheduled for Monday, October 16, 2006, at 12:30 p.m.

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

Supervisor Smyth asked unanimous consent that the Board direct staff to provide a “clean” copy of the Board’s action regarding this issue as soon as possible. Without objection, it was so ordered.

88. **BOARD ADJOURNMENT** (7:01 p.m.)

The Board adjourned.

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