



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
February 26, 2007**

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DET:det

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, February 26, 2007, at 9:14 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; Angela Schauweker, Management Analyst, Office of the County Executive; Regina Thorn, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

BOARD MATTER1. **OPENING ANNOUNCEMENTS** (9:15 a.m.)

Chairman Connolly announced that the Board would be receiving the County Executive's proposed Fiscal Year 2008 budget at today's meeting and that due to the weather, County schools were opening with a two hour delay.

AGENDA ITEMS2. **RESOLUTION PRESENTED TO THE POLICE DEPARTMENT'S SAFE DECEMBER SQUAD** (9:15 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Resolution presented to representative of the Police Department's Safe December program that educated the public about the dangers of drunk driving and underage alcohol purchases during the holiday season. Supervisor McConnell seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. GLORIA CRAWFORD** (9:23 a.m.)

(BACs) Supervisor Hudgins moved approval of the Certificate of Recognition presented to Ms. Gloria Crawford for her nine years of service on the Board of Equalization of Real Estate Assessments. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

4. **PROCLAMATION DESIGNATING MARCH 2007 AS "INCLUDING PEOPLE WITH DEVELOPMENTAL DISABILITIES MONTH" IN FAIRFAX COUNTY** (9:29 a.m.)

Supervisor Bulova moved approval of the Proclamation to designate March 2007 as "*Including People with Developmental Disabilities Month*" in Fairfax County, recognizing individuals from People First, the Arc of Northern Virginia, the Fairfax-Falls Church Community Services Board, and their network of nonprofit service provider agencies. Supervisor McConnell and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING MARCH 2007 AS "PURCHASING MONTH" IN FAIRFAX COUNTY** (9:40 a.m.)

Supervisor McConnell moved approval of the Proclamation to designate March 2007 as "*Purchasing Month*" in Fairfax County. Supervisor Bulova and Supervisor Hyland jointly seconded the motion.

Supervisor Hyland acknowledged Cathy A. Muse, Director, Department of Purchasing and Supply Management, for her continued participation with the National Association of Counties (NACo) and her recent appointment to the Financial Services Corporation (FSC) Board.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to provide an estimate of savings from the various and sundry techniques used, including cooperative arrangements. Without objection it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

6. **PROCLAMATION DESIGNATING MARCH 5–11, 2007, AS “MULTIPLE SCLEROSIS (MS) AWARENESS WEEK” IN FAIRFAX COUNTY**
(9:53 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate March 5–11, 2007, as “*MS Awareness Week*” in Fairfax County, urging residents to increase their understanding and awareness of MS and those who have this disease. Supervisor Hyland and Supervisor McConnell jointly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

CWB:cwb

7. **9:45 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES**
(9:58 a.m.)

Chairman Connolly presented the Board’s 2007 Legislative Report Number Three and provided a brief synopsis of several key issues. Chairman Connolly noted that several important legislative matters were recently passed in the General Assembly regarding teen-driving safety initiatives, affordable housing provisions, overcrowded dwelling violation conditions and occupancy limitations, tax cuts for low income citizens, and Zoning Ordinance violation conditions. Chairman Connolly also noted that the proposed firearm legislation did not pass the House of Representatives.

Chairman Connolly stated that the Homestead Exemption legislation passed the General Assembly. Discussion ensued with input from Michael H. Long, Senior Assistant County Attorney, regarding the required future legislative processes.

Chairman Connolly noted that many pieces of legislation regarding illegal immigration and the documentation of aliens were rejected by the Senate.

Chairman Connolly called the Board's attention to several transportation issues concerning devolution, local and State transportation funding, and State sources of revenue in Fairfax. Discussion ensued with input from Tom Biesiadny, Chief, Coordinating and Funding Division, Department of Transportation, regarding proposed transportation provisions.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to examine the fiscal issues regarding transportation devolution provisions and the potential creation of a highway department. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following discussion, Supervisor Frey called the Board's attention to the potential future obligations of the County regarding the construction and maintenance of secondary public roads.

Further discussion ensued with input from Mr. Biesiadny regarding the transportation legislation.

Supervisor Smyth asked unanimous consent that the Board direct staff to research potential problems and "loop-holes" in the proposed transportation legislation. Without objection, it was so ordered.

Following further discussion with input from Mr. Biesiadny, Chairman Connolly called the Board's attention to sources of State revenue in the County and the requirements of compliance with the proposed transportation legislation. Discussion continued with input from Mr. Biesiadny.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved adoption of the Legislative Report dated February 26, 2007, to include an expression of appreciation to staff. Vice-Chairman Bulova seconded the motion and it carried by unanimous vote.

Chairman Connolly asked unanimous consent that the Board direct staff to provide an estimate of both gross and net costs of the devolution provisions of the transportation legislation, and circulate it to members of the County's delegation to the General Assembly. Without objection, it was so ordered.

Chairman Connolly asked unanimous consent that the Board direct staff to enter into immediate discussion with Governor Tim Kaine's staff in an attempt to improve the transportation bill's content based on previous discussion. Without objection, it was so ordered.

Chairman Connolly moved that if the transportation bill cannot be changed to conform more closely to the Board's principles, the Board request that Governor

Kaine veto it. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

NV:nv

8. **10:15 A.M. – PRESENTATION OF THE PROPOSED FISCAL YEAR (FY) 2008 BUDGET BY THE COUNTY EXECUTIVE** (10:31 a.m.)

Anthony H. Griffin, County Executive, presented the FY 2008 Budget.

Chairman Connolly recognized the presence of Ilryong Moon, Member At Large of the School Board.

Discussion ensued regarding the budget, with input from Mr. Griffin and Susan Datta, Director, Department of Management and Budget (DMB).

Supervisor Bulova, Chair, Board's Budget Committee called the Board's attention to the FY 2008 Budget Schedule as follows:

<u>Item</u>	<u>Date</u>
Board's Budget Committee Meeting: Schools, Third Quarter, and Other	Monday, March 19, 1-3 p.m., Rooms 9 and 10
Board's Budget Committee Meeting: Human Services, Capital Improvement Plan	Monday, April 2, 1-3 p.m., Rooms 9 and 10
Public Hearings on the Budget	April 9, 10, and 11
Board's Budget Committee Meeting: Pre-Mark-up	Friday, April 20, 2 p.m., Room 232
Budget Mark-up	Monday, April 23
Budget Adoption	Monday, April 30

Supervisor Bulova announced that, as Budget Committee Chair, she will be meeting with individual Members of the Board and DMB staff the week of April 16 for briefings on the evolving budget package.

Supervisor Bulova announced that the Braddock District Council will be briefed on the proposed budget on March 13. She asked unanimous consent that the Board direct the Office of Public Affairs to publicize the dates of district council briefings. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that Board Members provide his office with the dates of these briefings so that he can plan to attend. Without objection, it was so ordered. Vice-Chairman Bulova returned to gavel to Chairman Connolly.

Supervisor Hyland announced that the Mount Vernon District Council briefing is scheduled for February 27 in the evening. He noted that he would also be discussing the Kings Crossing site.

Mr. Griffin expressed appreciation to budget staff in all agencies for their hard work in this endeavor.

(NOTE: Later in the meeting, the Board announced other district council briefing dates. See Clerk's Summary Item #61.)

CWB:cwb

AGENDA ITEMS

9. 10:45 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (11:46 a.m.)

(APPTS)
(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Supervisor Smyth moved the reappointment of Ms. Ernestine Heastie as the Providence District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Sully District Representative.

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Mason District Representative.

AIRPORTS ADVISORY COMMITTEE

Supervisor Frey moved the reappointment of Ms. Viki Kinsman as the Sully District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Brent Reynolds as the Braddock District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

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

ATHLETIC COUNCIL

Supervisor McConnell moved the appointment of Ms. Jacqueline Stephens as the At-Large Diversity Alternate Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Women's Principal Representative and the Hunter Mill District Representative.

CONFIRMATION:

Supervisor Hudgins moved the confirmation of the following appointment:

- Ms. Lisa Cherubini as the Soccer Council Principal Representative.

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

(NOTE: Later in the meeting, the Board reappointed the At-Large Women's Principal Representative. See Clerk's Summary Item #78.)

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

Supervisor DuBois moved the reappointment of Mr. Matthew Arnold as the At-Large Design Professional #2 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Michael LeMay as the At-Large Design Professional #4 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Alternate #3 and Alternate #4 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

The Board deferred the appointment of the Professional #6 Representative.

CHILD CARE ADVISORY COUNCIL

Supervisor Frey moved the appointment of Ms. Patricia Cornwell as the Sully District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Providence District Representative.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Chairman Connolly noted that the former At-Large Chairman's Representative recently returned to the area. Chairman Connolly announced his intent to reappoint him at a later time.

Supervisor McConnell moved the appointment of Mr. Brent Coffee as the Springfield District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Mason District and Providence District Representatives.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointment of the Lee District Representative.

COMMUNITY ACTION ADVISORY BOARD

Supervisor Smyth moved the reappointment of Ms. Charlotte Louise Pennington as the Providence District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Carol Hawn as the Sully District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite Iona Levin, Braddock District Representative, to appear before the Board to be recognized for her service on the Community Action Advisory Board. Without objection, it was so ordered.

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

CONSUMER PROTECTION COMMISSION

Supervisor McConnell moved the appointment of Mr. Scott Hine as the At-Large Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Dranesville District Representative.

ENGINEERING STANDARDS REVIEW COMMITTEE**CONFIRMATION:**

Supervisor McConnell moved the confirmation of the following appointment:

- Mr. John Krobath as the Virginia Association of Surveyors Representative.

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the At-Large #2 Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

Supervisor DuBois moved the appointment of Mr. Tapen Banerjee as the Dranesville District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the appointment of Ms. Anna Dixon as the Springfield District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

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

Supervisor DuBois moved the confirmation of the following appointment:

- Ms. Rosanne Rodilosso as the Health Care Advisory Board Representative.

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

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**CONFIRMATION:**

Supervisor Bulova moved the confirmation of the following appointment:

- Ms. Maribeth Luftglass as the School Board Representative.

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

ROAD VIEWERS BOARD

Supervisor Smyth moved the reappointment of Mr. Stephen Still as the At-Large #4 Representative. Supervisor McConnell seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Richard Bochner as the At-Large #5 Representative. Supervisor McConnell seconded the motion, which carried by unanimous vote.

SMALL BUSINESS COMMISSION

The Board deferred the appointment of the At-Large #3 Representative.

TENANT LANDLORD COMMISSION

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

TRAILS AND SIDEWALKS COMMITTEE

Supervisor McConnell moved the appointment of Mr. Gene Bartlow as the Springfield District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

TREE COMMISSION

The Board deferred the appointment of the Dranesville District Representative.

AD HOC COMMITTEES**TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY
COORDINATING COMMITTEE**

Supervisor Smyth moved the appointment of Mr. Scott Monett as the Providence District #2 Representative. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

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

ADDITIONAL APPOINTMENT**PARK AUTHORITY**

Supervisor Smyth moved the appointment of Mr. Ken Quincy to fill the unexpired term of Ms. Joanne Malone as the Providence District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Smyth asked unanimous consent that the Board direct staff to invite Joanne Malone, Former Providence District Representative, to appear before the Board to be recognized for her service on the Park Authority. Without objection, it was so ordered.

DS:ds

10. **ADMINISTRATIVE ITEMS** (11:54 a.m.)

Supervisor Gross moved approval of the Administrative Items. The second to this motion was inaudible.

Supervisor Kauffman called the Board's attention to Admin 7 – Additional Time to Record the Subdivision for Special Exception Application SE 2003-LE-036, Diane Cox Basheer, Trustee, and Kenneth O. Thompson, Trustee (Lee District) and noted that this application has been endorsed by the Rose Hill Civic Association.

Supervisor Smyth called the Board's attention to Admin 14 – Adoption of a Resolution Approving the Issuance of Revenue Bonds by the Economic Development Authority for the Benefit of Goodwin House Incorporated and discussion ensued with input from Anthony H. Griffin, County Executive, and Thomas O. Lawson, Counsel to the Economic Development Authority, regarding the amount of the bonds.

Supervisor DuBois called the Board's attention to Admin 5 – Additional Time to Commence Construction for Special Exception Amendment Application SEA 84-D-086-5, The Langley School (Dranesville District) and asked to amend the motion to approve **24** months of additional time, instead of the requested 18 months, and this was accepted.

The question was called on the motion to approve the Administrative Items, as amended, 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 (HUNTER MILL, MASON, AND PROVIDENCE DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-M06-116	Nextel Communications of the Mid-Atlantic, Incorporated Antenna co-location within stealth chimney on rooftop 5596 Malone Ridge Street (Mason District)	May 6, 2007
FS-P06-117	Nextel Communications of the Mid-Atlantic, Incorporated Rooftop antennas 2817 Jermantown Road (Providence District)	May 7, 2007
2232-H07-1	Fairfax Water Approximately 12,000 feet of new 54-inch water main Fairfax County Parkway from Fox Mill Pumping Station to Old Dominion Parkway (Hunter Mill District)	August 6, 2007

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONTINUED LEASING OF COUNTY-OWNED PROPERTY AT 8333 RICHMOND HIGHWAY TO THE ROYAL EMBASSY OF SAUDI ARABIA D/B/A THE ISLAMIC ACADEMY (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 26, 2007, at 4 p.m.** regarding the proposed continued leasing of County-owned property at 8333 Richmond Highway, Alexandria, Virginia, Tax Map Numbers 101-4 ((1))-005-A, 101-4 ((1)) 057, 101-4 ((8)) (E)– 001, and 101-4 ((7)) – 001, to The Royal Embassy of Saudi Arabia d/b/a/ the Islamic Saudi Academy for the purpose of operating a private school.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED CONSOLIDATED PLAN ONE YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2008

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 26, 2007, at 5 p.m.** on the *Proposed Consolidated Plan One Year Action Plan for FY 2008*.

ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-L-071, THE TRUSTEES FOR IMMANUEL BIBLE CHURCH (MASON DISTRICT)

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Amendment Application SEA 88-L-071 to November 24, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-D-086-5, THE LANGLEY SCHOOL (DRANESVILLE DISTRICT)

- (AT) (NOTE: Earlier in the meeting, the Board amended this item. See page 12.)
Approved **24 months**, instead of the requested 18 months, of additional time to commence construction for Special Exception Amendment Application SEA 84-D-086-5 to **October 20, 2008**, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2002-MV-022, TRUSTEES OF ENGLSIDE BAPTIST CHURCH (MOUNT VERNON DISTRICT)

- (AT) Approved the request for 18 months of additional time to commence construction for Special Exception Application SE 2002-MV-022 to May 18, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 7 – ADDITIONAL TIME TO RECORD THE SUBDIVISION FOR SPECIAL EXCEPTION APPLICATION SE 2003-LE-036, DIANE COX BASHEER, TRUSTEE, AND KENNETH O. THOMPSON, TRUSTEE (LEE DISTRICT)

- (AT) (NOTE: Earlier in the meeting, the Board discussed this item. See page 11.)

Approved the request for 18 months of additional time to record the subdivision for Special Exception Application SE 2003-LE-036 to June 21, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 8 – APPROVAL OF TRAFFIC CALMING MEASURES, CONSIDERATION FOR CUT-THROUGH RESTRICTIONS, INSTALLATION OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS, AND MULTI-WAY STOPS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (PROVIDENCE, BRADDOCK, SPRINGFIELD, MOUNT VERNON, AND LEE DISTRICTS)

- (Rs)
- Endorsed the following traffic calming measures:
 - Three speed tables and one multi-way stop on Miller Heights Road (Providence District)
 - Adopted the Resolution restricting cut-through traffic on the following streets:
 - Starlit Ponds Drive (Braddock District)
 - Pickstone Drive (Braddock District)
 - Weirich Road (Braddock District)
 - Goss Road (Braddock District)

- Adopted the Resolution authorizing the installation of “\$200 Additional Fine for Speeding” signs on the following road:
 - Hunter Village Drive between Old Keene Mill Road and Rolling Road (Springfield District)
- Approved multi-way stops at the following intersections:
 - Chase Glen Circle and Woodwren Lane (Springfield District)
 - Oak Chase Circle and Cross Oaks Lane (Springfield District)
 - Lukens Lane and Old Mill Road (Mount Vernon District)
 - Willowood Lane and Apple Tree Drive (Lee District)
 - Willowood Lane and Bee Street (Lee District)
- Directed staff to request the Virginia Department of Transportation (VDOT) install the approved measures as soon as possible, and that staff and VDOT develop cut-through plans in conjunction with the applicable community as soon as possible.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE GREEN TRAILS COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **March 26, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to expand the Green Trails CPD, in accordance with current CPD restrictions. The proposed district expansion includes the following streets:

- Bay Valley Lane (Route 8617), from Compton Road to the northern boundary of parcel 65-4((06)) A1
- Hart Forest Drive(Route 8414), from Bay Valley Lane to Hartwood Lane

ADMIN 10 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individuals, identified with a registration number, as Plans Examiners:

- Matthew Lawrence (273)
- Somanathan Govender (274)
- Joshua H. Melson (275)

ADMIN 11 – STREETS INTO THE SECONDARY SYSTEM (SPRINGFIELD, MASON, AND PROVIDENCE DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Robertson Farm	Springfield	Robertson Farm Circle Robertson Farm Service Road
Clifton Manor Section 3	Springfield	Kilby Landing Court Willow Lakes Court
Clifton Manor Section 4	Springfield	Willow Lakes Court Braddock Road (Route 620) (Additional ROW Only) Clifton Road (Route 645) (Additional ROW Only)
Sleepy Hollow Mews	Mason	Valley Brook Drive
Five Oaks	Providence	Cheriton Court

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), REVISING THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES

(A) Authorized the advertisement of a public hearing to be held before the Board on **April 9, 2007, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), to revise the sewer service charges and the availability fees.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR PROJECT 0657-029-357-C501 (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 26, 2007, at 4:30 p.m.** regarding the conveyance of County-owned property to VDOT for Project 0657-029-357-C501 (Hunter Mill District).

ADMIN 14 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR THE BENEFIT OF GOODWIN HOUSE INCORPORATED

- (R) (NOTE: Earlier in the meeting, the Board discussed this item. See page 11.)

Adopted the Resolution requesting that the EDA issue up to \$230 million revenue bonds for the benefit of Goodwin House Incorporated.

11. **A-1 – AUTHORIZATION TO FILE TESTIMONY IN THE APPLICATION OF WASHINGTON GAS LIGHT COMPANY FOR A GENERAL INCREASE IN RATES, FEES, CHARGES, AND REVISIONS TO THE TERMS AND CONDITIONS OF SERVICE AND FOR APPROVAL OF A PERFORMANCE-BASED RATE REGULATION METHODOLOGY UNDER VIRGINIA CODE SECTION 56.235.6 STATE CORPORATION COMMISSION (SCC) CASE NUMBER PUE-2006-00059** (12 noon)

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the Department of Cable Communications and Consumer Protection to file testimony in the Washington Gas Light Company request for an increase in rates, SCC Case Number PUE-2006-00059. Supervisor Gross seconded the motion.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to report with an analysis of the re-regulation legislation. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

12. **A-2 – AUTHORIZATION TO EXECUTE A PROJECT AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO ADMINISTER COUNTY-FUNDED ROADWAY IMPROVEMENTS TO GUNSTON COVE ROAD BRIDGE** (12:02 p.m.)

(R) Supervisor Hyland moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing execution of a project agreement, in substantial form, between VDOT and the County for a study to construction a new bridge and approaches for Gunston Cove Road over the CSX Corporation railroad using County funds. The estimated total project cost for the study is \$200,000. Funding for this study is available in Fund 301, Contributed Roadway Improvement Fund, Project 009900, Miscellaneous Contributions. Supervisor McConnell seconded the motion.

Discussion ensued, with input from Katharine D. Ichter, Director, Department of Transportation, regarding why the County is paying the project cost for the study.

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

13. **A-3 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO PREPARE FOR A FALL 2007 TRANSPORTATION BOND REFERENDUM** (12:05 p.m.)

(BONDS) Supervisor DuBois moved that the Board concur in the recommendation of staff and:

- Authorize DOT to begin preparations for a transportation bond referendum on November 6, 2007.
- Approve the identified projects to be funded with the 2007 transportation bond funds.
- Approve use of \$1 million in existing transportation bond funds, not needed for other projects prior to the end of calendar year 2007, which can be temporarily reallocated to “jump start” design of the projects in advance of the Fall 2007 transportation referendum.

Supervisor Bulova seconded the motion.

Discussion ensued, with input from Katharine D. Ichter, Director, Department of Transportation, regarding the proposed allocation of funds in the 2007 Referendum.

Supervisor DuBois called the Board's attention to Attachment One, handwritten page one, of the Board Agenda Item, Pedestrian and Spot Improvements, and asked unanimous consent that the Board direct staff to amend bulleted item number four, to only read: U.S. Route 7. Without objection, it was so ordered.

Discussion ensued, with input from Ms. Ichter and Larry Ichter, Chief, Transportation Design Branch, Plans and Design Division, Department of Public Works and Environmental Services, regarding the Poplar Tree Road project.

Further discussion ensued, with input from Ms. Ichter, regarding the inclusion of a road in the Hunter Mill District, the placeholder of \$1 million for a project to be determined in the Providence District, and Lee Chapel Road.

Additional discussion ensued, with input from Ms. Ichter, regarding transit centers and pedestrian overpasses, and whether there is flexibility in bond funding.

Following additional discussion regarding bond funding, the question was called on the motion and it carried by unanimous vote.

14. **A-4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) 07097 AND APPROVAL OF A STANDARD PROJECT ADMINISTRATION AGREEMENT FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO ACCEPT CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDING FOR THE SOAPSTONE DRIVE TRAIL AND COLUMBIA PIKE PHASE II TRAILS (HUNTER MILL AND MASON DISTRICTS)** (12:21 p.m.)

(SAR) On motion of Supervisor Hudgins, seconded by Supervisor Gross, 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 approved SAR AS 07097 and the Standard Project Administration Agreement with the Virginia Department of Transportation, in substantial form, for DOT to accept \$2 million in funding, including \$1.6 million in CMAQ funding and \$400,000 in local cash match, to construct trails at various locations in the County.

15. **A-5 – AUTHORIZATION TO EXECUTE A BUILDING CODE SERVICES (BCS) AGREEMENT FOR ADMINISTERING AND ENFORCING THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE FOR THE TOWN OF CLIFTON (SPRINGFIELD DISTRICT)** (12:21 p.m.)

On motion of Supervisor McConnell, seconded by Chairman Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chairman to execute the BCS Agreement set forth as Attachment One of the Board Agenda Item dated February 26, 2007.

16. **A-6 – PARKING REDUCTION FOR FAIR LAKES HYATT HOTEL (SPRINGFIELD DISTRICT)** (12:21 p.m.)

On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 9.79 percent for Fair Lakes Hyatt Hotel located at 12777 Fair Lakes Circle pursuant to Paragraph 4(B), Section 11-102 of the Fairfax County 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 February 26, 2007.

17. **A-7 – APPROVAL OF AN INTERIM FLOOD INSURANCE GRANT PROGRAM AND AN ORDINANCE TO ESTABLISH A SUB-AREA OF THE EXISTING HUNTINGTON COMMUNITY WITHIN THE ROUTE ONE REHABILITATION DISTRICT (MOUNT VERNON DISTRICT)** (12:22 p.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve an interim flood insurance grant program to reimburse residents of the Huntington community, subject to a certain maximum household income level, for the cost of flood insurance through the Federal Emergency Management Agency's National Flood Insurance Program for a period of one year. Chairman Connolly seconded the motion.

Discussion ensued regarding the flooding in the Huntington community.

Additional discussion ensued, with input from Jimmie Jenkins, Director, Department of Public Works and Environmental Services, regarding the flood insurance.

Supervisor Gross noted that in some states large national insurance providers are no longer writing policies. Therefore, she asked unanimous consent that the Board direct staff in the Consumer Affairs Branch, Department of Cable Communications and Consumer Protection, to monitor insurance policy underwriting.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and amended the request that the Board direct staff to report with the possible implications it could have on the County. Without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

18. **A-8 – APPROVAL OF LETTER WITH FAIRFAX COUNTY’S COMMITMENTS TO THE VIRGINIA AIR QUALITY STATE IMPLEMENTATION PLAN (SIP) FOR THE EIGHT-HOUR FEDERAL OZONE STANDARD** (12:31 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve a letter indicating the County’s commitment to implement the voluntary control measures, as outlined in the Board Agenda Item dated February 26, 2007, for inclusion in the Virginia portion of the Washington metropolitan region’s SIP. Supervisor Hudgins seconded the motion.

Discussion ensued, with input from Barbara Hardy, Air Quality Program Manager, Division of Environmental Health, Health Department, regarding the tree canopies and the care of trees.

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

19. **A-9 – ADOPTION OF THE CUB RUN AND BULL RUN WATERSHED MANAGEMENT PLAN (SPRINGFIELD AND SULLY DISTRICTS)** (12:32 p.m.)

Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Cub Run and Bull Run Watershed Management Plan. Supervisor Frey seconded the motion.

Supervisor Frey asked unanimous consent that the Board direct staff to invite the advisory groups for the Cub Run and Bull Run Watershed Management Plan and the Difficult Run Watershed Management Plan to appear before the Board to be recognized. Without objection, it was so ordered.

Discussion ensued, with input from Randy Bartlett, Director, Stormwater Management Division, Department of Public Works and Environmental Services (DPWES), and Jimmie Jenkins, Director, DPWES, regarding the watershed plans, community involvement in the planning process, implementation of the projects, and capacity issues.

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

(NOTE: Later in the meeting, the Board added the Reston Association to the list of groups to be recognized. See Clerk’s Summary Item #20.)

20. **A-10 – ADOPTION OF THE DIFFICULT RUN WATERSHED MANAGEMENT PLAN (DRANESVILLE, HUNTER MILL, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (12:41 p.m.)

(NOTE: Earlier in the meeting, the Board directed staff to invite members of the watershed plan advisory groups to appear before the Board. See Clerk's Summary Item #19.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and adopt the Difficult Run Watershed Management Plan. Supervisor Gross seconded the motion.

Discussion ensued, with input from Randy Bartlett, Director, Stormwater Management Division, Department of Public Works and Environmental Services, regarding grant opportunities.

Supervisor Hudgins asked unanimous consent that the Board direct staff to also invite the Reston Association to appear before the Board to be recognized. Without objection, it was so ordered.

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

21. **A-11 – ENDORSEMENT OF THE STRATEGIC DIRECTIONS FOR THE PLAN TO PREVENT AND END HOMELESSNESS AND ESTABLISHMENT OF AN IMPLEMENTATION COMMITTEE** (12:43 p.m.)

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

- Endorse the strategic directions in the *Blueprint for Success: Strategic Directions for the Plan to Prevent and End Homelessness in the Fairfax-Falls Church Community*.
- Approve the Charter and General Work Plan to establish the Implementation Committee.

Chairman Connolly seconded the motion.

Discussion ensued regarding the Implementation Committee and homelessness.

Further discussion ensued, with input from William MacMillan, Management Analyst; Research, Analysis, and Project Services; Department of Systems Management for Human Services (DSMHS), regarding the homelessness program totals.

Following discussion regarding workforce housing and single resident occupancy (SRO) housing, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to report with information regarding the Request for Proposal (RFP) for SRO and Workforce Housing.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Discussion ensued, with input from Verdia L. Haywood, Deputy County Executive, and Paula Sampson, Director, Department of Housing and Community Development, regarding the RFP for SRO and Workforce Housing.

Further discussion ensued, with input from Kenneth P. Disselkoen, Acting Director, DSMHS, regarding the central call center and zoning regulations.

Following further discussion, with input from Mr. Haywood, regarding homelessness and housing, the question was called on the motion and it carried by unanimous vote.

22. **I-1 – CONTRACT AMENDMENT – ARCHITECTURAL AND ENGINEERING SERVICES CONTRACTS FOR THE RENOVATION AND EXPANSION OF THE MOTT COMMUNITY CENTER (SPRINGFIELD DISTRICT)** (12:58 p.m.)

The Board next considered an item contained in the Board Agenda dated February 26, 2007, requesting authorization for staff to award contract amendments to the following:

- Stanmyre and Noel Architects, PC, in the amount of \$275,828, plus a standard ten percent contingency for unanticipated design expenses, for additional architectural and engineering services. The revised contract amount will be \$303,048, which includes the current contract amount of \$27,220.
- Rinker Design Associates, PC, in the amount of \$71,100, plus a standard ten percent contingency for unanticipated design expenses, for additional civil engineering services. The revised contract amount will be \$93,840, which includes the current contract amount of \$22,740.

The staff was directed administratively to proceed as proposed.

23. **I-2 – CONTRACT AMENDMENT – FOR ARCHITECTURAL/ENGINEERING DESIGN SERVICES FOR THE RICHARD BYRD COMMUNITY LIBRARY RENOVATION AND EXPANSION PROJECT (LEE DISTRICT)** (12:59 p.m.)

Anthony H. Griffin, County Executive, announced that this item was withdrawn by staff, at the request of Lee District Supervisor Kauffman. A brief discussion ensued regarding single use one level buildings.

24. **I-3 – CONTRACT AWARD – CLARKE’S LANDING STREAM RESTORATION (SULLY DISTRICT)** (1:01 p.m.)

The Board next considered an item contained in the Board Agenda dated February 26, 2007, requesting authorization for staff to award a contract to Avon Corporation in the amount of \$522,922.96 for the construction of Clarke’s Landing Stream Restoration, Project Number DF0361, in Fund 316, Pro Rata Share Drainage Construction.

The staff was directed administratively to proceed as proposed.

25. **I-4 – CONTRACT AMENDMENT FOR ARCHITECTURAL/ENGINEERING (A/E) SERVICES FOR THE MARTHA WASHINGTON LIBRARY RENOVATION AND EXPANSION PROJECT (MOUNT VERNON DISTRICT)** (1:03 p.m.)

The Board next considered an item contained in the Board Agenda dated February 26, 2007, requesting authorization for staff to award a contract amendment to Ritter Architects in the amount of \$784,758 for A/E design and construction administration services for renovation and expansion of the Martha Washington Community Library, Project 004845, in Fund 302, Library Construction. The revised contract amount will be \$834,757, which includes the current amount of \$49,999.

The staff was directed administratively to proceed as proposed.

26. **I-5 – CONTRACT AWARD – GEOTECHNICAL ENGINEERING AND TESTING SERVICES TASK ORDER CONTRACT** (1:03 p.m.)

The Board next considered an item contained in the Board Agenda dated February 26, 2007, requesting authorization for staff to award a contract to Mactec Engineering and Consulting, Incorporated, in the amount of \$350,000 for geotechnical engineering and testing services on various County projects which are being designed by County staff and/or when these services are not part of a design contract with an outside firm. The contract will be renewable for one additional year.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTER27. **INTENT TO DEFER PUBLIC HEARINGS (MASON AND SULLY DISTRICTS)** (1:03 p.m.)

Supervisor Gross announced her intent to defer, later in the meeting at the appropriate time, the public hearing on Special Exception Application SE 2006-MA-027 (Joanne Krause).

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 (NVP, Incorporated).

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items #_ and #_.)

AGENDA ITEMS28. **RECESS/CLOSED SESSION** (1:04 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. *Board of Supervisors of Fairfax County, Virginia v. Demetrios Nicholakos and George Nicholakos, et al.*, CL-2006-0011426 (Fx. Co. Cir. Ct.) (Mount Vernon District)
2. *Phillip Luther Moore, II v. Fairfax County, Virginia, Officer Ivancic, Officer Smuck, Officer*

Shugart, Officer Ankers, and David M. Rohrer, Chief of Police, Case No. L06CV3220 (U.S.D.C. Dist. Md.)

3. *Concerned Citizens of Hollin Hall Village, et al. v. County of Fairfax Board of Zoning Appeals, et al., Record No. 07-0058 (Sup. Ct. Va.) (Mount Vernon District)*
4. *Board of Supervisors of Fairfax County, Virginia, and Jimmie D. Jenkins, Director, Fairfax County Department of Public Works and Environmental Services v. Board of Zoning Appeals of Fairfax County, Virginia, Young K. Lee, and Young A. Lee, Case No. CL-2004-0221391 (Fx. Co. Cir. Ct.) (Providence District)*
5. *Board of Zoning Appeals of Fairfax County, Virginia v. Board of Supervisors of Fairfax County, Virginia, Case No. 2006-0011777 (Fx. Co. Cir. Ct.)*
6. *Eileen M. McLane, Fairfax County Zoning Administrator v. Omar Zamora and Leodan Alvarado, Case No. CL-2006-0001253 (Fx. Co. Cir. Ct.) (Mason District)*
7. *William E. Shoup, Fairfax County Zoning Administrator v. Vincent A. Tramonte, II, Robert C. Tramonte, Louise Ann Caruthers, and Silvio Diana, In Chancery No. CH-2005-0003362 (Fx. Co. Cir. Ct.) (Lee District)*
8. *William E. Shoup, Fairfax County Zoning Administrator v. Silvio Diana, Case No. CL-2006-0014774 (Fx. Co. Cir. Ct.) (Lee District)*
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Angela Turcios and Absolute Tree, Inc., Case No. CL-2006-0012317 (Fx. Co. Cir. Ct.) (Lee District)*
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Barbara J. Hood, Case No. CH-2005-0005043 (Fx. Co. Cir. Ct.) (Dranesville District)*

11. *William E. Shoup, Fairfax County Zoning Administrator v. John N. Nassikas, III, and Georgia C. Nassikas*, Case No. CL-2006-0001302 (Fx. Co. Cir. Ct.) (Dranesville District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bruce B. Moore and Debra B. Moore*, Case No. CL-2006-0011775 (Fx. Co. Cir. Ct.) (Braddock District)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gagik Vartanian and Elvira Tahmassian*, Case No. CL-2007-0001128 (Fx. Co. Cir. Ct.) (Mason District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ana Caballero*, Case No. CL-2007-0001746 (Fx. Co. Cir. Ct.) (Providence District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. William J. Edgar*, Case No. CL-2007-0001427 (Fx. Co. Cir. Ct.) (Springfield District)
16. *Board of Supervisors of Fairfax County, Virginia v. Damon Harwood Company, Inc., et al.*, Case No. 2006-0001516 (Fx. Co. Cir. Ct.) (Hunter Mill District)
17. *Board of Supervisors of Fairfax County, Virginia v. Oracle Corporation and Safeco Insurance Company of America*, Case No. CL-2007-0001189 (Fx. Co. Cir. Ct.) (Hunter Mill District)
18. *Board of Supervisors of Fairfax County, Virginia v. ConocoPhillips Company, formerly Tosco Refining, L.P., and Safeco Insurance Company of America*, Case No. CL-2007-0001188 (Fx. Co. Cir. Ct.) (Sully District)
19. *Board of Supervisors v. W.L. Homes, L.L.C., et al.*, Case No. CL-2007-0001127 (Fx. Co. Cir. Ct.) (Lee District)

20. *Board of Supervisors v. AJB Associates, Inc., et al.*, Case No. CL-2007-0001648 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- Claim of Salvatore and Anita Culosi
- Fairfax County Code Section 67.1-1-13
- Unauthorized Sale of Moderate Income Direct Sales Properties
- *City of Falls Church v. Fairfax County Water Authority*, Civil Action Number 1-07-CV-174
- Public-Private Transportation Act Proposal on Rail to Dulles

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

DET:det

At 4:14 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Frey, and with Chairman Connolly presiding.

NV:nv

BOARD MATTERS

29. **LAUREL HILL SPORTSPLEX SPECIAL EXCEPTION/2232 PUBLIC FACILITIES APPLICATION (MOUNT VERNON DISTRICT)** (4:14 p.m.)

Supervisor Hyland said that on behalf of the Board, the Park Authority is currently in discussions with a not-for-profit organization, the Laurel Hill Sports Foundation, to develop a sports field complex via a public-private partnership. The proposed Laurel Hill Sportsplex would include a 130,000 square foot enclosed sports facility, 15 outdoor rectangle playing fields and other associated improvements. The land area for the sports field complex is approximately 134 acres and is located on the west side of Furnace Road. An approved Park Authority Conceptual Development Plan and 2232 determination already permit a sports field complex at the 55-acre former Youth Correctional Center. The proposed development area is a portion of a 430-acre parcel owned by the County located immediately south of the landfill and extending south to the Occoquan River at Laurel Hill in Lorton. This land will provide access to the proposed sports field complex from Furnace Road. This area is shown as parkland in the southern part of the Laurel Hill Community Planning Sector (LP1) of the

County's Comprehensive Plan and proposed for transfer to the Park Authority and/or the Northern Virginia Regional Park Authority.

To proceed with the timely planning and development of the Sportsplex, the Board is requested to authorize the Park Authority to file an application for both a special exception and a 2232 determination on its behalf. In addition, it is requested that the Board authorize expedited processing of the applications and allow concurrent processing of the anticipated request for an RPA exception, the site plans, and permits for demolition of the existing structures.

Therefore, Supervisor Hyland moved that the Board:

- Designate the Director of the Park Authority or his designee to act as the agent of the Board to prepare and submit these land use applications.
- Authorize the filing of the special exception application on land owned by the Board.
- Expedite the processing of the public hearing schedule for the special exception and 2232 applications.
- Authorize concurrent processing by the Department of Public Works and Environmental Services of the appropriate site plans, associated waivers or exception requests, and/or permits for demolition.

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

30.

WOODLAWN LITTLE LEAGUE LAND TRANSFER (MOUNT VERNON DISTRICT) (4:17 p.m.)

Supervisor Hyland said that after many years of negotiations between the Park Authority and the Department of the Army, the Woodlawn Little League Fields are now owned by the County. The Woodlawn Little League Board is eager to see the ball fields improved and adopt them for continued use through the adopt-a-field program. However, there are still several hurdles to jump before this ultimate goal is attained. The Planning Commission will now have to review a 2232 application, and then, pending its decision, go into Community and Recreation Services' inventory so the fields may be adopted.

Therefore, Supervisor Hyland moved that the Board direct the County Executive, the Park Authority, and Department of Planning and Zoning to work with the

Woodlawn Little League Board to expedite this transition. Supervisor Bulova seconded the motion and it carried by unanimous vote.

31. **VOTING MACHINE RESULTS FROM MOUNT VERNON'S TWENTIETH TOWN MEETING** (4:18 p.m.)

Supervisor Hyland said that every year at Mount Vernon's Town meeting, the Electoral Board helps register voters and sets up electronic voting machines so Mount Vernon residents can express their views on several questions. He added that he included the results of these questions with his written Board Matters for the Board's information and review.

DET:det

ACTIONS FROM CLOSED SESSION

32. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:18 p.m.)

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

33. **BOARD OF SUPERVISORS VERSUS DEMETRIOS NICHOLAKOS, ET AL. CASE NUMBER CL-2006-0011426** (4:19 p.m.)

Supervisor Hyland moved that the Board accept the defendants' settlement offer in *Board of Supervisors versus Demetrios Nicholakos, et al.*, Case Number CL-2006-0011426, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor McConnell seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

34. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-MA-027 (JOANNE KRAUSE) (MASON DISTRICT)** (4:19 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 2006-MA-027 until **March 12, 2007, at 4 p.m.** Supervisor Smyth seconded the motion and it carried by unanimous vote.

35. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING WAIVER OF RESIDENTIAL MINIMUM LOT WIDTH REQUIREMENTS** (4:20 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 February 8 and February 15, 2007.

Donna Pesto, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, presented the staff report. Discussion ensued concerning two-lot subdivisions and the shape factor.

Following the public hearing, which included testimony by three speakers, Chairman Connolly submitted items for the record.

Discussion ensued concerning issues raised by the Fairfax County Federation of Citizens Associations, including neighborhood compatibility and covenants, with input from Ms. Pesto.

Following the discussion, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding a waiver of residential minimum lot width requirements. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hyland being out of the room.

36. **4 P.M. – ON PROPOSED COMPREHENSIVE PLAN AMENDMENT APPLICATIONS ST04-III-BR1 AND S05-III-BR1**

AND

PH ON PROPOSED REZONING APPLICATION RZ 2006-SU-030 (BOARD’S OWN MOTION) (SULLY DISTRICT)

AND

PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE CENTREVILLE HISTORIC OVERLAY DISTRICT (CHOD) (SULLY DISTRICT) (4:43 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 February 8 and February 15, 2007.

The Rezoning Application RZ 2006-SU-030 property is located on the north side of Lee Highway, west side of Summit Street, and east side of Sully Road. Tax Map Numbers 54-4 ((1)) 8, 23, 24B, 24C, 26A, 28A, 28B, 30, 30A, 31, 32, 34, 35A, 36, 37, 46, 46B, 47A, 48, 49, 50, 51B, 53A, 55, 56, and 57; 54-4 ((2)) A1, B1, 2-7, 8A, 9A, 10, 11, 12, 13, 14, 121, 123, 124, 125, and 126A; 54-4 ((4)) 1, 1A, 3A, and 4; 54-4 ((7)) 1-16; 54-4 ((10)) A; 54-4 ((14)) B, 8 and 9; 54-4 ((16)) A1 and A4; and a portion of the public right-of-way for the Route 28/Route 29 interchange.

Cynthia E. Chambers, Senior Assistant to the Zoning Administrator, Zoning Administration Division, Department of Planning and Zoning (DPZ), presented the staff report.

During the public hearing, discussion ensued concerning earthworks, with input from Linda C. Blank, Historic Preservation Planner, Planning Division, DPZ.

Following the public hearing, which included testimony by 11 speakers, Supervisor Frey and Chairman Connolly submitted items for the record.

Ms. Chambers presented the staff and Planning Commission recommendations.

Following a detailed summation of the proposals including an explanation of the two Comprehensive Plan amendments, Supervisor Frey moved that the Board adopt the proposed plan text for Plan Amendment Applications ST04-III-BR1 and S05-III-BR1, as recommended in Attachment 3 of the February 26, 2007, Board Agenda Item. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Supervisor Frey moved that the Board adopt the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), relating to the Centreville Historic Overlay District as set forth in the Planning Commission recommendation, shown in Attachment 5 of the February 26, 2007, Board Agenda Item, with an effective date of 12:01 a.m. on the day following adoption, and that the following be grandfathered from the amendment:

- Special exception, proffered rezonings, or development plans approved prior to the effective date of this amendment.
- Building and site plans submitted on or before the effective date of the amendment, provided such plans are (a) approved within 12 months of the return of the initial submission to the applicant or agent, (b) the plan remains valid, (c) building permits for the structures shown on the approved plan are issued, and (d) the structures and uses are constructed in accordance with such building permits.

- Uses for which building permits have been approved, provided that the structure containing the use is constructed under the approved building permit.

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

Supervisor Frey moved amendment of the Zoning Ordinance, in part, as it applies to the property which is the subject of Rezoning Application RZ 2006-SU-030, to add an Historic Overlay District on property zoned R-1, R-3, R-12, C-2, C-8, PDC, PDH-8, HC, SC, and WS which includes the Planning Commission recommendation contained in Attachment 4 of the February 26, 2007, Board Agenda Item. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Hyland and Supervisor McConnell being out of the room.

Supervisor Frey moved that DPZ be directed to work with citizens to undertake an analysis of whether the period of significance of the Centreville Historic Overlay District should be expanded and to engage qualified consultants to prepare new Centreville Historic Overlay District standards and guidelines. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

37. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE FRANKLIN GLEN COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (6:01 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 8 and February 15, 2007.

Maria Turner, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Franklin Glen CPD, in accordance with existing CPD restrictions. Supervisor Bulova and Supervisor Hudgins jointly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Smyth, and

Chairman Connolly voting “AYE,” Supervisor Hyland and Supervisor McConnell being out of the room.

Supervisor Frey submitted items for the record.

38. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE NEWGATE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (6:03 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 February 8 and February 15, 2007.

Maria Turner, Transportation Planner, Department of Transportation, presented the staff report.

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

Supervisor Frey submitted items for the record.

39. **5 P.M. – PH ON REZONING APPLICATION RZ 2004-SU-029 (NVP, INCORPORATED) (SULLY DISTRICT)** (6:05 p.m.)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 2004-SU-029 until **March 26, 2007, at 5 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

40. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:06 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 February 8 and February 15, 2007.

Citizens and businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments

regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

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

- Mr. Stan Severance regarding magistrates.
- Mr. Greg Budnick regarding problems with the transition of homeowner associations from developer to owner control.

ADDITIONAL BOARD MATTERS

NV:nv

41. **AFFORDABLE HOUSING WEEK** (6:16 p.m.)

With reference to his written Board Matter, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board proclaim April 21-28, 2007, as "*Affordable Housing Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Department of Housing and Community Development and the Redevelopment and Housing Authority to be recognized with the proclamation at the April 23 Board meeting. Without objection, it was so ordered.

42. **FAIRFAX PETS ON WHEELS' TWENTIETH ANNIVERSARY** (6:16 p.m.)

Chairman Connolly noted Fairfax Pets on Wheels celebrates its twentieth anniversary and that he and Supervisor DuBois participated with that organization this past Saturday.

Accordingly, Chairman Connolly asked unanimous consent that the Board direct staff to draft a proclamation declaring April 2007 as "*Fairfax Pets on Wheels Month*" in Fairfax County to commemorate its twentieth anniversary and invite the appropriate volunteers and pets from Fairfax Pets on Wheels to be recognized with the proclamation at the April 9 Board meeting. Without objection, it was so ordered.

43. **NATIONAL PUBLIC HEALTH WEEK** (6:16 p.m.)

Chairman Connolly announced that National Public Health Week is approaching. Therefore, he asked unanimous consent that the Board proclaim April 2-8, 2007, as "*National Public Health Week*" in Fairfax County and direct staff to draft a proclamation and invite the appropriate representatives from the Health Department and the Health Care Advisory Board to receive the proclamation at the March 26 Board meeting. Without objection, it was so ordered.

44. **DONATE LIFE MONTH** (6:17 p.m.)

Chairman Connolly noted that Donate Life Month occurs in April. Accordingly, he asked unanimous consent that the Board proclaim April 2007 as "*Donate Life Month*" in Fairfax County and direct staff to invite the appropriate representatives from the Commission on Organ and Tissue Donation and Transplantation, the Health Care Advisory Board, and Inova Health Care to receive the proclamation at the April 9 Board meeting. Without objection, it was so ordered.

45. **NURSES' WEEK** (6:17 p.m.)

Chairman Connolly announced that Nurses' Week is May 6-12. Therefore, he asked unanimous consent that the Board direct staff to prepare a proclamation declaring May 6-12, 2007, as "*Nurses' Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Health Care Advisory Board and Health Department to be recognized with the proclamation at the April 30 Board meeting. Without objection, it was so ordered.

46. **WORLD TUBERCULOSIS (TB) DAY** (6:17 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim March 24, 2007, as "*World TB Day*" in Fairfax County and direct staff to invite representatives from the Health Care Advisory Board and the health community to be recognized with the proclamation at the March 12 Board meeting. Without objection, it was so ordered.

47. **NATIONAL CHILD IMMUNIZATION MONTH** (6:18 p.m.)

Chairman Connolly said that April is Child Immunization Month. Therefore, he asked unanimous consent that the Board proclaim April 2007 "*Children's Immunization Week*" in Fairfax County and direct staff to draft a proclamation and invite the appropriate representatives from the Health Department to receive the proclamation at the March 26 Board meeting. Without objection, it was so ordered.

48. **RETIREMENT OF MS. JANE KORNBLUT** (6:18 p.m.)

As noted in Chairman Connolly's written Board Matters, Ms. Jane Kornblut is retiring from the County's community services and moving to Chapel Hill, North Carolina. She is being recognized for serving as the Vice Chair of the Community Council on Homelessness and as the Chair of the Council's Planning Committee to End Homelessness. Her leadership has been crucial in developing the "Blueprint for Success: Strategic Directions for the Plan to Prevent and End Homelessness."

Therefore, Chairman Connolly asked unanimous consent that the Board direct staff to invite Ms. Kornblut to appear before the Board to be recognized at an appropriate meeting for her contributions. Without objection, it was so ordered.

49. **ALTERNATIVE DISPUTE RESOLUTION MONTH** (6:19 p.m.)

Chairman Connolly said that March is traditionally recognized as Alternative Dispute Resolution Month. Therefore, he asked unanimous consent that the Board direct staff to issue a proclamation declaring March 2007 as “*Alternative Dispute Resolution Month*” in Fairfax County and direct staff to invite appropriate representatives from the County Alternative Dispute Resolution Office to receive the proclamation at the March 12 Board meeting. Without objection, it was so ordered.

There was a brief discussion about National Clowns’ Week, but the Board declined to take any action.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

50. **MIDDLERIDGE WOMEN’S CLUB REACHES 30 YEAR MILESTONE (BRADDOCK DISTRICT)** (6:19 p.m.)

With reference to her written Board Matter on the subject, Supervisor Bulova said in May 2007, the Middleridge Women's Club, a member of the Greater Women's Federation Club and the Fairfax County Federation of Women's Clubs, will be celebrating its thirtieth anniversary. Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to invite the Middleridge Women's Club representatives to appear before the Board on April 9 to be recognized for this significant milestone and its many accomplishments. Without objection, it was so ordered.

A brief discussion ensued regarding the schedule for presentations at upcoming Board meetings, with input from Merni Fitzgerald, Director, Office of Public Affairs.

51. **REQUEST FOR BOARD AUTHORIZATION TO PROCEED WITH THE VACATION OF UNNAMED STREET RIGHT-OF-WAY IN FAIRFAX VILLA PARK (BRADDOCK DISTRICT)** (6:20 p.m.)

Supervisor Bulova said that the Park Authority has initiated the process to revise the Park Master Plan for Fairfax Villa Park. The park has grown considerably since it was first master planned in 1977 so the new portions have to be formally incorporated into the Plan.

In a portion of the newer section, Supervisor Bulova noted that there is an unnamed “paper street” that runs from Park Drive east toward Belden Street. Although dedication of right-of-way was provided to the Virginia Department of

Transportation (VDOT), no past or present County Transportation Plan Map indicates a street connection. No one, including the Park Authority, is interested in having this road built within the park, and discussion with transportation staff regarding abandonment has begun. Vacating the right-of-way will add another acre of parkland.

Therefore, Supervisor Bulova moved that the Board direct staff in the Department of Transportation to work with Park Authority staff and VDOT to initiate the vacation of the unnamed street right-of-way in Fairfax Villa Park in conjunction with the master planning process of the park. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

52. **UNIVERSAL HOME DESIGN** (6:21 p.m.)

Supervisor Bulova said that on January 23 several members of the Board had an opportunity to join Supervisor Kauffman on a tour of a house in Prince William County built to Universal Design. The home, built by Centex, was created to “showcase Universal Design concepts to the design and construction community and to potential homeowners to illustrate the benefits of Universal Design in single family housing.”

Supervisor Bulova noted that representatives of Centex explained that they were not offering homes built to Universal Design for sale at this time, but were assessing the demand for such housing and looking at how Universal Design features add to the cost of building such a home.

Supervisor Bulova said that last summer, Chairman Connolly joined her for a groundbreaking for a townhome community in Burke Centre that is being built to Universal Design standards and marketed to individuals having an interest in such housing. The development, constructed by Landmark Development, is the result of a partnership between Lutheran Housing (led by the Reverend Ron Christian) and Landmark.

During a recent meeting with John Thillmann of Landmark, Supervisor Bulova said that he shared some of the challenges he faced during the rezoning and site plan review process with getting this housing approved. It has some unique issues associated with it. For instance, after site plan approval, additional changes to the floor plan were needed for wheel chair accessibility to the furnace and laundry which necessitated moving out the back wall of the unit. Supervisor Bulova said that this required a proffer interpretation and her office’s direct intervention.

Supervisor Bulova noted that Mr. Thillmann has assembled a paper documenting some of Landmark’s experiences with Universal Design, along with suggestions for how to facilitate the process for building more of this kind of housing in the County.

Therefore, Supervisor Bulova moved that:

- The recommendations listed in Mr. Thillmann's proposal be referred to appropriate staff and to the Planning Commission for consideration.
- A study group, to include both staff and representatives of the private sector, be organized to consider what changes might be needed to County policies and/or regulations and ordinances to advance the construction of more Universal Design housing in the County.

Supervisor Kauffman seconded the motion.

Supervisor Gross asked to amend the motion to include a review of age requirements, such as age 55 restrictions, that might be overlaid on this proposal, and this was accepted.

Following discussion regarding persons of all ages who would benefit from Universal Design and the possibility of a lead role by the Planning Commission for the study group, the question was called on the motion, as amended, and it carried by a vote of nine, Supervisor Hyland being out of the room.

53. **SIGNAGE FOR JUDICIAL CENTER** (6:26 p.m.)

Supervisor Bulova explained that she recently visited the Red Hot and Blue restaurant located next to the Judicial Center. She was told that the restaurant has been experiencing parking problems because people are confused about how to enter the Judicial Center complex that is currently undergoing expansion. Restaurant representatives suggested better directional signs for parking and entry into the complex.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff to provide better signs at the Judicial Center. Without objection, it was so ordered.

A brief discussion ensued about the difficulty in accessing the site during the construction.

54. **RELOCATING BICYCLE RACKS AT THE GOVERNMENT CENTER AND OTHER COUNTY FACILITIES** (6:27 p.m.)

With reference to her written Board Matter on bicycle racks, Supervisor Smyth said that it has come to her attention that, although there are bicycle racks at the Government Center, they are located in areas far from the front doors and inconvenient for users.

Therefore, to encourage bicycle usage by both County employees and customers, Supervisor Smyth asked unanimous consent that the:

- County take the initiative and set an example by installing additional bicycle racks at the Government Center [to a new location in close proximity to the main entrance. This location will be safe, convenient, and sheltered under the building's overhang].
- Facilities Management Division review all County facilities and insure that bike racks are located close to the building entrances and under cover where possible. Where bicycle racks are not available, consideration should be given to installing new racks.

Following brief input from Anthony H. Griffin, County Executive, Chairman Connolly noted that one of his staff members commutes to the office every day by bicycle.

Without objection, the request was so ordered.

55. **BOARD CONCURRENCE – PROFFERED CONDITION AMENDMENT APPLICATION PCA-92-P-001-6 (PROVIDENCE DISTRICT)** (6:28 p.m.)

Supervisor Smyth said that WEST*GROUP Properties LLC has filed Proffered Condition Amendment Application PCA-92-P-001-6 for West Gate in the Tysons Corner Urban Center. The purpose of this application is to create a separate land bay for the properties that were sold by the applicant. In fulfillment of proffer 10E of Proffered Condition Amendment Application PCA 2002-PR-016, WEST*GROUP Properties LLC conveyed ownership of the Arthur Site [Tax Map 29-4((6)) Parcel 107] to the Board. The Arthur site is part of the land bay covered by Proffered Condition Amendment Application PCA-92-P-001-6.

Supervisor Smyth stated that the Zoning Ordinance specifies that an application on property owned by a party other than the applicant requires the endorsement of the property owner before such an application can be heard. Because the Board now owns the Arthur site, WEST*GROUP is requesting Board concurrence in the filing of the application.

Therefore, Supervisor Smyth moved that the Board:

- Indicate its concurrence of the inclusion of the Arthur Site in Proffered Condition Amendment Application PCA-92-P-001-6.
- Designate the County Executive as the Board's agent for this application.

This motion does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Vice-Chairman

Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Chairman Connolly being out of the room.

56. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SNOW REMOVAL IN THE COUNTY** (6:29 p.m.)

With reference to her written Board Matter regarding the Valentine's Day snow, sleet, and ice storm that hit the area, Supervisor Smyth noted that many people were disturbed by the snow removal effort by VDOT. She said that many streets in her district were never plowed, yet there were reports that streets in an adjoining county were promptly cleared.

Accordingly, Supervisor Smyth moved that the Board direct the County Executive to request a report from VDOT explaining why its snow removal policies resulted in so many neighborhoods with impassible or unreliable roads. The report should detail the cost of this snow removal (including what percentage of the annual snow removal budget was expended on this snow event), an evaluation of the performance of the contractors hired for snow removal, and the identification of gaps in VDOT service in the County. Supervisor DuBois seconded the motion.

Supervisor Hudgins asked to amend the motion to include another "Snow Summit," similar to one held several years ago, or some other series of meetings between the Department of Public Works and Environmental Services and VDOT representatives prior to next winter, and this was accepted.

Discussion ensued regarding the State's responsibilities for snow removal and the public's perception, VDOT's phone system failure, and recognition of some extraordinary efforts by both County and VDOT staff.

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

57. **BUDGET CONSIDERATION ITEM - FUNDING TRAVEL DEMAND MANAGEMENT (TDM)** (6:36 p.m.)

With reference to her written Board Matter, Supervisor Smyth said that to better incorporate TDM as an integral part of the land use and development process in the County and to increase the ability of the County to negotiate, secure, and monitor TDM proffers, additional funds are necessary to continue a program and staffing begun last year. Discussion ensued with input from Anthony H. Griffin, County Executive.

Accordingly, Supervisor Smyth asked unanimous consent that the Board direct staff to prepare a Budget Consideration Item for funding for TDM as contained in her written Board Matter. Without objection, it was so ordered.

58. **AGING COMMITTEE PRESENTATION** (6:39 p.m.)

(BACs) Supervisor Smyth reminded the Board that on March 5 she would be making a presentation for the Aging Committee and that she will soon be issuing a press release.

Chairman Connolly, as a constituent of the Providence District, commended Supervisor Smyth for the helpful resource guide she recently mailed to residents.

59. **SUPPORT FOR THE CENTER FOR MULTICULTURAL HUMAN SERVICES (CMHS)** (6:41 p.m.)

Supervisor Hudgins noted that the Board is familiar with services of the CMHS, which has served residents of the County for more than 25 years. Over the last four years, an investment partnership with Venture in Philanthropy Partners, Incorporated, has positioned CMHS to advance as a provider for multicultural mental health and social services in the County and the region. In addition, the federal, Substance Abuse and Mental Health Services Administration (SAMHSA) and Robert Wood Johnson Foundation have recently identified CMHS as a replicable model for culturally responsive services nationwide.

As noted in Supervisor Hudgins' written Board matter, although CMHS provides services regionally, 65 percent or \$3.25 million of its total \$5 million annual budget supports services to County residents, approximately 5,200 residents per year and 19,000 County residents over five years. The County contributes \$650,000 annually or about 20 percent of the cost of service to County residents. The ability of CMHS to continue providing quality mental health services in the community is at risk due to the loss of approximately \$750,000 in Federal revenue as a result of the Federal deficit situation, unforeseen delays in the issuance of anticipated State and local RFPs for which CMHS is believed to be competitive and federal payments by Managed Care and Medicaid insurances that do not cover the cost of care in Northern Virginia.

Supervisor Hudgins asserted that it is in the County's best interest to help insure that CMHS remains a viable provider in the community. She cited the increased diversity in the County population, the need for quality mental health services which CMHS is highly qualified to provide, and the County's collaboration with CMHS around partnership opportunities for a SAMHSA system of care grant that could bring a multi-year \$14 million grant for children and family mental health to the region, as reasons.

Supervisor Hudgins moved that the Board direct the County Executive to include a \$500,000 one-time contribution to CMHS at the FY 2007 Third Quarter Review which will help assure the organization's competitiveness in pending State, Federal, and local solicitations. Supervisor Gross seconded the motion.

Discussion ensued regarding the leveraging of the investment of a one-time \$500,000 as well as concerns regarding the County's replacement of lost Federal or State funding, with input from Anthony H. Griffin, County Executive.

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

60. **BUDGET CONSIDERATION ITEM FOR CONTINUATION OF FAIRFAX CONNECTOR ROUTE 505** (6:45 p.m.)

Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare a Budget Consideration Item to include approximately \$300,000 in the Fiscal Year 2008 Budget for operating costs to continue the mid-day Reston/West Falls Church Route 505 service. Without objection, it was so ordered.

61. **HUNTER MILL DISTRICT COMMUNITY MEETINGS ON THE FISCAL YEAR (FY) 2008 BUDGET** (6:46 p.m.)

(NOTE: Earlier in the meeting, the Board directed the Office of Public Affairs to publicize district briefings on the budget. See Clerk's Summary Item #8.)

With reference to her written Board Matter, Supervisor Hudgins asked unanimous consent that the Board direct the Office of Public Affairs to publicize the Hunter Mill District community meetings regarding the Fiscal Year 2008 Advertised Budget as follows:

- Tuesday, March 20, 2007, 7-9 p.m., at the Southgate Community Center, 12125 Pinecrest Road, Reston, 20191.
- Wednesday, March 21, 2007, 7-9 p.m., at the Vienna Community Center, 120 Cherry Street, S.E., Vienna, 22180.

Without objection, it was so ordered.

62. **REQUEST TO EXPEDITE THE DULLES CENTER, LLC APPLICATION (HUNTER MILL DISTRICT)** (6:46 p.m.)

Supervisor Hudgins noted that the Board granted Rezoning/Final Development Plan Application RZ/FDP 2003-HM-004 on August 4, 2003, which rezoned approximately 4.92 acres from the R-1 and I-4 Districts to the PDC District. The approval was granted to proffers and final development plan. Although the rezoning application was approved several years ago, construction has not commenced on the property due to market conditions. Recently, there has been interest in the approved development; however, there are minor modifications necessary to address specific tenant needs. The applicant will file a proffered condition amendment and final development plan amendment to describe these minor modifications.

Accordingly, Supervisor Hudgins moved that the Board direct the:

- Department of Planning and Zoning to expeditiously process a proffered condition amendment and final development plan amendment filed in association with Rezoning/Final Development Plan Application RZ/FDP 2003-HM [-004].
- Department of Public Works and Environmental Services to accept for simultaneous and concurrent processing any plans as may be necessary in conjunction with the amendment proposed to Rezoning/Final Development Plan Application RZ/FDP 2003-HM-004.

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

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

63. **REQUEST TO EXPEDITE SEKAS HOMES, LLC APPLICATION (HUNTER MILL DISTRICT)** (6:47 p.m.)

Supervisor Hudgins stated that Sekas Homes, LLC has filed an application to rezone the Young Property from R-1 to R-3 to allow a subdivision of 11 lots for development of single family detached dwelling units. The application was scheduled for public hearing before the Planning Commission on Wednesday, February 15, but because of inclement weather, that public hearing was cancelled and the application could not be deferred to February 22 as planned.

Accordingly, Supervisor Hudgins moved that the Board direct staff to schedule a public hearing on Rezoning Application RZ 2006-HM-024 to be held before the Board on March 26. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Supervisor Frey seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

64. **RECOGNITION OF SOUTH LAKES HIGH SCHOOL BASKETBALL COACH WENDELL BYRD UPON HIS RETIREMENT (HUNTER MILL DISTRICT)** (6:48 p.m.)

Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Coach Wendell Byrd to appear before the Board at an appropriate time to receive a resolution commending him for 23 years of outstanding service and

professionalism as South Lakes High School basketball coach. Without objection, it was so ordered.

65. **COMMUNITY REVITALIZATION AND REINVESTMENT COMMITTEE** (6:48 p.m.)

(BACs) Supervisor Gross said that at the Board's Revitalization Retreat in December it agreed to disband the original Revitalization Policy Committee in favor of a full Board committee now called the Community Revitalization and Reinvestment Committee. The original policy committee included a number of members representing the various designated revitalization areas, as well as the Economic Development Authority and the Redevelopment and Housing Authority.

Along with the new committee structure, Supervisor Gross said that the Board also recognized the need to retain the expertise of community volunteers as advisors on revitalization. Of special note is the group known as "G-7," leaders from each revitalization area who have been working with the County Executive and the previous committee to advance revitalization efforts across the County, in collaboration with each other, instead of in competition.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to submit a recommendation for the structure of an advisory committee or council on revitalization to the Board for consideration by its March 26 meeting. Without objection, it was so ordered.

66. **POTOMAC WATERSHED CLEANUP (MASON DISTRICT)** (6:49 p.m.)

Supervisor Gross said that the Alice Ferguson Foundation and the Potomac Watershed Cleanup will be held on the weekend of March 31 through April 1. As noted in her written Board Matter, additional cleanups will take place during the weeks before and after the event weekend. Site captains and volunteers are being sought to help with the cleanup.

Therefore, Supervisor Gross moved that the Board direct the Office of Public Affairs to publicize this event so that residents, businesses, and volunteer organizations will have a greater opportunity to participate and help clean up the environment. Supervisor Smyth seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

67. **WOODROW WILSON LIBRARY (MASON DISTRICT)** (6:50 p.m.)

Supervisor Gross announced that the Woodrow Wilson Library, located in Bailey's Crossroads, is approaching its fortieth anniversary. To recognize the library and the important service it has been providing to the community for the past 40 years, she asked unanimous consent that the Board direct staff to:

- Prepare a resolution for presentation at the March 31 celebration of the library's fortieth anniversary.
- Include her name and the Chairman's name on the resolution.

Without objection, it was so ordered.

68. **PUBLIC SAFETY TELECOMMUNICATIONS WEEK** (6:50 p.m.)

Supervisor Gross said that more than 350,000 times a day, 9-1-1 call takers and dispatchers provide emergency assistance to citizens throughout the nation. In 1991, the Association for Public-Safety Communications Officials was successful in convincing Congress of the need for a national proclamation to recognize the second full week in April as "National Public Safety Telecommunications Week."

Therefore, Supervisor Gross asked unanimous consent that the Board proclaim April 8-14 as "*Public Safety Telecommunications Week*" in Fairfax County, and direct staff to invite representatives from the Department of Public Safety Communications to be recognized with the proclamation at the March 26 Board meeting.

Following input from Merni Fitzgerald, Director, Office of Public Affairs, regarding the number of presentations scheduled for March 26, Supervisor Gross amended her request to schedule this presentation for April 9. Without objection, the request, as amended, was so ordered.

69. **ANNANDALE CHAMBER OF COMMERCE (BRADDOCK AND MASON DISTRICTS)** (6:51 p.m.)

Supervisor Gross announced that the Annandale Chamber of Commerce is approaching its sixtieth anniversary this spring. Accordingly, she asked unanimous consent that the Board direct staff to:

- Prepare a resolution for presentation at the annual dinner of the Annandale Chamber of Commerce on May 18.
- Include on the resolution her signature and that of Supervisor Bulova.

Without objection, it was so ordered.

70. **THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC)** (6:51 p.m.)

Supervisor Gross announced that NCMEC will observe National Missing Children's Day on May 25, 2007. Accordingly, she asked unanimous consent that the Board recognize May 25 as "*National Missing Children's Day*" in Fairfax

County and direct staff to invite the appropriate County staff and NCMEC members to receive a proclamation on May 7 or 21. Without objection, it was so ordered.

71. **SAINT PAUL'S EPISCOPAL CHURCH (MASON DISTRICT)** (6:51 p.m.)

Supervisor Gross announced that this year Saint Paul's Episcopal Church in Bailey's Crossroads is celebrating the 150th anniversary of its founding. Accordingly she asked unanimous consent that the Board direct staff to prepare a resolution for presentation at a church event later this spring and that the resolution contain both her signature and the Chairman's signature. Without objection, it was so ordered.

72. **REQUEST FOR CONCURRENT PROCESSING (MASON DISTRICT)** (6:52 p.m.)

Supervisor Gross said that the applicant has requested concurrent processing upon submittal of the site plan with the pending special exception amendment application to expedite the application process of Special Exception Amendment Application SEA 81-M-097-04. Accordingly, she moved that the Board direct staff to grant CCP Shirley Highway Incorporated and Petroleum Marketing Group Incorporated concurrent processing on Special Exception Amendment Application SEA 81-M-097-04. She noted that this motion should in no way be construed as a favorable recommendation by the Board on the said rezoning application or any subsequent development applications. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

73. **BOARD COMMITTEE MEETINGS ON MARCH 19** (6:52 p.m.)

Supervisor Gross reminded the Board that March 19 is a committee meeting day and the Board will begin at 8 a.m. to deal with some personnel issues.

74. **RESOLUTION TO RECOGNIZE ELLICE AMANNA, FORMER CHIEF OF STAFF FOR CHAIRMAN CONNOLLY** (6:53 p.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to send to Ellice Amanna, his Chief of Staff for the past 12 years, a resolution signed by the entire Board, thanking her for her outstanding service to this community. He noted that she would not agree to a big party or send-off and that she and her family are relocating this Saturday to Vermont. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

PMH:pmh

75. **DEPARTURE OF MS. SUSAN HORNE** (6:54 p.m.)

Jointly with Supervisor Kauffman, Supervisor Frey announced that Susan Horne, the CEO and president of Leadership Fairfax, is leaving to head up LEAD Virginia.

Therefore, jointly with Supervisor Kauffman, Supervisor Frey asked unanimous consent that the Board direct staff to invite Ms. Horne to appear before the Board at its March 26 meeting for recognition of her many contributions and years of dedication to Leadership Fairfax. Without objection, it was so ordered.

76. **5901 CENTREVILLE ROAD (SULLY DISTRICT)** (6:55 p.m.)

Supervisor Frey said that Mr. and Mrs. Suk, the owners of 5901 Old Centreville Road, are negotiating an agreement with the Park Authority to swap a portion of their land with Old Centreville Road Park to facilitate the development of the Suk property and implement desired improvements to the Park.

Supervisor Frey noted that the property owners have been working with staff in the processing of a Comprehensive Plan amendment which will come to the Board shortly, and they intend to file a joint rezoning application with the Park Authority this week. To keep an agreed upon timetable, Supervisor Frey moved that the Board direct staff to schedule public hearings on the rezoning prior to the August recess. The applicants understand that this motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

77. **JAMES NAMED BEST IN SHOW** (6:56 p.m.)

Supervisor Frey announced that Diamond Jim, aka "James," a six year old English springer spaniel from the County, took home the Best In Show award at this year's Westminster Dog Show in New York. In addition to participating in dog shows, James is also a certified therapy dog.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite James and his owners to appear before the Board in recognition of his accomplishments. Without objection, it was so ordered.

A brief discussion ensued regarding dog shows.

78. **APPOINTMENT TO THE ATHLETIC COUNCIL** (6:57 p.m.)

(APPT) (NOTE: Earlier in the meeting, the Board made appointments to Boards, Authorities, and Commissions and deferred action on an appointment to the Athletic Council. See Clerk's Summary Item #9.)

Supervisor McConnell moved the reappointment of Mr. William Stephens as the At-Large Women's Principal Representative to the Athletic Council. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

79. **HERNDON TOWN MANAGER STEPHEN OWEN (DRANESVILLE DISTRICT)** (6:59 p.m.)

Supervisor DuBois announced that Stephen Owen has left the Town of Herndon after serving as Town Manager since 2003. A reception is being held in his honor on February 27, hosted by the Herndon Town Council.

Therefore, Supervisor DuBois moved that the Board direct staff to prepare a joint resolution and plaque on behalf of the Board, to acknowledge his dedication and service to Dranesville District, the Town of Herndon, and the County. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

80. **PAUL SHIFFMAN CELEBRATES 40 YEARS AS McLEAN LITTLE LEAGUE MANAGER (DRANESVILLE DISTRICT)** (6:59 p.m.)

Supervisor DuBois announced that the McLean Little League is preparing the fire to roast one of its own, Mr. Paul Shiffman. This spring, Mr. Shiffman celebrates his fortieth year as a team manager with McLean Little League. The league is planning a roast in his honor on Saturday, March 3.

Therefore, Supervisor DuBois asked unanimous consent that the Board direct staff to prepare a joint resolution and plaque to commemorate this anniversary to be presented at the League's celebration on March 3. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

81. **TREE FORUM** (7 p.m.)

Supervisor DuBois announced that she will be hosting a community Tree Forum along with the Virginia Cooperative Extension Service, on Tuesday, March 13 at 7 p.m. at Colvin Run Elementary School. This program is designed to address homeowners' concerns for trees on their property and in their community.

Supervisor DuBois said that a panel of experts including the Cooperative Extension Service, County Urban Foresters, and others will provide the most up-

to-date information on keeping trees healthy. Topics include pest control, pruning, care and feeding, and advice on selecting sites and trees for planting.

Supervisor DuBois asked unanimous consent that the Board direct staff to publicize this event. Without objection, it was so ordered.

82. **CURRENT PROFFER AMOUNTS** (7 p.m.)

Supervisor DuBois said that at a recent meeting with Superintendent Jack Dale on the subject of the proposed Schools' Fiscal Year 2008 Budget, representatives of the McLean Citizens Association presented Mr. Dale and the Dranesville District School Board Representative with the *Policy Guide for Monetary Contributions* adopted by Prince William County last May.

Therefore, Supervisor DuBois asked unanimous consent that the Board direct staff to provide a comparison between Fairfax proffer guidelines or contribution levels and those of Prince William and any other county deemed relevant.

A brief discussion ensued and Supervisor DuBois amended her request to direct staff to provide the Board with information regarding Henrico and its cash proffers also. Without objection, the request as amended, was so ordered.

83. **GARY HALL, HERNDON HIGH SCHOOL COACH TO RETIRE (DRANESVILLE DISTRICT)** (7:01 p.m.)

Supervisor DuBois announced that Gary Hall, Herndon High School Basketball Coach, is retiring and she asked unanimous consent that the Board direct staff to invite Mr. Bell to appear before the Board to be recognized for his accomplishments. Without objection, it was so ordered.

84. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR DR. JUDITH JACKSON (LEE DISTRICT)** (7:02 p.m.)

Supervisor Kauffman announced that Dr. Judith Jackson, principal at Franconia Elementary School, has announced that she is planning to retire at the end of this year. Dr. Jackson has had an outstanding career as a school administrator and has served her school community with much enthusiasm and commitment.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct the Office of Public Affairs to invite Dr. Jackson to appear before the Board at a future meeting for formal recognition and thanks for her dedication to the students, staff, and families associated with Franconia Elementary School. Without objection, it was so ordered.

85. **50 YEARS OF SERVICE FOR MS. FLORENCE ROWLAND** (7:02 p.m.)

Supervisor Kauffman referred to the Length of Service Recognition list in the County *Courier* and noted that one individual was recognized for 50 years of service, Ms. Florence Rowland of the County Executive's Office.

Supervisor Kauffman asked unanimous consent that the Board direct staff to invite Ms. Rowland to appear before the Board to be recognized for her years of service and any other individuals who have served the County for that many years. Without objection, it was so ordered.

A brief discussion ensued, with input from Anthony H. Griffin, County Executive, regarding employees who have served for many years.

86. **BOARD ADJOURNMENT** (7:04 p.m.)

The Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2-3
Report on General Assembly Activities	3-5
FY 2008 Budget Presentation by County Executive	5-6
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	6-11
Items Presented by the County Executive	
Administrative Items	11-17
Action Items	17-23
Information Items	23-24
Board Matters	
Chairman Connolly	35-37, 47
Supervisor Bulova	37-39
Supervisor DuBois	49-50
Supervisor Frey	48
Supervisor Gross	45-47
Supervisor Hudgins	42-44
Supervisor Hyland	28-30
Supervisor Kauffman	48, 50-51
Supervisor McConnell	n/a
Supervisor Smyth	39-42
Actions from Closed Session	30
Public Hearings	30-35