



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
March 26, 2007**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, March 26, 2007, at 9:28 a.m., there were present:

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

Supervisor Joan M. DuBois, Dranesville District, arrived at 9:54 a.m.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; 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; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

BOARD MATTERS1. **OPENING ANNOUNCEMENT** (9:28 a.m.)

Chairman Connolly announced that he would be leaving at noon to travel to Richmond to join Governor Kaine in the announcement of his amendments to the transportation bill. Chairman Connolly noted that most of the amendments the Board discussed as part of the Northern Virginia Transportation Authority have been included.

(NOTE: Later in the meeting, the Board took a position on the governor's amendments. See Clerk's Summary Item #30.)

2. **MOMENT OF SILENCE** (9:29 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of Mrs. Kathryn "Genny" Aldridge, who died yesterday. She had been the active chair and a volunteer of the Vienna Volunteer Fire Department's auxiliary.

Supervisor Frey asked everyone to keep in thoughts the family of Mr. Vern Cable who died over the weekend. Mr. Cable was the husband of Charlotte Cable, a member of his staff for ten years and who was with the County nearly 30 years.

Supervisor Hyland asked everyone to keep in thoughts Mr. Bill Evans, the Mount Vernon District Water Authority representative, who is in Mount Vernon Hospital awaiting surgery.

AGENDA ITEMS3. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE MODEL JUDICIARY PROGRAM** (9:31 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificate of Recognition presented to members of the Model Judiciary Program. Supervisor Gross, Supervisor Hudgins, and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor DuBois not yet having arrived.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. DALE RUMBERGER** (9:40 a.m.)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. Dale Rumberger, Principal, South County Secondary School, for his selection to receive a *Washington Post* 2006 Distinguished Educational Leadership Award.

Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor DuBois not yet having arrived.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. JOANNE MALONE** (9:51 a.m.)

(BACs) Supervisor Smyth moved approval of the Certificate of Recognition presented to Ms. Joanne Malone for her years of service as the Providence District representative to the Park Authority Board. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO FLORIS UNITED METHODIST CHURCH** (9:59 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Floris United Methodist Church for its contributions to the Herndon Free Clinic. Supervisor McConnell seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

7. **SUPERVISOR DUBOIS IS A GRANDMOTHER (DRANESVILLE DISTRICT)** (10:02 a.m.)

Chairman Connolly announced that Supervisor DuBois became a grandmother this morning for the third time. (NOTE: Later in the meeting, the Board mentioned this item. See Clerk's Summary Item #52.)

AGENDA ITEMS

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. SUSAN HORNE** (10:07 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to Ms. Susan Horne for her contribution and years of service to Leadership Fairfax, Incorporated. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING APRIL 9-14, 2007, AS "NATIONAL ARCHITECTURE WEEK" IN FAIRFAX COUNTY** (10:18 a.m.)

Supervisor Bulova moved approval of the Proclamation to designate April 9-14, 2007, as "National Architecture Week" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

10. **PROCLAMATION DESIGNATING APRIL 2007 AS "CHILDREN'S IMMUNIZATION WEEK" IN FAIRFAX COUNTY** (10:28 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate April 2007 as "*Children's Immunization Week*" in Fairfax County. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor McConnell being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

11. **PROCLAMATION DESIGNATING APRIL 2-8, 2007, AS "PUBLIC HEALTH WEEK" IN FAIRFAX COUNTY** (10:33 a.m.)

Supervisor Bulova moved approval of the Proclamation to designate April 2-8, 2007, as "*Public Health Week*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor McConnell being out of the room.

12. **PROCLAMATION DESIGNATING APRIL 2007 AS "CHILD ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (10:40 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate April 2007 as "*Child Abuse Prevention Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide the hotline number: 703-324-7400. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

13. **10 A.M. – PRESENTATION OF THE ADVISORY SOCIAL SERVICES BOARD (ASSB) ANNUAL REPORT** (10:49 a.m.)

(BACs) Marcus Simon, Chair, ASSB, presented its annual report, the theme this year being continuity. Following presentation of the report, discussion ensued concerning Deputy County Executive Verdiana Haywood's initiative in terms of addressing the racial disparity in the foster care juvenile justice system, the Federal Deficit Reduction Act's impact on service delivery, the Board's commitment to try to end homelessness in ten years, and the need to move forward swiftly and smartly on implementation of that goal.

Discussion continued concerning jobs for youth.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to refer this report to the County

Executive and Mr. Haywood for their review and response on how best to implement the report's recommendations. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

14. **10:15 A.M. – PRESENTATION OF COMMUNITY COUNCIL ON HOMELESSNESS ANNUAL MESSAGE** (11 a.m.)

(BACs) Chairman Connolly announced that before Linda Wimpey, Chair, and Pamela Michell, Vice-Chair, Community Council on Homelessness, presented its annual message, he would make the following presentations.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of a Resolution of Recognition presented to Freddie Mac and the Freddie Mac Foundation expressing gratitude for their contributions and partnership to end homelessness in the Fairfax-Falls Church community. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

Chairman Connolly moved approval of a Certificate of Recognition presented to Jane Kornblut, Vice-Chair of the Community Council on Homelessness, and chair of the council's Planning Committee to End Homelessness, for her noteworthy, dedicated, and tireless service as well as her initiative and leadership in developing the Blueprint for Success: Strategic Directions for the Plan to Prevent and End Homelessness. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Ms. Wimpey provided statistics on the number of homeless in the County, stressed the need for permanent, affordable housing and outlined the Council's two recommendations to end homelessness in the County:

- Implement the "Housing First" strategy for low-income families sheltered at County expense.
- Begin implementation of the "Housing First" strategy for homeless singles by drafting an implementation plan for development of at least four Single Resident Occupancy (SRO) projects.

Ms. Michell provided further information on the Council's recommendations.

Following the presentations, discussion ensued concerning page three of the presentation regarding a plan for site-specific SRO development in each of the four human services regions of the County. Discussion continued concerning the integration of SROs as part of other affordable housing plans and the role of the faith community.

Supervisor Hudgins asked unanimous consent that the Board direct staff to refer this matter to the County Executive for further action.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the request to reflect integrating SRO capacity within other affordable housing projects rather than in stand-alone SRO's, and this was accepted. Without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

CWB:cwb

AGENDA ITEMS

15. **10:45 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:36 a.m.)

(APPTS)

(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

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 Smyth moved the reappointment of Mr. Norman Neiss as the Providence District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

ATHLETIC COUNCIL

Supervisor DuBois moved the reappointment of Mr. Michael Champness as the Dranesville District Principal Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Mr. Scott Wilks as the Dranesville District Alternate Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Harold Leff as the Hunter Mill District Principal Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. David Lacey as the Sully District Principal Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

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

The Board deferred the appointments of the Mount Vernon District Principal and Alternate Representatives and the Hunter Mill District Alternate Representative.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

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.

Supervisor Hyland noted that, due to term limitations, Mr. James Lafley, At-Large Representative, can no longer serve on the Board of Equalization of Real Estate Assessments and asked unanimous consent that the Board direct staff to invite Mr. Lafley to appear before the Board to be recognized for his service. Without objection, it was so ordered.

Supervisor Hyland noted his intent to nominate Mr. Nick Gallagher as the Professional #6 Representative at a later date.

(NOTE: Later in the meeting the Board took action to recognize Mr. Lafley. See Clerk's Summary Item #43.)

(NOTE: Later in the meeting, Supervisor Hyland circulated the résumé of Mr. Gallagher. See Clerk's Summary Item #44.)

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Chairman Connolly moved the reappointment of Mr. Francisco Semiao as the At-Large Chairman's Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the appointment of Mr. Mark Deaton as the Providence District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Mason District Representative.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointment of the Lee District Representative.

COMMUNITY ACTION ADVISORY BOARD

CONFIRMATION:

Chairman Connolly moved the confirmation of the following appointment:

- Mr. Virgil Bodeen as the Community Ministry Representative.

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

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

CRIMINAL JUSTICE ADVISORY BOARD

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Chairman Connolly moved the appointment of Mr. John Foust as the At-Large #2 Representative. Supervisor McConnell seconded the motion, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Mount Vernon District #1 Representative.

SMALL BUSINESS COMMISSION

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Supervisor Hudgins moved the appointments of:

- Mr. Lawrence Bussey as the Fairfax County #2 Representative.
- Mr. John Coleman as the Fairfax County #4 Representative.
- Mr. Patrick F. Kane as the Fairfax County #7 Representative.
- Ms. Linda Diamond as the Fairfax County #8 Representative.

Chairman Connolly seconded the motion, which carried by unanimous vote.

TENANT LANDLORD COMMISSION

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

TREE COMMISSION

The Board deferred the appointment of the Dranesville District Representative.

UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA)**CONFIRMATIONS:**

Supervisor DuBois moved the confirmation of the following appointments:

- Mr. Richard Gozikowski as the Fairfax County #1 Representative.
- Mr. Shahram Mohsenin as the Fairfax County Alternate #1 Representative.

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

COMMUNITY CRIMINAL JUSTICE BOARD

Supervisor Smyth called the Board's attention to a revised page in the attachment to the Board's Agenda Item and moved the appointment of Ms. Shirley Keyes as the At-Large #1 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

16. **ADMINISTRATIVE ITEMS** (11:43 a.m.)

Supervisor Gross moved approval of the Administrative Items. 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."

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (DRANESVILLE AND LEE DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-D06-126	Nextel Communications of the Mid-Atlantic, Incorporated Antenna co-location on existing monopole 1633 Davidson Road (Dranesville District)	June 4, 2007
2232-L06-13	Fairfax County Department of Public Works and Environmental Services Residential treatment center (16-bed, 11,600 square feet) 8247 Gregory Drive (Lee District)	August 6, 2007

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (PROVIDENCE AND HUNTER MILL DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Lloyd Hill Estates	Providence	Lloyd Hill Court Waples Mill Road (Route 664) (Additional ROW Only)
Morningside	Providence	Morningside Woods Place Prosperity Ridge Court

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Towns of Covington Square	Providence	Thompson Park Lane
Woodford Reserve	Providence	Woodford Road (Route 697) (Additional ROW Only)
Robaleed	Hunter Mill	Robaleed Way Calkins Road (Route 4724) Lawyers Road (Route 602) (Additional ROW Only)

ADMIN 3 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) RELATED TO FIRE HYDRANTS, SANITARY SEWERS, SIDEWALKS, AND AN EDITORIAL CHANGE

- (As) Authorized the advertisement of a public hearing to be held before the Planning Commission on April 26, 2007, at 8:15 p.m., and before the Board on **May 21, 2007, at 4:30 p.m.** to consider proposed amendments to the PFM relating to fire hydrants, sanitary sewers, sidewalks, and an editorial change.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON BENT WILLOW DRIVE (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on April 30, 2007, to consider a proposal to vacate and abandon Bent Willow Drive (Lee District).

ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 07103 FOR THE OFFICE OF EMERGENCY MANAGEMENT (OEM) TO ACCEPT ADDITIONAL FUNDING THROUGH AN EXISTING DEPARTMENT OF HOMELAND SECURITY (DHS) URBAN AREA SECURITY INITIATIVE (UASI) SUB-GRANT AWARD FROM THE DISTRICT OF COLUMBIA EMERGENCY MANAGEMENT AGENCY (DCEMA) THROUGH THE NORTHERN VIRGINIA REGIONAL COMMISSION (NVRC)

- (SAR) Approved SAR AS 07103 in the amount of \$302,402 for OEM to accept additional funding through an existing DHS Fiscal Year 2005 UASI Sub-Grant Award from the DCEMA through the NVRC. These funds will be used by OEM to enhance security and overall preparedness by implementing the project summarized in the Board Agenda Item dated March 26, 2007. No local cash match is required.

**ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 07102 FOR THE POLICE DEPARTMENT TO ACCEPT FUNDING
FROM CHILDSAFENET**

- (SAR) Approved SAR AS 07102 for the Police Department to accept \$962,244 from ChildSafeNet to continue the Sexual Predator Enforcement and Apprehension Detail program with the current configuration of six existing grant positions.

**ADMIN 7 – INSTALLATION OF “YIELD TO PEDESTRIANS IN
CROSSWALK \$100–\$500 VIOLATION FINE” SIGNS**

Endorsed the installation of “Yield to Pedestrians in Crosswalk \$100–\$500 Violation Fine” signs at the 25 subject locations listed in the Board Agenda Item dated March 26, 2007.

17. **A-1 – APPROVAL OF THE DISEASE CARRYING INSECTS PROGRAM
(11:43 a.m.)**

Supervisor Hyland moved that the Board concur in the recommendation of staff and direct staff to take the actions concerning the 2007 Disease Carrying Insects Program, as outlined in the Board Agenda Item dated March 26, 2007. Supervisor Bulova seconded the motion.

Supervisor Bulova called the Board’s attention to the issue of Lyme disease in the County and discussion ensued.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to research potential measures to be taken pertaining to Lyme disease in the County. Without objection, it was so ordered.

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

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

18. **A-2 – AUTHORIZATION TO EXECUTE A COST SHARING
AGREEMENT WITH PRINCE WILLIAM COUNTY FOR THE
INSTALLATION OF THE PEDESTRIAN/BICYCLE LANE LIGHTS
ALONG THE ROUTE 123 BRIDGE OVER THE OCCOQUAN RIVER IN
FAIRFAX COUNTY (MOUNT VERNON DISTRICT) (11:45 a.m.)**

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the execution of a cost sharing agreement with Prince William County to install lights along the pedestrian/bicycle lane of the Route 123 Bridge of the Occoquan River in Fairfax County. Supervisor McConnell seconded the motion.

Following discussion, with input from Ahmed Rayyan, Planning and Design Division, Department of Public Works Environmental Services, and Anthony H. Griffin, County Executive, regarding ownership of the bridge, Supervisor Kauffman moved to defer this item until after Closed Session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the Board took action on this issue. See Clerk's Summary Item #75.)

19. **A-3 – AUTHORIZATION TO FILE A NOTICE OF PARTICIPATION AS A RESPONDENT IN APPLICATION OF VERIZON VIRGINIA INCORPORATED AND VERIZON SOUTH INCORPORATED FOR A DETERMINATION THAT RETAIL SERVICES ARE COMPETITIVE AND DEREGULATING AND DETARIFFING OF THE SAME** (11:52 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Smyth, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Department of Cable Communications and Consumer Protection and the County Attorney's Office to file a Notice of Participation as a Respondent in the case of Verizon Virginia Incorporated and Verizon South Incorporated, State Corporation Commission Case Number PCU-2007-00008.

20. **A-4 – APPOINTMENT OF MEMBERS TO THE COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP** (11:53 a.m.)

(BACs) Supervisor Gross moved that the Board concur in the recommendation of staff to appoint representatives to the Community Revitalization and Reinvestment Advisory Group. Supervisor Bulova seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, regarding the term length of appointments, Supervisor Gross asked unanimous consent to set term lengths at two years. Without objection, it was so ordered.

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

21. **I-1 – LOCAL COMMENT LETTER TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) FOR CORALAIN GARDENS APARTMENTS (MASON DISTRICT)** (11:57 a.m.)

The Board next considered an item contained in the Board Agenda dated March 26, 2007, requesting authorization for the County Executive to sign the letter of support for Coralain Gardens Apartments and forward it to VHDA for consideration with the tax credit application.

The staff was directed administratively to proceed as proposed.

22. **I-2 – CONSOLIDATED PLAN CERTIFICATION FOR THE PUBLIC HOUSING AND HOUSING CHOICE VOUCHER ANNUAL PLAN UPDATE FOR FISCAL YEAR (FY) 2008 OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (11:57 a.m.)

The Board next considered an item contained in the Board Agenda dated March 26, 2007, requesting authorization for the County Executive to sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Public Housing and Housing Choice Voucher Annual Plan Update for FY 2008 submitted to the US Department of Housing and Urban Development.

The staff was directed administratively to proceed as proposed.

23. **I-3 – LOCAL COMMENT LETTERS TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) ON CREVENNA OAKS APARTMENTS AND SUMMIT OAKS APARTMENTS (BRADDOCK DISTRICT)** (11:57 a.m.)

The Board next considered an item contained in the Board Agenda dated March 26, 2007, requesting authorization for the County Executive to sign the letters of support for Crevenna Oaks and Summit Oaks Apartments and forward them to VHDA for consideration with the tax credit application.

The staff was directed administratively to proceed as proposed.

24. **I-4 – LOCAL COMMENT LETTER TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) ON STRAWBRIDGE SQUARE APARTMENTS (MASON DISTRICT)** (11:57 a.m.)

The Board next considered an item contained in the Board Agenda dated March 26, 2007, requesting authorization for the County Executive to sign a letter of support for Strawbridge Square Apartments and forward it to VHDA for consideration with the tax credit application.

Supervisor Gross asked unanimous consent that the Board direct staff to notify Board Members of pending Board items prior to the actual meeting date. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

25. **I-5 – LOCAL COMMENT LETTER TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY ON WESTMINSTER OAKS APARTMENTS (MOUNT VERNON DISTRICT)** (11:58 a.m.)

The Board next considered an item contained in the Board Agenda dated March 26, 2007, requesting authorization for the County Executive to sign a letter

of support for Westminster Oaks Apartments and forward it to VHDA for consideration with the tax credit application.

The staff was directed administratively to proceed as proposed.

26. **I-6 – 2006 VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT ANNUAL REPORT ON OTHER MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) FOR FAIRFAX COUNTY, VIRGINIA** (11:58 a.m.)

The Board next considered an item contained in the Board Agenda dated March 26, 2007, requesting authorization to forward the 2006 VPDES Permit Annual Report with attachments to the Virginia Department of Conservation and Recreation, and to others as requested, and to publish it on the County's Web site.

Supervisor Smyth called the Board's attention to the advertisement of the 24-hour hotline for Stormwater related issues. Discussion ensued with input from Randy Bartlett, Assistant Director, Stormwater Management, Department of Public Works and Environmental Services.

Supervisor Kauffman asked unanimous consent that the Board direct staff to report with information regarding the status of a County 511 number initiative. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

27. **I-7 – CONTRACT AWARD – LAUREL HILL GOLF CLUB – CLUBHOUSE AND WETLANDS LANDSCAPE PLANTING (MOUNT VERNON DISTRICT)** (11:59 a.m.)

The Board next considered an item contained in the Board Agenda dated March 26, 2007, requesting authorization for staff to award a contract to McDonnell Landscape, Incorporated, in the amount of \$119,925 for the Laurel Hill Golf Club Clubhouse and Wetlands Landscaping Planting. The work includes the installation of trees, shrubs, and seed mix in designated locations at the clubhouse and golf course.

The staff was directed administratively to proceed as proposed.

28. **I-8 – PLANNING COMMISSION ACTION OF PUBLIC FACILITY REVIEW APPLICATION 2232-L06-12, FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) (LEE DISTRICT)** (11:59 a.m.)

The Board next considered an item contained in the Board Agenda dated March 26, 2007, announcing the Planning Commission's approval of Public

Facility Review Application 2232-L06-13, as amended. The application sought approval for DPWES to expand the residential treatment program, to be called the New Horizons Treatment Center, by demolishing the existing structure and constructing a new one-story building (11,763 square feet with 18 parking spaces) and related improvements at 8247 Gregory Drive. The proposed facility will have capacity for 16 adult residents, Tax Map 101-4 ((4)) 6 and 7.

NV:nv

ADDITIONAL BOARD MATTERS

29. **ANNOUNCEMENT FROM SPRINGFIELD DISTRICT SUPERVISOR ELAINE McCONNELL** (11:59 a.m.)

Supervisor McConnell announced that she will not seek reelection in the fall. She is currently serving in her twenty-fourth year on the Board. She expressed appreciation to her fellow Board Members.

Members of the Board shared anecdotes and paid tribute to Supervisor McConnell.

30. **GOVERNOR KAINE'S PROPOSED AMENDMENTS TO THE TRANSPORTATION LEGISLATION** (12:14 p.m.)

(NOTE: Earlier in the meeting, Chairman Connolly announced that he would be leaving around noon to travel to Richmond regarding Governor Kaine's presentation of his amendments to the pending transportation legislation. See Clerk's Summary Item #1.)

Chairman Connolly called the Board's attention to a two-page handout he received by fax from the Commonwealth of Virginia this morning. One page was entitled "Northern Virginia: \$324 to \$421 Million Annually" and the other entitled "Northern Virginia: Meeting Regional Needs." They represent Governor Kaine's amendments to the pending transportation legislation. Chairman Connolly noted that they were consistent with the Board's principles, the amendments previously discussed, and the Northern Virginia Transportation Authority's (NVTA) position.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the implications of action by six of the nine NVTA's member localities, diversification of the revenue stream, public hearings by the NVTA, the menu of fees, the elimination of the proposed devolution of roads, previous tax proposals, the County's role on the NVTA, tax on the service portion of auto repairs, the State's share of funding, and the expectation for a more detailed presentation on the legislation.

Supervisor Bulova moved that the Board support the proposed amendments and give the Chairman latitude to express that support with an understanding that additional details will be forthcoming with further opportunities for Board comment. Supervisor Kauffman seconded the motion.

Following discussion regarding a tax on service and any requirements regarding the imposition of all of the fees, Supervisor DuBois asked unanimous consent that the Board direct the Chairman to ask the State for the consequence of a decision not to impose the auto service repair tax. Without objection, it was so ordered.

Following further discussion regarding the bill, the question was called on the motion, which **CARRIED** by a recorded vote of nine, Supervisor Frey abstaining because of a lack of details.

31. **UNDERAGE DRINKING: "PARENTS WHO HOST LOST THE MOST?"**
(12:31 p.m.)

On behalf of Chairman Connolly, Vice-Chairman Bulova reminded the Board that over the past several years, the County has experienced an increase in teen deaths due to drinking and driving. The Board has made the issue of underage drinking and driving a priority. Several initiatives are already underway such as Shut It Down, Shoulder Tap Operations, Merchant Stings, Underage Drinking Town Hall Meetings, Project Sticker Shock, et cetera. She said that this year, a new Countywide initiative, lead by the Fairfax County Public Schools' (FCPS) School/Community Coalitions, is underway to reduce underage drinking.

Accordingly, on behalf of Chairman Connolly, Vice-Chairman Bulova relinquished the Chair to Acting-Chairman Kauffman and asked unanimous consent that the Board:

- Endorse this effort.
- Direct the Office of Public Affairs to coordinate with the FCPS Office of Public Affairs to help publicize this initiative.
- Direct the Department of Community and Recreation Services to explore one-time start-up funding possibilities for the program.
- Direct staff to prepare a letter to parents to be signed by the Chairman of the Board of Supervisors, the Chief of Police, and the Superintendent of Schools.
- Participate in an initiative kick-off event with the Superintendent of Schools and the Chief of Police prior to the start of prom season.

Without objection, it was so ordered.

32. **COUNTYWIDE STREAM CLEANUP** (12:32 p.m.)

Vice-Chairman Bulova said that County citizen volunteers, in coordination with the Alice Ferguson Foundation, will conduct stream cleanups at more than 100 sites throughout the County on the weekend of March 31-April 1. Volunteers in Fairfax will conduct more stream cleanups than in any other locality. Last year more than 1000 volunteers in the County completed stream cleanups at 75 sites, removing literally tons of garbage from County waterways. This year the cleanup will be even bigger, and play an integral role in watershed restoration efforts.

Accordingly, on behalf of Chairman Connolly, Vice-Chairman Bulova asked unanimous consent that the Board proclaim the week of March 31-April 6 as “*Stream Cleanup Week*” in Fairfax County. Without objection, it was so ordered.

33. **SAFETY IMPROVEMENTS TO CROSS COUNTY TRAIL CROSSING OF ROUTE 7** (12:33 p.m.)

On behalf of Chairman Connolly, Supervisor DuBois, and Supervisor Hudgins, Vice-Chairman Bulova said that the lack of visibility of the crossing of the Cross County Trail across Route 7 presents safety concerns. Additionally, “Yield to Pedestrians in Crosswalk” signs may not be in the optimal location to alert drivers to the crossing.

Therefore, on behalf of the aforementioned Board Members, Vice-Chairman Bulova asked unanimous consent that the Board direct staff to:

- Contact the Virginia Department of Transportation to request improved striping of the crosswalk.
- Review the location of the “Yield to Pedestrians in Crosswalk \$100-\$500” sign to a more appropriate location.

Without objection, it was so ordered.

34. **ASIAN/PACIFIC AMERICAN HERITAGE MONTH** (12:34 p.m.)

Vice-Chairman Bulova noted that from the early 1800s to the twenty-first century, Asian and Pacific Americans have played a vital role in the development of the United States and made lasting contributions in all elements of society. Each May jurisdictions across the country join in recognizing the contributions of these citizens during Asian/Pacific American Heritage Month.

Therefore, on behalf of Chairman Connolly, Vice-Chairman Bulova asked unanimous consent that the Board proclaim May 2007 as “*Asian/Pacific American Heritage Month*” in Fairfax County and direct staff to invite representatives from the Office of Equity Programs and other appropriate

individuals to be recognized with the proclamation at the April 30 Board meeting. Without objection, it was so ordered.

35. **COMMUNITY DEVELOPMENT WEEK** (12:35 p.m.)

Vice-Chairman Bulova reminded the Board that Community Development Week is celebrated by local communities across America each spring. This annual event, initiated by the National Community Development Association, is a time for communities to showcase locally, activities and projects assisted with Community Development Block Grant (CDBG) funds made available by the Federal Department of Housing and Urban Development (“HUD”). These CDBG funds are often augmented with various other resources to provide a greater impact on the local communities' housing and community development needs.

Accordingly, on behalf of Chairman Connolly, Vice-Chairman Bulova asked unanimous consent that the Board proclaim April 9-15, 2007, as “*Community Development Week*” in Fairfax County and direct staff to invite the appropriate representatives from the Department of Housing and Community Development to receive the proclamation at the April 9 Board meeting. Without objection, it was so ordered.

36. **FOSTER CARE MONTH** (12:36 p.m.)

Vice-Chairman Bulova noted that there are nearly 500 children in almost 200 homes in foster care in the County. These dedicated families provide imperative safety, love, and stability to children until they can be placed in a secure family environment.

Accordingly, on behalf of Chairman Connolly, Vice Chairman Bulova asked unanimous consent that the Board proclaim May 2007 as “*Foster Care Month*” in Fairfax County and direct staff to invite representatives from the Department of Family Services and appropriate non-profit organizations to appear before the Board to be recognized with the proclamation at the April 30 Board meeting.

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

37. **VOLUNTEER SERVICE AWARDS** (12:37 p.m.)

Vice-Chairman Bulova noted that a critical factor in the success of this democracy has been the volunteer spirit of neighbor helping neighbor. Through the desire to build a better community, citizens have become motivated to donate their time and services to the needs of others. This April, Volunteer Fairfax will recognize more than 150 individuals who have exhibited exemplary spirit and generosity to the County community.

Therefore, on behalf of Chairman Connolly, Supervisor Bulova asked unanimous consent that the Board proclaim April 24, 2007, as “*Volunteer Recognition Day*” in Fairfax County and direct the Office of Public Affairs to prepare a proclamation to be presented at the Volunteer Service Awards on Tuesday, April 24. Without objection, it was so ordered.

38. **APPROVAL OF AUDIT COMMITTEE QUARTERLY AUDIT REPORT**
(12:38 p.m.)

(BACs) Vice-Chairman Bulova stated that the Board’s Audit Committee received quarterly status reports from the Board Auditors that must then be approved by the full Board. At the March 19 Audit Committee meeting, the committee received the draft report. The Auditors to the Board previously mailed copies of the report to all Board Members.

Accordingly, on behalf of Chairman Connolly, Vice-Chairman Bulova moved that the Board accept the Quarterly Status Report on Operations as prepared by the Board Auditors. Supervisor McConnell seconded the motion, which carried by a vote of eight, Supervisor Hyland and Chairman Connolly being out of the room.

39. **CELEBRATING FAIRFAX SYMPHONY ORCHESTRA’S FIFTIETH ANNIVERSARY** (12:39 p.m.)

Vice-Chairman Bulova noted that for 50 years, the Fairfax Symphony Orchestra has brought classical and pop music to the residents of the County. It serves more than 1000 County residents each year in a variety of concerts, in addition to various outreach programs to neighborhood schools. The orchestra’s mission is to provide high quality orchestra performances as well as music appreciation and education programs to enhance the quality of life, and she said that it accomplishes that. She asserted that an appreciation and celebration of the arts enhances any community and that the County is truly fortunate to have such a valuable cultural resource in the orchestra.

Accordingly, Vice-Chairman Bulova moved that the Board direct staff to invite the Fairfax Symphony Orchestra, including Music Director Maestro William Hudson, who is celebrating his thirty-fifth year with the orchestra, to appear before the Board on April 9 to be recognized and congratulated for 50 years of serving the County community and enhancing its cultural appreciation. Supervisor McConnell seconded the motion, which carried by a vote of nine, Chairman Connolly being out of the room.

Acting-Chairman Kauffman returned the gavel to Vice-Chairman Bulova.

40. **PROVIDENCE DISTRICT SENIOR TAX RELIEF WORKSHOP**
(12:40 p.m.)

Supervisor Smyth announced that her office will be hosting a senior tax relief workshop for the fourth year in a row on April 18 from 10 a.m. – 2 p.m. It will be held at her office located at 8739 Lee Highway, Fairfax, Virginia 22031. Residents are welcome to call her office at 703-560-6946 to make an appointment for this event.

Accordingly, Supervisor Smyth asked unanimous consent that the Board direct the Office of Public Affairs to publicize the workshop events as soon as possible. Without objection, it was so ordered.

41. **BUDGET CONSIDERATION ITEM FOR SUPPLEMENTAL PAY FOR MAGISTRATES** (12:40 p.m.)

Supervisor Smyth noted one of the County's magistrates visited her office regarding magistrate pay. Her written Board Matter noted that Virginia Code Section 19.2-46.1 provides for the opportunity for local jurisdictions to supplement the salaries of magistrates. Neighboring counties supplement the salaries of magistrates. Such action creates a high turnover of magistrates in the County and affects morale, recruitment, and retention. For the past two years Fairfax County has supplemented magistrate pay by 25 percent. She distributed a revised magistrate pay proposal that was submitted with the Fairfax General District Court Budget. Only the 25 percent portion of the proposal was included in the budget presented to the Board on February 26. The reminder provides for a 50 percent pay supplement phased in over a period of four years.

Accordingly, Supervisor Smyth asked unanimous consent that the Board direct staff to prepare a Budget Consideration Item for the magistrate pay proposal. Without objection, it was so ordered.

42. **AMENDMENT TO THE ENVIRONMENTAL AGENDA: TREE ACTION PLAN** (12:40 p.m.)

Supervisor Gross said that the Board endorsed the Tree Action Plan on January 22 and asked staff to prepare some additional language that would connect elements of the Tree Action Plan to the County's Environmental Agenda. At the Board's Environment Committee meeting on March 19, the draft proposal was presented and discussed. The text of the proposal mirrors recommendations found in the Tree Action Plan to:

- Engage and educate County citizens about the value of conserving the County's urban forest on both public and private lands.

- Take steps to improve air quality and address climate change through tree conservation practices.
- Take steps to improve water quality and stormwater management through tree conservation practices.
- Maximize opportunities to conserve trees during the development of utility projects and public facilities.
- Continue to seek stronger state-enabling authority for tree conservation.
- Plant and protect trees by streams, streets, and trails.
- Identify tree canopy goals for each of the County's 30 watersheds and a comprehensive tree cover goal for the entire County.

Supervisor Gross reported that Board Members who were present during the Environment Committee meeting asked her to present a Board Matter at the earliest possible date to request the Board's approval to amend the Environmental Agenda. A Board Matter expedites the usual staff process. She said they agreed that the language will act to link the Tree Action Plan to broader environmental policies and processes, will strengthen tree-related actions within the context of the Board's Environmental Improvement Program, and will underscore the need for County staff to pursue diligently the implementation of the Tree Action Plan over its full 20-year (now 18-year) timeframe. In addition, the committee recommended language to highlight environmental stewardship. She noted that the additional language was included in color in the document she distributed around the dais.

Therefore, Supervisor Gross moved that the Board:

- Approve the content of these amendments to the County's Environmental Agenda.
- Direct the County Executive to take steps to amend and publish this new language.

Supervisor Smyth seconded the motion and discussion ensued regarding opportunities for community discussion and the importance of the involvement of all applicable County agencies.

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

43. **RECOGNITION OF JAMES D. LAFLEY FOR HIS SERVICE ON THE BOARD OF EQUALIZATION (BOE)** (12:47 p.m.)

(BACs) (NOTE: Earlier in the meeting, during Appointments, the Board requested recognition of Mr. Lafley. See Clerk's Summary page 7.)

Supervisor Hyland said that at the end of this month, Mr. James D. Lafley will reach his statutory term limit on the BOE of Real Estate Assessments. He is a resident of the Mount Vernon District and has served for the last nine years with his last term culminating as chairman. He served during a time when real estate assessments saw double-digit increases and the BOE's case loads skyrocketed. Mr. Lafley served with distinction and earned the respect of his fellow Board members.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Lafley to appear before the Board to be recognized for his service at an appropriate time.

Following input from Merni Fitzgerald, Director, Office of Public Affairs, Supervisor Hyland amended his request to specify the date of May 7.

Without objection, the request, as amended, was so ordered.

44. **NOMINATION OF MR. NICK GALLAGHER TO THE BOARD OF EQUALIZATION (BOE)** (12:47 p.m.)

(BACs) (NOTE: Earlier in the meeting, during Appointments, Supervisor Hyland mentioned the consideration of Mr. Gallagher for a seat on the BOE. See Clerk's Summary page 7.)

(NOTE: Earlier in the meeting, the Board noted the term restriction for Mr. James D. Lafley. See Clerk's Summary Item #43.)

Supervisor Hyland recently received the résumé of Mr. Nick Gallagher who requests to serve on the BOE. He is a civil practice attorney with experience in real estate, real estate investments, and management. Supervisor Hyland distributed copies of the résumé and indicated his intent to nominate Mr. Gallagher to fill the seat vacated by Mr. James D. Lafley.

PMH:pmh

45. **SPRINGFIELD DISTRICT TOWN MEETING** (12:48 p.m.)

Supervisor McConnell announced that the Springfield District town meeting on the budget is scheduled on Thursday, March 29 at the West Springfield Governmental Center.

46. **RETIREMENT OF OFFICER DAVID TIPTON** (12:49 p.m.)

Supervisor Hudgins announced that Officer David Tipton of the Police Department has recently retired. She referred to her written Board Matter outlining the many accomplishments of Officer Tipton.

Therefore, Supervisor Hudgins moved that the Board direct staff to invite Officer Tipton to appear before the Board for acknowledgement and appreciation for his 21 years of outstanding service to the citizens and students of the County. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Gross and Chairman Connolly being out of the room.

47. **BUILDING SAFETY WEEK** (12:50 p.m.)

Supervisor Frey announced that International Building Safety Week has been observed in this Nation to increase public awareness of the importance of building codes and construction safety. Code officials across the country actively endorse Building Safety Week as a good way to improve communication between their building departments and community residents, local builders and developers; and to increase public education on a wide range of issues including safety devices such as carbon monoxide detectors, smoke detectors, and ground fault circuit interrupters, which save lives and protect property.

This year, International Building Safety Week will be observed during the week of May 6-12, 2007. To mark the event, the Department of Public Works and Environmental Services (DPWES) has scheduled public outreach efforts in several local hardware and building material supply retail stores. In addition, the Department will honor a worthy individual or corporate resident with the 2007 Building Safety Community Partnership Award. The award was first presented in 1998 to recognize individuals and corporate citizens in the County who have made significant contributions to the promotion of the goal of building safety in the County.

Therefore, Supervisor Frey asked unanimous consent that the Board:

- Direct staff to prepare a proclamation for the Board's meeting on April 30, 2007, declaring the week of May 6-12, 2007, as "*Building Safety Week*" in Fairfax County.
- Also, recognize at that time the 2007 Community Partnership Award recipient, and staff from Land Development Services, DPWES, who have made particular contributions to building safety this past year.

Without objection, it was so ordered.

Vice-Chairman Bulova relinquished the Chair to Acting-Chairman Kauffman and asked unanimous consent that the Board direct staff to rearrange, if necessary, presentations that are not time sensitive to keep them in a reasonable limit. Without objection, it was so ordered.

Acting-Chairman Kauffman returned the gavel to Vice-Chairman Bulova.

48. **COMMONWEALTH CENTRE INVESTORS, LLC – AUTHORIZATION TO INCLUDE RIGHT-OF-WAY FOR NEWBROOK DRIVE (SULLY DISTRICT)** (12:53 p.m.)

Supervisor Frey said that Commonwealth Centre Investors, LLC has submitted zoning applications to rezone approximately 98 acres of land within Westfields from the I-3 zoning district to the PDC District. As part of that application, the applicant proposes the abandonment of a portion of Newbrook Drive to permit pedestrian and other improvements not currently permitted as part of a public street. Accordingly, the applicant has asked for the authorization of the Board to include Newbrook Drive in its zoning applications. Should the zoning applications be approved, the applicant will submit a vacation/abandonment application to the Department of Transportation.

Therefore, Supervisor Frey moved that the Board:

- Authorize the inclusion of that portion of Newbrook Drive abutting property identified as Tax Map # 44-1 ((1)), Parcels 6, 6B, 6C and 6D in the Rezoning Application RZ 2006-SU-025 and Proffered Condition Amendment Application PCA 78-S-063-5 filed by Commonwealth Centre Investors, LLC.
- Authorize the County Executive to act as the agent for the Board in connection with the applications, if necessary.

The applicant understands that this motion should not be considered 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, and adopted standards. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Chairman Connolly being out of the room.

49. **BUDGET MEETING IN LEE DISTRICT** (12:54 p.m.)

Supervisor Kauffman announced that a budget meeting is scheduled in Lee District on Wednesday, March 28 at 7:30 p.m. in the community room at the Franconia Governmental Center.

50. **BIPARTISAN FIRST GOVERNOR OF THE STATE OF NORTHERN VIRGINIA** (12:54 p.m.)

Supervisor Kauffman joked that Supervisor McConnell be named as the bipartisan first Governor of the state of Northern Virginia.

51. **BLIGHTED PROPERTY (LEE DISTRICT)** (12:55 p.m.)

Supervisor Kauffman referred to his written Board Matter concerning a blighted property located 7010 Old Keene Mill Road and he moved that the Board direct staff to:

- Consider moving the Blight Abatement program from the Housing and Community Development Department (HCD) to the Department of Public Works and Environmental Services effective July 1, 2007.
- Change the composition of the Neighborhood Enhancement Task Force (NETF) to include at least one citizen from the neighborhood in or proximate to each blight case with the citizen chosen in concert with the District Supervisor's office.
- Hold commercial properties to the same standards as residential properties when determining blight.

Supervisor Hyland seconded the motion.

Following discussion regarding the change in the composition of the NETF, Supervisor Gross asked unanimous consent that the Board direct staff to review the issue of citizen interaction. Without objection, it was so ordered.

Vice-Chairman Bulova relinquished the Chair to Acting-Chairman McConnell and asked to amend the motion to change the second bullet of the motion to consider formal citizen input in the process, and this was accepted.

Acting-Chairman McConnell returned the gavel to Vice-Chairman Bulova.

Supervisor Hyland asked to amend the motion that the Board direct staff to:

- Determine if existing laws permit staff to take the action necessary in a reasonable period of time or does something else need to be done to provide staff with the tools to do something different.
- Provide the Board with an analysis of what the Board can do to help them do the job.

This was accepted.

Supervisor Kauffman amended the motion to direct staff to evaluate the legal tools that exist that are not being used as vigorously as possible and what items need legislative authority, and this was accepted.

Supervisor McConnell asked unanimous consent that the Board direct staff to schedule an opportunity for the Board to meet with staff to discuss staff concerns. Without objection, it was so ordered.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the issues that need to be addressed.

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

52. **SUPERVISOR DuBOIS BECOMES A GRANDMOTHER AGAIN (DRANESVILLE DISTRICT)** (1:17 p.m.)

(Note: Earlier in the meeting this item was announced. See Clerk's Summary Item #7.)

Supervisor DuBois announced that she became a grandmother again this morning.

53. **DULLES RAIL TAX DISTRICT COMMISSION MEETING** (1:18 p.m.)

Supervisor Smyth announced that a Dulles Rail Tax District Commission meeting is scheduled at 2:45 p.m. today in room 232 of the Government Center.

54. **RECESS/CLOSED SESSION** (1:18 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. *Summit Condominiums, L.L.C. v. Board of Supervisors of Fairfax County*, Case No. CL-2006-00015978 (Fx. Co. Cir. Ct.) (Providence District)
2. *IntelliDyne, LLC. v. County of Fairfax, Virginia*, Case No. CL-2006-0016339 (Fx. Co. Cir. Ct.) (Mason District)
3. *James Hellwege and May Hellwege v. Fairfax County Department of Transportation, Virginia Department of Transportation, and County of Fairfax*, Case No. CL-2006-0014058 (Fx. Co. Cir. Ct.) (Mount Vernon District)
4. *Eileen M. McLane, Fairfax County Zoning Administrator v. Michael R. Griffin and Dawn M. Griffin*, Case No. CL-2006-0014721 (Fx. Co. Cir. Ct.) (Sully District)
5. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marcelino Lizarazu, Marisol M. Arnez, and Javier Espinoza*, Case No. CL-2007-0002711 (Fx. Co. Cir. Ct.) (Providence District)
6. *Eileen M. McLane, Fairfax County Zoning Administrator v. Edson Hector Solis-Osinaga and Shelia Veronica Mendez Diaz*, Case No. CL-2007-0002904 (Fx. Co. Cir. Ct.) (Providence District)
7. *Eileen M. McLane, Fairfax County Zoning Administrator v. A-W Corporation of Fairfax, Inc.*, Case No. CL-2007-0002780 (Fx. Co. Cir. Ct.) (Mount Vernon District)
8. *Board of Supervisors v. Holly Park Development Associates, L.C., et al.*, At Law No. CL-2005-0000906 (Fx. Co. Cir. Ct.) (Braddock District)
9. *Board of Supervisors v. Mid-Atlantic Realty Trust, Kimco Realty Corporation, and United States Fidelity and Guaranty Company*, At Law No. CL-2005-0007966 (Fx. Co. Cir. Ct.) (Springfield District)

10. *Board of Supervisors v. NRM Investments, Inc.*,
Case No. CL-2007-0002710 (Fx. Co. Cir. Ct.)
(Dranesville District)

And in addition:

- Fairfax County Code Section 67.1-1-13.
- Public-Private Transportation Act Proposal on Rail to Dulles.

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

DET:det

At 4:13 p.m., the Board reconvened in the Board Auditorium with all Members except Chairman Connolly being present, and with Vice-Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

55. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:13 p.m.)

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

56. **AUTHORIZATION OF AN EXPENDITURE FROM THE COUNTY'S FUND 303, GENERAL COUNTY CONSTRUCTION, PROJECT 009400, LAND ACQUISITION RESERVE, FOR THE FAIRFAX COUNTY PARK AUTHORITY (SULLY DISTRICT)** (4:13 p.m.)

Supervisor Frey moved that the Board authorize an expenditure from the County's Fund 303, General County Construction, Project 009400, Land Acquisition Reserve, for the Fairfax County Park Authority to acquire two parcels of real property identified on the Fairfax County Real Property Identification Map as Tax Map Number 54-4((1)) parcel 23 and 54-4((4)) parcel 3A in the Sully District under the terms and conditions set forth in closed session. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Chairman Connolly being out of the room.

DS:ds

AGENDA ITEMS

57. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-HM-024 (SEKAS HOMES, LIMITED) (HUNTER MILL DISTRICT)** (4:14 p.m.)

- (O) The application property is located on the west side of Beulah Road approximately 100 feet south of its intersection with Liberty Tree Lane, Tax Map 28-3 ((1)) 31.

Ms. Kelly Atkinson reaffirmed the validity of the affidavit for the record.

Supervisor McConnell disclosed that she has a business relationship with Land Design Consultants, Incorporated, however, it is not related to this application.

Andrew Hushour, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented a brief description of the application and site location. Discussion ensued regarding the proposed driveways and the green space between them.

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

Discussion ensued, with input from Ms. Atkinson and John Sekas, applicant/agent for the title owner, regarding the proposed application.

Following the testimony of Mike Altenburger (Speaker 2), discussion ensued, with input from Qayyum Khan, Chief Stormwater Engineer, Environmental and Site Review Division, Department of Public Works and Environmental Services, regarding the infiltration trenches.

Following the testimony of Gail Altenburger (Speaker 3), discussion ensued, with input from Mr. Khan, regarding the infiltration trenches, the stormwater facilities, and the responsibilities of the homeowners association.

Following the public hearing, which included testimony by 14 speakers, discussion ensued, with input from Mr. Hushour and Mr. Khan, regarding density and the trenching.

Supervisor Hudgins submitted items for the record.

Following rebuttal from Mr. Sekas, Mr. Hushour presented the staff and Planning Commission (PC) recommendations.

Discussion ensued, with input from Mr. Hushour, regarding the PC's recommendations.

Supervisor Hudgins moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2006-HM-024, be amended from the R-1 District to the R-3 District, subject to the proffers dated March 23, 2007.
- Waiver of the sidewalk requirement and modification of the trail requirement along Beulah Road in favor of a six-foot wide asphalt trail.

Supervisor Gross seconded the motion.

Following discussion, with input from Mr. Hushour, regarding the seven-foot masonry fence, the question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Vice-Chairman Bulova voting "AYE," Supervisor Smyth abstaining, Supervisor McConnell and Chairman Connolly being out of the room.

Supervisor Hudgins read a letter of intent from Mr. Sekas dated March 26, 2007, regarding Rezoning Application RZ 2006-HM-024, which stated that, for Parcels C and D, the applicant shall plant a maximum of ten blue spruce and/or cherry trees provided they do not interfere with the site [sic] distance requirements as determined by the Virginia Department of Transportation. Therefore, Supervisor Hudgins asked unanimous consent that this letter be entered into the public record. Without objection, it was so ordered.

58. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-PR-013 (WASHINGTON PROPERTY COMPANY, LLC) (PROVIDENCE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2006-PR-005 (WASHINGTON PROPERTY COMPANY, LLC) (PROVIDENCE DISTRICT) (5:56 p.m.)

Supervisor Smyth moved to defer indefinitely the public hearing on Rezoning Application RZ 2006-PR-013 and Special Exception Application SE 2006-PR-005. Supervisor Hyland seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, and Chairman Connolly being out of the room.

59. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-C-060-02 (ATHENA/RENAISSANCE RESTON, LLC) (HUNTER MILL DISTRICT) (5:57 p.m.)**

The application property is located in the northeast quadrant of the intersection of Temporary Road and Reston Parkway and on the west side of North Shore Drive, Tax Map 17-2 ((1)) 23; 17-2 ((1)) 24; 17-2 ((1)) 24A; 17-2 ((40)) (01) 1-12; 17-2 ((40)) (02) 1-12; 17-2 ((40)) (03) 1-18; 17-2 ((40)) (04) 1-18; 17-2 ((40)) (05) 1-32; 17-2 ((40)) (06) 1-32; 17-2 ((40)) (07) 1-12; 17-2 ((40)) (08) 1-18; 17-2 ((40)) (09) 1-32; 17-2 ((40)) (10) 1-22; 17-2 ((40)) (11) 1-22; 17-2 ((40)) (12) 1-32; 17-2 ((40)) (13) 1-22; 17-2 ((40)) (14) 1-32; and 17-2 ((40)) (15) 1-20.

Mr. Mark C. Looney reaffirmed the validity of the affidavit for the record.

Andrew Hushour, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

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

Following the public hearing, which included testimony by one speaker, Mr. Looney presented rebuttal.

Supervisor Hudgins submitted items for the record.

Mr. Hushour presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved:

- Approval of Proffered Condition Amendment Application PCA 82-C-060-02, subject to the proffers dated March 21, 2007 and the PCA development conditions dated March 26, 2007.
- Modification of the transitional screening requirement along the northern property line in favor of the existing vegetation.
- Waiver of the barrier requirement along the northern property line.

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

(NOTE: On March 21, 2007, the Planning Commission approved Development Plan Amendment Application DPA 82-C-060-02, subject to the development conditions dated January 25, 2007.)

60. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-D-018-02 (THEODORE B. SIMPSON, PRESIDENT, SPRINGHILL SERVICE, INCORPORATED) (DRANESVILLE DISTRICT) (6:20 p.m.)**

The application property is located at 8124 Old Dominion Drive, Tax Map 20-4 ((1)) 1 and 3.

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

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

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

Supervisor DuBois moved:

- Approval of Special Exception Amendment Application SEA 93-D-018-02, subject to the development conditions dated March 26, 2007.
- Modification of the transitional screening and barrier requirements along the northern, eastern, and western property lines in favor of that shown on the SEA Plat with supplemental landscaping provided in accordance with the development conditions.

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

61. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, EXPANDING THE GREEN TRAILS COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT) (6:25 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 March 8 and March 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 stated that he had items for the record.

Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding 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.

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

62. **4 P.M. – PH ON A PROPOSAL TO VACATE A PART OF CROWELL ROAD (DRANESVILLE DISTRICT)** (6:31 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 March 8 and March 15, 2007.

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

Mark Goetzman, agent for the applicant, gave a brief presentation.

Following the testimony of Richard Jurgens (Speaker 1), discussion ensued, with input from Mr. Stephens, regarding the proposed vacation of Crowell Road and access to the new subdivision.

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

Supervisor DuBois moved adoption of the Ordinance vacating the segment of Crowell Road north of Westford Drive. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Vice-Chairman Bulova voting “AYE,” Chairman Connolly being out of the room.

ADDITIONAL BOARD MATTER63. **ABSENCE OF CHAIRMAN CONNOLLY** (6:52 p.m.)

(NOTE: Earlier in the meeting, Chairman Connolly announced that he would be attending a meeting in Richmond. See Clerk's Summary Item #1.)

Vice-Chairman Bulova announced that Chairman Connolly was not present for the public hearings because he was attending a meeting with Governor Kaine in Richmond regarding transportation funding.

AGENDA ITEMS64. **4 P.M. – PH REGARDING THE CONTINUED LEASING OF COUNTY-OWNED PROPERTY AT 8333 RICHMOND HIGHWAY TO THE ROYAL EMBASSY OF SAUDI ARABIA D/B/A THE ISLAMIC SAUDI ACADEMY (MOUNT VERNON DISTRICT)** (6:53 p.m.)

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

Marguerite Verville, Assistant Director, Real Estate Development and Planning, Facilities Management Department, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland submitted an item for the record.

Supervisor Hyland moved that the Board authorize staff to execute a Fourth Addendum to Lease Agreement for the continued leasing of the County-owned property located 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 for an additional period of one year, pursuant to the staff report. Supervisor McConnell seconded the motion.

Following a brief discussion regarding the leasing, the question was called on the motion and it carried by a vote of eight, Supervisor DuBois and Chairman Connolly being out of the room.

65. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS)** (7:03 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 March 15 and March 22, 2007.

Jackie C. Harris, General Registrar, presented the staff report.

Discussion ensued, with input from Ms. Harris, regarding absentee voting.

Supervisor Gross and Supervisor Hudgins both raised concerns about the absentee voting satellite.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections), to:

- Move the polling place for Grosvenor precinct.
- Move the polling place for Fair Ridge precinct and rename it.
- Set the hours and dates of operation for the absentee voting satellites for the general election on November 6, 2007.

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

Following discussion, regarding the absentee voting satellite and the Fairfax Fair (Celebrate Fairfax!), Vice-Chairman Bulova relinquished the Chair to Acting-Chairman Hyland and asked unanimous consent that the Board direct Supervisor Gross and Supervisor Hudgins to work with the General Registrar and report with information prior to next June regarding access to the voting place during the Fairfax Fair event. Without objection, it was so ordered.

Acting-Chairman Hyland returned the gavel to Vice-Chairman Bulova.

ADDITIONAL BOARD MATTER

66. **TRANSPORTATION FUNDING** (7:15 p.m.)

(NOTE: Earlier in the meeting, the Board took a position on the Governor's amendments to the transportation legislation. See Clerk's Summary Item #30.)

Vice-Chairman Bulova announced breaking news on the transportation funding package. She noted that there has been a press release about the Governor's amendments to the General Assembly's proposal.

AGENDA ITEMS

67. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING RESIDENTIAL TEMPORARY PORTABLE STORAGE CONTAINERS** (7:16 p.m.)

Supervisor Frey stated that on February 8, 2007, the Planning Commission (PC) held a public hearing on the proposed residential temporary portable storage containers Zoning Ordinance amendment. He noted that at that hearing a number of issues were raised by industry and the PC and the decision was deferred. Subsequent to the PC public hearing, a meeting between staff and PC members occurred at which allowable signage time limitations and certain safety issues were discussed. Following the meeting staff reached a conclusion that the advertisement was not broad enough or specific enough with respect to the proposed changes regarding allowable signage safety issues related to permitted locations and time limitations as contained in the original staff report, as well as subsequent changes that were under consideration.

On March 14, 2007, the PC recommended that the current proposed residential temporary portable storage containers Zoning Ordinance amendment be returned to staff for revisions so that it may be presented to the Board for reauthorization.

Therefore, Supervisor Frey moved that the Board direct staff to revise the proposed amendments to allow a broader scope regarding the allowable signage safety issues related to permitted location and time limitation and that this amendment be returned to the Board for authorization of the advertisement for public hearings. Supervisor Smyth seconded the motion.

Discussion ensued, with input from Eileen McLane, Zoning Administrator, Department of Planning and Zoning, regarding the pending amendments.

The question was called on the motion and it carried by a vote of six, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Chairman Connolly being out of the room.

68. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PRC DISTRICT REGULATIONS** (7:20 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 March 8 and March 15, 2007.

Elizabeth Perry, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning (DPZ), presented the staff report.

Following the public hearing, which included testimony by six speakers, discussion ensued, with input from Ms. Perry and James P. Zook, Director, DPZ, regarding the PRC District Regulations, the timing issue, and density.

Supervisor Hudgins moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding PRC District Regulations, as advertised and set forth in the staff report dated January 8, 2007, and with the grandfathered provisions outlined in the staff report. These amendments shall be effective at 12:01 a.m. on March 27, 2007. Vice-Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Vice-Chairman Bulova voting "AYE," Chairman Connolly being out of the room.

Supervisor Hudgins moved that the Board direct staff to:

- Report with a proposal to review the PRC and the comprehensive plan areas as needed.
- Develop a review process for criteria and structure of a citizen planning and zoning committee to be included as part of the Hunter Mill District Supervisor's and the Planning Commission's citizen referral on all PRC plans.

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

69. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING AFFORDABLE DWELLING UNITS (ADUs) – LIMITS ON BUILDING PERMITS AND RESIDENTIAL USE PERMITS** (8:07 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 March 8 and March 15, 2007.

Donna Pesto, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Supervisor Hudgins moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding ADUs, as recommended by the Planning Commission and set forth in the staff report dated January 22, 2007, and with the grandfathered provisions outlined in the staff report. This amendment shall become effective at 12:01 a.m. on March 27, 2007. Supervisor Gross seconded the motion.

Following discussion, with input from Ms. Pesto, regarding the ADUs, the question was called on the motion and it carried by a vote of eight, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Vice-Chairman Bulova voting "AYE," Supervisor Frey and Chairman Connolly being out of the room.

70. **4:30 P.M. – PH REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTIES IDENTIFIED AS TAX MAP PARCELS 25-1-08-0001 AND 25-1-08-0094 TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR PROJECT 0657-029-357-C501 (HUNTER MILL DISTRICT)** (8:11 p.m.)

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

Marguerite Verville, Assistant Director, Real Estate Development and Planning, Facilities Management Department, presented the staff report.

Following the public hearing, Supervisor Hudgins moved adoption of the Resolution for the conveyance of two vacant parcels identified as Tax Map Numbers 25-1-08-0001 and 25-1-08-0094. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, Supervisor Smyth, and Vice-Chairman Bulova voting "AYE," Supervisor Frey, Supervisor Kauffman, and Chairman Connolly being out of the room.

71. **ORDERS OF THE DAY** (8:14 p.m.)

Vice-Chairman Bulova announced that the Board would proceed with the public hearing on Rezoning Application RZ 204-SU-029.

72. **5 P.M. – PH ON THE DRAFT PROPOSED ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2008** (No Time)

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item #74.)

73. **5 P.M. – PH ON REZONING APPLICATION RZ 2004-SU-029 (NVP, INCORPORATED) (SULLY DISTRICT)** (8:14 p.m.)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 2004-SU-029 until **May 21, 2007, at 4:30 p.m.** Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Frey and Chairman Connolly being out of the room.

74. **5 P.M. – PH ON THE DRAFT PROPOSED ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2008** (8:15 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 March 8 and March 15, 2007.

Stephen Knippler, Senior Program Manager, Grants Management, Department of Housing and Community Development, presented the staff report.

Following the public hearing, which included testimony by one speaker, Vice-Chairman Bulova announced that the record will remain open for comments on the Draft Proposed One-Year Action Plan for FY 2008 to the Consolidated Community Funding Advisory Committee for its consideration and recommendation to the Board for final action at the April 30, 2007, meeting.

75. **A-2 – AUTHORIZATION TO EXECUTE A COST SHARING AGREEMENT WITH PRINCE WILLIAM COUNTY FOR THE INSTALLATION OF THE PEDESTRIAN/BICYCLE LANE LIGHTS ALONG THE ROUTE 123 BRIDGE OVER THE OCCOQUAN RIVER IN FAIRFAX COUNTY (MOUNT VERNON DISTRICT)** (8:25 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item until later in the meeting. See Clerk's Summary Item #18.)

Supervisor Hyland moved that the Board authorize the execution of a cost sharing agreement with Prince William County to install lights along the pedestrian/bicycle lane of the Route 123 Bridge over the Occoquan River in Fairfax County. Supervisor McConnell seconded the motion.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding responsibility for the bridge. Mr. Griffin noted that he will pursue the issue of the sound wall, on behalf of Supervisor McConnell.

The question was called on the motion and it carried by a vote of eight, Supervisor Frey and Chairman Connolly being out of the room.

76. **BOARD ADJOURNMENT** (8:28 p.m.)

The Board adjourned.

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