



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
May 21, 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, May 21, 2007, at 9:08 a.m., there were present:

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

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

BOARD MATTER1. **MOMENT OF SILENCE** (9:08 a.m.)

Chairman Connolly asked everyone to keep in thoughts the two police officers who were hurt over the weekend. Mason Station Officer Brendan Miller was involved in an accident and is at the Burn Unit at Washington Hospital.

Supervisor Frey said that Sully Station Officer Vincent "Vinny" Darconte was injured in a motorcycle accident very early Saturday morning on his way to work. He is at Fairfax Hospital in critical condition. He asked everyone to keep Officer Darconte in thoughts.

Supervisor Hyland asked everyone to keep in thoughts Ms. Catherine Thorsen, who died rather suddenly last week. Approximately three weeks ago she was diagnosed with Leukemia and did not survive the treatment. Ms. Thorsen was very involved in Democratic Party politics and worked at the precinct year after year.

(NOTE: Later in the meeting, there was an update regarding Officer Darconte's condition. See Clerk's Summary Item #38.)

AGENDA ITEMS2. **PROCLAMATION DESIGNATING MAY 25, 2007, AS "MISSING CHILDREN'S DAY" IN FAIRFAX COUNTY** (9:12 a.m.)

Supervisor Gross moved:

- Approval of the Proclamation to designate May 27, 2007, as "*Missing Children's Day*" in Fairfax County.
- That the Board direct staff to provide information regarding missing children available at all Fire and Police Stations in the County.

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

3. **RESOLUTION OF RECOGNITION PRESENTED TO MR. GARY HALL** (9:17 a.m.)

Supervisor DuBois moved approval of the Resolution of Recognition presented to Gary Hall, basketball coach of Herndon High School, for his years of service. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.*

*Upon her return to the Board Auditorium, Supervisor Smyth asked to be recorded as voting "AYE" on the motion.

4. **PROCLAMATION DESIGNATING JUNE 2-3, 2007, AS "SPRINGFIELD DAYS" IN FAIRFAX COUNTY** (9:24 a.m.)

Supervisor Kauffman moved approval of the Proclamation to designate June 2-3, 2007, as "*Springfield Days*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

Chairman Connolly announced that he will present a Board Matter later in the meeting regarding the Strike Force.

(NOTE: Later in the meeting, Chairman Connolly presented his Board Matter. See Clerk's Summary Item #25.)

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE CENTREVILLE HISTORIC DISTRICT WORK GROUP** (9:33 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to Centreville Historic District Work Group for its work. Supervisor Bulova and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

With reference to a map which the Work Group displayed, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to have copies of the map reproduced and made available, not only to citizens, but also to the Visitor and Tourist Center. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

6. **PROCLAMATION DESIGNATING MAY 2007 AS "COMMUNITY ACTION MONTH" IN FAIRFAX COUNTY** (9:52 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate May 2007 as "*Community Action Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Philip Rosenthal, Chairman, Community Action Advisory Board (CAAB), noted that a booklet has been developed to represent the needs, concerns, and aspirations of low income families. The data was compiled from various sources to provide facts that impact the low income population and highlights the

challenges faced by residents of the County who struggle every day to meet basic needs.

With reference to the booklet, Supervisor Gross asked unanimous consent that the Board direct staff to work with CAAB to extract key information and highlights from the booklet and put it into a card format which could be carried more easily. Without objection, it was so ordered.

7. **PROCLAMATION DESIGNATING MAY 20–26, 2007, AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (9:58 a.m.)

Supervisor Frey moved approval of the Proclamation to designate May 20 – 26, 2007, as "*Public Works Week*" in Fairfax County. Supervisor Gross and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

NV:nv

8. **10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (10:16 a.m.)

(APPTS)
(BACs)

ADVISORY PLANS EXAMINER BOARD

CONFIRMATION:

Supervisor Gross moved the confirmation of the following appointment:

- Mr. Paul J. Kraucunas as the Virginia Department of Transportation Representative.

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Supervisor Smyth moved the appointment of Mr. Dave Sprague as the At-Large #5 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Sully District Representative.

ATHLETIC COUNCIL

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

(NOTE: Later in the meeting, the Board made appointments to the Athletic Council. See page 7.)

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

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

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Supervisor Gross moved the appointment of Mr. John Birch as the Mason District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

COMMISSION ON AGING

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

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

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

Supervisor McConnell moved the reappointment of Ms. Sally Hottle as the Springfield District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large Chairman's Representative to the Commission on Aging.

(NOTE: Later in the meeting, the Board noted a resignation from the Commission on Aging. See page 8.)

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointment of the Lee District Representative.

COMMUNITY ACTION ADVISORY BOARD

Supervisor Bulova moved the appointment of Ms. Doug Dane to fill the unexpired term of Ms. Iona Levin as the Braddock District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

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

COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP

CONFIRMATION:

Supervisor Bulova moved the confirmation of the following appointment:

- Mr. Jon Lindgren as the Northern Virginia Building Industry Association Representative.

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

The Board deferred the appointment of the Sully District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Providence District Representative.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor McConnell moved the appointment of Mr. David Schnare as the Springfield District Representative. Supervisor Frey seconded the motion, which carried by unanimous vote.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Gross announced her intent to reappoint Ms. Susan Beeman for reappointment as the Mason District Representative.

Supervisor Hyland announced his intent to reappoint Ms. Mattie Palmore for reappointment as the Mount Vernon District Representative.

Supervisor Frey announced his intent to reappoint Ms. Trudy Harsh for reappointment as the Sully District Representative.

HISTORY COMMISSION

Supervisor Frey moved the appointment of Ms. Deborah Robison to fill the unexpired term of Ms. Paula Elsey as the Citizen #5 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

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

SMALL BUSINESS COMMISSION

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

TREE COMMISSION

Supervisor DuBois noted that the Board appointed the Dranesville District Representative on April 30.

ATHLETIC COUNCIL

(NOTE: Earlier in the meeting, the Board deferred the appointments of the Mount Vernon Principal and Alternate Representatives.)

Supervisor Hyland moved the following appointments:

- Mr. Jonathan P. Willmott as the Mount Vernon District Principal Representative.
- B Jefferson Bogg, Jr. as the Mount Vernon District Alternate Representative.

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

ADDITIONAL APPOINTMENT**ANIMAL SERVICES ADVISORY COMMISSION**

Supervisor Bulova moved:

- The appointment of Ms. Jane Lichter to fill the unexpired term of Mr. Russell Klosk.
- Direction to staff to invite Mr. Klosk to appear before the Board at an appropriate time in recognition of his service.

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

COMMISSION ON AGING

Supervisor Hudgins announced the resignation of Mr. Robert Gehring from the Commission on Aging and asked unanimous consent that the Board direct staff to invite him to appear before the Board for recognition of his service. Without objection, it was so ordered.

DET:det

9. **ADMINISTRATIVE ITEMS** (10:24 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Bulova 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 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), RELATING TO COURTHOUSE SECURITY FEES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 18, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), regarding a fee increase from \$5 to \$10 in the courthouse security fee currently imposed on each criminal and traffic case in the Circuit and District Courts of the County.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR PROJECT 0123-029-F28-R201 (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 9, 2007 at 4 p.m.** regarding the conveyance of County-owned property to VDOT for Project 0123-029-F28-R201.

ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (BRADDOCK, DRANESVILLE, MOUNT VERNON, SPRINGFIELD, AND SULLY 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-S07-7	Fairfax County Department of Information Technology Antenna collocation on approved monopole 4890 Alliance Drive (Public Safety and Transportation Operations Center) (Springfield District)	July 23, 2007
FSA-Y96-67-2	Sprint PCS Additional rooftop equipment cabinet 4050 Legato Road (Sully District)	July 26, 2007
2232-S07-4	T-Mobile Northeast LLC and Cingular Wireless 130-foot tall monopole 12700 Popes Head Road (electric substation) (Springfield District)	July 30, 2007
FS-B07-25	Fairfax County Public Schools Sheet metal product fabrication and storage building 9515 Main Street (Woodson High School grounds) (Braddock District)	September 24, 2007

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-Y07-24	Fairfax County Facilities Management Department Wellness and Fitness Center (for Fire and Rescue Department) 14725 Flint Hill Road (Sully District)	September 24, 2007
2232-D06-21	Fairfax County Department of Public Works and Environmental Services Addition to Dolley Madison Library 1244 Oak Ridge Avenue (Dranesville District)	November 19, 2007
2232-V07-7	Fairfax County Park Authority Lighted multi-use fields, field house, playground, trails (Laurel Hill Sportsplex) 10000 Furnace Road (Mount Vernon District)	November 19, 2007

ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2002-MA-019, CAMPBELL AND FERRARA NURSERIES, INCORPORATED (MASON DISTRICT)

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 2002-MA-019 to November 24, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 18, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to adopt actions of the 2007 General Assembly into the Code.

ADMIN 6 – APPROVAL OF A MULTI-WAY STOP AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (SPRINGFIELD, MOUNT VERNON, AND DRANESVILLE DISTRICTS)

- (R)
- Approved multi-way stops at the following intersection:
 - Sontag Way and Applecross Lane (Springfield District)
 - Adopted the Resolution authorizing installation of “Watch for Children” signs on the following streets:
 - Midday Lane (Mount Vernon District)
 - Millwood Pond Drive (Dranesville District)
 - Directed staff to request the Virginia Department of Transportation (VDOT) install the approved measures as soon as possible.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), TO AMEND ARTICLES 2 AND 3, RELATING TO UNIFORMED AND EMPLOYEES' RETIREMENT SYSTEMS - CHANGE IN SOCIAL SECURITY OFFSET TO SERVICE-CONNECTED DISABILITY BENEFITS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 18, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), regarding amendments to the Uniformed and Employees’ Retirement Systems for the purpose of changing the level of service-connected disability benefits.

ADMIN 8 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, MASON, PROVIDENCE, AND SULLY 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>
Deerfield Farm	Dranesville	Deerfield Farm Court Walker Road (Route 681) (Additional ROW Only)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Deerfield Farm	Dranesville	Arnon Chapel Road (Route 682) (Additional ROW Only)
Coppermine Crossing Land Bay A	Hunter Mill	Coppermine Road (Route 665) (Additional ROW Only)
Windy Hill Limited Partnership	Mason	Cherokee Avenue (Route 2246) (Additional ROW Only)
Church of the Holy Cross	Providence	Gallows Road (Route 650) (Additional ROW Only)
Edgemoore Section Three and Section Five	Providence	Gretna Place (Route 7743) Gretna Place (Route 7743) (Additional ROW Only)
Westvale Woods	Sully	Rocky Meadow Court (Route 10655) West Ox Road (Route 608) (Additional ROW Only)

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), TO AMEND ARTICLE 7, REGARDING POLICE OFFICERS RETIREMENT SYSTEM – CHANGE IN EMPLOYEE CONTRIBUTION RATE AND MAXIMUM SERVICE

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 18, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), regarding an amendment to the Police Officers Retirement System for the purpose of changing the employee contribution rate and eliminating the 30 year cap on maximum service.

10. **A-1 – REVISIONS TO CHAPTERS 1, 2, 5, 6, AND 17 OF THE PERSONNEL REGULATIONS** (10:24 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 1, 2, 5, 6, and 17 of the Personnel Regulations, updating language to reflect current terminology, clarify policy and procedures, and more accurately reflect current recruitment practices.

11. **A-2 – APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS AND LAKE BARCROFT WATERSHED IMPROVEMENT DISTRICT (LBWID)** (10:24 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Frey being out of the room, the Board concurred in the recommendation of staff and authorized execution of a MOU between the Board and LBWID to share the cost of installing flow monitoring and reporting equipment at the Lake Barcroft Dam.

12. **A-3 – AUTHORIZATION TO REALLOCATE AND DISBURSE FUNDS FROM THE PENNY FOR AFFORDABLE HOUSING FUND, FOR THE ACQUISITION AND PRESERVATION OF UNITS AT BRYSON AT WOODLAND PARK BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (HUNTER MILL DISTRICT)** (10:25 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize reallocation of \$108,000 from Fund 319, The Penny for Affordable Housing Funds, to be used as a portion of the permanent financing of the four units at Bryson at Woodland Park. Supervisor Bulova and Supervisor Gross jointly seconded the motion.

Discussion ensued with input from John Payne, Director of Revitalization and Real Estate Planning, Department of Housing and Community Development, concerning sales price per unit.

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

13. **A-4 – AUTHORIZATION TO REALLOCATE AND DISBURSE FUNDS FROM THE PENNY FOR AFFORDABLE HOUSING FUND, FOR THE ACQUISITION AND PRESERVATION OF UNITS AT FAIR OAKS LANDING BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (SPRINGFIELD DISTRICT)** (10:27 a.m.)

On motion of Supervisor McConnell, seconded by Supervisor Hudgins, and carried by a vote of nine, Supervisor Frey being out of the room, the Board concurred in the recommendation of staff and authorized reallocation of \$188,000

from Fund 319, The Penny for Affordable Housing Fund, to be used as a portion of the permanent financing for the three units at Fair Oaks Landing.

14. **A-5 – AUTHORIZATION TO SUBMIT PROPOSED GRANT APPLICATIONS UNDER THE FISCAL YEAR 2007 US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S SUPER NOTICE OF FUNDING AVAILABILITY** (10:28 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize the Fairfax County Redevelopment and Housing Authority to apply for and accept renewal funding totaling \$131,000, if awarded, for the Housing Choice Voucher Family Self-Sufficiency Program Coordinator and the Public Housing Family Self-Sufficiency Program Coordinator. Supervisor Hyland seconded the motion.

Discussion ensued concerning the Board's previous request for additional information concerning funding sources for affordable housing as well as federal funding, with input from John Payne, Director of Revitalization and Real Estate Planning, Department of Housing and Community Development.

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

15. **A-6 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO ISSUE TAX-EXEMPT AND TAXABLE BONDS, AUTHORIZATION FOR THE BOARD TO SUBMIT A LETTER OF SUPPORT FOR THE RESTON GLEN APARTMENTS TO VIRGINIA SMALL BUSINESS FINANCING AUTHORITY (VSBFA) PURSUANT TO THE APPLICATION FOR PRIVATE ACTIVITY BONDS, AND MAKE AN AFFORDABLE HOUSING PARTNERSHIP PROGRAM (AHPP) LOAN (HUNTER MILL DISTRICT)** (10:30 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve the following actions:

- Tax-exempt and taxable bonds to be issued by the FCRHA in an amount not to exceed \$35 million.
- Submission of a letter of support to VSBFA for Reston Glen Apartments in connection with an application for Private Activity Bonds.
- An AHPP loan to be made by the FCRHA of up to \$2,375,000 from Fund 319, The Penny for Affordable Housing Fund, to Fairfield Laurel Glade LLC to refinance the acquisition, and

provide funds for the rehabilitation and preservation of 40 units at Reston Glen Apartments.

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Frey being out of the room.

16. **I-1 – FOR THE THIRTIETH CONSECUTIVE YEAR, THE COUNTY’S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) HAS BEEN AWARDED A CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE** (10:32 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, announcing that the County’s CAFR has been recognized by the Government Finance Officers Association for excellence in financial reporting.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to prepare certificates of recognition for Edward L. Long, Chief Financial Officer, and Robert L. Mears, Director, Department of Finance, and invite them to appear before the Board for appropriate recognition. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

17. **I-2 – CONTRACT AWARD – CONSULTANT SERVICES, BUS OPERATIONS PLANNING SUPPORT** (10:33 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, requesting authorization for staff to award a contract to TranSystem Corporation for consult services for bus operations planning support.

The staff was directed administratively to proceed as proposed.

18. **I-3 – CONTRACT AWARD – GIRLS PROBATION HOUSE (SPRINGFIELD DISTRICT)** (10:33 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, requesting authorization for staff to award a contract to Falls Church Construction Corporation in the amount of \$3,251,000 for the construction of Project 04A0001, Girls Probation House, in Fund 311, County Bond Construction.

The staff was directed administratively to proceed as proposed.

19. **I-4 – CONTRACT AWARD - ENHANCED NUTRIENT REDUCTION PROJECT AT THE NOMAN M. COLE, JR. POLLUTION CONTROL PLANT (MOUNT VERNON DISTRICT)** (10:33 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, requesting authorization for staff to award a contract to Greeley and Hansen LLC, in the amount of \$14,331,400 for engineering design and construction management services to implement the Enhanced Nutrient Reduction Project, Project N00322, Noman M. Cole, Jr. Pollution Control Plant Construction, in Fund 408, Sewer Bond Construction.

The staff was directed administratively to proceed as proposed.

20. **I-5 – CONTRACT AWARD – MOUNT VERNON STREAM RESTORATION (MOUNT VERNON DISTRICT)** (10:34 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, requesting authorization for staff to award a contract to Environmental Quality Resources, LLC, in the amount of \$341,454 for the construction of Project LH8000, Mount Vernon Stream Restoration Project, in Fund 318, Stormwater Management Program. Discussion ensued with i

The staff was directed administratively to proceed as proposed.

21. **I-6 – AMENDMENT TO THE TRANSPORTATION ENHANCEMENT PROGRAM AGREEMENT FOR CHAIN BRIDGE ROAD STREETScape AND TRAFFIC CALMING PROJECT (DRANESVILLE DISTRICT)** (10:34 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, requesting authorization for staff to execute the Agreement Amendment with the Virginia Department of Transportation for the Chain Bridge Road Streetscape and Traffic Calming Project.

The staff was directed administratively to proceed as proposed.

22. **I-7 – CONTRACT AWARD – FAIRFAX COUNTY INCENTIVE FUND** (10:35 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, requesting authorization for staff to award contracts to the organizations listed in Table A of the Board Agenda Item to provide services for the unserved and underserved seniors and/or adults with disabilities.

The staff was directed administratively to proceed as proposed.

23. **I-8 – CONTRACT AWARD—I-95 LANDFILL ATLL UNIT-PHASE IIIA LINER AND PART 2 CAP, MSW UNIT-PHASE IVB CAP (MOUNT VERNON DISTRICT)** (10:35 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, requesting authorization for staff to award a contract to Glover Construction Company, Incorporated, in the amount of \$6,484,199 for the construction of the I-95 Landfill ATLL Unit-Phase IIIA Liner and Part 2 CAP, MSW Unit-Phase IVB CAP, Project Number 186435, in Fund 114, I-95 Refuse Disposal.

The staff was directed administratively to proceed as proposed.

24. **I-9 – CONTRACT AWARD – HIDDEN OAKS NATURE CENTER LOW IMPACT DEVELOPMENT (LID) PARKING LOT (MASON DISTRICT)** (10:35 a.m.)

The Board next considered an item contained in the Board Agenda dated May 21, 2007, requesting authorization for staff to award a contract to Arthur Construction in the amount of \$211,000 for the Hidden Oaks Nature Center LID Parking Lot in Project 474404, Infrastructure Renovation and Project 475004, Natural Cultural Resources, both in Fund 370, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

25. **ZONING ORDINANCE ENFORCEMENT STRIKE FORCE** (10:36 a.m.)

Chairman Connolly expressed his appreciation for the collective efforts of Board Members and County staff to create a Strike Force to expedite enforcement of the Zoning Ordinance, especially in key neighborhoods with substantial issues. He asserted that the County cannot act too soon, as several of the County's neighborhoods are under assault. He added that the County cannot rely solely on the old enforcement tactics, which are clearly inadequate to deal with systematic, egregious, and often audacious violations of the Zoning Ordinance.

Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board forward the memorandum in his written Board Matter to the County Executive for him to share with the rest of the executive team and members of the Zoning Ordinance Enforcement Strike Force. He said that the memorandum is a menu of strategies to consider and serves as guidance for the strike force. Without objection, it was so ordered.

Discussion ensued regarding assistance from the General Assembly and legislative changes as well as building codes.

Supervisor Gross called the Board's attention to item 10 in the memorandum, "Investigation of illegal utility hookups," and she asked unanimous consent that the Board direct staff to provide information to Board offices that would demonstrate what to examine. Without objection, it was so ordered.

Following discussion regarding item 12 from the memorandum, "Investigation of title, mortgage, and sales information that may lead to investors who are profiting from boarding houses," with input from David P. Bobzien, County Attorney, Supervisor Gross asked unanimous consent that the Board add "insurance" to the list. Without objection, it was so ordered.

Discussion ensued regarding neighborhood concerns in an urbanized county, concerns regarding intrusive investigations and surveillance and staffing, with input from Anthony H. Griffin, County Executive.

Supervisor McConnell asked unanimous consent that the Board direct staff to also determine whether the Internal Revenue Service could be of assistance. Without objection, it was so ordered.

Further discussion ensued regarding surveillance and possible prostitution, illegal drugs, or gang activity.

With reference to the fact that overcrowding usually results in too many parked cars, Supervisor Smyth asked unanimous consent that the Board direct staff to also examine parking districts as a tool for the strike force. Without objection, it was so ordered.

Further discussion ensued about the importance of Constitutional liberties, limits on what the government can do, the Braddock District's task force of community leaders on zoning issues, a pilot program, an invitation to the Braddock District's June 20 Town Meeting, involvement of neighborhood leadership, and general engagement of the community.

26. **TRANSFER OF LAND TO THE PARK AUTHORITY** (10:56 a.m.)

Chairman Connolly said that in March he had asked the Park Authority to examine County-owned parcels of land that could be candidates for transfer to the Park Authority. He reminded the Board that it set a goal of 10 percent of the County's land mass as Park Authority parkland, and that it is currently at 9.4 percent.

Accordingly, Chairman Connolly moved that the Board direct the County Executive to work with the Park Authority to determine which parcels are suitable to transfer from the Board to the Park Authority and report with a

recommendation and schedule for the expedited transfer of these Board parcels to the Park Authority. He noted that this would require the County Executive to first examine those parcels as to their suitability for other purposes such as affordable housing and public facilities. Vice-Chairman Bulova seconded the motion.

Supervisor Smyth asked to amend the motion to direct staff to analyze this by Supervisor District, and this was accepted.

Supervisor Gross asked to amend the motion to direct staff to confer with the District Supervisor prior to presenting this item to the full Board, and this was accepted.

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

27. **NATIONAL INTEREST ELECTRIC TRANSMISSION CORRIDORS (NIETC)** (10:58 a.m.)

Chairman Connolly said that Section 1221 of the Energy Policy Act grants the Federal Energy Regulatory Commission (FERC) authority to approve construction of power lines in areas deemed NIETCs by the Department of Energy (DOE). The DOE has proposed designating all of New Jersey, Maryland, and Delaware, most of New York and Pennsylvania, and part of Virginia and West Virginia as a NIETC. Fairfax, Prince William, Stafford, Culpeper, Madison, Rockingham, Shenandoah, Frederick, Clarke, Warren, Page, Rappahannock, Loudoun, and Fauquier Counties, as well as cities contained therein, would be affected. This designation would allow the Federal government to override State Corporation Commission decisions regarding electric infrastructure construction, undermining State and local authority. Moreover, NIETCs would incentivize the construction of coal power plants in Virginia and West Virginia and the export of electricity to New Jersey and New York, where there are stronger state regulations pertaining to air quality. Fairfax County citizens and other residents of Virginia could suffer as a result of concentrating generating capacity near its communities. Additionally, he asserted that facilitating electricity export from West Virginia and Virginia to points north would undermine the Regional Greenhouse Gas Initiative (RGGI), in which ten Northeastern/Mid Atlantic states participate. The RGGI mandates cuts in greenhouse gas emissions. If power plants were built in states that are members of RGGI, they would probably emit fewer greenhouse gas emissions. By encouraging construction of power plants in Virginia and West Virginia and export to states in the RGGI, NIETC undermines the effectiveness of this laudable goal. Congressman Maurice Hinchey (D-NY) has introduced legislation to repeal section 216 of the Federal Power Act, which empowers DOE to create NIETCs. Congressman Frank Wolf (R-VA) has introduced legislation to amend the Federal Power Act to strengthen protections for environmentally sensitive and historically significant areas. Chairman Connolly noted that Governor Kaine recently wrote a letter asking for change in the NIETC.

Therefore, Chairman Connolly moved that the Board direct staff to draft a letter for his signature to the County's Congressional delegation in support of House Resolution 809 (Hinchey) and House Resolution 829 (Wolf). Supervisor Gross and Supervisor McConnell jointly seconded the motion.

Discussion ensued regarding notification of the State's Department of Environmental Quality and everyone involved with air quality on the County's position and the necessity for the State to be more proactive regarding air quality.

Supervisor Gross asked to amend the motion to direct staff to share the letter with the National Association of Counties and Virginia Association of Counties, and this was accepted.

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

28. **GREEN POWER PARTNERSHIP** (11:02 a.m.)

Chairman Connolly said that on May 15 the Environmental Protection Agency (EPA) accepted the County into the Green Power Partnership. There are 719 members of the Green Power Partnership. Fewer than ten counties have joined the partnership, which requires purchasing between two and ten percent green power, depending on total electricity usage. The EPA accepted the County into the Green Power Partnership because of its purchase of wind energy. In April the County signed a contract to double the purchase of wind energy so that by 2009 ten percent of the electricity used in the County's government facilities will come from a nearby wind farm. Currently five percent of the electricity the County uses comes from wind energy. By purchasing ten percent of its energy from wind power, the County will prevent the release of 12.53 million pounds of carbon dioxide, the equivalent of removing 1,200 cars from the road. On behalf of the entire Board, Chairman Connolly expressed pride that the County has doubled its purchase of wind energy and that the EPA has recognized the County for this achievement.

Supervisor Smyth asked unanimous consent that the Board direct staff to provide information as to how wind power could be provided to an individual neighborhood. Without objection, it was so ordered.

Supervisor Gross expressed appreciation to Kambiz Agazi, the County's Environmental Coordinator, and other staff for their work in this area.

Vice-Chairman Bulova relinquished the Chair to Acting-Chairman Kauffman and asked unanimous consent that the Board direct staff to prepare a press release to share this news with the public. Without objection, it was so ordered.

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

29. **LETTER ENDORSING ENERGY AND ENVIRONMENTAL BLOCK GRANT ACT OF 2007** (11:05 a.m.)

Chairman Connolly announced that Congressman Albert Wynn of Maryland will soon be introducing legislation in the US House of Representatives entitled the “Energy and Environment Block Grant Act of 2007.” This legislation would establish a new Energy and Environment Block Grant Program to help the nation achieve greater energy efficiency. This new block grant proposal is patterned after the Community Development Block Grant (CDBG) program, which has been so successful for cities and counties throughout Virginia.

Chairman Connolly said that the County has recently partnered with the Sierra Club and is pursuing a partnership with the National Association of Counties to launch the “Cool Counties” initiative.

Therefore, Chairman Connolly asked unanimous consent that the Board direct staff to send letters with his signature on behalf of the Board to the County’s House delegation indicating support for, and urging their co-sponsorship of, the Energy and Environment Block Grant Act of 2007. Without objection, it was so ordered.

30. **TESTIMONY FOR THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FISCAL YEAR (FY) 2008-2013 ALLOCATION PUBLIC HEARING** (11:06 a.m.)

Chairman Connolly said that VDOT released its Draft Six-Year Improvement Program for FYs 2008 through 2013 on May 16, 2007. With reference to attachments to his written Board Matter, he asked unanimous consent that the Board approve the testimony to be presented at the May 23 public hearing and the letter conveying the testimony to the Secretary of Transportation.

Supervisor Kauffman asked to amend the request to strengthen the language regarding the Richmond Highway study as referenced on pages four and seven of the written testimony. Following input from Tom Biesiadny, Chief, Coordinating and Funding Division, Department of Transportation, without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

31. **PARKING OF DUMPSTERS ON STATE ROADS** (11:08 a.m.)

Supervisor Bulova said that her office has been receiving an increase in complaints about illegal dumpsters on State roads within residential neighborhoods. Her staff has been unable to find an effective method for dealing with this unsafe practice.

Supervisor Bulova referenced copies of the Department of Transportation Parking Matrix which indicates that the Virginia Department of Transportation (VDOT) and the Police Department are responsible for enforcement of the regulations prohibiting the placement of dumpsters on State roads. Supervisor Bulova said that in the past her office has referred this issue to VDOT. Its maintenance supervisors would speak with the resident using the dumpster, and the problems were corrected. Now her office is told by VDOT that this is a police function, since VDOT does not issue permits for dumpsters on the State roads.

When calling the police non-emergency number, dispatch officers have said that they do not have the authority to ticket or tow dumpsters. Supervisor Bulova said that she had recently learned that officers with the Motor Carrier Unit and the Operations Support Bureau have been successfully handling complaints regarding dumpsters on State roads. She referenced copies of a memorandum from the Chief of Police on this subject as well as code citations.

Therefore, Supervisor Bulova asked unanimous consent that the Board direct the:

- County Executive's office to take the necessary steps to improve County enforcement efforts and to advise the Board on the procedures established to ensure enforcement of the regulations against placing dumpsters on the State roads.
- County Executive to write to the VDOT Resident Engineer asking for enhanced enforcement of the applicable State regulations.

Without objection, it was so ordered.

Following discussion regarding the status of the Portable On-Demand Storage ("PODS") units, with input from Anthony H. Griffin, County Executive, Supervisor Hyland asked unanimous consent that the Board direct the Planning Commission to report on its schedule for this item. Without objection, it was so ordered.

32. **ADOPTION OF HUNTER MILL TRAFFIC CALMING STUDY (DRANESVILLE, HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS)** (11:11 a.m.)

Supervisor Smyth noted that this Board Matter was being presented jointly with Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, and Chairman Connolly. On January 26 the Northern Virginia Regional Commission released the final version of the Hunter Mill Road Traffic Calming Study. The study, which was conducted for the Northern Virginia Transportation Authority and funded by the Virginia General Assembly, aims to provide guidance on safety improvements for Hunter Mill Road while preserving the historic nature of these 7.2 miles of scenic Virginia Byway. The recommendations in the study go a long

way toward moving traffic efficiently across Providence, Sully, Hunter Mill, and Dranesville Districts.

Accordingly, on behalf of Supervisor DuBois, Supervisor Frey, Supervisor Hudgins, Chairman Connolly, and herself, Supervisor Smyth moved that the Board direct staff to develop a recommendation to incorporate a reference to the Hunter Mill Road Traffic Calming Study into the Comprehensive Plan as part of the effort to preserve the historic and scenic nature of Hunter Mill Road. Supervisor DuBois seconded the motion, which carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell being out of the room.

33. **EMERGENCY PREPAREDNESS: A FOCUS ON SENIORS** (11:13 a.m.)

Supervisor Smyth announced that the Fairfax County Federation of Citizens Associations will be hosting an emergency preparedness program with a focus on the senior population at the James Lee Community Center on Thursday, June 7 from 11 a.m. until 1 p.m. This program will focus on shelter-in-place emergency preparedness with a focus on seniors in the community.

Supervisor Smyth said that the first part of the program will be conducted by the National Area Red Cross Chapter and will demonstrate to participants how to put together a shelter in place emergency kit. The second part of the program will host speakers from the Office of Emergency Management and the Health Department on staying prepared, what to be alert of in the case of an emergency, and what the County is doing to keep the County prepared. Light lunch will be provided. This program is free and open to the public and all residents are welcome to attend.

Supervisor Smyth noted that this event is also being sponsored in partnership with the offices of the following members of the Board: Chairman Connolly, Supervisor Bulova (Braddock District), Supervisor Gross (Mason District), Supervisor Smyth (Providence District), and Supervisor McConnell (Springfield District), as well as the Office of Emergency Management, the Health Department, the Area Agency on Aging, senior centers, the James Lee Community Center, and the National Area Chapter of the Red Cross.

Supervisor Smyth moved that the Board direct the Office of Public Affairs to promote this event. She invited her colleagues and County residents to attend. Supervisor Bulova seconded the motion, which carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell being out of the room.

34. **505 CONNECTOR BUS FUNDING (DRANESVILLE AND HUNTER MILL DISTRICTS)** (11:15 a.m.)

Supervisor Hudgins said that funding for mid-day (15 minute headway) service on the Connector Bus 505 for service to the West Falls Church Metrorail Station has been provided since Fiscal Year (FY) 2004 through a Plaza America proffer.

As of May 15, approximately \$80,870 in unallocated, un-targeted proffer funds is available, not enough to continue the enhanced Route 505 service through FY 2008. To provide continued service in FY 2008, an additional \$200,000 (above the \$80K noted above) is required.

Supervisor Hudgins reported that the Plaza America proffer, in addition to funding the mid-day 505 service enhancement since FY 2004, supports various capital projects in the Reston area. Additionally, non-proffer funds to support the completion of those capital projects were allocated by the Board as part of the *FY 2007 Third Quarter Review* in the amount of \$350,000. The total amount of funding currently allocated to these Capital Projects is \$1,250,000 (\$740,000 in proffered funds, \$160,000 in Old Reston Avenue Funds, and the \$350,000 approved at Third Quarter).

Supervisor Hudgins moved that the Board direct staff to reallocate \$200,000 from the \$1,250,000 noted above in Fund 307, Pedestrian Walkway Improvements, which will reduce the total project estimate for Project D00448 to \$1,050,000, to fund the enhanced 15-minute headway mid-day service on the 505. This reallocation will fund the service for one additional year – through June 2008 – and necessitate the removal of a project from the Plaza America Pedestrian Improvements with funding for that project needing to be identified in the future. Supervisor Hyland seconded the motion.

Following discussion regarding the reallocation of these proffer funds, with input from Anthony H. Griffin, County Executive, the question was called on the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

35. **BLUE RIBBON PANEL FOR THE DEVELOPMENT OF A FAIRFAX HISTORY MUSEUM** (11:24 a.m.)

Supervisor Hudgins said on January 8 the Board voted to establish a blue ribbon panel for the purpose of developing the concept of a Fairfax History Museum. The Board directed the County Executive to provide suggested membership on the panel by February 5. It was determined that the panel's chair would be Dr. Jack Censer of George Mason University (GMU) and other members would include the business community and community individuals or organizations with experience or expertise in the development of the operation of a museum facility.

Supervisor Hudgins said that Mr. Mayo Stuntz is one of the most noted historians in the County and she recounted his qualifications. Accordingly, she asked unanimous consent that the Board authorize the appointment of Mr. Stuntz to the blue ribbon panel for the development of a Fairfax History Museum. Without objection, it was so ordered.

PMH:pmh

36. **LORTON CORNER, LLC RIGHT-OF-WAY CONCURRENCE (MOUNT VERNON DISTRICT)** (11:25 a.m.)

Supervisor Hyland said that Lorton Corner, LLC, is preparing to file a proffered condition amendment and a special exception application on land that was rezoned to the C-5 District and subject to a proffered condition amendment approved in 1997. A portion of the adjacent right-of-way of Old Lorton Road was included in those applications with Board concurrence.

Supervisor Hyland noted that the applicant again requests Board concurrence to include this right-of-way in its new applications. He noted that Old Lorton Road is no longer used as a roadway, so the inclusion of the right-of-way in these applications is appropriate and the South County Federation supports this request.

Therefore, Supervisor Hyland moved that the Board authorize the inclusion of the Old Lorton Road right-of-way in the filing a proffered condition amendment/special exception application on Tax Map parcels 108-3 ((1)) lots 2 and 3; 108-3 ((2)) lots 2, 5, and 6. This motion should not be construed as a favorable recommendation of these applications by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, provisions, or adopted standards. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

37. **911 CALLS FROM MOUNT VERNON DISTRICT** (11:26 a.m.)

Supervisor Hyland said that his office had received calls from individuals trying to contact 911 by cell phone from the Fort Hunt Road area of Mount Vernon and along the Mount Vernon Memorial Parkway. He said that in both cases the individuals reached Prince Georges County, Maryland.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to review this issue. Without objection, it was so ordered.

38. **OFFICER ASSISTANCE (SULLY DISTRICT)** (11:28 a.m.)

(NOTE: Earlier in the meeting, the Board discussed this issue. See Clerk's Summary Item #1.)

Supervisor Frey announced that he had received some positive news from the hospital about Sully Station Officer Vincent "Vinny" Darconte.

Supervisor Frey asked unanimous consent that the Board direct the County Executive to express the Board's appreciation to the appropriate individuals in Prince William County who assisted Officer Darconte. Without objection, it was so ordered.

39. **MOWING BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (11:29 a.m.)

Supervisor McConnell said that since the arrival of the spring season, her office has received a higher than usual number of complaints about the mowing, or lack thereof in the VDOT right-of-way, particularly at intersections. Many citizens cited serious sight distance concerns when turning on or off streets.

In the interest of safety, Supervisor McConnell asked unanimous consent that the Board direct the Chairman to write a letter to the VDOT Northern Virginia District Administrator, on behalf of the Board, requesting consistent and frequent mowing of medians and other locations where sight distance is an issue. Without objection, it was so ordered.

Following discussion of the issue, with input from Anthony H. Griffin, County Executive, Supervisor Bulova asked unanimous consent that the Board direct staff to provide the Board with VDOT's policy. Without objection, it was so ordered.

Supervisor Smyth asked unanimous consent that the Board direct staff to determine if VDOT is experiencing a contract dispute that is contributing to the problem. Without objection, it was so ordered.

40. **TOWING CONTRACT** (11:38 a.m.)

(BACs) Supervisor McConnell said that it was recently brought to her attention that the Police Department does not have a new towing contract and continues to operate on multiple extensions of a contract that was issued several years ago. She said that she was also informed that the County is considering re-establishing the "Towing Task Force" to review another version of a future towing contract.

Therefore, Supervisor McConnell moved the appointment of Mr. Ron Miner to the Towing Task Force when and if it is convened.

Following discussion regarding the contract, with input from Anthony H. Griffin, County Executive, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the County Executive to review this issue. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

41. **HERNDON FESTIVAL (DRANESVILLE DISTRICT)** (11:40 a.m.)

Supervisor DuBois announced that the Town of Herndon is hosting the 27th annual Herndon Festival in historic downtown Herndon, May 31 – June 3. This is a town-wide event and attracts over 90,000 people from the greater Washington, DC Metropolitan area.

Supervisor DuBois invited Board Members and citizens to join in the fun.

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

42. **MCLEAN COMMUNITY CENTER GOVERNING BOARD PREFERENCE POLL (DRANESVILLE DISTRICT)** (11:41 a.m.)

(BACs)
(APPTS)

Supervisor DuBois moved that the Board confirm the appointments of the following individuals to the Governing Board of the McLean Community Center:

Adult Candidates:

- Katherine Armstrong (reappointment).
- Drew Clark.
- Kevin Dent.

Youth Candidates:

- Langley High School area: John E. Byrne.
- McLean High School area: Julia Berkson.

Chairman Connolly seconded the motion and it carried by unanimous vote.

43. **WEAPONS** (11:42 a.m.)

Jointly with Chairman Connolly, Supervisor Gross referred to last week's gun giveaway at the Mason District Government Center, sponsored by the Virginia Citizens Defense League. She noted the inability of local governments in Virginia to ban guns and dangerous weapons from police stations.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the legislative staff to draft language for the County's 2008 legislative program that will allow the County to restrict guns and other dangerous weapons from identified public buildings and facilities. Without objection, it was so ordered.

A brief discussion ensued regarding guns in public buildings.

44. **PROCLAMATION FOR RECOGNITION OF MS. CHRISTINE LAMB (LEE DISTRICT)** (11:50 a.m.)

Supervisor Kauffman said that Christine Lamb, principal of Groveton Elementary School, is retiring after a long and successful career as an educator. Groveton

Elementary School is a wonderful place for students.

Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct staff to prepare a proclamation for presentation at the Taste of Groveton event to honor Ms. Lamb. Without objection, it was so ordered.

45. **RECESS/CLOSED SESSION** (11:51 a.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. *Request to Petition the General District Court for a Subpoena Duces Tecum on Behalf of the Human Rights Commission for Records Needed for the Investigation of Marvelous Market*
 2. *Concerned Citizens of Hollin Hall Village, et al. v. County of Fairfax Board of Zoning Appeals, et al., Record No. 070058 (Sup. Ct. Va.) (Mount Vernon District)*
 3. *Robert Lepelletier, Jr. v. Robert L. Mears, Director of the Department of Finance, Case No. GV07008814-00 (Fx. Co. Gen. Dist. Ct.)*
 4. *Board of Zoning Appeals of Fairfax County, Virginia v. Board of Supervisors of Fairfax County, Virginia, Case No. 2006-0011777 (Fx. Co. Cir. Ct.)*

5. *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.)
6. *Salvatore J. Culosi, et al. v. Fairfax County, Virginia, et al.*; Case No. 1:07CV266 (E.D. Va.)
7. *McLean Bible Church v. Eileen M. McLane, Zoning Administrator, and Board of Zoning Appeals of Fairfax County, Virginia*, At Law No. CL-2006-0008305 (Fx. Co. Cir. Ct.) (Dranesville District)
8. *Fairfax County Redevelopment and Housing Authority v. Zareen Hudson, Juan Zayas, and Cristian Hernandez*, Case No. CL-2007-0005458 (Fx. Co. Cir. Ct.) (Mount Vernon District)
9. *Youn Soo Kim v. Arthur Lee Milam, Jr., and the County of Fairfax, Virginia*, Case No. CL-2006-0012648 (Fx. Co. Cir. Ct.)
10. *Henry Penn v. Fairfax County*; Case No. 1:06CV1449 (E.D. Va.)
11. *In Re the Grievance of Patricia Johnson* (Fairfax County Civil Service Commission)
12. *Courtesy Copy of Complaint Received in Michael C. Judge and Doris Y. Judge v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2007-0003562 (Fx. Co. Cir. Ct.) (Sully District)
13. *Richard William Horner and Margaret Draffin Horner v. Board of Zoning Appeals of Fairfax County, Virginia, et al.*, Case No. CL-2006-0007696 (Fx. Co. Cir. Ct.) (Dranesville District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Adolfo Guillen, et al.*, Case No. CL-2006-0010659 (Fx. Co. Cir. Ct.) (Mason District)

15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marta A. Cortez*, Case No. CL-2007-0002905 (Fx. Co. Cir. Ct.) (Lee District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rodney J. Spratley and Jenifer L. Spratley*, Case No. CL-2007-0005021 (Fx. Co. Cir. Ct.) (Providence District)
17. *Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services v. Marta A. Cortez*, Case No. CL 2006-0015092 (Fx. Co. Cir. Ct.) (Lee District)
18. *Board of Supervisors v. G & M Homes, LLC, Number Three, and Gulf Insurance Company and its Successor in Interest, The Travelers Indemnity Company*, Case No. CL-2006-0012212 (Fx. Co. Cir. Ct.) (Providence District)

And in addition:

- House Bill 3203 on transportation funding and reform

Supervisor Smyth seconded the motion and it carried by unanimous vote.

DS:ds

At 3:55 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

46. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:55 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 DuBois 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."

47. **REQUEST TO PETITION THE GENERAL DISTRICT COURT FOR A SUBPOENA DUCES TECUM ON BEHALF OF THE HUMAN RIGHTS COMMISSION** (3:56 p.m.)

Supervisor Hyland moved that the Board approve the request to petition the General District Court for a Subpoena *Duces Tecum* on behalf of the Human Rights Commission for records needed for the investigation of Marvelous Market. Supervisor Bulova seconded the motion and it carried by unanimous vote.

48. **NORTHERN VIRGINIA TRANSPORTATION AUTHORITY'S (NVTA) REQUEST FOR ASSISTANCE OF LEGAL COUNSEL** (3:56 p.m.)

Chairman Connolly said that in its efforts to implement the powers granted to it by House Bill (HB) 3202, the NVTA has requested the assistance of legal counsel from its constituent local government members. Chairman Connolly noted that the Board has reviewed the request.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board authorize the County Attorney's Office to:

- Participate on certain Work Groups established by NVTA and on the NVTA Council of Counsels and to offer legal advice in connection with that participation, until such time as an impermissible conflict of interest between the County and NVTA should arise.
- Confer and participate with attorneys from other constituent members of NVTA with respect to the preparation and prosecution of any legal proceedings that may be necessary and/or expedient for the implementation of HB 3202.

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

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

DMS:dms

49. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2003-MV-045 (GUNSTON COVE HOMEOWNERS ASSOCIATION, A NON-STOCK VIRGINIA CORPORATION (MOUNT VERNON DISTRICT))** (3:58 p.m.)

The application property is between Richmond Highway and Cranford Street, south of the intersection of Richmond Highway and Gunston Cove Road, Tax Map 113-2 ((9)) A.

Mr. Frank W. Stearns reaffirmed the validity of the affidavit for the record.

Supervisor Bulova disclosed the following campaign contribution which she had received in excess of \$100 from:

- Jon M. Peterson, The Peterson Companies LC

Chairman Connolly disclosed the following campaign contributions which he had received in excess of \$100 from:

- Venable LLP
- Jon M. Peterson, The Peterson Companies LC
- James W. Todd, JWT Investments

Supervisor Frey disclosed the following campaign contributions which he had received in excess of \$100 from:

- Milton V. Peterson, The Peterson Companies LC
- Jon M. Peterson, The Peterson Companies LC

Chairman Connolly disclosed the following campaign contributions which he had received in excess of \$100 from:

- Milton V. Peterson, The Peterson Companies, LC

Supervisor DuBois disclosed the following campaign contributions which she had received in excess of \$100 from:

- Venable LLP
- Milton V. Peterson, The Peterson Companies LC

Mr. Stearns 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.

St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Smyth seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved:

- Approval of Proffered Condition Amendment Application PCA 2003-MV-045, subject to the proffers dated April 6, 2007.
- Waiver of the limitation on fence height to permit the proposed noise wall along the eastern boundary of the site to be a maximum height of 15 feet.

Supervisor Frey seconded the motion and it carried by unanimous vote.

50. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-DR-049-04 (HAMPSTEAD VILLAGE LLC) (DRANESVILLE DISTRICT) (4:05 p.m.)**

The application property is located on the south side of Addington Drive and east of Evans Farm Drive, Tax Map 30-1 ((30)) 8A and 9A.

Ms. Lori R. Greenlief reaffirmed the validity of the affidavit for the record.

Supervisor Gross disclosed the following campaign contributions which she had received in excess of \$100 from:

- Ms. Kathryn A. MacLane
- Mr. Mark C. Lowham, West*Group Management LLC

Supervisor Smyth disclosed the following campaign contributions which she had received in excess of \$100 from:

- Mr. Mark C. Lowham, West*Group Management LLC
- Mr. John C. Ulfelder, Park Gate Group LLC
- Ms. Kathryn A. MacLane

Supervisor Hudgins disclosed the following campaign contribution which she had received in excess of \$100 from:

- Ms. Kathryn A. MacLane

Supervisor Frey disclosed the following campaign contributions which he had received in excess of \$100 from:

- Mr. Carson Lee Fifer, Jr., Esquire, McGuire Woods LLP

- West*Group Properties LLC
- Ms. Kathryn A. MacLane

Vice-Chairman Bulova disclosed the following campaign contribution which she had received in excess of \$100 from:

- Ms. Kathryn A. MacLane

Supervisor Hyland disclosed the following campaign contribution which he had received in excess of \$100 from:

- Mr. Gerald T. Halpin, Hampstead Village LLC, et al

Ms. Greenlief 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.

John M. Thompson, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Following the public hearing, Supervisor DuBois moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Smyth 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.

Supervisor DuBois moved approval of Proffered Condition Amendment Application PCA 1998-DR-049-04, subject to the proffers dated April 3, 2007. Supervisor Smyth 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.

(NOTE: On April 19, 2007, the Planning Commission approved Final Development Plan Amendment Application FDPA 198-DR-049-04, subject to the proffers dated April 3, 2007.)

51. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-PR-012 (CB COMPANIES, LLC) (PROVIDENCE DISTRICT)** (4:11 p.m.)

- (O) The application property is located in the southeast quadrant of the intersection of Providence Street and Helena Drive, Tax Map 39-4 ((1)) 219.

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

Discussion ensued, with input from Carrie Lee, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, regarding the rain gardens.

Further discussion ensued, with input from James W. Patteson, Director, Land Development Services, Department of Public Works and Environmental Services, regarding maintenance agreements.

Mr. Lawrence 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, Ms. Lee, presented the staff and Planning Commission recommendations.

Supervisor Smyth moved DENIAL of Rezoning Application RZ 2006-PR-012 request to rezone the property to the R-3 District. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor DuBois, Supervisor Kauffman, and Supervisor McConnell being out of the room.

Supervisor Smyth moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2006-PR-012, from the R-1 District to the R-2 District, subject to the proffers dated May 4, 2007. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor DuBois, Supervisor Kauffman, and Supervisor McConnell being out of the room.

52. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), SECTION 61-1-3 (D) (1) (A) 2C** (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 May 3 and May 10, 2007.

David V. Sharp, Chief, Permits Branch, Land Development Services, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), which allows for \$0 fee for permits for restoration work necessitated by a declared catastrophic event. Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor

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

53. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), REGARDING DEFINITIONS** (4:24 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 May 3 and May 10, 2007.

David V. Sharp, Chief, Permits Branch, Land Development Services, Department of Public Works and Environmental Services (DPWES), presented the staff report.

Discussion ensued with input from Cynthia Bailey, Assistant County Attorney, regarding the proposed amendments to add the term "addition" which would limit the amount and type of demolition and/or new construction that is allowed without being subject to the inspection and permitting requirements for new construction.

A lengthy discussion ensued with input from James Patteson, Director, Land Development Services, DPWES; Ms. Bailey; Mr. Sharp; and David P. Bobzien, County Attorney; regarding the proposed amendments.

Supervisor DuBois entered a letter into the record.

Following the public hearing, Supervisor Kauffman moved that the Board:

- Defer decision on the proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), which introduces a definition of “addition,” until June 4.
- Direct staff to prepare an administrative item for June 4, as necessary, for any additional provisions after reviewed by the Strike Team, and that if modifications are necessary, a public hearing will occur no later than July 9, 2007.

Supervisor Bulova seconded the motion.

Supervisor Smyth summarized her concerns, and 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.”

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to include in the administrative item a matrix listing the issue, the proposed action, and how it differs from the status quo. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

54. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING LARGE RETAIL SALES ESTABLISHMENTS** (5:15 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 May 3 and May 10, 2007.

Jack Reale, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by seven speakers, Supervisor Hudgins, Supervisor DuBois, and Chairman Connolly submitted items for the record.

Supervisor Smyth moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding large retail sales establishments, as contained in staff's memorandum dated April 26, 2007, with an effective date of 12:01 a.m. on the day following adoption, with the following two changes:
 - On the last page of the memorandum, under the Grandfather Provisions, in the fourth line under the first bullet, insert the word "to" between the words "equal" and "or."
 - In the second line of the second bullet, make the same change (insert the word "to" between the words "equal" and "or").
- That the Board direct staff to review the threshold figure of 80,000 square feet for any appropriate recommendations, three years after adoption.

Supervisor Hyland and Supervisor Hudgins jointly seconded the motion.

Discussion ensued, with input from Mr. Reale, regarding issues such as including the word "bike," mentioning shade trees and low impact development features

such as rain gardens and green rooms, and whether those issues would be addressed during review of the special exception process.

Supervisor Bulova called the Board's attention to handwritten page 11 of the Board Agenda item, and asked to amend the motion to change item number 3 to read as follows: "Such use shall be designed so that pedestrian **and bike** circulation is coordinated on-site..." And this was accepted.

Supervisor DuBois moved to amend the motion to change the number of square feet from 80,000 to 100,000. Supervisor Frey seconded the motion.

A lengthy discussion ensued regarding the proposed amendment.

The question was called on the proposed amendment and it **FAILED** by a recorded vote of six, Supervisor DuBois, Supervisor Frey, and Supervisor McConnell voting "AYE," Supervisor Kauffman abstaining.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved to amend the motion to change the review threshold from three years to 18 months. Supervisor Hyland seconded the motion.

Following discussion, the question was called on the proposed amendment and it **CARRIED** by a recorded vote of eight, Supervisor McConnell voting "NAY," Supervisor Kauffman abstaining.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the main motion, as amended, and it **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey, and Supervisor McConnell voting "NAY," Supervisor DuBois and Supervisor Kauffman abstaining.

55. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM), REGARDING FIRE HYDRANTS, SANITARY SEWERS, SIDEWALKS, AND AN EDITORIAL CHANGE**
(6:32 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 May 3 and May 10, 2007.

Jan Shaw Leavitt, Code Analysis Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the PFM, related to fire hydrants, sanitary sewers, sidewalks, and

an editorial change. Supervisor Bulova 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."

56. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE), REGARDING CONSISTENCY WITH THE CHESAPEAKE BAY PRESERVATION AREA DESIGNATION AND MANAGEMENT REGULATIONS** (6:35 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 May 3 and May 10, 2007.

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

Discussion ensued, with input from Mr. Friedman, regarding the difference between public versus private roads.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 118 (Chesapeake Bay Preservation Ordinance), regarding consistency with the Chesapeake Bay Preservation Area Designation and Management Regulations. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey and Supervisor McConnell being out of the room.

57. **BOARD ADJOURNMENT** (6:38 p.m.)

The Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2-4
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	4-8
Items Presented by the County Executive	
Administrative Items	8-12
Action Items	13-14
Information Items	15
Board Matters	
Chairman Connolly	2, 17-21, 22-23, 27
Supervisor Bulova	22-23
Supervisor DuBois	22-23, 26-27
Supervisor Frey	2, 22-23, 25
Supervisor Gross	27
Supervisor Hudgins	22-24,
Supervisor Hyland	2, 25
Supervisor Kauffman	27-28
Supervisor McConnell	26
Supervisor Smyth	22-23
Actions from Closed Session	30-31
Public Hearings	31-39