



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
July 23, 2007**

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18-07

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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, July 23, 2007, at 9:07 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 Linda Q. Smyth, Providence District

Supervisor Elaine McConnell, Springfield District, arrived at 9:08 a.m.

Supervisor Joan M. DuBois, Dranesville District, arrived at 9:09 a.m.

Supervisor Dana Kauffman, Lee District, arrived 9:40 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; Regina Stewart, 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. **MUSIC BY THE ANNANDALE JAZZ AMBASSADORS** (9:07 a.m.)

Chairman Connolly welcomed the Annandale Jazz Ambassadors who opened the meeting with a musical selection.

(NOTE: Later in the meeting, the group received a Certification of Recognition. See Clerk's Summary Item #3.)

2. **MOMENT OF SILENCE** (9:10 a.m.)

Chairman Connolly asked everyone to keep in thoughts the families of soldiers and the men and women serving overseas, especially those in Iraq and Afghanistan.

Supervisor Hyland asked everyone to keep in thoughts the family of Ms. Eleanor Kennedy who died recently. She was a champion for human rights who helped the less fortunate in the Mount Vernon area.

Supervisor Hudgins asked everyone to keep in thoughts the family of Lance Corporal Lathius M. Foster, who died recently. He was a graduate of South Lakes High School and was home from the military on leave when he was killed in an automobile accident.

AGENDA ITEMS3. **CERTIFICATES OF RECOGNITION PRESENTED TO MR. JEFF CUMMINGS, MR. AARON BROADUS, AND THE ANNANDALE JAZZ AMBASSADORS** (9:14 a.m.)

(NOTE: Earlier in the meeting, the Annandale Jazz opened with a musical selection. See Clerk's Summary Item #1.)

Supervisor Gross moved approval of the Certificates of Recognition presented to Mr. Jeff Cummings, Mr. Aaron Broadus, and the Annandale Jazz Ambassadors for their recent tour to Ecuador, Peru, Virginia Beach, and Williamsburg. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

4. **RECESS** (9:29 a.m.)

Chairman Connolly announced that the Board would recess while the Jazz Ambassadors disassembled their equipment. At 9:29 a.m., the Board recessed briefly and, at 9:36 a.m., reconvened, with all Members being present, with the exception of Supervisor Hyland and Supervisor Kauffman, and with Chairman Connolly presiding.

5. **RESOLUTION TO RECOGNIZE CAPTAIN JESSE BOWMAN** (9:36 a.m.)

Supervisor Frey moved approval of the Resolution to recognize Captain Jesse Bowman of the Police Department's Traffic Division for his years of service to the County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

6. **CERTIFICATES OF RECOGNITION PRESENTED TO THE YOUTH VOLUNTEERS OF THE MILLER HEIGHTS NEIGHBORHOOD ASSOCIATION** (9:44 a.m.)

Supervisor Smyth moved approval of the Certificates of Recognition presented to Scott Gollobin, Ian Plecity, and Carlos Quintela (who could not be present), youth volunteers of the Miller Heights Neighborhood Association, for their efforts to initiate and fulfill traffic-calming measures. Chairman Connolly seconded the motion and it carried by unanimous vote.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ROBERT GEHRING** (9:49 a.m.)

(BACs) Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Robert Gehring for his service with the Commission on Aging. Supervisor McConnell seconded the motion and it carried by unanimous vote.

8. **CERTIFICATES OF RECOGNITION PRESENTED TO THE ORGANIZERS, SPONSORS, SUPPORTERS, AND VOLUNTEERS OF THE CULMORE CLEANUP** (9:53 a.m.)

Supervisor Gross moved approval of the Certificates of Recognition presented to the organizers, sponsors, supporters, and volunteers who were involved with the fourth annual cleanup of Culmore. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

9. **CERTIFICATES OF RECOGNITION PRESENTED TO THE HERNDON SENIOR CENTER AND THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES** (10:01 a.m.)

Supervisor DuBois moved approval of the Certificates of Recognition presented to the Herndon Senior Center and the Department of Community and Recreation Services for receiving a 2006 Best New Facility Award from the Virginia Recreation and Park Society. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

10. **CERTIFICATES OF RECOGNITION PRESENTED TO DEPUTY COUNTY EXECUTIVE AND CHIEF FINANCIAL OFFICER EDWARD L. LONG, DIRECTOR OF THE DEPARTMENT OF FINANCE ROBERT MEARS, AND THE APPROPRIATE STAFF** (10:07 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificates of Recognition presented to Edward L. Long, Deputy County Executive and Chief Financial Officer; Robert Mears, Director, Department of Finance; and the appropriate staff for their work in the thirtieth consecutive Certificate of Achievement in Excellence in Financial Reporting for the County's Comprehensive Annual Financial Report. Supervisor DuBois and Supervisor Smyth jointly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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ADDITIONAL BOARD MATTER

11. **INTRODUCTION OF INTERNS** (10:14 a.m.)

Chairman Connolly introduced two new interns in his office as follows:

- Cody A. Swanson, a student at James Madison University.
- Melanie Szwajkowski, a student at Thomas Jefferson High School.

On behalf of the Board, he warmly welcomed them to the Board Auditorium.

AGENDA ITEMS

12. **10 A.M. – PRESENTATION OF THE HISTORY COMMISSION ANNUAL REPORT** (10:14 a.m.)

(BACs) Robert E. Beach, Chairman, History Commission, presented its annual report. He was accompanied by the following Commission members: Elise Ruff Murray, Anne M. Barnes, and Lynne Garvey Wark.

Mr. Beach noted that some of the Commission's recent accomplishments included:

- Highly successful Second Annual History Conference.
- Continuation of work on the Oral History Committee.

- Support of the Lorton/Laurel Hill National Register Nomination.
- Ongoing work with the Virginia Department of Historic Resources.
- Placement of three County Historical Markers: Ivakota Farm, Cartersville Baptist Church, and Mount Air; and one Virginia marker for the Guinea Road Cemetery.
- Addition of new Commissioners: Jim Cox of Lee District; Mary Lipsey of Braddock District; Carole Herrick of Dranesville District; and Gretchen Bulova of Braddock District.
- Ongoing support to preserve the Oakton School House and its relocation to a local park area.
- Collaborations with the Fairfax County Park Authority, Architectural Review Board, and Fairfax Museum and Visitors Center.
- Nine members of the History Commission took part in a one day seminar, "Section 106: An introduction," on May 20, 2006, at the Great Falls Grange put on by the National Preservation Institute and conducted by Ethel R. Eaton, Ph.D., Virginia Department of Historic Resources.
- Mr. Beach's representation of the Commission in the Section 106 Review of the Route 1-Telegraph Road Connector and active participation in the Base Closure and Realignment (BRAC) process at Fort Belvoir.

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13. **10:20 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (10:20 a.m.)

(APPTS)

(BACs)

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

The Board deferred the appointment of the At-Large #2 and #3 Representatives.

ATHLETIC COUNCIL

Supervisor Hudgins moved the appointment of Mr. James R. Elder as the Hunter Mill District Alternate Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

CONFIRMATIONS:

Supervisor Hyland moved the confirmation of the following appointments:

- Mr. William J. Minto as the Fastpitch Softball Principal Representative.
- Mr. Jim Pendergast as the Fastpitch Softball Alternate Representative.

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Supervisor Gross moved the appointment of Ms. Barbara Kreykenbohm as the Mason District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

COMMISSION FOR WOMEN

The Board deferred the appointment of the At-Large (Minority) Representative.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointment of the Lee District Representative.

COMMUNITY ACTION ADVISORY BOARD

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

COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP

The Board deferred the appointment of the Sully District Representative.

CONFIRMATION:

Supervisor Gross moved the confirmation of the following appointment:

- Mr. David Sittler as the National Association of Industrial and Office Properties Representative.

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

CONSUMER PROTECTION COMMISSION

Chairman Connolly moved the reappointment of Mr. Richard Sullivan as the Fairfax County Resident #1 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Dennis Kirk as the Fairfax County Resident #4 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

CRIMINAL JUSTICE ADVISORY BOARD

Supervisor Hyland moved the reappointment of Mr. Dallas Shawkey as the Mount Vernon District Representative. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Providence District Representative.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

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

HEALTH CARE ADVISORY BOARD

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

(NOTE: Later in the meeting, the Board made this appointment. See below.)

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of Provider #4 Representative.

(NOTE: Later in the meeting, the Board made this appointment. See below.)

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the At-Large #10 Representative.

HEALTH CARE ADVISORY BOARD

Supervisor Hyland moved the appointment of Ms. Francine Jupiter as the Mount Vernon District Representative. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

HEALTH SYSTEMS AGENCY BOARD

Supervisor Bulova moved the reappointment of Mr. Lee Draznin as the Provider #4 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

Chairman Connolly moved the reappointment of Mr. Kevin Bell as the At-Large #1 (Chairman's) Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Tom Grodek as the Braddock District #2 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Ms. Virginia Norton as the Dranesville District #1 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey noted that Ms. Marnie Wightman, the Sully District #2 Representative, did not wish to be reappointed. He congratulated her on the growth of the foundation where she works.

The Board deferred the reappointment of the Sully District #2 Representative.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointment of the Hunter Mill District Representative.

LIBRARY BOARD

Chairman Connolly moved the reappointment of Mr. Herbert Doyle as the At-Large Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

SMALL BUSINESS COMMISSION

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

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Tenant Member #1 Representative and the Citizen Member #3 Representative.

AD HOC COMMITTEES

2007 FALL BOND REFERENDUM CITIZEN COMMITTEE

Supervisor Bulova moved the appointment of Ms. Jan Hedetniemi as the Braddock District Representative. This motion, the second to which was indistinguishable, carried by unanimous vote.

Supervisor DuBois moved the appointment of Mr. Chris Cole as the Dranesville District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the appointment of Mr. Alfred Thieme as the Mason District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

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

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

The Board deferred the appointments of the At-Large Chairman's, Hunter Mill, Lee, Mount Vernon, and Springfield District Representatives.

(NOTE: Later in the meeting, the Board appointed the Springfield and Hunter Mill District Representatives. See below and see Clerk's Summary Item #41.)

TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY COORDINATING COMMITTEE

CONFIRMATION:

Supervisor Smyth moved the confirmation of the following appointment:

- Mr. John E. Harrison as the Tytran #2 Representative.

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

2007 FALL BOND REFERENDUM CITIZEN COMMITTEE

Supervisor McConnell moved the appointment of Mr. Emerson Cale as the Springfield District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting, the Board appointed the Hunter Mill District Representative. See Clerk's Summary Item #41.)

DS:ds

14. **ADMINISTRATIVE ITEMS** (10:28 a.m.)

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

Chairman Connolly called the Board's attention to Admin 4 – Authorization for the Police Department to Apply for and Accept Grant Funding from the Office of Justice Programs Edward Byrne Memorial Discretionary Grant and discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the training component.

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.”

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (LEE, MASON, 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-Y07-9	Clearwire US LLC Antenna co-location on existing monopole 5858 Old Centreville Road (Centreville Volunteer Fire Department Station 17) (Sully District)	September 21, 2007
FS-V07-10	Clearwire US LLC Antenna co-location on existing monopole 8101 Lorton Road (Lorton Administrative Center) (Mount Vernon District)	September 21, 2007
FS-Y07-11	Clearwire US LLC Antenna co-location on existing monopole Interstate 66 near Lavender Mist Lane (Virginia Department of Transportation right-of-way) (Sully District)	September 21, 2007
FS-V07-12	Clearwire US LLC Antenna co-location on existing monopole 7399 Lockport Place (Mount Vernon District)	September 21, 2007
FS-S07-13	Clearwire US LLC Antenna co-location on existing monopole 6199 Old Arrington Lane (Springfield District)	September 21, 2007

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-V07-15	Clearwire US LLC Antenna co-location on existing Monopole 8201 Terminal Road (Mount Vernon District)	September 21, 2007
FS-S07-28	T-Mobile Northeast LLC Antenna co-location on existing monopole 4641 West Ox Road (Springfield District)	September 21, 2007
FS-Y07-23	T-Mobile Northeast LLC Antenna co-location on existing monopole Interstate 66 at Sully Road interchange (Virginia Department of Transportation right-of-way) (Sully District)	September 24, 2007
FS-LO7-31	Clearwire US LLC Antenna co-location on existing monopole (athletic field light pole) 7606 Telegraph Road (Hayfield High School) (Lee District)	September 27, 2007
FS-M07-37	Clearwire US LLC Antenna co-location on existing tower 11209 Fairfax Station Road (Springfield District)	September 27, 2007
FS-S07-32	Clearwire US LLC Antenna co-location on existing tower 12111 Braddock Road (Mott Community Center) (Springfield District)	October 1, 2007
FS-S07-33	Clearwire US LLC Antenna co-location on existing monopole 12111 Braddock Road (Mott Community Center) (Springfield District)	October 1, 2007

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-V07-36	Clearwire US LLC Antenna co-location on existing monopole 7956 Twist Lane (Mount Vernon District)	October 1, 2007
2232-M06-18	T-Mobile Northeast LLC 125-foot tall monopole (flagpole) 7010 Braddock Road (Mason District)	October 4, 2007
2232-L07-2	Nextel Communications of the Mid-Atlantic, Incorporated 120-foot tall monopole 6304 Beulah Street (Franconia Volunteer Fire Department Station 5) (Lee District)	October 4, 2007
FS-S07-34	Clearwire US LLC Antenna co-location on existing monopole (flagpole) 7801 Maritime Lane (Pohick Fire Station Number 35) (Springfield District)	October 4, 2007

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 2719 CHAIN BRIDGE ROAD (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 10, 2007, at 4 p.m.** to consider adoption of a Spot Blight Abatement Ordinance for 2719 Chain Bridge Road, Vienna, Virginia, Tax Map Number 048-1-((01))-0048.

ADMIN 3 – AUTHORIZATION FOR THE POLICE DEPARTMENT TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE OFFICE OF JUSTICE PROGRAMS (OJP), OFFICE OF COMMUNITY POLICING SERVICES (COPS) GRANTS

Authorized the Police Department to apply for and accept funding, if received, from the OJP COPS grant in the amount of \$125,000. The funding will be used for a certificate in leadership development course for senior law enforcement managers. The project will be implemented in accordance with the grant program guidance documents.

ADMIN 4 – AUTHORIZATION FOR THE POLICE DEPARTMENT TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE OFFICE OF JUSTICE PROGRAMS (OJP) EDWARD BYRNE MEMORIAL DISCRETIONARY GRANT

(NOTE: Earlier in the meeting, the Board discussed this item. See page 10.)

Authorized the Police Department to apply for and accept funding, if received from the OJP Edward Byrne Memorial Discretionary Grant, in the amount of \$3,830,000. The funding will be used for the digital video upgrade project through the purchase and installation of 700 in-vehicle video units and 255 fixed digital CCTV cameras at various police facilities. The project will be implemented in accordance with the grant program guidance documents.

ADMIN 5 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, LEE, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
The Estates at Great Falls Crossing II	Hunter Mill	Water Falls Lane
		Leesburg Pike (Route 7) (Additional Right-of-Way only)
Archstone Van Dorn	Lee	Capital Beltway (I-95/I-495) (Additional Right-of-Way only)
		South Van Dorn Street (Route 613) (Additional Right-of-Way only)
Cassel Glen Subdivision	Lee	Cassel Glen Court
Hunting Hills, Section 5	Providence	Bonds Ridge Court (Route 10288)
		Rose Creek Court
		Wilson Avenue (Route 863)
Hunting Hills, Section 5	Providence	Miller Road (Route 663) (Additional Right-of-Way only)
Land of Reza and Monireh B. Mehrabian	Providence	Oak Valley Drive (Route 3891) (Additional Right-of-Way only)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Ridge Top Road Phase 1	Springfield	Ridge Top Road (Route 7224) Lee Highway (Route 29) (Additional Right-of-Way only)
Sang Oh and Company, Incorporated	Springfield	Clifton Road (Route 645) (Additional Right-of-Way only) Braddock Road (Route 620) (Additional Right-of-Way only)
Dartmoor Woods, Section 4A	Sully	Hickory Knoll Place Wild Horse Drive

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE VACATION OF A STORM SEWER EASEMENT LOCATED ON PROPERTY OWNED BY THE FAIRFAX COUNTY PARK AUTHORITY (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 10, 2007, at 4:30 p.m.** regarding the vacation of a storm sewer easement located on property owned by the Park Authority.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CONTINUED LEASING OF COUNTY-OWNED PROPERTY AT THE LEWINSVILLE FACILITY TO THE MCNAIR CHILD DEVELOPMENT CENTER, INCORPORATED (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 10, 2007, at 4 p.m.** regarding the continued leasing of County-owned property at the Lewinsville Facility at 1609 Great Falls Street, McLean, Virginia, Tax Map 030-3-01-parcel 42, to the McNair Child Development Center, Incorporated, d/b/a Fun and Friends Child Development Center. The leased premises consist of approximately 5,109 rentable square feet.

15. **A-1 – AUTHORIZATION TO REALLOCATE FROM FUND 145, HOME INVESTMENT PARTNERSHIP GRANT AS PART OF THE OVERALL FINANCING PLAN FOR OLLEY GLEN (BRADDOCK DISTRICT)**
(10:29 a.m.)

On motion of Supervisor Bulova, seconded by Chairman Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the reallocation of up to \$1,891,476 from Fund 145, HOME Investment Partnership Grant as part of the overall financing plan for the

development of Olley Glen, a 90-unit independent living senior housing project to be built on the Little River Glen campus.

16. **A-2 – ENDORSEMENT OF THE UPDATED FAIRFAX COUNTY FAIR HOUSING ANALYSIS OF IMPEDIMENTS (AMENDED FOR 2006-2010) (PROPOSED LOCAL PLAN)** (10:30 a.m.)

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

- Endorse the Proposed Local Plan.
- Authorize staff to forward the Proposed Local Plan to the Human Rights Commission for implementation.
- Endorse the Proposed Local Plan as an attachment to the County's Fiscal Year 2008 Consolidated Plan.

Supervisor Bulova seconded the motion.

Supervisor Smyth called the Board's attention to handwritten page 17 (page 9) of the Board Agenda Item, and discussion ensued, with input from Michael Cash, Executive Director, Human Rights Commission, regarding mortgages.

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

17. **A-3 – PROPOSED FEDERAL CAPITAL IMPROVEMENTS PROGRAM (FCIP) - NATIONAL CAPITAL REGION, FISCAL YEARS (FY) 2008 – 2013** (10:32 a.m.)

Supervisor Hyland expressed his dismay that the Board be asked to comment with no commitment from the Federal Government to do anything off-post regarding the Fort Belvoir Base Realignment and Closure.

Following discussion regarding this item, Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the County Executive to submit comments to the National Capital Planning Commission concerning the proposed FCIP FY 2008 – FY 2013, with a modification to include the following concerns in the letter:

- The reference to transportation.
- The additional traffic being generated due to the \$50 million Post Exchange Expansion.
- The addition of new schools.

Chairman Connolly noted that later in the meeting he would present a Board Matter regarding this issue.

Supervisor Kauffman seconded the motion.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the proposed modifications to the letter.

Following discussion, Supervisor Hyland clarified that the modifications to the letter should include concerns regarding the total absence of a commitment to off-post infrastructure.

Supervisor Gross noted that the entire letter should include stronger language, such as “**insist**” and “**must do.**”

Following discussion, Mr. Griffin said that he would provide a revised draft letter later in the meeting for the Board to review.

In reference to the FCIP, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to include in the letter language stating the County’s preference for metro rail, as was stated in the Transportation Policy in May of 2006.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Discussion ensued regarding the Battlefield Bypass in Manassas.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk’s Summary Items #58 and #66.)

(NOTE: Later in the meeting, Chairman Connolly presented a Board Matter related to this issue. See Clerk’s Summary Item #31.)

18. **A-4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 08020 AND APPROVAL OF A GRANT AGREEMENT FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO ACCEPT VIRGINIA NATIONAL DEFENSE INDUSTRIAL AUTHORITY (VNDIA) FUNDING FOR THE DESIGN AND ADVANCED LAND ACQUISITION FOR THE TELEGRAPH ROAD PROJECT BETWEEN BEULAH STREET AND SOUTH KINGS HIGHWAY RELATED TO THE FORT BELVOIR BASE REALIGNMENT AND CLOSURE (BRAC) PLAN (LEE, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (10:43 a.m.)

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

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

- Approved SAR AS 08020 in the amount of \$1.5 million for DOT to accept grant funds from the VNDIA for the design and advanced land acquisition for the Telegraph Road project between Beulah Street and South Kings Highway. Of the total, \$750,000 is available through VNDIA grant funding and the remaining \$750,000 in required local cash match is available in Northern Virginia Department of Transportation District bond funds held by the Virginia Department of Transportation for construction of the Telegraph Road widening project.
- Authorized DOT to execute the agreement on behalf of the County with the VNDIA for the grant funds.
- Authorized staff to take all necessary measures to ensure County compliance with the conditions of the VNDIA grant.

19.

A-5 – APPROVAL OF A GRANT AGREEMENT FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO ACCEPT VIRGINIA NATIONAL DEFENSE INDUSTRIAL AUTHORITY (VNDIA) FUNDING FOR SPOT TRANSPORTATION IMPROVEMENTS AND A TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM RELATED TO THE FORT BELVOIR BASE REALIGNMENT AND CLOSURE (BRAC) PLAN (LEE, MOUNT VERNON, AND SPRINGFIELD DISTRICTS) (10:44 a.m.)

On motion of Supervisor Hyland, seconded by Supervisor Kauffman, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Authorized DOT to accept grant funds from VNDIA for spot transportation improvements and a TDM program in the Fort Belvoir area of the County. The required local cash match of \$1 million is available in Fund 304, Transportation Improvements.
- Authorized DOT to execute a grant agreement on behalf of the County with VNDIA for the grant funds.
- Authorized staff to take all necessary measures to ensure County compliance with the conditions of the VNDIA grant.

20. **A-6 – APPROVAL OF A COST SHARING AGREEMENT BETWEEN FAIRFAX COUNTY AND LANDMARK PROPERTY DEVELOPMENT, LLC TO REPLACE SEVERELY DETERIORATED STORM DRAINAGE INFRASTRUCTURE (MASON DISTRICT)** (10:44 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 approved a cost sharing agreement between the County and Landmark Property Development, LLC, to replace severely deteriorated storm drainage infrastructure.

21. **I-1 – FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) FISCAL YEAR (FY) 2008 FEE SCHEDULE** (10:45 a.m.)

The Board next considered an item contained in the Board Agenda dated July 23, 2007, requesting authorization for staff to proceed with implementation of CSB's FY 2008 Fee Schedule on October 1, 2007.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to provide, prior to the August 6 meeting, a comparative chart showing the proposed and existing fees. Without objection, it was so ordered.

Discussion ensued, with input from James Stratoudakis, Director, Quality Management and Emergency Preparedness, CSB, regarding the fee schedule and the mental health screening fee.

Chairman Connolly asked unanimous consent that the Board direct staff to monitor the screening fee. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Additional discussion ensued, with input from Mr. Stratoudakis, regarding the screening fee.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide information regarding what other localities are using the proposed access unit models. Without objection, it was so ordered.

Further discussion ensued, with input from Mr. Stratoudakis, regarding the usage of the screening fees.

Chairman Connolly expressed his concern regarding the new measures since the Beeman Commission recommendations have not been received.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to suspend implementation of the mental health screening fee until the Beeman Commission recommendations have been received. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

22. **I-2 – CONTRACT AWARD – COMPUTER AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEMS FOR FAIRFAX COUNTY PUBLIC SAFETY AGENCIES** (10:52 a.m.)

The Board next considered an item contained in the Board Agenda dated July 23, 2007, requesting authorization for staff to award a contract to Intergraph Corporation to provide implementation of computer aided dispatch and records management systems for Fairfax County public safety agencies. The amount of the contract is \$23.3 million distributed over a 33 month implementation period.

Supervisor Frey asked unanimous consent that the Board direct staff to provide information regarding whether the Intergraph Corporation has done work for other jurisdictions around the country. Without objection, it was so ordered.

Discussion ensued, with input from Robert A. Stalzer, Deputy County Executive, regarding the training component.

Further discussion ensued, with input from Dinese F. Drake, Project Manager, Department of Information Technology, who provided a brief overview of the extent of involvement from County public safety users, as well as others from across the region.

Daryl Louder, Assistant Chief, Business Services, Fire and Rescue Department; Colonel David M. Rohrer, Chief, Police Department; and Major Milton “Buck” Watkins, Sheriff’s Office, provided comments regarding the new system.

The staff was directed administratively to proceed as proposed.

23. **I-3 – CONTRACT AWARD – COMMUNITY OUTREACH AND FACILITATION SERVICES** (10:59 a.m.)

The Board next considered an item contained in the Board Agenda dated July 23, 2007, requesting authorization for staff to award a contract to The Perspectives Group, Incorporated, CirclePoint, and RESOLVE, to provide Consultant Services for Community Outreach and Facilitation Services.

The staff was directed administratively to proceed as proposed.

24. **I-4 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES REVIEW APPLICATION 2232-L06-19, T-MOBILE NORTHEAST, LLC (LEE DISTRICT)** (10:59 a.m.)

The Board next considered an item contained in the Board Agenda dated July 23, 2007, announcing the Planning Commission's approval of Public Facilities Review Application 2232-L06-19, T-Mobile Northeast, LLC. The application sought approval for T-Mobile Northeast, LLC to construct a telecommunications facility consisting of a 150-foot monopole with three sectors of antennas (three antennas per sector), for a total of nine panel antennas. Three equipment cabinets will also be located in a compound at the bottom of the monopole and screened by an 8-foot high board-on-board fence. The property is located on Southern Drive west of the Highland Street intersection, Tax Map 79-4 (1) 3E.

A brief discussion ensued regarding the item.

25. **I-5 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES REVIEW APPLICATION 2232-H07-1, FAIRFAX COUNTY WATER (HUNTER MILL DISTRICT)** (11 a.m.)

The Board next considered an item contained in the Board Agenda dated July 23, 2007, announcing the Planning Commission's approval of Public Facilities Review Application 2232-H07-1, Fairfax County Water. The application sought approval to construct the Corbalis-Fox Mill Water Main, consisting of approximately 12,000 feet of 54-inch and 42-inch water main alongside Fairfax County Parkway in the Reston/Herndon area. The new water main will be located underground along the east side of the Fairfax County Parkway from Fairfax Water's Fox Mill Water Storage Tanks and Pumping Station on New Parkland Drive adjacent to the County Parkway to an existing 48-inch water main south of New Dominion Parkway near Reston Town Center. Portions of Tax Maps 16-4 ((1)) 26; 16-4 ((5)) 5; 16-4 ((8)) 1, 2, 3, 4; 17-1 ((1)) 16B; portion of 28-3 ((1)) 51 located on Tax Maps 17-1 and 17-3; portions of road rights-of-way on Tax Maps 16-4, 17-3, and 25-2.

Supervisor Hudgins thanked staff for responding to citizen concerns.

26. **I-6 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES REVIEW APPLICATION 2232-MD06-23, NEWPATH NETWORKS, INCORPORATED, AND SPRINT PCS (HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS)** (11:01 a.m.)

The Board next considered an item contained in the Board Agenda dated July 23, 2007, announcing the Planning Commission's approval of Public Facilities Review Application 2232-MD06-23, Newpath Networks, Incorporated, and Sprint PCS. The application sought approval for Newpath Networks, Incorporated, in conjunction with Sprint PCS, to construct a Distributed Antenna System (DAS) telecommunications facility in four nodes to improve wireless

coverage and service in the Oakton/Vienna area. The nodes will be co-located on four replacement utility poles, with three panel antennas each, as well as two pole-mounted electric/equipment cabinets per pole. The DAS system will be located on Commonwealth of Virginia property within the Virginia Department of Transportation (VDOT) rights-of-way for portions of Hunter Mill Road, Vale Road, Lawyers Road, and Trott Avenue in the Oakton/Vienna area, and in an existing building on retail property located at 2915 Hunter Mill Road, Oakton. The property included in the application includes portions of VDOT road rights-of-way located on Tax Maps 27-4, 37-2, 37-4; and Tax Map 47-2 ((22)) 1.

ADDITIONAL BOARD MATTERS

NV:nv

27. **AMERICAN INDIAN HERITAGE MONTH** (11:02 a.m.)

Chairman Connolly noted that November is celebrated nationally as American Indian Heritage Month. Accordingly, he relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board proclaim November 2007 as “*American Indian Heritage Month*” in Fairfax County and direct staff to invite the appropriate representatives from the Office of Equity Programs and others to be presented with the proclamation at the October 15 Board meeting. Without objection, it was so ordered.

28. **NATIONAL FOOD SAFETY EDUCATION MONTH** (11:02 a.m.)

Chairman Connolly noted that September is National Food Safety Education Month. He asked unanimous consent that the Board proclaim September 2007 as “*National Food Safety Education Month*” in Fairfax County and direct staff to invite the appropriate representatives from the Health Department and others to be presented with the proclamation at the September 10 meeting. Without objection, it was so ordered.

29. **HISPANIC HERITAGE MONTH** (11:03 a.m.)

Chairman Connolly stated that Hispanic Heritage Month is September 15 through October 15. Accordingly, he asked unanimous consent that the Board proclaim September 15 – October 15, 2007, as “*Hispanic Heritage Month*” in Fairfax County and direct staff to invite the appropriate representatives from the Office of Equity Programs and others to be presented with a proclamation at the September 10 Board meeting. Without objection, it was so ordered.

30. **DISABILITY EMPLOYMENT AWARENESS MONTH** (11:03 a.m.)

(BACs) Chairman Connolly noted that Disability Employment Awareness Month is approaching. Accordingly, he asked unanimous consent that the Board proclaim October 2007 as “*Disability Employment Awareness Month*” in Fairfax County

and direct staff to invite the appropriate representatives from the Office of Equity Programs and possibly the Disability Services Board and others to be presented with a proclamation at the September 24 Board meeting. Without objection, it was so ordered.

31. **FORT BELVOIR FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS) (LEE AND MOUNT VERNON DISTRICTS)** (11:03 a.m.)

(NOTE: Earlier in the meeting, during discussion of Action Item A-3, the Board made reference to this item. See Clerk's Summary Item #17.)

Chairman Connolly reminded the Board that the FEIS for the implementation of the 2005 Base Realignment and Closure Recommendations (BRAC) at Fort Belvoir was released on July 6 and the Record of Decision is expected to be signed on August 6 after a 30-day waiting period. The FEIS, with the exception of some technical corrections, did not address the significant concerns the Board outlined in its letter of April 30, copies of which were distributed around the dais. He noted that among the issues that must be addressed in the Record of Decision, from the Board's point of view, the most significant include the following:

- General Services Administration (GSA) Warehouse Site: The GSA site must be considered as a mitigation measure in the Record of Decision and not just an alternative. He noted that it is served by mass transit and is a key location.
- Transportation: As noted during the discussion of Action Item A-3, Chairman Connolly said that an execution plan and timeline for the transportation projects identified in the FEIS along with funding commitments must be demonstrated in the Record of Decision.
- Re-designation of Land Use Categories: Changes in the land use plan should be limited to those areas which are required to accommodate the BRAC relocations, while other land use category changes should be addressed in Fort Belvoir's Real Property Master Plan process.
- Schools: With the potential of more than 3,200 new students as a result of this BRAC action, the Army must commit to providing financial support to the Fairfax County Public Schools through available federal assistance programs or legislative action.

Accordingly, on behalf of Supervisor Hyland, Supervisor Kauffman, and himself, Chairman Connolly moved that the Board direct staff to prepare a letter for his signature to the Secretary of the Army requesting that these issues be satisfactorily addressed in the Record of Decision. Supervisor Hyland and Supervisor Kauffman jointly seconded the motion.

Following discussion regarding the importance of incorporating the GSA site as a mitigation measure, the question was called on the motion, which **CARRIED** by a recorded vote of nine, Supervisor McConnell abstaining.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

32. **2007 POTOMAC WATERSHED FORUM V** (11:10 a.m.)

Supervisor Gross distributed copies of a brochure announcing the 2007 Potomac Watershed Forum V on August 7 at the Prince William Campus of George Mason University. She recommended attendance at the event, which has a modest registration fee of \$20.

33. **NEIGHBORHOOD STRIKE TEAMS** (11:11 a.m.)

Supervisor Gross said that the strike teams established by the Board in April have been in constant demand in many neighborhoods throughout the County, and the enhanced approach to enforcement of zoning and building codes are already bringing results, both in the community and in the courts. She noted, however, that the strikes teams are constrained because many of the violations reported through the Board offices are most apparent at night and on weekends, not during regular business hours when the strike team is on duty. She said that it may be necessary to consider adding positions or adjusting shifts so that the team can be even more effective.

Accordingly, Supervisor Gross moved that the Board direct the County Executive to review the strike team effort to date and provide a recommendation for enhancement that can be incorporated in the Carryover Budget in the fall. The second to this motion was inaudible.

Discussion ensued about current evening team coverage, team visibility in the community, other Northern Virginia localities, a commendation of Deputy County Executive Robert Stalzer for his efforts in coordinating these teams, and illegal weekend activities.

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

34. **REQUEST FOR CONCURRENT PROCESSING FOR MOTIVA ENTERPRISES FOR SPECIAL EXCEPTION APPLICATION SE 2007-MA-019 (MASON DISTRICT)** (11:15 a.m.)

Supervisor Gross reported that Motiva Enterprises submitted a special exception application to construct a canopy at its service station at 5533 Backlick Road. The canopy would replace one that was removed due to damage by oversized vehicles. Understanding and respecting the risks involved, the applicant has requested concurrent processing of Special Exception Application SE 2007-MA-019.

Accordingly, Supervisor Gross moved that the Board authorize concurrent processing of Special Exception Application SE 2007-MA-019. She noted that this motion does not relieve the applicant from complying with regulations, ordinances, or adopted standards, and does not prejudice the consideration of the application by the Board in any way. This motion, the second to which was indistinguishable, carried by unanimous vote.

35. **REVISITING BUILDING HEIGHTS** (11:16 a.m.)

Supervisor Hyland called the Board's attention to some photographs that illustrate this Board Matter. He said that recently many of his constituents in the Wellington, Hollin Hall, and Mount Zephyr subdivisions of the Mount Vernon District contacted him to express their outrage that the Department of Public Works and Environmental Services (DPWES) allows homes to be built that tower above their neighboring homes. In an attempt to construct more livable building space, homebuilders are artificially elevating lots, by nine feet at one house, by moving the dirt from the basement, or bringing in fill, and piling it around the lot to disguise the first floor and meet the 35-foot building height limitation. This pushes storm water onto the neighbors or floods 50 year old ditches and storm drains that are incapable of carrying these loads. He asserted that this is just another illustration of how the County's ability to regulate infill development is woefully inadequate.

Supervisor Hyland noted that other jurisdictions, such as Montgomery County, Maryland, and the City of Falls Church have already taken action to help prevent these residential aberrations. In the last few years they adopted residential building height provisions that redefine the height of a single family detached home. The City of Falls Church defines building height as "the vertical distance from the average grade of the building footprint to the highest point of the coping of a flat roof, or the deck line of a mansard roof, or the mean height level between the eaves and ridge for a gable, hip, and gambrel roofs. Average grade shall be determined using the finished grade level or the natural grade, whichever is lower." Similarly, Montgomery County's definition of average grade to determine building height is "the front elevation used will be based on either pre-development grade (existing grade) or finished grade, whichever is lower at any given point along the front wall." He distributed a very small sample of what can currently pass for 35 feet. He expressed the necessity for the Board to once again have staff review the definition of building heights in Fairfax County and make adjustments to protect the quality of life for County neighborhoods.

Accordingly, Supervisor Hyland moved that the Board direct the Department of Planning and Zoning and DPWES to review this matter and return with recommendations to change the definition of building height and how this will impact their review process. The Board's Development Process Committee would have to be involved with any recommended changes. Supervisor Smyth seconded the motion.

Following discussion regarding clarity of language, stormwater drainage issues related to the use of fill to change the grade, and the photographs, Supervisor Kauffman asked to amend the motion to add the words “and grade” after “building height,” and this was accepted.

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

36. **“LEFT HIGH AND DRY: PUBLIC WATER CONNECTION ISSUES”**
(11:24 a.m.)

Supervisor Hyland said that the property owners of 1400 Alexandria Avenue contacted him seeking assistance to obtain water service. Their well collapsed in early July and, due to the steep grade of their property, well companies will not take their equipment up the hill to rebuild their well. Fairfax Water has been working closely with them and submitted a proposal to connect the property to public water, but at a not insignificant cost. The home was built in 2001 and, while only 350 feet away from a public water source, the builder found a loophole in Fairfax County’s Public Facilities Manual (PFM) that does not require infill lots to be connected to public water. Only *subdivision lots* of “less than 20,000 ft² (1858 m²) in size, shall be served by an approved public water supply...[or] subdivisions containing 3 or more lots, which are at least 20,000 ft² (1858 m²) in size, but not greater than 74,999 ft² (6967 m²) in size, shall be served by an approved public water supply.”

Supervisor Hyland noted that the property owners are shocked that in this day and age for a lot their size, the builder was not required to connect to a public water source. As the price of land in the County continues to rise, homes on larger lots may subdivide into less than three lots or develop on infill lots and not be required to provide the adequate infrastructure mandated for larger developments. The County faces legal constraints and cannot require properties to install certain public improvements on lots subdivided before the effective date of the subdivision ordinance.

With regard to the problem at 1400 Alexandria Avenue, Supervisor Hyland opined that if a lot is within a certain distance to a public water supply, the property developer should be required to connect to that supply. If there is a reasonable undue hardship, then the property owner should be able to request a modification of the PFM from the Director of the Department of Public Works and Environmental Services (DPWES) with the provision that should the well fail and not be fixed, they agree to connect to public water. In this case, connecting to public water would cost \$50-60,000 for the homeowner.

Therefore, Supervisor Hyland moved that the Board direct the:

- DPWES to review the current provisions in the PFM regarding public water supply and return to the Board with recommendations.
- County Executive to determine if there are any grants, loans, or programs that may help defray the cost to provide public water at 1400 Alexandria Avenue.
- County Executive, County Attorney, and the DPWES staff to determine whether the Board of Supervisors can make amendments to the PFM to require public improvements as required in the subdivision ordinance on lots recorded before the effective date of that ordinance.

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

37. **MOUNT VERNON COUNCIL'S REQUEST TO AMEND THE WAIVER NOTIFICATION PROCESS** (11:27 a.m.)

Supervisor Hyland stated that in May, the Mount Vernon Council of Citizens' Associations (MVCCA) passed a resolution requesting changes to the notification process for variances or waivers of the Zoning and Subdivision Ordinances. At the Board meeting in June, he said that he asked the County Attorney for an opinion as to whether Virginia Code permits the Board to make these changes. The opinion, which is attached to his written Board Matters distributed at the dais, informs that the Board has the authority to require notifications in newspapers as well as to the District Supervisor.

Therefore, Supervisor Hyland moved that the Board direct staff to add an agenda item to the next Development Process Committee meeting to discuss the Mount Vernon Council's resolution and that staff provide recommendations for making amendments to the Zoning and Subdivision Ordinance prior to that meeting. Supervisor Bulova seconded the motion, which carried by unanimous vote.

38. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2005-MV-017 (KEVIN J. O'NEILL) (MOUNT VERNON DISTRICT)** (11:28 a.m.)

Supervisor Hyland announced his intent to defer, at the appropriate time later in the meeting, the public hearing on Special Exception Application SE 2005-MV-017 until August 6.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item #59.)

39. **BURKE CENTRE CONSERVANCY'S THIRTIETH ANNIVERSARY (BRADDOCK DISTRICT)** (11:28 a.m.)

Supervisor Bulova noted that since its creation, the planned residential community known as the Burke Centre Conservancy has prospered and grown, becoming an important part of the Braddock District. Since developers first broke ground in 1976, nearly 6,000 residences have sprung up over roughly 1,700 acres. Burke Centre is divided into five, separate smaller neighborhoods, each of which has its own pool and community center.

Supervisor Bulova asserted that there is something of a small-town atmosphere in Burke Centre, and this manifests itself in the amount of time its residents volunteer, enabling Burke Centre to host a number of community events all year long. Her office and the Braddock District Council recently awarded the Burke Centre Conservatory the 2007 "Best of Braddock" award for neighborhood enhancement and beautification.

Supervisor Bulova announced that on Saturday, September 8, at its annual Fall Festival, Burke Centre will celebrate its thirtieth anniversary. To recognize this milestone, she asked unanimous consent that the Board direct the Office of Public Affairs to:

- Prepare a resolution commending the Burke Centre Conservancy for its thirtieth anniversary.
- Invite the executive director, president, and chairman of the Burke Centre Conservancy Board of Trustees to the September 10 Board meeting to accept the resolution.

Without objection, it was so ordered.

There was a brief query to Merni Fitzgerald, Director, Office of Public Affairs, who indicated that this is the fourth presentation scheduled for that meeting date.

40. **OMBUDSMAN FOR UNIVERSAL DESIGN** (11:30 a.m.)

Supervisor Bulova reminded the Board that several months ago she presented a Board Matter asking that staff examine impediments to the use of Universal Design for developers building housing incorporating those features. She indicated her belief that work is underway.

Recently, when discussing this issue with staff from the Area Agency on Aging, Supervisor Bulova said that the idea of a County Ombudsman was offered as a way to provide guidance and advice on Universal Design to homeowners who are attempting to retrofit their homes and are seeking permits from the County. She suggested that perhaps this task could be assigned to the County's existing

Ombudsman position, which assists community associations and members of the Faith Community with building and development projects.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff to consider the aforementioned suggestion regarding the current ombudsman. Without objection, it was so ordered.

Discussion ensued regarding elevator options for townhouses without meeting full Americans with Disabilities Act (ADA compliance), a commendation of Supervisor Bulova on this issue, and modifying the projects for the County Schools' program for teaching building trades by building accessible units.

41. **APPOINTMENT TO THE 2007 FALL BOND REFERENDUM CITIZENS COMMITTEE** (11:34 a.m.)

(APPT) (NOTE: Earlier in the meeting, this appointment was deferred. See page 10.)

Supervisor Hudgins moved the appointment of Ms. Nicole Mogul as the Hunter Mill District Representative to the 2007 Fall Bond Referendum Citizens Committee. This motion, the second to which was indistinguishable, carried by unanimous vote.

42. **WEEKEND EVENT** (11:34 a.m.)

Chairman Connolly noted seeing Supervisor Hudgins and Supervisor DuBois at the Asia Festival this past weekend.

PMH:pmh

43. **HOLLYWOOD ROAD NO PARKING SIGNAGE (PROVIDENCE DISTRICT)** (11:35 a.m.)

Supervisor Smyth said that the Police Department called to her attention a commercially zoned section of Hollywood Road at Lee Highway that provides an unsafe environment. The Police Department has noted that the obstruction of the line of sight by parked commercial vehicles poses a two-fold problem. First, large commercial vehicles can provide a safe haven for criminal activity. Second, the vehicles parked in this area are a potential hazard for southbound motorists navigating the intersection of Hollywood Road and Lee Highway.

Per the guidance of the Police Department, Supervisor Smyth moved that the Department of Transportation install "No Parking" signs on the commercially zoned, west side of the one-block section of Hollywood Road north of Lee Highway. Supervisor Bulova seconded the motion and it carried by unanimous vote.

44. **STREAM CLASSIFICATION (PROVIDENCE DISTRICT)** (11:35 a.m.)

Supervisor Smyth said that the County recently completed the Difficult Run Watershed Management Plan. Among the many proposals in the Plan is a stream restoration project bearing the designation DF92130. Although there is a wet pond upstream from this stream and reportedly evidences flows in otherwise dry conditions, it is currently designated as intermittent.

Supervisor Smyth noted that this site is located in the headwaters of Rocky Branch and is an ideal location to try to reduce the negative effects of the increased stormwater volume and velocity. To facilitate a restoration project, she said that she would like staff to explore reclassification of this stream.

Supervisor Smyth moved that the Board direct staff to study the stream located within the Rocky Branch subwatershed at DF92130 in the Difficult Watershed Management Plan to determine whether the stream as noted on the Chesapeake Bay Map, should be reclassified. Supervisor Bulova seconded the motion and it carried by unanimous vote.

45. **NO BOARD MATTERS FOR SULLY DISTRICT SUPERVISOR FREY** (11:36 a.m.)

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

46. **NEW SYNTHETIC PLAYING FIELDS (SPRINGFIELD AND SULLY DISTRICTS)** (11:37 a.m.)

Chairman Connolly announced that there were new synthetic playing fields in the Sully and Springfield Districts.

(NOTE: Later in the meeting, the Board took action regarding synthetic fields. See Clerk's Summary Item #48.)

47. **NEW FIRE STATION ON ROUTE 123 (SPRINGFIELD DISTRICT)** (11:37 a.m.)

Supervisor McConnell announced that the new fire station on Route 123 has opened.

48. **NATIONAL ASSOCIATION OF COUNTIES (NACo)** (11:38 a.m.)

(NOTE: Earlier in the meeting, the Board noted the opening of new synthetic playing fields. See Clerk's Summary Item #46.)

Supervisor Hyland said that NACo, in cooperation with its cooperative purchasing program, has recently added an opportunity for counties to acquire artificial turf fields on a cooperative purchasing basis.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to review the contract to determine if there are advantages. Without objection, it was so ordered.

49. **PROFFERED CONDITION AMENDMENT APPLICATION**
PCA 87-S-039-6 (SPRINGFIELD DISTRICT) 11:38 a.m.)

Supervisor McConnell announced that she would like to schedule a public hearing to be held before the Board on Proffered Condition Amendment Application PCA 87-S-039-6, Fairfax Corner Retail LC. The applicant is proposing the development of additional office, retail and multi-family residential uses within the Fairfax Corner development. Determining a date certain for the Board hearing will still allow for the timely processing of this application, the Planning Commission hearing for which is scheduled for July 26, 2007.

Therefore, Supervisor McConnell moved that the Board direct staff to schedule a public hearing to be held before the Board on Proffered Condition Amendment Application PCA 87-S-039-6 on September 24, 2007. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. Supervisor Bulova seconded the motion and it carried by unanimous vote.

50. **SPRINGFIELD GOLF AND COUNTRY CLUB (SPRINGFIELD DISTRICT)** (11:40 a.m.)

Supervisor McConnell said that the Springfield Golf and Country Club has filed a Special Exception Application SE 2007-SP-008 to construct a new tennis and pool facility and other site renovations. The special exception is scheduled for a public hearing before the Planning Commission on September 19 and before the Board on October 15.

Therefore, Supervisor McConnell moved that the Board direct staff to concurrently process the site plan with the special exception. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. Supervisor Bulova seconded the motion and it carried by unanimous vote.

51. **BALLFIELD LIGHTING (SPRINGFIELD DISTRICT)** (11:41 a.m.)

Supervisor McConnell said that lighting for a ballfield in the Springfield District is controlled out-of-state.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to determine if this situation could be controlled locally. Without objection, it was so ordered.

52. **NO BOARD MATTERS FOR DRANESVILLE DISTRICT SUPERVISOR DuBOIS** (11:41 a.m.)

Supervisor DuBois announced that she had no Board Matters to present today.

53. **WATER AUTHORITY BOARD COMPENSATION** (11:41 a.m.)

(BACs) Supervisor Kauffman said that the Water Authority Board had requested an adjustment in compensation.

Therefore, Supervisor Kauffman moved that the Board direct staff to prepare a Consideration Item for the Board at its August 6 meeting to authorize the Water Authority Board to adjust its compensation from \$7,500, with the Chair receiving \$10,000, to \$12,000, with the Chair receiving \$15,000. Supervisor Hyland seconded the motion.

Following discussion regarding the increase, Supervisor Gross noted that the Board of Supervisors appoints members to Fairfax Water and the funding is from Fairfax Water, not the Board.

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

54. **NEW INTERN IN MASON DISTRICT** (11:44 a.m.)

Supervisor Gross introduced Winnie Tshizanga, a new intern in her office.

55. **RECESS/CLOSED SESSION** (11:44 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. *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)
2. *Board of Zoning Appeals of Fairfax County, Virginia v. Board of Supervisors of Fairfax County, Virginia*, Record No. 071395 (Sup. Ct. Va.)
3. *Jean Ann Smith Cormier and Charles Paxton Smith for the Estate of David Stanley Smith v. County of Fairfax, Unknown Officials and Employees of County of Fairfax, City of Alexandria, Unknown Officials and Employees of the City of Alexandria, Verizon Communications, and Northrup Grumman*, Case No. CL-2007-0006981 (Fx. Co. Cir. Ct.)
4. *Liberty Mutual Insurance Company, et al. v. County of Fairfax, Virginia, et al.*, Case No. CL-2007-0006134 (Fx. Co. Cir. Ct.)
5. *Road Runner Wrecker Service, Inc. v. County of Fairfax*, Case No. CL-2007-0005871 (Fx. Co. Cir. Ct.)
6. *John Reed v. John W. Scaman, III*, Case No. CL-2006-0005658 (Fx. Co. Cir. Ct.)
7. *Elias Serrano v. Jose C. Letona Crespín*, Case No. CL07001971 (Alex. Cir. Ct.)
8. *Matthew Francis Egan v. Fairfax County Police Department*, Case No. 1:07-cv-623 (E.D. Va.)
9. *Colleen Malone Lindvall v. Melissa McLaughlin, Scott McLaughlin, Linda Cahill, Timothy Cahill, Thomas Pilsch, Tracey Pilsch & Brian C. Calfee*, Case No. 1:07-cv-565 (E.D. Va.)
10. *Dannette D. James v. Darrell Thornton*, Case No. 07-011558 (Fx. Gen. Dist. Ct.); *Dannette D. James v. Wayne Jessee*, Case No. 07-011559 (Fx. Gen. Dist. Ct.); and *Dannette D. James v. Robert Sprow*, Case No. 07-011569 (Fx. Gen. Dist. Ct.)

11. *Fairfax County Redevelopment and Housing Authority v. Yar Mella, Alexis Ujueta, Larry Rice, Trustee, Michelle Slattery, Trustee, First Horizon Home Loan Corporation, Mortgage Electronic Registration Systems, Inc., and First Horizon Bank*, Case No. CL-2007-0007611 (Fx. Co. Cir. Ct.) (Hunter Mill District)
12. *Fairfax County Redevelopment and Housing Authority v. Valicia Ann Spriggs, Abigail Ticona, World Savings Bank, and Commonwealth Trustees, LLC*, Case No. CL-2007-0007678 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Fairfax County Park Authority v. Gary Lockowandt, et al.*, Case No. CL-2006-0008250 (Fx. Co. Cir. Ct.) (Mason District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. John Y. C. Wang, et al.*, Case No. CL-2006-0007129 (Fx. Co. Cir. Ct.) (Lee District)
15. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Duane Whitney, et al.*, Case No. CL-2007-0005644 (Fx. Co. Cir. Ct.) (Providence District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Colin Wilkshire and Tien T. Pongvichit*, Case No. CL-2007-0006096 (Fx. Co. Cir. Ct.) (Lee District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rui C. Domingues*, Case No. CL-2007-0002155 (Fx. Co. Cir. Ct.) (Providence District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Motiva Enterprises, LLC*, Case No. CL-2007-0004128 (Fx. Co. Cir. Ct.) (Sully District)
19. *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)

20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Igbal A. Gaffar and Kadeeja Elamoottil*, Case No. CL-2007-0006525 (Fx. Co. Cir. Ct.) (Sully District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dui C. Ly and Tuyet-Mai Truong*, Case No. CL-2007-0004578 (Fx. Co. Cir. Ct.) (Braddock District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. David T. Freeman and Shana Von Zeppelin*, Case No. CL-2006-0015974 (Fx. Co. Cir. Ct.) (Springfield District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Raimundo Guevara and Santa L. Mendieta*, Case No. CL-2007-0006524 (Fx. Co. Cir. Ct.) (Lee District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Building Maintenance Official for Fairfax County v. Sonia Montecinos and Ruben Perez*, Case No. CL-2007-0007570 (Fx. Co. Cir. Ct.) (Lee)
25. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Victor Manuel Escalante, Charles Smith Escalante, and Doris Garcia*, Case No. CL-2007-0008009 (Fx. Co. Cir. Ct.) (Lee District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Erick A. Rivera*, Case No. CL-2007-0008140 (Fx. Co. Cir. Ct.) (Sully District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. William K. Wilson and N. Bray Wilson*, Case No. CL-2007-0007571 (Fx. Co. Cir. Ct.) (Sully District)

28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Richmond Highway, LLC*, Case No. CL-2007-0007958 (Fx. Co. Cir. Ct.) (Mount Vernon District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. G. Lawrence Marling*, Case No. CL-2007-0007677 (Fx. Co. Cir. Ct.) (Dranesville District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Puckett and Martha E. Puckett*, Case No. CL-2007-0007807 (Fx. Co. Cir. Ct.) (Mount Vernon District)

And in addition:

- Northern Virginia Transportation Authority v. Statutory Defendants, et al.; Case Number 07-923, Arlington County Circuit Court.
- Discussions under Virginia Code Section 2.2-3711 (A) (5).

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

DMS:dms

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

ACTIONS FROM CLOSED SESSION

56. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:54 p.m.)

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

57. **APPOINTMENT OF DIRECTOR FOR DEPARTMENT OF CABLE COMMUNICATIONS AND CONSUMER PROTECTION** (3:54 p.m.)

Supervisor Gross moved the appointment of Michael S. Liberman to the position of Director, Department of Cable Communications and Consumer Protection, Grade E-9, at a starting salary of \$120,000, effective today. Supervisor Bulova seconded the motion, and it carried by unanimous vote.

DET:det

AGENDA ITEMS

58. **A-3 – PROPOSED FEDERAL CAPITAL IMPROVEMENTS PROGRAM – NATIONAL CAPITAL REGION, FISCAL YEARS 2008-2013** (3:55 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item #17.)

Chairman Connolly called the Board's attention to the revised draft letter to the National Capital Planning Commission dated July 23, and asked Board Members to review the changes.

(NOTE: Later in the meeting, the Board voted on this item. See Clerk's Summary Item #66.)

59. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 2005-MV-017 (KEVIN J. O'NEILL) (MOUNT VERNON DISTRICT)** (3:55 p.m.)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 2005-MV-017 until **Monday, August 6, 2007, at 3:30 p.m.** Supervisor Bulova seconded the motion and it carried by unanimous vote.

60. **3:30 P.M. - PH ON REZONING APPLICATION RZ 2007-HM-008 (PHILLIP AND MELINDA R. PON) (HUNTER MILL DISTRICT)** (3:56 p.m.)

Chairman Connolly announced that the public hearing on Rezoning Application RZ 2007-HM-008 has been deferred until **October 15, 2007, at 4:30 p.m.**

61. **3:30 P.M. - PH ON REZONING APPLICATION RZ 2006-PR-017 (PROSPECT DEVELOPMENT COMPANY, INCORPORATED) (PROVIDENCE DISTRICT)** (3:57 p.m.)

- (O) The application property is located on the north side of Mears Street approximately 125 feet east of Elmore Street and south of I-66, Tax Map 48-2 ((17)) 1.

Ms. Inda E. Stagg reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Smyth moved:

- That the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2006-PR-017, be amended from the R-2 District to the PDH-2 District, subject to the proffers dated July 23, 2007.
- Approval of the associated Conceptual Development Plan subject to the proffers dated July 23, 2007.

Supervisor Kauffman 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."

62. **4 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 2006-LE-032 (FOURTH HOTEL ASSOCIATES LIMITED PARTNERSHIP) (LEE DISTRICT)** (4:11 p.m.)

The application property is located at 5716 South Van Dorn Street, Tax Map 81-2 ((1)) 12B; 81-2 ((3)) 1 and 2.

Mr. J. Jeffrey McClelland reaffirmed the validity of the affidavit for the record.

Mr. McClelland 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, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved approval of Special Exception Application SE 2006-LE-032, subject to the development conditions dated June 20, 2007. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

63. **4 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING RESTORATION OF DAMAGED OR DESTROYED NONCONFORMITIES** (4:14 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 July 5 and July 12, 2007.

Lorrie Kirst, Zoning Administrator for Ordinance Administration Branch, Zoning Administration Division, Department of Planning and Zoning, presented the staff report.

Discussion ensued concerning applicability as well as the two and four year General Assembly mandated completion time allowances with input from Hayden Coddington, Assistant County Attorney.

Supervisor McConnell asked unanimous consent that the Board direct staff to refer this matter to the Legislative Committee. Without objection, it was so ordered.

Discussion continued concerning the impact of processing insurance claims in the mandated completion time allowances.

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

Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding restoration of damaged or destroyed nonconformities, with clarification from the General Assembly on projects not completed within the mandated time allowances. Discussion ensued with input from David P. Bobzien, County Attorney, concerning the issues to be reviewed by the Legislative Committee.

Supervisor Bulova seconded the motion to approve the item and refer the other issues to the Legislative Committee.

Supervisor Hyland made a point of order that Supervisor McConnell's motion was pending unless she agreed to modify it.

Supervisor McConnell clarified her motion to include the expectation that it would go back to the Legislative Committee for further review and refinement for inclusion as part of the Board's legislative package for submission to the General Assembly.

The question was called on the motion, as clarified, 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."

64. **4 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), REGARDING REENACTMENT AND EXTENSION OF THE REAL ESTATE TAX ABATEMENT PROGRAM** (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 July 5 and July 12, 2007.

65. **ORDERS OF THE DAY** (4:24 p.m.)

Chairman Connolly announced that the Board would next consider the revised letter to the National Capital Planning Commission concerning the Proposed Federal Capital Improvement Program.

66. **A-3 - PROPOSED FEDERAL CAPITAL IMPROVEMENTS PROGRAM – NATIONAL CAPITAL REGION, FISCAL YEARS 2008-2013** (4:24 p.m.)

(NOTE: Earlier in the meeting, there was discussion and the Board deferred action on this item. See Clerk's Summary Items #17 and #58.)

Supervisor Gross asked unanimous consent that the Board direct staff to correct certain grammatical errors in the letter. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to include in the letter language requesting a response to the concerns raised by the Board's letter, with input from Supervisor Bulova on the location of that language. Without objection, it was so ordered.

Supervisor McConnell stated the reasons she would not be supporting the motion.

Supervisor Kauffman moved approval of the letter with the modifications suggested by Supervisor Bulova, Supervisor Gross, and Supervisor Hyland, for signature by the Chairman.

Following discussion regarding the letter, the question was called on the motion as stated by Supervisor Kauffman, and it **CARRIED** by a recorded vote of nine, Supervisor McConnell voting “NAY.”

67. **4 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), REGARDING REENACTMENT AND EXTENSION OF THE REAL ESTATE TAX ABATEMENT PROGRAM** (4:30 p.m.)

- (O) (NOTE: Earlier in the meeting, this hearing was announced. See Clerk’s Summary Item #64.)

Kevin Greenlief, Director, Department of Tax Administration, presented the staff report.

Supervisor Hyland submitted an item for the record.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance). Supervisor Gross 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.”

68. **4 P.M. - PH REGARDING THE VACATION OF A TRAIL EASEMENT LOCATED ON PROPERTY OWNED BY THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) (SPRINGFIELD DISTRICT)** (4:34 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 July 5 and July 12, 2007.

Marguerite C. 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 McConnell moved to defer decision on this item until August 6, 2007. Supervisor Frey seconded the motion and it carried by unanimous vote.

69. **BOARD ADJOURNMENT** (4:40 p.m.)

The Board adjourned.

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