



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
November 19, 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, November 19, 2007, at 9:42 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 Dana Kauffman, Lee District
- Supervisor Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Joan M. DuBois, Dranesville District, and Supervisor Gerald W. Hyland, Mount Vernon District, were absent from the entire meeting.

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 MATTERS

1. **ABSENCE OF SUPERVISOR DUBOIS AND SUPERVISOR HYLAND**
(9:43 a.m.)

Chairman Connolly noted that Supervisor DuBois and Supervisor Hyland would be absent from the entire meeting due to family issues.

2. **MOMENT OF SILENCE** (9:44 a.m.)

Supervisor Frey asked everyone to keep in thoughts the family of Ms. Mary Ann Coyle, who died of cancer. She was a longtime member of the West Fairfax County Citizens Association, serving as treasurer, and a member of the Land Use Committee.

Supervisor Hudgins and Supervisor Bulova jointly asked everyone to keep in thoughts the family of Ms. Sharon Hanks, who died recently.

Supervisor Gross asked everyone to keep in thoughts the family of Ms. Ruth Posey Fox, who died recently. She was a past president of the Annandale Business and Professional Women's Club.

AGENDA ITEMS

3. **RESOLUTION OF RECOGNITION PRESENTED TO MR. GENE HULL**
(9:45 a.m.)

Supervisor Kauffman moved approval of the Resolution of Recognition presented to Mr. Gene Hull, Northern Virginia District Deputy Administrator for the Virginia Department of Transportation, for 51 years of public service. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

4. **PROCLAMATION DESIGNATING NOVEMBER 2007 AS "ADOPTION AWARENESS MONTH" IN FAIRFAX COUNTY** (9:55 a.m.)

Supervisor McConnell moved approval of the Proclamation to designate November 2007 as "*Adoption Awareness Month*" in Fairfax County. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

5. **RESOLUTION OF RECOGNITION PRESENTED TO MS. KAY LARMER** (10:02 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Resolution of Recognition presented to Ms. Kay Larmer for 28 years of service to County government. Supervisor McConnell seconded the

motion and it carried by a vote of seven, Supervisor Kauffman being out of the room, Supervisor DuBois and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO COUNTY STAFF**
(10:14 a.m.)

Supervisor Bulova moved approval of the Certificate of Recognition presented to County staff who make the provision of information and governmental services readily available electronically to County residents, resulting in a 2007 Best of the Web award from the Center for Digital Government. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

7. **PROCLAMATION DESIGNATING DECEMBER 1, 2007 AS "AIDS AWARENESS DAY" IN FAIRFAX COUNTY** (10:21 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate December 1, 2007, as "*AIDS Awareness Day*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

ADDITIONAL BOARD MATTERS

8. **WELCOME TO MR. PAT HERRITY (SPRINGFIELD DISTRICT)**
(10:26 a.m.)

Chairman Connolly recognized the presence of Mr. Pat Herrity, Springfield District Supervisor-Elect, and warmly welcomed him to the Board Auditorium.

9. **RESOLUTION OF RECOGNITION PRESENTED TO MS. FLORENCE NAEVE (BRADDOCK DISTRICT)** (10:26 a.m.)

Supervisor Bulova moved approval of the Resolution of Recognition presented to Florence Naeve, Chief of Staff to Supervisor Bulova, for 23 years of service. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

AGENDA ITEMS10. **10 A.M. – PRESENTATION OF THE LAWRENCE V. FOWLER AWARD**
(10:38 a.m.)

(BACs) This prestigious award was established to honor the accomplishments of Lawrence V. Fowler who served for 41 years on the Consumer Protection Commission and its predecessor. Mr. Fowler set the bar for exceptional and long term volunteer service for Fairfax County government. His actions had a major effect on the quality of life of the community through his work with consumer issues. Given the significance of Mr. Fowler's accomplishments, this award recognizes distinguished service of a longstanding member of a Fairfax County Board, Authority, Commission, or Committee whose exceptional service contributed to the overall quality of life in the community.

The 2007 nominees were as follows:

- Mr. Raymond Burmester of the Fairfax-Falls Church Community Services Board and numerous other Boards, Authorities, and Commissions.
- Mr. Conrad Egan of the Redevelopment and Housing Authority.
- Mr. Frank de la Fe of the Planning Commission and formerly with the Park Authority.
- Mr. Bill Evans of the Water Authority Board.
- Mr. Harold Leff of the Athletic Council.
- Mr. Peter F. Murphy, Jr. of the Planning Commission.
- Mr. Harold Strickland of the Park Authority.

Chairman Connolly presented the second annual Lawrence V. Fowler Award to **Mr. Peter F. Murphy, Jr.**, a member of the Planning Commission for 24 years and chairman for 18 of them. His service to Fairfax County has been the very definition of "distinguished service" for which the County's Board of Supervisors, staff, citizenry, and natural resources have been the beneficiaries.

11. **10 A.M. – EXCEPTIONAL DESIGN AWARDS** (10:56 a.m.)

This is the twenty-third year of the Exceptional Design Awards Program. The purpose of the awards program is to recognize achievement in the total design of a building and site and to create an awareness of outstanding planning and design projects among design professionals and the general public. John Burns,

Chairman of the Design Jury, presented the 2007 Exceptional Design Awards to the following:

- *Honor Award:* Vienna Presbyterian Church Phase II Ministry Center and Balcony Additions
(Institutional)
Architect: LeMay Erikson Architects, Reston, Virginia
Owner/Developer: Trustees of Vienna Presbyterian Church
Year Built: 2006
- *Merit Award:* Virginia Office of DBI Architects, Incorporated
(Commercial, Office Interior Architecture)
Architect: DBI Architects, Incorporated, Reston, Virginia
Owner/Developer: Alan Storm, AIA
Year Built: 2006
- *Merit Award:* Renovation and Addition of Clifton Presbyterian Church
(Institutional)
Designer: LeMay Erikson Architects, Reston, Virginia
Owner/Developer: Clifton Presbyterian Church
Year Built: 2006
- *Honorable Mention Award:* Fort Belvoir Family Communities
(Residential, Planned Community)
Architect: Torti Gallas and Partners, Incorporated, Silver Spring, Maryland
Owner/Developer: Clark Realty Capital
Year Built: 2006
- *Honorable Mention Award:* Frederick P. Griffith Water Treatment Plant
(Institutional)
Architect: PSA-Dewberry, Fairfax, Virginia
Owner/Developer: Fairfax Water
Year Built: 2006

Supervisor Smyth asked unanimous consent that the Board direct staff to consider a design award for green buildings as a possible category. Without objection, it was so ordered.

12. **10:25 A.M. – ENVIRONMENTAL EXCELLENCE AWARDS** (11:09 a.m.)

Stella Koch, Chairman, Environmental Quality Advisory Council, presented an Environmental Excellence awards in three categories to the following:

- County resident – Mr. Scott Birdwell, Ms. Eleanor Quigley, and Ms. Penelope Firth

- County Employee – Ms. Judy Fincham
- Organization – Invasive Management Area Volunteers and Great Falls Citizens Association

ADDITIONAL BOARD MATTER

13. **WELCOME TO THE SALT TEAM** (11:28 a.m.)

Supervisor McConnell recognized the presence of the Student Advocacy and Leadership Team (SALT) from Accotink Academy and warmly welcomed its members to the Board Auditorium. The members of this team are in grades 9 through 12, and it is a student organization that advocates for the whole student body. These students attend social events, academic events, fundraisers, and serve as mentors for other students at the academy.

AGENDA ITEMS

14. **10:40 A.M. – PRESENTATION OF THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) 2007 ANNUAL REPORT** (11:29 a.m.)

Stella Koch, Chairman, EQAC, presented its 2007 annual report and outlined several of the Council's recommendations concerning the County's environmental agenda as well as chapters within the report. Ms. Koch asked the Board to establish an Energy Coordinator Position as well as continue to support and maintain the programs within EQAC.

Supervisor Gross asked unanimous consent that the Board direct staff to report with information regarding the scorecard, light pollution, and noise pollution. Without objection, it was so ordered.

Following further discussion concerning the role buildings play in noise pollution, the question of light issues and dark sky lighting arose, with input from Ms. Koch.

Discussion ensued concerning the glare from the lights on the BALL fields. Supervisor Hudgins asked unanimous consent that the Board direct EQAC to include its recommendations in terms of the methods being utilized today. Without objection, it was so ordered.

Supervisor Smyth noted that the Park Authority is developing new technology for the lights as well as energy saving methods for the technology.

Discussion ensued regarding sign pollution and the Sheriff's Department's help with the removal of these signs. Supervisor Bulova asked unanimous consent that the Board direct staff to report with information regarding the usage of the

Sheriff's Department's resources regarding litter control. Without objection, it was so ordered.

Further discussion ensued regarding the legality of the location of signs in the right-of-ways, with input from David Bobzien, County Attorney. Supervisor Bulova asked unanimous consent that the Board direct staff and EQAC to examine the role VDOT plays in the removal of signs. Without objection, it was so ordered.

Supervisor Smyth noted that the Adopt-a-Road program allows for the pickup of the signs as well as other volunteer methods that can be utilized for the removal of the signs.

(NOTE: Later in the meeting, the Board took action regarding the Sheriff's Department's Community Labor Force. See Clerk's Summary Item #38.)

EBE:ebe

15. **ADMINISTRATIVE ITEMS** (11:51 a.m.)

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

ADMIN 1 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 01-V-005, WILLIAM A. KINDER (MOUNT VERNON DISTRICT)

(AT) Approved the request for 18 months of additional time to record the subdivision for Special Exception Application SE 01-V-005 to July 26, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 2 – APPROVAL OF TRAFFIC CALMING MEASURES AND "WATCH FOR CHILDREN" SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (DRANESVILLE AND PROVIDENCE DISTRICTS)

- (R)
- Endorsed the following traffic calming measures for Bellview Road:
 - Speed table
 - Multi-way stop at the intersection of Riding Ridge Place

- Adopted the Resolution authorizing installation of “Watch for Children” signs on the following street:
 - Lindenbrook Street (Providence District)
- Directed staff to request the Virginia Department of Transportation (VDOT) to install the approved measures as soon as possible

ADMIN 3 – STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, DRANESVILLE, HUNTER MILL, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Cloisters of Fairfax	Braddock	Shirley Gate Road (Route 655) (Additional Right-of-Way [ROW] only)
Green Branch Estates	Dranesville	Green Branch Court Utterback Store Road (Route 717) (Additional ROW only)
Wexford East, Section 4	Hunter Mill	Miller Lane (Route 3820) Drewlaine Drive Old Courthouse Road (Route 677) (Additional ROW only) Creek Crossing Road (Route 724) (Additional ROW only)
Saintsbury Plaza, Parcel A	Providence	Saintsbury Drive (Route 4949) (Additional ROW only)
Bell Subdivision	Springfield	Glen Mist Lane (Route 7124)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Center Road Subdivision	Springfield	Center Road (Route 777) (Additional ROW only)
Clifton Grove	Springfield	Bunkers Court (Route 8355) Clifton Grove Court Compton Road (Route 658) (Additional ROW only)
Deerfield Ridge, Section 1	Sully	Spring Pond Road (Route 7786)

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING FINANCIAL INSTITUTIONS

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on January 24, 2008, at 8:15 p.m. and before the Board on **March 10, 2008, at 4 p.m.** to consider the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding financial institutions, to replace all references to drive-in banks with references to drive-in financial institutions; replaces all references to unmanned bank teller machines with references to automated teller machines for consistency with Federal regulations; and deletes the use limitation that prohibits automated teller machines in the C-1 District.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING SOLID WASTE AND RECYCLING FACILITY DEFINITIONS

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on January 17, 2008, at 8:15 p.m. and before the Board on **February 11, 2008, at 4 p.m.** to consider the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding solid waste and recycling facility definitions.

ADMIN 6 – EXTENSION OF REVIEW PERIOD FOR A PUBLIC FACILITY 2232 REVIEW APPLICATION (DRANESVILLE DISTRICT)

Authorized extension of the review period for the following Public Facility 2232 Review Application:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-D06-21	Department of Public Works and Environmental Services Expansion of Dolley Madison Library 1244 Oak Ridge Avenue Dranesville District	June 2, 2008

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTION 4-10-5

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 3, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-10-5, to update one reference to a section of the Code.

16. **A-1 – APPROVAL OF DISCLOSURE AGREEMENT RELATED TO THE ISSUANCE OF REGIONAL SEWERAGE SYSTEM REVENUE BONDS, SERIES OF 2007B, BY THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) (SULLY DISTRICT)** (11:51 a.m.)

On motion of Supervisor Frey, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and:

- Approved the proposed Disclosure Agreement related to the issuance of revenue bonds by UOSA.
- Authorized the Chairman to execute the Agreement on behalf of the Board in substantially the form presented.

17. **A-2 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO SIGN ON BEHALF OF THE BOARD AN INGRESS/EGRESS EASEMENT AT THE MOTT COMMUNITY CENTER TO PROVIDE ACCESS TO PATRIOT PARK (SPRINGFIELD DISTRICT)** (11:51 a.m.)

On motion of Supervisor McConnell, seconded by Chairman Connolly, and carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and authorized the

County Executive to sign, on behalf the Board, an Ingress/Egress Easement at the Mott Community Center to provide access to Patriot Park.

18. **A-3 – APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD AND CLEAN FAIRFAX COUNCIL, INCORPORATED (CFCI)** (11:52 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and:

- Approved a MOU between the Board and CFCI.
- Authorized the transfer of the 2007 Litter Grant to CFCI.

19. **A-4 – APPROVAL OF A PARKING REDUCTION FOR THE MCLEAN STORES SHOPPING CENTER IN THE MCLEAN COMMERCIAL REVITALIZATION DISTRICT (DRANESVILLE DISTRICT)** (11:52 a.m.)

On motion of Supervisor Smyth, on behalf of Supervisor DuBois, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and approved a parking reduction of 20 percent for the McLean Stores Shopping Center, 1313 Old Chain Bridge Road, parcel 30-2 ((12)) 9 pursuant to Paragraph 3 (A), Section A7-309, of the Fairfax County Zoning Ordinance, on condition that:

- A minimum of 92 spaces are maintained at all times.
- All parking provided shall be in accordance with the applicable requirements of Article 11 of the Zoning Ordinance and the Public Facilities Manual (PFM), including the provisions referencing the Americans with Disabilities Act (ADA).
- No parking spaces shall be restricted or reserved except for those required to meet the parking requirements of the ADA.
- The current owners, their successors or assigns of the parcels identified as Tax Map 30-2 ((12)) 9, shall submit a parking space utilization study for review and approval by the Board at any time in the future that the Zoning Administrator so requests. Following review of that study, or if a study is not submitted within 90 days after being requested, the Board may rescind this parking reduction or require alternative measures to satisfy parking needs, which may include requiring all uses to comply with the full parking space requirements as specified in Article 11 of the Zoning Ordinance.

- The conditions of approval of this parking reduction set forth above shall run with the land and be recorded in the Fairfax County land records in a form acceptable to the County Attorney.

20. **A-5 – APPROVAL OF A MASTER CREDIT AGREEMENT AND OTHER ACTIONS ASSOCIATED WITH ACQUIRING A LINE OF CREDIT**
(11:53 a.m.)

(R) Supervisor Bulova moved that the Board concur in the recommendation of staff and adopt a Resolution:

- Authorizing the execution and delivery of a Master Credit Agreement with the Economic Development Authority (EDA).
- Requesting the EDA to issue a bank note pursuant to the master credit agreement.
- Delegating to County officials authority to execute and deliver documents and agreements relating to such transactions and to determine certain details of such transactions.

Following discussion, Supervisor Frey asked to amend the motion to revise the Resolution to require that the Board be notified before drawing from the line of credit, and this was accepted.

Following input from Anthony H. Griffin, County Executive, who expressed his concurrence, the question was called on the motion, which carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor DuBois and Supervisor Hyland being absent.

21. **A-6 – ENDORSEMENT OF DESIGN PLANS FOR THE RICHMOND HIGHWAY PUBLIC TRANSPORTATION INITIATIVE, INCLUDING PEDESTRIAN ACCESS AND SAFETY IMPROVEMENTS (MOUNT VERNON AND LEE DISTRICTS)** (11:54 a.m.)

Discussion ensued with input from Michael Guarino, staff, Utilities Design Branch, Planning and Design Division, Department of Public Works and Environmental Services, regarding concerns.

Supervisor Kauffman asked unanimous consent to defer action on this item until the December 3 Board meeting and direct staff to refine the report and provide specifics on their action plan to respond to the following areas of concern for the Richmond Highway Public Transportation Initiative:

- The need for more refuge islands—safe areas for pedestrians.

- Wheelchair access for the corridor.
- Lighting plans for the sidewalks and trails.

Without objection, it was so ordered.

22. **A-7 – APPROVAL OF AWARD IN FISCAL YEAR (FY) 2008 HOME PROGRAM COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) FUNDS TO TWO NONPROFIT AFFORDABLE HOUSING DEVELOPERS** (11:58 a.m.)

On motion of Supervisor Hudgins, the second to which was indistinguishable, and carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and approved the allocation of \$368,608 CHDO set-aside awards for FY 2008.

23. **I-1 – CONTRACT AWARD – PLANNING PHASE AGREEMENT FOR 800MHZ RADIO REBANDING IN THE NATIONAL CAPITAL REGION** (11:58 a.m.)

The Board next considered an item contained in the Board Agenda dated November 19, 2007, requesting authorization for staff to award a contract to Motorola, Incorporated, in an amount of \$1,471,908 payable by Nextel Operations under the Regional Planning Funding Agreement.

The staff was directed administratively to proceed as proposed.

24. **I-2 – SUPPLEMENTAL PROJECT ADMINISTRATIVE AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE NOVI TRAIL – WALK ALONG BEULAH PROJECT (HUNTER MILL DISTRICT)** (11:58 a.m.)

The Board next considered an item contained in the Board Agenda dated November 19, 2007, requesting authorization for the staff to execute the Supplemental Agreement with VDOT for Project Development and Administration of the NoVi Trail – Walk Along Beulah Project.

The staff was directed administratively to proceed as proposed.

25. **I-3 – CONTRACT AWARD – PRESCRIPTION AND NON PRESCRIPTION MEDICATIONS FOR INMATES IN THE ADULT DETENTION CENTER** (11:59 a.m.)

The Board next considered an item contained in the Board Agenda dated November 19, 2007, requesting authorization for staff to award a contract to Contract Pharmacy Services, Incorporated, in an annual amount of \$780,000. The contract is a five year contract with no renewals. The cost will be shared with the

Fairfax-Falls Church Community Services Board who is responsible for all psychotropic medication ordered by their psychiatrist. CSB's annual share of the annual expenditure is approximately \$390,000.

The staff was directed administratively to proceed as proposed.

26. **I-4 – FAIRFAX COUNTY GOVERNMENT CHANNEL 16 WINS PROGRAMMING EXCELLENCE AWARD** (11:59 a.m.)

The Board next considered an item contained in the Board Agenda dated November 19, 2007, announcing that Channel 16 was honored by the National Association of Telecommunications Officers and Advisors with its Government Programming Award. Channel 16 placed second for Excellence in Government Programming.

Noting that Channel 16 has received over 200 awards, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to invite employees of Cable Channel 16 to appear before the Board to be recognized for this achievement. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

27. **I-5 – CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES FOR THE PREPARATION OF A MASTER PLAN FOR THE NOMAN M. COLE, JR., POLLUTION CONTROL PLANT (MOUNT VERNON DISTRICT)** (11:59 a.m.)

The Board next considered an item contained in the Board Agenda dated November 19, 2007, requesting authorization for staff to award a contract to CH2M Hill in the amount of \$1,331,127 for professional engineering services for 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.

28. **I-6 – SUPPLEMENTAL PROJECT ADMINISTRATIVE AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE MASON NECK TRAIL PROJECT (MOUNT VERNON DISTRICT)** (11:59 a.m.)

The Board next considered an item contained in the Board Agenda dated November 19, 2007, requesting authorization for staff to execute a Supplemental Agreement with VDOT for Project Development and Administration of the Mason Neck Trail project.

The staff was directed administratively to proceed as proposed.

29. **I-7 – CONTRACT AWARD – LAKE FAIRFAX PARK CAMPGROUND
“A” ELECTRICAL UPGRADES (HUNTER MILL DISTRICT)** (12 noon)

The Board next considered an item contained in the Board Agenda dated November 19, 2007, requesting authorization for staff to award a contract to DA Foster Company in the amount of \$365,000 for the Lake Fairfax Park Campground “A” Electrical Upgrades in Project 475804, Building Renovation and Expansion in Fund 370, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

30. **I-8 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES
REVIEW APPLICATION 2232A-D05-14, NEXTEL COMMUNICATIONS
OF THE MID-ATLANTIC, INCORPORATED (DRANESVILLE
DISTRICT)** (12 noon)

The Board next considered an item contained in the Board Agenda dated November 19, 2007, announcing that the Planning Commission found the modifications proposed in Application 2232A-D05-14 to be consistent with the prior approval granted by the Commission on September 29, 2005. The application sought approval to amend a portion of the Distributive Antenna System telecommunications facility on the Commonwealth of Virginia’s property, within the Virginia Department of Transportation’s right-of-way for portions of Beach Mill Road, River Bend Road, Seneca Road, Springvale Road, and Utterback Store Road, in the Great Falls area. The property is located at 774B Walker Road, in Great Falls (portions of public rights of way on Tax Maps 2-4, 3-3, 3-4, 6-2, 6-4, 7-1, 7-2, 7-3, 7-4, 8-1, 8-2, and 13-2).

NV:nv

ADDITIONAL BOARD MATTERS

31. **ORDERS OF THE DAY** (12 noon)

Chairman Connolly noted that closed session would be very lengthy and he asked the Board Members to present their Board Matters expeditiously.

32. **RECOGNITION OF CAL WAGNER’S SERVICE TO THE
TENANT LANDLORD COMMISSION** (12 noon)

(BACs) Chairman Connolly said that the Tenant Landlord Commission unanimously requested recognition for Cal Wagner of the Consumer Affairs Branch of the Department of Cable Communications and Consumer Protection for his years of service to that body. He served as the Tenant Landlord Commission liaison for 13 years, assisting countless homeowners and developing a manual that is used as a Bible for homeowners and civic associations.

Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to prepare a certificate of recognition for Mr. Wagner to acknowledge his many years of service to the Tenant Landlord Commission and the citizens of the County. Without objection, it was so ordered.

33. **PR NEWS MAGAZINE NAMES MERNI FITZGERALD
PR PROFESSIONAL OF THE YEAR** (12:01 p.m.)

Chairman Connolly announced that *PR NEWS* magazine recently named Merni Fitzgerald, Director, Office of Public Affairs, as its PR Professional of the Year in a Nonprofit Association award recipient. This nationwide award recognizes innovation and leadership in public relations.

Accordingly, Chairman Connolly asked unanimous consent that the Board invite Ms. Fitzgerald to appear before the Board to be recognized for this award and for all of her significant efforts on behalf of the citizens of the County. Without objection, it was so ordered.

Following a query to Ms. Fitzgerald regarding the number of presentations scheduled for December 3, Chairman Connolly asked unanimous consent that this presentation be scheduled for that date. Without objection, it was so ordered.

34. **GOVERNMENT TECHNOLOGY MAGAZINE NAMES WANDA GIBSON
INFLUENTIAL FEMALE CHIEF INFORMATION OFFICER (CIO)**
(12:02 p.m.)

Chairman Connolly announced that *Government Technology* magazine named Wanda Gibson, Director, Department of Information Technology, as one of the five most influential female CIOs in the US involved in government. *Government Technology* is the premier government information technology magazine for federal, state, and local government in the country.

Accordingly, Chairman Connolly asked unanimous consent that the Board direct staff to invite Ms. Gibson to appear before the Board to be acknowledged for this important recognition. Without objection, it was so ordered.

35. **HERITAGE RESOURCES** (12:03 p.m.)

Chairman Connolly said that recently the Board received a letter from Robert Beach, Chairman of the History Commission, in which he requests that the Board authorize an Out of Turn Plan Amendment for heritage resources. The purpose of the amendment is to update the County's inventory of historic sites tables which appear in the Area Plans and were last revised in 1994. The amendment would also offer the opportunity to amend the Area Plans to reflect other changes affecting heritage resources and provide more accurate information that has been discovered through recent staff and History Commission research.

A definition of heritage resources would also be added to the Plan's glossary and to consider editorial changes to site names.

Chairman Connolly said that he concurs with the History Commission's belief that one way to serve the long term interests for historic preservation in the County is by providing accurate and current information on the County's unique heritage resources in the Comprehensive Plan.

Accordingly, Chairman Connolly moved that the Board authorize an Out of Turn Plan Amendment for heritage resources specifically to do the following:

- Update the Inventory of Historic Sites tables that appear in Area Plans.
- Revise the language in the Overview and Heritage Resources sections of the Area Plans to reflect changes that have taken place.
- Consider editorial changes to reflect changes to site names.
- Add a definition for heritage resources in the Plan glossary.
- Update the language in the Area Plans related to heritage resources to reflect changes that have taken place and where more accurate information is now available.

Vice-Chairman Bulova seconded the motion, which carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

36. **RECOGNITION OF 25 YEARS OF SAFE SERVICE** (12:04 p.m.)

Chairman Connolly noted that James Martin, Heavy Equipment Operator at the County's I-66 Transfer Station in the Department of Public Works and Environmental Services, recently reached a milestone achievement of 25 consecutive accident-free years of heavy equipment operation with the division. Mr. Martin joined the County in 1979 and then transferred to the Solid Waste Division in 1982 when the transfer station was built. As a tractor trailer driver, he has logged more than 1.65 million miles with an unblemished driving record and is the first agency employee to reach the 25-year safe operator status.

Accordingly, Chairman Connolly asked unanimous consent that the Board direct the Office of Public Affairs to prepare an appropriate certificate and invite Mr. Martin to appear before the Board commending his years of safe service to the citizens of the County on behalf of the Board. Without objection, it was so ordered.

37. **RECEPTION TO HONOR DEPARTING BOARD MEMBERS** (12:05 p.m.)

Chairman Connolly announced that immediately following the December 3 Board meeting, there will be a reception to honor the three departing Board Members. He added that recognition will be part of the regular Board meeting as well.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

38. **EVALUATION OF BRADDOCK ROAD MAINTENANCE PUBLIC-PUBLIC-PRIVATE-PRIVATE PARTNERSHIP (BRADDOCK DISTRICT)** (12:06 p.m.)

(NOTE: Earlier in the meeting, the Board briefly mentioned this program. See Clerk's Summary Item #14.)

Supervisor Bulova reminded the Board that last June she reported on a project, initiated by her office, Delegate David Bulova, the Braddock District Council of Community Associations, and the Sheriff's Department, to improve the appearance and maintenance of Braddock Road through the 37th Delegate District and the Braddock Supervisor District (from Shirley Gate Road east to Backlick Road). The project, which took place throughout the summer and fall, resulted in enhancement of the Virginia Department of Transportation's (VDOT) mowing program, trash pick up, and the removal of illegal signs on the medians and along the rights of way by using non-violent prisoners from the Adult Detention Center's Community Labor Force.

Supervisor Bulova said that VDOT has removed dead and diseased trees from the median and Area Landscaping, a company located on Olley Lane in Braddock District, is working with VDOT on a replanting scheme to "put the green back" with new trees, bushes, and flowers. The Braddock District Council of Community Associations has already applied to participate in VDOT's Adopt-a-Highway Program to assist with keeping the corridor trash free. The council is also heading up a fundraising effort to pay for the plantings and their future maintenance needs. The replanting will be kicked off this spring with flowers in the median and a memorial garden in parkland. The garden will be located next to the Wakefield Chapel Drive/Braddock Road intersection to honor the memory of Ms. Mary Read, who lost her life in the Virginia Tech shootings last spring. Last week, the Annandale High School Symphony and Band Boosters raised more than \$1000 for this memorial. The Canterbury Woods Civic Association added another \$1000 to the project.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite the participants in this unique, "can-do" partnership to appear before the Board to be thanked and recognized for their good work.

Supervisor Bulova noted that the augmentation of VDOT's road maintenance program with the assistance of the Sheriff's Department's Community Labor

Force received rave reviews from the Braddock District citizens. She expressed her hope that it can be continued and that there be an opportunity for expansion of the program to other roads and districts. She asked unanimous consent that the Board direct staff to evaluate this approach to determine the feasibility of its expansion and continuation in the County.

Without objection, the requests were so ordered.

Chairman Connolly relinquished the Chair to Acting-Chairman McConnell and asked unanimous consent that the Board direct staff to meet with VDOT and representatives of Secretary Homer to clarify VDOT's mowing schedule (with twice a year being unacceptable) and duties. He specified that the Board is willing to complement VDOT's responsibilities, but is not willing to undertake a major financial responsibility by taking over those State duties. Without objection, it was so ordered.

Acting-Chairman McConnell returned the gavel to Chairman Connolly.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the possibility of VDOT contracting with the Sheriff's Department and overall community appearance issues.

Supervisor Hudgins asked unanimous consent that the Board direct the County Executive to review the contractual relationship between VDOT and the Reston Association. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that the Board direct staff to determine whether there are differing policy maintenance standards by VDOT in other communities across the Commonwealth. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board scheduled the recognition of the participants. See Clerk's Summary Item #47.)

39. **RECOGNITION OF MR. CHRIS LA LONDE OF THE KINGS PARK INITIATIVE AND NEIGHBORHOOD COLLEGE (BRADDOCK DISTRICT)** (12:16 p.m.)

Supervisor Bulova recognized the presence of Mr. Chris La Londe from the Kings Park Initiative and Neighborhood College program and warmly welcomed him to the Board Auditorium.

40. **DEVELOPING CRITERIA AND DEFINING A POLICY FOR THE PLACEMENT AND NUMBER OF BICYCLE RACKS AS PART OF THE DEVELOPMENT PROCESS** (12:17 p.m.)

Supervisor Smyth said that earlier this year, she asked staff to examine the installation and placement of bicycle racks at the Government Center as well as other County facilities as a measure to encourage bicycle usage by both County employees and customers. Supervisor Smyth stated that through conversations with the Department of Transportation and Department of Planning and Zoning, it was her understanding that the County does not have a uniform policy regarding the inclusion of these bicycle facilities.

Therefore, Supervisor Smyth moved that the Board direct staff to investigate and report within three months how other jurisdictions are addressing these issues and develop specific standards for the County to use as part of the land development process, and to further examine how these standards could best be introduced whether through adoption of a Board Policy, an amendment to the Zoning Ordinance, or incorporation into the Public Facilities Manual.

Chairman Connolly seconded the motion and relinquishing the Chair to Vice-Chairman Bulova asked to amend it to determine what, if any, of this is already being done as part of the Comprehensive Bicycle Initiative, and this was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

DS:ds

41. **REQUEST FOR CONCURRENT PROCESSING AND AN EXPEDITED PUBLIC HEARING DATE FOR SKYLINE CENTER PROFFERED CONDITION AMENDMENT (PCA) APPLICATION (MASON DISTRICT)** (12:18 p.m.)

Supervisor Gross said that Skyline Center in Bailey's Crossroads is seeking a PCA to allow for the construction of a 31,865 square foot office space adjacent to its 26 story tower, which is located at County Tax Map reference 62-3 ((1)) 37, 38, 39, 40, and 41C. The new square footage of construction is a reallocation of previously approved square footage from the balance of the subject property. Skyline Center is pursuing the addition due to a direct request from the GSA, which already occupies a significant portion of the existing Skyline Center offices.

Supervisor Smyth said that to ensure minimum disruption of the important public and private sector work that is carried out at Skyline Center, the applicant has

requested concurrent processing of the site plan and an expedited public hearing date before the Board.

Therefore, Supervisor Gross moved that the Board direct staff to expedite the processing of the PCA and to concurrently process development plans, when possible. This motion should in no way be construed as a favorable recommendation by the Board on the PCA application. Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

42. **STATE OPERATING PERMIT FOR THE POTOMAC RIVER GENERATING STATION** (12:20 p.m.)

Supervisor Gross noted that this item is a joint matter with Chairman Connolly. Supervisor Gross said that the Potomac River Generating Station, located in the City of Alexandria, adjacent to the Potomac River, is a coal-fired power plant that opened in 1949. Although it has a 482 megawatt capacity, recent output has been reduced to conform to federal air pollution standards. Despite decreased output, the Mirant plant is still a major polluter in the area and continues to threaten Fairfax residents and the environment in the region with mercury, sulfur dioxide, and nitrogen oxide emissions.

Supervisor Gross noted that recently Chairman Connolly sent Alexandria Mayor Bill Euille a letter offering assistance in the City's efforts to reduce pollution coming from the power plant. Mayor Euille notified Chairman Connolly that the County has the opportunity to submit public comments to the Virginia Department of Environmental Quality in regard to Mirant's State Operating Permit. Supervisor Gross said that this is an important comment period for the County because Mirant has proposed consolidating smokestacks at the plant, which would have the effect of spewing pollution higher into the air, disseminating more broadly in the region, including in County neighborhoods.

Therefore, Supervisor Gross moved that the Board endorse the letter from Chairman Connolly, which she attached to her Board Matter, to the Virginia Department of Environmental Quality, with one minor change. The second paragraph should begin with "**Fairfax County...**" instead of "Fairfax," so that there will be no confusion with the City of Fairfax. Supervisor Kauffman seconded the motion.

Following discussion regarding Mirant, the question was called on the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

43. **ENVIRONMENTAL COMMITTEE MEETING** (12:22 p.m.)

(BACs) Supervisor Gross noted that the Board's Environmental Committee agenda and minutes from the October 1 meeting had been distributed around the dais. She

also noted that the next meeting of the Environmental Committee is scheduled for Monday, November 26, at 10:30 a.m.

Supervisor Gross noted that the distribution is usually sent to Board Members' offices on Wednesday, prior to the Monday meeting. However, it was done today, due to the upcoming holiday.

44. **CAMPAIGN SIGNS** (12:24 p.m.)

Supervisor Frey said that he received a number of inquiries during the last election cycle regarding campaign signs, as did all Board Members. He said the consensus of those who contacted him seems to be that while they recognize the purpose of the signs, the signs are up too long, both before and after the elections.

Supervisor Frey reminded the Board that the Zoning Ordinance permits campaign signs to be posted 75 days prior to any primary or general election and requires that they be removed three days after the election. To help encourage compliance, candidates are required to post a \$100 bond which is returned at the end of the campaign. Supervisor Frey said he is not aware of a bond ever being withheld. In part, because of the amount of time they are up, the signs deteriorate and fall, are subject to vandalism, and generally become an eyesore.

Supervisor Frey stated that 75 days is an unnecessarily inordinate amount of time to campaign via posted signs. Therefore, the bond posted to encourage compliance with the sign ordinance and maintenance of the signs is insufficient to elicit that cooperation.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to prepare, for consideration and inclusion on the 2008 Priority One List for the Zoning Ordinance Work Program, amendments to the sign ordinance that would allow campaign signs for both primary and general elections to be posted no sooner than 30 days prior to the election, and consider raising the bond from \$100 to \$500. Without objection, it was so ordered.

Discussion ensued, with input from David P. Bobzien, County Attorney, regarding the posting of signs on the parkways and legislation regarding the prohibition of political signs for candidates in campaigns.

Chairman Connolly stated that he would support any kind of legislation or effort that would limit political signs to private property. He noted that the question is whether there will be constitutional hurdles if anything is done.

Further discussion ensued regarding the amount of time for the posting of signs. Chairman Connolly noted that this is being done with the understanding that if staff has a better idea they are more than welcome to offer it to the Board.

Supervisor Bulova noted that the Adopt-A-Highway individuals who, in cleaning up the highway, thought they could remove political signs but are being told that they are not allowed to do so.

Supervisor Gross noted that, in talks with Solid Waste staff after the elections, the signs are recyclable. She urged discussions with staff, for the future, as to what kind of approach should be used, and where to put them, so they can be sent to a recycling center.

45. **REQUEST FOR CERTIFICATE OF RECOGNITION (SPRINGFIELD DISTRICT)** (12:33 p.m.)

Supervisor McConnell noted that the 2007 World Series featured the Boston Red Sox and the Colorado Rockies. She said that one of the pitchers for the Rockies this season, Ryan Speier, grew up in the County. He attended Orange Hunt Elementary School and is a 1997 graduate of West Springfield High School.

Supervisor McConnell asked unanimous consent that the Board direct staff to invite Mr. Speier to appear before the Board to be recognized for his impressive achievement. Without objection, it was so ordered.

PMH:pmh

46. **PARKING RESTRICTIONS ON CINDERBED ROAD (LEE DISTRICT)** (12:35 p.m.)

Supervisor Kauffman said that under certain conditions the Board designates authorization of restricted parking areas on portions of the secondary roads to handle unsafe on-street parking.

A concern has been developing along the 8500 and 8600 blocks of Cinderbed Road, Newington (Lorton). For some time the tenants of the 8500 and 8600 blocks of Cinderbed Road have watched the number of trucks and trailers of all tonnage grow in number until the road is literally lined with them. These trucks and trailers sometimes stay parked for weeks at a time.

There are four bus stops along Cinder Bed Road and daily the tenants who use public transportation to get to work face serious safety concerns because they must stand in the road to wait for the bus due to trucks blocking the bus stop areas. Additionally, these trucks often park two abreast to perform maintenance operations and it becomes virtually impossible to leave the business park without moving into the oncoming lane of traffic because incoming lanes are filled with parked trucks.

Consequently, the business property owners on Cinderbed Road have requested the County to restrict parking from 6 a.m. to 6 p.m. of vehicles with gross weights in excess of 12,000 pounds or lengths of 30 feet or more.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct the County Executive and the Department of Transportation to immediately commence the process to install hour specific parking restrictions on Cinderbed Road. Without objection, it was so ordered.

47. **REQUEST FOR CERTIFICATE OF RECOGNITION (LEE DISTRICT)**
(12:37 p.m.)

Supervisor Kauffman said that Bob Gray, a long time resident of Lee District, is moving to warmer, if not greener, pastures. Mr. Gray has been a leader in the Springfield business, revitalization, and civic communities since moving here more than 35 years ago.

Supervisor Kauffman referred to his written Board Matter outlining Mr. Gray's accomplishments.

Therefore, Supervisor Kauffman asked unanimous consent the Board direct the Office of Public Affairs to invite Mr. Gray to appear before the Board at its December 3 meeting and that a certificate be prepared to present to Mr. Gray. Without objection, it was so ordered.

Following discussion regarding the schedule, with input from Merni Fitzgerald, Director, Office of Public Affairs, Supervisor Bulova stated that the presentation for the Partners in the Braddock Road Clean-up project was scheduled for the first meeting in January.

48. **REQUEST FOR WAIVER OF APPLICATION FEES (LEE DISTRICT)**
(12:38 p.m.)

Supervisor Kauffman said that he is requesting a waiver of the application fees for permits associated with the flea markets held by the Springfield-Franconia Host Lions Club Charities, Incorporated. The Board has approved this waiver request annually since 1994. He said that the Springfield-Franconia Host Lions Club Charities, Incorporated recently contacted him to express appreciation for the Board's help in the past and to ask that the Board support a waiver again this year.

Supervisor Kauffman noted that the flea markets are held on alternating Saturdays from April through November at the Virginia Railway Express parking lot off Backlick Road. All net proceeds from the flea markets are returned to the community. The Springfield-Franconia Host Lions Club Charities, Incorporated supports organizations such as Koinonia, ECHO, and the Juvenile Diabetes Foundation and assists indigent citizens with eyeglass prescriptions and hearing aids.

Therefore, Supervisor Kauffman moved that the Board waive the application fees for 21 day permits associated with the Springfield Host Lions Club Charities 2008

flea markets. This motion, the second to which was inaudible, carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

49. **TOWN OF VIENNA WAIVER REQUEST** (12:39 p.m.)

Supervisor Hudgins said that the Town of Vienna Police Department is preparing to start the construction of a records storage facility at 247 Nutley Street, N.W. The department will be submitting the plans and application for the project which will require building permits and subsequent inspections by the County Department of Public Works and Environmental Services (DPWES).

Therefore, Supervisor Hudgins moved that the Board direct staff of DPWES to exempt the Town of Vienna from all building and inspections fees associated with the Town of Vienna's records storage facility.

Following input from David P. Bobzien, County Attorney, Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

50. **COAT CLOSET (HUNTER MILL DISTRICT)** (12:39 p.m.)

Supervisor Hudgins said that November 13 marked the beginning of the 2007-2008 Hunter Mill District Coat Closet for adults and children in need of winter coats. Co-sponsored with Reston Interfaith, this is the sixth annual Coat Closet. Last year, in excess of 5,000 coats were distributed.

Therefore, Supervisor Hudgins asked unanimous consent that the Board request the assistance of the Office of Public Affairs in disseminating information on the Hunter Mill Coat Closet so that many more may take advantage of the kindness and generosity of donors. Without objection, it was so ordered.

51. **DR. ROOSEVELT CALBERT (HUNTER MILL DISTRICT)** (12:40 p.m.)

Supervisor Hudgins said that Hunter Mill District resident, Dr. Roosevelt Calbert has long been noted for his leadership and service in minority achievement.

On September 28, 2007, Dr. Calbert became the first resident in the County to be inducted into the 22nd Annual Hall of Fame for Historically Black Colleges and Universities. He was recognized for promoting academic excellence and the full participation of all African-Americans in the sciences. Because of his efforts, thousands of minorities have excelled in the sciences and will meet the high demands of the 21st century global economy.

Dr. Calbert is active in the Hunter Mill District, being an initial founder of Reston's Heritage Fellowship United Church and a current board member of the Southgate Community Center Advisory Committee.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Dr. Calbert to appear before the Board to be acknowledged for his dedicated work and his outstanding accomplishments. Without objection, it was so ordered.

52. **HUNTINGTON FLOOD DAMAGE REDUCTION PROJECT (MOUNT VERNON DISTRICT)** (12:41 p.m.)

Jointly with Supervisor Hyland, Chairman Connolly said that recently the Board received a resolution from the Huntington Community Association in reaction to a County community update newsletter asking that the County and the Corps of Engineers understand several of their concerns as County staff as well as the Corps evaluate the cost-benefit ratios for several proposed flood prevention projects. Huntington's concerns include the importance of preventing a loss of life and property and the protection of affordable housing near the Huntington Metro station.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the Stormwater Planning staff to forward Huntington's resolution to the Corps of Engineers for its evaluation. Without objection, it was so ordered.

53. **LORTON STATION PROFFER (MOUNT VERNON DISTRICT)** (12:42 p.m.)

On behalf of Supervisor Hyland, Chairman Connolly said that the Lorton Station community recently learned that Department of Planning and Zoning (DPZ) staff changed a proffer for space in a building currently under construction without input from the community. In November 2006, the Lorton Town Center applicant requested a proffer determination to change the location of the community center from the second floor of the building to the basement. DPZ staff felt this request was in "...substantial conformance with the Proffers."

Chairman Connolly said that this is regardless of the fact that the proffer stated: "*A minimum of 5,000 square feet on the second floor of Building C will be available to be reserved for private events and community activities a minimum of four week nights per month and as available on weekends and other weekday evenings...*" This is an unambiguous and specific agreement. The proffer established the community center on the second floor. This is what the community approved. Any location other than the second floor is contrary to what the community supported.

A recent County Attorney's opinion stated that at this point the County is "precluded from reviewing, changing or reversing....the proffer determination" because the 60 day appeal period passed. The letter of determination from staff was not sent to the community who negotiated with the applicant and staff on this specific proffer. Were it not for the sharp eye of an alert citizen who reviewed the

site plans, as this building is now being constructed, Chairman Connolly said that this may have never been caught.

Therefore, Chairman Connolly moved that the Board direct the County Executive to review staff's determination regarding this specific proffer and the process by which staff communicates its decision to the community. As a County that prides itself on citizen government, the Board needs to ensure that those involved with the creation of the proffers are also aware of the reinterpretations and have a meaningful opportunity for input.

Chairman Connolly further moved that the County Executive and DPZ review the current public input process for staff determinations and suggest how to ensure sufficient community involvement. Vice-Chairman Bulova seconded the motion.

Following discussion regarding the notice process, and with input from David P. Bobzien, County Attorney, the question was called on the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

54. **MOUNT VERNON COUNCIL RESOLUTION ON WATERFOWL FEEDING ORDINANCE (MOUNT VERNON DISTRICT)** (12:44 p.m.)

On behalf of Supervisor Hyland, Chairman Connolly said that on November 1, 2007, the County's waterfowl feeding prohibition along Little Hunting Creek expired. Many homeowners along Little Hunting Creek have spent long hours shoveling goose feces off their docks and walkways or kept their children locked inside to protect them from the vicious black beaked bites of the meanest Canada geese. After a long campaign from creekside property owners to enact enabling legislation in the General Assembly, the County passed its ordinance as a pilot program in 2005.

On October 27, the Mount Vernon Council passed a resolution requesting the Board extend the ordinance for up to three years and direct staff to examine whether this restriction should be extended to other species.

Therefore, Chairman Connolly asked unanimous consent that the Board direct the County Executive and staff to provide information on the Department of Game and Inland Fisheries' regulation and report to the Board with their recommendation to expand the current regulation's scope. Without objection, it was so ordered.

55. **COMMENDATION LETTERS FOR THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES)** (12:45 p.m.)

Chairman Connolly said that in the last few weeks, Wastewater Collection staff in DPWES has gone above and beyond the call of duty to respond to sewer line breaks in Belle View. The infrastructure in Belle View is almost 60 years old and the groundwater, affected by the Potomac River's tide, eroded the soil beneath

some of these lines causing them to sag or break in places. Within hours of the break, staff was in the community briefing residents and the Belle View Condominium Owners Association on what happened and how they plan to fix the problem, which will be a complex job. Division Director Ifty Khan and his staff emulate the County's principles and goals. They were responsive, courteous, and respectful of the needs of the community.

Therefore, Chairman Connolly asked unanimous consent that the Board sign letters of commendation on behalf of all Board Members to each of the staff who was involved in this project. Without objection, it was so ordered.

56. **HOOES ROAD NO PARKING SIGNS (MOUNT VERNON DISTRICT)**
(12:45 p.m.)

Chairman Connolly said that in October, a petition was received from homeowners in the Westwater Point subdivision in Springfield. Along Hooes Road, near the Gambrill Road Park and Ride Lot, numerous cars park well into the travel lane and force drivers to straddle the double yellow centerline dangerously close to oncoming traffic. The drivers of the parked cars litter, which creates an attractive nuisance as others think this stretch of Hooes Road is a good place to dump their trash.

Therefore, Chairman Connolly moved that the Board direct the Department of Transportation (DOT) to install "No Parking" signs along Hooes Road between Gambrill Road and the entrance of the Pohick Creek Stream Valley Park. DOT shall obtain the necessary permits from the Virginia Department of Transportation and coordinate enforcement with the Police Department. Vice-Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

57. **RECESS/CLOSED SESSION** (12:47 p.m.)

Supervisor Gross moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section (§) 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).

(c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).

1. *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)

McLean Bible Church v. Eileen M. McLane, Zoning Administrator, and Board of Zoning Appeals of Fairfax County, Virginia, Case No. 1:06-cv-00769 (E.D. Va.) (Dranesville 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. *Bernice Wilson v. Fairfax County Department of Family Services*, Record No. 07804 (Va. Sup. Ct.)

4. *Ronald Koch v. Lance Schaible, et al.*, Civil Action No. 1:06cv1262 (E.D. Va.)

5. *Karunakaram, et al v. Town of Herndon, et al.*, Case No. CL-2005-0004013 (Fx. Co. Cir. Ct.) (Dranesville District)

6. *Matthew Francis Egan v. Fairfax County Police Department*, Case No. 1:07-cv-623 (E.D. Va.)

7. *Colleen Malone Lindvall v. Melissa McLaughlin, Scott McLaughlin, Lindva Cahill, Timothy Cahill, Thomas Pilsch, Tracey Pilsch and Brian C. Calfee*, Case No. 1:07CV565 (E.D. Va.)

8. *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.)
9. *Glen Berry v. Roy Biedler*, Case No. CL-2007-0005783 (Fx. Co. Cir. Ct.)
 10. *Alfredo Hernandez and Maruca Hernandez v. Fairfax County* (Fx. Co. Board of Building Code Appeals) (Springfield District)
 11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rosita Lim Ong Chang*, Case No. CL-2007-0010248 (Fx. Co. Cir. Ct.) (Braddock District)
 12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Micaela Valencia*, Case No. CL-2007-0000211 (Fx. Co. Cir. Ct.) (Providence District)
 13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Angela Rivas*, Case No. CL-2007-0008621 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
 14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ana Caballero*, Case No. CL-2007-0001746 (Fx. Co. Cir. Ct.) (Providence District)
 15. *Jane W. Gwinn, Fairfax County Zoning Administrator v. John Charles Lozinyak*, In Chancery No. 146692 (Fx. Co. Cir. Ct.) (Mason District)
 16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Douglas L. Card*, Case No. CL-2007-0010592 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Andrea Ventura and Isabel Blanco*, Case No. CL-2007-0010664 (Fx. Co. Cir. Ct.) (Providence District) (Strike Team Case)
 18. *Eileen M. McLane, Fairfax County Zoning Administrator v. John B. Ziegler and Deborah L.*

- Ziegler*, Case No. CL-2007-0011234 (Fx. Co. Cir. Ct.) (Providence District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Anthony Jackson and Amy Jackson*, Case No. CL-2007-0010591 (Fx. Co. Cir. Ct.) (Providence District)
 20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Simone M. Wyvell*, Case No. CL-2007-0009865 (Fx. Co. Cir. Ct.) (Dranesville District)
 21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nelson Hernandez and Reina Villalobos*, Case No. CL-2007-0012868 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
 22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Pedro E. Gonzalez*, Case No. CL-2007-0009990 (Fx. Co. Cir. Ct.) (Mason District)
 23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rina Hernandez and Nelson Torrico*, Case No. CL-2007-0006824 (Fx. Co. Cir. Ct.) (Braddock District)
 24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilfredo Pena and Elsa Marina Lopez*, Case No. CL-2007-0012257 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
 25. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Joseph L. Williams*, Case No. CL-2007-0012566 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jose A. Rodriguez and Doris Garcia Cordova*, Case No. CL-2006-0002673 (Fx. Co. Cir. Ct.) (Lee District)
 27. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v.*

- Judith Rae Evans*, Case No. CL-2007-0012671
(Fx. Co. Cir. Ct.) (Mount Vernon District)
28. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Laurence P. Wheeler and Susie A. Wheeler*, Case No. CL-2007-0012667 (Fx. Co. Cir. Ct.) (Dranesville District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Beltran Sanchez Carbajal, Sulma Patricia Flores de Sanchez, and Evelin Y. Mendoza*, Case No. CL-2007-0013442 (Fx. Co. Cir. Ct.) (Mason District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Fernando Sejas Teran, Eulalia T. Paredes, and Nancy B. Terceros*, Case No. CL-2007-0013121 (Fx. Co. Cir. Ct.) (Providence District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jarbin R. Guevara Paz*, Case No. CL-2007-0012972 (Fx. Co. Cir. Ct.) (Lee District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tom A. Rogers and Patricia A. Rogers*, Case No. CL-2007-0013123 (Fx. Co. Cir. Ct.) (Providence District)
33. *Eileen M. McLane, Fairfax County Zoning Administrator v. Tariq Ahmad and Ata Ul Qayyum*, Case No. CL-2007-0012973 (Fx. Co. Cir. Ct.) (Lee District)
34. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. TWG Huntington, LLC*, Case No. CL-2007-0013577 (Fx. Co. Cir. Ct.) (Lee District)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Phuong M. La*, Case No. CL-2007-0009450 (Fx. Co. Cir. Ct.) (Providence District)

36. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lydia C. Redding, et al.*, Case No. CL-2007-0013239 (Fx. Co. Cir. Ct.) (Providence District)
37. *Eileen M. McLane, Fairfax County Zoning Administrator v. Paula R. Brassfield*, Case No. CL-2007-0013238 (Fx. Co. Cir. Ct.) (Dranesville District)
38. *Board of Supervisors of Fairfax County, Virginia, v. Parvis Azarmi-Por, et al.*, At Law No. CL-2007-0012345 (Fx. Co. Cir. Ct.) (Springfield District)

And in addition:

- Virginia Code Section 2.2-3711-(A)(20)
- Fairfax County Code Section 61-1-2
- Statement of Policy regarding sewage disposal
- RFP 08-942339-32 Management and Operation of the Fairfax County Combined Charitable Campaign
- Waverly West Homeowners Association v. Fairfax County

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Hyland being absent.

DET:det

At 4:15 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor DuBois and Supervisor Hyland, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

58. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:15 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 Gross and Supervisor Smyth jointly

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

59. **MEMORANDUM OF UNDERSTANDING TO CREATE AND SUPPORT THE NATIONAL CAPITAL REGIONAL INTELLIGENCE CENTER**
(4:17 p.m.)

Supervisor Gross moved that the Board approve entering into a Memorandum of Understanding between the Federal Bureau of Investigation, Washington Field Office, and the Fairfax County Police Department to create and support the National Capital Regional Intelligence Center. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor DuBois and Supervisor Hyland being absent.

AGENDA ITEMS

60. **3:30 P.M. – PH ON THE CREATION/ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND/OR LEAF COLLECTION SERVICE (DRANESVILLE AND MASON DISTRICTS)** (4:17 p.m.)

(Rs) 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 November 1 and November 8, 2007.

Terry Czarny, Sanitary District Administrator, Solid Waste Collection and Recycling Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Gross moved approval of the proposed petitions within Dranesville and Mason Districts in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts. The actions listed below will result in a net increase of 22 refuse/recycling customers and 1 leaf customer:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District 1A12 Within Small District 1 Within Dranesville District (1450 Kirby Road)	Enlarge 1 Unit	Refuse and Recycling	Approve

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 14 Within Dranesville District (Natahoa Court)	Create 20 Units	Refuse and Recycling	Approve
Small District 4 Within Mason District (6471 Overlook Drive)	Enlarge 1 Unit	Refuse/ Recycling and Leaf	Approve

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

61. **3:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE HUNTER MILL ROAD WALKWAY PROJECT (PROVIDENCE DISTRICT)** (4:19 p.m.)

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 1 and November 8, 2007.

Carol L. Kresge, Right-of-Way Agent, Land Acquisition Division, Department of Public Works and Environmental Services, presented the staff report. Discussion ensued concerning the location of the proposed sidewalk.

Supervisor Smyth submitted items for the record.

Following the testimony of two speakers, discussion ensued with input from Larry Ichter, Chief, Transportation Design Branch, Plans and Design Division, Department of Public Works and Environmental Services, who addressed some of the concerns raised by the second speaker, as well as the process involved.

Chairman Connolly closed the public hearing.

Supervisor Smyth moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project 4YP020 – Hunter Mill Road Walkway, in Fund 304, Transportation Improvements. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor DuBois and Supervisor Hyland being absent.

62. **3:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE KENMORE SUBDIVISION SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (DRANESVILLE DISTRICT)** (4:50 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 1 and November 8, 2007.

Dianne Barnes, Right-of-Way Agent, Land Acquisition Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project X00826 –Kenmore Subdivision Sanitary Sewer Extension and Improvement, Fund 402, Sewer Construction Improvements. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hudgins being out of the room, Supervisor DuBois and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

63. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE OLD CENTREVILLE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (4:53 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 November 1 and November 8, 2007.

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

Following the public hearing, which included testimony by two speakers, Supervisor Frey submitted an item for the record.

Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Old Centreville CPD, in accordance with current CPD restrictions. The proposed district expansion includes the following:

- *Old Centreville Road* (Route 858)
From Centewood Drive to cul-de-sac inclusive.

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

64. **3:30 P.M. – PH TO VACATE PORTIONS OF A SANITARY SEWER EASEMENT LOCATED AT 3717 TOLLGATE TERRACE, FALLS CHURCH (MASON DISTRICT)** (5:01 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 November 8 and November 15, 2007.

Marguerite Verville, Assistant Director of Real Estate Development and Planning, Facilities Management Department, presented the staff report. Discussion ensued, with input from Karen J. Harwood, Deputy County Attorney, concerning damage that could occur to the property in the future, and Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services, concerning relining of the pipes.

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

Supervisor Gross moved to defer decision on the adoption of the Resolution vacating portions of a sanitary sewer easement located at 3717 Tollgate Terrace, Falls Church, Tax Map 61-3 ((14)) lot 48 until **December 3, 2007, at 3 p.m.**, while keeping the record open for additional testimony. Supervisor Bulova seconded the motion.

Discussion ensued with additional input from Ms. Harwood concerning less restrictive language.

The question was called on the question and it carried by a vote of seven, Supervisor Hudgins being out of the room, Supervisor DuBois and Supervisor Hyland being absent.

65. **4 P.M. – PH TO RECEIVE COMMENT FROM CITIZENS ON THE PROPOSED LEGISLATIVE PROGRAM** (5:14 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 November 1 and November 8, 2007.

Chairman Connolly briefly summarized the eight County initiatives.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved to include the following two amendments in the draft legislative program:

- Funding – Investment in Public Education: rebenchmarking the K-12 Standards of Quality and ask that the Commonwealth fully reimburse localities for the Commonwealth's fair share, as well as increase access and affordability to students in Virginia's public institutions of higher education by working to more fully fund base budget adequacy guidelines.
- Land Conservation: support the preservation of open space and the State should also pursue initiatives that could expand the funding available for local or regional parkland acquisition, restoration of historic sites, trail expansion, and water supply protection, particularly in densely populated areas such as Northern Virginia.

Vice-Chairman Bulova seconded the motion. The question was called on the motion and it carried by a vote of seven, Supervisor Hudgins being out of the room, Supervisor DuBois and Supervisor Hyland being absent.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following the public hearing, which included testimony by three speakers, Chairman Connolly announced that the record would be kept open until the Board formally votes on the matter at the December 3 meeting.

ADDITIONAL BOARD MATTER

66. **ANNOUNCEMENT OF COMMITTEE MEETINGS** (5:26 p.m.)

(BACs) Chairman Connolly announced that there would be an Environmental Committee meeting on Monday, November 26 but there were no plans for a Legislative Committee meeting on Monday, although it had been tentatively scheduled.

67. **BOARD ADJOURNMENT** (5:27 p.m.)

The Board adjourned.

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