



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
March 19, 2013**

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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 Tuesday, March 19, 2013, at 9:34 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Others present during the meeting were Edward L. Long Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Denise A. Long, Deputy Clerk to the Board of Supervisors; Dianne E. Tomasek and Ekua Brew-Ewool, Administrative Assistants, Office of Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:34 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of Mr. Patrick Kane, who died recently. Supervisor Hudgins read a resolution in his honor and asked unanimous consent that the Board direct staff to forward a copy of the resolution to his family. Without objection, it was so ordered.

Supervisor Gross asked everyone to keep in thoughts the family of Ms. Harriet Mika, who died recently. Ms. Mika was a retired teacher of Edison High School and was extraordinary, valuable, and an advisor on education issues.

AGENDA ITEMS2. **PROCLAMATION DESIGNATING APRIL 7, 2013, AS "HOLOCAUST REMEMBRANCE DAY" IN FAIRFAX COUNTY** (9:40 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate April 7, 2013, as "*Holocaust Remembrance Day*" in Fairfax County. Supervisor Hyland seconded the motion.

Following a brief discussion regarding the Holocaust and its remembrance, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

On behalf of the Board, Chairman Bulova acknowledged the presence of Delegate Eileen Filler-Corn and warmly welcomed her to the Board Auditorium.

3. **PRESENTATION TO THE BOARD OF THE OFFICE OF THE SHERIFF'S RE-ACCREDITATION** (9:54 a.m.)

Gary Dillion, Program Manager, Virginia Accreditation Center, Department of Criminal Justice Services, Richmond, presented a Certificate to the Board for the Office of the Sheriff's re-accreditation by the Virginia Law Enforcement Professional Standards Commission.

4. **RESOLUTION OF RECOGNITION PRESENTED TO THE SHERIFF'S OFFICE** (9:58 a.m.)

Supervisor McKay moved approval of the resolution of recognition presented to the Office of the Sheriff's Teen Awareness Program. Supervisor Foust and Supervisor Herrity jointly seconded the motion and it carried by unanimous vote.

5. **PRESENTATION TO THE BOARD BY HARLAN EUGENE CROSS JR.**
(10:05 a.m.)

Mr. Harlan Eugene Cross Jr. presented Board Members with copies of his book, "Letters Home: Three Years Under General Lee in the 6th Alabama."

Supervisor Frey gave a brief background on the presentation and thanked him for his gift. He also announced that the Publisher, Paula Elsey, has donated a copy of the book to each of the County's Library branches.

Supervisor Frey thanked Mrs. Carol Cross who played an important role in the preservation and protection of the Old Vale Schoolhouse.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ED WENZEL**
(10:18 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to Mr. Ed Wenzel for the map he created showing the County in relation to the activity that occurred throughout the Civil War. Supervisor Herrity and Supervisor Hyland jointly seconded the motion.

Following a brief discussion regarding the map, the question was called on the motion and it carried by unanimous vote.

Supervisor Frey asked unanimous consent that the Board allow the map to be displayed in the Government Center Lobby for a brief period. Without objection, it was so ordered.

7. **CERTIFICATES OF RECOGNITION PRESENTED TO OX HILL 150TH SIGNATURE EVENT PLANNING COMMITTEE** (10:29 a.m.)

Supervisor Frey moved approval of the Certificates of Recognition presented to members of the Ox Hill 150th Signature Event Planning Committee. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

8. **RESOLUTION OF RECOGNITION PRESENTED TO MR. JOE NILSON**
(10:41 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to Mr. Joe Nilson for his years of service to the County. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING APRIL 2013 AS "DONATE LIFE MONTH" IN FAIRFAX COUNTY** (10:52 a.m.)

Supervisor Hyland moved approval of the Proclamation to designate April 2013 as "*Donate Life Month*" in Fairfax County. Supervisor Herrity seconded the motion.

Discussion ensued regarding benefits of organ donation and outreach. More information can be found at: <https://www.donatelifevirginia.org/>.

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

Supervisor McKay asked unanimous consent that the Board request a copy of the Commission data analysis of donors by zip code. Without objection, it was so ordered.

ADDITIONAL BOARD MATTER

10. **INTRODUCTION OF MR. YOUSOUF TOGOLA, DELEGATION OF ONE FROM MALI** (11:03 a.m.)

Chairman Bulova introduced Mr. Yousouf Togola, Financial Coordinator for the Ministry of the Environment, Mali, accompanied by Mr. Mohamed Coulibaly. Mr. Togola is visiting the County to learn about its organization structure, decentralization, transparency, and the role of the media and communications. On behalf of the Board, Chairman Bulova warmly welcomed them to the Board Auditorium and invited Mr. Togola to make remarks.

11. **PROCLAMATION DESIGNATING APRIL 2013 AS "FAIR HOUSING MONTH" IN FAIRFAX COUNTY** (11:06 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate April 2013 as "*Fair Housing Month*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

12. **PROCLAMATION DESIGNATING APRIL 1-7, 2012, AS "PUBLIC HEALTH WEEK" IN FAIRFAX COUNTY** (11:13 a.m.)

Supervisor Frey moved approval of the Proclamation to designate April 1-7, 2013, as "*Public Health Week*" in Fairfax County. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

13. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:21 a.m.)

(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of "Appointments to be Heard

March 19, 2013,” as distributed around the dais. Supervisor Foust and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Appointments are as follows:

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Sully District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Citizen and Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative.

ATHLETIC COUNCIL

Reappointment of:

- Mr. Harold Leff as the Hunter Mill District Principal Representative
- Mr. James R. Elder as the Hunter Mill District Alternate Representative
- Mr. Jonathan Willmott as the Mount Vernon District Principal Representative
- Mr. B. Jefferson Boggs as the Mount Vernon District Alternate Representative
- Mr. David Lacey as the Sully District Principal Representative

Appointment of:

- Ms. Jane Dawber as the Women’s Sports Alternate Representative

The Board deferred the appointment of the Dranesville District Principal and Alternate Representatives and the Sully District Alternate Representative.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Mason, Mount Vernon, and Springfield District Representatives.

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

Reappointment of:

- Mr. Thomas Schroeder as the Alternate #1 Representative

The Board deferred the appointment of the Design Professional #1 Representative.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Reappointment of:

- Ms. Patricia Flavin as the Professional #6 Representative

CHILD CARE ADVISORY COUNCIL

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

CITIZEN CORPS COUNCIL

The Board deferred the appointment of the Providence District Representative.

COMMISSION FOR WOMEN

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

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPORTATION

The Board deferred the appointment of the Lee and Providence District Representatives.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of the Braddock, Hunter Mill, Mason, Providence, and Sully District Representatives.

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Mr. Christopher Wade as the Fairfax County Chamber of Commerce #3 Representative

- Mr. James Corcoran as the Fairfax County Chamber of Commerce President Representative
- Ms. Kelly Pride Hebron as the Small Business Commission Representative

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Reappointment of:

- Ms. Linda Burchfiel as the At-Large #2 Representative

The Board deferred the appointment of the Providence District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Lee and Sully District Representatives.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Candace S. Rettie as an Advocacy Organizations Representative
- Dr. Heisung Lee as a Long Term Provider Organization Representative
- Ms. Diane K. Poldy as a Constituent/Consumer Representative

FAIRFAX –FALLS CHURCH COMMUNITY SERVICES BOARD

Appointment of:

- Mr. Gary A. Ambrose as the At-Large #3 Representative

Nomination of:

- Dr. Paul V. Luisada as the Mount Vernon District Representative

(The Board is scheduled to take action on this appointment on April 30, 2013.)

The Board deferred the appointment of the Sully District Representative.

GEOTECHNICAL REVIEW BOARD

Confirmation of:

- Mr. I. Al Nouri as the Primary #1 Representative

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #1 and #6 Representatives and the Provider #1 Representative.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Reappointment of:

- Ms. Joleane Dutzman as the Mount Vernon District Representative

The Board deferred the appointment of the At-Large Chairman's Representative.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the At-Large Chairman's Representative, and the Hunter Mill and Sully District Representatives.

Confirmation of:

- Mr. John Murray as the Commonwealth Attorney Representative
- Captain John Snyder as the Office of the Sheriff Representative
- Lt. Col. Tom Ryan as the Police Department Representative

ROAD VIEWERS BOARD

The Board deferred the appointment of the At-Large #4 Representative.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Reappointment of:

- Mr. Cleveland Williams as the Fairfax County #7 Representative

The Board deferred the appointment of the Fairfax County #4 and #8 Representatives.

TENANT LANDLORD COMMISSION

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

TRAILS AND SIDEWALKS COMMITTEE

Confirmation of:

- Ms. Petra Osborne as the Fairfax Area Disability Services Board Representative

TREE COMMISSION

The Board deferred the appointment of the Providence District Representative.

TRESPASS TOWING ADVISORY BOARD

The Board deferred the appointment of the Citizen Alternate Representative.

14. **10:40 A.M. – PRESENTATION BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) TITLED “ISSUES FOR FAIRFAX COUNTY’S ECONOMIC FUTURE”** (11:22 a.m.)

(BACs) Gerald L. Gordon, Ph. D., President and CEO of the EDA, presented the report.

Following the presentation, discussion ensued, with input from Mr. Gordon, regarding:

- The number of prospects from previous years; success rates in keeping prospects; and the prospects’ conversion rate
- Comparison information available on prospects
- Revitalization areas and how to address minority owned businesses
- Opportunities and challenges facing the County
- Efforts being made to fill vacant commercial space in the County

Supervisor Foust asked unanimous consent that the Board direct staff to provide the Board with copies of the report that was recently presented to the Economic Advisory Commission. Without objection, it was so ordered.

Discussion continued with input from Mr. Gordon regarding:

- The impact of the metro expansion on economic development

- Attracting federal contracting to the County and what is being done to attract prospects
- Proposed funding of cyber security initiatives
- Marketing to attract businesses to the County
- Retention activities and resources
- The current economic environment
- Exit interviews with companies who leave the County
- Collaboration with other agencies on showcasing the County
- EDA's International focus and presence

Chairman Bulova thanked the EDA for its work.

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15. **10:55 A.M. – REPORT OF THE BI-PARTISAN ELECTION PROCESS IMPROVEMENT COMMISSION** (11:54 a.m.)

(BACs) The Honorable Katherine K. Hanley, Co-Chair of the Bi-Partisan Election Process Improvement Commission, introduced members of the Commission and gave opening remarks, noting that a copy of the report had been distributed to Board Members.

The Honorable Stuart Mendelsohn, Co-Chair of the Bi-Partisan Election Process Improvement Commission, highlighted a number of the recommendations contained in the Commission's report as follows:

- Every precinct should use Electronic Poll Books (EPBs)
- Dedicated phone lines should be allocated to the registrar and other forms of communications should be available on Election Day
- The County should move quickly to using only one integrated voting system
- Paper ballots should be referred to as electronically scanned ballots and a public awareness campaign should be initiated to educate voters about such ballots

- Whenever possible in presidential election years, multiple bond referenda should not be scheduled on the ballot to keep it shorter and more manageable
- Sufficient parking for voters shall be provided at polling places
- Polling places should be large enough so as to configure lines and room layouts to maximize efficiency
- Co-located precincts should have a paging system or extra officials to direct individuals
- Attention to signage is needed
- In precincts where there are unusual circumstances in the configuration of the precinct or difficulty in finding an adequate single polling place location, or recurring late closings, it may be necessary to split the precinct even if it does not meet the maximum numbers required for splitting. Numbers should not be the only criteria
- The use of technology should be explored to make it possible to schedule appointments for curbside voting
- Absentee voting should be encouraged for those eligible to do so, particularly in presidential election years
- Voters with disabilities should be encouraged to vote absentee in person, in advance, if possible to avoid standing in long lines on election day
- The space used in the Government Center's Office of Elections for absentee in person voting is too small, in the hall, and provides no privacy
- Satellite locations for absentee in-person voting should be treated as precincts
- Shortage of election officials; training and compensation
- The need for more language diversity among election officials; explore providing a bonus for workers with special skills, e.g. language or technology
- Promoting the Page Program, run in conjunction with Fairfax County Public Schools

- The voter registration process at the Department of Motor Vehicles continues to be a problem
- Promoting the County's "mobile app"
- The need to establish an enterprise fund for voting equipment replacement

Ms. Hanley noted that there were fewer absentee voters in 2012 than in 2008 which resulted in longer lines at the polls.

Ms. Hanley thanked Michael H. Long, Deputy County Attorney; Erin Ward, Assistant County Attorney; and Lisa Connors, Public Information Officer, Office of Public Affairs, for their invaluable support of the Commission.

On behalf of the Board, Chairman Bulova thanked Ms. Hanley, Mr. Mendelsohn, and members of the Commission for their work.

Discussion ensued, with input from Ms. Hanley, regarding:

- Signage
- Absentee in-person voting
- Number of election workers
- EPBs
- Compensation for election officials
- Technology
- Weather issues
- Protection for voters

Supervisor Gross moved that the Board accept the report of the Bi-Partisan Election Process Improvement Commission and refer it to the County Executive for review and response and any recommendations that have budget implications be submitted prior to the Board's Budget Committee meeting scheduled for April 19. Supervisor McKay seconded the motion and it carried by unanimous vote.

16. ADMINISTRATIVE ITEMS (12:42 p.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Hyland and Supervisor McKay jointly seconded the motion.

Supervisor Herrity called the Board's attention to Admin 3 – Authorization to Advertise Proposed Amendments the Code of the County of Fairfax, Chapter 118 (Chesapeake Bay Preservation Ordinance), to Amend the Map of Chesapeake Bay Preservation Areas, Regarding Resource Protection Area (RPA) Boundaries and Board Policy for the Treatment of Approved and Pending Plans of Development (Dranesville District) and raised a question regarding whether designation of the two RPAs will impact the athletic fields. Discussion ensued, with input from David R. Bowden, Director, Planning and Development Division, Park Authority.

Supervisor Cook raised a question regarding whether the Park Authority has an official position on this issue, with input from Mr. Bowden.

Supervisor Cook called the Board's attention to Admin 4 – Authorization to Conduct a Joint Public Hearing for the Virginia Department of Transportation's Secondary Six-Year Program for Fiscal Years (FY) 2014 through 2019, and the FY 2014 Budget and raised a question regarding the affect, if any, the State's new transportation bill will have on the plan. Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, concerning regional funds.

Supervisor Frey called the Board's attention to Admin 5 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Appendix H, to Grant a Non-Exclusive Cable Television Franchise to Coxcom, LLC and noted that the George Mason University Men's Basketball team is playing in the College Basketball Invitational Tournament tonight and while many of the cable carriers in the region will be carrying that game Cox has not managed to pick it up. Discussion ensued, with input from Kathryn Falk, Vice President, Public and Government Affairs, Cox Communications.

(NOTE: Later in the meeting, there was a brief discussion regarding this item. See Clerk's Summary Item #60.)

Supervisor Hudgins raised a question regarding the Connect2Compete Program and discussion ensued, with input from Ms. Falk, who noted that Cox has been working with the Fairfax County Public Schools and the Office of Public Private Partnerships, and will be rolling it out later this spring.

The question was called on the motion to approve the Administrative Items and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM
(DRANESVILLE, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
McLean Bible Church	Dranesville	Service Drive for Leesburg Pike (FR 899) [Additional Right-of-Way (ROW) Only]
Laurel Hill Landbay D Section 1	Mount Vernon	Bitterroot Court Bluebonnet Drive Native Violet Drive
Braddock Road Section 1 Kings Chapel	Springfield	Braddock Road (Route 620) (Additional ROW Only)

**ADMIN 2 – EXTENSION OF REVIEW PERIOD FOR A 2232 REVIEW
APPLICATION (MOUNT VERNON DISTRICT)**

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>
2232-V12-10	Cellco Partnership/Verizon Wireless 7685 Pohick Road Mount Vernon District	June 3, 2013

**ADMIN 3 – AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENTS THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE)
TO AMEND THE MAP OF CHESAPEAKE BAY PRESERVATION
AREAS, REGARDING RESOURCE PROTECTION AREA BOUNDARIES
AND BOARD POLICY FOR THE TREATMENT OF APPROVED AND
PENDING PLANS OF DEVELOPMENT (DRANESVILLE DISTRICT)**

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 13.)

Authorized the advertisement of a public hearing to be held before the Planning Commission on April 25, 2013, and before the Board on **May 14, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax,

Chapter 118 (Chesapeake Bay Preservation Ordinance), to amend the map of Chesapeake Bay Preservations Areas.

ADMIN 4 – AUTHORIZATION TO CONDUCT A JOINT PUBLIC HEARING FOR THE VIRGINIA DEPARTMENT OF TRANSPORTATION’S SECONDARY SIX-YEAR PROGRAM FOR FISCAL YEARS (FY) 2014 THROUGH 2019, AND THE FY 2014 BUDGET

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 13.)

Authorized a joint public hearing to be held before the Board on **April 30, 2013, at 4:30 p.m.** to solicit comments and input on the proposed Secondary Six-Year Program for FYs 2014 – 2019, and the FY 2014 Budget.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX H, TO GRANT A NON-EXCLUSIVE CABLE TELEVISION FRANCHISE TO COXCOCOM, LLC

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 13.)

Authorized the advertisement of a public hearing to be held before the Board on **May 14, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix H, to grant a non-exclusive cable television franchise to Coxcom, LLC.

17. **A-1 – RENEWAL OF A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES (ATFE)** (12:55 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and authorize the Chief of Police to sign the MOA between the FCPS and the Bureau of ATFE. Supervisor Hyland seconded the motion.

Supervisor Cook raised a question regarding whether County police officers will be used to fill in for furloughed Federal officers and if there is an agreement in place to avoid that, and discussion ensued, with input from Captain Bruce Ferguson, Police Department.

Supervisor Cook asked unanimous consent that the Board direct staff to examine the issue and report its findings to the Board. Without objection, it was so ordered.

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

18. **A-2 – APPROVAL OF COMMENTS ON THE I-66 TIER 1 DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS)** (12:57 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve a letter, containing the County's comments on the I-66 Tier 1 Draft EIS, to be sent to the Virginia Department of Transportation (VDOT). Supervisor Hyland seconded the motion.

Supervisor Frey noted that on the first page of the draft letter to VDOT, the last paragraph points out that Section 3.3 identifies four primary "chokepoints" where daily congestion occurs and does not refer to Route 28, which is unquestionably the biggest chokepoint on the I-66 corridor.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to:

- Amend the paragraph to include Route 28
- Include, as a part of the County's requests and recommendations to VDOT, that the County move as soon as possible to initiate a Tier 2 Draft EIS process for the Route 28/I-66 interchange

Without objection, it was so ordered.

Supervisor Smyth noted that the Draft EIS included charts showing how many homes, businesses, or parks might be impacted, but did not include aerial illustrations. Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, who noted that staff will incorporate comments in the letter regarding the lack of specificity and the need for maps, not just charts.

Supervisor Herrity asked to amend page two of the letter, as follows:

- After the second paragraph, to include an additional paragraph, to read:

“While extension of the Metrorail Orange Line will provide a long term solution for the corridor, the results of the EIS clearly support the need for a short term solution to provide relief to the current congestion. This solution should include features that provide reliable transit times, congestion relief, travel time savings, improve safety, greater travel predictability, efficient connection with the overall transit and highway network for improved regional mobility, expanded travel options, effective enforcement of HOV, affordability, and improved driver information.

For many years the Board of Supervisors has supported the I-495 Express Lanes project and the results of the Tier 1 EIS certainly support advancing managed lanes to a Tier 2 analysis to provide short to medium term relief in the corridor while continuing to pursue long term solutions in the corridor.”

- At the beginning of the last paragraph, include the following:

“The Board urges VDOT to complete the Tier 1 EIS as expeditiously as possible, and to pursue realistic, financially feasible solutions that can provide relief in the short to mid-term, while pursuing in parallel longer term options.”

This was accepted.

Discussion ensued, with input from Mr. Biesiadny, who noted that it should also be incorporated into the letter that in doing some of these short and medium term solutions that they need to be sensitive to what some of the longer term solutions might be so as not to preclude some of those longer term solutions.

With regard to Supervisor Frey’s request, Supervisor McKay asked unanimous consent to incorporate into the letter that the County does not want to lose the benefit of doing two tiers. Without objection, it was so ordered.

With regard to Supervisor Herrity’s amendment to the last paragraph, “...**to pursue realistic, financially feasible solutions**,” Supervisor Smyth asked to amend the amendment to include language regarding minimizing the impact to surrounding residential neighborhoods or transit facilities. This was accepted.

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

19. **A-3 – AUTHORIZATION TO SUBMIT COMMENTS ON THE DRAFT VIRGINIA STORMWATER MANAGEMENT PROGRAM (VSMP) INDIVIDUAL PERMIT FOR STORMWATER DISCHARGES FROM THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) OWNED AND OPERATED BY ARLINGTON COUNTY** (1:09 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and authorize staff to submit a letter containing the County’s comments on the draft permit. Supervisor Smyth seconded the motion.

Following a brief discussion regarding the letter, the question was called on the motion and it carried by unanimous vote.

20. **I-1 – CONTRACT AWARD – NURSING AND OTHER HEALTHCARE SERVICES** (1:11 p.m.)

The Board next considered an item contained in the Board Agenda dated March 19, 2013, requesting authorization for staff to award a contract to Continuum Pediatric Services/MPS Healthcare, Pediatric Services of America, Maxim Healthcare Service, Incorporated, and Staffing, Etc in the estimated amount of \$2,381,481 to provide Temporary Health Care Professional Services (Registered Nurses, Licensed Practical Nurses, Certified Nursing Assistants, X-Ray Technicians, Pharmacists, Pharmacy Technicians, Dental Assistants, and Nutritionists), Continuous Duty Nursing, and Continuous Duty Float Nursing to replace expiring contracts.

Supervisor Foust raised a question regarding whether this was an existing contract being renewed, or if it was new funding. Discussion ensued, with input from Cathy A. Muse, Director, Department of Purchasing and Supply Management, regarding the contract and the funding.

With regard to the contracts for I-1 and I-2, Supervisor Hudgins raised a question regarding whether any of the contract recipients are from minority or women owned businesses.

Discussion ensued, with input from Ms. Muse, who noted that she will report with that information to the Board.

The staff was directed administratively to proceed as proposed.

21. **I-2 – CONTRACT AWARD – ENGINEERING SERVICES** (1:14 p.m.)

The Board next considered an item contained in the Board Agenda dated March 19, 2013, requesting authorization for staff to award contracts to provide mechanical, electrical, and plumbing engineering services on an as needed basis for various County agencies to the following:

- AJ Engineers
- Gauthier, Alvarado and Associates
- Johnson, Mirmiran, and Thompson Incorporated
- Sebesta Blomberg and Associates
- Setty and Associates
- Shaffer, Wilson, Sarver and Gray
- Syska Hennessy Group

- Whitman, Requardt and Associates

These contracts will commence on the date of award and terminate on January 31, 2014, with four renewal options available. The total estimated amount of these contracts is approximately \$1,750,000 annually.

The staff was directed administratively to proceed as proposed.

22. **I-3 – CONSOLIDATED PLAN CERTIFICATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) PUBLIC HOUSING AND HOUSING CHOICE VOUCHER ANNUAL PLAN FOR FISCAL YEAR (FY) 2013** (1:14 p.m.)

The Board next considered an item contained in the Board Agenda dated March 19, 2013, requesting authorization for the County Executive to sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Public Housing and Housing Choice Voucher Annual Plan for FY 2013 to be submitted to the US Department of Housing and Urban Development.

The staff was directed administratively to proceed as proposed.

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ADDITIONAL BOARD MATTERS

23. **ORDERS OF THE DAY** (1:15 p.m.)

Following an inquiry to David P. Bobzien, County Attorney, regarding the amount of time needed for closed session, Chairman Bulova announced that the Board would recess at approximately 1:30 p.m. for lunch and report for closed session at 2 p.m.

24. **NO BOARD MATTERS FOR CHAIRMAN BULOVA** (1:16 p.m.)

Chairman Bulova announced that she had no Board Matters to present today.

25. **DULLES TOLL ROAD** (1:16 p.m.)

Supervisor Herrity referred to his written Board Matter distributed at the dais and noted that with the impending contract award for Phase II of the Silver Line, time is running short to identify and act on some potential alternative funding proposals. Assuming no cost overruns, the total projected cost of Phase II is nearly \$3 billion. As it stands now, Dulles Toll Road drivers are on the hook for 75 percent of these costs, or over \$2 billion; still assuming no cost overruns. He said that if an alternative funding source is not found, the resulting high tolls will hamper the economic strength of the Dulles corridor.

Supervisor Herrity stated his belief that it is critically important for the Board to explore alternative funding sources to “buy down” these tolls, and reduce the forthcoming burden for toll road users, and the entire Dulles corridor. The \$300 million included in the recently approved transportation package is a start and will provide some relief for a few years.

Supervisor Herrity said that he has mentioned in the past that air rights is a potential source of a funding stream to reduce the need for future toll increases. He said that he has spoken to a number of agencies and individuals on the pursuit of air rights including members of the Metropolitan Washington Airports Authority (MWAA) Board, Virginia Department of Transportation’s public-private partnership office, and the Washington Airports Task Force which agree that the feasibility of air rights should be reviewed. He also stated that air rights are included in the County’s Comprehensive Plan.

Supervisor Herrity said that there is general consensus that air rights may be worth pursuing but is not aware of any specific effort to look at the feasibility. It is critical that this feasibility study be completed with urgency so construction of the Phase II stations would not preclude the use of air rights. In fact, it may require some investment, if deemed worthwhile.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a very brief presentation on air rights and obtain an estimate of the cost of a feasibility study for discussion at the next Transportation Committee meeting.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, and Fred Selden, Director, Planning Division, Department of Planning and Zoning, regarding whether a full feasibility has been done and what information is available regarding the issue.

Without objection, it was so ordered.

26. **RESCHEDULED BUDGET TOWN HALL MEETING (SPRINGFIELD DISTRICT)** (1:20 p.m.)

Supervisor Herrity announced that he will be hosting a budget town hall on Wednesday, March 26, (previously scheduled for March 6 but postponed due to snow) to give residents an opportunity to better understand how the County is spending money and to have questions addressed.

County Executive Edward L. Long Jr. and representatives from the Department of Management and Budget will present the budget and will be available to answer questions. The town hall meeting begins at 7 p.m., in the Community Room of the West Springfield Government Center (Police Station), located at 6140 Rolling Road, in Springfield.

27. **REQUEST FOR RECOGNITION OF THE WEST SPRINGFIELD HIGH SCHOOL DANCE TEAM (SPRINGFIELD DISTRICT)** (1:20 p.m.)

Jointly with Supervisor Cook, Supervisor Herrity said that on Sunday, March 10 the West Springfield High School Dance Team (WSDT) took first place at the National Dance Alliance (NDA) National Championships in Orlando, Florida. The team competed in the large varsity hip hop category at the tournament and beat out 14 other teams from around the country to be named the best in the United States.

WSDT was thrown in to the national spotlight last year when they competed on America's Got Talent. This year they decided to switch things up and do something they have never done before. The theme this year was "Old People". The dancers dressed in cardigans and khaki pants, and looked like they were 85 years old while dancing! Supervisor Herrity showed a picture depicting how realistic their costumes were, and some might say there is an uncanny resemblance to one of his colleagues on the Board. The actual routine showed a humorous side of WSDT with the acting and dance style, and was good enough for first place, marking the fourth year in a row WSDT has taken that honor.

Supervisor Herrity said that both the dancers and the coaches of the Spartans Dance Team have put in an amazing amount of practice time and dedication to their passion to get to this level, and it is a great reflection of their character and spirit that they have come away as champions of the NDA national championships once again. Supervisor Herrity congratulated the coaches, Tara Perez and Jason King, as well as all of the dancers, for their hard work. Each one of them is a testament to their school, their family, and to the County.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite the West Springfield High School Dance Team to appear before the Board to receive a resolution honoring them for their outstanding accomplishment of winning the NDA National Championships for the fourth consecutive year. Without objection, it was so ordered.

28. **REQUEST FOR RECOGNITION OF TEACHER APPRECIATION WEEK 2013** (1:21 p.m.)

Supervisor Herrity said that Fairfax County Public Schools are consistently ranked as the best in the nation. This is due in no small part to the many outstanding teachers that work tirelessly with children to set them on a path of excellence towards college and/or the workforce.

Good teachers are the foundation of a good school system, but sadly are often overlooked or missed in the headlines when schools are recognized in the press. But in May there is the chance to thank them for the work that they do and all that they contribute to the lives of the youth.

Since 1984, the National Parent Teacher Association (PTA) has designated the first full week in May as PTA Teacher Appreciation Week, a special time to honor the men and women who lend their passion and skills to educating children. PTA events at the national, state, and local levels celebrate the outstanding contributions teachers make. This year National Teacher Appreciation Week will be celebrated from May 6-10.

Therefore, Supervisor Herrity asked unanimous consent that the Board declare May 6-10 Teacher Appreciation Week in the County, and direct the Office of Public Affairs to disseminate information on the declaration and the positive impact teachers have on the school system, and have the Fairfax Education Association and Fairfax County Federation of Teachers appear before the Board in April to receive a proclamation declaring the week of May 6 “Teacher Appreciation Week”. Without objection, it was so ordered.

29. **REQUEST TO DESIGNATE MAY AS OLDER AMERICANS MONTH**
(1:23 p.m.)

Supervisor Herrity said that every year since 1963, May has been a month to appreciate and celebrate the vitality and aspirations of older adults and their contributions to the communities. The theme for Older Americans Month 2013, unleash the Power of Age, has never been more fitting. Older Americans are productive, active, and influential members of society, sharing essential talents, wisdom, and life experience with their families, friends, and neighbors.

Therefore, Supervisor Herrity asked unanimous consent that the Board designate May as “Older Americans Month” in Fairfax County and invite representatives from the Commission on Aging, the Area Agency on Aging, the Long Term Care Coordinating Council and other agencies, volunteers, and appropriate groups to appear before the Board in April to receive a proclamation. Without objection, it was so ordered.

DAL:dal

30. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**
(1:24 p.m.)

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

31. **REQUEST FOR RECOGNITION OF MS. CAROLINE McCLEARY (DRANESVILLE DISTRICT)** (1:24 p.m.)

Supervisor Foust announced and congratulated McLean High School sophomore, Caroline McCleary, for winning the one-meter diving event at the Virginia AAA Swim and Dive State Championship held at George Mason University on February 15-16, 2013. Ms. McCleary had a come from behind performance to win the championship with a score of 393.65 points.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Ms. McCleary, along with her coach and other school officials to appear before the Board at its April 9 meeting to be recognized for her outstanding achievement. Without objection, it was so ordered.

32. **REQUEST FOR RECOGNITION OF MS. ABI SPEERS (DRANESVILLE DISTRICT)** (1:24 p.m.)

Supervisor Foust announced and congratulated Langley High School senior, Abi Speers, for winning first place in the 50-yard Freestyle event at the Virginia AAA Swim and Dive State Championship held last month at George Mason University. This is the second consecutive State title for Ms. Speers. Her time of 23.18 seconds is a new State record.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Ms. Speers, along with her coach and other school officials, to appear before the Board at its June 4 meeting to be recognized for her outstanding achievement. Without objection, it was so ordered.

33. **REQUEST FOR EXPEDITED PROCESSING OF SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-D-062-03 (SAINT LUKE'S SCHOOL) (DRANESVILLE DISTRICT)** (1:25 p.m.)

Supervisor Foust said the Catholic Diocese of Arlington in conjunction with Saint Luke's School has filed Special Exception Amendment Application, SEA 85-D-062-03, to permit the addition of a nursery school use to the existing private school use.

The Zoning Evaluation Division (ZED) of the Department of Planning and Zoning has accepted, assigned, and scheduled the application for a public hearing before the Planning Commission on July 10, 2013. In an effort to allow an opportunity to complete the zoning process before the school's first day in the last week of August 2013 the school has requested that the public hearing before the Board be held in July.

Therefore, Supervisor Foust moved that the Board direct:

- The director of ZED to expedite the processing of Special Exception Amendment Application SEA 85-D-062-03
- Staff to schedule the public hearing to be held before the Board on a date certain of July 30, 2013

This motion should not be construed as a favorable recommendation on the application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

This action in no way prejudices the substantive review of the applications. Supervisor Hyland and Chairman Bulova jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

PMH:pmh

34. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (1:26 p.m.)

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

35. **CONSIDERATION ITEM - \$3.3 MILLION TO ADDRESS THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (1:27 p.m.)

In a joint Board Matter with Supervisor Hyland, Supervisor Hudgins said that the Board is in receipt of letters from Mark Sites, Chairman, CSB, and Ilryong Moon, Chairman, School Board, addressing "Countywide Behavioral Health Outreach and Service to Adolescents and their Families."

Supervisor Hudgins asked unanimous consent that the Board consider \$3.3 million in funding for the behavioral health services that have been proposed by the CSB and the School Board. Without objection, it was so ordered.

Supervisor Smyth referred to the CSB's cost estimate and asked unanimous consent that additional information be provided. Without objection, it was so ordered.

36. **PROPOSAL TO SUPPORT WIEHLE-RESTON EAST STATION (HUNTER MILL DISTRICT)** (1:29 p.m.)

Supervisor Hudgins referred to a letter from the Chairman of the Reston Master Plan Special Study Task Force which identifies several priority issues that are critical in supporting the rail operations at the Wiehle-Reston East station:

- Expedited construction of the Soapstone crossing to relieve traffic in the Wiehle-Reston East station area
- Approval of urban standards for the design and operation of streets in Reston (similar to Tysons)
- Provision for public access from south Reston to the soon to be opened Wiehle-Reston East station

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct the Department of Transportation and the Department of Planning and Zoning to commence the planning and operational analysis necessary to implement a higher

priority for resolving the above issues that are critical to the success of the Wiehle-Reston East station. Without objection, it was so ordered.

37. **SOUTHGATE COMMUNITY DAY (HUNTER MILL DISTRICT)**
(1:29 p.m.)

Supervisor Hudgins announced that Southgate Community Day, an annual celebration hosted by the staff and Advisory Council of the Southgate Community Center, will take place on Saturday, April 20, from 1 until 6 p.m.

Supervisor Hudgins asked unanimous consent that the Board direct the Office for Public Affairs and Channel 16 assist with promoting and publicizing the Southgate Community Day. Without objection, it was so ordered.

38. **PROPOSAL TO ENDORSE THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) MOMENTUM STRATEGIC PLAN** (1:30 p.m.)

In a joint Board Matter with Supervisor McKay and Chairman Bulova, Supervisor Hudgins noted that WMATA has served the region since its inception in 1976.

The system moves over 1.2 million passengers per day throughout Virginia, Maryland, and the District of Columbia. Within its jurisdiction, the County currently has six stations, with another eight stations opening at the completion of the Dulles Corridor Metrorail expansion project. A safe, reliable WMATA transit system is critical for the success of the region in the future.

WMATA's Department of Planning has released their Strategic Plan for 2013-2025 entitled: *Momentum*. This plan focuses on maintaining the existing system, while building additional capacity. The Momentum plan will significantly expand the Metrorail system in the region to meet the future land use and transportation challenges.

Therefore, Supervisor Hudgins moved that the Board endorse the WMATA 2013-2025 Momentum Strategic Plan and direct staff to forward a letter of endorsement to WMATA General Manager/Chief Executive Officer Richard Sarles. Chairman Bulova and Supervisor Hyland jointly seconded the motion.

Discussion ensued regarding the plan and its financial impacts.

Chairman Bulova clarified the motion that staff would report with a Board item that would include a recommendation and comments from staff as well as a letter for Board Members to review.

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

39. **HEAD START PROGRAM** (1:37 p.m.)

Supervisor Hudgins said that the School Board has endorsed two Head Start programs and she asked unanimous consent that the Board direct staff to provide a description of what the cost is on each side - County and School. Without objection, it was so ordered.

40. **COMMISSION FOR WOMEN RECOMMENDATIONS** (1:38 p.m.)

In a joint Board Matter with Supervisor Hudgins and Chairman Bulova, Supervisor McKay said that the Commission for Women has been working since 2010 to develop recommendations on how to increase safe, affordable housing options for domestic violence victims in the County.

Through its Domestic Violence/Affordable Housing Committee, the Commission for Women has heard from a number of organizations including government, faith-based, and non-profits that help victims of domestic violence with their housing needs. During the Domestic Violence/Affordable Housing Forum, the Commission received input from almost 50 individuals who represent more than 25 organizations.

There is a well-documented link between domestic violence and homelessness and the number of domestic violence survivors who are homeless is increasing at an alarming rate. Many victims return to their abusers because viable housing alternatives are lacking.

Therefore, Supervisor McKay asked unanimous consent that the Board direct Deputy County Executive Pat Harrison to report to the Board in 30 days or fewer with a response to the Commission for Women's recommendations. Without objection, it was so ordered.

41. **NO BOARD MATTERS FOR SUPERVISOR FREY (SULLY DISTRICT)** (1:38 p.m.)

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

42. **BUDGET SIMULATION** (1:39 p.m.)

Supervisor Cook announced the first "Build Your Own Budget" simulation. He said that his staff has taken all the information provided to the Board by County Executive Edward L. Long Jr. and created a simulation that lets residents create their ideal budget for the County.

Supervisor Cook said that the budget can be a confusing topic even for Board Members. This simulation was an attempt to help people understand what programs might get cut, what could be added, and what the final tax rate might be.

Supervisor Cook explained that the hope is that this simulation helps residents develop a clearer understanding for how the County budget operates.

Therefore, Supervisor Cook asked unanimous consent that the Board direct the Office of Public Affairs to publicize this simulation. Without objection, it was so ordered.

43. **REQUEST TO RECOGNIZE THE SOUTH COUNTY HIGH SCHOOL GIRLS' INDOOR TRACK AND FIELD TEAM FOR WINNING THEIR FIRST STATE CHAMPIONSHIP (MOUNT VERNON DISTRICT)**
(1:41 p.m.)

Supervisor Hyland announced that the South County girls' track and field team had many accomplishments heading into the 2013 State indoor championship meet.

Supervisor Hyland referred to his written Board Matter which outlined the accomplishments of team members.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to invite the South County High School Girls Indoor Track and Field Team and its coaches to appear before the Board for recognition. Without objection, it was so ordered.

44. **RECESS/CLOSED SESSION** (1:41 p.m.)

Supervisor Smyth 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. Joint Petition of Aqua Virginia, Inc., and Reston RELAC LLC for Approval of a Change in Control and Transfer of Assets Pursuant to § 56-88.1 of the

Utility Transfers Act, Case No. PUE-2012-00131
(Va. State Corp. Comm'n) (Hunter Mill District)

2. *Krista Pinto v. Fairfax County Department of Family Services*, Record No. 1581-12-4 (Va. Ct. App.)
3. *Yazan Rousan v. P.F.C. D. N. Custer, Deputy D. Carty, Nurse Bornell, and Nurse Practitioner Wang*, Civil Action No. 1:12-CV-595 (E.D. Va.)
4. *Angela Achu v. D.G. Head*, Case No. GV13-003636 (Fx. Co. Gen. Dist. Ct.)
5. *Gerald Lowe, by GEICO, subrogee v. Carl Newcomb*, Case No. GV12-012852 (Fx. Co. Gen. Dist. Ct.)
6. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Joseph Powers*, Case No. CL-2012-0003924 (Fx. Co. Cir. Ct.) (Lee District)
7. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Clyde E. Nishimura*, Case No. CL-2012-0005565 (Fx. Co. Cir. Ct.) (Lee District)
8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Esther Schwartz, Morris Goldberg, Rose Goldberg, Alvin Peck, Stella Peck, Melvin Zweig, Kathryn Zweig, M. A. M. Enterprises, and the Heirs of Alvin Peck*, Case No. CL-2012-0004129 (Fx. Co. Cir. Ct.) (Providence District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Otis Perry and Elcetia L. Perry*, Case No. CL-2008-0005923 (Fx. Co. Cir. Ct.) (Providence District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. George L. Karsadi and Trisha D. Karsadi*, Case No. CL-2012-0010272 (Fx. Co. Cir. Ct.) (Mount Vernon District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David Whedon and Calvin Williams*, Case No. CL-2012-0017070 (Fx. Co. Cir. Ct.) (Mount Vernon District)

12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard Albin Cauthers, Jr.*, Case No. CL-2012-0014798 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rama Sanyasi Rao Prayaga and Niraja Dorbala Prayaga*, Case No. CL-2012-0019078 (Fx. Co. Cir. Ct.) (Dranesville District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Daniel Marshall Whedon*, Case No. CL-2012-0014879 (Fx. Co. Cir. Ct.) (Mount Vernon District)
15. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Airlie Real Estate Trust #95-04530 and Jeffrey Sedgwick, Trustee*, Case No. CL-2012-0017559 (Fx. Co. Cir. Ct.) (Mason District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Houy Team Tang and Bun Hout Tang*, Case No. CL-2012-0018123 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Michael E. Bacha*, Case No. CL-2012-0013717 (Fx. Co. Cir. Ct.) (Dranesville District)
18. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. The Atakalet Asres Custodial Trust and Abeje Yeshineh, Trustee*, Case No. CL-2012-0016491 (Fx. Co. Cir. Ct.) (Mount Vernon District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Groveton Office, LLC, and SPUSO5 Wood Groveton, LLC*, Case No. CL-2013-0003609 (Fx. Co. Cir. Ct.) (Lee District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nina Selvaggi*, Case No. CL-2013-0003608 (Fx. Co. Cir. Ct.) (Dranesville District)

21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Loan Phuong*, Case No. CL-2013-0003688 (Fx. Co. Cir. Ct.) (Braddock District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David J. Soltis and Barbara J. Soltis*, Case No. CL-2013-0003833 (Fx. Co. Cir. Ct.) (Sully District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Francis A. Headley, Grace F. Headley, and Jerome E. Headley*, Case No. CL-2013-0003839 (Fx. Co. Cir. Ct.) (Mason District)
24. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Donald M. Douglas and Louise L. Douglas*, Case No. CL-2013-0003838 (Fx. Co. Cir. Ct.) (Springfield District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Deutsche Bank National Trust Company*, Case No. CL-2013-0003836 (Fx. Co. Cir. Ct.) (Mount Vernon District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lawrence J. Quinn, Jr., and Cynthia M. Quinn*, Case Nos. GV13-003515 and GV13-003542 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Consuelo R. Perez and Juan Jose Mariscal Alvarez*, Case No. GV13-004756 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Douglas Lane Lacey and Marilyn M. Lacey*, Case No. GV13-004758 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
29. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Douglas Lane Lacey and Marilyn M. Lacey*, Case No. GV13-004757 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

30. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hui S. Choi*, Case No. GV13-004917 (Fx. Co. Gen. Dist. Ct.) (Providence District)
31. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Hui S. Choi*, Case No. GV13-004916 (Fx. Co. Gen. Dist. Ct.) (Providence District)

And in addition:

- Truro Homes Association Stream Restoration Project
- *Franconia Two, LP v. Board of Supervisors of Fairfax County, Virginia*; Case No. CL-2012-03798

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

DET:det

At 3:32 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

45. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:32 p.m.)

Supervisor Gross 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 Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

46. **SETTLEMENT OF FRANCONIA TWO, LP VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA CL-2012-0003798** (3:33 p.m.)

Supervisor McKay moved that the Board authorize the settlement in *Franconia Two, LP versus Board of Supervisors of Fairfax County, Virginia*, CL-2012-0003798 (Fairfax County Circuit Court), according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Herrity seconded the motion and it carried by unanimous vote.

47. **RESTON LAKE ANNE AIR CONDITIONING CORPORATION**
(3:33 p.m.)

Supervisor Hudgins moved that the Board authorize the Department of Cable and Consumer Services and the County Attorney's Office to file comments with the State Corporation Commission regarding the financial viability of the potential purchaser and other comments as discussed in closed session concerning the joint petition of Aqua Virginia, Incorporated, and Reston RELAC LLC for approval of a transfer of control of Reston Lake Anne Air Conditioning Corporation, SCC Case Number PUE-2012-00131. Supervisor Hyland seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

48. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2012-SU-010**
(NORTHERN VIRGINIA HEALTH INVESTORS, LLC) (SULLY
DISTRICT) (3:34 p.m.)

(O) (NOTE: On January 29, 2013, the Board deferred this public hearing until March 19, 2013.)

The application property is located on the west side of Centreville Road approximately 150 feet north of its intersection with McLearen Road, Tax Map 24-4 ((1)) 11B.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Brent Krasner, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a brief description of the application and site location.

Ms. Strobel 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, Mr. Krasner presented the staff and Planning Commission (PC) recommendations.

Supervisor Frey noted that to the south of the property, which is currently zoned industrial, there are two additional industrial properties, one of which is vacant. This residential rezoning puts a unique burden on that vacant property: a requirement for a 50-foot transitional buffer. He added that the applicant has submitted a proffer indicating it would support a transition yard waiver. Supervisor Frey stated, for the record, that the Board is aware of and understands that the transition waiver would be appropriate. He indicated that the applicant has a retaining wall between his property and the adjacent property, has provided

landscaping, and wanted to give assurances to the owner of the vacant property that the Board does not intend to impose an undue burden on him/her by converting this industrial piece to residential.

Supervisor Frey moved amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application *RZ 2002-SU-010, from the I-5 District to the PRM District, subject to the proffers dated March 18, 2013. Supervisor Hyland seconded the motion.

Following input from William O'Donnell, Acting Branch Chief, ZED, DPZ, Supervisor Frey asked to amend his motion to include approval of the associated Conceptual Development Plan, and this was accepted.

The question was called on the motion, as amended, and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

Supervisor Frey moved:

- Approval of a waiver to allow a secondary permitted use to comprise 50.305 percent of the total gross floor area of a Planned Residential Mixed-use (PRM) district where the maximum allowed is 50 percent.
- Approval of a waiver pursuant to Section 6-0303.8 of the Public Facilities Manual (PFM) to locate an underground stormwater management facility in a residential development, subject to Waiver Number 009329-WPFM-001-1, and conditions dated November 20, 2012.
- To direct the Director of the Department of Public Works and Environmental Services to approve a modification of the PFM to permit for a tree preservation target area of 25,125 square feet where 27,824 square feet is required.

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

(NOTE: On February 28, 2013, the PC approved Final Development Plan Application FDP 2012-SU-010, subject to the development conditions dated February 26, 2013.)

(*NOTE: Later in the meeting, Supervisor Frey corrected the rezoning application number. See Clerk's Summary Number #52.)

49. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2012-SU-002 (NADEEM P. MALIK) (SULLY DISTRICT) (3:49 p.m.)**

The application property is located at 3027 Ashburton Avenue, Herndon, 20171, Tax Map 35-2 ((1)) 4.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

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

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

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

Supervisor Frey moved approval of Special Exception Application SE 2012-SU-002, subject to the development conditions dated February 28, 2013. Supervisor Hyland seconded the motion and it carried by unanimous vote.

50. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2012-MA-016 (NATIONAL CAPITAL PRESBYTERY, INCORPORATED) (MASON DISTRICT) (3:56 p.m.)**

The application property is located at 6531 Columbia Pike, Annandale, 22003, Tax Map 60-4 ((1)) 35A and 35B.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

William O'Donnell, Acting Branch Chief, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), introduced a new staff coordinator, Michael Lynskey, who gave a brief description of the application and site location.

Ms. Strobel 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, Mr. Lynskey presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 2012-MA-016, subject to the development conditions dated March 12, 2013.

- Waiver of the frontage improvements, including a service road along Columbia Pike, and sidewalk construction along Columbia Pike and Whispering Lane, in lieu of a trail easement commitment as conditioned.
- Waiver of the barrier requirements.
- Modification of transitional screening requirements to accept existing vegetation and plantings, as shown on the SE Plat and as conditioned.
- Waiver of the interior parking lot landscaping requirements, in lieu of existing vegetation.
- Waiver of the peripheral parking lot landscaping requirements, due to the grade change on the site.

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

51. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2012-PR-011 (THE TRUSTEES OF EMMANUEL LUTHERAN CHURCH) (PROVIDENCE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2012-PR-010 (THE TRUSTEES OF EMMANUEL LUTHERAN CHURCH) (PROVIDENCE DISTRICT) (4:04 p.m.)

- (O) The application property is located on the South East side of Chain Bridge Road, approximately 400 Feet South of its intersection with James Madison Drive, Tax Map 38-3 ((1)) 34, 35 and 38A.

Ms. Sarah E. Hall reaffirmed the validity of the affidavit for the record.

Mary Ann Tsai, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Ms. Hall 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, Ms. Tsai presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2012-PR-011, from the R-1 District to the R-3 District, subject to the proffers dated February 11, 2013.
- Approval of Special Exception Application SE 2012-PR-010, subject to the development conditions dated March 8, 2013.
- Modification of the transitional screening requirement along the eastern portion of the southern property line, as shown on the GDP/SE Plat.
- Waiver of the service drive requirement along Chain Bridge Road.
- Waiver of the barrier requirement along the northern property line.

Supervisor Foust seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Herrity and Supervisor McKay being out of the room.

52. **ADDITIONAL ACTION ON REZONING APPLICATION RZ 2012-SU-010 (NORTHERN VIRGINIA HEALTH INVESTORS, LLC) (SULLY DISTRICT)** (4:13 p.m.)

(*NOTE: Earlier in the meeting, the Board took action on this item. See Clerk's Summary Number #48.)

Supervisor Frey corrected the rezoning number as Rezoning Application RZ 2012-SU-010, instead of RZ 2002-SU-010.

53. **3:30 P.M. - PH ON REZONING APPLICATION RZ 2012-BR-003 (TARIQ KHAN) (BRADDOCK DISTRICT)** (4:14 p.m.)

- (O) The application property is located on the East side of Shirley Gate Road, approximately 500 Feet North of its intersection with Park Drive, Tax Map 56-4 ((6)) 1.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Brent Krasner, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a brief description of the application and site location.

Discussion ensued, with input from Mr. Krasner, concerning house size.

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

Following the public hearing, which included testimony by one speaker, Supervisor Cook submitted items for the record.

David P. Bobzien, County Attorney, announced that the applicant had misstated the affirmation date of the affidavit and asked him to restate it, which he did.

Mr. Krasner presented the staff and Planning Commission (PC) recommendations.

Supervisor Cook moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2012-BR-003, from the R-1 and WS Districts to the PDH-2 and WS Districts, subject to the proffers dated January 31, 2013.
- Waiver of Paragraph 1, Section 6-107 of the Zoning Ordinance, to allow a minimum district size of less than two acres in the PDH District.
- Modification of Paragraph 2, Section 6-110 of the Zoning Ordinance, to allow the required P-District recreation contribution to be provided off-site.
- Waiver of Section 6-1307.2A of the Public Facilities Manual to allow bio-retention facilities to be located on the individual single-family detached residential lots.

Following input from William O'Donnell, Acting Branch Chief, ZED, DPZ, Supervisor Cook amended his motion to include approval of the Conceptual Development Plan.

Supervisor Cook also restated bulleted item two of the motion, as follows:

- Waiver of Paragraph 2, Section 6-107 of the Zoning Ordinance, to allow a minimum district size of less than two acres in the PDH District.

Supervisor Hyland seconded the motion.

Supervisor Smyth called the Board's attention to maintenance disclosures and inquired if there was a manual for maintaining pervious pavers. She asked unanimous consent that the Board direct staff to look into providing instructions for requirements. Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

(NOTE: On February 7, 2013, the PC approved Final Development Plan Application FDP 2012-BR-003, subject to the development conditions dated February 4, 2013.)

54. **4 P.M. – PH ON REZONING APPLICATION RZ 2012-LE-021 (CLIFFORD F. LINDSAY, TRUSTEE) (LEE DISTRICT)** (4:31 p.m.)

- (O) The application property is located at 7201, 7209, and 7215 Lackawanna Drive, Springfield, 22150, Tax Map 90-3 ((3)) 6, 7, and 8.

Mr. Clifford F. Lindsay reaffirmed the validity of the affidavit for the record.

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

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

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

Supervisor McKay moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2012-LE-021, be amended from the PDH-2 District to the R-1 District. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

55. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL, CHAPTER 2 (GENERAL SUBDIVISION AND SITE PLAN INFORMATION), CHAPTER 4 (GEOTECHNICAL GUIDELINES), CHAPTER 6 (STORM DRAINAGE), AND CHAPTER 7 (STREETS, PARKING AND DRIVEWAYS), REGARDING TESTING PROCEDURES FOR INFILTRATION FACILITIES AND MINOR EDITORIAL CORRECTIONS** (4:36 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2013.

Beth Forbes, Engineer IV, Code Development and Compliance Division, Land Development Services, Department of Public Works and Environmental Services,

commented on minor corrections to Chapter 2 and Chapter 7, as well as significant additions to the PFM in Chapter 4 which include soil testing.

Discussion ensued concerning soil testing, with input from Ms. Forbes, who noted that it will be required by State Code when the new stormwater regulations become effective July 1, 2014.

Following the public hearing, Supervisor Frey moved adoption of the amendments proposed for the PFM, as set forth in the Staff Report dated January 29, 2013, and that the amendments shall become effective at 12:01 a.m. on March 20, 2013. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hyland being out of the room.

56. **4 P.M. – PH ON FAIRFAX FORWARD REVISED PLANNING PROCESS, INCLUDING THE COMPREHENSIVE PLAN AMENDMENT WORK PROGRAM** (4:40 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved to defer the public hearing on Fairfax Forward Revised Planning Process, Including the Comprehensive Plan Amendment Work Program, until **April 30, 2013, at 4 p.m.** Supervisor McKay seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Hyland being out of the room.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

57. **4 P.M. – PH ON THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2014** (4:41 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2013.

Chairman Bulova announced that final Board action on this item is scheduled on April 30, 2013, and there is an opportunity to speak on the subject during the public hearings on the budget, April 9, 10 and 11.

Following the public hearing, which included testimony by four speakers, Chairman Bulova announced that the public hearing was closed but the record would remain open throughout the public hearings on the budget.

58. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO ESTABLISH THE PINE SPRING RESIDENTIAL PERMIT PARKING DISTRICT, DISTRICT RPPD) 45 (PROVIDENCE DISTRICT)** (5:01 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2013.

Mr. Hamid Majdi, Transportation Planner, Department of Transportation, presented the staff report.

Following the presentation of Hassan Edjlali (Speaker One) discussion ensued concerning hours of enforcement with input from Mr. Majdi.

Following the presentation of Debbie Carmel (Speaker Three) discussion ensued concerning:

- The petition process
- Virginia Department of Transportation (VDOT) process
- Outreach

Mr. Majdi explained that while a larger area was examined, the RPPD before the Board was the area which qualified for that status.

Discussion continued concerning referring the issue of seeking changes to State policy on RPPD qualifications to the Transportation Committee.

Following the public hearing, which included testimony by four speakers, Supervisor Smyth stated that she had submitted items for the record.

Supervisor Smyth moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, establishing the Pine Spring RPPD, District 45. Supervisor McKay seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

59. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS) RELATING TO ELECTION PRECINCTS AND POLLING PLACES** (5:16 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2013.

Cameron Quinn, General Registrar, presented background on the initial request by George Mason University to change the polling place in Braddock District and its subsequent request for the Board to defer decision on the relocation until the next Board meeting.

Following the presentation of Donald Garrett (Speaker One), discussion ensued concerning the:

- Logistics of student and faculty housing in relationship to the current and proposed polling places
- Need for dialogue between students and the university

Following the public hearing, which included testimony by three speakers, Supervisor Cook moved that the Board:

- Defer decision on the proposal to relocate the polling place for University Precinct in the Braddock District until April 9, 2013
- Keep the record open to receive written testimony on that portion of the proposed ordinance until April 9, 2013.

Chairman Bulova seconded the motion.

Supervisor McKay noted that the Bi-Partisan Election Commission provided a presentation to the Board earlier in the day that touched on a number of issues raised by the speakers, and asked unanimous consent that the Board direct staff to provide feedback on the integration of this recommendation with the Commission's recommendations. Without objection, it was so ordered.

Following an inquiry by Supervisor Foust regarding the source of the request for relocation of the Braddock District polling place, with input from Ms. Quinn, the question was called on the motion and it carried by unanimous vote.

Supervisor Frey moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 7 (Elections), to:

- Relocate the Dulles precinct (Sully District) polling place to the Cub Run Rec Center
- Rename the precinct from Dulles to Stonecroft

Supervisor Cook seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

ADDITIONAL BOARD MATTER

60. **GEORGE MASON UNIVERSITY (GMU) MEN'S BASKETBALL**
(5:42 p.m.)

(NOTE: Earlier in the day this item was discussed. See Clerk's Summary Item #16.)

Supervisor Frey announced that Kathryn Falk, Vice President, Public and Government Affairs, Cox Communications, had informed him that Cox has contacted the distributor and is ready to make the switch if it is able to pick up the feed of the GMU basketball game.

61. **BOARD ADJOURNMENT** (5:43 p.m.)

The Board adjourned.

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