



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
October 29, 2013**

This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.fairfaxcounty.gov/bosclerk/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 703-324-3903 (TTY).

20-13

DAL:dal

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, October 29, 2013, at 9:35 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; Elizabeth Teare, Deputy 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; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:36 a.m.)

Supervisor Gross asked everyone to keep in thoughts the family of Mr. Houston Summers, who died recently. He was the President of the Springdale Civic Association. Mr. Summers was a leader in the African-American community of Bailey's Crossroads where he grew up and was a wonderful spokesperson for his community. Supervisor Gross noted that he educated her on some history in the Mason District. When Mr. Summers was a boy he and his friends were not allowed to play with children in his community because of their color. So, the parents and leaders came together and decided they need to have a community center and that was the genesis of the Bailey's Community Center. Mr. Summers also has a chapter in the County's History Book which was published in 2007, commemorating its four hundredth anniversary. He was also a school employee for a very long time.

Supervisor Hudgins also recognized Mr. Houston and the leadership he provided to the African-American community.

Supervisor Herrity asked everyone to keep in thoughts the family of Ms. Irene Gregorits, who died recently. She was an active member of the Springfield community, as well as the founder of the choir at Saint Bernadette's Catholic Church.

Chairman Bulova asked everyone to keep in thoughts Ms. Jill Cooper and her family, especially her children Payton and Molly. Ms. Cooper is the Executive Director of the Planning Commission. Her husband died unexpectedly this past Saturday.

AGENDA ITEMS2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE FAIRFAX COUNTY POLICE MOTOR SQUAD** (9:40 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificate of Recognition presented to the Fairfax County Police Motor Squad for outstanding teamwork and ability, resulting in winning first place at the Harley-Davidson 110th Anniversary Skills Competition held in Milwaukee, Wisconsin. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 2068** (9:49 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Members of the International Association of Firefighters Local 2068 for outstanding commitment and dedication by the civilian and uniformed members of the Fire and Rescue Department and the Department of Public Safety Communications during the Labor Day 2013 Fill the Boot Campaign to raise funds for the Muscular Dystrophy Association, collecting more than \$602,000 and breaking all records in the 59-year history of the campaign. Supervisor Herrity seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MISS ALINE DOLINH** (10:03 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to Miss Aline Dolinh for exceptional creativity, skill, and literary ability, resulting in being selected as a 2013 National Student Poet by the Alliance for Young Artists and Writers. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

5. **RESOLUTION OF RECOGNITION PRESENTED TO MS. BARBARA LIPPA** (10:13 a.m.)

Supervisor Smyth moved approval of the Resolution of Recognition presented to Ms. Barbara Lippa, upon her retirement, for 35 years of service to the County, the last 14 as Executive Director of the Planning Commission. This motion was multiply seconded and it carried by unanimous vote.

6. **RESOLUTION OF RECOGNITION PRESENTED TO MS. CAROL ANN CORYELL** (10:24 a.m.)

Supervisor Herrity moved approval of the Resolution of Recognition presented to Ms. Carol Ann Coryell for 35 years of service to the County in numerous positions. Supervisor Frey and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION DESIGNATING NOVEMBER 2013 AS "AMERICAN INDIAN HERITAGE MONTH" IN FAIRFAX COUNTY** (10:38 a.m.)

Supervisor Cook moved approval of the Proclamation to designate November 2013 as "*American Indian Heritage Month*" in Fairfax County, and urges all residents to join in recognizing members of the American Indian community in the County and throughout the United States. Supervisor Gross seconded the motion and it carried by unanimous vote.

8. **PROCLAMATION DESIGNATING OCTOBER 26, 2013, AS "VOLUNTEERFEST DAY" IN FAIRFAX COUNTY** (10:55 a.m.)

Supervisor Smyth moved approval of the Proclamation to designate October 26, 2013, as "*VolunteerFest Day*" in Fairfax County, and applauds all residents who observe this day by connecting with neighbors, friends, co-workers, family, and faith-based school and civic groups to engage in projects benefitting the community. Supervisor Hyland seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

9. **HABITAT-FOR-HUMANITY** (11:08 a.m.)

Supervisor Frey announced that he and Chairman Bulova were invited to attend a Habitat-for-Humanity project this morning, so he stopped by on their behalf. It is an effort by the Office of Assessments, Department of Tax Administration, and several others who host an annual Statewide conference. They are spending the day renovating a townhome in Centreville, Virginia, and approximately 20 volunteers are participating in this effort.

AGENDA ITEMS

10. **10:30 A.M. – PRESENTATION OF THE 2012 TRANSPORTATION ADVISORY COMMISSION (TAC) TRANSPORTATION ACHIEVEMENT AWARD** (11:10 a.m.)

The annual Transportation Achievement Award recognizes outstanding performance by a County employee. Nominations are made based on exceptional performance within the scope of assigned duties, contributions which advance or support the objectives of the County Transportation Plan, or original contributions toward enhancing the quality of transportation in the County.

Jeffrey M. Parnes, Chair, TAC, presented the TAC Transportation Achievement Award to: *Kenneth Moreland*.

EBE:ebe

11. **10:40 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:14 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 October 29, 2013," as distributed around the dais. Supervisor Foust seconded the motion and it carried by unanimous vote.

Appointments are as follows:

ADVISORY SOCIAL SERVICES BOARD

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

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder (Single Family) Representative, and the Citizen and Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

Reappointment of:

- Ms. Linda Rubinstein as the At-Large #6 Representative

The Board deferred the appointment of the At-Large #5 Representative.

ATHLETIC COUNCIL

The Board deferred the appointment of the Braddock District Alternate Representative and Member At-Large Alternate Representative.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Appointment of:

- Mr. Brett W. Kenney as the Mount Vernon District Representative

The Board deferred the appointment of the Mason District Representative.

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #2 Representative.

CELEBRATE FAIRFAX, INCORPORATED BOARD OF DIRECTORS

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Sully District Representative.

CHILD CARE ADVISORY COUNCIL

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

CITIZEN CORPS COUNCIL

The Board deferred the appointment of the Providence District Representative.

COMMISSION FOR WOMEN

Reappointment of:

- Ms. Sondra S. Hemenway as the At-Large Chairman Representative
- Ms. Emily B. McCoy as the Lee District Representative

Appointment of:

- Ms. Cynthia Bhatnagar as the Mason District Representative
- Ms. Maria Jarmila Vorel as the Mount Vernon District Representative
- Ms. Barbara Lippa as the Sully District Representative

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPORTATION

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

COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP

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

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

Appointment of:

- Mr. Brian D. Leclair as the Mount Vernon District Representative

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

Appointment of:

- Ms. Leeann C. Alberts as the At-Large Chairman's Representative

The Board deferred the appointment of the Sully District Representative.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Cynthia Nothom as a Long Term Care Provider Representative

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #1, #4, and #6 Representatives and the Provider #1 and #4 Representatives.

HISTORY COMMISSION

The Board deferred the appointment of the Citizen #7 Representative.

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the At-Large #6 Representative.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Braddock District #1, Lee District #1, Providence District #2, and Sully District #1 Representatives.

INDUSTRIAL DEVELOPMENT AUTHORITY

Reappointment of:

- Mr. Christopher Glaser as the At-Large #4 Representative

The Board deferred the appointment of the At-Large #3 and #5 Representatives.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

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

LIBRARY BOARD

The Board deferred the appointment of the Braddock District Representative.

MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY

Confirmation of:

- Mr. Joe LaHait as the County Debt Coordinator Representative

The Board deferred the appointment of the Community Representative.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

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

ROAD VIEWERS BOARD

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

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Citizen Member #3 Representative, the Condo Owner Representative, and the Tenant Member #3 Representative.

TREE COMMISSION

Reappointment of:

- Mr. Scott J. Pearson as the Mason District Representative

The Board deferred the appointment of the Hunter Mill, Providence, and Springfield District Representatives.

TRESPASS TOWING ADVISORY BOARD

The Board deferred the appointment of the Citizen Alternate Representative.

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

Appointment of:

- Mr. Daniel W. Duncan as the Citizen appointed by BOS #4 Representative

The Board deferred the appointment of the Retiree Representative.

YOUTH BASKETBALL COUNCIL ADVISORY BOARD

Confirmation of:

- Mr. E. J. Thomas as the Treasurer and Vienna Youth Incorporated Representative
- Mr. Dave Vennergrund as the Commissioner
- Mr. Gordon Austin as the Chairman
- Mr. Eric Cooksey as the Secretary and the Herndon Optimist Club Representative
- Mr. David Maher as the Arlington County Recreation Representative and Boys Deputy Commissioner
- Mr. James Bosley as the Member At-Large Representative
- Mr. Grady Bryant as the Member At-Large Representative
- Mr. Frank DeLatour as the Parliamentarian
- Mr. Charles Chandler as the Scheduler
- Mr. Christopher Pulley as the Fairfax County Recreation Representative
- Mr. Marvin Elliott as the Alexandria City Recreation Representative
- Mr. Lezone Kenney as the Annandale Boys and Girls Club Representative

- Mr. Phil McConnell as the Arlington County Alternate Representative
- Mr. Daryl Lucas as the Baileys Community Center Representative
- Mr. Soan Gibson as the Baileys Community Center Alternate Representative
- Mr. Jim Watson as the Braddock Road Youth Club Representative
- Mr. Cliff Krug as the Girls Deputy Commissioner and the Burke Representative
- Mr. David Posz as the Chantilly Youth Association Representative
- Mr. Rick Shryock as the Chantilly Youth Association Alternate Representative
- Mr. Marcos Poole as the Fairfax Police Youth Club Representative
- Mr. Chris Madison as the Falls Church Parks and Recreation Representative
- Mr. Danny Schlitt as the Falls Church Parks and Recreation Alternate Representative
- Mr. Alton Greene as the Fort Belvoir Youth Services Representative
- Mr. Herb Marshall as the Fort Belvoir Youth Services Alternate Representative
- Mr. Jack Lohrer as the Fort Hunt Youth Athletic Association Representative
- Mr. Chip Gately as the Fort Hunt Youth Athletic Association Alternate Representative
- Mr. David Bruce Bauer, Jr. as the Gainesville Basketball Association Representative
- Mr. Jason Knight as the Gainesville Basketball Association Alternate Representative
- Mr. Richard Warrick as the Great Falls Basketball Representative

- Ms. Margaret Coleman as the Gum Springs Community Center Representative
- Mr. Chris Watari as the Herndon Optimist Club Alternate Representative
- Mr. Jimmy Bernardez as the James Lee Community Center Representative
- Ms. Kim Thompson as the Lee District Basketball Representative
- Mr. Dennis McMinn as the Lee District Basketball Alternate Representative
- Mr. Brian Sales as the Lee Mount Vernon Sports Club Representative
- Mr. Wes Peterson as the Lee Mount Vernon Sports Club Alternative Representative
- Mr. Jeff Goettman as the McLean Youth Incorporated Representative
- Mr. Gerry Megas as the McLean Youth Incorporated Alternate Representative
- Mr. David Fields as the Mount Vernon Youth Association Representative
- Ms. Stacey Johnson as the Mount Vernon Youth Association Alternate Representative
- Mr. Mitch Kalman as the Reston Youth Basketball League Representative
- Mr. John Schmid as the Reston Youth Basketball League Alternate Representative
- Mr. Ed Knox as the Southwestern Youth Association Representative
- Mr. Bob Korman as the Southwestern Youth Association Alternate Representative
- Mr. Chris Spera as the Springfield Youth Club Representative

- Mr. Mike Mastrota as the Turnpike Basketball Club Representative
- Mr. Tom Stepka as the Turnpike Basketball Club Alternate Representative
- Ms. Taylor Roberts as the Vienna Youth Incorporated Alternate Representative

DET:det

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

Supervisor Gross moved approval of the Administrative Items which includes an addition of Administrative 12 – Authorization to Advertise a Public Hearing to Adopt an Ordinance to Adjust the Boundary Line of Fairfax County with the City of Falls Church to Annex and Incorporate 13 Parcels and Other Land into the City of Falls Church and to Adopt a Voluntary Boundary Adjustment Agreement with the City of Falls Church. The second to which was inaudible.

Discussion ensued concerning Admin 12, with input from Cynthia L. Tianti, Deputy County Attorney, concerning:

- Properties in the Providence District that are already owned by the City of Falls Church
- Use of the properties
- Parcel 109A and B which are privately owned
- Control of Gordon's Road by the County
- A portion of Haycock Road that will be maintained by the City of Falls Church
- Transportation network safety issues

Chairman Bulova noted that the public hearing will take place on November 19 which will be after next week's election. She noted that the boundary adjustment will be the subject of a referendum in the City of Falls Church. Ms. Tianti noted that the public hearing is being advertised subject to the results of the referendum and that the sale of the City's water system and the boundary adjustment are contingent on each other.

Additional discussion ensued, with input from Ms. Tianti, concerning:

- Zoning on the transferred land

- The 70 percent restriction on the school properties and the incorporation of the restriction into the documentation
- Use of the school properties for 50 years

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.”

ADMIN 1 – APPOINTMENT OF MEMBERS TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)

(BACs)
(APPTS)

Approved the appointment of:

- Mr. Jessie A. Georges, as a Parent Representative Member of the CPMT
- Ms. Kelly Henderson, as a Parent Representative Member of the CPMT

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF DEAD RUN DRIVE SIDEWALK FROM CARPER STREET TO CONGRESS LANE (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 19, 2013, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Project ST-000003-049 (PPTF01-04900) – Dead Run Drive sidewalk from Carper Street to Congress Lane (Dranesville District).

ADMIN 3 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, MOUNT VERNON, AND PROVIDENCE 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>
Clark and Hahn Trustees Property (1651 Birch Road)	Dranesville	Old Chesterbrook Road (Route 690) [Additional Right-of-Way (ROW) Only]
		Birch Road (Route 2807) (Additional ROW Only)

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Laurel Hill Land Bay A Section One	Mount Vernon	Sweet Pecan Drive
		Flowering Dogwood Lane (Route 10318)
		Indian Paintbrush Way (Route 10317)
Falls Rest	Providence	Sego Lily Court
		Brayden Court
		Shreve Road (Route 703) (Additional ROW Only)

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO ESTABLISH THE GREAT MEADOW RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 46 (HUNTER MILL DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **November 19, 2013, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to establish the Great Meadow RPPD, District 46. The proposed district includes the following streets:

- Great Meadow Drive (Route 5754), from Sunrise Valley Drive to the southern boundary of 11425 Great Meadow Drive, west side only, and from 11425 Great Meadow Drive to Upper Lake Drive, both sides
- Weybridge Lane (Route 5755), from Great Meadow Drive to cul-de-sac inclusive

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE OLD MILL STATION COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **November 19, 2013, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Old Mill Station CPD. The proposed district includes Old Mill Road (Route 8024), from Mount Olive Road north to the cul-de-sac inclusive.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO CONSIDER EXPANDING THE NORTHERN VIRGINIA COMMUNITY COLLEGE (NVCC) RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 39 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 19, 2013, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the NVCC RPPD, District 39. The proposed district expansion includes the following street:

- Ardfour Lane (Route 3030), from Wakefield Chapel Road to Lorene Lane and from Wakefield Chapel Road to Bonnie Drive
- Bonnie Drive (Route 3032), from Ardfour Lane to Wakefield Drive

ADMIN 7 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (SPRINGFIELD AND MOUNT VERNON DISTRICTS)

- (R)
- Adopted a Resolution authorizing installation of “\$200 Additional Fine for Speeding” signs on the following roads:
 - Clara Barton Drive from Ox Road to end of road (Springfield District)
 - Robert Carter Road from Ox Road to Clara Barton Drive (Springfield District)
 - Havenner Road from Clara Barton Drive to end of road (Springfield District)
 - Southrun Road from Pohick Road to Rippled Creek Court (Mount Vernon District)
 - Directed staff to request the Virginia Department of Transportation to install the approved measures as soon as possible.

ADMIN 8 – EXTENSION OF REVIEW PERIOD FOR 2232 REVIEW APPLICATIONS (DRANESVILLE, PROVIDENCE, AND MOUNT VERNON DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232A-D02-13-1	Verizon Wireless/Rooftop collocation The Ashby at McLean (apartment building) 1350 Beverly Road McLean, Virginia 22101 Dranesville District	December 30, 2013
2232A-D02-13-1	Verizon Wireless/Rooftop collocation The Ashby at McLean (apartment building) 1350 Beverly Road McLean, Virginia 22101 Dranesville District	December 30, 2013
FSA-V05-35-2	Sprint/Rooftop collocation Huntwood Plaza/ (office building) 5845 Richmond Highway, Alexandria, Virginia 22303 Mount Vernon District	January 20, 2014

ADMIN 9 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 99-S-012-03, COUNTRY CLUB OF FAIRFAX, INCORPORATED AND T-MOBILE NORTHEAST, LLC (SPRINGFIELD DISTRICT)

- (AT) Approved the request for 18 months of additional time to commence construction for Special Exception Application Amendment Application SEA 99-S-012-03 to April 26, 2015, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), TO AMEND ARTICLES 2 AND 3 REGARDING UNIFORMED AND EMPLOYEES' RETIREMENT SYSTEMS – CHANGE IN SOCIAL SECURITY OFFSET TO SERVICE-CONNECTED DISABILITY BENEFITS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **November 19, 2013, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), to amend Articles 2 and 3, regarding the Uniformed and Employees' Retirement Systems, concerning a change in Social Security offset to service-connected disability benefits.

ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 14097 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY (DHS) URBAN AREAS SECURITY INITIATIVE (UASI) SUBGRANT AWARD FROM THE GOVERNMENT OF THE DISTRICT OF COLUMBIA HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

- (SAR) Approved SAR AS 14097 in the amount of \$1,084,993 for FRD to accept a DHS Fiscal Year 2012 UASI subgrant award from the State Administrative Agency. These funds will be used to procure 175 radios for the three National Capital Region Communications Interoperability Group radio caches housed in Fairfax County, Montgomery County and the District of Columbia. No local cash match is required.

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ADOPT AN ORDINANCE TO ADJUST THE BOUNDARY LINE OF FAIRFAX COUNTY WITH THE CITY OF FALLS CHURCH TO ANNEX AND INCORPORATE THIRTEEN PARCELS AND OTHER LAND INTO THE CITY OF FALLS CHURCH AND TO ADOPT A VOLUNTARY BOUNDARY ADJUSTMENT AGREEMENT WITH THE CITY OF FALLS CHURCH

- (A) (NOTE: Earlier in the meeting this item was discussed. See pages 12–13.)

Authorized the advertisement of a public hearing to be held before the Board on **November 19, 2013, at 4:30 p.m.**, to:

- Adjust the boundary line of Fairfax County with the City of Falls Church to annex
- Incorporate 13 parcels and other land into the City of Falls Church
- Adopt a voluntary boundary adjustment agreement with the City of Falls Church

13. **A-1 – APPROVAL OF REDUCED INTRODUCTORY RATES FOR THE WIEHLE-RESTON EAST METRORAIL STATION “BIKE & RIDE” BIKE ROOM (HUNTER MILL DISTRICT)** (11:22 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve an introductory, reduced rate for earlier subscribers applying for membership to use the new bike storage room at the Wiehle-Reston East Metrorail Station. Supervisor Foust seconded the motion.

Supervisor Hudgins noted that rates for the rail station had been approved in June and the reduced rates will be in effect until March 1.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to advertise and promote this opportunity. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

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

14. **A-2 – ACTION ON A PARKING REDUCTION FOR HUNTINGTON AVENUE PROPERTIES (MOUNT VERNON DISTRICT)** (11:23 a.m.)

Supervisor Hyland moved to defer consideration of A-2 – Action on a Parking Reduction for Huntington Avenue Properties until the conclusion of the public hearing and the Board's decision on Rezoning Application RZ 2013-MV-001 on November 19, 2013. Chairman Bulova seconded the motion and it carried by unanimous vote.

15. **A-3 – APPROVAL OF A LICENSE AGREEMENT BETWEEN THE COUNTY AND MVH PARTNERS LP (MVH) RELATED TO THE OPERATION OF BUS SERVICE AT THE MOUNT VERNON HOUSE ON CEDAR LANE COURT (MOUNT VERNON DISTRICT)** (11:24 a.m.)

On motion of Supervisor Hyland, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to sign a License Agreement with MVH to operate Fairfax Connector bus service on Cedar Lane Court, a private road.

DET:det

ADDITIONAL BOARD MATTERS

16. **REQUEST FOR RECOGNITION** (11:25 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite representatives from Northern Virginia Family Services to appear before the Board to accept a proclamation recognizing May as "*Foster Care Month*" in Fairfax County. Without objection, it was so ordered.

17. **HONORING FORMER COUNTY EXECUTIVE J. HAMILTON LAMBERT** (11:26 a.m.)

Chairman Bulova announced that she had circulated this Board Matter to Members of the Board last night noting that several Members were present last Friday evening at the Community Foundation for Northern Virginia's annual

gala in Tysons; their honoree this year was former County Executive, J. Hamilton Lambert.

Mr. Lambert started his career with the County as a draftsman in the 1960s. He worked his way up the ladder to eventually serve as County Executive for ten years, from August 1980 to December 1990. During this time, he worked with the Board to establish a Citizens' Commission to explore the feasibility of bringing County operations together under one roof.

The eventual construction of the County Government Center was not without controversy. It involved trading County-owned land and in return having the developer build a complex in the Fairfax Center area where County operations in rented spaces could be situated together in one location. The newly constructed Government Center opened in 1992. It was, and is, a beautiful building, so beautiful that when it opened in the midst of the recession of the early 90s it was dubbed "The Taj Mahal."

Mr. Lambert resigned his position as County Executive just before the election of 1991, concerned that he would serve as a lightning rod as rhetoric over the Government Center roiled.

Now, with the community using this highly functional and attractive building every day, along with its two partners, the Pennino and Herrity buildings, the vision of those decision makers is applauded.

Mr. Lambert is currently the Executive Director of the Claude Moore Charitable Foundation in Fairfax. In this position, he has worked with more than 30 charitable organizations in the County including the George Mason University Foundation.

Chairman Bulova stated that she thinks it is appropriate and timely for the County to recognize and thank Mr. Lambert for the critical role he played during his tenure as County Executive, and in particular for his role in the establishment of the Fairfax County Government Center.

Chairman Bulova asked unanimous consent that the Board direct staff to:

- Name the Government Center Conference Center The J. Hamilton Lambert Conference Center or shortened to The Lambert Center
- Move forward with details of the change including a small ceremony to signify the new designation for the Conference area

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

18. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (11:29 a.m.)

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

DAL:dal

19. **SCHOOL BUS STOP ARM CAMERA PROGRAM** (11:29 a.m.)

Supervisor Foust said that Virginia Code Section 46.2-844 (Passing stopped school buses; penalty; prima facie evidence), at subsection A provides in part as follows:

“The driver of a motor vehicle approaching from any direction a clearly marked school bus which is stopped on any highway, private road or school driveway for the purpose of taking on or discharging children, the elderly, or mentally or physically handicapped persons, who, in violation of §46.2-859, fails to stop and remain stopped until all such persons are clear of the highway, private road, or school driveway, is subject to a civil penalty of \$250, and any prosecution shall be instituted and conducted in the same manner as prosecutions for traffic infractions.”

One day this past April, a survey of Virginia school bus drivers reported nearly 1900 instances of motorists illegally passing stopped school buses. Such flagrant disregard for the law puts children in grave danger. Supervisor Foust said that all Board Members have probably received complaints from parents and stated that, in his experience, the Police have been very responsive to these complaints. Unfortunately, due to resource restraints, it is not possible for the Police to observe and issue citations each time these violations occur. In recognition of this growing problem, the Virginia General Assembly adopted the following amendment to Virginia Code Section 46.2-844 to give local jurisdictions the authority to install cameras on school buses:

“A locality may, by ordinance, authorize the school division of the locality to install and operate a video-monitoring system in or on the school buses operated by the division or to contract with a private vendor to do so on behalf of the school division for the purpose of recording violations of subsection A. Such ordinance may direct that any civil penalty levied for a violation of subsection A shall be payable to the local school division.”

Recently, Falls Church Public Schools and the Falls Church Police Department partnered with American Traffic Solutions (ATS) to deploy a camera system called CrossingGuard®. ATS is a leading photo enforcement provider in North America, and CrossingGuard® is its newest solution to help school systems cope with the persistent problem of illegal passing of buses.

Designed to monitor and enforce traffic around a stopped school bus, the CrossingGuard® system consists of high-resolution cameras mounted to the front and rear driver's side of a school bus. When the school bus extends its stop arm, the system automatically detects if a vehicle passes the stopped school bus within the enforced zone. To allow the bus driver to stay focused on the road and the children on the bus, the CrossingGuard® system does not require any action by the bus driver to activate the system. High-quality violation images of a vehicle's license plate and a video that captures the entire violation event provide law enforcement the evidence they need to effectively prosecute these violations.

In Falls Church, ATS will administer and maintain the program. Supervisor Foust stated that he was informed that there was no upfront cost to the City of Falls Church. The program will be funded 100 percent by stop arm violators.

Supervisor Foust stated his understanding that because the Falls Church City School Board has completed the Request for Proposal (RFP) process to implement a camera program, any school division in the State may choose to take advantage of the RFP without going through the entire process itself.

Therefore, Supervisor Foust moved that the Board direct staff to work with Fairfax County Public Schools staff to determine what would be required to implement the CrossingGuard® or similar program in the County and to report with its recommendations. Supervisor McKay seconded the motion.

Discussion ensued regarding:

- Upfront costs
- Whether the cameras would capture all violators – vehicles coming from behind the buses as well as those coming in the opposite direction
- The number of lanes that the cameras will capture
- Whether the cameras will be able to capture everything that happens on the bus as well
- Photo enforcement

Supervisor Frey noted that at a prior meeting he and Chairman Bulova presented a joint Board Matter directing staff to report with information regarding whether to implement photo enforcement. He asked to amend the motion to direct staff to report with information regarding that issue simultaneously with this Board Matter. This was accepted.

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

20. **REQUEST FOR RECOGNITION OF MR. DAVID LAVERY** (11:40 a.m.)

Supervisor Foust congratulated Mr. Dave Lavery for winning the 2013 Samuel J. Heyman Service to America Medal in the science and environment category. The awards, known as the “Sammies,” are presented every year by the Partnership for Public Service to recognize outstanding government workers and are considered the Oscars of the government world.

Mr. Lavery is a long-time resident of Herndon. He attended elementary, middle and high school in the town, college at Virginia Tech, and did his graduate work at George Mason. Following graduation, he landed a job working for a NASA contractor. After five years, he took a job at the agency working in the area of robotic programming. Today he is the Program Executive for Solar System Exploration.

His medal recognizes his work in shepherding the development and launch of the Curiosity rover that, since landing this past August, is exploring the geology and climate of Mars. The landing involved the largest supersonic parachute ever built.

Curiosity beams photographs back from 154 million miles away. The data it collected after driving over an ancient streambed proved that water existed on the surface of Mars for tens of thousands of years. Mr. Lavery’s love of robotics has led him to serve as a long-time mentor for the Herndon High School Robotics team.

Supervisor Foust said he found it ironic that when he tried to contact Mr. Lavery to discuss recognizing him at an upcoming Board meeting, he was unable to reach him because Mr. Lavery was one of the many federal workers sent home as “nonessential personnel” during the government shutdown.

Supervisor Foust asked unanimous consent that the Board direct staff to invite Mr. Lavery to appear before the Board at its November 19 meeting to be recognized for his outstanding achievements in service to the federal government. Without objection, it was so ordered.

21. **DULLES ROCKHILL PARTNERS, LP AND NUGGET JOINT VENTURE, LC – REQUEST FOR EXPEDITED PROCESSING AND DATE CERTAIN PUBLIC HEARING (DRANESVILLE DISTRICT)** (11:43 a.m.)

Supervisor Foust said Dulles Rockhill Partners, LP and Nugget Joint Venture, LC have filed three concurrent applications (Rezoning/Final Development Plan Application RZ/FDP 2012-DR-016, Proffered Condition Amendment Applications PCA C-696-9 and PCA C-698-3) on Tax Map Parcels 15-2((1)) 13 and 13pt., and 15-4 ((5)) 5A to replace an approved 180,000 square foot office building (Building L) in Dulles Station with a 415,000 square foot multi-family

residential building located within a quarter mile of the future Innovation Center Metrorail station.

The applicant proposes a development plan that initiates a land swap with adjacent property to the north, which will facilitate the creation of a street grid necessary for the site and potential development to the north associated with the Metrorail Station.

The Planning Commission public hearing is scheduled for November 21, 2013; however, because the case relates to future complex and time sensitive development proposals associated with the Metrorail station, the applicants have requested that the public hearing before the Board be held this year.

Therefore, Supervisor Foust moved that Board expedite the processing of this application by directing the Director of the Zoning Evaluation Division, Department of Planning and Zoning, to schedule the public hearing before the Board for Rezoning/Final Development Plan Application RZ/FDP 2012-DR-016 and the concurrent Proffered Condition Amendment Applications PCA C-696-9 and PCA C-698-3 on a date certain of December 3, 2013. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicants from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in anyway. This action in no way prejudices the substantive review of the applications. Supervisor Hyland seconded the motion and it carried by unanimous vote.

22. **A TASTE OF HOME FOR THE TROOPS (HUNTER MILL DISTRICT)**
(11:46 a.m.)

Supervisor Hudgins said that the Hunter Mill District Office is rallying the Reston community to contribute to the Support Our Troops program. Her office is teaming with South Lakes High School, along with help from the Reston Youth Association and the Reston Soccer Association, to bring a taste of home to a unit of soldiers and sailors serving in Ghazni, Afghanistan. This unit has a special connection to Reston. The forward operating base commanding officer is Navy Commander Halle Dunn, a hometown son and graduate of South Lakes High School.

Students and football fans are encouraged to bring their donations to the final South Lakes' varsity football game on November 8, 2013. To add to the school's Veteran's Day commemoration, a flag that was flown by the Provincial Reconstruction Team Ghazni over their base will be presented and flown at South Lakes High School on November 13. Attached to her written Board Matter is a flyer with a photo of the flag ready for shipment from the PRT Ghazni.

In addition, Supervisor Hudgins' office will collect donations from community members and organizations through November 15. The collections include winter

items, holiday decorations, food, toiletries, entertainment, and sports equipment for shipment to support these soldiers. Letters of support from community members are also most welcome.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff of the Office of Public Affairs to assist in publicizing the Hunter Mill District Support Our Troops program. Without objection, it was so ordered.

PMH:pmh

23. **CHANTILLY HIGH SCHOOL BOYS' GOLF TEAM WINS STATE CHAMPIONSHIP (SULLY DISTRICT)** (11:48 a.m.)

Supervisor Frey announced that the Chantilly High School Boys' Golf Team finished first in the State championship. He added that senior Mike Sciorra won the individual medal.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite the team and Mr. Sciorra to appear before the Board to be recognized for these accomplishments. Without objection, it was so ordered.

24. **CHARLES STREET COMPREHENSIVE PLAN AMENDMENT AUTHORIZATION (MASON DISTRICT)** (11:49 a.m.)

Supervisor Gross said there is an opportunity to revitalize several parcels in the Bailey's Crossroads Community Business Center (CBC) through a consolidated development proposal. The subject parcels, southwest of Leesburg Pike in the Culmore neighborhood of Bailey's Crossroads, have lain vacant for several years and been the subject of numerous zoning violations, and of much concern in the community, Tax Map Parcels 61-2 ((17)) (D) 1, 3, 4 and 5 and 61-2 ((18)) 1, 2, 3 and 4 are located between Charles and Washington Streets, southwest of Leesburg Pike.

To facilitate the redevelopment of this area, Supervisor Gross moved that the Board authorize an amendment to the Comprehensive Plan for these parcels to consider additional commercial uses that may include drive-through services and expansion of the CBC. The plan analysis should weigh the benefits and constraints of the proposal while considering its ability to meet streetscape guidelines, provide appropriate buffering to residential uses and address Bailey's Crossroads planning objectives including those related to transportation. Chairman Bulova seconded the motion and it carried by unanimous vote.

25. **SEVEN CORNERS COMPREHENSIVE PLAN AMENDMENT AUTHORIZATION (MASON DISTRICT)** (11:51 a.m.)

Supervisor Gross said that there has been increasing interest in the revitalization of the Seven Corners area in Mason District. She added that in the summer of

2012, her office, the Office of Community Revitalization, and the Department of Planning and Zoning coordinated to host two well attended 'Community Visioning Workshops,' the first of which had over 140 participants, to discuss the future of Seven Corners. Following these meetings, in fall of 2012, she appointed a Seven Corners Land Use and Transportation Task Force to review the findings of visioning forums held earlier that year, and to develop recommendations for the future of the Seven Corners area.

Over the past year, Task Force members have met on a monthly basis and have researched topics such as housing, transportation, land use, and urban design, and in June, held a very successful design Charrette to examine how selected opportunity sites could redevelop in the future. Since the Charrette, the Task Force has been working with staff to develop land use and transportation recommendations from the charrette results. In just a few weeks, the Task Force will hold a transportation Charrette to build upon the land use recommendations they developed in past months to evaluate future improvements for the complex Seven Corners intersection and other transportation movements in the area.

When the Task Force was developed, a sunset date of two years was planned to complete its study, and the Task Force has great leadership, momentum, and staff support to meet this goal.

To study incorporating the recommendations of the Seven Corners Land Use and Transportation Task Force into the Comprehensive Plan, Supervisor Gross moved that the Board authorize the consideration of a Comprehensive Plan amendment for Land Units A, B, C, and D of the Seven Corners CBC. This consideration also should include an evaluation of area-wide recommendations. Chairman Bulova seconded the motion.

Following discussion of the motion, Supervisor Smyth asked to amend the motion to include a review of the transportation network in the area, and this was accepted.

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

26. **VIRGINIA HIGH SCHOOL LEAGUE (VHSL) (SPRINGFIELD DISTRICT)** (11:55 a.m.)

Supervisor Herrity said that the VHSL is one of the most important organizations in youth sports and academia in the Commonwealth. It is the principal sanctioning organization for interscholastic athletic competition among Virginia's public schools, serving nearly 200,000 students in 308 member schools. 2013 marks its one-hundredth anniversary of service to the kids of the Commonwealth.

The VHSL was established in 1913 by members of both the Jefferson Literary and Debating Society and the Washington Literary Society and Debating Union at the University of Virginia to originally serve as a debating league for the State's high schools. Over the course of the 1910s, it expanded to over 250 schools and added championships in oral reading, baseball, basketball, and track and renamed itself the Virginia High School Literary and Athletic League.

After World War II, it adopted other sports and began standardizing officiating practices for high school sports. In 1969, it merged with the Virginia Interscholastic Association, which was a similar organization that had served African-American schools around the Commonwealth during segregation. Girls' sports were also added around this time.

Today, VHSL conducts 81 team championships in 27 sports and 8 academic activities for boys and girls, and covers large amounts of the costs associated with those championships that would otherwise have to be paid for by schools. Many of these championships would not be held if not for VHSL. Through their 100 years they have served hundreds of thousands of kids.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite regional VHSL representatives to appear before the Board to receive a resolution honoring them for their 100 years of service to the youth of the County and the Commonwealth. Without objection, it was so ordered.

27. **MAINTENANCE OF TRAIL AND SIDEWALKS** (11:57 a.m.)

In a joint Board Matter with Supervisor Cook, Supervisor Frey, and Supervisor McKay, Supervisor Herrity said that the trail along the Fairfax County Parkway has been in a state of disrepair for some time. The Virginia Department of Transportation (VDOT) has been working to obtain the funding to get its portion repaired and now has a plan to repair the trail, however, sections of this trail are the County's responsibility. VDOT has asked for the County to provide approximately \$181,000 (the cost associated with the work on the County-owned sections) so all deficiencies on this trail could be corrected at once. Various County agencies attempted to identify a source for this money but were unsuccessful. There is a lot of work needed to repair this trail. To allow VDOT to repair its sections while the County's remain in its current state is not a desirable outcome. Instead of grateful citizens happy for attention to long ignored trail maintenance, the end result will be angry, confused citizens who will not understand why some sections of the trail were repaired and some were not.

Supervisor Herrity said that staff has indicated that VDOT has already sent the contract for the entire project (both VDOT and County-owned sections) to Richmond but without the funding for the County sections. He added that if the County can provide funding, it is his understanding that VDOT could do a supplemental contract to have the work done as part of this maintenance project.

Therefore, Supervisor Herrity moved that the Board direct the County Executive to use his best efforts to identify funding and report his findings. Supervisor McKay seconded the motion.

Supervisor McKay asked to amend the motion to direct staff to review the section of the Franconia-Springfield Parkway, and this was accepted.

Supervisor Foust asked to amend the motion to direct staff to review with VDOT the issue of maintenance of sidewalks, and this was accepted.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, regarding:

- VDOT's plans for Sidewalk and trail maintenance issues
- Funding sources

Supervisor McKay asked unanimous consent that the Board direct staff to determine:

- If the County repairs the trail and it meets State standards would VDOT be interested in taking over the maintenance of the County portions in exchange for the County getting the initial repairs done
- The trail/sidewalk segments that the County owns and why it has them
- If maintenance could become eligible by VDOT in the long term

Without objection, it was so ordered.

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

28. **SENATE BILL (SB) 1367** (12:13 p.m.)

In a joint Board Matter with Supervisor Hyland, Supervisor McKay, said that during its 2011 session, the Virginia General Assembly passed SB 1367, a bill that allowed car title lenders in the Commonwealth to extend credit to out-of-state drivers. Since that time, Virginia has become a magnet for people who need cash but live in the District, Maryland, or other nearby states where interest rates are capped and such companies are discouraged from opening. Unfortunately, more and more, these are popping up in revitalization areas across the County.

Supervisor McKay noted that this is a difficult situation in that the County's Zoning Ordinance permits these businesses to open by-right in most commercial,

office, and retail districts, as well as industrial. However, such leeway makes it very easy for these types of businesses to set up shop.

News reports from earlier this year indicate that Chesterfield County has adopted policy limits on the location of such businesses; their experiences in establishing this policy may provide useful information for staff in assessing the County's options.

Therefore, Supervisor McKay moved that the Board direct staff to report in advance of the General Assembly session on any possible regulatory or land-use strategies to potentially regulate these types of businesses. He added that he has been having informal conversations with staff about this topic for the past year and feel that it is now appropriate for staff to present possible options that may be available to us. Supervisor Hyland seconded the motion and it carried by unanimous vote.

29. **GREENSPRING RETIREMENT COMMUNITY (LEE DISTRICT)**
(12:17 p.m.)

Supervisor McKay said that the County is home to a growing community of seniors. These seniors want to live in the County; they have put down roots and raised families here or have come here to be closer to their families.

Supervisor McKay stated that he is proud that one of the County's thriving retirement communities is in Lee District. Greenspring is the largest retirement community of its type in Northern Virginia with nearly 1,900 residents and more than 800 staff members on a 108-acre campus. Greenspring opened its doors on November 17, 1998, so next month marks its fifteenth anniversary.

Civic responsibility is not a spectator sport for the retirement community's residents. Greenspring residents are active volunteers in the community and in 2012, volunteer activities at Greenspring and in the greater Springfield community involving Greenspring volunteers rang up an impressive total of 100,959 hours.

Supervisor McKay noted that Greenspring has received numerous awards in its field. For example, this year it received the Excellence in the Workplace Award from LeadingAge whose mission is to expand the world of possibilities for aging. Greenspring received this award for promoting a workplace culture that encourages career development of staff at all levels. In 2012, employees completed 13,133 training hours at Greenspring. Greenspring's staff retention rate is 94 percent, and 44 percent of the workforce has been employed for five or more years.

The Washington Business Journal has also ranked Greenspring as the Number 1 Healthiest Employer in Greater Washington (among companies with 5001499 employees). Greenspring received this award for its efforts in providing physical, emotional, and financial incentives to employees to stay healthy. The campus is smoke-free and provides nutritional information for each meal item served daily at the community.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite members of the Greenspring Executive Team and Resident Advisory Council to appear before the Board at its November 19 meeting for recognition of 15 successful years in Lee District. Without objection, it was so ordered.

30. **NO BOARD MATTERS FOR SUPERVISOR COOK (BRADDOCK DISTRICT)** (12:19 p.m.)

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

31. **AUTHORIZATION OF CRP BELVOIR, LLC, FILING OF A PROFFERED CONDITION AMENDMENT APPLICATION IN ACCOTINK VILLAGE (MOUNT VERNON DISTRICT)** (12:19 p.m.)

Supervisor Hyland said that this motion involves this Board's authorization of the filing of a PCA/CDPA/FDPA application on right-of-way owned by the Board. The right-of-way in question is a portion of Anderson Lane (Route 8445). Rezoning Application RZ 2012-MV-007 was approved by this Board last year. CRP Belvoir, LLC is filing a proffered condition amendment application to make some revisions to the plan. The plan associated with that approval included this portion of Anderson Lane which is to become a private road within the mixed use development. The process of vacating Anderson Lane has begun but will not be completed by the filing of this PCA, hence the need for Board consent for the filing of the application on Anderson Lane.

Therefore, Supervisor Hyland moved that the Board authorize the filing of a PCA/CDPA/FDPA application on Anderson Lane (Route 8445) as generally identified in the approved Rezoning Application RZ 2012-MV-007. This motion should not be construed to prejudice the consideration of the application in any way nor does it relieve the applicant from compliance with the provisions of applicable ordinances, regulations, or adopted standards in any way. Supervisor Foust and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

32. **RECESS/CLOSED SESSION** (12:23 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. *Tonita Hall a/k/a Louise Redditt Toni v. Robert Mueller, Eric Holder, Albert L. Lord, Albert Murray, Tanja Gilmore, Harold W. Clark, Officer B. Meyers, Officer R. Wenmoth, Debra Wiley, John T. Frey, FSA Ombudsman U.S. Dept. of Education, Fairfax County Board of Supervisors, Jessi Vannalli, Lieutenant T. Crabtree, Officer Bauer, Fairfax County Police Dept., David M. Rohrer, Fairfax County Sheriff's Dept., Magistrate Garcia, Wayne Hannah, Hank W. Chao, Kathleen Tighe, Jason Williams, Joan Zanders, Joe Kuebler, Juanita Ford, Northern Virginia Community College, Ian Rodway, Raymond F. Marragh [sic], Theophani Stamos, U.S. Dept. of the Inspector General, Patricia Tucker, Robert G. Templin, Jr., Sallie Mae, Arne Duncan, Sharon Bulova, Honorable Nathan Deal, Unknown Transportation Company, U.S. Dept. of Justice, William M. Muse, William D. Hamel, Civil Action No. 1:12cv1234 (E.D. Va.) and Case No. 13-1704 (U.S. Ct. of App. for the Fourth Cir.)*
 - 2. *Ana Cecilia Mongrut-Avanzini v. Commonwealth of Virginia, Case No. 1:12cv152 (E.D. Va.)*
 - 3. *Louise Root v. County of Fairfax, Case No. 12-2545 (United States Court of Appeals for the Fourth Circuit)*
 - 4. *Carla Thomas v. Fairfax County, Fairfax County Department of Tax Administration, Howard Goodie,*

- and Bruce Schuette*, Case No. CL-2013-0004770 (Fx. Co. Cir. Ct.)
5. *Joseph Danzig v. Virginia Department of Medical Assistance Services and Fairfax County Department of Health*, Case No. CL-2013-0014772 (Fx. Co. Cir. Ct.)
 6. *Lawrence S. Leiken and Debra J. Leiken v. Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia*, Appeal No. 130926.OAP (Fx. Co. Bd. of Building Code App.) (Dranesville District)
 7. *In Re: July 31, 2013, Decision of the Fairfax County Board of Zoning Appeals Denying Application of New Cingular Wireless, PCS, LLC, and Parklawn Recreation Association, Inc., for an Amendment to Special Permit No. 76-M-088* (Fx. Co. Cir. Ct.) (Mason District)
 8. *Alfred William Massey by GEICO, as subrogee v. Shawn C. Carroll, Fairfax County, and David Bobzien*, Case No. GV13-019232 (Fx. Co. Gen. Dist. Ct.)
 9. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Sidney B. Hill and Wanda C. Hill*, Case No. CL-2012-0011053 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 10. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Douglas A. Samuelson*, Case No. CL-2012-0006356 (Fx. Co. Cir. Ct.) (Braddock District)
 11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 12. *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)

13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Abdul B. Jahani, et al.*, Case No. CL-2013-0006606 (Fx. Co. Cir. Ct.) (Braddock District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marisol Ferrel*, Case No. CL-2012-0016071 (Fx. Co. Cir. Ct.) (Providence District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Santos Gutierrez*, Case No. CL-2011-0003448 (Fx. Co. Cir. Ct.) (Lee District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gustavo A. Veliz and Veronica Darcy Cortez-Veliz*, Case No. CL-2009-0014879 (Fx. Co. Cir. Ct.) (Mason District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert L. Gelles and Anita A. Gelles*, Case No. CL-2013-0004820 (Fx. Co. Cir. Ct.) (Springfield District)
18. *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)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ly Chau, Bolmarket Corporation, and Lozada Corporation*, Case No. CL-2013-0011534 (Fx. Co. Cir. Ct.) (Providence 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. Reston Zoo, LLC*, Case No. CL-2012-0019076 (Fx. Co. Cir. Ct.) (Hunter Mill District)

22. *Mohamed Rashid v. Michael R. Congleton, Property Maintenance Code Official, Fairfax County Department of Code Compliance, and Fairfax County, Virginia*, Case No. CL-2013-0014569 (Fx. Co. Cir. Ct.) (Dranesville District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Seven Corners Center, LLC, and Home Depot U.S.A., Inc.*, Case No. CL-2012-0015618 (Fx. Co. Cir. Ct.) (Mason District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. T & C Foods, Inc., 3 "W" Inc., Lindsay Foods, and Home Depot U.S.A., Inc.*, Case No. CL-2012-0015617(Fx. Co. Cir. Ct.) (Mason District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kanya Kunchaekan*, Case No. CL-2013-0008436 (Fx. Co. Cir. Ct.) (Providence District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Andre H. Light, Trustee of the Andre H. Light Inter-Vivos Trust*, Case No. CL-2013-0009361 (Fx. Co. Cir. Ct.) (Mason District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Nasreen Sheikh, Mazhar Sheikh, and Saira Sheikh*, Case No. CL-2013-0011030 (Fx. Co. Cir. Ct.) (Dranesville District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Washington Gastroenterology, PLLC*, Case No. CL-2012-0011301 (Fx. Co. Cir. Ct.) (Mason District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Aurora Loan Services, LLC*, Case No. CL-2012-0016433 (Fx. Co. Cir. Ct.) (Mason District)

30. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Theresa C. L. Hung*, Case No. CL-2013-0005423 (Fx. Co. Cir. Ct.) (Mason District)
31. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. M. Rashid*, Case No. CL-2013-0011323 (Fx. Co. Cir. Ct.) (Dranesville District)
32. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Frank L. Stevens and Mary E. T. Stevens*, Case No. CL-2012-0005051 (Fx. Co. Cir. Ct.) (Providence District)
33. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Muawia Abu El Hawa*, Case No. CL-2013-0014648 (Fx. Co. Cir. Ct.) (Providence District)
34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Juan A. Salguero and Sandra P. Salguero*, Case No. CL-2013-0014901 (Fx. Co. Cir. Ct.) (Providence District)
35. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Thanh V. Phan*, Case No. CL-2013-0015397 (Fx. Co. Cir. Ct.) (Mason District)
36. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Larissa Omelchenko Taran*, Case No. GV13-007300 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jaime W. Zambrana*, Case Nos. GV13-007296 and GV13-007297 (Fx. Co. Gen. Dist. Ct.) (Mason District)
38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Diane Trimiew*, Case No. GV13-011599 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

39. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Diane Trimiew*, Case No. GV13-011600 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
40. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Raj B. Samtani and Pushma Raj Samtani*, Case No. GV13-006988 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
41. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jose Jimenez*, Case No. GV13-016194 (Fx. Co. Gen. Dist. Ct.) (Mason District)
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edwin Hercules Funk, Jr.*, Case No. GV13-015379 (Fx. Co. Gen. Dist. Ct.) (Lee District)
43. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Christopher Brinsko*, Case No. GV13-018553 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
44. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Margarita E. Lorenz*, Case No. GV13-018554 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jingyang Tao and Carrie Song*, Case Nos. GV13-018987 and GV13-018988 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
46. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Jingyang Tao and Carrie Song*, Case Nos. GV13-018986 and GV13-018989 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
47. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John L. Butterfield and Nancy S. Butterfield*, Case No. GV13-018973 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)

48. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Camille C. Hellmuth*; Case No. GV13-019518 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
49. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edgar L. Little and Jean Little*, Case Nos. GV13-019512, GV13-019513, and GV13-019514 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
50. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Edgar L. Little and Jean Little*; Case Nos. GV13-019515, GV13-019516, and GV13-019517 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
51. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Arthur F. Parnell*, Case No. GV13-018974 (Fx. Co. Gen. Dist. Ct.) (Mason District)
52. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marisol Ferrel*, Case No. GV13-018556 (Fx. Co. Gen. Dist. Ct.) (Providence District)
53. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ahmad Ellini*, Case No. GV13-018003 (Fx. Co. Gen. Dist. Ct.) (Providence District)
54. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Charles V. Stanley, Jr.*, Case Nos. GV13-019037 and GV13-019038 (Fx. Co. Gen. Dist. Ct.) (Lee District)
55. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Helen M. Parker-Smith*, Case Nos. GV13-019039 and GV13-019040 (Fx. Co. Gen. Dist. Ct.) (Providence District)
56. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marcus Robinson and William Robinson*, Case No. GV13-018969 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

57. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Marcus Robinson and William Robinson*, Case No. GV13-018970 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
58. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Samya Ahmed Salih and Mustafa Abdel Magee Younis*, Case No. GV13-018971 (Fx. Co. Gen. Dist. Ct.) (Mason District)
59. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Beatrice C. Garcia*, Case No. GV12-026004 (Fx. Co. Cir. Ct.) (Sully District)
60. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James H. Miller and Marian H. Miller*, Case No. GV13-019640 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
61. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Harlan Y.M. Lee and Mary Jane Lee*, Case No. GV12-026231 (Fx. Co. Gen. Dist. Ct.) (Providence District)
62. *Leslie B. Johnson, Fairfax County Zoning Administrator v. 8228 Richmond Highway, LLC*, Case No. GV13-018972 (Fx. Co. Gen. Dist. Ct.) (Lee District)
63. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Daniel De Torres Perez and Beverly A. Youmans*, Case No. GV13-018117 (Fx. Co. Gen. Dist. Ct.) (Mason District)
64. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Charles J. Caridi and Assadullah Yosufzai*, Case No. GV13-020892 (Fx. Co. Gen. Dist. Ct.) (Lee District)
65. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Melvin R. Palma*, Case No. GV13-020767 (Fx. Co. Gen. Dist. Ct.) (Lee District)

66. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Ali H. Shwikhat and Anisa H. Sayoud*, Case No. GV13-020154 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
67. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Alice B. Gentry*, Case No. GV13-020153 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
68. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Shaita Ijaz*, Civil Case No. GV13-020257 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
69. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Francisco Javier Arcentales, Rosario Arcentales, and Javier Arcentales*, Case No. GV13-019827 (Fx. Co. Gen. Dist. Ct.) (Lee District)
70. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Salvador Martinez*, Case No. GV13-019697 (Fx. Co. Gen. Dist. Ct.) (Lee District)
71. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Pourak Kiumarsi*; Case Nos. GV13-019519 and GV13-019520 (Fx. Co. Gen. Dist. Ct.) (Lee District)
72. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mary Ann Torregrossa*, Case No. GV13-020137 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
73. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Beverly K. Lester*, Case No. GV13-020155 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
74. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jeffrey A. Maisel*, Case No. GV13-020398 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

75. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard C. Arnold*, Case No. GV13-021384 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
76. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Richard C. Arnold*, Case No. GV13-021277 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
77. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Janet L. Perry*, Case No. GV13-021966 (Fx. Co. Gen. Dist. Ct.) (Mason District)
78. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Brian Walsh*, Case No. GV13-023000 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
79. *Leslie B. Johnson, Fairfax County Zoning Administrator v. YG Land Holdings, LLC*, Case No. GV13-022998 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
80. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Orlando Torrez*, Case No. GV13-022999 (Fx. Co. Gen. Dist. Ct.) (Lee District)
81. *Board of Supervisors of Fairfax County, Virginia v. Williamson Group Land Development, LLC*, Case No. CL-2013-0015394 (Fx. Co. Cir. Ct.) (Hunter Mill District)

And in addition:

- Fairfax County Personnel Regulations, Chapter 16, Addendum 1, Standards of Conduct
- *City of Falls Church, Virginia v. Board of Supervisors of Fairfax County, Virginia*, CA No. 1:12cv513
- *Samuel I. White, P.C., Substitute Trustee, et al. v. Fairfax County Redevelopment and Housing Authority, et al.*, Case No. CL-2013-0008014

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

EBE:ebe

At 3:51 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

33. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:51 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 Hyland 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."

34. **AUTHORIZATION OF SETTLEMENT OF SAMUEL I. WHITE, P.C., SUBSTITUTE TRUSTEE, ET AL., VERSUS FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY, ET AL.** (3:52 p.m.)

Supervisor Frey moved that the Board authorize settlement of *Samuel I. White, P.C., Substitute Trustee, et al., versus Fairfax County Redevelopment and Housing Authority, et al.*, Case No. CL-2013-0008014, as outlined by the County Attorney in closed session. Supervisor Foust seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

35. **ORDERS OF THE DAY** (3:53 p.m.)

Chairman Bulova announced that a number of public hearings scheduled for this afternoon are being deferred and she would call those public hearings first.

36. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2013-MV-006 (MOHAMMAD I. MANSOOR) (MOUNT VERNON DISTRICT)** (3:53 p.m.)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 2013-MV-006 until **November 19, 2013, at 4 p.m.** Chairman Bulova and Supervisor Foust jointly seconded the motion and it carried by unanimous vote.

37. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2013-MV-001 (A&R HUNTINGTON METRO LLC) (MOUNT VERNON DISTRICT)**
(3:53 p.m.)

Supervisor Hyland moved to defer:

- The public hearing on Rezoning Application RZ 2013-MV-001 until **November 19, 2013, at 4:30 p.m.**
- Consideration of Action Item A-2 – Action on a Parking Reduction for Huntington Avenue Properties, at the same time

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

(NOTE: Earlier in the meeting the Board deferred consideration of Action Item A-2. See Clerk's Summary Item #14.)

38. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2011-PR-005 (NV COMMERCIAL INCORPORATED AND CLYDE'S REAL ESTATE GROUP, INCORPORATED) (PROVIDENCE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2008-MD-036 (NV COMMERCIAL INCORPORATED) (PROVIDENCE DISTRICT) (3:54 p.m.)

Supervisor Smyth moved to defer the public hearing on Rezoning Application RZ 2011-PR-005 and Special Exception Amendment Application SEA 2008-MD-036 until **November 19, 2013, at 4:30 p.m.** Supervisor Foust seconded the motion and it carried by unanimous vote.

39. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT S13-II-M3 FOR THE MCLEAN COMMUNITY BUSINESS CENTER AT THE INTERSECTION OF OLD DOMINION DRIVE AND CHAIN BRIDGE ROAD, SOUTH OF DOLLEY MADISON BOULEVARD (ROUTE 123) (DRANESVILLE DISTRICT)** (3:55 p.m.)

Supervisor Foust moved to defer the public hearing on Plan Amendment S13-II-M3 until **November 19, 2013, at 4 p.m.** Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

40. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2013-PR-004 (INOVA HEALTH CARE SERVICES) (PROVIDENCE DISTRICT)**
(3:56 p.m.)

The application property is located in the southeast quadrant of the intersection of Williams Drive and Arlington Boulevard, Tax Map 49-3 ((39)) 3.

Mr. Tim Sampson reaffirmed the validity of the affidavit for the record.

A brief discussion ensued, with input from Mr. Sampson, regarding the date of the affidavit.

Supervisor Gross disclosed that she is a Trustee on the INOVA Health Systems Foundations Board. She stated that based on recent changes in County Policies, she is recusing herself from the public hearing but would remain on the dais to preserve a quorum, however, she will not be participating in the hearing in any way.

Chairman Bulova announced that Supervisor Frey and Supervisor Hyland serve on the INOVA Health Care Services Board and they are recusing themselves from the public hearing. (Supervisor Frey and Supervisor Hyland were not in the Board Auditorium.)

Supervisor Herrity disclosed a campaign contribution in excess of \$100 which he had received from Mr. Todd Stottlemeyer, a Trustee of the INOVA Health Systems Foundations Board. He stated that based on recent changes in County Policies, he is recusing himself from the public hearing but would remain on the dais to preserve a quorum, however, he will not be participating in the hearing in any way.

William O'Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Mr. Sampson 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, Mr. O'Donnell presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Approval of Special Exception Application SE 2013-PR-004, subject to the development conditions dated September 18, 2013.

- Approval of the list of modifications and waivers dated October 29, 2013, that were distributed around the dais and further discussed in the staff report. This list shall be made a part of the record of this case.

Supervisor Foust seconded the motion and it carried by a vote of five to nothing, Supervisor McKay being out of the room, Supervisor Gross, Supervisor Frey, Supervisor Herrity, and Supervisor Hyland having recused themselves.

41. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2013-MV-001 (A&R HUNTINGTON METRO LLC) (MOUNT VERNON DISTRICT)**

(NOTE: Earlier in the meeting, the Board deferred this public hearing. See Clerk's Summary Item #37.)

42. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2011-PR-005 (NV COMMERCIAL INCORPORATED AND CLYDE'S REAL ESTATE GROUP, INCORPORATED) (PROVIDENCE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2008-MD-036 (NV COMMERCIAL INCORPORATED) (PROVIDENCE DISTRICT)

(NOTE: Earlier in the meeting, the Board deferred this public hearing. See Clerk's Summary Item #38.)

43. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 96-S-002-02 (NILA M. CASTRO TRUST AND CASTRO COLCHESTER FARMS, LLC) (SPRINGFIELD DISTRICT) (4:06 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 October 11 and October 18, 2013.

The application property is located at 11720 Chapel Road, Clifton, 22024, Tax Map 76-3 ((1)) 13Z and 76-4 ((1)) 15Z.

Michael Lynskey, Planner, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Mr. Lynskey presented the staff and Planning Commission recommendations.

Supervisor Herrity moved approval of Agricultural Renewal Application AR 96-S-002-02, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Castro Local Agricultural and Forestal District, subject to the Ordinance provisions dated October 9, 2013. Supervisor Smyth seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Frey, Supervisor Hyland, and Supervisor McKay being out of the room.

44. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT S13-II-M3 FOR THE MCLEAN COMMUNITY BUSINESS CENTER AT THE INTERSECTION OF OLD DOMINION DRIVE AND CHAIN BRIDGE ROAD, SOUTH OF DOLLEY MADISON BOULEVARD (ROUTE 123) (DRANESVILLE DISTRICT)**

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item #39.)

45. **4 P.M. – PH ON THE ENDORSEMENT OF THE FISCAL YEAR (FY) 2015 VIRGINIA DEPARTMENT OF TRANSPORTATION'S (VDOT) TRANSPORTATION ALTERNATIVES PROGRAM GRANT APPLICATIONS** (4:10 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 October 11 and October 18, 2013.

Ken Kanownik, Transportation Planner, Department of Transportation, presented the staff report.

A brief discussion ensued, with input from Mr. Kanownik, regarding the Cinderbed Bikeway, plans for future bus way or other transit link to Fort Belvoir and what other projects are planned for future growth of the corridor.

Supervisor Herrity asked unanimous consent that the Board direct staff to provide information on future development in the area. Without objection, it was so ordered.

Discussion ensued, with input from Mr. Kanownik, regarding the grant award applications and the limits to the funding sources for the enhancement programs.

Following the public hearing, which included testimony by four speakers, Supervisor Hudgins moved to endorse the proposed list of applications and their respective Resolutions for the FY 2015 Transportation Alternatives Program. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross,

Supervisor Herrity, Supervisor Hudgins, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Hyland and Supervisor McKay being out of the room.

46. **4 P.M. – PH ON THE APPROVAL OF FINANCING FOR THE PURCHASE OF A NEW AMBULANCE BY THE BAILEY’S CROSSROADS VOLUNTEER FIRE DEPARTMENT (VFD), INCORPORATED (MASON DISTRICT)** (4:31 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 October 11 and October 18, 2013.

Jeffrey Katz, Volunteer Liaison, Fire and Rescue Department, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the Resolution approving the financing of up to \$220,000 for a new 2013 Braun ambulance by the Bailey’s Crossroads VFD, Incorporated. Chairman Bulova 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.”

Supervisor Gross thanked the Bailey’s Crossroad Volunteer Fire Department for all of their good work and all the Volunteer Fire Departments who raise money to augment the purchase of apparatus in the County.

47. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (4:34 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 11 and October 18, 2013.

Citizens and businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

The public comment was held and included testimony by the following individuals:

- Mr. Kurt Erickson, regarding the Governor’s Transportation Safety Award

- Mr. Richard Ball, regarding uranium mining
- Ms. Linda Burchfiel, regarding uranium mining
- Mr. Marc Greidinger, regarding refuse buildup by Lake Accotink Park Marina
- Ms. Mary Lipsey, regarding Lake Accotink

Following the testimony of Mr. Greidinger, discussion ensued, regarding tipping fees and disposal and the need for the fees to be absorbed by the County rather than the Park Authority paying to remove the debris from the lake.

Supervisor McKay asked Mr. Greidinger to provide a copy of his presentation slide to the Board for follow up.

Following the testimony of Ms. Lipsey, Supervisor Cook noted that next year the Park Authority will be conducting a Master Plan Review of Lake Accotink Park and would like the Friends group to provide input.

48. **BOARD ADJOURNMENT** (4:59 p.m.)

The Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2-4
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	4-12
Items Presented by the County Executive	
Administrative Items	12-17
Action Items	17-18
Board Matters	
Chairman Bulova	2, 18-19
Supervisor Cook	26-27
Supervisor Foust	20-23
Supervisor Frey	24, 26-27
Supervisor Gross	2, 24-25
Supervisor Herrity	2, 25-27
Supervisor Hudgins	23-24
Supervisor Hyland	27-29
Supervisor McKay	26-29
Supervisor Smyth	n/a
Actions from Closed Session	40
Public Hearings	40-46