



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
June 2, 2015**

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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, June 2, 2015, at 9:36 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; Denise A. Long, Deputy Clerk to the Board of Supervisors; Ekuia Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:37 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of Mr. John Alciati who died on May 12 of pancreatic cancer. Mr. Alciati was one of Reston's strongest supporters of the arts and critical to the founding of the initiative for public art in Reston. He was active in the Reston community and present at the conception of the Initiative for Public Art – Reston (IPAR) and its progress through Reston and the County.

Supervisor Gross asked everyone to keep in thoughts Deputy Clerk to the Board, Denise Long, and her sister, Deloris Harris, an employee in the Department of Public Works and Environmental Services. Their father, Mr. Glen Harris, died on May 12. He was an Army veteran, was a member of American Legion Post 114, and had a long career with the US Postal Service and the Prince William County Park Authority. He was also a very active member of the Mount Olive Baptist Church, in Centreville, Virginia.

AGENDA ITEMS2. **PRESENTATION OF THE COLORS** (9:39 a.m.)

Following an introduction by Tony Castrilli, Director, Office of Public Affairs, the US Army Continental Color Guard presented the colors and an element of the Old Guard Fife and Drum Corps performed.

3. **PROCLAMATION DESIGNATING JUNE 8-14, 2015, AS "ARMY WEEK" IN FAIRFAX COUNTY** (9:43 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate June 8-14, 2015, as "Army Week" in Fairfax County and urged all residents to join in congratulating the US Army on the 240th anniversary of its formation. The motion was multiply seconded.

Following discussion concerning the County's partnership with Fort Belvoir, the County's largest employer, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

(NOTE: Later in the meeting, the Board recognized Fort Belvoir's Fire and Emergency Services. See Clerk's Summary Item #5.)

ADDITIONAL BOARD MATTER4. **INTERN INTRODUCTION (MOUNT VERNON DISTRICT)** (9:57 a.m.)

Supervisor Hyland introduced Ms. Kelsey Myatt, a rising senior at the University of Mary Washington, and warmly welcomed her to his staff.

AGENDA ITEM

5. **CERTIFICATES OF RECOGNITION PRESENTED TO FORT BELVOIR FIRE AND EMERGENCY SERVICES AND THE COUNTY FIRE AND RESCUE DEPARTMENT (FRD) (MOUNT VERNON DISTRICT)** (9:57 a.m.)

(NOTE: Earlier in the meeting, the Board recognized Fort Belvoir and the celebration of “Army Week.” See Clerk’s Summary Item #3.)

Supervisor McKay moved approval of the Certificates of Recognition presented to Fort Belvoir Fire and Emergency Services and the County FRD for a mutual aid agreement and joint training efforts resulting in practical and noteworthy benefit to Fort Belvoir and the County. Supervisor Herrity seconded the motion.

Following discussion concerning the continuing partnership the County has with Fort Belvoir, the question was called on the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

6. **SPIRIT OF AMERICA** (10:05 a.m.)

Chairman Bulova announced that the US Army’s Spirit of America will be returning to the Washington area in September.

Following a short video presentation previewing the program, which is an opportunity for the Army to “give back” to the community and for America to meet its soldiers, the performance schedule was announced, as follows:

- September 10-12 at the DC Armory
- September 18-19 at the EagleBank Arena, Fairfax, VA (formerly known as the Patriot Center)
- Show times and ticketing information can be found online at www.spiritofamerica.mdw.army.mil

An invitation was extended to middle/high school bands to participate in a workshop and/or pre-show with the US Army Band.

AGENDA ITEMS

7. **CERTIFICATE OF RECOGNITION PRESENTED TO VIRGINIA TASK FORCE 1** (10:13 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificate of Recognition presented to Virginia Task Force 1 for its selfless service, extraordinary commitment, and immeasurable compassion in service to the people of Nepal in response to the April 25 and May 12 earthquakes. Supervisor McKay seconded the motion.

Following a slide presentation of the Task Force's work in Nepal, Supervisor Foust noted that the local Nepalese community hosted a thank you luncheon for the Task Force. Discussion continued concerning the facility where it was trained, in Atlanta, Georgia.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

8. **PROCLAMATION DESIGNATING JUNE 2015 AS "LESBIAN, GAY, BISEXUAL, AND TRANSGENDER (LGBT) PRIDE MONTH" IN FAIRFAX COUNTY** (10:33 a.m.)

Supervisor Foust moved approval of the Proclamation to designate June 2015 as "*LGBT Pride Month*" in Fairfax County and urged all residents to respect and honor the County's diverse community and celebrate and build a culture of inclusiveness and acceptance. Supervisor Gross and Supervisor McKay jointly seconded the motion.

Following discussion concerning LGBT Pride, the question was called on the motion and it carried by a vote of nine, Supervisor Herry being out of the room.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO CHANTILLY HIGH SCHOOL JOURNALISM STUDENTS (SULLY DISTRICT)** (10:50 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to journalism students of Chantilly High School for earning the "2015 First Amendment Press Freedom Award" from the Journalism Education Association. Supervisor Hudgins seconded the motion.

Following discussion concerning First Amendment rights and responsibilities for students and teachers, the question was called on the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

10. **CERTIFICATE OF RECOGNITION PRESENTED TO RACHEL CARSON MIDDLE SCHOOL (HUNTER MILL AND SULLY DISTRICTS)** (10:59 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to Rachel Carson Middle School for its accomplishments in the "We the People" competitions at the local, regional, State, and national levels. Supervisor Foust and Supervisor Hudgins jointly seconded the motion.

Following discussion concerning the country's forefathers and diversity, the question was called on the motion and it carried by a vote of eight, Supervisor McKay and Supervisor Smyth being out of the room.

11. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE WESTFIELD HIGH SCHOOL BASKETBALL TEAM (SULLY DISTRICT)** (11:13 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to members of the Westfield High School Basketball Team for advancing to the State championship. Supervisor Hyland seconded the motion.

Following discussion concerning the team's perseverance, the question was called on the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

12. **CERTIFICATES OF RECOGNITION PRESENTED TO MEMBERS OF THE LAKE BRADDOCK SECONDARY SCHOOL CROSS COUNTRY TEAM AND INDIVIDUAL MEMBERS OF THE INDOOR TRACK TEAM (BRADDOCK AND SPRINGFIELD DISTRICTS)** (11:21 a.m.)

Supervisor Cook moved approval of Certificates of Recognition presented to:

- Members of the Lake Braddock Secondary School Boys Cross Country Team for winning the 6A State championship
- Mr. Alex Corbett and Mr. Kevin Monogue for placing first and second in the 6A Cross Country race
- Mr. Alex Corbett for winning first place in the 3200 meter race at the Indoor State Championships
- Ms. Kate Murphy for winning first place in the 1600 and 3200 meter races at the Indoor State Championships

Supervisor Herrity seconded the motion.

Following discussion concerning the student athletes' academic achievements and the team's accomplishments, the question was called on the motion and it carried by unanimous vote.

13. **PROCLAMATION DESIGNATING JUNE 5-6, 2015 AS "COMBO CLASSIC GOLF TOURNAMENT DAYS" IN FAIRFAX COUNTY** (11:34 a.m.)

Supervisor Herrity moved approval of the Proclamation designating June 5-6, 2015, as "*Combo Classic Golf Tournament Days*" in Fairfax County and congratulating its twenty-fifth anniversary. Supervisor McKay seconded the motion.

Following discussion concerning the participation of amputees and those with disabilities in the tournament, the question was called on the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

14. **RESOLUTION OF RECOGNITION PRESENTED TO THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD)** (11:42 a.m.)

Supervisor Frey moved approval of the Resolution of Recognition presented to the FCPD for its seventy-fifth anniversary. Supervisor Herrity and Supervisor Hyland jointly seconded the motion.

Discussion ensued concerning:

- Designation of the County as the safest jurisdiction of its size in the country
- Recruitment reflecting the face of the community and bridging diverse languages and cultures
- Relationship building with the community
- Depth of the Department's work that is respected and appreciated
- The crime rate being lower than it was 75 years ago with a five-man police force
- Emphasis on community engagement and outreach
- The Department's commitment to finding ways to continually improve and expand its relationship with the community

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

Ed Roessler, Chief of Police, noted that, in addition to the County having the lowest crime rate in the US among the top 50, which was validated last week by the Department of Justice, it also has the lowest officer-to-community-member ratio.

15. **PROCLAMATION DESIGNATING JUNE 14–20, 2015, AS "FIRE AND EMERGENCY MEDICAL SERVICES SAFETY, HEALTH, AND SURVIVAL WEEK" IN FAIRFAX COUNTY** (12:11 p.m.)

Supervisor Hudgins moved approval of the Proclamation to designate June 14-20, 2015, as "*Fire and Emergency Medical Services Safety, Health, and Survival Week*" in Fairfax County and urged all residents to reflect on the need for personal responsibility, leadership, and accountability within a strong culture of safety. Supervisor Gross and Supervisor Hyland jointly seconded the motion.

Discussion ensued concerning:

- Community outreach with an emphasis on personal responsibility
- Efficient and compassionate response to community and individual crisis
- FRD emphasis on a safe, healthy, and caring community

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

16. **10:30 A.M. – PRESENTATION OF THE VOLUNTEER FIRE COMMISSION (VFC) 2014 ANNUAL REPORT** (12:27 p.m.)

Tim Fleming, Chief, Franconia Volunteer Fire Department, and Chair of the VFC, presented the VFC 2014 annual report.

Discussion ensued concerning new State regulations which would impact the cost of new ambulances, with input from Richard Bowers, Fire Chief, relative to safety standards and Environmental Protection Agency (EPA) regulations.

Supervisor McKay asked unanimous consent that the Board direct staff to prepare a technical memorandum outlining State and Federal regulation changes and the budget impact of those changes so that the Board, during consideration of its legislative package, can address concerns with the respective legislators. Without objection, it was so ordered.

Chairman Bulova thanked Chief Fleming for his presentation.

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17. **10:45 A.M. – PRESENTATION OF THE FRIENDS OF THE TREES AWARDS** (12:38 p.m.)

The Friends of the Trees Awards are given annually to individuals or organizations who have demonstrated outstanding conservation-based actions in preserving, protecting, or planting trees.

Robert D. Vickers, Jr., Chairman, Tree Commission, and Keith Cline, Director, Urban Forest Management, presented the Friends of the Trees Awards to:

Individual:

- Ms. Merrily Pierce, a resident of McLean

Organizations:

- Fairfax County Tree Stewards Program

- Virginia Cooperative Extension Master Gardeners Program
- Alpha Phi Omega – Alpha Delta Delta Chapter at George Mason University

ADDITIONAL BOARD MATTER

18. **INTRODUCTION OF INTERNS IN THE CHAIRMAN’S OFFICE**
(12:49 p.m.)

Chairman Bulova introduced the following individuals who will be interning in her office for the summer:

- Kathy Corena, a rising senior at James Madison University, majoring in Public Policy and Administration, and minoring in Sociology and Spanish
- Erin Mason, a rising junior at Georgetown University, is a pre-law student majoring in English
- Michael Reingold, a rising sophomore at the University of Virginia, majoring in Politics and English
- Jackson Viccora, a rising junior at the College of William and Mary, majoring in Public Policy

On behalf of the Board she warmly welcomed them to the Board Auditorium.

AGENDA ITEMS

19. **ADMINISTRATIVE ITEMS** (12:50 p.m.)

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

Supervisor Frey asked to amend the motion to consider Admin 4 separately, and this was accepted.

Supervisor Hyland called the Board’s attention to Admin 1 – Approval of Traffic Calming Measures and Installation of “Watch for Children” Signs as Part of the Residential Traffic Administration Program (Mount Vernon, Lee, and Dranesville Districts). He noted that there had been some controversy regarding the request and, after reviewing the procedures and surveys which were performed, stated that it meets the requirements.

Supervisor Smyth called the Board attention to Admin 5 – Authorization to Advertise Public Hearings on Proposed Amendments to The Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Minor/Editorial Revisions and raised a question regarding the diameter of transmission poles, with input from Andrew Hushour, Branch Chief, Zoning Administration Division (ZAD), Department of Planning and Zoning (DPZ).

Supervisor McKay raised a question regarding temporary Farmers Markets, with input from Donna Pesto, Senior Assistant to the Zoning Administrator, ZAD, DPZ.

The question was called on the motion to approve the Administrative Items, as amended, with the exception of Admin 4, 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 – APPROVAL OF TRAFFIC CALMING MEASURES AND INSTALLATION OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (MOUNT VERNON, LEE, AND DRANESVILLE DISTRICTS)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See page 8.)

- Endorsed a traffic calming plan for Frye Road (Mount Vernon and Lee Districts) consisting of the following:
 - One raised crosswalk
 - One speed table
 - Two speed humps
- Authorized the installation of “Watch for Children” signs on Douglas Drive (Dranesville District)
- Directed staff of the Department of Transportation to schedule the installation of the approved measures as soon as possible

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE MASON COMMUNITY PARKING DISTRICT (CPD) (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 23, 2015, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Mason CPD in accordance with existing large area CPD restrictions.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 23, 2015, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS), SECTIONS 7-2-7, 7-2-10, 7-2-12, AND 7-2-13, RELATING TO ELECTION PRECINCTS AND POLLING PLACES

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See page 8.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #20.)

ADMIN 5 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING MINOR/EDITORIAL REVISIONS

- (A) (R) (NOTE: Earlier in the meeting, there was discussion regarding this item. See page 9.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 8, 2015, at 8:15 p.m., and before the Board on **October 6, 2015, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding minor/editorial revisions.

ADMIN 6 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING DONATION DROP-OFF BOXES

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 8, 2015, at 8:15 p.m., and before the Board on **October 6, 2015, at 4 p.m.**, on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to consider adopting provisions to regulate donation drop-off boxes, which are unattended self-serve depositories for clothing, shoes, household textiles, and other items that people

are willing to donate. The amendment proposes to address the number, location, and proper maintenance of these containers.

ADMIN 7 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATIONS (MASON, HUNTER MILL, AND PROVIDENCE 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>
FSA-M05-39-1	T-Mobile 7212 Early Street Annandale, VA Mason District	August 7, 2015
FS-M14-47	Verizon Wireless 5400 Shawnee Road Alexandria, VA Mason District	August 10, 2015
FS-H15-7	Verizon Wireless 1720 Wiehle Avenue Reston, VA Hunter Mill District	August 31, 2015
FSA-P09-4-3	Verizon Wireless 3300 Gallows Road Falls Church, VA Providence District	September 18, 2015
2232-M14-2	New Cingular Wireless (AT&T) (120 foot monopole) I-395 and Edsall Road Alexandria, VA Mason District	September 20, 2015

ADMIN 8 – STREETS INTO THE SECONDARY SYSTEM (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>
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<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Halley Farm	Mount Vernon	Halley Farm Court Lukens Lane (Route 624) [Additional Right-of-way (ROW) Only]
Laurel Hill Landbay D, Section 2	Mount Vernon	Bluebonnet Drive Rhododendron Circle Rhododendron Court Crepe Myrtle Court
Ethel's Pond	Springfield	Ethel's Pond Court Westbrook Drive (Route 1258) (Additional ROW Only)

20. **ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS), SECTIONS 7-2-7, 7-2-10, 7-2-12, AND 7-2-13, RELATING TO ELECTION PRECINCTS AND POLLING PLACES** (12:57 p.m.)

(A) (NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item #19.)

Supervisor Frey moved that the Board authorize the advertisement of a public hearing to be held before the Board on **June 23, 2015, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections), Sections 7-2-7, 7-2-10, 7-2-12, and 7-2-13, as outlined in the Board Agenda Item dated June 2, 2015, with one amendment to consider an additional alternative option for the Lees Corner precinct. The current proposal is to move Lees Corner Number 1 from the Lees Corner Elementary School located at 13500 Hollinger Avenue, Fairfax, to the Chantilly Regional Library located at 4000 Stringfellow Road, Chantilly. The alternate proposal would be to move it instead to Franklin Intermediate School located at 3300 Lees Corner Road, Chantilly. Supervisor Cook and Supervisor Hudgins jointly seconded the motion, as amended, and it carried by unanimous vote.

21. **A-1 – AUTHORIZATION OF FALL 2015 SCHOOLS AND PUBLIC SAFETY BOND REFERENDUMS** (12:59 p.m.)

(BONDS)
(Rs)

Chairman Bulova noted that there are two bond referendums totaling \$461 million which will be on the ballot. One for Public Safety improvements totaling \$151 million, and the other for Fairfax County Public Schools totaling \$310 million. The Board Agenda item outlines, in more detail, the items, which must be approved by County voters to allocate Bond funding.

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

- Adopt a Resolution directing the County Attorney to petition the Circuit Court to schedule a school bond referendum on November 3, 2015
- Adopt a Resolution directing the County Attorney to petition the Circuit Court to schedule a public safety bond referendum on November 3, 2015
- Approve a list of public safety projects that may be funded with the 2015 public safety bond funds
- Authorize the preparation and distribution of an informational pamphlet about the public safety bonds that are mailed to all County households

Supervisor McKay seconded the motion. A brief discussion ensued, with input from Erin Ward, Senior Assistant County Attorney, who stated that the Bond Referendum motion requires a roll call vote.

The question was called on the motion and 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.”

22. **A-2 – APPROVAL OF A RESOLUTION TO AUTHORIZE THE REFUNDING OF SEWER REVENUE BONDS** (1:01 p.m.)

(BONDS)
(R)

Supervisor Hyland moved that the Board concur in the recommendation of staff and adopt a Resolution authorizing the sale of Sewer Revenue Refunding Bonds. Supervisor Gross seconded the motion.

Chairman Bulova raised a question regarding the refunding savings, with input from Joseph LaHait, Debt Coordinator, Department of Management and Budget.

A brief discussion ensued, with input from Emily Smith, Assistant County Attorney, who stated that the Bond Referendum motion required a roll call vote.

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."

23. **A-3 – APPROVAL OF COMMENTS ON I-66 DRAFT NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) ENVIRONMENTAL ASSESSMENT (BRADDOCK, HUNTER MILL, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (1:03 p.m.)

Supervisor McKay moved that the Board concur in the recommendation of staff and approve the revised letter containing the County's review comments on the Tier 2 Draft Environmental Assessment (Tier 2 EA). Supervisor Smyth seconded the motion.

Supervisor Smyth called the Board's attention to the letter and asked to amend the first bulleted item, Right-of-Way, by revising the first sentence to include schools. This was accepted.

With regard to the section of the letter: Additional Review Comments Regarding the Draft Environmental Assessment, Tier 2 EA, first bulleted item, Need for adequate time for County to coordinate with the Virginia Department of Transportation on Revised EA of Preferred Alternative, Supervisor Smyth stated that her constituents concerns have been that this project seems to be moving on an accelerated schedule and they cannot keep up with it.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation (DOT), who stated that a sentence can be added to indicate that the public also needs adequate time to review the documents before final decisions are made.

Supervisor Smyth suggested that the sentence also include "and understand the proposed changes."

Discussion ensued, regarding financing and savings, with input from Mr. Biesiadny.

Supervisor Herrity asked to amend the letter to request that information regarding financing/funding be shared with the Board. Following additional discussion, without objection it was so ordered.

Following additional discussion regarding financing and the design-build process, Supervisor Smyth asked unanimous consent that the Board direct staff to report with information regarding how well the 495 HOT lanes are doing and whether

the State is having to compensate. Following a brief discussion, with input from Mr. Biesiadny, without objection, it was so ordered.

Supervisor McKay raised a question regarding transit, and discussion ensued, with input from Mr. Biesiadny.

Supervisor Gross referenced the May 18 letter to the Secretary of Transportation from the I-66 Corridor Coalition and raised a question regarding what of that would be carried forward and in this letter where interests are aligned, with input from Robert Kuhns, Senior Transportation Planner, Department of Transportation.

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

24. **I-1 – PROJECT CLOSEOUT EXPENSES FOR AND STATUS UPDATE ON JEFF TODD WAY AND TELEGRAPH ROAD (MOUNT VERNON AND LEE DISTRICTS)** (1:24 p.m.)

The Board next considered an item contained in the Board Agenda dated June 2, 2015, regarding project closeout expenses for and status update on Jeff Todd Way and Telegraph Road.

25. **ORDERS OF THE DAY** (1:25 p.m.)

Following a query to David P. Bobzien, County Attorney, regarding the length of time needed for closed session, Chairman Bulova announced that Board Matters will be presented later in the meeting.

(NOTE: Later in the meeting, Board Matters were presented. See Clerk's Summary Items #42 – #65.)

26. **INTENT TO DEFER PUBLIC HEARINGS** (1:26 p.m.)

Supervisor Gross announced her intent, later in the meeting at the appropriate time, to defer the public hearing on Proffered Condition Amendment Application PCA 76-M-007-02 (Fairfax County School Board).

Supervisor Frey announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Proposed Amendments to the Public Facilities Manual, Regarding the Use of Underground Stormwater Detention Facilities in Residential and Mixed-Use Developments.

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item #41.)

Supervisor Smyth announced her intent, later in the meeting at the appropriate time, to defer the public hearing on Proffered Condition Amendment Application PCA 82-P-015 (Yue Wang also known as Mike Wang).

(NOTE: Later in the meeting Proffered Condition Amendment Application PCA 76-M-007-02 and Proffered Condition Amendment Application PCA 82-P-015 were deferred. See Clerk's Summary Items #32 and #35.)

27. **RECESS/CLOSED SESSION** (1:28 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. *Victoria Monroe v. Earit Powell, Tonny Kim, John Doe Police Officers Nos. 1-4, and Fairfax County*, Case No.1:14-cv-1703 (E.D. Va.)
 2. *Antjuan Proctor v. Fairfax County, Virginia*, Case No. 1:13cv1427 CMH/JFA (E.D. Va.)
 3. *David T. Clenney v. Officer V.R. Swartz*, Case No. 1:14cv1702 (E.D. Va.)
 4. *Ross A. Fiorani v. Fairfax County Police, Navy Federal Credit Union, Robert Berger, Karen Compher, SIA, and Thema Scott*, Case No. CL-2015-0005586, (Fx. Co. Cir. Ct.)
 5. *Gary P. Poon and Matthew A. Stevenson v. Fairfax County, Board of Supervisors of Fairfax County, Virginia, and Zoning Administrator of Fairfax County, Virginia*, Case No. CL-2015-0004729 (Fx. Co. Cir. Ct.) (Providence District)

6. *Lenir Richardson v. Officer O.J. Faulk, Officer D.N. Custer, Officer Rizza, Commonwealth of Attorney, Sergeant Mario Torres*, Case No. CL-2015-0002992 (Fx. Co. Cir. Ct.)
7. *Harrison Neal v. Fairfax County Police Department and Colonel Edwin C. Roessler, Jr.*, Case No. CL-2015-0005902 (Fx. Co. Cir. Ct.)
8. *Gregory Shawn Mercer v. Fairfax County Department of Code Compliance*, Case No. CL-2015-0005623 (Fx. Co. Cir. Ct.) (Providence District)
9. *Gregory Shawn Mercer v. Fairfax County Child Protective Services, Alicia Wasklewics, Tanya E. Powers, Fairfax County Department of Code Compliance, Elizabeth Perry, Jack Blair, LaTycia Tanks, Kerry S. Allander, Kenneth S. Houtz, Kathleen H. MacKay, Walter S. Felton, Jr., Larry G. Elder, Elizabeth A. McClanahan, Leroy R. Hassell, Sr., Barbara M. Keenan, Lawrence L. Koontz, Donald W. Lemons, Leroy F. Millette, S. Bernard Goodwyn, and Cynthia D. Kinser*; Case No. 1:15-CV-302 (E.D. Va.) (Providence District)
10. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Joyce P. Borden*, Case No. CL-2014-0008508 (Fx. Co. Cir. Ct.) (Mount Vernon District)
11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Janak R. Sachdev and Neelam Sachdev*, Case No. CL-2014-0010732 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lubna F. Ahmed*, Case No. CL-2012-0015342 (Fx. Co. Cir. Ct.) (Dranesville District)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ngoc Bich Thi Phung*, Case No. CL-2012-0005499 (Fx. Co. Cir. Ct.) (Lee District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Steven C. Bryant*, Case No. CL-2009-0005546 (Fx. Co. Cir. Ct.) (Sully District)

15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. James G. Miller, Trustee of the James G. Miller Living Trust, and Atlantic Construction Fabrics, Inc.*, Case No. CL-2009-0002430 (Fx. Co. Cir. Ct.) (Sully District)
16. *Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Brian N. Walsh*, Case No. CL-2014-0001509 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Karl A. Eickmeyer*, Case No. CL-2014-0014976 (Fx. Co. Cir. Ct.) (Braddock District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ghassem Sharifi and Souren Hakopian*, Case No. CL-2011-0005857 (Fx. Co. Cir. Ct.) (Providence District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Judy V. Marshall*, Case No. CL-2014-0000688 (Fx. Co. Cir. Ct.) (Providence District)
20. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jerry A. Demoney and Vicki L. Demoney*, Case No. CL-2014-0014975 (Fx. Co. Cir. Ct.) (Springfield District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Jeffrey L. Blackford, Property Maintenance Code Official for Fairfax County, Virginia v. Unknown Heirs of Albert E. Mays*, Case No. CL-2015-0001081 (Fx. Co. Cir. Ct.) (Mount Vernon District)
22. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. George Daamash and Zabia J. Daamash*, Case No. CL-2015-0002423 (Fx. Co. Cir. Ct.) (Mount Vernon District)
23. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Rebecca Mills*, Case No. CL-2015-0005909 (Fx. Co. Cir. Ct.) (Mount Vernon District)

24. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Laura M. MacQueen*, Case No. GV15-005739 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Daniel Minchew*, Case Nos. GV15-005741, GV15-006057, and GV15-006072 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
26. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Daniel Minchew*, Case Nos. GV15-006056, GV15-006058, and GV15-006073 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator, v. Retta H. Hall*, Case Nos. GV14-026144 and GV14-026145 (Fx. Co. Gen. Dist. Ct.) (Mason District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. A. Brian Bartlett*, Case No. GV15-005834 (Fx. Co. Gen. Dist. Ct.) (Providence District)
29. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. A. Brian Bartlett*, Case No. GV15-005833 (Fx. Co. Gen. Dist. Ct.) (Providence District)
30. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ashley Yuan*, Case No. GV15-005835 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
31. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Wells Fargo N.A.*, Case No. GV15-009038 (Fx. Co. Gen. Dist. Ct.) (Providence District)

And in addition:

- Virginia Code Section 15.2-2302(B)
- Virginia Code Sections 33.2-1224 and 33.2-1225

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

EBE:ebe

At 3:08 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTION FROM CLOSED SESSION

28. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:09 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."

AGENDA ITEMS

29. **3:30 P.M. – DECISION ONLY ON REZONING APPLICATION RZ 2013-MV-015 (VULCAN CONSTRUCTION MATERIALS, LP) (MOUNT VERNON DISTRICT)**

AND

DECISION ONLY ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-MV-032 (FAIRFAX COUNTY WATER AUTHORITY) (MOUNT VERNON DISTRICT)

AND

DECISION ONLY ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-MV-033 (FAIRFAX COUNTY WATER AUTHORITY) (MOUNT VERNON DISTRICT)

AND

DECISION ONLY ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-V-017-02 (FAIRFAX COUNTY WATER AUTHORITY) (MOUNT VERNON DISTRICT) (3:10 p.m.)

(O) (NOTE: On April 28, 2015, the Board held a public hearing regarding these items and deferred decision until May 12, 2015. On May 12, 2015, the Board deferred decision until June 2, 2015.)

The Rezoning Application RZ 2013-MV-015 property is located on the west side of Ox Road, approximately $\frac{3}{4}$ mile north of the Prince William County line, Tax Map 106-4 ((1)) 20B pt. and 56A pt.; 112-2 ((1)) 8 pt., 14, and Peniwill Drive public right-of-way to be vacated and/or abandoned.

The Proffered Condition Amendment Application PCA 1998-MV-032 property is located on the west side of Ox Road at the terminus of Lorton Road, Tax Map 106-4 ((1)) 56 A pt.

The Proffered Condition Amendment Application PCA 1998-MV-033 property is located north of the Occoquan River immediately east of the high dam, Tax Map 106-4 ((1)) 56A pt.

The Special Exception Amendment Application SEA 81-V-017-02 property is located at 9600 and 10000 Ox Road, Lorton, 22079, Tax Map 106-3 ((1)) 4B and 9; 106-4 ((1)) 20B pt. and 56A; 112-2 ((1)) 8, 9, 11, 12, and 14, and Peniwill Drive public right-of-way to be vacated and/or abandoned.

The Board will also consider Resource Protection Area (RPA) Encroachment Exception Request 7589-WRPA-001-1 to Permit Encroachment into an RPA for the Purpose of Reconfiguring an Existing Stone Quarry to Facilitate the Creation of a Water Storage, Control, and Pumping Facility.

Following comments regarding two letters received from NOVA Parks, Northern Virginia Regional Park Authority, and the South County Federation, Supervisor Hyland submitted items for the record.

Supervisor Hyland moved:

- Approval of Rezoning Application RZ 2013-MV-015 (Vulcan Construction Materials, LP), to permit an expansion of the Natural Resources Overlay District.
- Approval of Resource Protection Area Encroachment Exception #7589-WRPA-001-1 and Water Quality Impact Assessment #7589-WQ-001-1, subject to the development conditions dated April 20, 2015.
- Approval of Special Exception Amendment Application SEA 81-V-017-02 subject to the development conditions dated May 11, 2015.
- Modification of Section 13-303 and Section 13-304 of the Zoning Ordinance in favor of the transitional screening and barriers, as shown on the SEA Plat.

- Modification of Section 17-201, requiring trails along the Occoquan River and along Ox Road as generally depicted on the Countywide Trails Plan in favor of the trail shown on the SEA Plat and described in the development conditions.
- Approval of Proffered Condition Amendment Application PCA 1998-MV-032, subject to the proffers dated November 4, 2014.
- Approval of Proffered Condition Amendment Application PCA 1998-MV-033, subject to the executed proffers dated November 4, 2014.

Chairman Bulova asked Supervisor Hyland how his motion differed from the Planning Commission's (PC) recommendation to the Board. Supervisor Hyland stated that his motion was amended to provide a southern alignment for the trail, and that this change was the only major change.

Discussion ensued regarding the inclusion of southern trail alignment language in the motion.

William Mayland, Branch Chief, Department of Planning and Zoning (DPZ), stated that the development conditions dated May 11, 2015, which had been previously distributed by DPZ staff to the Board, did not include language that would provide a southern trail.

Supervisor Hyland stated that he distributed the language at the Board's last meeting requesting confirmation from Nicholas Rogers, Planner, DPZ. Mr. Rogers clarified that staff drafted a set of the development conditions, at Supervisor Hyland's request, that contemplated a southern trail alignment, but DPZ staff had not distributed that set of conditions to the Board.

Supervisor Hyland clarified that his motion was based on these amended conditions with the southern alignment that he distributed personally, and requested that his amended conditions be redistributed to the Board by his aide.

Following further discussion regarding the amended conditions, Supervisor Gross asked staff to clarify whether the trail alignment referenced in the Supervisor Hyland's motion and shown on the Special Exception plat was the northern alignment. Mr. Mayland clarified that the Special Exception Plat depicted a northern alignment and not a southern alignment, and further clarified that the conditions distributed by DPZ staff referenced a northern alignment.

Following further discussion and a query to John C. McGranahan, Jr., Attorney for Fairfax Water, he stated, for the record, that the applicant does not agree to a trail alignment along the southern portion of the Occoquan, however the applicant

does agree to the development conditions dated May 11, 2015, which were circulated by DPZ staff with a cover memorandum from Mr. Rogers.

Mr. McGranahan submitted a letter with the applicant's objection to a southern alignment for the record.

Discussion ensued, with input from Mr. McGranahan, regarding an alternative trail route that would provide connectivity from the west to Route 123, the Potomac Heritage trail, and the workhouse. The Board reviewed a copy of the conditions that Supervisor Hyland had originally handed out at the Board's April 28 meeting. Chairman Bulova requested a second for Supervisor Hyland's motion, with clarification that his motion referenced conditions dated May 11, that included language providing a southern trail alignment. Supervisor Hyland's motion died for lack of a second.

Supervisor Gross moved:

- Approval of Rezoning Application RZ 2013-MV-015 (Vulcan Construction Materials, LP), to permit an extension of a Natural Resource Overlay District.
- Approval of Resource Protection Area Encroachment Exception #7589-WRPA 001-1 and Water Quality Impact Assessment #7589-WQ-001-1, subject to the development conditions dated April 20, 2015.
- Approval of Special Exception Amendment Application SEA 81-V-017-02 (Fairfax County Water Authority), subject to the development conditions dated May 11, 2015, which provided for, among other things, a northern alignment of the trail.
- Modification of Section 13-303 and Section 13-304 of the Zoning Ordinance in favor of the transitional screening and barriers, as shown on the SEA Plat.
- Modification of Section 17-201, requiring trails along the Occoquan River and along Ox Road as generally depicted on the Countywide Trails Plan in favor of the trail shown on the SEA Plat and described in the development conditions.
- Approval of Proffered Condition Amendment Application PCA 1998-MV-032, subject to the proffers dated November 4, 2014.
- Approval of Proffered Condition Amendment Application PCA 1998-MV-033, subject to the proffers dated November 4, 2014.

Supervisor Herrity seconded the motion. Following a query by Chairman Bulova, Mr. McGranahan confirmed, for the record, that the applicant was in agreement with the proposed development conditions stated in Supervisor Gross' motion.

Discussion ensued, regarding consulting the Board of Zoning Appeals (BZA) to review the blasting limits and possible adjustment to the levels.

The question was called on the motion and it **CARRIED** by a recorded 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 voting "NAY."

Supervisor Hyland moved that the Board refer the matter to the BZA to review the blasting limits set in the special permit conditions, and explore lowering the limits, particularly consistent with the blasting results that showed the Quarry has limits that are half that which are permitted. Supervisor Smyth seconded the motion.

Following discussion, with Board Members expressing their support/non-support of the motion, the question was called on the motion, and it **CARRIED** by a recorded vote of four, Supervisor Foust, Supervisor Frey, Supervisor Hyland, Supervisor Smyth, voting "AYE," Supervisor Gross, Supervisor Hudgins, Supervisor McKay voting "NAY," Supervisor Cook, Supervisor Herrity, and Chairman Bulova abstaining.

30. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-DR-052 (TRINITY LAND LLC) (DRANESVILLE DISTRICT)** (3:46 p.m.)

(NOTE: On April 7, 2015, the Board deferred this public hearing until May 12, 2015. On May 12, 2015, the Board deferred this public hearing until June 2, 2015.)

The application property is located at 11801 Leesburg Pike, Herndon, 20170, Tax Map 6-3 ((1)) 33 and 33A.

Mr. Stuart Mendelsohn reaffirmed the validity of the affidavit for the record.

Mike Van Atta, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Mr. Mendelsohn 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, Mr. Van Atta presented the staff and Planning Commission recommendations.

Following a query by Supervisor Foust, Mr. Mendelsohn confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated June 2, 2015.

Supervisor Foust moved approval of Special Exception Application SE 2014-DR-052, subject to the development conditions dated June 2, 2015. Supervisor McKay seconded the motion and it carried by unanimous vote.

31. **3 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-071 (BARRY MAGLAUGHLIN / CATHERINE POWELL) (MOUNT VERNON DISTRICT)** (4:03 p.m.)

The application property is located at 6415 15th Street, Alexandria, 22307, Tax Map 93-2 ((8)) (10) 12.

Mr. David Vogt reaffirmed the validity of the affidavit for the record.

Carmen Bishop, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Discussion ensued with input from Ms. Bishop and Mr. Vogt regarding, flooding and a floodplain line through the property.

Mr. Vogt 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. Bishop presented the staff and Planning Commission recommendations.

Following a query by Supervisor Hyland, Mr. Vogt confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated April 17, 2015.

Supervisor Hyland moved approval of Special Exception Application SE 2014-MV-071, subject to the development conditions dated April 17, 2015. Chairman Bulova seconded the motion and it carried by unanimous vote.

32. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-015 (YUE WANG A/K/A MIKE WANG) (PROVIDENCE DISTRICT)** (4:12 p.m.)

Supervisor Smyth moved to defer the public hearing on Proffered Condition Amendment Application PCA 82-P-015 until **June 23, 2015, at 3 p.m.** Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

33. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2011-PR-009 (CITYLINE PARTNERS LLC) AND A WAIVER #6835-WPFM-007-1 TO PERMIT THE LOCATION OF UNDERGROUND STORMWATER MANAGEMENT FACILITIES IN A RESIDENTIAL AREA (PROVIDENCE DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 92-P-001-11 (CITYLINE PARTNERS LLC) (PROVIDENCE DISTRICT) (4:13 p.m.)

- (O) The application property is located on the northeast quadrant of the intersection of Dolley Madison Boulevard and Scotts Crossing Road, Tax Map 29-4 ((5)) 9, 9A and 10A and Scotts Crossing Road public right-of-way to be vacated and/or abandoned.

[Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Scotts Crossing to proceed under Section 15.2-2272 (2) of the Code of Virginia].

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

Supervisor Foust disclosed that he had received a campaign contribution to Foust for Congress in excess of \$100 from the following:

- Thomas D. Fleury, an agent for the applicant, Cityline Partners, LLC

Suzanne Wright, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting 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, which included testimony by one speaker, Ms. Wright presented the staff and Planning Commission (PC) recommendations.

Supervisor Foust submitted an item for the record.

Following a query by Supervisor Smyth, Ms. Strobel confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated May 29, 2015.

Supervisor Smyth moved:

- Approval of Proffered Condition Amendment Application PCA 92-P-001-11.
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2011-PR-009, from the C-3 and HC Districts to the PTC and HC Districts, subject to the proffers dated May 29, 2015.
- Waiver of Section 2-505 of the Zoning Ordinance to permit structures and vegetation on a corner lot as shown on the Conceptual Development Plan (CDP) and Final Development Plan (FDP).
- Waiver of Paragraph 2 of Section 2-506 of the Zoning Ordinance to allow a parapet wall, cornice or similar projection to extend more than three feet above the roof as proffered.
- Waiver of Paragraph 7 of Section 6-505 of the Zoning Ordinance requiring designation of specific outdoor dining areas on the CDP as limited by the proffers.
- Waiver of Paragraph 1 of Section 6-506 to permit a minimum district size of less than ten (10) acres for a PTC zoned parcel.
- Modification of Section 7-0800 of the Public Facilities Manual (PFM) to allow the use of tandem parking spaces with valet service to be counted as required parking as limited by the proffers.
- Modification of the requirement of a minimum distance of 40-feet of a loading space in proximity to drive aisles, to that as demonstrated on a CDP or FDP.
- Modification of interior and peripheral parking lot landscape requirements for interim surface lots on private streets to that shown on the CDP and FDP.
- Modification of peripheral parking lot landscaping requirements for above grade parking structures to that shown on the CDP.

- Waiver of Section 16-403 of the Zoning Ordinance requiring a FDP as a prerequisite to a site plan for public improvement plans associated with parks and public streets.
- Modification of Paragraph 2 of Section 17-201 of the Zoning Ordinance of all trails and bike trails in favor of the streetscape and on-road bike lane system shown on the CDP.
- Waiver of Paragraph 3 of Section 17-201 of the Zoning Ordinance requirement of a service drive on Route 123.
- Waiver of Paragraph 3(B) of Section 17-201 of the Zoning Ordinance to provide any additional interparcel connections to adjacent parcels beyond that shown on the plans and as proffered.
- Waiver of the Section 17-201(4) of the Zoning Ordinance requiring any further dedication and construction for widening of existing roads to address Comprehensive Plan requirements beyond that which is indicated in the Plans and proffers.
- Modification of Section 17-201 of the Zoning Ordinance to allow establishment of parking control, signs, and parking meters along private streets within the development.
- Approval of Waiver #6835-WPFM-00701 to permit underground stormwater vaults in a residential development subject to the conditions contained in Appendix 9.
- Waiver of Section 12-0508 of the PFM for waiver of the tree preservation target.
- Modification of Section 12-0511-4 of the PFM for the 10-year tree canopy requirements in favor of that shown on the Plans and as proffered.
- Modification of Paragraph 6b of Section 12-0515 of the PFM to allow trees located above any proposed percolation trench or bio-retention areas to count towards County tree cover requirements as depicted on CDP and FDP.

Supervisor Foust 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.

34. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-BR-039 (RATI KC D/B/A MRS. RATI'S FAMILY HOME DAYCARE) (BRADDOCK DISTRICT)** (4:35 p.m.)

The application property is located at 10639 John Ayres Drive, Fairfax, 22032, Tax Map 77-1 ((12)) 182.

Mr. K. C. Rati reaffirmed the validity of the affidavit for the record.

Joe Gorney, Planner III, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Mr. Rati 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. Gorney presented the staff and Planning Commission recommendations.

Following a query by Supervisor Cook, Mr. Rati confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated May 6, 2015.

Supervisor Cook moved approval of Special Exception Application SE 2014-BR-039, subject to the development conditions dated May 6, 2015. Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

35. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 76-M-007-02 (FAIRFAX COUNTY SCHOOL BOARD) (MASON DISTRICT)** (4:41 p.m.)

Supervisor Gross moved to defer the public hearing on Proffered Condition Amendment Application PCA 76-M-007-02 until **June 23, 2015, at 3 p.m.** Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

36. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT 2014-III-DS1, LOCATED NORTH OF THE INTERSECTION OF STONECROFT AND WESTFIELDS BOULEVARDS, WEST OF ROUTE 28/SULLY ROAD (SULLY DISTRICT)** (4:42 p.m.)

Clara Johnson, Planner III, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by three speakers, Ms. Johnson presented the staff and Planning Commission recommendations.

Supervisor Frey moved adoption of the staff recommendation for Plan Amendment 2014-III-DS1, as found on pages 12-14 of the staff report dated March 25, 2015, and re-stated on the handout dated June 2, 2015. The amendment would add an option for a predominantly residential development for the site with conditions that encourage the creation of a high-quality living environment. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

37. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT 2014-IV-MV1, LOCATED AT 4201 AND 4203 BUCKMAN ROAD (LEE DISTRICT)**
(5:01 p.m.)

Jennifer Garcia, Planner III, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Ms. Garcia presented the staff and Planning Commission (PC) recommendations.

Supervisor McKay moved approval of Plan Amendment 2014-IV-MV1, as recommended by the PC. The recommendation amends the Plan to add an option for residential use at a density of 8-12 du/ac on Tax Map Parcel 101-3((1)) 15B. The current Plan language will be retained for Tax Map Parcel 101-3((1)) 15A. Supervisor Foust and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

38. **4 P.M. – PH ON PROPOSED RESTON MASTER PLAN SPECIAL STUDY (PHASE II) PLAN AMENDMENT ST 09-III-UP1(B), RESTON'S RESIDENTIAL NEIGHBORHOODS, VILLAGE CENTERS, AND OTHER COMMERCIAL AREAS (HUNTER MILL DISTRICT)** (5:08 p.m.)

Faheem Darab, Planner I, Department of Planning and Zoning (DPZ), presented the staff report.

Discussion ensued, with input from Mr. Darab regarding:

- Comprehensive Plan changes and requirements
- Guidance included in the proposed plan
- Which options are included in the amendments
- Changes specific to the property

- Community-wide guidance in the proposed plan that is applicable to the property
- Accepted changes in terms of Tall Oaks Village Center

Chairman Bulova recognized the presence of Robert Simon, founder of Reston, in the Board Auditorium.

Supervisor Hudgins submitted items for the record.

Following the public hearing, which included testimony by three speakers, Mr. Darab presented the staff and Planning Commission (PC) recommendations.

Following comments, Supervisor Hudgins moved adoption of Plan Amendment ST 09-III-UP1(B), as recommended by the PC and found in Attachment 1 of the Board Agenda Item dated June 2, 2015. Supervisor Hyland seconded the motion.

Discussion ensued, with input from Fred Selden, Director, DPZ, and Mr. Darab, regarding the statement in the community-wide recommendation to add a sentence regarding Reston.

Supervisor Hudgins amended her motion to include the language “Reston has always been a place where nature is valued and protected.” This was accepted.

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

39. **4 P.M. – PH TO PROHIBIT THROUGH TRUCK TRAFFIC ON RAVENSWORTH ROAD (MASON AND BRADDOCK DISTRICTS)**
(5:46 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 May 15 and May 22, 2015.

Steven Knudsen, Department of Transportation, presented the staff report.

Supervisor Gross submitted an item for the record.

Following the public hearing, which included testimony by one speaker, Supervisor Gross moved adoption of the Resolution prohibiting through truck traffic on Ravensworth Road between Little River Turnpike and Braddock Road. Supervisor Cook seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Frey being out of the room.

40. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE WEST SPRINGFIELD RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 7 (SPRINGFIELD DISTRICT)** (5:54 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2015.

Charisse Padilla, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Herrity moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the West Springfield RPPD, District 7. The proposed District expansion includes Garden Road from Tuttle Road to the southern property boundary of 6313 Garden Road, east side only; and from Tuttle Road to the southern property boundary of 6312 Garden Road, west side only. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Frey being out of the room.

41. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM), REGARDING THE USE OF UNDERGROUND DETENTION FACILITIES IN RESIDENTIAL AND MIXED-USE DEVELOPMENTS** (5:57 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 15 and May 22, 2015.

John Matusik, Engineer IV, Code Development and Compliance Division, (CDCD), Land Development Services (LDS), Department of Public Works and Environmental Services (DPWES), presented the staff report.

Discussion ensued with input from James Patteson, Director, DPWES and Paul Shirey, Director, CDCD, LDS, DPWES, regarding:

- The approval process and flexibility in exceptional circumstances
- Stormwater waiver requirements and approval process
- Consultation with District Supervisors
- Ability of homeowner associations to maintain underground stormwater detention facilities

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved:

- Adoption of Option two of the proposed amendments to the PFM, related to the underground Stormwater detention facilities in residential and mixed use developments, as recommended by the Planning Commission (PC), as set forth in the staff report dated February 17, 2015, with staff's recommended editorial changes dated April 9, 2015.
- The proposed amendments become effective at 12:01 a.m. on June 3, 2015.
- That the Board direct staff to review the issue of citizen stormwater complaints, in particular downstream outfall issues related to land development projects, and make appropriate recommendations to the PC and the Board as to how best to consider this information and incorporate it into the development application and plan review processes in the County.

Supervisor Hyland and Supervisor Herrity jointly seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, and Chairman Bulova voting "AYE," Supervisor Smyth voting "NAY."

ADDITIONAL BOARD MATTERS

42. **STEPPING UP INITIATIVE REGARDING MENTAL ILLNESS AND THE JAILS** (6:23 p.m.)

- (R) Chairman Bulova relinquished the Chair to Vice-Chairman Gross and referenced her written Board Matter on the "Stepping Up" initiative regarding mental illness in jails. She noted the fact that the County is already committed to identifying ways of diverting individuals who have been incarcerated into community opportunities for treatment.

Therefore, Chairman Bulova moved that the Board adopt the Resolution supporting the national "Stepping Up" initiative to reduce the number of people with mental illnesses in jails. 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."

43. **REQUEST FOR RECOGNITION FOR MR. ROSS J. BOSSE** (6:23 p.m.)

Jointly with Supervisor Smyth, Chairman Bulova referenced her written Board Matter and asked unanimous consent that the Board direct staff to invite Mr. Bosse to appear before the Board to be recognized for his service to the residents of the County. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

44. **REQUEST FOR RECOGNITION OF STATE SENATOR TODDY PULLER FOR HER SERVICE TO THE COUNTY AND THE COMMONWEALTH OF VIRGINIA** (6:25 p.m.)

Supervisor Hyland referenced his written Board Matter and asked unanimous consent that the Board direct the Office of Public Affairs to invite Senator Puller to appear before the Board to be recognized for her contributions and service. Without objection, it was so ordered.

45. **NO BOARD MATTERS FOR SUPERVISOR FREY (SULLY DISTRICT)**
(6:25 p.m.)

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

DET:det

46. **McLEAN COMMUNITY CENTER (MCC) ELECTIONS (DRANESVILLE DISTRICT)** (6:25 p.m.)

(APPTS)
(BACs)

Regarding the MCC elections held on May 16, 2015 Supervisor Foust moved that the Board find that it is in the public interest to appoint those persons receiving the highest number of votes in this election of Governing Board Members and that the following individuals be appointed to the MCC Governing Board:

- Adults, three-year terms:
 - Ms. Merrily Pierce
 - Ms. Jennifer Rossman
 - Ms. Laurelie B. Wallace
- Youth, Langley High School area, one-year term:
 - Mr. Quentin M. Levin

- Youth, McLean High School area, one-year term:
 - Ms. Jenna Lebowitz

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

47. **RECOGNIZING THE TWENTY-FIFTH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT (ADA)** (6:26 p.m.)

Jointly with Chairman Bulova, Supervisor Foust recognized the twenty-fifth anniversary of the ADA and asked unanimous consent that the Board:

- Reaffirm its commitment to the letter and spirit of the ADA and recognize July 26, 2015, as the twenty-fifth anniversary of this landmark legislation.
- Direct staff to invite members of the Disability Services Board to appear before the Board at its July 28, 2015, meeting to be recognized for its accomplishments in making certain that people with disabilities have equal access to all the amenities, facilities, and opportunities that the County has to offer.

Without objection, it was so ordered.

48. **NOTICE OF INTENT TO APPOINT MS. KATHERINE C. KEHOE TO THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) (DRANESVILLE DISTRICT)** (6:26 p.m.)

(APPT)
(BACs)

Supervisor Foust stated that this is a notice of intent to appoint Ms. Katherine C. Kehoe to the CSB. The Dranesville District currently has a vacancy. It is required to give notice in advance before the appointment.

Supervisor Foust announced his intent to recommend the appointment of Ms. Kehoe as the representative from the Dranesville District to the CSB at the June 23 Board meeting. Information on Ms. Kehoe is attached to his Board Matter.

Supervisor Foust asked unanimous consent that the Board consider Ms. Kehoe's appointment at its June 23 meeting. Without objection, it was so ordered.

49. **RECOGNIZING MS. JACQUELINE CLEMENTE CHESHIRE – 2015 GOVERNOR'S VOLUNTEERISM AND COMMUNITY SERVICE AWARD RECIPIENT (DRANESVILLE DISTRICT)** (6:27 p.m.)

Supervisor Foust recognized Ms. Jacqueline Clemente Cheshire as a 2015 Governor's Volunteerism and Community Service Award recipient.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Ms. Cheshire to appear before the Board on June 23, 2015, to be recognized for her significant achievements. Without objection, it was so ordered.

50. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (6:28 p.m.)

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

51. **EXPEDITED SCHEDULING FOR SPECIAL EXCEPTION APPLICATION SE 2015-SP-012 MACY'S RETAIL HOLDINGS, INCORPORATED (SPRINGFIELD DISTRICT)** (6:28 p.m.)

Supervisor Herrity announced that Special Exception Application SE 2015-SP-012, by Macy's Retail Holdings, Incorporated, requesting a Special Exception to allow modification of certain sign requirements, is scheduled for a public hearing before the Planning Commission on July 23, 2015. This is a simple application to add text to existing signage; staff has no issues and is supporting the application.

Therefore, Supervisor Herrity moved that Board direct staff to expedite the scheduling of the Board's public hearing for Special Exception Application SE 2015-SP-012 to **July 28, 2015 at 3 p.m.** This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in anyway. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

52. **RECOGNITION OF MS. TAWNY HAMMOND** (6:29 p.m.)

Jointly with Chairman Bulova, Supervisor Frey, and Supervisor McKay, Supervisor Herrity referenced his written Board Matter and stated the County will sorely miss Tawny Hammond, Director of the County Animal Shelter.

Supervisor Herrity asked unanimous consent that the Board direct the Office of Public Affairs to:

- Invite Ms. Hammond to appear before the Board to receive a resolution thanking her and recognizing her tireless work at the Animal Shelter
- Add her recognition to the June 23 Board meeting

Without objection, it was so ordered.

53. **NVRIDES** (6:29 p.m.)

Supervisor Herrity referenced his written Board Matter, and, noting how wonderful NVRIDES is in providing transportation for the County's seniors, asked unanimous consent that the Board direct the Office of Public Affairs to:

- Invite NVRIDES and its partner organizations to appear before the Board in September to each receive a proclamation honoring them for the services they provide and to have them speak about the benefits of this great program.
- Publish the need for volunteer drivers in conjunction with the presentation.

Without objection, it was so ordered.

54. **HUMANE SOCIETY OF FAIRFAX COUNTY'S (HSFC) FIFTIETH ANNIVERSARY** (6:30 p.m.)

Supervisor Herrity referenced his written Board Matter, and, noting the wonderful things done by the Humane Society, asked unanimous consent that the Board direct staff to prepare a resolution, in time to be presented at the celebration, recognizing HSFC's 50 years of service to the residents of the County. Without objection, it was so ordered.

DAL:dal

55. **OPTIMIST CLUB OF GREATER VIENNA SIXTIETH ANNIVERSARY (HUNTER MILL DISTRICT)** (6:31 p.m.)

Supervisor Hudgins referenced her written Board Matter and asked unanimous consent that the Board direct the Office of Public Affairs to prepare a certificate with dual signatures from the Board commemorating the sixtieth anniversary of the Optimist Club of Greater Vienna, for presentation at the community celebration on June 14, 2015. Without objection, it was so ordered.

56. **JOSEPH L. RITCHEY – BEST BUSINESSES PARTNERING WITH THE ARTS IN AMERICA 2015 HONOREE (HUNTER MILL DISTRICT)** (6:31 p.m.)

Supervisor Hudgins referenced her written Board Matter and asked unanimous consent that the Board declare October 6, 2015, as "*Joe Richey Day*" in Fairfax County, to recognize the contributions and achievements of Mr. Richey by the National Business Committee for the Arts with the BCA 10 Award. Without objection, it was so ordered.

57. **FATHERHOOD AWARENESS WEEK** (6:31 p.m.)

Supervisor Hudgins referenced her written Board Matter and asked unanimous consent that the Board:

- Proclaim June 20 – 27, 2015, as “*Fatherhood Awareness Week*” in Fairfax County
- Direct staff to prepare a Proclamation to be presented by the Department of Family Services at the Father’s Matter Festival, June 20, 10 a.m. – 2 p.m., at Van Dyke Park.

Without objection, it was so ordered.

58. **VANDALISM AT HERNDON HIGH SCHOOL** (6:32 p.m.)

In a joint statement with Supervisor Foust and School Board Members Pat Hynes, Hunter Mill District Representative, and Jane Strauss, Dranesville District Representative, Supervisor Hudgins said that vile hate speech and derogatory symbols were found defacing property at Herndon High School yesterday. Today we stand together, all saying that this behavior is intolerable in our community. This action represents some of the worst intolerance that we have seen, and does not represent the inclusive community that we strive to make possible in the County.

This action is intended to demean and diminish members of our community. The symbols depicted at Herndon High School represent hate and inhumanity. We will not stand for this behavior in our school system, or in the greater Fairfax County community. We will not allow our schools to become a platform for hatred and intolerance of any group or individual. Moreover, we must use this occasion to demonstrate how the diversity of the County enriches all lives. What a positive way to teach respect and tolerance. This is a horrific example of community, but we must take it as an opportunity to further build an inclusive community for all.

59. **2015 NATIONAL ASSOCIATION OF COUNTIES (NACo) ANNUAL CONFERENCE** (6:33 p.m.)

Supervisor Gross said she received a request from NACo regarding designating a voting delegate and alternate voting delegate to represent the County at the NACo annual conference to be held in Mecklenburg County, North Carolina, July 10-13, 2015.

Supervisor Gross moved that the Board designate:

- Supervisor Hyland as the voting delegate
- Supervisor Gross as the alternate voting delegate

Supervisor Hyland seconded the motion, and asked to amend the motion that the Board designate:

- Supervisor Gross as the voting delegate
- Supervisor Hyland as the alternate voting delegate

This was accepted.

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

60. **UNMANNED AERIAL SYSTEMS (UAS)** (6:34 p.m.)

Supervisor Gross noted that a constituent came to her office to report that while his family was enjoying a backyard barbeque, a drone flew back and forth a number of times. The constituent was concerned about his family's right to peacefully and privately enjoy their property.

Therefore, Supervisor Gross moved that the Board direct the County Executive to review current regulations covering the use of UAS in the County and report with recommendations for augmenting/clarifying County Code and what, if any, additional State or Federal legislation may be necessary to protect the rights and privacy of County residents. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

61. **MASON DISTRICT "SPOTLIGHT BY STARLIGHT" SUMMER CONCERTS** (6:35 p.m.)

Supervisor Gross announced that the Mason District "*Spotlight by Starlight*" summer concert series begin tomorrow.

62. **BRADDOCK NIGHTS SUMMER CONCERTS** (6:35 p.m.)

Supervisor Cook, referencing his written Board Matter, said this summer Braddock Nights, starting July 10 and running through August 28, is the place to be and expressed his hopes that County residents will be able to attend.

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

63. **ANNOUNCING THE WORLD WAR II VETERANS PROCLAMATION TAKING PLACE ON JUNE 23** (6:36 p.m.)

Supervisor Cook, referencing his written Board Matter, noted that the Board has invited the County's World War II veterans to appear before on June 23 to be

recognized for their heroic sacrifice. Therefore, Supervisor Cook asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event. Without objection, it was so ordered.

64. **CELEBRATING KINGS PARK ELEMENTARY SCHOOL'S 50 YEARS OF SERVING THE COMMUNITY (BRADDOCK DISTRICT)** (6:36 p.m.)

Supervisor Cook referenced his written Board Matter and asked unanimous consent that the Board offer its congratulations to Kings Park Elementary School and direct staff to prepare a certificate to be presented at the school's Fiftieth Anniversary celebration on June 12, 2015. Without objection, it was so ordered.

65. **NO BOARD MATTERS FOR SUPERVISOR McKAY (LEE DISTRICT)** (6:37 p.m.)

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

66. **BOARD ADJOURNMENT** (6:37 p.m.)

The Board adjourned.

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