



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**MONDAY  
January 22, 2007**

*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).*

---

**02-07**

---

**DET:det**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, January 22, 2007, at 9:49 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Dana Kauffman, Lee District
- Supervisor Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Regina Thorn, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

1. **ORDERS OF THE DAY** (9:49 a.m.)

Chairman Connolly announced that the morning presentations were truncated due to the weather.

**AGENDA ITEMS**

2. **DEDICATION OF A PLAQUE IN HONOR OF MR. LOUIS V. GENUARIO, SR.** (9:50 a.m.)

Supervisor Hyland announced the dedication of a plaque in the accessible seating area of the Board Auditorium in honor of Mr. Louis V. Genuario, Sr., for the role he played on the Fairfax Area Disability Services Board to bring about the modifications to benefit those with disabilities when attending an event in the auditorium.

3. **CERTIFICATES OF RECOGNITION FOR MEMBERS OF THE CHANTILLY AND EDISON HIGH SCHOOLS FOOTBALL TEAMS**

(NOTE: Due to inclement weather, this presentation will be rescheduled.)

4. **CERTIFICATE OF RECOGNITION FOR MR. DALE RUMBERGER**

(NOTE: Due to inclement weather, this presentation will be rescheduled.)

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. BRUCE BUTLER** (9:59 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Bruce Butler, principal of South Lakes High School, for receiving the 2007 Nancy Sprague Outstanding First-Year Administrator Award from Fairfax County Public Schools. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

6. **CERTIFICATE OF RECOGNITION FOR THE 2006 BOND CITIZENS COMMITTEE**

(NOTE: Due to inclement weather, this presentation will be rescheduled.)

7. **CERTIFICATE OF RECOGNITION FOR THE COMMUNITY EMERGENCY RESPONSE TEAM PROGRAM TRAINERS AND VOLUNTEERS**

(NOTE: Due to inclement weather, this presentation will be rescheduled.)

8. **PROCLAMATION DESIGNATING FEBRUARY 2007 AS “AFRICAN AMERICAN HISTORY MONTH” IN FAIRFAX COUNTY** (10:04 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate February 2007 as “*African American History Month*” in Fairfax County. Chairman Connolly asked to amend the motion to include the Reverend Martin Luther King, Jr., in the proclamation, and this was accepted. Supervisor Hudgins and Supervisor McConnell jointly seconded the motion.

Supervisor Smyth asked the Board to take notice of Black history within the County, noting older Black neighborhoods that have been part of the fabric of the County, and asked that they be part of the celebration as well.

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

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

9. **10 A.M. – PRESENTATION OF THE DON SMITH AWARD** (10:15 a.m.)

Anita Baker, Chairperson, Employee Advisory Council, presented background on the history of the Don Smith Award.

Paula Woodrum, Treasurer, Employee Advisory Council, presented the Don Smith award to the following individuals:

- Ted Kavich, Library
- Lieutenant Susan Lamar, Police Department

The following individuals received honorable mention awards:

- Stephen T. Jozsa, Department of Public Works and Environmental Services (DPWES)
- Private First Class Stephen S. Lawson, Police Department
- Chuck Wright, Park Authority

The following nominees received certificates of appreciation: Mirza T. Baig, DPWES; Roberta A. Butler, Department of Housing and Community Development; Naveed I. Butt, Police Department; Wayne D. Compher, Police Department; Susan C. Farria, Public Safety Communications; Mohammad Gharavi, DPWES; Barbara Y. Hardy, Health Department; Jean A. Helmandollar, Circuit Court and Records; Tim W. Hoover, Police Department; Joseph A. Oleksia, Fire and Rescue Department; Christopher J. Pietsch, Internal

Audit; Florence L. Rowland, Office of the County Executive; Leslie G. Schmitt, Public Safety Communications; Robert S. Smith, Juvenile and Domestic Relations District Court; and Elizabeth Wood, Juvenile and Domestic Relations District Court.

10. **10:15 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES**  
(10:27 a.m.)

Chairman Connolly, Chairman of the Board's Legislative Committee, announced that the committee had its first meeting of the session this past Friday. He noted that transportation legislation had been introduced and the committee hopes to get more details as well as understand what is in the fine print, particularly concerning land use and other transportation and road issues.

Chairman Connolly added that the committee had reviewed County-initiated legislation, all of which is active with the exception of the living wage which was withdrawn, and presented a short list of other items being considered.

Chairman Connolly stated that the committee will meet every Friday, and reminded Board Members of the upcoming legislative reception. Input was provided by Katie Boyle, Management Analyst I, Office of the County Executive, concerning the time and location: Tuesday, February 13, 2007, at 5:30 p.m. at the Old City Hall in Richmond.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved adoption of the Legislative Report. Supervisor Hudgins seconded the motion.

Supervisor Hudgins asked unanimous consent that the Board direct staff to review the addition to the legislative program on the Washington Area Housing Trust Fund budget amendment to support it. Without objection, it was so ordered.

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

Chairman Connolly asked unanimous consent that the Board direct staff to provide a comprehensive analysis of the transportation initiative. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Chairman Connolly announced that he had just been informed that there is a toll road provision in the enactment clause that would undo the Virginia Department of Transportation (VDOT) – Metropolitan Washington Airports Authority (MWAA) Toll Road Agreement.

Supervisor Hyland moved that the Board go on record expressing its opposition to that particular provision in the transportation bill. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

Discussion ensued concerning the elimination of High-Occupancy Toll (HOT) lanes, among other things, and raising revenue. Supervisor Bulova asked unanimous consent that the Board direct staff to prepare a comparison, by jurisdiction, of local revenue raising abilities. Without objection, it was so ordered.

Discussion continued concerning the bonding authority. Supervisor Frey asked unanimous consent that the Board direct the County Attorney to determine:

- Who the bonding authority would be.
- Whose bonds they would be.
- Whose backing would be required.

Without objection, it was so ordered.

Discussion continued concerning the General Assembly's request to the County to impose fees and taxes, specifically the Department of Motor Vehicle new driver license fee.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to determine whether the State or the County would be responsible for the bonded indebtedness in imposing such fees and taxes. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Frey asked unanimous consent that the Board direct staff to determine whether the bonded indebtedness would be charged to the local governments individually or to the Northern Virginia Transportation Authority. Without objection, it was so ordered.

Discussion continued concerning disseminating information concerning General Assembly activities, particularly transportation. Supervisor McConnell asked unanimous consent that the Board direct staff to begin working on ways to disseminate that information to the public. Without objection, it was so ordered.

Discussion continued concerning accountability and tracking initiatives.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the Office of Public Affairs to develop a template for the Board to consider for an appropriate format. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

**BOARD MATTER**11. **APPOINTMENTS TO THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA)** (10:45 a.m.)

Supervisor DuBois announced that Governor Kaine made two appointments this past Friday to the MWAA:

- Michael L. O' Reilly, Fairfax County, former mayor of the Town of Herndon.
- James L. Banks, Jr., Loudoun County, former member of the Richmond City Council.

DS:ds

**AGENDA ITEMS**12. **10:30 A.M. – PRESENTATION OF THE RECOMMENDATIONS OF THE LAND-USE INFORMATION ACCESSIBILITY ADVISORY GROUP** (10:45 a.m.)

(BACs) Walter Alcorn, Chairman, Land-Use Accessibility Advisory Group, and At-Large Member of the Planning Commission, presented the recommendations of the Land-Use Information Accessibility Advisory Group.

Discussion ensued, with input from Mr. Alcorn, regarding proffers, waiver requests, and site plan changes.

Further discussion ensued, with input from David Molchany, Chief Information Officer, regarding staff time that will be spent on the recommendations.

Further discussion ensued, with input from Mr. Alcorn, regarding items in the report, i.e. Planning Commission verbatims, videostreaming, staff reports and addendums, and linking to developer sites.

Discussion ensued regarding speaker time allotments, with input from Merni Fitzgerald, Director, Office of Public Affairs, and Anthony H. Griffin, County Executive.

Supervisor Kauffman asked unanimous consent that the Board direct Mr. Alcorn to work with Ms. Fitzgerald and Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning, to review the public hearing part of the land-use process, and report with whether changes should be made to the process. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board:

- Adopt the recommendations of the Land-Use Information Accessibility Advisory Group.
- Direct staff to report with a plan for implementation of the recommendations.

Supervisor Hudgins seconded the motion.

Chairman Connolly clarified that his motion incorporates Mr. Kauffman's request to review the public hearing process and whether changes should be made.

Discussion ensued regarding whether this should be reviewed by the Board's Policies and Procedures Committee.

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

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Gordon Jarratt, Director, Enterprise Systems Division, Department of Information Technology, gave a presentation on web access to land planning and development information.

**NV:nv**

13. **10:45 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:31 a.m.)

(APPTS)  
(BACs)

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

Chairman Connolly moved the reappointment of Mr. Clifford Fields as the At-Large Chairman's Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Jane Gwinn as the Braddock District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Ms. Jeanne McChesney as the Dranesville District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Ronald Copeland as the Hunter Mill District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Joseph Blackwell as the Lee District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Eileen Garnett as the Mason District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Mack Rhoades, Jr., as the Mount Vernon District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Philip Rosenthal as the Springfield District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

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

#### **ADVISORY SOCIAL SERVICES BOARD**

The Board deferred the appointment of the Mason District Representative.

#### **AIRPORTS ADVISORY COMMITTEE**

Supervisor DuBois moved the reappointment of Ms. Penny Chaboudy as the Dranesville District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. George Page as the Hunter Mill District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Samuel Thornton as the Lee District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Belinda Rankin as the Springfield District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Mount Vernon Business District and Braddock, Mount Vernon, Providence, and Sully District Representatives.



**ATHLETIC COUNCIL**

The Board deferred the appointments of the At-Large Diversity Alternate Representative, At-Large Women's Principal Representative, and Hunter Mill District Alternate Representative.

**BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS**

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

**BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS**

Supervisor Hudgins moved the appointment of Ms. M. Yvonne Demory as the Professional #5 representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Ms. Gloria Crawford to appear before the Board in recognition of her service. Without objection, it was so ordered.

The Board deferred the appointment of the Professional #6 Representative.

**CHILD CARE ADVISORY COUNCIL**

The Board deferred the appointment of the Providence District Representative.

**CITIZEN CORPS COUNCIL, FAIRFAX COUNTY**

The Board deferred the appointments of the At-Large Chairman's Representative and Mason, Providence, and Springfield District Representatives.

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION**

Supervisor Hyland moved the reappointment of Ms. Barbara Helm as the Mount Vernon District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. William Stephens as the Springfield District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Lee District Representative.

**COMMUNITY ACTION ADVISORY BOARD**

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

**CRIMINAL JUSTICE ADVISORY BOARD**

The Board deferred the appointment of the Dranesville District Representative.

**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Mr. T. Scott Brisendine as the Fairfax Bar Association Representative

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

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

Chairman Connolly moved the reappointment of Ms. Stella Koch as the At-Large Chairman's Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Robert McLaren as the At-Large #1 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Allison Anderson as the Mount Vernon District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Noting that George Lamb, Providence District Representative, had moved from the district and that Douglas Denny, At-Large #3 Representative, lives in the district, Supervisor Smyth moved the appointment of Mr. Doug Denny as the Providence District Representative. This motion, the second to which was inaudible, carried by unanimous vote.

Chairman Connolly moved the appointment of Mr. George Lamb to fill the unexpired term of Mr. Doug Denny as the At-Large #3 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

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

**FAIRFAX AREA DISABILITY SERVICES BOARD**

The Board deferred the appointments of the Dranesville and Springfield District Representatives.

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL****CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Ms. Carla L. Hellwig as the Advisory Social Services Board Representative

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

**INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**

Chairman Connolly moved the reappointment of Ms. Kathryn Walsh as the At-Large Chairman's Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Ms. Anne S. Kanter as the League of Women Voters of the Fairfax Area Representative

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

**JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL**

Chairman Connolly moved the reappointment of Mr. Michael McClanahan as the At-Large Chairman's Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Bettina Lawton as the Hunter Mill District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Frederick Joyce as the Mount Vernon District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Caroline Kerns as the Sully District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

#### **OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**

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

#### **PARK AUTHORITY**

Supervisor McConnell moved the reappointment of Mr. Kenneth Feng as the Springfield District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

#### **ROAD VIEWERS BOARD**

The Board deferred the appointments of the At-Large #4 and At-Large #5 Representatives.

#### **SMALL BUSINESS COMMISSION**

Noting that he has declined reappointment, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Robert Secudy, At-Large Representative #1, to appear before the Board in recognition of his years of service. Without objection, it was so ordered.

Supervisor DuBois moved the appointment of Mr. Norman Duncan to fill the unexpired term of Mr. Scott Monett as the Dranesville District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large #1 and At-Large #3 Representatives.

#### **TENANT LANDLORD COMMISSION**

The Board deferred the appointment of the Citizen #3 Representative.

#### **TRAILS AND SIDEWALKS COMMITTEE**

Noting that he will be leaving the area, Supervisor McConnell asked unanimous consent that the Board direct staff to invite Mr. Michael Shannon to appear before

the Board in recognition of his years of service. Without objection, it was so ordered.

The Board deferred the appointment of the Springfield District Representative.

#### **TRANSPORTATION ADVISORY COMMISSION**

Supervisor Hyland moved the appointment of Mr. Mack Rhoades to fill the unexpired term of Mr. Earl Flanagan as the Mount Vernon District Representative. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

#### **TREE COMMISSION**

The Board deferred the appointment of the Dranesville District Representative.

#### **AD HOC COMMITTEES**

#### **TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY COORDINATING COMMITTEE**

The Board deferred the appointments of the Providence District #2 and Sully District Representatives.

#### **ADDITIONAL APPOINTMENT**

#### **SUPERVISED VISITATION AND SUPERVISED EXCHANGE TASK FORCE**

As discussed at the Board's Human Services Committee meeting on January 19, Supervisor Hudgins moved the appointment of the Domestic Violence Coordinator (Ms. Seema Zeya) to the Supervised Visitation and Supervised Exchange Program Task Force. Chairman Connolly seconded the motion, which carried by unanimous vote.

**DS:ds**

14. **ADMINISTRATIVE ITEMS** (11:43 a.m.)

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

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

Supervisor Gross called the Board's attention to Admin 5 – Referral of the Revised Code of Ethics (Addendum 2 to Chapter 16, Personnel Regulations) for Employees of Fairfax County and discussion ensued with input from David Bobzien, County Attorney, regarding the “revolving door” policy.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct Mr. Bobzien to report with more information regarding the policy. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following further discussion, regarding the Revised Code of Ethics, the question was called on the motion, as amended, to approve the Administrative Items, with the exception of Admin 4, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL DISTRICT)**

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

<b><u>Subdivision</u></b>	<b><u>District</u></b>	<b><u>Street</u></b>
Cedar Chase	Hunter Mill	Reston Avenue (Route 7917) (Additional ROW Only)
		Stuart Road (Route 680) (Additional ROW Only)
		Sugarland Road (Route 604) (Additional ROW Only)
		Leesburg Pike (Route 7) (Additional ROW Only)
Wellesley (Public Improvement Plan)		Coppermine Road (Route 665) (Additional ROW Only)
		River Birch Road
		McNair Farms Drive

**ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING AFFORDABLE DWELLING UNITS – LIMITS ON BUILDING PERMITS AND RESIDENTIAL USE PERMITS**

- (R) (As) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on February 22, 2007, and before the Board on **March 26, 2007, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance). The amendment will allow all building permits to be issued within the project, but will restrict Residential Use Permit issuance to 75 percent of the total number of units until such time as at least 75 percent of the Affordable Dwelling Units in the development have been issued Residential Use Permits for all types of developments, except for rental multiple family dwelling units.

**ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITIES REVIEW APPLICATIONS (DRANESVILLE, MASON, MOUNT VERNON, PROVIDENCE, AND SULLY DISTRICTS)**

Approved an extension of review period for the following 2232 Public Facilities Review Applications:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-Y06-88	Sprint-Nextel Antenna co-location on existing monopole 5858 Old Centreville Road (Sully District)	March 25, 2007
FS-P06-89	Clearwire US LLC Antenna co-location on existing radio broadcasting tower 7330 Ronald Street (Providence District)	March 26, 2007
FS-D06-90	Clearwire US LLC Rooftop antennas 6251 Old Dominion Drive (Dranesville District)	March 29, 2007
FS-M06-91	Clearwire US LLC Rooftop antennas 7409 Eastmoreland Road (Mason District)	March 29, 2007

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-P06-92	Clearwire US LLC Rooftop antennas 3211 Jermantown Road (Providence District)	March 29, 2007
FS-V06-93	Clearwire US LLC Rooftop antennas 6038 Richmond Highway (Mount Vernon District)	March 29, 2007
FS-D06-94	Clearwire US LLC Rooftop antennas 1350 Beverly Road (Dranesville District)	March 29, 2007
FS-Y06-95	Sprint-Nextel Rooftop antennas 3700 Centreville Road (Sully District)	March 29, 2007
FS-D06-98	Clearwire US LLC Antenna co-location on existing tower 6300 Georgetown Pike (Dranesville District)	March 29, 2007
2232-D06-21	Department of Public Works and Environmental Services Addition to Dolley Madison Library 1244 Oak Ridge Avenue (Dranesville District)	May 21, 2007

**ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING  
ON A PROPOSED AGREEMENT WITH THE COMMONWEALTH  
TRANSPORTATION COMMISSIONER REGARDING SIGN REMOVAL  
IN STATE RIGHTS-OF-WAY**

(NOTE: Earlier in the meeting, the Board deferred action on this item. See page 13.)

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item #15.)



**ADMIN 5 – REFERRAL OF THE REVISED CODE OF ETHICS  
(ADDENDUM 2 TO CHAPTER 16, PERSONNEL REGULATIONS) FOR  
EMPLOYEES OF FAIRFAX COUNTY**

(NOTE: Earlier in the meeting, the Board took additional action on this item. See page 14.)

Directed the Human Resources Director to forward the Revised Code of Ethics to the:

- Civil Service Commission for a public hearing, to return to the Board for action at its April 9, 2007, meeting.
- Employees Advisory Council for review and comment.

15. **ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING  
ON A PROPOSED AGREEMENT WITH THE COMMONWEALTH  
TRANSPORTATION COMMISSIONER REGARDING SIGN REMOVAL  
IN STATE RIGHTS-OF-WAY** (11:52 a.m.)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See page 13.)

Discussion ensued, with input from Eileen McLane, Zoning Administrator, Department of Planning and Zoning, regarding the proposed pilot sign program.

Following further discussion, Supervisor Frey moved that the Board:

- Direct staff to provide information regarding Prince William County's effort.
- Defer action on this item

Supervisor Hudgins seconded the motion.

Following further discussion regarding signage, Supervisor Smyth announced that she had a Board matter, which she will present later in the meeting, regarding Virginia Department of Transportation (VDOT) responsibilities. With reference to signs, she said that once they fall off the telephone poles, or wherever they are posted, they become trash. She noted that when staff from her office, or the residents themselves, contact the VDOT representatives, they encounter difficulties in establishing whether the area in question is within the VDOT right-of-way. Once it is proven to VDOT representatives that it is in the VDOT right-of-way, they are told by VDOT that it does not have the staff or the funds to do routine maintenance.

Discussion ensued, with input from Scott Wynn, Senior Assistant County Attorney, regarding sign removal.

Supervisor Frey asked to amend his motion to direct staff to also review the issue with the Sheriff's Office, and this was accepted.

Supervisor Gross suggested that a time limit be set for staff to report with the information.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion that the Board direct staff to provide the information by the first meeting in March, and this was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

(NOTE: Later in the meeting, the Board discussed issues regarding the Virginia Department of Transportation. See Clerk's Summary Items #29 and #36.)

16. **A-1 – DISCLOSURE AGREEMENT RELATED TO THE ISSUANCE OF REFUNDING BONDS BY THE UPPER OCCOQUAN SEWAGE AUTHORITY (SULLY DISTRICT)** (12:05 p.m.)

(BACs)

(BONDS)

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

- Approved the Disclosure Agreement.
- Authorized the Chairman to execute the agreement, on behalf of the Board, in substantially the form presented.

17. **A-2 – AWARD OF FISCAL YEAR 2007 FEDERAL HOME PROGRAM COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) FUNDS TO THREE FAIRFAX COUNTY NONPROFIT AFFORDABLE HOUSING DEVELOPERS** (12:05 p.m.)

On motion of Supervisor Hudgins, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Selection Advisory Committee's recommended award of:

- \$660,000 to Good Shepherd Housing and Family Services to purchase up to five 2-to-4-bedroom condominiums to be used as transitional rental housing for very low-income/near-homeless related tenant households.

- \$312,610 to Robert Pierre Johnson Housing Development Corporation for the purchase of a property to be used as a single-room occupancy group home for persons suffering from mental illness.
- \$113,328 to Reston Interfaith Housing Corporation for the acquisition of up to two townhouse units to lease to small, related tenant households. In addition to these funds, Reston Interfaith would also be permitted to retain its current \$73,042 balance remaining from a previous award for this new proposal.

18. **A-3 – DEVELOPMENT OF A REGIONAL WATER SUPPLY PLAN IN ACCORDANCE WITH VIRGINIA WATER SUPPLY PLANNING REGULATIONS** (12:06 p.m.)

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

- Enter into a Memorandum of Agreement (MOA) among Northern Virginia Regional Commission (NVRC), the County, and other Northern Virginia jurisdictions to designate the NVRC as the lead agency for the development of a Regional Water Supply Plan for the participating Northern Virginia jurisdictions.
- Designate Fairfax Water as the County's agent responsible for representing the County in the development of the Regional Water Supply Plan, and direct the County Executive to appoint an Advisory Committee comprised of appropriate County staff and lead by the County's Environmental Coordinator. This committee will assist Fairfax Water in data collection and other County activities that may be required for the development of the County's portion of the regional plan.
- Authorize the County Executive to execute the final MOA mentioned in the first bullet.

Supervisor McConnell seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, regarding input from other jurisdictions, the question was called on the motion and it carried by unanimous vote.

19. **A-4 – FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) TRANSPORTATION CONTRACT REVENUE BONDS (ROUTE 28 PROJECT) SERIES 2007** (12:07 p.m.)

(R) On motion of Supervisor DuBois, jointly seconded by Supervisor Bulova and Supervisor Hudgins, and carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” the Board concurred in the recommendation of staff and adopted the Resolution relating to the issuance of the EDA Transportation Contract Revenue Bonds (Route 28 Project) which authorizes the following actions:

- Requests the EDA to issue the new money bonds.
- Approves the form of the Third Supplemental Trust Agreement.
- Approves the form of the Preliminary Official Statement and the Notice of Sale.
- Approves the form of the Continuing Disclosure Agreement.
- Authorizes the execution and delivery of the documents and authorizes the Chairman, Vice-Chairman, County Executive, or Deputy County Executive/Chief Financial Officer to determine certain details of the transaction.

20. **A-5 – APPROVAL OF 1) THE REPAYMENT OF REAL ESTATE TAXES AND 2) SUBMISSION OF A LETTER OF SUPPORT TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) PURSUANT TO THE LOW INCOME HOUSING TAX CREDIT PROGRAM FOR CEDAR RIDGE APARTMENTS (HUNTER MILL DISTRICT)** (12:07 p.m.)

(R) Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve:

- Repayment of real estate taxes for Cedar Ridge Apartments for a minimum of the tax credit compliance period of 15 years.
- Submission of a letter of support to VHDA for Cedar Ridge Apartments in connection with an application for Low Incomng Housing Tax Credits.

Supervisor Bulova seconded the motion. Following a brief discussion regarding the item, the question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross,

Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

21. **A-6 – APPROVAL OF PUBLIC SALE FOR ROLL-OVER OF FUNDING FOR CRESCENT APARTMENTS** (12:08 p.m.)

(R) Supervisor Hudgins moved that the Board concur in the recommendation of staff and adopt the Resolution relating to the issuance of a Fairfax County Redevelopment and Housing Authority (FCRHA) Bond Anticipation Note (Affordable Housing Acquisition) which authorizes the following actions:

- Requests FCRHA to issue a bond anticipation note.
- Approves the form of a payment agreement between FCRHA and the Board.
- Approves the form of the lease agreement.
- Approves the form of the Preliminary Official Statement and the Notice of Sale.
- Approves the form of the note.
- Approves the form of the Continuing Disclosure Agreement.
- Authorizes the execution and delivery of the payment agreement, lease agreement, the note and continuing disclosure agreement and authorizes the Chairman, Vice Chairman, County Executive or Deputy County Executive/Chief Financial Officer to determine certain details of the transaction.

Chairman Connolly seconded the motion. Following a brief discussion regarding the item, the question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

Supervisor Gross asked unanimous consent that the Board direct staff to provide information regarding the number of preserved units and the break down for each Supervisor District.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the request to direct staff to include Janna Lee on the list. Without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

22. **I-1 – CONTRACT AWARD – ALPS DRIVE SANITARY SEWER EXTENSION AND IMPROVEMENT (DRANESVILLE DISTRICT)**  
(12:09 p.m.)

The Board next considered an item contained in the Board Agenda dated January 22, 2007, requesting authorization for staff to award a contract to Martin and Gass, Incorporated, in the amount of \$323,738 for the construction of the Alps Drive Sanitary Sewer Extension and Improvement, Project Number X00826, Extension Projects in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

23. **I-2 – STATE CORPORATION COMMISSION (SCC) FINAL ORDER FOR COLUMBIA GAS OF VIRGINIA RESULTS IN A \$2 MILLION REDUCTION IN CUSTOMER BILLS** (12:09 p.m.)

The Board next considered an item contained in the Board Agenda dated January 22, 2007, announcing the SCC's final order for Columbia Gas of Virginia resulting in a \$2 million reduction in customer bills.

Following a brief discussion regarding the Consumer Protection Division, Department of Cable Communications and Consumer Protection, Supervisor Bulova asked unanimous consent that the Board direct staff to ensure that the community is made aware of the effectiveness and success of the Consumer Protection Division in obtaining a \$2 million reduction in customer bills. Without objection, it was so ordered.

### **ADDITIONAL BOARD MATTERS**

NV:nv

24. **ENCOURAGING VOLUNTEERISM IN COUNTY PARKS** (12:11 p.m.)

Chairman Connolly, jointly with Supervisor DuBois, noted that the Park Authority has worked with hundreds of County residents on a variety of environmental improvement programs including Invasive Management Areas (IMA) and riparian buffer plantings. The Park Authority prohibits volunteers from using power equipment on IMA projects in parks. This dampens the enthusiasm of volunteers who must use bare hands and hand tools to battle well-established non-native vines, grasses, and shrubs. The Great Falls Citizen Association, the Potomac Appalachian Trail Club, the Potomac River Green Ways Coalition, the Hunters Valley Riding Club, and the Mid-Atlantic Off-Road Enthusiasts have expressed concerns that there are a number of institutional barriers to volunteering to plant riparian buffers, improve trails, and conduct other public service projects in County Parks. The County is fortunate to have not only an extraordinarily extensive park system used by thousands of County residents, but also enthusiastic citizen volunteers.

Accordingly, jointly with Supervisor DuBois, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board request the Park Authority to allow experienced volunteers to use power tools in IMA projects and take all other appropriate steps to reduce institutional barriers to volunteerism in County parks. Supervisor DuBois seconded the motion.

Following discussion regarding spraying, Chairman Connolly clarified that this issue was included in his motion as part of institutional barriers in general.

The question was called on the motion, as clarified, which carried by a vote of nine, Supervisor Frey being out of the room.

25. **MODEL JUDICIARY PROGRAM** (12:13 p.m.)

Chairman Connolly reported that he and Supervisor Hudgins recently attended the Model Judicial Program where students from a number of area high schools put on mock trials as part of this program. He noted that this activity is a labor of love of Judge Stanley Klein.

Accordingly, Chairman Connolly asked unanimous consent that the Board direct staff to invite Judge Klein and the others involved with making this program possible to appear before the Board to be recognized and honored. Without objection, it was so ordered.

Chairman Connolly asked unanimous consent that the Board direct the County Attorney to ensure that all of the appropriate people are included for recognition. Without objection, it was so ordered.

There was a brief discussion regarding previous participation by staff.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

26. **MARCH IS “INCLUDING PEOPLE WITH DEVELOPMENTAL DISABILITIES” MONTH** (12:14 p.m.)

Supervisor Bulova said that throughout the United States, March will be celebrated as “Including People with Developmental Disabilities Month.” In the County, during the month of March, the Arc of Northern Virginia, in conjunction with People First, a self-advocacy group for people with developmental disabilities, and the Fairfax-Falls Church Community Services Board (CSB), educate the public about the abilities and needs of people with developmental disabilities and their families.

Therefore, Supervisor Bulova asked unanimous consent that the Board:

- Proclaim March as “*Including People with Developmental Disabilities Month*” in Fairfax County.
- Direct staff to invite the Arc and the CSB to appear before the Board on February 26, 2007, to accept this proclamation.

Without objection, it was so ordered.

27. **RECOGNITION OF “THE COOKIE LADY” GERMAINE BROUSSARD**  
(12:15 p.m.)

Supervisor Smyth said she, Supervisor DuBois, and Chairman Connolly would like to recognize the fact that the County is proud to be the home of “The Cookie Lady.” Ms. Germaine Broussard, as she is otherwise known, has baked more than 15,000 cookies for troops serving overseas for a little over three years now.

Noting that Ms. Broussard has also been involved in many other worthwhile activities as outlined in the written Board Matter, Supervisor Smyth, jointly with Supervisor DuBois and Chairman Connolly, asked unanimous consent that the Board direct staff to invite her to appear before the Board on February 5 to be presented with a Certificate of Recognition. Without objection, it was so ordered.

28. **BURGLARY PREVENTION SEMINAR (PROVIDENCE DISTRICT)**  
(12:16 p.m.)

Supervisor Smyth said that the Police Department will conduct a seminar about preventing home burglaries on Wednesday, January 24, from 7 p.m. - 8:45 p.m. at the James Lee Community Center, 2855-A Annandale Road, Falls Church, in the Providence District. This seminar is free and open to the public; no registration is required. This seminar was previously presented on December 11 at the McLean Governmental Center and was very well received.

Supervisor Smyth invited Board Members, County staff, and residents to this seminar and asked unanimous consent that the Board direct the Office of Public Affairs to help publicize the seminar. Additional information may also be obtained by contacting MPO Tom Black of the Police Department, McLean District Station, at 703-556-7750 or by calling her office. Without objection, it was so ordered.



29. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) RESPONSIBILITIES** (12:17 p.m.)

(NOTE: Earlier in the meeting, the Board discussed VDOT issues. See Clerk's Summary Item #15.)

With reference to the Board's earlier action regarding VDOT and the issue of trash, Supervisor Smyth said the Board mentioned Prince William County's six-person group that cleans roads. She asserted that this is an assumption of State responsibilities. Therefore, Supervisor Smyth asked unanimous consent that the Board direct the County Executive to review this apparent relinquishment of State responsibility for maintenance and the potential unfunded mandate for the County this situation could create. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took additional action regarding VDOT. See Clerk's Summary Item #36.)

30. **RECOGNIZING THE EFFORTS OF YOUTH VOLUNTEERS' INVOLVEMENT IN THE MILLER HEIGHTS NEIGHBORHOOD ASSOCIATION'S TRAFFIC CALMING INITIATIVE (PROVIDENCE DISTRICT)** (12:18 p.m.)

Supervisor Smyth said the Miller Heights Neighborhood Association in Oakton has persevered for about two years toward completion of its application for the Residential Traffic Administration Program. Upon successful conclusion of the ongoing balloting phase, the neighborhood will have achieved a long sought after goal to improve traffic safety in the neighborhood through an array of traffic calming devices along Miller Heights Road.

Supervisor Smyth reported that this Oakton neighborhood suffered a tragic loss of life late last October. Two teenagers were driving and went off the road, resulting in the passenger's death. In spite of this, the community's response demonstrated strength. Friends of the two teenagers initiated a program to install reflectors on mailboxes to improve visibility along the dark stretch of roadway where the accident took place. In coordination with the Miller Heights Neighborhood Association, and with guidance from the Virginia Department of Transportation, reflectors were offered to all homeowners along Miller Heights Road.

Supervisor Smyth said that other young volunteers directed their efforts toward reminding residents to cast their ballots for the traffic calming proposal. Their efforts will help to ensure that the balloting process proceeds efficiently and will lead to a safer environment.

Therefore, Supervisor Smyth moved that the Board direct staff to invite all of the youth volunteers involved to appear before the Board to be recognized for their commitment and dedication to public safety and civic activity. Supervisor DuBois seconded the motion and it carried by unanimous vote.

31. **FAIRFAX COUNTY VISITATION AND SUPERVISED EXCHANGE (SVSE) REPORT** (12:19 p.m.)

(BACs) (NOTE: Earlier in the meeting, the Board made an appointment to the SVSE. See page 13.)

Supervisor Hudgins said that as noted earlier, the SVSE Task Force provided a status report to the joint meeting of the Human Service and Housing Committees on Friday, January 19. The SVSE Task Force was appointed on July 31, 2006, to develop a model for supervised visitation and exchange program, giving special attention to community needs, the type of program services to be provided, possible site locations, and a plan for funding.

Supervisor Hudgins noted that the task force established a mission “to provide a healthy, age appropriate, and accessible environment where children and their parents are supported through a continuum of family oriented services.” It noted that SVSE is needed to maintain child bonds with the non-custodial parent, while protecting the interest of the child and documenting compliance of both parents.

Supervisor Hudgins said that the task force recommended a three phase model. The program began with Phase I offering intake and SVSE at the courthouse on a limited basis. Phase II will expand on Phase I with intake therapist and supportive services such as therapeutic intervention, training, and referral. Phase II is dependent on available funding, and Phase III will look to replicate the program at other sites.

Accordingly, Supervisor Hudgins moved that the Board accept the SVSE Task Force Report recommendations as follows:

- Establish the three phase model as outlined in the report.
- Continue its work for another year.
- Add the Domestic Violence Coordinator for Fairfax County to the task force.
- Provide a status report to the Board by the end of 2007.

Supervisor Hudgins further moved that the Board commend the task force for its comprehensive as well as thoughtful approach to addressing a critical issue facing the community.

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

32. **RESTON CHILDREN CENTER'S (RCC) FORTIETH ANNIVERSARY (HUNTER MILL DISTRICT)** (12:22 p.m.)

Supervisor Hudgins noted that the RCC, founded in 1964, was Reston's first non-profit, parent-oriented cooperative, dedicated to the developmental and educational needs of children, and to provide quality support systems for families. RCC was one of the first child care programs in Reston and the first in the County to provide infant care. In addition to infant care, RCC currently provides preschool education and before and after-school enrichment for children in grades K-6. In 1988 RCC was the first after-school program in Reston honored with national accreditation and the fourth in Virginia accredited by the National School Age Child Care Alliance.

Supervisor Hudgins announced that on February 10 the RCC will celebrate with a fortieth birthday gala at the Hidden Creek Country Club in Reston from 6-11 p.m.

Accordingly, Supervisor Hudgins moved that the Board direct staff to invite the families of RCC to appear before the Board to be recognized for its 40 years of continuous quality after-school and preschool care to the Reston community. Vice-Chairman Bulova seconded the motion, which carried by a vote of nine, Chairman Connolly being out of the room.

33. **DEPARTMENT OF FAMILY SERVICES' HEART GALLERY RECEPTION** (12:23 p.m.)

Supervisor Hudgins called the Board's attention to information she distributed in regard to the January 31 Department of Family Services' Heart Gallery Reception at the Government Center as part of its foster care and adoption outreach. Featured in *The Washington Post* last Thursday and sponsored by Freddie Mac, the gallery is the first of its kind in the Washington metropolitan area and one of more than 60 Heart Galleries nationwide. The children featured are from the DC area. Since November 2005, the exhibit with photos of 48 children has traveled around the capital area with a success of adoption to date of 14 children.

Supervisor Hudgins reported that the Heart Gallery will be at the Government Center and she asked unanimous consent that the Board direct the Office of Public Affairs to assist in continuing to share the story of this very critical need for a warm and loving home for these children and invite Board Members to join in the Department of Family Services' Heart Gallery Reception on January 31 from 4-6 p.m. at the Government Center for the celebration. Without objection, it was so ordered.

34. **HUMAN RIGHTS COMMISSION FAIR HOUSING REPORT** (12:24 p.m.)

(BACs) Supervisor Hudgins noted that Board Members received in their offices a report from the Human Rights Commission on the testing for fair housing and the

accessibility. She commended the report, but noted that the number for testing was very low.

Accordingly, Supervisor Hudgins asked unanimous consent that the Board direct staff to provide a response in terms of viability of the data and efforts to reach more units. Without objection, it was so ordered.

35. **PIPELINE UPGRADE (SULLY DISTRICT)** (12:26 p.m.)

Jointly with Chairman Connolly, Supervisor Frey said that they had been working with Williams Transco Company, which seeks to expand a pipeline that runs through the Virginia Run community. It has three pipelines now and would like to upgrade one of the 30 inch lines to a 42 inch line because of increased demand in the region and the entire northeast region of the US. The Federal Energy Regulatory Commission (FERC) has reviewed the environmental assessment and has set a deadline of February 16 for comments.

Supervisor Frey said that this past weekend he, State Senator Cuccinelli (R\_37), and Delegate Hugo (R-40) met with the community and walked the pipeline area. The community has serious concerns to be addressed, and more time is needed for another meeting.

Accordingly, Supervisor Frey moved that the Board direct staff to prepare a letter for the Chairman's signature to the FERC requesting additional time to comment on the environmental assessments to work with the community and the company to resolve the issues. Chairman Connolly seconded the motion.

Following a brief discussion regarding the concern about above-ground structures, the question was called on the motion, which carried by unanimous vote.

**PMH:pmh**

36. **SNOW REMOVAL** (12:28 p.m.)

(NOTE: Earlier in the meeting, the Board discussed issues regarding the Virginia Department of Transportation (VDOT). See Clerk's Summary Items #15 and #29.)

Supervisor McConnell announced that her office had received several emails from citizens who were upset about snow removal today.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to broadcast on Channel 16 that snow removal is a responsibility of VDOT. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

A brief discussion ensued regarding snow removal by VDOT.

Supervisor Gross asked unanimous consent that the Board direct staff to also broadcast on Channel 16 safety tips for driving in ice and snow. Without objection, it was so ordered.

37. **PARKING ISSUE ON TINA LANE (DRANESVILLE DISTRICT)**  
(12:33 p.m.)

(R) Supervisor DuBois said that one of her constituents, the owner of 6600 Tina Lane, lives near Langley High School and half of his property is included in Residential Permit Parking District 20.

However, since 6600 Tina Lane is a corner lot, only the section along Ridge Drive is protected by the residential permit parking restrictions. She pointed out that the section along Tina Lane has been consistently damaged by student drivers, thus causing undue hardship upon her constituent. The Department of Transportation (DOT) has witnessed the damage and will support the installation of “No-parking” signs at this location.

Therefore, Supervisor DuBois moved that the Board adopt the Resolution directing DOT to work with the Virginia Department of Transportation to ensure that “No Parking” signs are installed at 6600 Tina Lane, McLean, 22101. Chairman Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

38. **GOVERNING BOARD OF THE McLEAN COMMUNITY CENTER (MCC) (DRANESVILLE DISTRICT)** (12:35 p.m.)

(BACs) Supervisor DuBois said that in 1984, the Board approved revisions to the Memorandum of Understanding (MOU) with the Governing Board of the McLean Community Center (MCC). Section IV of that MOU provides for the composition of the Governing Board of the MCC. Section IV (B) provides that the Governing Board of the MCC shall set up procedures for the election of candidates, and also provides that the Board shall approve those standards and procedures. The Board of Supervisors approved those Standards and Procedures on May 14, 1984, as Attachment I to the MOU.

Supervisor DuBois stated that in November, the Governing Board asked her to investigate what actions would be required to amend the approved election standards and procedures. In particular, MCC wishes to allow for absentee balloting, including the use of mail-in ballots, to ensure that elderly, infirm, or out-of-town residents of Small District 1 have an opportunity to vote. The Center mistakenly believed that it had such authority which was challenged in 2006 by a losing candidate.

Specifically, three changes to the election procedures are requested:

- Formalization of the current absentee ballot process.
- Removal of all references to samples that no longer exist.
- Permission to use random rather than alphabetical listings of candidates' names on the ballot.

Supervisor DuBois noted that the County Attorney has advised her that these recommended amendments can be enacted by approval of a Board Matter.

Therefore, Supervisor DuBois moved that the Board approve the revisions noted above, and outlined in Attachment I of the MCC Governing Board MOU, to go into effect immediately before notice for this spring's election is publicized. Supervisor Bulova seconded the motion and it carried by unanimous vote.

39. **ZONTA CLUB OF FAIRFAX** (12:36 p.m.)

Supervisor Gross said that the Zonta Club of Fairfax will celebrate its fiftieth anniversary in early February. The Fairfax Chapter is part of Zonta International, a worldwide service organization of executives in business and the professional advancing the status of women worldwide.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to prepare a proclamation for the Chairman's signature and hers, for presentation to the Zonta Club at its celebratory luncheon on February 3. Without objection, it was so ordered.

40. **CROWN SERVICE STATIONS (MASON DISTRICT)** (12:37 p.m.)

Supervisor Gross said that changes in ownership of two former Crown service stations in Mason District will require special exception applications since their previous Board of Zoning Appeals (BZA) approvals, years ago, were conditioned that they were granted to the applicant only and any change would require approval of the Board. The BZA cannot consider such a request, and so the applicant must go through the rather daunting process of a special exception to simply change ownership.

Therefore, Supervisor Gross moved that the Board grant expedited processing for a public hearing on Special Exception Application SE-2006-MA-028, Petroleum Marketing Group, Incorporated, for property located at 6014 Leesburg Pike, Tax Map 61-2((1))7, Revitalization Area, H-C, C-5. The Planning Commission's public hearing is scheduled for April 18, and the applicant has asked for a Board date as soon as possible after that date. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Supervisor Gross moved that the Board grant expedited processing for a public hearing on Special Exception Application SE-2006-MA-029, Petroleum Marketing Group, Incorporated, for property located at 6464 Edsall Road. The Planning Commission hearing date is April 18. Supervisor Bulova seconded the motion and it carried by unanimous vote.

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

There was a brief discussion regarding similar special exception applications.

41. **RENOVATIONS BY THE MISTRY FAMILY (MASON DISTRICT)**  
(12:39 p.m.)

Supervisor Gross said that a 1950s-era home, built in the floodplain of Longbranch Creek, was purchased a few years ago by the Mistry family that desired to remodel and add a second story addition to the original structure. Appropriate building permits were applied for and issued, and renovations began. The contractor discovered that the original first-floor exterior walls could not support the addition. Unaware of a Floodplain Determination Approval Condition, the contractor proceeded to dismantle the first story exterior walls down to the foundation.

Supervisor Gross stated that things proceeded from bad to worse after that, and a special exception is needed to rectify the errors and allow the owners to complete construction and move into their home. The owners and their agent have been working diligently with County staff to pursue a special exception, and they have asked for Board action to advance these efforts.

Therefore, Supervisor Gross moved that the Board:

- Direct the Director of the Department of Public Works and Environmental Services to permit concurrent processing of the grading plan and amended building plan processes and other related documents and applications.
- Grant approval for an expedited Board date for the application.
- Direct the Building Inspections Branch to perform the necessary and required inspections, or permit the applicant to use a private inspection service to allow the applicants, at their own risk, to continue construction of the single family home, after such time as the amended building plans are approved and a favorable staff report is presented for this project.

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

Supervisor Bulova seconded the motion.

Following discussion regarding the last bullet of the motion, the question was called on the motion and it carried by unanimous vote.

42. **TREE ACTION PLAN** (12:44 p.m.)

Supervisor Gross said that on December 31, 2006, the Board's Environmental Committee received a presentation on a final draft of the long-awaited 64-page report entitled "Tree Action Plan." This document represents a 20-year strategic plan to conserve and manage the County's tree and forest resources, which are referred to as the "urban forest."

As requested by the Board's Environmental Committee, in April 2006 a working group comprised of representatives from County staff, tree commissioners, Virginia State forestry and transportation officials, non-profit tree planting organizations, and the land development industry convened to finalize the Tree Action Plan. The Tree Action Plan originated from a charge given to the Tree Commission and the Urban Forest Management Division by Chairman Connolly in October 2004.

The Tree Action Plan urges the County to commit to three important goals that support the Board's goals in the Environmental Agenda and that will help conserve the urban forest. These goals include:

- Preservation of Current Tree Assets (preserve existing trees).
- Enhancement of the Legacy for Future Generations (plant new trees).
- Increase the Effectiveness of Urban Forestry within County Policies and Planning Efforts.

Supervisor Gross said that at the Environmental Committee, the Members of the Board who were present, asked her to present a Board Matter at the earliest possible date that will show this Board's concurrence with the general direction of the major goals and core recommendations of the Tree Action Plan. During this same discussion, a draft proposal to amend the Board's Environmental Agenda was circulated and discussed. The draft proposes that strategic and tactical language be added to the current environmental agenda to highlight the need to conserve and manage the County's tree and forest resources. The Environmental Committee agreed to discuss the draft language amendment at its next meeting scheduled for March 19.



Therefore, Supervisor Gross moved that the Board:

- Endorse the Goals and Actions in the Tree Action Plan and direct the County Executive to disseminate the plan to the Environmental Coordinating Committee for appropriate follow-up action.
- Direct the County Executive to take steps to publish and promote the Tree Action Plan at the official Earth Day/Arbor Day Celebration in April 2007, and at other such environmental events throughout the County.

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

43. **REQUEST FOR AN OUT-OF-TURN PLAN AMENDMENT (LEE DISTRICT)** (12:47 p.m.)

Supervisor Kauffman said that the owners of property located at 7800 and 7722 Backlick Road, better known as the Mike Pallone Auto Dealerships, have requested an Out-of-Turn Plan Amendment for their property. One of the dealerships has now closed, and the owners are contemplating future reuse of the property. He noted that the businesses sit adjacent to the Engineer Proving Grounds (EPG). The Base Realignment and Closure Commission (BRAC) has recommended that upwards of 18,000 employees be transferred to the EPG site. This action will require significant office development in the area of the EPG.

Supervisor Kauffman said that currently the Pallone Dealerships are zoned C-8 (2.47 acres) and I-5 (9.45 acres). The C-8 zoning district allows for .25 floor area ratio (FAR) for office by-right and a .5 FAR by special exception. The Industrial zoned property allows for .5 FAR by-right and up to 1.0 FAR by special exception already.

To foster the office development in an appropriate manner, Supervisor Kauffman moved that the Board authorize an Out-of-Turn Plan Amendment for the Pallone Auto Dealership properties to allow for office development up to 2.0 FAR. To secure the high end of the density range, primary access to the property must be provided by a street other than Backlick Road and the transportation analysis should provide consideration of access through the EPG or Fullerton Road. Supervisor DuBois seconded the motion.

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

44. **UNIVERSAL DESIGN DEMONSTRATION** (12:51 p.m.)

Supervisor Kauffman announced that the Board's Committee on Aging will be touring the Universal Design Demonstration House on Tuesday, January 23.

Transportation for Board Members is available. They will leave from the front of the Government Center at 9 a.m. and will return by lunch time. This is an exciting opportunity for the Board to explore universal design up close. He noted that staff from the Department of Planning and Zoning, the building community, and local media will also be attending.

Supervisor Kauffman announced that more information regarding the home and the days and hours it is open can be found at [www.pwcgov.org/ud](http://www.pwcgov.org/ud).

45. **OPEN HOUSE (LEE DISTRICT)** (12:51 p.m.)

Supervisor Kauffman announced that there will be an open house on Saturday, January 27, 2007, from 1 p.m. until 4 p.m. at the Franconia Governmental Center.

46. **REELECTION (LEE DISTRICT)** (12:52 p.m.)

Supervisor Kauffman announced that he would not be seeking reelection.

(NOTE: Later in the meeting, there was further discussion of this item. See Clerk's Summary Item #48.)

47. **NEIGHBORHOOD STABILITY (LEE DISTRICT)** (12:53 p.m.)

Supervisor Kauffman said that for the first decade of his service as a County Supervisor, the first three questions he would get when visiting with citizens would focus on transportation and gridlock. More and more, the first three questions he hears today target the loss of neighborhood stability in the communities.

Supervisor Kauffman noted that these are not minor issues. Not only do they affect personal and public safety, sanitation, and property values, but they speak to the basic issue of fairness. The Board expects its citizens and neighbors to play by the rules. In exchange, the government enforces those rules. When government breaks this implicit contract, it puts another nail in the coffin of public trust.

Supervisor Kauffman noted that this loss of neighborhood stability includes single family residential homes turned into commercial uses such as boarding/apartment houses and multiple employee business operations. It includes small fleets of commercial vehicles on neighborhood streets, junk cars, trash left to pile-up in yards, and all manner of health code violations.

Supervisor Kauffman said that the Board can begin with changing how the County uses existing tools to address this destabilization, press for faster enforcement, and ask the State for legislation to allow the County to impose more serious penalties for these violations—many of which are serious safety hazards.

Here's a list of some of the things he is working on in response to this growing problem:

- Taking complaints about zoning, health code, and building violations as serious priorities.
- Working with the Chief of Zoning Enforcement to get a new mix of inspectors with more skills, fresh eyes, and a stronger attitude toward enforcement to serve the district. The County has begun cross-training inspectors and, as of January 1, many of them have already been trained and certified to enforce the property maintenance code. Adding multi-lingual inspectors to the staff so language difficulties should no longer be a barrier to enforcement or an excuse. Also working with the police to ensure they work closely with zoning inspectors and provide mutual support as necessary.
- Working to develop a zero tolerance policy in Lee District so if a problem is found with a clear zoning violation, County inspectors can issue a field notice or corrective order on the spot. The days of holding violator's hands for weeks and asking them nicely to resolve neighborhood problems before a violation is issued must end. The bottom line is that faster enforcement is needed and compliance actions to keep neighborhood problems from spreading.
- Cracking down on unlicensed contractors and un-permitted construction. The County Attorney joined him on an evening inspection of some of these homes. He met with neighbors living next to problem properties and gained a "street level" understanding of the problems.
- Working with Delegate Sickles (D-43) to amend State law to stiffen the penalties for landlords who are running commercial boarding houses in residential communities. Increasing the fine from \$1000 to \$2500 per occurrence. Consider the possibility of jail time and ways to keep landlords from perpetuating these boarding houses. Stop blaming the victims of overcrowding and start going after the enablers—the ones who are profiting from the unsafe situations they create.
- Engaging the entire community in this effort. He has reached out to State officials, local chambers of commerce, real estate agents, and homeowner and civic associations.

Supervisor Kauffman asserted that playing by the rules, vigilance, and public safety are key in all these efforts. The health and safety problems in

neighborhoods are real and have even resulted in deaths in the County. A community split between those who play by the rules and those who do not divides and destabilizes neighborhoods.

Supervisor Kauffman urged interested individuals to call his office at (703) 971-6262 with any concerns about zoning violations, un-permitted construction, or other related problems.

48. **REELECTION (LEE DISTRICT)** (12:58 p.m.)

(NOTE: Earlier in the meeting this issue was announced. See Clerk's Summary Item #46.)

Board Members reflected on their years of service with Supervisor Kauffman.

49. **JOINT BOARD MATTER OF CHAIRMAN CONNOLLY AND SUPERVISOR HYLAND REGARDING THE CREATION OF A HUNTINGTON COMMUNITY FLOOD INSURANCE GRANT PROGRAM (MOUNT VERNON DISTRICT)** (1:06 p.m.)

Supervisor Hyland said that the torrential rains that fell on the County on June 25-26, 2006, were particularly devastating to the Huntington Community, where as many as 160 homes were flooded. One of the recommendations of the Army Corps of Engineers' study, which was commissioned by the County, was for property owners to obtain flood insurance as a temporary measure until more lasting solutions to the potential for more flooding can be identified and implemented.

Because the Huntington Community is within the existing Route One Rehabilitation District, Virginia Code Section 36-52.3 permits the Board to designate an area that would include within its boundaries the homes in the Huntington Community that experienced the June flooding or are deemed susceptible to future flooding. That same Code section also empowers the Board to establish a program directed toward prevention and elimination of deteriorating conditions in such an area that would enable the Redevelopment and Housing Authority to reimburse resident owners, depending on their income levels, for the cost of obtaining flood insurance through Federal Emergency Management Association's (FEMA) National Flood Insurance Program.

Therefore, jointly with Chairman Connolly, Supervisor Hyland moved that the Board direct staff to explore the creation of such an area and program and return to the Board with an appropriate Board Item for review at the Board's February 26, 2007, meeting. Chairman Connolly seconded the motion.

Following discussion regarding the proposal, Supervisor Gross asked unanimous consent that the Board direct staff to review this FEMA flood insurance program. Without objection, it was so ordered.

Supervisor DuBois asked unanimous consent that the Board direct staff to report with estimated costs of the program. Without objection, it was so ordered.

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

50. **ALEXANDRIA TECH CENTER OWNER'S ASSOCIATION LETTER (MOUNT VERNON DISTRICT)** (1:11 p.m.)

Supervisor Hyland said that last week Chairman Connolly, Alexandria City Mayor Bill Euille and he attended a briefing by the Corps of Engineers to the Huntington Community on the causes of the June flood. Also present at the meeting were several people from the Alexandria Tech Center Owner's Association. They independently hired a consulting hydrologist to determine what factors caused the damage to their buildings in Eisenhower Avenue. This independent consultant's findings were similar to those of the Corps.

In their letter they ask for Governor Tim Kaine's assistance to review the Corps of Engineers as well as their consultant's findings and have the Virginia Department of Transportation (VDOT) take remedial action to restore Cameron Run to its "original design condition and capacity" since, according to their letter, Cameron Run is in VDOT's right-of-way in an engineered channel constructed as part of the Beltway's development. As stated in the meeting to the Huntington Community, anything the County does to address this problem will be jointly coordinated with the City of Alexandria since it affects both jurisdictions.

Therefore, Supervisor Hyland asked unanimous consent that the Board refer this letter to the County Executive and Department of Public Works and Environmental Services to ensure that there are no gaps in County study areas and the requests for information and assistance and to coordinate efforts with the City of Alexandria. Without objection, it was so ordered.

51. **SIMULTANEOUS PROCESSING FOR 1111 I STREET (MOUNT VERNON DISTRICT)** (1:13 p.m.)

Supervisor Hyland said that in the New Alexandria neighborhood of the Mount Vernon District is a very narrow property, which has been vacant and boarded up since Hurricane Isabel. On several occasions, police officers have had to secure the property from vandals. Due to the property's size and zoning, R-20, the applicant has been working with staff and the New Alexandria Civic Association (NACA) for years to assemble a special exception and variance application to redevelop this blight. One year ago, the NACA passed a resolution supporting the proposal. The applicant and the NACA request that staff process this application expeditiously.

Therefore, Supervisor Hyland moved that the Board direct staff to concurrently process the special exception and variance applications for Tax Map Parcel 93-2

((7)) (4) 3 and its associated site plan. Supervisor McConnell seconded the motion and it carried by unanimous vote.

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

52. **COYOTES IN THE COUNTY (COUNTYWIDE)** (1:14 p.m.)

Supervisor Hyland said it has come to his attention that communities near George Washington's Grist Mill in the Mount Vernon District have sighted coyotes. According to Animal Control, there are coyotes throughout large areas of the east coast and this includes much of the County. Animal Control Officers expressed their concerns about the trapping methods and their ability to control the coyote population. At this time the County has no official policy recognizing the issues surrounding the increase in the coyote's population in the urbanizing environment. This is to the frustration of both those who live among them, like these residents in Grist Mill, and some animal control officers. It is important to note that, according to Animal Control, coyotes cannot be caught with humane traps and trapping these animals may pose a hazard to pets and humans.

Therefore, Supervisor Hyland moved that the Board direct the County Executive and Animal Control Services to study this issue and propose recommendations regarding the management of the coyote population in the County. The second to this motion was inaudible.

Following input from Anthony H. Griffin, County Executive, regarding coyotes as a predator for Canada geese, the question was called on the motion and it carried by unanimous vote.

53. **HEALTH CARE ADVISORY BOARD'S (HCAB) ROLE IN SPECIAL EXCEPTION APPLICATION REVIEW** (1:16 p.m.)

(BACs)

Supervisor Hyland said that he recently received a letter from Marlene Blum, Chairman of the HCAB. She expressed her frustration with interpretations of the Zoning Ordinance that have disallowed her Board's review of certain land use applications, specifically the Springfield and Lorton Healthplexes. These ambulatory care facilities provide 24 hour emergency departments and outpatient services, as well as office space for doctors. However, because the patients do not stay overnight, the Department of Planning and Zoning classifies these facilities as office buildings. Due to the ever changing face of health care in the County, Supervisor Hyland said that perhaps the Zoning Ordinance needs an additional use category that defines a Healthplex as a medical office facility that receives EMS transported patients, and such a facility would necessitate the review of the HCAB.

Therefore, Supervisor Hyland moved that the Board direct the Department of Planning and Zoning to review this issue and report with its recommendations. Supervisor Smyth seconded the motion.

Following discussion regarding parking issues and the motion, the question was called on the motion and it carried by unanimous vote.

54. **NOTIFICATION PROCESS FOR RENEWAL OF SPECIAL USE PERMIT (MOUNT VERNON DISTRICT)** (1:18 p.m.)

Supervisor Hyland said on January 23, 2007, representatives of Vulcan Quarry in the Mount Vernon District will appear before the Board of Zoning Appeals to seek renewal of its special use permit. He said that it has come to his attention that many property owners who are supposedly affected by the blasting, did not receive notification of the renewal process. The current County code requires the notification of ten different, but “abutting or immediately” adjacent properties to the applicant. In the case of a quarry, the impact can potentially be felt further than ten properties away due to blasting. The range of notification needs to be expanded to ensure those properties that are near, but not “abutting or immediately across” from the applicant, be duly notified.

Therefore, Supervisor Hyland moved that the Board direct the County Executive to study this issue and propose recommendations regarding the possible expansion of notification areas for the renewal of special use permits. Supervisor McConnell seconded the motion and it carried by unanimous vote.

55. **TAXES ON USED TRAILER (MOUNT VERNON DISTRICT)** (1:20 p.m.)

Supervisor Hyland asked unanimous consent that the Board refer the issue of a constituent paying taxes on a used trailer bought in 1974 for \$75 to staff for review. Without objection, it was so ordered.

56. **RECESS/CLOSED SESSION** (1:22 p.m.)

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

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

- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
1. *Trust Communities, Inc. v. Virginia Department of Health and the Fairfax County Department of Health*, In Chancery No. CH-2005-0005494 (Fx. Co. Cir. Ct.) (Sully District)
  2. *Trust Communities, Inc. v. Fairfax County Board of Supervisors and the Fairfax County Health Department*, In Chancery No. CH-2005-0004664 (Fx. Co. Cir. Ct.) (Sully District)
  3. *Eileen M. McLane, Fairfax County Zoning Administrator v. Chin Van Nguyen*, Case No. CL-2006-0012507 (Fx. Co. Cir. Ct.) (Mason District)
  4. *Eileen M. McLane, Fairfax County Zoning Administrator v. Edward E. Ankers, Jr., et al.*, Case No. CL-2006-0010511 (Fx. Co. Cir. Ct.) (Hunter Mill District)
  5. *Jimmie D. Jenkins, Director, Fairfax County Department of Public Works and Environmental Services v. Lucy Noemi Escalier and Jose D. Batres*, Case No. CL-2006-0010553 (Fx. Co. Cir. Ct.) (Providence District)
  6. *Eileen M. McLane, Fairfax County Zoning Administrator v. Elmer Centeno and Leda Centeno*, Case No. CL-2006-0008036 (Fx. Co. Cir. Ct.) (Providence District)
  7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilver Galindo*, Case No. CL-2006-0008832 (Fx. Co. Cir. Ct.) (Braddock District)



8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Pilar C. Cortes, et al.*, Case No. CL-2006-0014146 (Fx. Co. Cir. Ct.) (Mason District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Patricio Castro, et al.*, Case No. CL-2007-0000395 (Fx. Co. Cir. Ct.) (Lee District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Michael Lamarra and Lisa Lamarra*, Case No. CL-2007-0000210 (Fx. Co. Cir. Ct.) (Lee District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Micaela Valencia*, Case No. CL-2007-0000211 (Fx. Co. Cir. Ct.) (Providence District)
12. *Board of Supervisors v. Jade Dunn Loring Metro, L.L.C., et al.*, Case No. CL-2005-0007838 (Fx. Co. Cir. Ct.) (Providence District)
13. *Board of Supervisors v. Ford Leasing Development Company, et al.*, Case No. CL-2005-0002133 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Board of Supervisors of Fairfax County, Virginia v. Mar-Chek II, Inc., et al.*, Case No. CL-2005-0004213 (Fx. Co. Cir. Ct.) (Mount Vernon District)
15. *Board of Supervisors v. McDonald's Corporation, et al.*, Case No. CL-2007-0000123 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- Claim of Salvatore and Anita Culosi
- Public/Private Transportation Act Proposal on Rail to Dulles

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

CWB:cwb

At 3:57 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

**ACTIONS FROM CLOSED SESSION**

57. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:57 p.m.)

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

58. **DENIAL OF CLAIM BY THE ESTATE OF SALVATORE J. CULOSI, JR.** (3:57 p.m.)

Supervisor Gross moved that the Board deny the claim of the Estate of Salvatore J. Culosi, Jr., which was presented pursuant to Va. Code Ann. 15.2-1243, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion and it carried by unanimous vote.

59. **REQUEST TO ACQUIRE RIGHT-OF-WAY TO COMPLETE THE FUTURE SOUTH VAN DORN STREET/FRANCONIA ROAD INTERCHANGE (LEE DISTRICT)** (3:58 p.m.)

Supervisor Kauffman moved that the Board:

- Authorize and direct staff to acquire, on behalf of the Board, the right-of-way necessary to complete the future South Van Dorn Street/Franconia Road Interchange, Project 064246, under the terms and conditions set forth in closed session.
- Direct staff to return to the issue to secure the Board's approval of the terms and conditions under which the right-of-way can be acquired, if necessary.

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

**AGENDA ITEMS**

NV:nv

62. **3 P.M. – ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (3:59 p.m.)

At 3:59 p.m., the annual meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Connolly in accordance with Article III, Section I of the bylaws.

Following a reading of the slate of officers by Chairman Connolly, Supervisor Gross moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

**OFFICERS**

Gerald E. Connolly Chairman, Fairfax County Board of Supervisors	– Chairman
Sharon Bulova Vice-Chairman, Fairfax County Board of Supervisors	– Vice-Chairman
Nancy Vehrs Clerk to the Fairfax County Board of Supervisors	– Secretary
Robert L. Mears Director, Office of Finance	– Treasurer
David P. Bobzien County Attorney	– Attorney
Anthony H. Griffin County Executive	– Executive Director
Joyce M. Doughty Director, Division of Solid Waste Disposal and Resource Recovery, Department of Public Works and Environmental Services (DPWES)	– Authority Representative

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

Supervisor Gross moved approval of the minutes from the January 23, 2006, meeting of the Fairfax County Solid Waste Authority. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Supervisor Gross moved approval of the Financial Statements and Supplemental Information dated June 30, 2006 and 2005, as presented to members of the Fairfax County Solid Waste Authority. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Gross moved to adjourn the Annual Meeting of the Fairfax County Solid Waste Authority. This motion, the second to which was inaudible, carried by unanimous vote.

At 4:01 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was adjourned.

**CWB:cwb**

63. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2003-SU-035 (SULLY EAST, LC) (SULLY DISTRICT)**

**AND**

**PH ON SPECIAL EXCEPTION APPLICATION SE 2003-SU-023 (SULLY EAST, LC) (SULLY DISTRICT)** (4:01 p.m.)

- (O) The application property is located north and south of Barnsfield Road, west of Centreville Road, and east of Sully Road, at 13790 and 13900 Barnsfield Road, Tax Map Number 34-2 ((1)) 2pt., 3A pt., 10A pt. and 27 pt. and Tax Map 34-2 ((1)) 1A, 2, 3A, 10A, 27, 33 pt., and 35 and a portion of Barnsfield Rd. public right-of-way to be vacated and/or abandoned. (Approval of these applications may enable the vacation and/or abandonment of portions of the public rights-of-way for Barnsfield Road to proceed under Section 15.2-2272 (2) and/or Section 33.1-151 of the *Code of Virginia*.)

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

Mr. McDermott 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.

Supervisor DuBois disclosed the following campaign contribution which she had received:

- In excess of \$100 from Mr. Milton V. Peterson

Supervisor Frey disclosed the following campaign contributions which he had received:

- In excess of \$100 from Mr. Milton V. Peterson
- In excess of \$100 from Mr. Jon M. Peterson
- In excess of \$100 from Mr. Thomas Rust

Chairman Connolly disclosed the following campaign contributions which he had received:

- In excess of \$100 from Mr. Milton V. Peterson
- In excess of \$100 from Mr. Jon M. Peterson

Following the public hearing, David J. Moss, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2003-SU-035, from the I-3, I-5, HD, and WS Districts to the PDC, PDH-16, HD, and WS Districts, subject to the proffers dated January 4, 2007.
- Approval of Special Exception Application SE 2003-SU-023 subject to the development conditions dated January 10, 2007.
- Modification of the loading space requirement for multifamily residential uses to one space per multifamily building.
- Modification of the barrier requirement along the Centreville Road frontage and the southern boundary of the property in favor of the 3 to 6 foot-high undulating, landscaped berm shown on Sheet 12 of the Conceptual Development Plan/Final Development Plan (CDP/FDP).
- Modification of the transitional screening requirements between PDH-16 and PDC uses within a single development in favor of the landscape treatment shown on the CDP/FDP.

- Modification of the 25-foot transitional screening yard requirement along the southern property line (in areas where fire access lanes are required), in favor of the detailed landscape treatment shown on the CDP/FDP.
- Waiver of the privacy yard fencing requirement for front-loaded single-family attached residential uses, in favor of that shown on the CDP/FDP.
- Modification of the Public Facilities Manual (PFM) requirement for a minimum 8-foot width for tree planting strips to permit lesser widths with the use of structural soils.
- A waiver to permit private streets in excess of 600 linear feet to that shown on the CDP/FDP.
- Waiver of the PFM requirement to permit a wet pond in a residential area.

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

#### **ADDITIONAL ACTIONS FROM CLOSED SESSION**

64. **SALARY INCREASE FOR ANTHONY H. GRIFFIN, COUNTY EXECUTIVE** (4:17 p.m.)

Supervisor Gross moved that the Board increase the County Executive's salary to \$223,160 annually, effective February 3, 2007. Other terms of the County Executive's contract remain unchanged. Supervisor Hyland seconded the motion and it carried by unanimous vote.

65. **SALARY INCREASE FOR DAVID P. BOBZIEN, COUNTY ATTORNEY** (4:18 p.m.)

Supervisor Gross moved that the Board increase the County Attorney's annual salary to \$192,880 annually, effective February 3, 2007. The permissible maximum contribution for deferred compensation is also approved for this and future years. Supervisor Hyland seconded the motion and it carried by unanimous vote.

**AGENDA ITEMS**

66. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2002-HM-035 (FAIRFAX COUNTY SCHOOL BOARD) (HUNTER MILL DISTRICT) (4:19 p.m.)**

The application property is located on the west side of River Birch Road approximately 200 feet north of Coppermine Road, Tax Map Number 15-4 ((1)) 35A.

Mr. Aaron Schriber reaffirmed the validity of the affidavit for the record.

Mr. Schriber 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, William O'Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins stated that she had items for the record.

Supervisor Hudgins moved:

- Approval of Proffered Condition Amendment Application PCA 2002-HM-035, subject to the proffers dated January 5, 2007.
- Modification of the transitional screening yard requirement and waiver of the barrier requirement in lieu of that shown on the Conceptual Development Plan Amendment/Final Development Plan Amendment, and as conditioned.

Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

(NOTE: On January 10, 2007, the Planning Commission approved Final Development Plan Amendment Application FDPA 2002-HM-035, subject to the development conditions dated January 9, 2007.)

67. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2002-PR-008-02 (THE CHRISTOPHER COMPANIES, dba CHRISTOPHER MANAGEMENT, INCORPORATED) (PROVIDENCE DISTRICT) (4:31 p.m.)**

Following input from Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning, Supervisor Smyth moved to defer the public

hearing on Proffered Condition Amendment Application PCA 2002-PR-008-02 until **March 12, 2007, at 3:30 p.m.** Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

68. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-SU-001 (TRUSTEES OF MOUNT OLIVE BAPTIST CHURCH) (SULLY DISTRICT)**

**AND**

**PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA-00-Y-004 (TRUSTEES OF MOUNT OLIVE BAPTIST CHURCH) (SULLY DISTRICT) (4:33 p.m.)**

The application property is located in the southwest quadrant of the intersection of Centreville Road and Old Mill Road, at 6600 and 6608 Old Centreville Road, 14501 Mount Olive Road, and 14511 Old Mill Road, Tax Map 65-1 ((1)) 34, 35 and 45; 65-3 ((1)) 8 and 8A.

Mr. Stephen Fox reaffirmed the validity of the affidavit for the record.

Mr. Fox 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 three speakers, Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Approval of Proffered Condition Amendment Application PCA 2000-SU-001, subject to the proffers dated January 11, 2007.
- Approval of Special Exception Amendment Application SEA 00-Y-004, subject to the development conditions dated January 11, 2007.
- Modification of the transitional screening requirements and waiver of the barrier requirements along all property boundaries, in favor of that shown on the Generalized Development Plan/Special Exception plat, and as conditioned.

Supervisor Hudgins and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.



69. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, ESTABLISHING APPLICATION AF 2006-SP-002 (GEORGE AND SUSAN SCHULZ) (SPRINGFIELD DISTRICT)** (4:50 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 January 4 and January 11, 2007.

The application property is located at 8142 and 8146 Rondelay Lane, Tax Map 96-3 ((1)) 7A and 8; 96-3 ((2)) 10 and 11.

Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

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

Supervisor McConnell moved approval of Agricultural and Forestal District Application AF 2006-SP-002 and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, establishing the Schulz Local Agricultural and Forestal District, subject to the Ordinance provisions dated January 17, 2007. Supervisor Bulova seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

70. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2000-MV-051 (NVR, INCORPORATED) (MOUNT VERNON DISTRICT)** (4:54 p.m.)

(NOTE: On January 8, 2007, the Board deferred the public hearing on this item until January 22, 2007.)

The application property is located approximately 300 feet east of Sky View Drive in the southeast quadrant of the intersection of Hallie Rose Street and Hallie Rose Place, Tax Pap 101-3 ((34)) B.

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

Chairman Connolly disclosed the following campaign contribution which he had received:

- In excess of \$100 from Sack, Harris, and Martin, PC.

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

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

Supervisor Hyland moved approval of Proffered Condition Amendment Application PCA 2000-MV-051, subject to the proffers dated September 28, 2006. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

71. **4 P.M. – PH ON A PROPOSED CUT-THROUGH TRAFFIC MITIGATION PLAN FOR MEMORIAL STREET AND LENCLAIR STREET AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (LEE DISTRICT)** (5 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 January 4 and January 11, 2007.

Michael Jollon, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved adoption of the Resolution endorsing Memorial Street, between Richmond Highway and South Kings Highway, and Lenclair Street, between Memorial Street and South Kings Highway, for a cut-through traffic mitigation plan as part of the R-TAP. The proposed plan consists of the following traffic calming measures:

- Speed hump, speed table, and raised crosswalk on Memorial Street.
- Speed hump on Lenclair Street.

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

72. **4 P.M. – PH FOR THE DE-CREATION/RE-CREATION OF A SMALL SANITARY DISTRICT FOR REFUSE/RECYCLING, AND VACUUM LEAF COLLECTION SERVICE (MASON DISTRICT)** (5:05 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 January 4 and January 11, 2007.

Terry Czarny, Petition Coordinator, Solid Waste and Recycling Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Gross moved approval of the proposed petition within the Mason District as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 1 Within Mason District (Chateaux Condominiums)	DeCreate/ReCreate 108 units	Leaf	Approve

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

73. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2004-SU-029 (NVP, INCORPORATED) (SULLY DISTRICT)** (5:09 p.m.)

Supervisor Bulova moved to defer the public hearing on Rezoning Application RZ 2004-SU-029 until **February 26, 2007, at 5 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

74. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2004-PR-044 (TYSONS CORNER HOLDINGS LLC AND TYSONS CORNER PROPERTY HOLDINGS LLC) (PROVIDENCE DISTRICT)** (5:10 p.m.)

(O) The application property is located in the southeast quadrant of the intersection of International Drive and Chain Bridge Road, Tax Map 29-4 ((1)) 35A and 35C; 39-2 ((1)) 2, 4 and 5.

Mr. Antonio Calabrese reaffirmed the validity of the affidavit for the record.

Mr. Calabrese 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 15 speakers, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Barbara A. Byron, Director, ZED, DPZ; Michael Davis, Senior Transportation Planner, Department of Transportation (DOT); and Katharine Ichter, Director, DOT, regarding the results of consultation and design firms; the efforts of the applicant to help resolve traffic issues; and current and future transportation issues around the Tysons Corner area.

Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2004-PR-044, from the C-4, C-7, HC, and SC Districts to the PDC, HC, and SC Districts, subject to the proffers dated January 22, 2007.
- Approval of the Conceptual Development Plans for both options; however, the residential buildings, office buildings and plazas located within the areas depicted as Phases 3 and 4, as shown on Sheets 32–47, Sheet 52, and Sheet 54 of the Development with Rail (Part 1 of 2) shall be considered illustrative only in accordance with Proffer Number 6.

Supervisor Hyland seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “**AYE**,” Supervisor DuBois and Supervisor Frey voting “**NAY**.”

Supervisor Smyth also moved:

- Waiver of the service drive requirement along Leesburg Pike (Route 7) and Chain Bridge Road (Route 123).
- Modification of the minimum 8-foot planting width for trees per Section 12-0702(2) of the Public Facilities Manual (PFM) to allow planting areas that are less than 8 feet wide.
- Waiver of the barrier requirement along the eastern boundary (adjacent to the Capital Beltway).

- Modification of the transitional screening yard requirements along the eastern boundary (adjacent to the Capital Beltway).
- Modification of the peripheral parking lot landscaping requirement for the parking structures located adjacent to Chain Bridge Road.
- Waiver of the transitional screening yard and barrier requirements internal to the project.
- Waiver of the interior parking lot landscaping requirements for the existing parking structures identified as Parking Terrace B, Parking Terrace C, and Parking Terrace E.
- Waiver to allow the use of underground stormwater management facilities with residential development pursuant to Paragraph 6-0303.8 of the PFM (see the report prepared by the Site Review Division, Department of Public Works and Environmental Services, in Appendix 7 of the September 14, 2006, staff report).
- Approval pursuant to Section 2-414 of the Zoning Ordinance to allow a commercial building within 75 feet of the right-of-way of an interstate highway (the Capital Beltway – I-495).
- Modification to allow the pedestrian pathways shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP) (the 25 foot wide sidewalk within the bus plaza and an internal loop trail) to meet the requirement for a trail along Chain Bridge Road west of Tysons Boulevard (with rail CDP/FDP only).
- Waiver of the trail requirements, both the on-road bike trail and the trail along the property, along Chain Bridge Road between the site entrance opposite Tysons Boulevard and the ramp for the Capital Beltway.
- Modification of the trail along Leesburg Pike to allow combined sidewalk/trail that is consistent with the streetscape recommendations for the Tysons Corner Urban Center.
- Waiver of the trail requirement within the right-of-way of the Capital Beltway.
- Modification of the trail requirement along International Drive to allow the temporary trail to be constructed with Phase 1 to meet this requirement.
- Modification of the recommended on-road bike trail on ShopTysons Boulevard to allow a ten foot wide off-road bike trail.

- Modification of the number of loading spaces required on site.

Supervisor Kauffman seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor DuBois and Supervisor Frey voting “**NAY.**”

[NOTE: On January 11, 2007, the Planning Commission approved Final Development Plan Application FDP 2004-PR-044 with regard to the construction of the buildings, plazas, and associated improvements for the development prior to the rail option (Part 2 of 2), and for Phases 1 and 2 of the development with the rail option (Part 1 of 2), and shown on Sheets 1–31, 48–51, 53, and 55–61.]

75. **BOARD ADJOURNMENT** (7:50 p.m.)

The Board adjourned.

# Index

<b>AGENDA ITEM</b>	<b>Page</b>
<b>Presentations: Certificates/Awards.....</b>	<b>2-3</b>
<b>Report on General Assembly Activities .....</b>	<b>4-5</b>
<b>Presentation of the Recommendations of the Land-Use Information Accessibility Advisory Group: .....</b>	<b>6-7</b>
<b>Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups .....</b>	<b>7-13</b>
<b>Items Presented by the County Executive</b>	
<b>Administrative Items .....</b>	<b>13-18</b>
<b>Action Items.....</b>	<b>18-21</b>
<b>Information Items .....</b>	<b>22</b>
<b>Board Matters</b>	
<b>Chairman Connolly .....</b>	<b>22-23, 28</b>
<b>Supervisor Bulova.....</b>	<b>23-24</b>
<b>Supervisor DuBois .....</b>	<b>29-30</b>
<b>Supervisor Frey .....</b>	<b>28</b>
<b>Supervisor Gross.....</b>	<b>30-33</b>
<b>Supervisor Hudgins .....</b>	<b>26-28</b>
<b>Supervisor Hyland .....</b>	<b>36-39</b>
<b>Supervisor Kauffman .....</b>	<b>33-36</b>
<b>Supervisor McConnell.....</b>	<b>28</b>
<b>Supervisor Smyth.....</b>	<b>24-25</b>
<b>Actions from Closed Session .....</b>	<b>42, 46</b>
<b>Public Hearings .....</b>	<b>43-54</b>