



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
June 18, 2007**

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16-07

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, June 18, 2007, at 9:15 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 Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Dana Kauffman, Lee District, arrived at 9:18 a.m.

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.

BOARD MATTER1. **MOMENT OF SILENCE** (9:16 a.m.)

Supervisor Hyland asked everyone to keep in thoughts the families of the following young women who were killed in an automobile accident following graduation ceremonies at West Potomac High School:

- Ms. Sarah Renee Carter
- Ms. Lydia Margaret Petkoff
- Ms. Renee Shelkin
- Ms. Elaine Thackston

AGENDA ITEMS2. **RECOGNITION OF THE COUNTY EXPO WINNERS OF THE CELEBRATE FAIRFAX! FESTIVAL** (9:17 a.m.)

Catherine A. Chianese, Assistant to the County Executive, announced the following winners of the Celebrate Fairfax! Festival:

Content

- First Place – Department of Public Works and Environmental Services (DPWES), Division of Wastewater
- Second Place – Department of Health
- Third Place – DPWES, Division of Land Development Services

Communications

- First Place – Auxiliary Police
- Second Place – Office of Elections
- Third Place – Crimesolvers

Design

- First Place – Fairfax Water
- Second Place – General District Court

- Third Place – Juvenile and Domestic Relations Court

Judges Choice

- First Place – DPWES, Division of Stormwater Management
- Second Place – Department of Public Safety Communications
- Third Place – Park Authority

Best in Show

- DPWES, Division of Solid Waste

3. **CERTIFICATE OF RECOGNITION PRESENTED TO THE FREDDIE MAC CORPORATION** (9:26 a.m.)

Supervisor Smyth moved approval of the Certificate of Recognition presented to the Freddie Mac Corporation for its commitment and dedication to the environment through the voluntary use of environmental management systems and pollution prevention. Supervisor DuBois and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING JUNE 18, 2007, AS "DIRECT CARE WORKERS DAY" IN FAIRFAX COUNTY** (9:32 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 18, 2007, as "*Direct Care Workers Day*" in Fairfax County. Supervisor Kauffman and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

5. **PROCLAMATION DESIGNATING JUNE 27, 2007, AS "HIV TESTING DAY" IN FAIRFAX COUNTY** (9:43 a.m.)

Supervisor McConnell moved approval of the Proclamation to designate June 27, 2007, as "*HIV Testing Day*" in Fairfax County. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

6. **RESOLUTION OF RECOGNITION PRESENTED TO MS. JASMINE THOMAS** (9:47 a.m.)

Supervisor Frey moved approval of the Resolution of Recognition presented to Oakton High School basketball star Jasmine Thomas for her outstanding athletic

and academic accomplishments. Supervisor Hudgins and Supervisor Smyth jointly seconded the motion and it carried by unanimous vote.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. RUSSELL KLOSK** (9:56 a.m.)

(BACs) Supervisor Bulova moved approval of the Certificate of Recognition presented to Mr. Russell Klosk for his outstanding dedication and noteworthy service on the Animal Services Advisory Commission. Chairman Connolly seconded the motion and it carried by unanimous vote.

8. **PROCLAMATION DESIGNATING JUNE 25–29, 2007, AS "MOSQUITO AWARENESS WEEK" IN FAIRFAX COUNTY** (9:59 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 25–29, 2007, as "*Mosquito Awareness Week*" in Fairfax County. Supervisor Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova relinquished the gavel to Chairman Connolly.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. BOB MIZER** (10:06 a.m.)

(BACs) Supervisor Bulova moved approval of the Certificate of Recognition presented to Mr. Bob Mizer for his outstanding dedication, noteworthy contributions, and numerous years of volunteer service in the County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

10. **10 A.M. – PRESENTATION OF THE 2006 VOLUNTEER FIRE AND RESCUE SERVICE AWARDS** (10:13 a.m.)

Shawn Stokes, Chief, Dunn Loring Volunteer Fire Department, and Member of the Fire Commission, presented the 2006 Volunteer Fire and Rescue Service awards to the following individuals who have demonstrated extraordinary commitment to the Fire and Rescue Department through hundreds of hours of time spent providing fire and emergency medical service or in other roles to support the goals of the County combined career-volunteer system:

- Volunteer Firefighter of the Year – Mr. Michael Vitto, Burke Volunteer Fire and Rescue Department
- Volunteer Operational Officer of the Year – Mr. Blake Payne, Greater Springfield Volunteer Fire Department

- Volunteer EMS Provider of the Year – Ms. Carrie Simpson, Dunn Loring Volunteer Fire and Rescue Department
- Administrative Officer of the Year – Mr. Andrew Eastman, Dunn Loring Volunteer Fire and Rescue Department
- Administrative Member of the Year – Mr. Matthew Lannon, Centreville Volunteer Fire Department
- Volunteer Canteen Member of the Year – Ms. Joan Dempsey, Vienna Volunteer Fire Department

The following individuals received special recognition:

- Chief Jonathan Wood, Fair Oaks Volunteer Fire and Rescue Company President, Fairfax County Volunteer Fire and Rescue Association
- Ms. Sharon Cayere, Centreville Volunteer Fire Department
- Mr. Sean Malone, McLean Volunteer Fire Department Volunteer Communications Liaison Officer

11. **10:15 A.M. – PRESENTATION OF THE A. HEATH ONTHANK AWARDS**
(10:23 a.m.)

(BACs) The Honorable Rosemarie Annunziata, Chairman, Civil Service Commission, gave a brief presentation regarding the A. Heath Onthank Awards, the highest honor the County bestows on its employees. Joe Blackwell, Chairman, A. Heath Onthank Award Selection Committee, introduced the Committee members.

Peter J. Schroth, Director, Department of Human Resources, announced the 2007 A. Heath Onthank Award recipients as follows:

Fairfax County Government Employee Awardees

- Mari de Leon, Management Analyst II, Fairfax-Falls Church Community Services Board
- C. Frank Dillow, Business Analyst III, Department of Purchasing and Supply Management
- Mona Enquist-Johnston, Naturalist III, Park Authority
- Judy Fincham, Environmental Technologist I, Department of Public Works and Environmental Services

- Dai P. Nguyen, Program Manager, Department of Family Services
- Denis P. Paddeu, Transportation Planner III, Department of Transportation
- Thomas Ryan, Major, Police Department

Fairfax County Public Schools Employee Awardee

- Martha B. Langrehr, Social Worker, S. John Davis Center

12. **10:30 A.M. – PRESENTATION OF THE 2006 TRANSPORTATION ACHIEVEMENT AWARD** (10:44 a.m.)

George Barker, Chairman, Transportation Advisory Commission, presented the 2006 Transportation Achievement Award to Mr. Dennis Brown, staff, Fairfax-Falls Church Community Services Board.

NV:nv

13. **10:35 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (10:50 a.m.)

(APPTS)
(BACs)

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

The Board deferred the appointment of the At-Large #3 Representative.

ATHLETIC COUNCIL

Supervisor Bulova moved the reappointment of Mr. Joseph Jozefczyk as the Braddock District Principal Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Augustus “Chip” Chidester as the Braddock District Alternate Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Barbara Lowrey as the Mason District Principal Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

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

Supervisor McConnell moved the appointment of Mr. Albert J. Mayer, III as the Springfield District Alternate Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

Supervisor Bulova moved the reappointment of Ms. Margaret P. Kugler as the Braddock District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Ms. Deborah M. Pietras as the Dranesville District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Regina Jordon as the Hunter Mill District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. James Raney as the Lee District Representative. Chairman Connolly 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 Smyth moved the reappointment of the Honorable Ms. Emilie F. Miller as the Providence District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

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

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

The Board deferred the appointment of the Mason District Representative.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

COMMISSION ON AGING

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

Supervisor Hudgins moved the appointment of Mr. Charles V. Gorsey to fill the unexpired term of Mr. Robert Gehring as the Hunter Mill District Representative.

Supervisor Hudgins asked unanimous consent to direct staff to invite Mr. Gehring to appear before the Board in recognition of his service. Without objection, it was so ordered.

Supervisor Bulova seconded the motion to appoint Mr. Gorsey, and it carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

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.

COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP

The Board deferred the appointment of the Sully District Representative.

ECONOMIC DEVELOPMENT AUTHORITY

Chairman Connolly moved the reappointment of Mr. Michael Lewis as the At-Large Citizen #2 Representative. Supervisor DuBois seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. William Soza as the At-Large Citizen #6 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor Frey moved the reappointment of Mr. Terrell Spence as the Sully District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Providence District Representative.

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

Supervisor Hyland moved the confirmation of Ms. Cynthia Lott as the Business/Corporation Representative #1. Supervisor Bulova seconded the motion, which carried by unanimous vote.

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Supervisor Bulova moved the reappointment of Mr. Michael Muldoon as the Braddock District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Mr. Terrence D. Jones as the Dranesville District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. James C. Rees, IV as the Mount Vernon District Representative. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

FAIRFAX COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

Supervisor Gross moved the reappointment of Mr. Gordon Trapnell as the At-Large #2 Representative. Supervisor McConnell seconded the motion, which carried by unanimous vote.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Gross moved the reappointment of Ms. Susan Beeman as the Mason District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

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

Supervisor Frey moved the appointment of Ms. Trudy Harsh as the Sully District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

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

HEALTH CARE ADVISORY BOARD

Chairman Connolly moved the reappointment of Dr. Timothy Yarboro as the At-Large Chairman's Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Ms. Ellyn Crawford as the Hunter Mill District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Ms. Marlene Blum as the Providence District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointments of the Consumer #4 and Provider #2 Representatives.

(NOTE: Later in the meeting, the Board appointed the Consumer #4 Representative. See page 11.)

HUMAN SERVICES COUNCIL

Supervisor Hyland moved the appointment of Mr. John Byers the Mount Vernon District Representative #1. Supervisor McConnell seconded the motion, which carried by unanimous vote.

NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

Supervisor Hyland moved the reappointment of Mr. Gregory Schuckman as the Fairfax County Representative #1. Supervisor Bulova seconded the motion, which carried by unanimous vote.

HEALTH SYSTEMS AGENCY BOARD

(NOTE: Earlier in the meeting, the Board deferred appointments to the Health Systems Agency Board. See page 10.)

Supervisor Smyth moved the reappointment of Dr. Sarah Johns as the Consumer #4 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

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

Supervisor Kauffman moved the reappointment of Mr. Eric Mazzacone as the Lee District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

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

Supervisor Hyland moved the reappointment of Mr. Jeffrey A. Levy as the Mount Vernon District Representative. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

SMALL BUSINESS COMMISSION

The Board deferred the appointments of the At-Large #3 Representative and the Dranesville District Representative.

TENANT LANDLORD COMMISSION

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

TREE COMMISSION

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

UPPER OCCOQUAN SEWAGE AUTHORITY**CONFIRMATIONS:**

Supervisor Gross moved the confirmation of the following appointments:

- Mr. Jimmie Jenkins to fill the unexpired term of the late Richard Gozikowski as the Fairfax County #1 Principal Representative.
- Mr. Ifty Khan to fill the unexpired term of Mr. Jimmie Jenkins as the Fairfax County #2 Alternate Representative.

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

VOLUNTEER FIRE COMMISSION**CONFIRMATIONS:**

Supervisor Hyland moved the confirmation of the following appointments:

- Mr. John S. "Pete" Kirby as the At-Large Representative.
- Mr. Shawn Stokes as the Volunteer Fire and Rescue Association Representative.
- Mr. Joseph Peralis as the Zone III Representative.
- Mr. Michael Masciola as the Zone IV Representative.

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

WATER AUTHORITY

Supervisor DuBois moved the reappointment of Mr. A. Dewey Bond as the Dranesville District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

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

Supervisor Smyth moved the reappointment of Ms. Connie Houston as the Providence District Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Philip W. Allin as the Sully District Representative. Supervisor Gross and Supervisor Kauffman jointly seconded the motion, which carried by unanimous vote.

ADDITIONAL APPOINTMENTS**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

Supervisor Hudgins moved the appointment of Ms. Alexandra Ruth as the Student Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

ADVISORY SOCIAL SERVICES BOARD

Supervisor Smyth moved the appointment of Ms. Sydney D. Stakley to fill the unexpired term of Mr. Melvin Murphy as the Providence District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting, the Board made additional appointments. See Clerk's Summary Items #16 and #60.)

DMS:dms

14. **ADMINISTRATIVE ITEMS** (11:03 a.m.)

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

Supervisor Hyland called the Board's attention to Admin 3 – Authorization to Advertise Public Hearings to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Temporary Portable Storage Containers, handwritten page 14, line 22, of the Board Agenda Item.

Discussion ensued with input from Jack Reale, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, and David P. Bobzien, County Attorney, concerning the location of these temporary portable storage containers on private versus public roads.

Supervisor Hyland asked to amend the motion by revising the proposed ordinance, handwritten page 14, line 22, to read as follows: "...on any sidewalk, trail, **street or roadway**, or in any location..." This was accepted.

Further discussion ensued, with input from Mr. Reale, regarding:

- Six month time period and the notice requirements pertaining to special temporary permit.
- Role of the Virginia Department of Transportation (VDOT) has in the enforcement of the temporary portable storage containers and the fees associated with these pods.

Chairman Connolly called the Board's attention to Admin 8 – Board Approval of the Establishment of a Citizen Transportation Bond Committee, Approval of Transportation Bond Public Information Activities to be Conducted by the Office of Public Affairs, and Approval and Authorization of the Distribution of Plain English Information Statements for the 2007 School and Transportation Bond Referendums. Discussion ensued concerning alternative ways to provide information to citizens without utilizing a commercial mailer, with input from Brian Worthy, Public Information Officer, Office of Public Affairs.

The question was called on the motion to approve the Administrative Items, as amended, 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 (DRANESVILLE, PROVIDENCE, AND SULLY DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Fox Run Section Two	Dranesville	Lilly Loch Way Fox Crest Court Wynfield Woods Drive

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Cedar Crossing Section 2	Providence	Hilltop Road (Route 744) Additional ROW Only
Hunters Crossing	Providence	Hunter Hill Road (Route 674) Additional ROW Only Vale Road (Route 672) Additional ROW Only
First Addition to Cannon Ridge	Sully	Castner Court (Route 3150) Lee Highway (Route 29) Additional ROW Only
Jocelyne Hill	Sully	Jocelyne Court

ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REFERENCES

- (As) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 19, 2007, at 8:15 p.m. and before the Board on **September 10, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding FEMA references.

ADMIN 3 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING TEMPORARY PORTABLE STORAGE CONTAINERS

- (As) (R) (NOTE: Earlier in the meeting, the Board took additional action regarding this item. See pages 13–14.)
- Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 19, 2007, at 8:15 p.m. and before the Board on **September 10, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding temporary portable storage uses by establishing new regulations for portable storage containers on lots that are developed with dwelling units.

ADMIN 4 – EXTENSION OF REVIEW PERIOD FOR A 2232 REVIEW APPLICATION (HUNTER MILL DISTRICT)

Authorized the extension of review period for the following Public Facility (2232) Review Application to the date noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-H07-17	Sprint/Nextel Communication Antenna co-location on existing transmission tower 1977 Hunter Mill Road (Hunter Mill District)	August 20, 2007

ADMIN 5 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS), ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES, CHILDREN'S BUREAU

Authorized DFS to apply for and accept funding, if received, from DHHS in the amount of \$444,444 per year for five years, including a 10 percent local cash match of \$44,444 per year, to improve child welfare outcomes through the use of comprehensive family assessments. The local cash match is available in Fund 102, Federal and State Grant Fund.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), TO CONSIDER A REENACTMENT AND EXTENSION OF THE REAL ESTATE TAX ABATEMENT PROGRAM

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 23, 2007, at 4 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), to consider reenacting and extending the Real Estate Tax Abatement program.

ADMIN 7 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (SPRINGFIELD AND BRADDOCK DISTRICTS)

- Endorsed traffic calming measures for Tuttle Road and Wakefield Drive consisting of the following:

- Two speed tables on Tuttle Road and pavement markings at the Tuttle Road/Garden Road intersection (Springfield District).
- Speed table, speed hump, and pedestrian refuge on Wakefield Drive (Braddock District).
- Directed staff to request the Virginia Department of Transportation to install the approved measures as soon as possible.

ADMIN 8 – BOARD APPROVAL OF THE ESTABLISHMENT OF A CITIZEN TRANSPORTATION BOND COMMITTEE, APPROVAL OF TRANSPORTATION BOND PUBLIC INFORMATION ACTIVITIES TO BE CONDUCTED BY THE OFFICE OF PUBLIC AFFAIRS (OPA), AND APPROVAL AND AUTHORIZATION OF THE DISTRIBUTION OF PLAIN ENGLISH INFORMATION STATEMENTS FOR THE 2007 SCHOOL AND TRANSPORTATION BOND REFERENDUMS

(BONDS) (NOTE: Earlier in the meeting, the Board discussed this item. See Page 14.)
(BACs)

- Approved the establishment of a citizen committee for the transportation bond referendum.
- Approved the public information activities of the OPA for the transportation bond referendum.
- Authorized the distribution of plain English statements for both bond referendums.

15. **A-1 – ADOPTION OF AN EMERGENCY UNCODIFIED ORDINANCE TO PROVIDE FOR A ONE DOLLAR TAXICAB FUEL SURCHARGE AND AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AN UNCODIFIED ORDINANCE THAT WILL PROVIDE FOR UP TO A ONE DOLLAR TAXICAB FUEL SURCHARGE** (11:15 a.m.)

(A) (O) On motion of Supervisor Bulova, jointly seconded by Supervisor Gross and Supervisor Smyth, 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 emergency uncodified ordinance providing for a \$1 per trip fuel surcharge.
- Authorized the advertisement of a public hearing to be held before the Board on August 6, 2007, to consider adoption of an

uncodified ordinance to provide for a temporary per trip fuel surcharge of up to \$1, effective from August 7, 2007, until January 31, 2008.

16. **A-2 – APPOINTMENT OF TOWING ADVISORY BOARD MEMBERS**
(11:16 a.m.)

(BACs)
(APPTS)

On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and appointed members to the Towing Advisory Board, as follows:

- Mr. Ron Miner as a Citizen Representative
- Ms. Mary Jo Tandy as a Citizen Representative
- Mr. Ray Hodge as the Towing and Recovery Operator Representative
- Ms. Kerry Allander as a Local Law Enforcement Representative
- Mr. Jeff Thompson as a Local Law Enforcement Representative
- Mr. Michael Wall as a Local Law Enforcement Representative

17. **A-3 – APPROVAL OF PROPOSED AMENDMENTS TO THE BY-LAWS FOR THE FAIRFAX COUNTY HISTORY COMMISSION** (11:16 a.m.)

(BACs)

On motion of Supervisor DuBois, seconded by Supervisor Smyth, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed amendments to the Bylaws for the Fairfax County History Commission as set forth in the Board Agenda Item dated June 18, 2007.

18. **A-4 – APPROVAL OF AN AGREEMENT BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE US PARK POLICE**
(11:17 a.m.)

On a motion of Supervisor Bulova, seconded by Supervisor Smyth, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chief of Police to sign the interagency agreement between the FCPD and the US Park Police.

19. **A-5 – APPROVAL OF THE FAIRFAX COUNTY EMERGENCY OPERATIONS PLAN** (11:17 a.m.)

On motion of Supervisor Bulova, seconded by Supervisor DuBois, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Fairfax County Emergency Operations Plan.

20. **A-6 – RESOLUTION TO ADOPT THE FAIRFAX COUNTY SUPPLEMENT OF THE NORTHERN VIRGINIA REGIONAL HAZARD MITIGATION PLAN** (11:17 a.m.)

(R) On motion of Supervisor Bulova, seconded by Supervisor Smyth, 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 approving the Fairfax County Supplement of the Northern Virginia Regional Hazard Mitigation Plan.

21. **A-7 – APPROVAL FOR FAIRFAX COUNTY TO JOIN THE VIRGINIA NUTRIENT CREDIT EXCHANGE ASSOCIATION (THE EXCHANGE) AS PART OF ITS COMPLIANCE PLAN TO MEET THE NEW AND MORE STRINGENT NITROGEN AND PHOSPHORUS LIMITS FOR THE COUNTY’S NOMAN M. COLE, JR., POLLUTION CONTROL PLANT** (11:18 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the County’s joining the Exchange and authorize the County Executive to execute the Exchange Compliance Plan Participation Statement. Supervisor Bulova seconded the motion.

Discussion ensued with input from Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES), concerning the:

- Flexibility with using credits and the goals associated with the credits.
- Sale and exchange of credits.
- Nutrient credity and enabling other jurisdictions to put off investments.

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

22. **A-8 – REVISIONS TO CHAPTERS 3, 4, 9, 10, 16, AND 17 OF THE PERSONNEL REGULATIONS** (11:30 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the proposed revisions to Chapters 3, 4, 9, 10, 16, and 17 of the Personnel Regulations. Supervisor Bulova seconded the motion.

Discussion ensued concerning the inclusion of the recommendations in the draft with input from Susan Woodruff, Assistant Director, Department of Human Resources.

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

23. **ORDERS OF THE DAY** (11:31 a.m.)

Chairman Connolly announced that there would be a change in the Orders of the Day and that the Board would proceed with A-10 - Sale of Eleven Oaks School Property to the City of Fairfax.

24. **A-9 – AUTHORIZATION TO EXECUTE A LOCAL FUNDING AGREEMENT AND A COOPERATIVE AGREEMENT WITH THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA) AND TO EXPEND FUNDS FROM THE DULLES CORRIDOR PHASE 1 SPECIAL IMPROVEMENT TAX DISTRICT FOR THE CONSTRUCTION OF THE DULLES CORRIDOR METRORAIL PROJECT** (No time)

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item #26.)

25. **A-10 – SALE OF ELEVEN OAKS SCHOOL PROPERTY TO THE CITY OF FAIRFAX AND BOARD MATTER REGARDING SCHOOL SAFETY (BRADDOCK DISTRICT)** (11:31 a.m.)

(R) Supervisor Bulova noted that there was a mistake in the original draft Resolution. The School Board actually held its public hearing on May 16 and approved its Resolution May 24.

Therefore, Supervisor Bulova moved adoption of a substitute draft Resolution that includes the corrected date in which the Board concurs in the recommendation of staff approving the sale of the Eleven Oaks School parcels, located at 10515 School Street within the City of Fairfax and the County of Fairfax, to the City of Fairfax for the School Board to retain the proceeds for other School Board construction, renovation, and major maintenance requirements. Supervisor Hudgins seconded the motion.

Chairman Connolly noted that Supervisor Bulova attended a meeting with Robert F. Lederer, Mayor, City of Fairfax, to discuss student safety at Frost Middle School and Woodson High School.

Supervisor Bulova briefly reported that Supervisor Smyth and the principals of Woodson High School, Frost Middle School, and Mantua Elementary school attended the meeting. She noted that Mr. Lederer presented the city's plans to improve safety, especially at the Pickett Road intersection with Little River Turnpike, install pedestrian countdown signals at each of the crossings, increase

police presence, and increase education within the school community by the beginning of next school year.

Discussion ensued concerning the development of a plan to improve student safety with input from Dean Tistadt, Chief Operating Officer, Fairfax County Public Schools. Chairman Connolly asked Mr. Tistadt to convey to the City of Fairfax that the Board of Supervisors expects improvements by September.

The question was called on the motion to adopt the Resolution 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."

26. **A-9 – AUTHORIZATION TO EXECUTE A LOCAL FUNDING AGREEMENT AND A COOPERATIVE AGREEMENT WITH THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA) AND TO EXPEND FUNDS FROM THE DULLES CORRIDOR PHASE 1 SPECIAL IMPROVEMENT TAX DISTRICT FOR THE CONSTRUCTION OF THE DULLES CORRIDOR METRORAIL PROJECT** (11:36 a.m.)

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

- Authorize the County Executive to execute a Local Funding Agreement with MWAA for the construction of Phase 1 of the Dulles Corridor Metrorail Project subject to the following conditions:
 - That the project scope remains as defined in the agreement approved on June 6, 2007, between MWAA and Dulles Transit Partners and that no alterations or modifications are made to the project scope without prior approval of the Board.
 - That the project receives a risk assessment rating satisfactory to Federal Transit Administration (FTA).
 - That the total project cost accompanying the request for a Full Funding Grant Agreement not exceed \$2.647 billion.
 - That the Local Funding Agreement be executed as part of the request to FTA for a Full Funding Grant Agreement.

- Authorize the County Executive to execute a Cooperative Agreement between the County and MWAA which defines the policies and procedures that will be used to design, review, and approve Phases 1 and 2 of the Dulles Corridor Metrorail Project, subject to the Commonwealth of Virginia's continuing role in the project following the transfer of the project to MWAA.
- Authorize the County Executive to expend funds from the Dulles Rail Phase 1 Special Improvement Transportation District in accordance with the terms of the petition of the tax district and in accordance with the cash-flow requirements of the project, and to establish a buy-out procedure for commercial and industrial properties that may in the future be converted to residential use.

Supervisor Bulova seconded the motion.

Discussion ensued concerning the project, with input from David P. Bobzien, County Attorney; James McGettrick, Assistant County Attorney; Elizabeth Teare, Assistant County Attorney; Anthony Griffin, County Executive; Rick Stevens, Liaison and point person for Dulles rail project, Department of Transportation; and Leonard P. Wales, County Debt Manager, Department of Management and Budget.

Following discussion regarding the motion, the question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Kauffman and Supervisor Smyth voting "NAY."

Further discussion continued concerning cost effectiveness standards, potential contracts, participants, and steps needed to be taken afterwards, with input from Mr. Stevens and Mr. Griffin.

27. **I-1 – 2007 ELECTION YEAR POLICIES** (1:21 p.m.)

The Board next considered an item contained in the Board Agenda dated June 18, 2007, regarding the 2007 Election Year Policies which were adopted by the Board on December 4, 2006.

Discussion ensued concerning the prohibition of links from a magisterial district's web page to a Board incumbent's personal or campaign web site, with input from Anthony H. Griffin, County Executive, and Merni Fitzgerald, Director, Office of Public Affairs.

28. **I-2 – COOPERATIVE AGREEMENT – A WATER RESOURCES MONITORING NETWORK FOR FAIRFAX COUNTY IN PARTNERSHIP WITH THE UNITED STATES GEOLOGICAL SURVEY (USGS)**
(1:26 p.m.)

The Board next considered an item contained in the Board Agenda dated June 18, 2007, requesting authorization for the County Executive to authorize the Joint Funding Agreement between the County and the USGS in the amount of \$170,000 for the construction and initial monitoring activities. At the County's option, the agreement may be extended annually to continue the monitoring program at a cost of approximately \$200,000 per year.

The staff was directed administratively to proceed as proposed.

29. **I-3 – CONTRACT AWARD – CONSULTANT SERVICES, LEGACY SYSTEM REPLACEMENT PROJECT** (1:26 p.m.)

The Board next considered an item contained in the Board Agenda dated June 18, 2007, requesting authorization for staff to award a contract to the Research and Consulting Center of the Government Finance Officers Association in the amount of \$239,825 for consultant services for planning and possible procurement and implementation of corporate systems. Funding is available in the Department of Information Technology Fund 104. Additional related consultant services may be contracted on a task order basis at rates identified in the contract, and funded within existing appropriations.

The staff was directed administratively to proceed as proposed.

30. **RECESS/CLOSED SESSION** (1:28 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. *Condemnation Negotiations Between Transcontinental Gas Pipe Line Corporation and the Fairfax County Park Authority* (Sully District)
2. *Board of Zoning Appeals of Fairfax County, Virginia v. Board of Supervisors of Fairfax County, Virginia, and Jimmie D. Jenkins, Director, Fairfax County Department of Public Works and Environmental Services*, Record No. 070318 (Sup. Ct. of Va.) (Providence District)
3. *Virginia Department of Labor and Industry v. Fairfax County Department of Public Works and Its Successors*, Inspection No. 309234789 (Springfield District)
4. *Great Socialist People's Libyan Arab Jamahiriya v. Arlington County, Virginia, and Fairfax County, Virginia*, Case No.1:07CV497 (E.D. Va.) (Providence District)
5. *Darren T. Rooney v. Fallah M. Moiwah, Fairfax County, Veolia Transportation, Inc., Veolia Transportation Services, Inc., and Fairfax Connector*, Case No. CL07001581 (Alex. Cir. Ct.)
6. *Christopher Applegate, Eugenie Applegate, Michael Hathaway, Zoe Hathaway, Thomas Gallagher, and Nancy Gallagher v. The Board of Supervisors of Arlington County, Virginia, and the Board of Supervisors of Fairfax County, Virginia*, Case No. 013CL07000673-00 (Arl. Co. Cir. Ct.) (Dranesville District)
7. *Phillip Luther Moore, II v. Fairfax County, Virginia, Officer Ivancic, Officer Smuck, Officer Shugart, Officer Ankers, and David M. Rohrer, Chief of Police*, Case No. L07CV410 (U.S.D.C. Alex.)
8. *Nancy C. Welch and Mark T. Welch v. Fairfax County Board of Zoning Appeals, et al.*, Case No. CL-2006-0002456 (Fx. Co. Cir. Ct.) (Mount Vernon District)

9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilver Galindo*, Case No. CL-2006-0008832 (Fx. Co. Cir. Ct.) (Braddock District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marec Corporation*, Case No. CH-2005-0002342 (Fx. Co. Cir. Ct.) (Dranesville District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marcelino Lizarazu, Marisol M. Arnez, and Javier Espinoza*, Case No. CL-2007-0002711 (Fx. Co. Cir. Ct.) (Providence District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jane Taylor and Sean Taylor*, Case No. CL-2007-0000679 (Fx. Co. Cir. Ct.) (Mason District)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Adam J. Rodriguez*, Case No. CL-2006-0008493 (Fx. Co. Cir. Ct.) (Lee District)
14. *Fairfax County Redevelopment and Housing Authority v. Nectar Projects, Inc., Ticor Title Insurance Company of Florida, Mortgage Electronic Registration Systems, Inc., and First Magnus Financial Corporation*, Case No. CL-2007-0004369 (Fx. Co. Cir. Ct.) (Mason District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rafael D. Sandoval and Victoria S. Sandoval*, Case No. CL-2007-0006588 (Fx. Co. Cir. Ct.) (Mason District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Thanh N. Mercer and Alan Thai*, Case No. CL-2007-0006665 (Fx. Co. Cir. Ct.) (Providence District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Raimundo Guevara and Santa L. Mendieta*, Case No. CL-2007-0006524 (Fx. Co. Cir. Ct.) (Lee District)

18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Carl W. Gaston and Virginia D. Gaston*, Case No. CL-2007-0006523 (Fx. Co. Cir. Ct.) (Lee District)
19. *Board of Supervisors of Fairfax County, Virginia v. Oracle Corporation and Safeco Insurance Company of America*, Case No. CL-2007-0001189 (Fx. Co. Cir. Ct.) (Hunter Mill District)

And in addition:

- Board of Supervisors of Fairfax County, Virginia v. Jaco Horse Pen LLC, et al; Case Number CL-2006-0003317

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

DET:det

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

ACTIONS FROM CLOSED SESSION

31. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:08 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 Smyth 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 BOARD MATTERS

NV:nv

32. **STATE CORPORATION COMMISSION (SCC) WORK GROUP ON ENERGY CONSERVATION** (3:09 p.m.)

Chairman Connolly reported that on June 13 the SCC announced the creation of a work group to "assist the Commission staff in developing a plan for a recommended mix of programs that will reduce electricity consumption in

Virginia.” Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board authorize staff from the Utilities Branch of the Department of Cable Communications and Consumer Protection to serve on the SCC work group. Without objection, it was so ordered.

33. **FIRST CRIMINAL CONVICTION RESULTING FROM WORK OF ENHANCED CODE ENFORCEMENT STRIKE TEAMS** (3:10 p.m.)

Jointly with Supervisor Kauffman, Chairman Connolly announced that the first criminal conviction resulting from the work of the multi-agency Enhanced Code Enforcement Strike Teams was handed down last week in Circuit Court. The owner of 6306 Dana Avenue, located in the Lee District, was charged with a misdemeanor violation of Section 1027.3 of the Fire Code, blocking an egress causing a life-safety issue. The owner did not appear in court, and the case was tried in his/her absence, resulting in a \$1000 fine.

Chairman Connolly said that the nature of this violation reinforces the mission of the strike teams. In this case, the owner had actually blocked off an exit door, which clearly could have been life threatening in an emergency. The mission of the strike teams and the County’s enhanced code enforcement effort is to ferret out such illegal living spaces that are unsafe, not just for those inside the home, but also others nearby. This particular case involved a violation of the Fire Code, but strike teams also are actively looking for violations of the Zoning Ordinance, the Building Code, and other related health and safety codes and ordinances. The message this and other successful prosecutions will carry throughout the community is that illegal overcrowding or the creation of illegal boarding houses will not be tolerated in the County. Those who violate the standards of the community, whether unwittingly or willfully, should not be allowed to diminish living conditions of the tenants upon whom they are preying.

Chairman Connolly noted that this was the first criminal violation the County has pursued in its enhanced code enforcement efforts. A number of civil cases are being processed through the courts as well. In the two weeks since the strike teams have been out on the streets, they have assessed 47 cases, which are in various stages of investigation or prosecution. That number accounts for more than half of the initial priority work list. He asserted that the efforts of the strike teams are already making an impact, and they will continue working with neighborhoods on a strategic, systematic basis until all offending cases can be addressed. This is but the beginning of a long-term investment to ensure the safety and security in the County’s neighborhoods, one house at a time.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

(NOTE: Later in the meeting, the Board took action regarding the strike teams. See Clerk’s Summary Item #56.)

34. **LEGISLATIVE CHANGES** (3:11 p.m.)

Supervisor Smyth noted that there are General Assembly legislative changes that take effect July 1 that will have an impact on zoning cases. She asked unanimous consent that the Board direct staff to distribute a summary of those changes on this subject that go into effect July 1. Without objection, it was so ordered.

35. **BRADDOCK DISTRICT SPRING TOWN MEETING** (3:12 p.m.)

Supervisor Bulova announced that she will be hosting the Braddock District's spring town meeting on Wednesday, June 20, at 7:30 p.m., in the community room of the Kings Park Library. The subject is "Keeping Our Neighborhoods Safe, Attractive, and Vital." She said that meeting participants will discuss the strike teams and what is being done regarding code enforcement and care of neighborhood issues. She asked unanimous consent that the Board direct staff to publicize this meeting on Cable Channel 16. Without objection, it was so ordered.

36. **BRADDOCK ROAD MAINTENANCE PUBLIC-PRIVATE PARTNERSHIP (BRADDOCK DISTRICT)** (3:13 p.m.)

Supervisor Bulova distributed a press release distributed on Friday by Delegate David Bulova announcing a pilot project to improve the appearance and maintenance of Braddock Road through the 37th Delegate District and the Braddock District (from Shirley Gate Road east to Backlick Road).

Supervisor Bulova said that the project, which has already been initiated, is a partnership between the Sheriff's Department and the Virginia Department of Transportation (VDOT) to enhance mowing, trash pick up, and the removal of illegal signs on the median and along the rights of way using non-violent prisoners who have volunteered from the Adult Detention Center's Community Labor Force.

Supervisor Bulova said that VDOT will remove dead and diseased trees that are planted in the medians of Braddock Road between Shirley Gate Road to the Beltway, and Area Landscaping, located on Olley Lane in Braddock District, will be working with VDOT on a replanting scheme to replace the dead trees and bushes.

Supervisor Bulova noted that the Braddock District Council of Community Associations will be participating in VDOT's Adopt-a-Highway program to assist with keeping the corridor trash free. It is also heading up a fundraising effort to pay for the planting of new trees. She referred to the project as a "public-public-private-private partnership" to improve the appearance of Braddock Road.

A brief discussion ensued.

37. **SPOT BLIGHT ABATEMENT FOR PROPERTY LOCATED AT 9530 BURKE LAKE ROAD (BRADDOCK DISTRICT)** (3:16 p.m.)

Supervisor Bulova said that on June 4, 2007, an Administrative Item for authorization to advertise a public hearing on the Spot Blight Abatement Ordinance was approved by the Board for the property located at 9530 Burke Lake Road in the Braddock District. During the week of June 4, the trustees of the property voluntarily demolished the house and cleared the site of the dilapidated structure.

Therefore, Supervisor Bulova moved that the Board agree to permanently withdraw the Spot Blight Abatement item for this property, as the blighted condition has been abated. Supervisor McConnell seconded the motion, which carried by unanimous vote.

38. **AAA SCHOOL SAFETY PATROL – PATROLLERS OF THE YEAR 2006-2007 (BRADDOCK AND LEE DISTRICTS)** (3:16 p.m.)

Jointly with Supervisor Kauffman, Supervisor Bulova stated that the AAA Mid-Atlantic Foundation for Safety and Education annually recognizes outstanding school safety patrols for their excellent leadership qualities, safety skills, school involvement, and citizenship. She announced that Matt Hoch, a fifth-grader at Canterbury Woods Elementary School and Kacie Townsend, a sixth-grader at Terra Centre Elementary School, both in the Braddock District, have been named Outstanding School Safety Patrols for the 2006-2007 school year. Sophia Okorn, a sixth-grader at Crestwood Elementary School in the Lee District, has been named the National Patroller of the Year. In addition to attending an awards reception announcing their honors, select award recipients have been invited to attend a AAA School Safety Patrol Officers' Training Camp sponsored by the Police Department.

Supervisor Bulova said that by demonstrating safe pedestrian habits and instructing others about traffic safety rules, patrol members not only improve safety by reducing incidents of traffic death and injury on the way to and from school, but also exemplify leadership and good citizenship.

Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to invite Matt Hoch, Kacie Townsend, Sophia Okorn, representatives from their respective schools, and AAA Mid-Atlantic Foundation for Safety and Education representatives, as well as the County Police Department representatives, to appear before the Board and receive Certificates of Recognition at the Board's next meeting on July 9.

Following input from Merni Fitzgerald, Director, Office of Public Affairs, regarding the schedule, without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide any additional information on Miss Okorn. Without objection, it was so ordered.

Supervisor Kauffman noted that his son is a school safety patrol.

A brief discussion ensued regarding the importance of crossing roadways safely.

39. **AUDIT REPORT** (3:19 p.m.)

(BACs) Supervisor Bulova moved acceptance of the *Quarterly Status Report on Operations as of June 18, 2007*, for the Office of Financial and Programs Auditor. She noted that the Audit Committee met on Friday, June 15 where the auditors announced that they have reviewed the system for transferring proffer money to the Schools from the County. She said that \$5.4 million was transferred this quarter.

Supervisor Bulova also noted that the Audit Committee discussed the following:

- Sheriff's Office vacancies and difficulties recruiting and retaining staff.
- Fuel consumption of County vehicles and savings.
- Public Safety and Transportation Operations Center ("PSTOC") cost issues.
- Overtime throughout County agencies.

Supervisor DuBois seconded the motion.

Supervisor Smyth noted that the report indicated that School officials provided a report that showed the Supervisory District and school impacted, and she asked unanimous consent that the Board direct staff to provide that to the Board. Without objection, it was so ordered.

40. **REQUEST FOR EXPEDITED PROCESSING FOR FOUR SEASONS DEVELOPMENT LLC (HUNTER MILL DISTRICT)** (3:22 p.m.)

Supervisor Hudgins said that Four Seasons Development filed a Planned Residential Community (PRC) plan for the old Bowman Distillery warehouse (originally Wiehle Village Town Hall), Tax Map 017-4((1)) Parcel 5B, to convert and construct a small new building on the property for use as condominiums.

Supervisor Hudgins said that Development Plan Amendment Application DPA 87-C-088 was filed concurrently with a proffered condition amendment and was approved on April 28, 2003. A PRC plan was recently filed and, based on

the recent change in the Zoning Ordinance, requires legislative action by the Board. This is an opportunity to save one of the last historic sites in Reston.

Therefore, Supervisor Hudgins moved that the Board direct the Department of Planning and Zoning to schedule a public hearing before the Board for Planned Residential Community Application PRC 87-C-088 for a date certain of September 24, 2007 (sic). She noted that this motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and adopted standards. Supervisor Bulova seconded the motion.

Following a brief discussion about the loss of the Bowman Distillery along the Washington and Old Dominion Trail, the question was called on the motion, which carried by unanimous vote.

41. **INCLUSION OF A PORTION OF CENTREVILLE ROAD IN A DULLES CENTER LLC APPLICATION (HUNTER MILL DISTRICT)** (3:24 p.m.)

Supervisor Hudgins said that the Dulles Center, LLC (the “applicant”) has recently submitted Proffered Condition Amendment/Final Development Plan Amendment Application PCA/FDPA 2003-HM-004 to the Department of Planning and Zoning. The application proposes authorization to a previously approved Conceptual/Final Development Plan. The application property includes a portion of Centreville Road right-of-way that is proposed to be vacated and/or abandoned. The Board made the appropriate motion at the time of the original rezoning to include the right-of-way within the application. Unfortunately, the applicant has not yet processed the vacation and/or abandonment request, and an additional Board motion is required with the amendment.

Therefore, Supervisor Hudgins moved that the Board consent to include a portion of Centreville Road right-of-way in the application identified as Proffered Condition Amendment/Final Development Plan Amendment Application PCA/FDPA 2003-HM-004 filed by Dulles Center, LLC. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and adopted standards. Supervisor Bulova seconded the motion and it carried by unanimous vote.

42. **NO BOARD MATTERS FOR PROVIDENCE DISTRICT SUPERVISOR LINDA Q. SMYTH** (3:26 p.m.)

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

43. **GRASS COMPLAINTS** (3:26 p.m.)

Supervisor Gross said that each year her office receives a large volume of tall grass complaints from residents in Mason District. According to the Code of the County of Fairfax, Article 3, Section 11 9-3-1, owners of residential lots or parcels less than one-half acre (21,780 square feet) are prohibited from allowing the growth of any grass or lawn area to reach more than 12 inches in height/length. Most residential lots in Mason District are under one-half acre, yet there are also many that exceed this size. Often times, addresses cannot be turned in for County code enforcement because the property in question is over the legal size limit to impose the County ordinance. This is frustrating for both residents and County staff when enforcement cannot be gained.

In an effort to address this vexatious issue for County neighborhoods, Supervisor Gross moved that the Board direct the County Attorney to research the following:

- The possibility of increasing the lot size limit.
- Shortening the process for enforcement.

Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Hudgins being out of the room.

There was a brief discussion on this issue regarding its Legislative Committee history with input from Jeff Blackford, staff, Department of Public Works and Environmental Services, and David P. Bobzien, County Attorney.

44. **THIRTY-YEAR TREE CANOPY GOAL OF 45 PERCENT** (3:29 p.m.)

Jointly with Chairman Connolly, Supervisor Gross said that at last Monday's Environment Committee meeting, one of the topics of discussion was what the County's tree canopy goal should be. The County's Tree Action Plan and the Board's Environmental Agenda contain recommendations to "identify maximum attainable and sustainable tree canopy goals." A proposal for a 30-year canopy goal indicated that, even if the County continues to conserve trees at its present levels of effort, the tree canopy will decrease in size from 41 percent to around 37 percent.

Supervisor Gross noted that the projected loss (10,200 acres) equates in area to seven Huntley Meadows Parks. To reverse this projection and increase the canopy goals over time, the proposal reviewed at the Environment Committee established 45 percent as the goal for 2037. This goal translates into approximately 20,400 acres of additional tree canopy. Although some of the gains are expected through natural processes, a large-scale planting program over a 30-year period also would be required. Total numbers of trees required to reach this goal is estimated at 2.6 million trees. She reminded everyone that the County already has about 45 million trees in various stages of development.

Supervisor Gross said that the investment would be considerable, but the results also would be considerable. Trees provide multiple services that include air pollution removal, carbon storage, energy conservation, and stormwater management. In addition to the environmental benefits gained, setting a Tree Canopy Goal would support the environmental objectives of the Board: Cool Counties Initiative, Regional SIP Tree Conservation Measure, and the County's Tree Conservation legislative efforts.

Therefore, Supervisor Gross moved that the Board formally adopt a 30-Year Tree Canopy Goal of 45 percent. In support of this goal, she further moved that staff be directed to do the following:

- Strive to implement the tree canopy goal recommendations of the Tree Action Plan.
- Develop a public awareness educational program that advocates tree conservation and planting.
- Develop partnerships with non-profit tree planting groups, environmental advocacy groups, civic and homeowner associations, land developers, utility companies, and others.
- Pursue grant funding opportunities.
- Identify funding levels needed to support projects through the Environmental Improvement Program.
- Establish a tree planting tracking mechanism.
- Report to the Board and the Board's Environment Committee on a regular basis.

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

Supervisor Gross commended Chairman Connolly for his leadership on the tree canopy goal and his challenge.

45. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR THOMAS JEFFERSON HIGH SCHOOL FOR SCIENCE AND TECHNOLOGY (TJHSST) BOYS' VARSITY SOCCER TEAM (MASON DISTRICT)**
(3:33 p.m.)

Supervisor Gross said that when the TJHSST first opened as the Governor's School for Science and Technology in Northern Virginia 22 years ago, the school's sports teams were not viewed as competitive. The Jefferson Colonials

were seen by many other teams as an "easy victory." With an ironic sense of humor, students created a bumper sticker that reads: "JEFFERSON - We Came for the Sports."

Supervisor Gross said that today about 50 percent of the students participate in a sport during their four years at TJHSST. The Colonials now make strong showings in a wide variety of sports, including crew, cross-country, football, golf, track and field, tennis, and swim and dive teams.

Supervisor Gross reported that this year, the TJHSST boys' varsity soccer team started the season with a 4-1-5 record. It proceeded to win 13 games in a row to advance to the AAA State Championship, culminating in the June 9, 1-0 win against Osbourn Park.

Therefore, Supervisor Gross moved that the Board direct the Office of Public Affairs to prepare a certificate of recognition for the players and coaching staff of the TJHSST boys' varsity soccer team for their outstanding achievement and commitment to excellence. Without objection, it was so ordered.

PMH:pmh

46. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR WEST SPRINGFIELD HIGH SCHOOL PRINCIPAL (SPRINGFIELD DISTRICT)** (3:34 p.m.)

Supervisor McConnell said that David Smith, principal at West Springfield High School, recently announced he would be retiring after the end of this school year. Mr. Smith has worked in education for the past 33 years, with 18 of those years in the Fairfax County School System. He has been the principal of West Springfield High School since 1996. During his career, Mr. Smith has also served as a teacher, high school assistant principal, and summer school and middle school principal.

Therefore, Supervisor McConnell moved that the Board direct staff to invite Mr. Smith to appear before the Board to be recognized for his devotion and loyalty to the school, its students, and the community. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

47. **REQUEST FOR PUBLIC HEARING FOR FAIR LAKES CENTER ASSOCIATES LP (SPRINGFIELD DISTRICT)** (3:35 p.m.)

Supervisor McConnell said that Fair Lakes Center Associates LP has requested a public hearing to be held before the Board for the following applications:

- Proffered Condition Amendment Application/Conceptual Development Plan Amendment Application PCA 82-P-069-

15/CDPA 82-P-069-3-1

- Proffered Condition Amendment Application/Conceptual Development Plan Amendment Application PCA 82-P-069-16/CDPA 82-P-069-7-1
- Proffered Condition Amendment Application/Conceptual Development Plan Amendment Application PCA 82-P-069-17/CDPA 82-P-069-3-3
- Proffered Condition Amendment Application/Conceptual Development Plan Amendment Application PCA 82-P-069-18/CDPA 82-P-069-5-1
- Proffered Condition Amendment Application/Conceptual Development Plan Amendment Application PCA 82-P-069-19/CDPA 82-P-069-3-2
- Proffered Condition Amendment Application/Conceptual Development Plan Amendment Application PCA 82-P-069-20/CDPA 82-P-069-1-1

The applicant is proposing plans for multi-story office buildings, a hotel with support retail, an office/retail complex, and multi-family residential buildings. The application is in conformance with the Comprehensive Plan and applicable provisions of the Zoning Ordinance. Determining a date certain for the public hearing will still allow for the timely processing of these applications whose Planning Commission hearing is scheduled for September 27, 2007.

Therefore, Supervisor McConnell moved that the Board direct staff to schedule a public hearing for these applications to be held before the Board on October 15, 2007. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor DuBois being out of the room.

48. **TRUSTEES OF CHRIST UNITED METHODIST CHURCH (SPRINGFIELD DISTRICT)** (3:37 p.m.)

Supervisor McConnell said that the Trustees of Christ United Methodist Church has requested a public hearing to be held before the Board for Special Exception Application SE 2007-SP-009. The applicant is proposing to relocate the church and its appurtenant facilities since it has outgrown the current facility in Crosspointe. The application is in conformance with the Comprehensive Plan and applicable provisions of the Zoning Ordinance. Determining a date certain for the Board public hearing will still allow for the timely processing of this application

whose Planning Commission hearing is scheduled for September 20, 2007.

Therefore, Supervisor McConnell moved that the Board direct staff to schedule a public hearing to be held before the Board for Special Exception Application SE 2007-SP-009 on October 15, 2007. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Kauffman being out of the room.

49. **SPRINGFIELD GOLF AND COUNTRY CLUB (SPRINGFIELD DISTRICT)** (3:39 p.m.)

Supervisor McConnell said that the Springfield Golf and Country Club has requested a public hearing to be held before the Board for Special Exception Application SE 2007-SP-008. The applicant is proposing to construct a new tennis and pool facility and other site renovations. The application is in conformance with the Comprehensive Plan and applicable provisions of the Zoning Ordinance. Determining a date certain for the Board public hearing will still allow for the timely processing of this application whose Planning Commission hearing is scheduled for September 19, 2007.

Therefore, Supervisor McConnell moved that the Board direct staff to schedule a public hearing to be held before the Board on Special Exception Application SE 2007-SP-008 on September 24, 2007. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

50. **WALNEY MILLS SUBDIVISION (SULLY DISTRICT)** (3:40 p.m.)

Supervisor Frey said that at the last Board meeting, the Board recognized the efforts of the Centreville Historic Work Group, which spent two years studying the boundaries and Comprehensive Plan for the Centreville Historic District. One of the recommendations of the work group was that efforts be undertaken to acquire for permanent, public protection of the west fort and associated trenches which are currently owned by the Walney Mills Homeowners Association (HOA).

Supervisor Frey stated his belief that it is in the County's best interest to protect these resources before they are inadvertently damaged and lost forever. The trench and fort occupy about a three-quarters of an acre portion of a much larger common area parcel.

Therefore, Supervisor Frey moved that the Board direct appropriate staff to determine the steps necessary to acquire a portion of Tax Map Parcel 54-4-((10))

A, at no cost to the Walney Mills HOA, and establish a reasonable timetable for so doing. Supervisor Bulova seconded the motion.

Following input from David P. Bobzien, the question was called on the motion and it carried by unanimous vote.

51. **CORT BUSINESS SERVICES CORPORATION – SPECIAL EXCEPTION APPLICATION SE 2007-SU-010 (SULLY DISTRICT)** (3:42 p.m.)

Supervisor Frey said that pending Special Exception Application SE 2007-SU-010 is a request for approval of a retail furniture store within an existing building in the I-5 District. It will be the subject of a public hearing before the Planning Commission on September 20. The special exception request does not propose any ground disturbance or any exterior modifications to the site, and neither the applicant, CORT Business Services Corporation, nor staff anticipate significant problems or issues to be raised during the processing of the application. The applicant has initiated contact with the Western Fairfax County Citizens Association and has committed to diligently assist staff in the evaluation of the application so that any planning and zoning issues which may be identified are resolved promptly and to the satisfaction of all parties. On that basis, the applicant has requested a date certain for the Board public hearing and staff has no objection.

Therefore, Supervisor Frey moved that the Board authorize the scheduling of a public hearing to be held before the Board on Special Exception Application SE 2007-SU-010 to occur either September 24 or October 15 as appropriate. The applicants understand that this motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards. Supervisor Hyland seconded the motion and it carried by unanimous vote.

52. **COMMONWEALTH CENTRE INVESTORS, LLC – AUTHORIZATION FOR CONCURRENT PROCESSING AND PUBLIC HEARING (SULLY DISTRICT)** (3:43 p.m.)

Supervisor Frey said that Commonwealth Centre Investors, LLC and Commonwealth Centre Investors II, LLC have filed a Rezoning Application RZ 2006-SU-025 and Proffered Condition Amendment Application PCA 2007-0057 to rezone approximately 100 acres of land within Westfields from the I-3 zoning district to the PDC District and to remove the property from the Westfields International Corporate Center at Dulles zoning, respectively. As part of those applications, the applicants propose the abandonment of a portion of Newbrook Drive to permit pedestrian and other improvements not currently permitted as part of a public street. The applications are currently under review by staff. The public hearing before the Planning Commission is set for September 27, 2007.

The applicants have requested that the Board authorize concurrent processing of the zoning applications and site and subdivision plans, as well as establish a date certain for the Board public hearing. The applicants hope to commence construction of two planned hotels later this year in the event the Board approves the requested zoning, and the delay caused by the abandonment of Newbrook Drive may impact the construction schedule due to winter weather conditions.

Therefore, Supervisor Frey moved that the Board authorize concurrent processing and establish a date certain for the Board public hearing this fall for Rezoning Application RZ 2006-SU-025 and Proffered Condition Amendment Application PCA 2007-0057 in the name of Commonwealth Centre Investors, LLC and Commonwealth Centre Investors II, LLC. The applicant understands that this motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/or adopted standards. Supervisor Hyland seconded the motion and it carried by unanimous vote.

53. **REQUEST FOR CERTIFICATE OF RECOGNITION** (3:45 p.m.)

Supervisor Frey announced that Captain Jesse F. Bowman, Commander, Traffic Division, Police Department, was retiring and asked unanimous consent that the Board direct staff to invite Captain Bowman to appear before the Board to be recognized for his years of service. Without objection, it was so ordered.

54. **LORTON VALLEY AFFORDABLE DWELLING UNITS (MOUNT VERNON DISTRICT)** (3:46 p.m.)

Supervisor Hyland said two years ago, several affordable dwelling units were dedicated in the Lorton Valley community. These units are not only affordable, but also unique in the fact that they are specifically designed for individuals with disabilities. The units exhibit the principles of universal design with lowered counter tops and light switches, freezers at the bottom of the refrigerator instead of the top, and accessible parking. These units set the standard for future development and address a distinct aspect of the affordable housing issue – those with long term disability.

Supervisor Hyland said that it has come to his attention that these units are still empty – nearly two years after their completion. These units are an integral part of the County's commitment to affordable housing and need to be occupied as soon as possible.

Therefore, Supervisor Hyland moved that the Board direct the County Executive and the Housing Authority to investigate why these units are still empty and determine why their occupancy has been delayed and report with their findings. Supervisor Bulova seconded the motion and it carried by unanimous vote.

55. **FAIRFAX POLICE SPONSOR “NIGHT OUT”** (3:47 p.m.)

Supervisor DuBois said that August 7 is National Night Out. On this night, County residents are asked to turn on their porch lights and come outside to join with their neighbors and local police in a variety of activities. All over the County will be crime prevention block parties, cookouts, ice cream socials, flashlight walks, safety fairs, and neighborhood meetings.

National Night Out is designed to:

- Heighten awareness of crime prevention, combating drugs and violence.
- Generate support for and participation in local crime-fighting programs.
- Strengthen neighborhood spirit and police-community partnerships.
- Send a message to criminals letting them know that neighborhoods are organized and fighting back.

National Night Out activities not only bring residents together to strengthen their relationships with the local police, but also send a message that neighborhoods are not "easy pickings."

Therefore, Supervisor DuBois asked unanimous consent that the Board direct staff to invite representatives from the Police Department to appear before the Board at its July 9 meeting to receive a proclamation encouraging all Fairfax to participate in the National Night Out.

Following input from Merni Fitzgerald, Director, Office of Public Affairs, Supervisor DuBois amended her request to schedule the presentation on July 23. Without objection, it was so ordered.

56. **ENHANCED CODE ENFORCEMENT STRIKE TEAM** (3:48 p.m.)

(NOTE: Earlier in the meeting, the Board announced the first criminal conviction as a result of the strike teams. See Clerk's Summary Item #33.)

Supervisor Kauffman said that with the launch of the Enhanced Code Enforcement Strike Team on June 1, the Board has taken a major step down the road to shutting down and stemming the spread of boarding houses, a key element of neighborhood stability concerns. While it is a good thing that there is information about the Enhanced Code Enforcement Strike Team for citizens on the County's web site so quickly, the reporting process is not very user friendly and may even prevent the strike team from getting all the information it needs to

effectively operate. He expressed the following issues with the electronic reporting process:

- Only one issue for a property can be reported at a time. For many enforcement cases, there are multiple concerns. The strike team needs to have this information to help prioritize enforcement cases. For example, a property with multiple occupancy may also have parking on the grass, junk cars, trash, and other property maintenance and building code issues. The comment section, while useful, may not focus on observations that are important to the investigation.
- Privacy and safety issues are a concern. The complainant's name, address, and phone number are all required information for the complaint to be registered. Many of the constituents who call his office with zoning enforcement complaints are afraid to give their names and addresses for fear of being harassed (or worse) by their neighbors. The web page should be modified so that complainants can have the option of remaining anonymous.

Supervisor Kauffman moved that the above referenced issues be modified as described. Supervisor Bulova seconded the motion and it carried by unanimous vote.

57. **VACATION OR ABANDONMENT OF THE CONSTANTINE DRIVE RIGHT-OF-WAY (LEE DISTRICT)** (3:50 p.m.)

Supervisor Kauffman said that several years ago the Board was successful in resolving a cut-through traffic issue for the Beverly Forest community by closing off Constantine Avenue, a route between the Franconia-Springfield Parkway and Backlick Road which was being used by traffic cutting through the neighborhood. The community has been satisfied with the results of this closure and at this point would like to ensure that the road remains closed permanently. There are concerns that as long as the right-of-way remains, the roadway may be reopened in the future.

Normally an application for a vacation or abandonment is prepared by the adjacent property owner(s), developer, or homeowners association. However, because the cut through traffic issue generating the need for the closure was created as a result of the construction of the parkway, it is appropriate for the County to assume responsibility for the vacation/abandonment process.

Therefore, Supervisor Kauffman moved that the Board direct the Department of Transportation to proceed with the necessary steps required to complete the vacation or abandonment of the Constantine Drive right-of-way on behalf of the community and the Board. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

58. **REQUEST FOR “NO PARKING” SIGNS ON FORDSON ROAD (LEE DISTRICT)** (3:51 p.m.)

Supervisor Kauffman said that Section 82-5-37 of the Code of the County of Fairfax, Virginia, authorizes the Board to designate restricted parking areas on any portion of the secondary road system under certain conditions.

Supervisor Kauffman said that the east side of Fordson Road, between south of Cyrene Boulevard northward to Lockheed Boulevard, is zoned commercial and the west side is zoned residential. Section 82-5-37 (5) allows for restricting commercial vehicle parking on the commercial side of a roadway zoned residential on one side and commercial on the other.

Last year the Board approved "No Parking" signs on the 7400 block of Fordson Road based on this section of the Code. Safety concerns raised by residents are now associated with parking of non-resident commercial vehicles in the 7200 block of Fordson (Tax Map 92-4 001, lots 78-80) where "No Parking" signs were not previously placed.

Therefore, Supervisor Kauffman moved that the Board direct the County Executive to continue the ban on Fordson Road by placing appropriate "No Parking" signs on the 7200 block, upon approval of a permit from the Virginia Department of Transportation. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

59. **PRIMARY CARE CLINIC OF THE NORTHERN VIRGINIA COMMUNITY COLLEGE MEDICAL EDUCATION CAMPUS (MEC) (LEE DISTRICT)** (3:52 p.m.)

Supervisor Kauffman said that he recently learned that on April 16, the Primary Care Clinic of the NVCC Medical Education Campus, located in Lee District, told its patients that the clinic will be closing at the end of this month. Patients have been told to contact the County's Health Department for assistance in finding another primary care physician.

Therefore, Supervisor Kauffman moved that the Board direct staff to report with the possible impacts of this decision on County residents who rely on the MEC Primary Care Clinic as well as what options might be available at the State or County level to keep the center open or find suitable replacement services. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

60. **APPOINTMENT TO SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL (HUNTER MILL DISTRICT)** (3:54 p.m.)

(APPT) Supervisor Hudgins moved the appointment of Ms. Mariam Awad to fill the unexpired term of Ms. Petherree Norman as the Student Representative.

Supervisor Hyland seconded the motion, and it carried by a vote of eight, Supervisor Frey and Chairman Connolly being out of the room.

DS:ds

61. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2004-DR-023-2 (OAKCREST SCHOOL) (DRANESVILLE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 00-D-006-3 (OAKCREST SCHOOL) (DRANESVILLE DISTRICT)
(3:54 p.m.)

The application property is located in the northwest quadrant of the intersection of Georgetown Pike and Balls Hill Road, at 850 Balls Hill Road, Tax Map 21-3 ((1))56A.

Mr. Gregory A. Riegle reaffirmed the validity of the affidavits for the record.

Catherine Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Mr. Riegle 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, Supervisor DuBois moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Hyland and Supervisor McConnell jointly seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, and Chairman Connolly being out of the room.

Supervisor DuBois moved:

- Approval of Proffered Condition Amendment Application PCA 2004-DR-023-2, subject to the proffers dated June 1, 2007.
- Approval of Special Exception Amendment Application SEA 00-D-006-3, subject to the development conditions dated April 26, 2007.
- Waiver of Section 2-414 of the Zoning Ordinance to permit the modular classrooms to be located 30 feet from I-495, as shown on

the Generalized Development Plan/Special Exception Amendment (GDP/SEA) plat.

- Modification of the transitional screening requirement along the eastern and southern property lines to the existing landscaping, as depicted on the GDP/SEA Plat.
- Waiver of the barrier requirement along the eastern and southern property lines.

Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, and Chairman Connolly being out of the room.

62. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-DR-003 (REFORMED THEOLOGICAL SEMINARY) (DRANESVILLE DISTRICT) (4:01 p.m.)**

The application property is located at 1020 Balls Hill Road, Tax Map 21-23 ((1)) 50, 50A, 51 and 53; 21-3 ((15)) A1.

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

St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Supervisor DuBois moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Kauffman, and Supervisor McConnell being out of the room.

Supervisor DuBois moved:

- Approval of Special Exception Application SE 2007-DR-003, subject to the development conditions dated May 15, 2007.
- Modification of the transitional screening requirements along the eastern, western, and southern lot lines of the subject property.
- Waiver of the barrier requirements along the northern, southern, and eastern lot lines of the subject property.

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

63. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2004-DR-031 (RIVER BEND GOLF AND COUNTRY CLUB, INCORPORATED) (DRANESVILLE DISTRICT)** (4:06 p.m.)

The application property is located at 9900 Arnon Chapel Road and 9901 Beach Mill Road, Tax Map 7-2 ((1)) 21A; 8-1 ((1)) 22, 23, and 41; 8-3 ((1)) 4.

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

Supervisor Frey disclosed the following campaign contribution which he had received in excess of \$100 from:

- Mr. William H. Gordon, William H. Gordon Associates, Incorporated, which corporation is shown as an agent for the applicant, on behalf of 4501 Daly Limited Partnership. However, 4501 Daly Limited Partnership is not associated with this application.

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

Supervisor Gross raised a question regarding the request to fill in the flood plain to permit the stream restoration stabilization.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Ms. Strobel distributed to Board Members a map regarding the project and discussion ensued concerning the stream restoration, with input from Ms. Strobel and Mr. Ian Smith, Wetland Studies and Solutions, Incorporated.

Following the public hearing, which included testimony by one speaker, Ms. Strobel presented rebuttal.

Discussion ensued with input from Joseph McClellan, agent for the applicant, regarding the map.

Further discussion ensued, with input from Mr. Papp regarding issues raised by the speaker.

Further discussion ensued, with input from Mr. McClellan regarding the direction of water flow.

Mr. Papp presented the staff and Planning Commission recommendations.

Supervisor DuBois moved:

- Approval of Special Exception Amendment Application SEA 2004-DR-031, subject to the development conditions dated June 15, 2007.
- Modification of the transitional screening requirements along all property boundaries in favor of that shown on the SEA Plat.
- Waiver of the barrier requirements along all property boundaries.

Supervisor Bulova seconded the motion.

Following a brief discussion, with input from Mr. Papp, regarding the floodplain line and the stream, the question was called on the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room.

64. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 99-S-012-02 (THE COUNTRY CLUB OF FAIRFAX, INCORPORATED) (SPRINGFIELD DISTRICT) (4:37 p.m.)**

The application property is located at 5110 Ox Road and 11001 Braddock Road, Tax Map 68-1 ((1)) 17, 18, and 20.

Mr. Aaron L. Shriber reaffirmed the validity of the affidavit for the record.

Supervisor Frey disclosed the following campaign contribution which he had received in excess of \$100 from:

- Mr. William H. Gordon, William H. Gordon Associates, Incorporated, which corporation is shown as an agent for the applicant, on behalf of 4501 Daly Limited Partnership. However, 4501 Daly Limited Partnership is not associated with this application.

Supervisor DuBois disclosed the following campaign contribution which she had received in excess of \$100 from:

- Mr. Francis A. McDermott

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

Discussion ensued, with input from Kris Abrahamson, Branch Chief, ZED, DPZ, regarding the flood plain.

Mr. Shriber 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, Supervisor McConnell moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Hudgins, Supervisor Hyland, and Supervisor Smyth being out of the room.

Supervisor McConnell moved:

- Approval of Special Exception Amendment Application SEA 99-S-012-02, subject to the development conditions dated May 23, 2007.
- Modification of the transitional screening requirements and waiver of the barrier requirements along all property boundaries in favor of that depicted on the SE Plat.
- Waiver of the service drive requirements for Route 123.
- Modification of Section 9-528, Paragraph 2, to permit three structures and tennis courts to be located within 50 feet of the lot line.
- Direction to the Director of the Department of Public Works and Environmental Services to waive the requirement for construction of frontage improvements on Route 123.

Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Hudgins, Supervisor Hyland, and Supervisor Smyth being out of the room.

65. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 77-C-190-02 (FAIRFAX COUNTY WATER AUTHORITY, D/B/A FAIRFAX WATER) (SULLY DISTRICT)** (4:44 p.m.)

The application property is located at 3663 West Ox Road, Tax Map 46-1 ((1)) 6A.

Ms. Jamie Hedges reaffirmed the validity of the affidavit for the record.

Supervisor Bulova noted that, while it is not required, this is an application by the Fairfax County Water Authority, and Paul Andino, Braddock District Representative, Fairfax Water, has contributed in excess of \$100 to her campaign over the years.

Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Discussion ensued, with input from Ms. Strunk, regarding water tanks.

Philip Allin, Chairman, Fairfax Water, gave a brief presentation.

Ms. Hedges had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

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

Supervisor Frey moved:

- Approval of Special Exception Amendment Application SEA 77-C-190-02, subject to the development conditions dated June 18, 2007.
- Modification of the transitional screening requirements, in favor of that shown on the SE Plat, to allow use of existing vegetation wherever possible.
- Modification of the fence height to allow a total height of 10.5 feet, as shown on the SE Plat.

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

(NOTE: On May 24, 2007, the Planning Commission approved 2232-Y07-05. The Commission noted that the application satisfied the criteria for location, character, and extent, as set forth in Section 15.2-2232 of the *Code of Virginia*, and was substantially in conformance with the Comprehensive Plan.)

66. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), TO INCREASE THE COURTHOUSE SECURITY FEE** (4:54 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 31 and June 7, 2007.

Susan W. Datta, Director, Department of Management and Budget, presented the staff report.

Following the public hearing, Chairman Connolly announced that the record will remain open for written testimony.

Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), increasing the courthouse security fee. Supervisor McConnell seconded the motion.

Following a brief discussion, the question was called on the motion and it carried by a vote of six, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, and Supervisor Kauffman being out of the room.

67. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW** (4:56 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 31 and June 7, 2007.

David J. Ferris, Manager, Policy and Planning, Chief’s Office of Research and Support, Police Department, presented the staff report.

Following the public hearing, Chairman Connolly announced that the record will remain open for written testimony.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law, to become effective July 1, 2007. Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Bulova, Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room.

68. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 7, REGARDING A CHANGE TO THE POLICE OFFICERS RETIREMENT SYSTEM** (4:58 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 31 and June 7, 2007.

Lauranz Swartz, Executive Director to the Retirement Boards, presented the staff report.

Following the public hearing, Chairman Connolly announced that the record will remain open for written testimony.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 7, regarding a change to the Police Officers Retirement System. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Hudgins and Supervisor Hyland being out of the room.

69. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLES 2 AND 3, REGARDING A CHANGE IN THE SOCIAL SECURITY OFFSET TO SERVICE-CONNECTED DISABILITY BENEFITS** (4:59 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 31 and June 7, 2007.

Lauranz Swartz, Executive Director to the Retirement Boards, presented the staff report.

Following the public hearing, Chairman Connolly announced that the record will remain open for written testimony.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Articles 2 and 3, revising service-connected disability retirement benefits by changing the reduction based on Social Security benefits from 64 percent to 40 percent of Social Security benefits. Supervisor Bulova and Supervisor McConnell jointly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell,

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

70. **4:30 P.M. – JOINT PH ON THE PROPOSED SIX-YEAR DEPARTMENT OF TRANSPORTATION SECONDARY SYSTEM CONSTRUCTION PROGRAM FOR FISCAL YEARS (FYs) 2008 THROUGH 2013** (5:02 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 31 and June 7, 2007.

Tom Biesiadny, Chief, Coordination and Funding Division, Department of Transportation, presented the staff report.

Leonard Siegel, Fairfax Preliminary Engineering Manager, Virginia Department of Transportation, gave a presentation regarding the Secondary System Construction Program.

Discussion ensued, with input from Mr. Siegel and Mr. Biesiadny, regarding the program.

Following the public hearing, Chairman Connolly announced that the record will remain open for written testimony.

Supervisor Kauffman moved approval of the Secondary System Construction Program for FYs 2008 through 2013. Supervisor DuBois seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor Hyland being out of the room.

71. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (5:19 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 31 and June 7, 2007.

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

The public hearing was held and there were no speakers.

Supervisor Kauffman said that Mr. Art Wilmeth had signed up for public comment but was unable to make it. He noted that Mr. Wilmeth was a constituent in the Lee District and his concern was the length of time the County allows to pay a parking ticket before the price increases.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct staff to contact Mr. Wilmeth and try to work through his concern. Without objection, it was so ordered.

ADDITIONAL BOARD MATTER

72. **DULLES CENTER, LLP, REQUEST FOR EXPEDITED PROCESSING (HUNTER MILL DISTRICT)** (5:20 p.m.)

On behalf of Supervisor Hudgins, Supervisor McConnell said that the Board granted Rezoning/Final Development Plan Application RZ/FDP 2003-HM-004 on August 4, 2003, which rezoned approximately 4.92 acres from the R-1 and I-4 Districts to the PDC District. The approval was granted to proffers and final development plan. Although the rezoning application was approved several years ago, construction has not commenced on the property due to market conditions. Recently, there has been interest in the approved development; however, there are minor modifications necessary to address specific tenant needs. The applicant will file a proffered condition amendment and final development plan amendment to describe these minor modifications. There is no proposed increase in the overall square footage, the number of building stories, or the use of the property. Given the relatively minor impacts and the nature of the request the applicant has requested expedited processing.

Therefore, on behalf of Supervisor Hudgins, Supervisor McConnell moved that the Board direct the Department of Planning and Zoning to expeditiously process a proffered condition amendment and final development plan amendment filed in association with Rezoning/Final Development Plan Application RZ/FDP 2003-HM-004 for a date certain of August 6, 2007. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor Hyland being out of the room.

73. **BOARD ADJOURNMENT** (5:22 p.m.)

The Board adjourned.

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