



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

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

**MONDAY  
January 28, 2008**

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**02-08**

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**EBE:ebe**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, January 28, 2008, at 9:42 a.m., there were present:

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

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Jan L. Brodie, Deputy County Attorney; Catherine A. Chianese, Assistant County Executive; Regina Stewart, 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 MATTER**1. **MOMENT OF SILENCE** (9:42 a.m.)

Chairman Connolly asked everyone to keep in thoughts the family of the late Martha Glennan, a longtime advocate for people with disabilities. She was a wonderful moral beacon and will be sorely missed.

Supervisor Smyth asked everyone to keep in thoughts the family of Mr. David H. Sharrett, II. He was a native of Oakton and a high school football star. He enlisted in the army in 2006 and was killed in Iraq in a grenade attack. His family was proud of him for his willingness to serve his country.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the County Executive to fly the flags at half staff in Mr. Sharrett's honor. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Herrity asked everyone to keep in thoughts former Supervisor Elaine McConnell who is recovering from pneumonia in the hospital, and her husband Mac who is recovering from a minor heart attack.

Supervisor Hyland asked everyone to keep in thoughts the family of the late Mr. Stephen Snell, who was very involved in the Belle View Community. He was involved after the floods in Belle View and also with the community associations of the Mount Vernon District.

**AGENDA ITEMS**2. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ROGER LOWEN** (9:45 a.m.)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Roger Lowen for his work in the Reston community. Chairman Connolly seconded the motion and it carried by unanimous vote.

3. **PROCLAMATION DESIGNATING FEBRUARY 2008 AS "AFRICAN AMERICAN HISTORY MONTH" IN FAIRFAX COUNTY** (9:48 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate February 2008 as "*African American History Month*" in Fairfax County. Supervisor Hyland and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE 2007 BOND REFERENDUM COMMITTEE** (9:55 a.m.)

(BACs) Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificates of Recognition presented to the members of the 2007 Bond Referendum Committee for their work. Supervisor Gross and Supervisor Hyland jointly seconded the motion, and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

5. **RESOLUTION OF RECOGNITION PRESENTED TO THE CITY OF FAIRFAX REGIONAL LIBRARY** (10:01 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Resolution of Recognition presented to the City of Fairfax Regional Library upon the grand opening of its new building. Supervisor Gross and Supervisor Smyth jointly seconded the motion, and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. BRUCE WRIGHT** (10:13 a.m.)

(BACs)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Bruce Wright for his years of service on the Trails and Sidewalks Committee. Supervisor Smyth seconded the motion and it carried by a vote of nine, Chairman Connolly being out of the room.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. CLEMENS GAILLIOTT AND HILLTOP SAND AND GRAVEL** (10:20 a.m.)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. Clemens Gailllott and Hilltop Sand and Gravel for their support and contributions to Fairfax County's parks. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

8. **10 A.M. – PRESENTATION OF THE DON SMITH AWARD** (10:25 a.m.)

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

Randy Creller, EAC Officer, presented the Don Smith award to the following individuals:

- Paul Carlin, Fire Apparatus Supervisor, Fire and Rescue

- Timothy Hoover, Public Safety Communicator, Police Department

The following individuals received honorable mention awards:

- Jeffrey Davison, Public Safety Communicator, Department of Public Safety Communications.
- Edwin Roessler, Jr., Police Department

The following nominees received certificates of appreciation: Linda Hall, Juvenile Courts; Glenn Huffman, Department of Public Works and Environmental Services (DPWES); Anne Mace, Department of Family Services; Giovanna Perry Ruffner, Department of Family Services; Gursharan Sidhu, DPWES; and Tracy Strunk, Department of Planning and Zoning.

9. **10:10 A.M. – PRESENTATION OF THE TREE COMMISSION ANNUAL REPORT** (10:35 a.m.)

(BACs) Harrison A. Glasgow, Chairman, Tree Commission, presented its annual report and distributed copies to the Board.

**NV:nv**

10. **10:25 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (10:43 a.m.)

Chairman Connolly, Chairman of the Board's Legislative Committee, briefed the Board on recent Legislative Committee meetings and the status of select legislation.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the 2008 Legislative Report No. 1 – Board Legislative Committee meetings of January 18 and 25, 2008. Supervisor Hyland seconded the motion.

Discussion ensued regarding proffers and impact fees.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide copies of the materials being circulated in the General Assembly on the proffer issue. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide to the members of the General Assembly the successes of the proffer system including quantifiable information such as dollar values.

Chairman Connolly noted that he had requested that information (previous memorandums and other data) at the most recent meeting of the Legislative

Committee. Anthony H. Griffin, County Executive, stated that the information would be provided to the Board later in the day.

Discussion ensued regarding a breakdown of information by type of proffer, (affordable housing, transportation, et cetera), the recent creation of a new tracking database that takes a comprehensive approach to proffers, the desirability of that data historically, and the quantification of in-kind proffers.

The question was called on the motion to approve the report, and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

11. **ORDERS OF THE DAY** (10:52 a.m.)

Chairman Connolly announced that he had been informed that the closed session would be two and one-half hours long today. He also noted that the Board would discuss rail to Dulles later in the morning.

(NOTE: Later in the meeting, the Board deferred discussion of the Rail to Dulles issue until the end of the meeting. See Clerk's Summary Items #26 and #82.)

EBE:ebe

12. **10:40 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** ( 10:52 a.m.)

(APPTS)  
(BACs)

**A. HEATH ONTHANK AWARD SELECTION COMMITTEE**

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

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

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

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

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

Supervisor Smyth moved the reappointment of Ms. Ernestine Heastie as the Providence District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville, Mount Vernon, Springfield, and Sully District Representatives.

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

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

#### **AIRPORTS ADVISORY COMMITTEE**

Supervisor Foust moved the reappointment of Mr. Robert Ackerman as the Dranesville District Business Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Hunter Mill and Mason District Representatives.

#### **ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD**

##### **CONFIRMATION**

Supervisor Hyland moved the confirmation of the following appointment:

- Mr. Kenneth Garnes as the County Executive's Representative

Supervisor Bulova seconded the motion which carried by unanimous vote.

#### **ATHLETIC COUNCIL**

Chairman Connolly moved the reappointment of Mr. J. Marcelo Gangotena as the At-Large Diversity Principal Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. Truong Phuc Dao as the At-Large Chairman's Alternate Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the appointment of Mr. Clarke Gray as the Providence District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large Diversity Alternate Representative.

### **CONFIRMATIONS**

Supervisor Hyland moved the confirmation of the following appointments:

- Mr. Bret Bailey as the Lacrosse Council's Principal Representative
- Ms. Mary Ann Wagner as the Lacrosse Council's Alternate Representative
- Mr. Paul Jansen as the Fairfax County School Board Representative
- Mr. William Curan as the Fairfax County Schools, Student Activities and Athletic Programs Representative
- Ms. Lisa Cherubini as the Soccer Council Principal Representative
- Ms. Debi Honaker as the Soccer Council Alternate Representative
- Mr. Rob Hahne as the Baseball Council Principal Representative
- Ms. Patricia Franckewitz as the Community and Recreation Services Principal Representative

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

**CONFIRMATIONS**

Supervisor Hyland moved the confirmation of the following appointments:

- Mr. Chris Leonard as the Community and Recreation Services Alternate Representative
- Mr. William Minto as the Fast Pitch Softball Principal Representative
- Mr. Jim Pendergast as the Fast Pitch Softball Alternate Representative
- Mr. Mark Meana as the Football Council Principal Representative
- Mr. Rocky Styer as the Football Council Alternate Representative
- Mr. George Lovelace as the Park Authority Principal Representative
- Mr. Todd Johnson as the Park Authority Alternate Representative
- Ms. Amy Craig as the School Board Alternate Representative
- Mr. Carl Coan as the Slow Pitch Softball Principal Representative
- Ms. Sharon Sealock as the Slow Pitch Softball Alternate Representative
- Mr. Jeffrey Stein as the Town of Clifton Principal Representative
- Mr. Sam Althoff as the Town of Vienna Principal Representative
- Ms. Patricia Johnson as the Volleyball Council Principal Representative

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



**AUDIT COMMITTEE**

Supervisor Bulova moved the reappointment of Mr. Sean Coleman as the At-Large #1 Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

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

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

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

**BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS**

Chairman Connolly moved the reappointment of Mr. John Yeatman as the Professional Representative #1. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Joseph Blackwell as the At-Large Representative #2. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Robert Mansker as the At-Large Representative #3. Chairman Connolly seconded the motion, which carried by unanimous vote.

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

**CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE**

Supervisor McKay moved the reappointment of Mr. Stephen King as the Lee District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Hunter Mill and Mason District Representatives.

**CHILD CARE ADVISORY COUNCIL**

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

**CITIZENS CORPS COUNCIL, FAIRFAX COUNTY**

The Board deferred the appointment of the Mason District Representative.

**CIVIL SERVICE COMMISSION**

Supervisor Frey moved the reappointment of Ms. Audrey Morton as the At-Large #1 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the following reappointments: Ms. Rosemarie Annunziata as the At-Large #3 and Mr. Jason Fong as the At-Large #4 Representatives. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. Bob Frye as the At-Large #5 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Thomas Garnett as the At-Large #6 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Patrick Morrison as the At-Large #7 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Ms. Carolyn Fleming-Williams as the At-Large #8 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. D. Patrick Lewis as the At-Large #9 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. John Harris as the At-Large #10 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Foust moved the reappointment of Mr. Richard Stacy as the At-Large #11 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Herrity moved the reappointment of Mr. John Townes as the At-Large #12 Representative. This motion, the second to which was inaudible, carried by unanimous vote.

**COMMISSION FOR WOMEN**

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

The Board deferred the appointment of the Lee District Representative.

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

Supervisor Hudgins moved the reappointment of Ms. Karl Simon as the Hunter Mill District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Dorothy O'Rourke as the Sully District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Lee, Mason, Mount Vernon District and Religious Community Representatives.

**COMMUNITY CRIMINAL JUSTICE BOARD**

Chairman Connolly moved the appointment of Mr. Kenneth Feng as the At-Large #1 Fairfax County Representative. Supervisor Hyland and Supervisor Herrity jointly seconded the motion, which carried by unanimous vote.

**CONFIRMATION**

Supervisor Bulova moved the confirmation of the following appointment:

- Mr. Dennis Renken as the City of Fairfax At-Large #3 Representative

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

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

**COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP**

Supervisor Frey moved the appointment of Mr. Dominic Taddeo as the Sully District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

**CONSUMER PROTECTION COMMISSION**

Supervisor Hyland moved the appointment of Mr. Michael Roark as the Fairfax County Resident #2 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

**CRIMINAL JUSTICE ADVISORY BOARD**

Supervisor Bulova moved the appointment of Mr. Mark Cranfill as the Braddock District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the appointment of Mr. Dennis Musteen as the Providence District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Smyth asked unanimous consent that the Board direct staff to invite Mr. Robert Freeman to appear before the Board to be recognized for his services as the Providence District Representative. Without objection, it was so ordered.

Supervisor Frey moved the appointment of Mr. Michael Birch as the Sully District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

**ENGINEERING STANDARDS REVIEW COMMITTEE****CONFIRMATIONS**

Supervisor Hyland moved the confirmation of the following appointments:

- Mr. Charles Dunlap as the Virginia Association of Surveyors Representative
- Dr. W. Clayton Ormsby as the Citizens Committee on Land Use and Transportation Representative

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

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

Chairman Connolly moved the reappointment of Mr. George Lamb as the At-Large #3 Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Lyle McLaren as the Braddock District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Ms. Johna Gagnon as the Lee District Representative. Supervisor Gross seconded the motion, which carried by vote of nine, Supervisor Herrity being out of the room.

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

#### **FAIRFAX AREA DISABILITY SERVICES BOARD**

Chairman Connolly moved the reappointment of Mr. Thomas Choman as the At-Large Fairfax County Representative. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

Supervisor Hyland moved the appointment of Ms. Georgia Rangel as the Mount Vernon District Representative. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

The Board deferred the appointments of the At-Large #1, At-Large Chairman's, and Lee District Representatives.

#### **FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

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

#### **HEALTH CARE ADVISORY BOARD**

Supervisor Frey moved the appointment of Ms. Susan Conrad as the Sully District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

#### **HISTORY COMMISSION**

Supervisor Gross moved the reappointment of Ms. Naomi Zeavin as the Historian #1 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Elise Murray as the Citizen #3 Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Ms. Barbara Naef as the Archaeologist Representative. Chairman Connolly and Supervisor Foust jointly seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. Mayo Stuntz as the Historian #2 Representative. This motion was multiply seconded and it carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Irma Clifton as the At-Large #2 Representative. Chairman Connolly and Supervisor Bulova jointly seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. James Cox as the At-Large #3 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

### **HUMAN RIGHTS COMMISSION**

Chairman Connolly moved the appointment of Mr. Samuel Simon as the At-Large #1 Representative. Supervisor Hudgins and Supervisor Foust jointly seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Michael Margosis as the At-Large #7 Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large #4 and #6 Representatives.

### **INDUSTRIAL DEVELOPMENT AUTHORITY**

Supervisor Hudgins moved the reappointment of Mr. Charles Rainey as the At-Large #2 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

### **INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**

Supervisor Foust moved the reappointment of Mr. Suresh Shenoy as the Dranesville District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

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

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

Supervisor Frey moved the reappointment of Mr. Michael DiConti as the Sully District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

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

Supervisor Braddock moved the reappointment of Mr. Robert Birmingham as the Braddock District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Dr. Patricia Smith-Sloan as the Hunter Mill District Representative. Supervisor Smyth seconded the motion, which carried by unanimous vote.

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

Supervisor Smyth moved the reappointment of Ms. Melissa Smarr as the Providence District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Dranesville, Lee, and Springfield District Representatives.

**PARK AUTHORITY**

Supervisor McKay moved the reappointment of Mr. Edward Batten as the Lee District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Harold Strickland as the Sully District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

**PLANNING COMMISSION**

Chairman Connolly moved the reappointment of Mr. James Hart as the At-Large #3 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Braddock moved the reappointment of Ms. Susanne Harsel as the Braddock District Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Rodney Lusk as the Lee District Representative. This motion was multiply seconded and it carried by unanimous vote.

Supervisor Foust moved the appointment of Mr. Jay Donahue as the Dranesville District Representative to fill the unexpired term of Ms. Nancy Hopkins who resigned effective January 31, 2008. Chairman Connolly seconded the motion, which carried by unanimous vote.

### **ROAD VIEWERS BOARD**

Chairman Connolly moved the reappointment of Mr. John Ewing as the At-Large #2 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Arthur Nalls as the At-Large #3 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Stephen Still as the At-Large #4 Representative. Supervisor Bulova and Supervisor Foust jointly seconded the motion which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Richard Bochner as the At-Large #5 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large #1 Representative.

### **SMALL BUSINESS COMMISSION**

Supervisor Bulova moved the appointment of Ms. Marsha Senack as the Braddock District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large #3, Providence, and Springfield District Representatives.

### **TENANT LANDLORD COMMISSION**

Chairman Connolly moved the reappointment of Ms. Jacqueline Rosier as the Citizen Member #1 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. Antonio Gomez as the Citizen Member #2 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Ms. Sally Liff as the Condo Owner Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.



Chairman Connolly moved the following reappointments: Ms. Evelyn McRae as the Tenant Member #2 Representative and Mr. Michael Aho as the Tenant Member #3 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Citizen Member #3, Landlord Member #3, and Tenant Member #1 Representatives.

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

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

Supervisor Foust moved the reappointment of Mr. Wade Smith as the Dranesville District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor McKay moved the reappointment of Mr. Robert Michie as the Lee District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Peter Christensen as the Mount Vernon District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Roger Diedrich as the Providence District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the appointment of Mr. Robert Airaghi as the Sully District Representative. Supervisor Foust seconded the motion, which carried by unanimous vote.

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

#### **TRANSPORTATION ADVISORY COMMISSION**

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

#### **TREE COMMISSION**

The Board deferred the appointment of the Mason District Representative.

**WETLANDS BOARD**

The Board deferred the appointment of the Springfield District Representative.

**AD HOC COMMITTEES****FAIRFAX COUNTY HISTORY MUSEUM SUBCOMMITTEES**

Chairman Connolly moved the appointment of Ms. Maureen Pettis as the At-Large Chairman's Representative #1. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the appointment of Ms. Corazon Sandoval Foley as the At-Large Chairman's Representative #2. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Ms. Betsy Chittenden as the Hunter Mill District #2 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the appointment of Mr. Richard Zambito as the Mason District Representative #2. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the appointment of Ms. Rita Koch as the Sully District Representative #1. Supervisor Hyland seconded the motion, which carried by unanimous vote.

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

**ADDITIONAL APPOINTMENT****DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE 1**

Supervisor Smyth moved the appointment of Mr. John Harrison as the At-Large #4 Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

DS:ds

13. **ADMINISTRATIVE ITEMS** (11:18 a.m.)

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

Supervisor Frey asked unanimous consent to pull Admin 2 and reschedule it on February 11, 2008. Without objection, it was so ordered.

The question was called on the motion to approve the Administrative Items, with the exception of Admin 2, and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

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

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

<b><u>Subdivision</u></b>	<b><u>District</u></b>	<b><u>Street</u></b>
Thistle Hill	Dranesville	Wincrest Place  Georgetown Pike (Route 193) (Additional ROW only)
Cook Inlet	Mount Vernon	Richmond Highway (US Route 1) (Additional ROW only)
Wells Property	Providence	Lee Highway (Route 29) (Additional ROW only)
Oak Hill Reserve, Section 2	Sully	Rose Grove Drive (Route 10303)  Loughrie Way  Barton Way

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Parkside Manor	Sully	Sun Orchard Drive (Route 7992)
		Logwood Lane (Route 6750)
		Parkside Manor Court

**ADMIN 2 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2002-SU-039, DENNIS O. AND KAREN M. HOGGE (SULLY DISTRICT)**

(NOTE: Earlier in the meeting, this item was pulled and rescheduled for February 11, 2008. See page 19.)

**ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 00-Y-017, AXAR MANAGEMENT, INCORPORATED (SULLY DISTRICT)**

(AT) Approved the request for 24 months of additional time to commence construction for Special Exception Amendment Application SEA 00-Y-017 to September 9, 2009, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 4 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (BRADDOCK AND PROVIDENCE DISTRICTS)**

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-B07-59	Verizon Wireless Antenna colocation on existing monopole/light pole 4700 Medford Drive (Annandale High School) (Braddock District)	March 28, 2008
2232-P07-15	Department of Public Works and Environmental Services Temporary library during renovation of Thomas Jefferson Library 7500 Saint Philips Court (St. Philips Church) (Providence District)	August 4, 2008

**ADMIN 5 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 98-M-009-2, THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON AND HIS SUCCESSORS IN OFFICE (MASON DISTRICT)**

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Amendment Application SEA 98-M-009-2 to August 28, 2009, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LAND EXCHANGE BETWEEN THE CITY OF FAIRFAX AND THE BOARD OF SUPERVISORS FOR THE RELOCATION OF THE FAIRFAX CITY REGIONAL LIBRARY (PROVIDENCE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 11, 2008, at 4 p.m.** regarding the land exchange between the City of Fairfax and the Board of Supervisors for the relocation of the Fairfax City Regional Library.

**ADMIN 7 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) REVENUE BONDS FOR THE BENEFIT OF TRINITY CHRISTIAN SCHOOL OF FAIRFAX, INCORPORATED**

- (R) Adopted the Resolution requesting the EDA to issue up to \$9 million revenue bonds pursuant to the plan of financing of Trinity Christian School of Fairfax, Incorporated.

**ADMIN 8 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (SULLY DISTRICT)**

- Endorsed the following traffic calming measures:
  - One raised crosswalk and two speed humps on Hidden Meadow Drive (Sully District).
  - One raised crosswalk and one speed hump on Springhaven Drive (Sully District).
- Directed staff to request the Virginia Department of Transportation (VDOT) install the approved measures as soon as possible, and that staff and VDOT develop cut-through plans in conjunction with the applicable community as soon as possible.

**ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON PART OF THE RIGHT-OF-WAY OF POPLAR TREE ROAD (SULLY DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2008, at 4 p.m.** regarding a proposal to abandon part of the right-of-way of Poplar Tree Road.

**ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE PINWOOD GREENS COMMUNITY PARKING DISTRICT (CPD) (PROVIDENCE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2008, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Pinewood Greens CPD, in accordance with current CPD restrictions. The proposed district establishment will encompass Hyson Lane (Route 5041), from Lee Highway to the cul-de-sac inclusive, and Snead Lane (Route 5040), from Hyson Lane to Mary Street.

**ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE WHITE OAKS COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the White Oaks CPD, in accordance with current CPD restrictions. The proposed district establishment will encompass Shiplett Boulevard (Route 5236), from Burke Lake Road to Andromeda Drive.

**ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON PART OF THE RIGHT-OF-WAY OF PENIWILL DRIVE (MOUNT VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2008, at 4 p.m.** regarding a proposal to abandon part of the right-of-way of Peniwill Drive.

**ADMIN 13 – INSTALLATION OF “NO PARKING” SIGNS ON THE SOUTH SIDE OF ELECTRIC AVENUE FROM CEDAR LANE TO GALLOWS ROAD (PROVIDENCE DISTRICT)**

- (R)
- Adopted the Resolution restricting parking on the south side of Electric Avenue from Cedar Lane to Gallows Road.

- Directed staff to install these signs at the earliest possible date.

**ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE ORANGE HUNT COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2008, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Orange Hunt CPD, in accordance with current CPD restrictions. The proposed district expansion will encompass Game Lord Drive (Route 5560), the entire length; Field Master Drive (Route 4580), from Sydenstricker Road to Conservation Drive; and Conservation Drive (Route 4582), from Antelope Place to Brian Michael Court.

**ADMIN 15 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO CHAPTER 3 (COUNTY EMPLOYEES), SECTION 3-6-3, RELATING TO THE CONTROL OF THE COUNTY DEFERRED COMPENSATION PLAN**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2008, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Section 3-6-3, relating to the control of the County Deferred Compensation Plan.

**ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO APPROVE A JOINT EXERCISE OF POWERS AGREEMENT THAT PROPOSES TO CREATE A TRUST FUND TO PROVIDE FOR THE COSTS OF POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2008, at 3:30 p.m.** to consider adopting an Ordinance approving a joint exercise of powers agreement for the creation of the Virginia Pooled Other Post-Employment Benefits (OPEB) Trust Fund in cooperation with the Virginia Municipal League/Virginia Association of Counties Finance Program and other jurisdictions in the Commonwealth of Virginia.

14. **A-1 – APPROVAL OF PUBLIC SALE FOR ROLL-OVER OF FUNDING FOR CRESCENT APARTMENTS** (11:18 a.m.)

- (R) On motion of Supervisor Hudgins, seconded by Chairman Connolly, and carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Herrity, Supervisor Smyth, and Chairman Connolly voting “AYE,” the Board concurred in the recommendation of staff and adopted a Resolution relating to the issuance of a Fairfax County Redevelopment and Housing Authority

(FCRHA) 5-year bond anticipation note (BAN), which authorizes the following actions:

- Requests FCRHA to issue the BAN.
- Approves the form of a payment agreement between FCRHA and the Board.
- Approves the form of the lease agreement.
- Approves the form of the Preliminary Official Statement and the Notice of Sale.
- Approves the form of the notes.
- Approves the form of the Continuing Disclosure Agreement.
- Authorizes the execution and delivery of the payment agreement, lease agreement, and continuing disclosure agreement.

15. **A-2 – AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE THE EIGHTH AMENDMENT TO THE DECLARATION OF COVENANTS**  
(11:18 a.m.)

On motion of Supervisor Smyth, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute the Eighth Amendment to the Declaration of Covenants and the First Addendum to the Eighth Amendment to the declaration on behalf of the Board, as included in Attachments One and Two of the Board Agenda Item dated January 28, 2008.

16. **C-1 – AMENDMENTS TO THE TENANT-LANDLORD BYLAWS**  
(11:20 a.m.)

(BACs) The Board next considered an item contained in the Board Agenda dated January 28, 2008, regarding amending the Tenant-Landlord Commission's bylaws.

Supervisor Gross moved that the Board authorize the Tenant-Landlord Commission to amend its bylaws. Supervisor Smyth seconded the motion.

Supervisor Gross raised a question regarding a new section to the bylaws regarding conflict with ordinances or laws, and discussion ensued, with input from Michael S. Liberman, Director, Department of Cable Communications and Consumer Protection, and David P. Bobzien, County Attorney, who noted that staff will look into the matter and report with a recommendation.



Supervisor McKay said that he spoke with several members of the Tenant-Landlord Commission and made them aware of the efforts the County is making with the Code Enforcement Strike Team and was astonished to find that many of them did not know what the Strike Team was or why it was in existence.

Therefore, Supervisor McKay asked unanimous consent that the Board direct the Strike Team to give the Tenant-Landlord Commission a presentation on the efforts of the Strike Team regarding Code Enforcement and solicit input from the commission on ways to improve its operations. Without objection, it was so ordered.

Following further discussion, with input from Mr. Bobzien, regarding the bylaws, the question was called on the motion and it carried by a vote of nine, Chairman Connolly being out of the room.

17. **I-1 – CONTRACT AWARD – ANNUAL CONTRACT FOR STORM SEWER REPAIRS USING MASONRY REHABILITATION AND OPEN CUT METHODS** (11:24 a.m.)

The Board next considered an item contained in the Board Agenda dated January 28, 2008, requesting authorization for staff to award a contract to E.E. Lyons Construction Company, Incorporated, in the amount of \$1,716,359 for the rehabilitation of storm sewer lines using masonry rehabilitation and open cut methods.

The staff was directed administratively to proceed as proposed.

18. **I-2 – CONTRACT AWARD TO CH2M HILL, INCORPORATED, TO PROVIDE THE ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE DOGUE CREEK PUMP STATION AND ANCILLARY FACILITIES REHABILITATION PROJECT (MOUNT VERNON DISTRICT)** (11:24 a.m.)

The Board next considered an item contained in the Board Agenda dated January 28, 2008, requesting authorization for staff to award a contract to CH2M Hill, Incorporated, in the amount of \$3 million for the Dogue Creek Pump Station and Ancillary Facilities Rehabilitation Project, Project L00117, Dogue Creek Pumping Station Rehabilitation, in Fund 402, Sewer Bond Construction.

The staff was directed administratively to proceed as proposed.

19. **I-3 – CONTRACT AWARD – WEST OX ROAD/MONROE STREET INTERSECTION IMPROVEMENT (HUNTER MILL DISTRICT)**  
(11:25 a.m.)

The Board next considered an item contained in the Board Agenda dated January 28, 2008, requesting authorization for staff to award a contract to Arthur Construction Company, Incorporated, in the amount of \$102,551 for the construction of West Ox Road/Monroe Street Intersection Improvement, Project Number 064242, in Fund 304, Transportation Improvements.

The staff was directed administratively to proceed as proposed.

20. **I-4 – CONTRACT AWARD – ENGINEERING DESIGN SERVICES FOR LORTON ROAD WIDENING (MOUNT VERNON DISTRICT)**  
(11:25 a.m.)

The Board next considered an item contained in the Board Agenda dated January 28, 2008, requesting authorization for staff to award a contract to ATCS, PLC in the amount of \$3,270,000 for the widening of Lorton Road, Project 4YP213, in Fund 304, Transportation Improvements.

The staff was directed administratively to proceed as proposed.

21. **I-5 – CONTRACT AWARD – REAL ESTATE DEVELOPMENT ADVISORY SERVICES** (11:25 a.m.)

The Board next considered an item contained in the Board Agenda dated January 28, 2008, requesting authorization for staff to award contracts to Alvarez and Marsal and Jones Lang LaSalle for real estate development advisory services to assist the County in the evaluation and negotiation of public private partnerships for the provision of public infrastructure involving the acquisition, sale, transfer, lease and/or joint use of County land. The total estimate amount is to fall within a range of \$60,000 to \$400,000 per project depending on the final scope of work for each project and length of time necessary to complete each project phase. The contracts are three year contracts with five one-year renewal options subject to the results of periodic performance review.

The staff was directed administratively to proceed as proposed.

22. **I-6 – SERVICE CHANGES TO FAIRFAX CONNECTOR ROUTES TO BE IMPLEMENTED IN EARLY CALENDAR YEAR 2008** (11:25 a.m.)

The Board next considered an item contained in the Board Agenda dated January 28, 2008, requesting authorization for staff to implement changes to the schedules and/or routings of several FAIRFAX CONNECTOR bus routes in early March of 2008. The staff was directed administratively to proceed as proposed.

23. **I-7 – NOTIFICATION OF CONTRACT AMENDMENTS FOR LAND DEVELOPMENT AND ARCHITECTURAL SERVICES FOR THE CRESCENT APARTMENTS PROPERTY (HUNTER MILL DISTRICT)**  
(11:25 a.m.)

The Board next considered an item contained in the Board Agenda dated January 28, 2008, requesting authorization for staff to amend the following contracts:

- Jones Lang LaSalle – the revised total contract amount for land development services is \$105,000 with an additional \$5,600 in contingency.
- Cunningham and Quill Architects, PLLC – the revised total contract amount for architectural services is \$166,000 with an additional \$11,700 in contingency.

The staff was directed administratively to proceed as proposed.

24. **I-8 – POTENTIAL LOCATION OF ADDITIONAL NOISE MONITORS IN THE VICINITY OF WASHINGTON DULLES INTERNATIONAL AIRPORT** (11:26 a.m.)

(BACs) The Board next considered an item contained in the Board Agenda dated January 28, 2008, announcing the addition of eight new noise monitors, as part of Metropolitan Washington Airports Authority's replacement program, for the area around Washington Dulles International Airport.

Discussion ensued, with input from Carol Hawn, Chairman, Airports Advisory Committee, regarding the monitor site locations.

Supervisor Frey said that he received several calls from constituents in the Oakton area regarding the need for a noise monitor. Therefore, with reference to Attachment One of the Board Agenda Item, Fairfax County Airports Advisory Committee's recommendations on the location of additional noise monitors, regarding the priority order of the potential site locations, Supervisor Frey moved that the Board direct staff to reverse item numbers 4 and 5. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

25. **I-9 – QUARTERLY STATUS REPORT ON THE BOARD'S FOUR-YEAR TRANSPORTATION PROGRAM AND OTHER SELECTED PROJECTS**  
(11:29 a.m.)

The Board next considered an item contained in the Board Agenda dated January 28, 2008, regarding the quarterly status report on the Board's four-year transportation program and other selected projects.

Discussion ensued, with input from Katharine D. Ichter, Director, Department of Transportation, regarding when items fall from the list.

NV:nv

### **ADDITIONAL BOARD MATTERS**

26. **FEDERAL TRANSIT ADMINISTRATION'S FAILURE TO FUND RAIL TO DULLES** (11:32 a.m.)

With reference to the first of his written Board Matters, Chairman Connolly announced that he would defer presentation and discussion of the Rail to Dulles item until after the Board's closed session. He noted that the Board would be kept apprised of developments in Richmond today.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item #82.)

27. **PROTECTION OF HISTORIC AND ENVIRONMENTAL RESOURCES IN THE HUNTER MILL ROAD CORRIDOR (DRANESVILLE, HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS)** (11:33 a.m.)

In a joint Board Matter with Supervisor Frey, Supervisor Foust, Supervisor Hudgins, and Supervisor Smyth, Chairman Connolly noted that the Hunter Mill Road corridor and Great Falls are threatened by increasing impervious surface areas and development that is incompatible with the historic character of this part of the County. There are 20 Agricultural and Forestal Districts in Dranesville and Sully Districts, covering a total of 1,204 acres. Although Agricultural and Forestal Districts provide effective medium-term protection of open space, they do not protect open space in perpetuity.

Therefore, jointly with Supervisor Frey, Supervisor Foust, Supervisor Hudgins, and Supervisor Smyth, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board direct staff to research mechanisms for enhanced preservation and maximizing open space in the Hunter Mill Road corridor and Great Falls, including but not limited to, Transfer of Development Rights, Historic Overlay Districts, Stream Overlay Districts, or any combination thereof, and to report to the Board's Environment Committee no later than April 2008. Supervisor Foust and Supervisor Smyth jointly seconded the motion.

Following a brief discussion regarding the Hunter Mill Traffic Calming Study request, an expression of appreciation to the Chairman for his initiative, and transferable development rights, the question was called on the motion which carried by unanimous vote.

28. **BRIGHT FUTURES** (11:35 a.m.)

In a joint Board Matter with Supervisor Gross, Chairman Connolly said that on April 22, 2008, Earth Day, the Bright Futures Project of Fairfax and Arlington County Schools will launch a two-week, student-led drive to replace one incandescent bulb with one compact fluorescent light bulb ("CFL") for each child enrolled in the County school systems. That is 167,000 bulbs in Fairfax County and 18,600 bulbs in Arlington County.

Chairman Connolly said that students will help create a "bright future" in Northern Virginia by educating themselves and the public about the economic and environmental benefits of switching from incandescent light bulbs to the far more energy-efficient CFLs and supplying these bulbs at a reasonable price to local residents. They will remove 150 million pounds of greenhouse gasses from the region's atmosphere -- the equivalent of planting more than 50,000 trees - and help local consumers save more than \$13 million in energy costs.

Chairman Connolly expressed appreciation to the parents, Parent Teacher Associations (PTAs), the Fairfax County Chamber of Commerce, and others for organizing this initiative, which will help the County reach its greenhouse gas emissions objectives in Cool Counties.

Therefore, jointly with Supervisor Gross, Chairman Connolly asked unanimous consent that the Board direct staff in the Office of Public Affairs to publicize the Bright Futures Project, in conjunction with PTAs, parents, and Arlington County. Without objection, it was so ordered.

Supervisor Gross noted that the County again won the national award in the "Change a Light Campaign" this year.

There was a brief discussion about how much residential electricity bills can be reduced with the use of CFLs and their potential impact on reducing energy needs for the region.

29. **FIRST RESPONDERS DO NOT ALWAYS HAVE SIRENS** (11:39 a.m.)

Chairman Connolly reported that on December 26, 2007, Division of Solid Waste Collection and Recycling employees Chris Kardelis, Owen Kyer, and Ricky Marsh were on their scheduled refuse collection route when a frantic woman began screaming "Fire!" from the entrance to her home. They immediately stopped their truck and ran towards the home to assist. Quickly, the three realized that a small child was still inside the home. While one crew member called 911 for emergency assistance, another ran to a back window, broke it to release smoke from the residence, and courageously entered the burning home to save the child. The men then retrieved a garden hose and began spraying water through the broken window into the fire. Once Fire and Rescue Department personnel arrived, Kardelis, Kyer, and Marsh returned to their truck and continued down the street completing their route like business as usual.

According to the Fire Marshall assigned to the scene these employees were directly responsible for saving the home from burning to the ground and the small child from suffering serious smoke inhalation. This is yet another example of how our solid waste personnel truly are a direct vital link to the County's community not just as those who keep Fairfax clean, but at times as essential first responders.

Therefore, Chairman Connolly asked unanimous consent that the Board direct staff to invite Chris Kardelis, Owen Kyer, Ricky Marsh, and their supervisors, Robert "Scotty" Scott, Thornton "Cat" Glenn, William Eckert, and Robert Glenn to appear before the Board at its February 11, 2008, meeting to be recognized for their courageous efforts the morning of December 26, 2007. Without objection, it was so ordered.

There was a brief query to Merni Fitzgerald, Director, Office of Public Affairs, who indicated that this was the first scheduled presentation for that date.

30. **EARNED INCOME TAX CREDIT (EITC) AWARENESS MONTH**  
(11:40 a.m.)

Chairman Connolly said that Benjamin Franklin, whose face adorns the \$100 bill, was the first who uttered the now famous phrase, "In this world nothing is certain but death and taxes." In an ironic twist, millions of income-eligible Americans qualify for tax refunds through the EITC, lining their pockets with enough Franklins for more secure financial futures. But there is a problem: only an estimated 14 to 25 percent of those eligible for the refundable credits actually claim them. Fairfax County CASH "Creating Assets, Savings, and Hope" campaign is an all-volunteer coalition that provides free income tax preparation services, focusing on the EITC, to County residents with annual household incomes of less than \$40,000. This community-based coalition prepares taxes during the 12-week filing season from mid-January to mid-April. The coalition has 12 computer sites in Northern Virginia open to customers one evening per week and on Saturdays.

Therefore, Chairman Connolly moved that the Board proclaim February 2008 as "*Earned Income Tax Credit Awareness Month*" and direct staff to invite volunteers from the County CASH campaign and the Office of Partnerships to be recognized with the proclamation at the February 11, 2008, Board meeting. Vice-Chairman Bulova seconded the motion, which carried by a vote of nine, Supervisor Frey being out of the room.

31. **NATIONAL ENGINEERS WEEK** (11:42 a.m.)

Chairman Connolly asked unanimous consent that the Board proclaim February 17-23, 2008, as "*Engineers Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Department of Public Works and Environmental Services and other engineer representatives to receive the

proclamation at the February 11, 2008, Board meeting. Without objection, it was so ordered.

32. **WOMEN'S HISTORY MONTH** (11:42 a.m.)

Chairman Connolly reminded the Board that March is National Women's History Month. Therefore, he asked unanimous consent that the Board proclaim March 2008 as "*Women's History Month*" in Fairfax County and direct staff to invite the appropriate representatives from the Office of Women and the Office of Equity Programs to receive the proclamation at the March 10, 2008, Board meeting. Without objection, it was so ordered.

There was a brief query to Merni Fitzgerald, Director, Office of Public Affairs, who indicated that this was the first scheduled presentation for that date.

33. **WORLD TUBERCULOSIS (TB) DAY** (11:42 a.m.)

(BACs) Chairman Connolly noted that TB continues to kill approximately two million people each year worldwide. Additionally, as of 2001 only 30 percent of active TB cases were being diagnosed and treated. To halve TB prevalence and deaths by 2010, the global targets of 70 percent case detection and 85 percent cure rates for those detected must be reached this year. Thus, accelerating case detection is critical. To encourage detection and educate the public about TB, the Health Department and the Health Care Advisory Board will participate in "World TB Day," on March 24, 2008, the day that marks the anniversary of the discovery of the organism which causes TB.

Therefore, Chairman Connolly asked unanimous consent that the Board proclaim March 24, 2008, as "*World TB Day*" in Fairfax County and direct staff to invite representatives from the Health Care Advisory Board and the Health Department to be recognized with the proclamation at the March 10, 2008, Board meeting. Without objection, it was so ordered.

34. **DONATE LIFE MONTH** (11:43 a.m.)

(BACs) Chairman Connolly asked unanimous consent that the Board proclaim April 2008 as "*Donate Life Month*" in Fairfax County to coincide with the national observance of this important cause and direct staff to invite members of the Fairfax County Commission on Organ and Tissue Donation and Transplantation to receive the proclamation at the March 31, 2008, Board meeting.

There was a brief query to Merni Fitzgerald, Director, Office of Public Affairs, who indicated that there are three scheduled presentations for that date.

35. **NATIONAL PUBLIC HEALTH WEEK** (11:43 a.m.)

(BACs) Chairman Connolly asked unanimous consent that the Board proclaim April 7-14, 2008, as "*National Public Health Week*" in Fairfax County and direct staff to invite the appropriate representatives from the Health Department and the Health Care Advisory Board to receive the proclamation at the March 31, 2008, Board meeting. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

36. **INTELLECTUAL AND DEVELOPMENTAL DISABILITIES INCLUSION MONTH** (11:44 a.m.)

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

Therefore, Supervisor Bulova moved that the Board proclaim March as "*Intellectual and Developmental Disabilities Inclusion Month*" in Fairfax County and direct staff to invite the CSB, the Arc of Northern Virginia, and People First to appear before the Board on March 10 to accept this proclamation. Supervisor Foust seconded the motion, which carried by a vote of nine, Supervisor Frey being out of the room.

37. **MEMORIAL GARDEN PLAN REVIEW FEE WAIVER (BRADDOCK DISTRICT)** (11:45 a.m.)

Supervisor Bulova said that in 2007 the Braddock District Council of Community Associations requested permission from the Park Authority to build a Memorial Garden at Canterbury Woods Park in honor of Ms. Mary Read. Ms. Read was one of the Virginia Tech students whose life was taken last spring. The Park Authority Board approved the memorial request at its meeting on January 23, 2008.

Supervisor Bulova said that Park Authority staff is preparing an application to the Department of Public Works and Environmental Services (DPWES) to allow for construction of the memorial in Canterbury Woods Park at a location near the corner of Wakefield Chapel Road and Braddock Road. This area of the park is located in the Resource Protection Area (RPA). Although this passive recreation use is exempt from the provisions of the Code of the County of Fairfax, Chesapeake Bay Preservation Ordinance, the submittal of a request for exemption of the Code requirements and a water quality impact assessment is required.



Therefore, Supervisor Bulova moved that the Board authorize DPWES to waive the plan review fees associated with securing an exemption under the Chesapeake Bay Preservation Ordinance to allow the placement of the proposed memorial, a Hokie rock with some landscaping around it, within an RPA at Canterbury Woods Park. Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

38. **CHARITABLE LEAF-RAKING PROJECT IN THE KINGS PARK NEIGHBORHOOD (BRADDOCK DISTRICT)** (11:46 a.m.)

Supervisor Bulova said that for the past nine years, members of the NOVA Family Church, organized by 24-year-old Shin Nan Goto and his sister Aki Goto, have raked leaves in the Kings Park community to raise money for non-profit aid organizations all over the world.

In those nine years, the effort has raised more than \$12,000 for projects ranging from Hurricane Mitch relief in Honduras, to relief for earthquake victims in Pakistan and support to build a girl's school in Afghanistan. This year, the project raked 19 lawns and raised more than \$1,500 for an orphanage and school in Nakuru, Kenya.

Taking its cue from Napoleon's famous quote that "an army marches on its stomach," Supervisor Bulova noted that the Goto household served as a field kitchen, dispensing 50 pizzas, 50 pieces of chicken, nearly 100 donuts, and lots of soda to the hungry leaf-rakers. All the food was donated by local businesses. She said that it is important to point out that roughly 50 teenagers participated in the day-long effort this year, working for seven hours on a cold, wet day.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite the participants in this project, including Shin Nan and Aki Goto, to appear before the Board to be thanked and recognized for their good work. Without objection, it was so ordered.

Chairman Connolly suggested scheduling this recognition for the February 11 Board meeting.

39. **CREATING AN ONLINE BUDGET AND EXPENDITURES DATABASE FOR THE CITIZENS OF THE COUNTY** (11:48 a.m.)

Supervisor Herrity asserted that there is no simple way for County citizens to analyze where and how their tax dollars are being spent by the County. He expressed his belief that in the interest of the citizens, the Board should direct staff to create a simplified online budget and expenditures database that constituents can easily access from their home computers. He noted that it would be an important step toward a more open and accountable government and would lead to increased citizen participation in the budget process. He also said that the

County would be among the first counties in the US to create such a resource for their constituents.

Accordingly, Supervisor Herrity asked unanimous consent that the Board direct the County Executive to report to the Board on how the County could implement such a financial database and the cost of its implementation, including the availability of public and private resources to offset the cost, with a goal of having an online database implemented in Fiscal Year 2009.

Chairman Connolly stated that the Board will direct the County Executive to include this in the Board's March 8 budget workshop as part of the agenda.

Without objection, the request was so ordered.

40. **ECONOMIC IMPACT OF REVENUE/COST OF SERVICES RATIOS**  
(11:49 a.m.)

Supervisor Herrity asserted that it is a long understood economic premise that for every dollar raised by the County's commercial tax base, the cost of services is a fraction of the revenue it produces. The converse is true for the residential tax base, for every dollar in residential tax base, the services required to serve it exceed the dollar. He said that for five years he has been inquiring as to the revenue and cost of services equation for the high density residential tax base in the County.

Because of market pressures, over the last several years, Supervisor Herrity said that the County has converted some of its commercial tax base to high density residential. He expressed his belief that it is critical for the Board to understand the long term economic impact on the tax base of converting the scarce remaining undeveloped commercial tax base to high density residential. The first step in this analysis is understanding the revenue/cost of services ratio of the components of the tax base.

Accordingly, Supervisor Herrity moved that the Board direct the County Executive to work with the Economic Development Authority (EDA) to undertake an analysis of the current revenue/cost of services ratio for the residential, commercial, and high density residential tax base.

Supervisor Bulova, Board's Budget Committee Chairman, asked unanimous consent that this issue be treated as a budget question to staff for an analysis.

Following discussion of the complexity of the request and previous studies by George Mason University, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to circulate previous studies. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Hudgins asked unanimous consent that the Board direct staff to include the relationship of transit to the area and the resulting reduction in taxes. Without objection, it was so ordered.

Discussion continued on the motion and the fact that high density residential can be commercial property and that housing types affect service demands.

Supervisor Foust asked unanimous consent that the Board direct staff to involve the Board's Economic Advisory Committee (EAC) in the process of the study. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that the Board direct staff to consult with any applicable groups in addition to the EDA and to include for the budget workshop a ballpark cost of producing this kind of analysis. Without objection, it was so ordered.

Supervisor Smyth asked unanimous consent that the Board direct staff to include commercial properties and proffer commitments. Without objection, it was so ordered.

Supervisor Herrity asked unanimous consent to amend his original motion to a request that the Board direct the County Executive to speak with the EDA about whether such an analysis can be undertaken and report to the EAC at its next meeting.

Supervisor Bulova asked to amend the request to include "other appropriate agencies or organizations that can assist" in addition to the EDA. Without objection, the request, as amended, was so ordered.

41. **EXTENDED USE OF SHOULDER LANES AND HIGH OCCUPANCY VEHICLE (HOV) RAMPS ON INTERSTATE 66** (12 noon)

In a joint Board Matter with Supervisor Frey, Supervisor Herrity noted that traveling I-66 during peak hours frustrates commuters as they sit in stop-and-go traffic or flat-out gridlock. On weekends congestion can be as bad as it is during the week. The most recent traffic count information he obtained indicated that during peak hours in each direction, approximately 20-25,000 vehicles pass through the corridor of I-66 near Route 50 during the week. He said that the Virginia Department of Transportation (VDOT) shared with him its tentative plans to extend the hours the shoulder lane eastbound will be open an hour later until 11 a.m., and in the evening commute, the lane will open an hour earlier at 2 p.m. This could potentially be implemented as early as April. It will increase capacity and improve commutes for not only Springfield and Sully District drivers, but commuters Countywide. VDOT indicated that an expression of support for this change from the Board would be helpful.

Supervisor Herrity added that I-66 has two ramps that are currently open only during peak hours and restricted to HOV use. He stated his belief that the Fairfax Center area would benefit from improved access from I-66, reducing drive time and congestion. Opening the Monument Drive ramp would give County employees and citizens more direct access to the Government Center during non-HOV hours. VDOT has begun its review of these changes.

Accordingly, jointly with Supervisor Frey, Supervisor Herrity moved that the Board direct staff to prepare and send a letter on behalf of the Board to:

- Commend VDOT staff for their efforts to improve mobility in the short term on I-66.
- Express support for and encourage the expeditious extension of rush hour use of the shoulder lanes.
- Encourage VDOT to determine the feasibility and infrastructure changes needed to open the shoulder lanes on weekends.
- Express support for the opening of the Monument Drive and Stringfellow Road ramps to traffic during non-HOV periods, provided that this can be safely accomplished.

Supervisor Frey seconded the motion.

Discussion ensued regarding support of the efforts.

Supervisor Smyth asked to amend the motion to include in the letter an assumption to VDOT that it is also reviewing neighboring localities, and this was accepted.

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

42. **NO BOARD MATTERS FOR DRANESVILLE DISTRICT SUPERVISOR JOHN FOUST** (12:04 p.m.)

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

43. **TWENTIETH ANNUAL SPRINGFIELD DAYS CELEBRATION (LEE AND SPRINGFIELD DISTRICTS)** (12:04 p.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor McKay said that this year will be the Twentieth Annual Springfield Days celebration, expanded this year to four days—from Friday, May 29 through Sunday, June 1.

In addition to the Springfield Days Parade (featuring Paws on Parade, the marching dogs of Springfield), Supervisor McKay said that the event will include a Taste of Springfield at Springfield Plaza, a Family Festival at Springfield Mall, an art show, community tent, entertainment, children and family-friendly rides, and the Lake Accotink Park Cardboard Boat Regatta. Venues include Commerce Street, Springfield Plaza, Springfield Mall, and Lake Accotink Park.

This celebration has many partners including The Woman's Club of Springfield, the Greater Springfield Chamber of Commerce, the Fairfax County Park Authority and Lake Accotink Park, Fairfax, the Springfield Art Guild, and many local businesses.

Supervisor McKay, jointly with Supervisor Herrity, asked unanimous consent that the Board direct staff to prepare a proclamation declaring Springfield Days on May 29, 30, 31, and June 1, 2008, and invite the Springfield Days Committee to appear before the Board to be recognized and receive the proclamation. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to also invite a representative of the marching dogs to appear before the Board. Without objection, it was so ordered.

44. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 2007-LE-030 AND ITS SITE PLAN (LEE DISTRICT)**  
(12:06 p.m.)

Supervisor McKay said that Springfield Post 7327 of the Veterans of Foreign Wars (VFW) of the United States has filed a special exception application for a private club and public benefit association at 7713 through 7719 Beulah Street. The site is within walking distance of the back gate of Fort Belvoir on Telegraph Road. Currently the site is predominately undeveloped with an old abandoned single family home; next to the site is a local Moose Lodge. The VFW facility will be the main meeting place for the former combat veterans who are members of the Springfield VFW Post. The members are eager to begin construction on their new building as they are currently housed in warehouse space.

Therefore, Supervisor McKay moved that the Board direct staff to concurrently process Special Exception Application SE 2007-LE-030 and its associated site plan. This motion should in no way prejudice the full review of this application and does not preclude the applicant from adherence to all adopted standards in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

45. **GRASS ORDINANCE** (12:07 p.m.)

In a joint Board Matter with Chairman Connolly, Supervisor McKay said that on January 14, the Board's Development Process Committee heard a briefing from

staff on amendments to the grass ordinance and program. The current enforcement process, staff reports, takes two months. Yet, in Lee District and other districts in the County, there have been cases with vacant homes where enforcement took five months or more. In 2007, staff noted a more than 100 percent increase in complaints from the previous year and, with current foreclosure trends, the possibility for an even sharper increase in 2008.

With these issues in mind, Supervisor McKay said that staff recommended code amendments that will allow notice of violation postings on the property in all cases instead of the current lengthy practice of contacting a property owner in-person or by certified mail. These postings will also include a streamlined appeal process.

Supervisor McKay asserted that it is imperative that the Board act on these amendments as soon as possible—well before spring comes and the grass begins to grow. Therefore, jointly with Chairman Connolly, Supervisor McKay moved that the Board:

- Request that these amendments come back before the Board for public hearing no later than April 28, 2008.
- In addition to these amendments, direct staff to include detailed information to the Board on enforcement program improvements that do not require code amendments but will improve the response time for enforcement. An overview of some of these program improvements was provided at the last committee meeting, but more detail is needed to ensure this program is responsive to the reality of the neighborhood issues with property maintenance.

Chairman Connolly seconded the motion.

Supervisor Gross asked to amend the motion to include the staffing implications in the staff response, and this was accepted.

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

**PMH:pmh**

46. **NORTHERN VIENNA (NoVi) TRAIL NETWORK – “LEAVE NO CHILD INSIDE” DESIGNATED CORRIDOR** (12:10 p.m.)

Supervisor Hudgins said that the “Leave No Child Inside” program is being adopted by local municipalities and states around the country to encourage today’s youth to spend more time outdoors and less time in front of computers and televisions.

The goal of the “Leave No Child Inside” initiative is to provide children and their families with the joy, discovery, and physical activity by getting outside and is designed to reconnect youngsters with the natural world, build the next generation of environmental stewards, and showcase parks.

With the Board’s consent, and consistent with the County’s sidewalk and trail and recreational priorities, Supervisor Hudgins encouraged the County to adopt a similar “Leave No Child Inside” initiative in partnership with the schools and parks, and to investigate establishing a grant program for which communities, schools, corporations, non-profits, and other organizations could apply. Eligible programs could focus on existing County health, environmental, educational and recreation programs of the Health Department, Park Authority, Northern Virginia Regional Park Authority, and the Northern Virginia Soil and Water Conservation District, as well as encouraging new initiatives.

Supervisor Hudgins designated Phase 1 of the NoVi Trail Network as the County’s first “Leave No Child Inside” Corridor. As the County designs and builds the Beulah Road Trail in Vienna, neighborhoods are being connected with each other and with regional and County parks such as Meadowlark Botanical Gardens, the Cross County Trail, and others.

Supervisor Hudgins asked unanimous consent that the Board direct staff to explore grants and other avenues to establish a Fairfax County “Leave No Child Inside” program. Without objection, it was so ordered.

47. **RESTON LLC (HUNTER MILL DISTRICT)** (12:11 p.m.)

Supervisor Hudgins said that Reston, LLC has filed a Planned Residential Community Application PRC 74-2-113 to demolish an existing vacant restaurant and construct a two-story, 12,500 gross square foot office building, with no increase in existing impervious area on the site. The existing building has been vacant for some time now and the applicant is anxious to have the site redeveloped. The applicant is requesting an expedited Board date and concurrent processing.

Therefore, Supervisor Hudgins moved that the Board direct the Department of Planning and Zoning to expedite the review of Planned Residential Community Application PRC 74-2-113 and also direct the Department of Public Works and Environmental Services to review the site plan for this project (STPL 7496-SP-003) concurrently with Planned Residential Community Application PRC 74-2-113. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Herry being out of the room.

48. **SEKAS HOMES, LIMITED (HUNTER MILL DISTRICT)** (12:13 p.m.)

Supervisor Hudgins said that on March 26, 2007, the Board approved Rezoning Application RZ 2006-HM-024, an application by Sekas Homes, Limited to rezone Tax Map Parcel 28-3 ((1)) Parcel 31 to the R-3 District with proffers to allow development of 11 single family detached houses. Since that time, Sekas Homes, Limited has been able to consolidate two adjacent parcels that are currently zoned R-1 and would like to integrate these parcels into the site design through the rezoning process. Sekas Homes, Limited has submitted Rezoning Application RZ 2007-HM-015 to rezone from the R-1/R-3 District to the R-3 District to permit development of 15 houses on Tax Map 28-3 ((1)) 28, 29, and 31. The Board also approved a request for concurrent processing of the subdivision plan on September 24, 2007. At this time, the applicant is requesting an expedited Board date to facilitate a timely approval of the subdivision plan.

Therefore, Supervisor Hudgins moved that the Board direct the:

- Department of Planning and Zoning to expedite Rezoning/Final Development Plan Application RZ/FDP 2003-HM-004 and associated proffered condition amendment and final development plan amendment.
- Department of Public Works and Environmental Services to accept for simultaneous and concurrent processing any plans as may be necessary in conjunction with the amendment proposed to Rezoning/Final Development Plan Application RZ/FDP 2003-HM-004.

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 nine, Supervisor Herrity being out of the room.

49. **WORKFORCE HOUSING INITIATIVES** (12:15 p.m.)

Supervisor Hudgins referred to an article appearing on Forbes.com in which Fairfax County is listed as the nation's richest county. Additionally in the article there was a discussion on the Douglas County, Colorado initiatives on affordable housing or assisting below-market interest rates, down payments, and other initiatives.

Supervisor Hudgins noted that other jurisdictions included on the list have an aggressive workforce housing initiative.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to compile and analyze the workforce/affordable home buying initiatives available in the Top 20 Richest Counties according to Forbes.com, and report its findings. Without objection, it was so ordered.



50. **PRESERVING PROPERTY WITHIN UTILITY EASEMENTS** (12:16 p.m.)

Supervisor Hudgins referred to her written Board Matter regarding easements through utilities and she asked unanimous consent that the Board direct staff to analyze the legislation, and similar bills from other states, so that the County may be able to work with the State delegation on proposed legislation for the 2009 Legislative Session that may offer additional recourse to residents in the County and across the Commonwealth. Without objection, it was so ordered.

A brief discussion ensued regarding the clearing of easements.

51. **MERRIFIELD REVITALIZATION AREA (PROVIDENCE DISTRICT)** (12:18 p.m.)

Supervisor Smyth said that since approval of the Merrifield Suburban Center Out-of-Turn Plan Amendment S98-CW-2CP in 2001, the Merrifield Comprehensive Plan is successfully being incrementally implemented. A crucial part of this Plan envisions phased road improvements that will serve the entire Merrifield Suburban Center by creating a new grid of streets to improve access throughout Merrifield. The extension of Merrilee Drive to Prosperity Avenue has been built; the connections of Merrilee Drive to the Dunn Loring Metro Station and improvements to Eskridge Road have been proffered.

The Comprehensive Plan design of Eskridge Road requires some relocation and significant elevation modification at its northern end to create a four-way intersection with Route 29 and Merrilee Drive. Improvement of Eskridge Road cannot be initiated until all the property rights on the parcels along the existing Eskridge Road are acquired.

Representatives of Merrifield Mixed Use LLC have successfully negotiated agreements with the majority of offsite owners along Eskridge Road but have been unsuccessful in their attempts to negotiate the acquisition of all property interests necessary on the relevant portions of Parcels 97 and 96B. Merrifield Mixed Use LLC has requested assistance from the County to acquire these easements to proceed with bonding and construction of the Comprehensive Plan improvements to Eskridge Road.

To facilitate the implementation of phased transportation improvements of the Merrifield Suburban Center Comprehensive Plan, Supervisor Smyth moved that the Board direct the Fairfax County Land Acquisition Division staff to proceed to negotiate the acquisition of all necessary outstanding land rights on, over, and across the relevant portions of Tax Map 49-3((1)) parcels 97 and 96B in accordance with the procedures established by the County. Supervisor Bulova seconded the motion and it carried by unanimous vote.

52. **LIDO PLACE SIDWALK (PROVIDENCE DISTRICT)** (12:20 p.m.)

- (A) Supervisor Smyth said that the Board has a walkway project identified as the Lido Place Walkway Project Number W00700 (W719). This project consists of the construction of approximately 650 linear feet of 4-foot-wide concrete walkway, including some grading of the existing yards, driveways, drainage ditches, and the installation of one 15-inch concrete culvert along Lido Place between Southwick Street (Route 978) and Horner Court (Route 2571).

The construction of this project requires the acquisition of one sidewalk easement and five grading agreement and temporary construction easements in the Providence District. Although the Land Acquisition Division (LAD) has been negotiating to acquire these land rights since April 25, 2007, as of this date, it has been unable to reach resolution due to property owner concerns about the project. Repeated deferrals to move forward on the project have meant increases in project costs. Thus, condemnation is necessary.

Supervisor Smyth moved that since pursuant to section 15.2-1903 of the *Code of Virginia* a public hearing is required before property interests can be acquired by eminent domain proceedings, the Board directs staff to advertise a notice of public hearing for those certain land rights necessary for the construction of Project W00700 (W719), Lido Place Walkway, Fund 307, pedestrian walkway improvements. The LAD will provide the documents appropriate for the necessary advertisement for a public hearing to be held on **March 10, 2008, at 3:30 p.m.** regarding Lido Place sidewalk. Supervisor Bulova seconded the motion and it carried by unanimous vote.

53. **ABSENTEE BALLOTS** (12:23 p.m.)

Supervisor Gross said that the Commonwealth of Virginia has scheduled its Presidential Primaries for February 12. If a voter finds that he or she will be unable to go to the polls on Election Day, there is the opportunity to vote absentee, either "In-Person" absentee at the County Government Center or by mail.

Supervisor Gross referred to her written Board Matter for information on how to receive a ballot by mail. She noted that a number of constituents already have dropped by her office for applications. The form can be confusing, but all required information must be provided to be processed. One easy section to overlook is "Part B," where the applicant provides the mailing address to which the ballot should be mailed. Applicants may believe that providing their residential address in "Part D" would fulfill the same requirement. It does not.

If an application is found to be incomplete, the Electoral Board sends a letter, email, or fax to the applicant advising him/her of any additional information that must be provided. The resulting delay may cause some people to find themselves unable to vote in this historic primary election.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff at County governmental centers and libraries to be advised of the importance of completing all sections of the Absentee Ballot application and seek to ensure that any voter who requests an application be advised as well. She further asked that the Office of Public Affairs be directed to distribute this information, emphasizing the "Part B" requirements. Without objection, it was so ordered.

A brief discussion ensued regarding the process.

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

- Review the letter received from the Disability Services Board regarding the difficulties that people with disabilities had in voting in the last election.
- Report with recommendations for how the difficulties that people encounter can be remedied.

Without objection, it was so ordered.

54. **CLIMATE CHANGE TEACH-IN** (12:26 p.m.)

Supervisor Gross said that the Northern Virginia Community College (NVCC) will be hosting its "Climate Change Teach-In" from Wednesday, January 30 through Friday, February 1. For these three days, there will be events and forums at the various NVCC campuses.

On Thursday, there will be a bio-tour at the Woodbridge campus, a screening of "An Inconvenient Truth" and "Revolution Green: A True Story of Rio-diesel in America." Annandale campus will host "The Two Percent Solution," an interactive Web-cast discussing global warming solutions.

From noon to 1 p.m. on Friday, the Medical Education Campus will host a forum discussing the "Human Health Implications of Climate Change." The Alexandria campus will discuss the interconnections between coal and climate change in Virginia.

Last is the Climate Change Symposium on Friday at the Ernst Community Cultural Center at the Annandale Campus. Starting at noon, a panel of experts will discuss a wide variety of aspects of global climate change, with an opportunity for audience questions at the end.

Many of these events are open to the public. Additionally, parking restrictions will be waived at the Annandale campus on Friday from 11 a.m. to 4 p.m.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to distribute information publicizing these events to County offices, libraries, community groups, and public schools. Without objection, it was so ordered.

55. **NO BOARD MATTERS FOR SULLY DISTRICT SUPERVISOR FREY**  
(12:28 p.m.)

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

56. **RICHMOND HIGHWAY MASS TRANSPORTATION STUDY (MOUNT VERNON DISTRICT)** (12:28 p.m.)

Supervisor Hyland said that in 2006 former Supervisor Kauffman presented a joint Board Matter with him stating that the Virginia Department of Transportation agreed to transfer \$1 million from the Route 1 Location Study to fund a transit study for Segment C, Belvoir Woods Parkway to I-495. The Virginia Department of Rail and Public Transportation (VDRPT) agreed to manage the study. In July 2007, the Board wrote to the Secretary of Transportation and the Director of VDRPT inquiring of the status of the study. Six months later, there has been no response. The Department of Transportation (DOT) has not been able to get VDRPT to initiate the study or obtain a reason why it still languishes. He noted that only through the coordination of expanding existing roads and implementing alternative transportation choices does the southeastern part of the County stand a fighting chance to accommodate the base realignment and closure (BRAC).

Therefore, Supervisor Hyland moved that the Board direct DOT to send another correspondence to Secretary Homer and Director Tucker, on behalf of the Board, expressing its deep frustration that the transit study has not begun and seek an explanation as to why. Supervisor McKay seconded the motion.

Following comments by Supervisor McKay, the question was called on the motion and it carried by unanimous vote.

57. **BIRDING FEEDING NUISANCE (MOUNT VERNON DISTRICT)**  
(12:30 p.m.)

Supervisor Hyland said that in the last few months, business owners in Hybla Valley have expressed their concern to the Southeast Fairfax Development Corporation and his office about bird droppings on their lots. At various times throughout the day, business owners witnessed people dumping large bags of birdseed and bread. The avian admirers slow their cars down to dump their food and quickly drive away. These drive-bys are violations of the Health Code. The police have already caught two such perpetrators. Now that they have been warned they, and anyone else who leaves food in the open for the birds, could be cited or taken to civil court for property damages. He said that two months ago,

one of his Board Matters requested information on a Virginia Department of Game and Inland Fisheries (DGIF) regulation, which, if the Board were to adopt, would give the County Animal Control Officers the authority to regulate the feeding of wild animals. Not only is this a problem in Hybla Valley, but also along Little Hunting Creek.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the County Executive to send a memorandum to the Board detailing the DGIF regulation prohibiting the feeding of wild animals and its effects, if adopted, upon the County. Without objection, it was so ordered.

58. **MR. STEPHEN SNELL MEMORIAL TREE (MOUNT VERNON DISTRICT)** (12:32 p.m.)

Supervisor Hyland informed the Board of the death of a great community activist. Mr. Stephen Snell learned shortly before Christmas that he had pancreatic cancer. Mr. Snell lived in the Belle View Condominiums. After Hurricane Isabel, he became a tireless proponent for flood protection for the Belle View and New Alexandria communities.

Supervisor Hyland referred to his written Board Matter and shared a poignant memory, which made him admire this amazing advocate all the more.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Urban Forestry Management Division to help the Belle View Condo Association Board and his office locate or plant an appropriate tree to commemorate Mr. Snell and prepare a memorial tree nomination to honor him. Without objection, it was so ordered.

59. **MANUFACTURED CHIMNEY FIRE (MOUNT VERNON DISTRICT)** (12:33 p.m.)

Supervisor Hyland said that he received an email indicating that the Department of Fire and Rescue had responded to a fire in the Mount Vernon District which originated in a manufactured chimney (zero clearance) that extended to the home's T-111 siding and quickly spread.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to determine whether:

- Manufactured chimneys with zero clearance that ignited the siding is an issue of code compliance and whether it is consistent with the Public Facilities Manual.
- This is a problem for other homes that could create a hazard.

Without objection, it was so ordered.

60. **PATRIOT VICTORY** (12:35 p.m.)

In reference to the upcoming Super Bowl, Supervisor Hyland noted that “A Patriot victory would be a giant step forward.”

61. **LEGISLATIVE MEETINGS** (12:35 p.m.)

Chairman Connolly encouraged Board Members to attend legislative meetings.

62. **RECESS/CLOSED SESSION** (12:36 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. Liberty Mutual Insurance Company, et al. v. County of Fairfax. Virginia, et al., Case No. CL-2007-0006134 (Fx. Co. Cir. Ct.)
  2. Ernst B. Sprinckmoller v. Ronald K. Haas, Case No. CL-2007-0002364 (Fx. Co. Cir. Ct.)
  3. Elias Serrano v. Jose C. Letona Crespin, Case No. CL-2007-0010119 (Fx. Co. Cir. Ct.)
  4. County of Fairfax v. Angela Y. Glasgow and Annette Swift-Bynoe, Case No. 07-22048 (Fx. Co. Gen. Dist. Ct.)
  5. Admiral Limousine and Transportation Service, Inc. v. County of Fairfax and Department of Tax

Administration, Case No. CL 2007-0014589 (Fx. Co. Cir. Ct.)

6. David Bernhard and Cheryl E. Gardner v. The Board of Supervisors of Fairfax County, Virginia, Case No. CL-2007-0012368 (Fx. Co. Cir. Ct.) (Mason District)
7. Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Norma Cuenca, Case No. CL-2007-0011604 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
8. Eileen M. McLane, Fairfax County Zoning Administrator v. Leandro Villarroel, Agustin Jaime Ferrufino-Castro, and Silvio Beatriz Beza De Ferrufino, Case No. CL-2007-0011604 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
9. Eileen M. McLane, Fairfax County Zoning Administrator v. Mery Raquel Vilcapoma Inga, Case No. CL-2007-0013788 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
10. Eileen M. McLane, Fairfax County Zoning Administrator v. Angela Rivas, Case No. CL-2007-0008621 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
11. Eileen M. McLane, Fairfax County Zoning Administrator v. Lynn Tjeerdsma and Mary Tjeerdsma, Case No. CL-2007-0010110 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. Eileen M. McLane, Fairfax County Zoning Administrator v. Ada M. Evans, Case No. CL-2007-0015191 (Fx. Co. Cir. Ct.) (Providence District)
13. Eileen M. McLane, Fairfax County Zoning Administrator v. Jean Manansala, Case No. CL-2007-0011087 (Fx. Co. Cir. Ct.) (Lee District)
14. Eileen M. McLane, Fairfax County Zoning Administrator v. George Davis and Donna Davis,

Case No. CL-2007-0010981 (Fx. Co. Cir. Ct.)  
(Lee District)

15. Eileen M. McLane, Fairfax County Zoning Administrator v. The Arcadian Limited Partnership, Case No. CL-2007-0010111 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. Eileen M. McLane, Fairfax County Zoning Administrator v. Roy Faircloth, Case No. CL-2007-0003748 (Fx. Co. Cir. Ct.) (Springfield District)
17. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. John A. Ruth, Case No. CL-2008-0000220 (Fx. Co. Cir. Ct.) (Lee District)
18. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Greenwood Homeowners Association, Case No. CL-2008-0000219 (Fx. Co. Cir. Ct.) (Lee District)
19. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Kings Crossing Venture, LLC, Case No. CL-2008-0000352 (Fx. Co. Cir. Ct.) (Mount Vernon District)
20. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Rafael Antonio Carbajal and Maria Delmi Carbajal, Case No. CL-2008-0000293 (Fx. Co. Cir. Ct.) (Mount Vernon District)
21. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Shirley A. Guernsey, Case No. CL-2007-0015387 (Fx. Co. Cir. Ct.) (Mount Vernon District)
22. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. REO Properties Corporation, Case No. CL-2008-0000467 (Fx. Co. Cir. Ct.) (Lee District)
23. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v.



Mohamed Sorour, Case No. CL-2007-0015044  
(Fx. Co. Cir. Ct.) (Mount Vernon District)

24. Eileen M. McLane, Fairfax County Zoning Administrator v. Sonia G. Munoz, Case No. CL-2007-0015538 (Fx. Co. Cir. Ct.) (Mount Vernon District)
25. Eileen M. McLane, Fairfax County Zoning Administrator v. Santos Paradas, Case No. CL-2007-0015533 (Fx. Co. Cir. Ct.) (Mount Vernon District)
26. Eileen M. McLane, Fairfax County Zoning Administrator v. Leslie M. Hood, Case No. CL-2007-0015310 (Fx. Co. Cir. Ct.) (Hunter Mill District)
27. Eileen M. McLane, Fairfax County Zoning Administrator v. Joun Suk Lim, Jung Sook Lim, and Tower Construction, Inc., Case No. CL-2007-0015312 (Fx. Co. Cir. Ct.) (Providence District)
28. Eileen M. McLane, Fairfax County Zoning Administrator v. Park Crest SPE Phase I, LLC, Case No. CL-2007-0015242 (Fx. Co. Cir. Ct.) (Providence District)
29. Eileen M. McLane, Fairfax County Zoning Administrator v. Adeeb S. Ibrahim, Jr., Case No. CL-2008-0000050 (Fx. Co. Cir. Ct.) (Lee District)
30. Eileen M. McLane, Fairfax County Zoning Administrator v. Wilber E. Sorto, Case No. CL-2007-0015536 (Fx. Co. Cir. Ct.) (Lee District)
31. Eileen M. McLane, Fairfax County Zoning Administrator v. Pedro Campos and Ligia Campos, Case No. CL-2008-0015534 (Fx. Co. Cir. Ct.) (Lee District)
32. Eileen M. McLane, Fairfax County Zoning Administrator v. David Whedon, Case No. CL-2008-0000292 (Fx. Co. Cir. Ct.) (Mount Vernon District)

33. Eileen M. McLane, Fairfax County Zoning Administrator v. Michael P. Savage, Case No. CL-2008-0000541 (Fx. Co. Cir. Ct.) (Lee District)
34. Eileen M. McLane, Fairfax County Zoning Administrator v. Delia M. Reyes and Huber Bueno, Case No. CL-2008-0000290 (Fx. Co. Cir. Ct.) (Lee District)
35. Board of Supervisors v. Jacobsen Builders, Inc., et al., At Law No. CL-2005-0002874 (Fx. Co. Cir. Ct.) (Braddock District)

And in addition:

- Board of Zoning Appeals v. Board of Supervisors, Supreme Court of Virginia Record Number 071395
- Discussions pursuant to Virginia Code Section 2.2-3711 (A)(30)
- Virginia Code Section 24.2-626
- Discussions pursuant to Virginia Code Section 2.2-3711 (A)(20)Islamic Saudi Academy Lease

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

63. **INTENT TO DEFER PUBLIC HEARING** (12:36 p.m.)

Chairman Connolly noted Supervisor Bulova's intent to defer the public hearing on the following applications:

- Proffered Condition Amendment Application PCA 1998-BR-073
- Proffered Condition Amendment Application PCA 75-8-036-02
- Developmental Plan Amendment Application DPA C-546-23
- Planned Residential Community Application PRC C-546

(NOTE: Later in the meeting these public hearings were formally deferred. See Clerk's Summary Item #68.)

**DET:det**

At 3:52 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

**ACTIONS FROM CLOSED SESSION**64. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:52 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 Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

65. **SETTLEMENT IN LIBERTY MUTUAL INSURANCE COMPANY, ET AL., VERSUS THE COUNTY OF FAIRFAX, VIRGINIA, ET AL., CASE NUMBER CL-2007-0006134** (3:52 p.m.)

Supervisor Herrity moved that the Board authorize the County Attorney's Office to settle the lawsuit of *Liberty Mutual Insurance Company, et al., versus The County of Fairfax, Virginia, et al.*, Case Number CL-2007-0006134, in accordance with the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion and it carried by unanimous vote.

NV:nv

**AGENDA ITEMS**66. **3 P.M. – ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (3:53 p.m.)

At 3:53 p.m., the annual meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Connolly in accordance with Article III, Section I of the bylaws.

Supervisor Gross moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

**OFFICERS**

Gerald E. Connolly  
Chairman, Fairfax County  
Board of Supervisors

– Chairman

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

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

Supervisor Gross moved approval of the minutes from the January 22, 2007, meeting of the Fairfax County Solid Waste Authority. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Supervisor Gross moved approval of the Financial Statements and Supplemental Information dated June 30, 2007 and 2006, as presented to members of the Fairfax County Solid Waste Authority. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Supervisor Gross moved to adjourn the Annual Meeting of the Fairfax County Solid Waste Authority. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Supervisor Gross expressed appreciation to staff.

At 3:55 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was adjourned.

DET:det

67. **3 P.M. – BOARD DECISION ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC B-846 (JBG/RIC RETAIL LLC, JBG/RIC LLC) (HUNTER MILL DISTRICT) (3:55p.m.)**

(NOTE: On January 7, 2008, the Board held a public hearing on this item and deferred decision until January 28, 2008.)

The application property is located at 11800 Sunrise Valley Drive, Tax Map 17-3 ((3)) 1C and 1D.

Following a discussion between Supervisor Hudgins and Chairman Connolly concerning key elements of the application, Supervisor Hudgins submitted items for the record and moved:

- Approval of Planned Residential Community Application PRC B-846, subject to the development conditions dated January 15, 2008.
- Modification of the transitional screening requirements between the proposed residential uses and the non-residential uses.

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

68. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-BR-073 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC)**

**AND**

**PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 75-8-036-02 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC)**

**AND**

**PH ON DEVELOPED PLAN AMENDMENT APPLICATION DPA C-546-23 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC)**

**AND**

**PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC C-546 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC) (BRADDOCK DISTRICT) (3:42 p.m.)**

Supervisor Bulova moved to defer the public hearing on Proffered Condition Amendment Application PCA 1998-BR-073, Proffered Condition Amendment Application PCA 75-8-036-02, Developed Plan Amendment Application DPA C-546-23, and Planned Residential Community Application PRC C-546 until

**March 31, 2008, at 3 p.m.** Supervisor Smyth seconded the motion and it carried by unanimous vote.

69. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-MA-021 (THAKORLAL MISTRY ET UX & BABUBHAI S. MISTRY ET UX) (MASON DISTRICT)** (4:03 p.m.)

The application property is located at 3211 Hallran Road, Tax Map 61-2 ((4)) 14.

Mr. Patrick M. Kessler 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 Gregory J. Budnik, P.E.

Mr. Kessler 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, Jonathan Papp, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 2006-MA-021, subject to the development conditions dated December 18, 2007. Supervisor Foust seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Hyland, and Supervisor Smyth being out of the room.

70. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MA-013 (PNC BANK, NA) (MASON DISTRICT)**

**AND**

**PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 97-M-024 (PNC BANK, NA) (MASON DISTRICT)** (4:11 p.m.)

As listed in the agenda, the public hearing on Special Exception Application SE 2007-MA-013 and Special Exception Amendment Application SEA 97-M-024 was deferred until **February 25, 2008, at 3:30 p.m.**

71. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-069-18 (FAIR LAKES CENTER ASSOCIATES, LP) (SPRINGFIELD DISTRICT)**

**AND**

**PH ON CONCEPTUAL DEVELOPMENT PLAN AMENDMENT APPLICATION CDPA 82-P-069-05-01 (FAIR LAKES CENTER ASSOCIATES LP) (SPRINGFIELD DISTRICT) (4:11 p.m.)**

As listed in the agenda, the public hearing on Proffered Condition Amendment Application PCA 82-P-069-18 and Conceptual Development Plan Amendment Application CDPA 82-P-069-05-01 was deferred until **February 11, 2008, at 3:30 p.m.**

**DMS:dms**

72. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-L-020-23 (KINGSTOWNE LLP, KINGSTOWNE PARCEL O LP; KINGSTOWNE M & N LP; BP KINGSTOWNE OFFICE BUILDING T, LLC; KINGSTOWNE TOWNE CENTER LP; BP KINGSTOWNE OFFICE BUILDING K LLC; BP KINGSTOWNE THEATRE, LLC) (LEE DISTRICT) (4:11 p.m.)**

The application property is located in the northeast and southeast quadrants of the intersection of Kingstowne Boulevard and Kingstowne Village Parkway, Tax Map 91-2 ((1)) 26K, 32 F, 36B, 36C, 36G, 36H, and 36I.

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

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

- Mr. Peter D. Johnston, BP Kingstowne Office Building K LLC, BP Kingstowne Office Building T LLC, and BP Kingstowne Theatre LLC

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

- Mr. Jack Burkhart, Boston Properties
- Mr. Warren E. Halle, Cambridge Commons Limited Partnership, Fullerton Cambridge Common LLC, Fullerton Kingstowne KVP North LLC, Hayfield Members LLC, Metropolitan Homes, Incorporated, Naples Manor LP, National Waste Managers,

Incorporated, Odenton Management, Incorporated, VA95 Building  
9 Limited Partnership, Willowbrook Apartments LP

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

Discussion ensued, with input from Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, regarding staff's approval of the application, the vision of Kingstowne, the transportation proffers, and the certification of the buildings.

Discussion ensued further, with input from Mr. Braham, regarding the percentage of Kingstowne that is commercial and residential.

Following the testimony of Mr. James Dillon (Speaker 1), discussion ensued concerning the legality of the application and the Comprehensive Plan, with input from Mr. Braham and Jan L. Brodie, Deputy County Attorney.

Following the testimony of Mr. Clive Carpi (Speaker 10), discussion ensued with input from Mr. Braham, concerning the height measurements, the land around the proposed office development, and the various meetings held beforehand concerning this application.

Following the testimony of Mr. Jeffrey Murphy (Speaker 11), discussion ensued with input from Chuck Almquist, Transportation III, Department of Transportation, pertaining to the one day traffic study of Kingstowne.

Following the testimony of Mr. Mark Sexton (Speaker 16), discussion ensued with input from Mr. Braham and Mr. Calabrese, concerning violations and zoning issues.

### **ADDITIONAL BOARD MATTER**

#### **Congratulations to Dottie Steele on Motherhood** (5:48 p.m.)

Chairman Connolly congratulated Dottie Steele, Administrative Assistant, Office of the Clerk to the Board of Supervisors, on recently becoming a new mother to a baby boy named Alexandre.

Following the testimony from Ms. Kathleen Snyder (Speaker 23), discussion ensued regarding the internal processing of the Kingstowne community.

Chairman Connolly and Supervisor McKay submitted items for the record.



Following the public hearing, which included testimony by 29 speakers, St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Mr. Braham, regarding the gross floor area, the comprehensive plan, and the land use committee for the Lee District.

Discussion continued concerning the height of the trees, the open space, and the anticipated growth of Kingstowne.

Discussion ensued further pertaining to the development of the open space and the balance of market conditions.

Supervisor McKay moved:

- Approval of Proffered Condition Amendment Application PCA 84-L-020-23 and the associated Conceptual Development Plan Amendment, subject to the proffers dated January 25, 2008.
- Modification of the transitional screening requirement to the north and west of the subject property.
- Waiver of the barrier requirement at all edges of the PDC District subject to the application.

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

(NOTE: On October 4, 2007, the Planning Commission approved Final Development Plan Amendment Application FDPA 84-L-020-02-13.)

73.

**4 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 05-CW-3ED FOR EDITORIAL UPDATES TO THE LP2-LORTON SOUTH COMMUNITY PLANNING SECTOR, LOWER POTOMAC PLANNING DISTRICT (MOUNT VERNON DISTRICT)** (6:38 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 January 10 and January 17, 2008.

Meghan Van Dam, Planner III, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and the Planning Commission recommendations. Supervisor Smyth seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved approval of APR Item 05-CW-3ED, as recommended by the Planning Commission, to revise the comprehensive plan as shown on pages 6 – 26 of the staff report dated November 16, 2007, which was provided as Attachment One of the Board Agenda Item. Supervisor Smyth seconded the motion and it carried by unanimous vote.

74. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE POTTERS GLEN COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)**  
(6:42 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and January 17, 2008.

Maria Turner, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor McKay moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Potters Glen CPD, in accordance with current CPD restrictions. Supervisor Frey seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE.”

75. **4 P.M. – PH ON AN UNCODIFIED ORDINANCE THAT WILL PROVIDE FOR UP TO A ONE DOLLAR TEMPORARY TAXICAB FUEL SURCHARGE UNTIL OCTOBER 31, 2008** (6:43 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and January 17, 2008.

Steve Sinclair, Chief, Utilities Branch, Department of Cable Communications and Consumer Protection, presented the staff report.

Discussion ensued, with input from Mr. Sinclair, regarding the four to five times the surcharge was utilized, whether the surcharge is tied to the price of gas, and the rate structure.

Discussion ensued further, with input from Mr. Sinclair, concerning whether a drop in gas prices will reduce or eliminate the surcharge and for what period of time.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved adoption of the Uncodified Ordinance to provide for a

temporary taxicab fuel surcharge of up to \$1 per trip, to be effective for the period February 1, 2008, to October 31, 2008. Supervisor Smyth seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

76. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS TO RENEW AGRICULTURAL APPLICATION AR 98-S-001 (EDITH BIERLY) (SPRINGFIELD DISTRICT)** (6:49 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and January 17, 2008.

The application property is located on the south side of Hampton Road approximately 500 feet west of its intersection with West Ox Road, Tax Map 106-1 ((1)) 14Z and 16Z; 106-1 ((3)) 9Z, 10Z, and 18Z.

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

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

Supervisor Herrity moved approval of Agricultural Application AR 98-S-001 and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Bierly Local Agricultural and Forestal District, subject to the Ordinance provisions dated October 11, 2007. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE," \*Supervisor Gross being out of the room.

(NOTE: \*Later in the meeting, Supervisor Gross asked to be recorded as voting "AYE" for this item. See Clerk's Summary Item CL#78.)

77. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS TO AMEND APPLICATION AA 89-D-001 (THE EAGLE FAMILY LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT)** (6:51 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and January 17, 2008.

The application property is located at 8008 Georgetown Pike, Tax Map 20-2 ((1)) 8Z, 13Z, 14Z, and 48Z; 20-2 ((13)) 4Z and 5Z.

Supervisor Foust announced that he was part of the legal team that represented the Eagle family and would leave the room for this application. He stated that Supervisor Smyth would handle the motion in his absence.

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

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

Supervisor Smyth moved approval of Agricultural Application AA 89-D-001 and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, amending the Eagle Local Agricultural and Forestal District, subject to the Ordinance provisions dated October 10, 2007. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE."

#### **ADDITIONAL BOARD MATTER**

78. **REQUEST TO RECORD VOTE** (6:55 p.m.)

(NOTE: Earlier in the meeting, the Board took action on this item. See Clerk's Summary Item #76.)

Supervisor Gross asked unanimous consent that she be recorded as voting "AYE" for the Board's decision on Agricultural Application AR 98-S-001. Without objection, it was so ordered.

#### **AGENDA ITEMS**

79. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-SU-012 (PATRICE E. MCGINN) (SULLY DISTRICT)**

The public hearing on Special Exception Application SE 2007-SU-012 was deferred until **February 25, 2008, at 3:30 p.m.**

80. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-L-055 (BEULAH STREET II, LLC) (LEE DISTRICT)** (6:55 p.m.)

The application property is located in the northwest quadrant of the intersection of Grovedale Drive and Beulah Street, Tax Map 81-3 ((5)) 17C and 17D.

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

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, St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McKay moved:

- Approval of Proffered Condition Amendment Application PCA 90-L-055, subject to the proffers dated January 23, 2008.
- Modification of the transitional screening requirements along the eastern, northern, and western property boundaries in favor of that shown on the Generalized Development Plan (GDP).
- Waiver of the barrier requirement along the northern property boundary.
- Waiver of the Countywide Trails Plan recommendation for a 10-foot wide trail within the Virginia Department of Transportation right-of-way in favor of that shown on the GDP.

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

81. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-Y-002-02 (VAN LLC)**

**AND**

**PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-Y-005-03 (VAN LLC) (SULLY DISTRICT)** (7:01 p.m.)

The application property is located in the northwest quadrant of the intersection of Centreville Road and Upperridge Drive at 5931 Fort Drive, Tax Map 54-4 ((5)) 1A.

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

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, Suzianne Battista, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Approval of Proffered Condition Amendment Application PCA 93-Y-002-2, subject to the proffers dated November 28, 2007.

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

Supervisor Frey moved:

- Approval of Special Exception Amendment Application SEA 93-Y-005-3, subject to the development conditions dated November 30, 2007.
- Waiver of the service drive requirement.
- Waiver of the barrier requirement and modification of the transitional screening requirement along the Upperridge Drive frontage in favor of the landscaping shown on the Special Exception Amendment plat.

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

NV:nv

### **ADDITIONAL BOARD MATTER**

82. **FEDERAL TRANSIT ADMINISTRATION'S (FTA) FAILURE TO FUND RAIL TO DULLES** (7:07 p.m.)

(NOTE: Earlier in the meeting, there was a brief mention of this item. See Clerk's Summary Item #26.)

Chairman Connolly said that on Thursday, January 24, the FTA Administrator James Simpson indicated that the FTA was likely to declare the Rail to Dulles Project unfit for federal funding. Chairman Connolly said that the failure to provide funding to assist this project going forward neglects the many benefits

that a Metrorail extension would provide and flies in the face of years of progress in this project. This apparent decision was made despite significant evidence that the project met all necessary standards of FTA's New Starts evaluation criteria.

Chairman Connolly noted that an extension of the Washington Metropolitan Area Transportation Authority Metrorail System into the Dulles Corridor has been contemplated for over four decades. Over the last ten years, major exploratory and design work has been completed to move the project forward. Submission for funding through the FTA's New Starts program was among the final steps towards moving Rail to Dulles from the drawing boards to reality.

Chairman Connolly reminded everyone that polling shows that more than nine in ten adults living in Northern Virginia favor an extension of Metrorail to Dulles International Airport. The proposed Metro Silver Line would alleviate traffic congestion in an area recently cited as having the second worst traffic in the nation. In turn, this would result in significant environmental and quality-of-life improvements.

Chairman Connolly said that the Dulles Rail Corridor is the economic engine of Northern Virginia. Facilitating the movement of residents, customers, and employees throughout that area would only further help the entire region prosper. The Metrorail extension to Dulles is a critical step for providing multi-modal and comprehensive transit options to the residents of Fairfax County and Northern Virginia.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board endorse the letter to the FTA, for his signature, as revised and circulated to the Board. Supervisor Hyland seconded the motion.

Discussion ensued regarding the motion, with input from Richard F. Stevens, Dulles Rail Project Coordinator, Department of Transportation.

Supervisor Herrity moved a substitute motion to direct the County Executive to:

- Work with the Virginia Department of Rail and Public Transportation (VDRPT), the Metropolitan Washington Airports Authority (MWAA), and the other partners to consider Bus Rapid Transit (BRT) and other twenty-first century mass transit solutions in solving the mass transit needs of Tysons Corner, the Dulles Corridor, and Dulles International Airport, including the need to revise Comprehensive Plans in the County to change the planning language from rail to transit-based.
- Brief the Board as soon as possible on the likelihood of the impact to the citizens of the County of any cost overruns under the current plan and any proposed financing plans and contracts.

Supervisor Frey seconded the motion.

Following debate on the substitute motion, with input from Mr. Stevens, the question was called on the substitute motion, which **FAILED** by a recorded vote of eight, Supervisor Frey and Supervisor Herrity voting “**AYE.**”

Following discussion of the main motion, with input from Mr. Stevens, Supervisor Hyland moved to call the question. Supervisor Gross seconded the motion, and it carried by unanimous vote.

The question was called on the main motion, which **CARRIED** by a recorded vote of six, Supervisor Frey, Supervisor Foust, and Supervisor Herrity voting “**NAY,**” Supervisor Smyth abstaining.

83. **BOARD ADJOURNMENT** (7:58 p.m.)

The Board adjourned.



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