



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

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

**MONDAY  
March 31, 2008**

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

---

**06-08**

---

**DET:det**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, March 31, 2008, at 9:04 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor John W. Foust, Dranesville 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

Supervisor Frey, Sully District, arrived at 9:06 a.m.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant County Executive; Angela C. Schauweker, Management Analyst II, Office of the 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** (9:04 a.m.)

Chairman Connolly asked everyone to keep in thoughts the memory of Ms. Georgette Kohler, an activist in the Sully District who was very involved in the community and had served the past four years with distinction on the Park Authority.

The Chairman also asked everyone to keep in thoughts the family of former Chairman Kate Hanley. Her son, Patrick, who was due to return to the United States from Iraq this week, was severely wounded while on patrol on Saturday. He was medivaced to Germany and is expected to arrive at Walter Reed Army Medical Facility tomorrow; he is expected to recover. Chairman Connolly added that Patrick's wife, Catherine, worked for his office for the past four years and had just left Friday to drive to Kansas to join him, but she is returning here to be with him for his recuperation.

**AGENDA ITEMS**2. **PROCLAMATION DESIGNATING APRIL 2008 AS "PARENTS WHO HOST LOSE THE MOST MONTH" IN FAIRFAX COUNTY** (9:06 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate April 2008 as "*Parents Who Host Lose the Most Month*" in Fairfax County and urged all residents to join in the campaign to educate adults about the dangers of providing alcohol to those under 21 years of age. Supervisor Foust seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

3. **PROCLAMATION DESIGNATING APRIL 13-19, 2008, AS "PUBLIC SAFETY TELECOMMUNICATIONS WEEK" IN FAIRFAX COUNTY** (9:15 a.m.)

Supervisor Gross moved approval of the Proclamation to designate April 13-19, 2008, as "*Public Safety Telecommunications Week*" in Fairfax County and urged residents to show appreciation to members of this profession who assist 24/7, 365 days a year, to protect the health and safety of the community. Supervisor Bulova and Supervisor McKay jointly seconded the motion and it carried by unanimous vote.

4. **RESOLUTION OF RECOGNITION PRESENTED TO OAKTON HIGH SCHOOL** (9:26 a.m.)

Supervisor Frey moved approval of the Resolution of Recognition presented to Oakton High School on its fortieth anniversary for the noteworthy achievements

and outstanding educational experience it has provided to its students. Supervisor Bulova, Supervisor Hudgins, and Supervisor Smyth jointly seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING APRIL AS "CHILDHOOD IMMUNIZATION MONTH" IN FAIRFAX COUNTY AND CERTIFICATES OF RECOGNITION TO THE RESTON HOSPITAL CENTER AND THE FAIRFAX COUNTY PUBLIC LIBRARIES** (9:34 a.m.)

Supervisor Smyth moved approval of:

- A proclamation to designate April 2008 as "*Childhood Immunization Month*" in Fairfax County.
- Certificates of Recognition to the Reston Hospital Center and the Fairfax County Public Libraries for excellence as partners with the County Health Department in promoting the importance of childhood immunizations.

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

6. **PROCLAMATION DESIGNATING APRIL 2008 AS "DONATE LIFE MONTH" IN FAIRFAX COUNTY** (9:41 a.m.)

Supervisor Bulova moved approval of the Proclamation to designate April 2008 as "*Donate Life Month*" in Fairfax County and urged residents to consider giving the gift of life by becoming an organ, tissue or eye donor, either through [save7lives.org](http://save7lives.org) or by participating in a living donor program. Supervisor Herrity and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

7. **PROCLAMATION DESIGNATING APRIL 7-13, 2008, AS "PUBLIC HEALTH WEEK" IN FAIRFAX COUNTY AND A CERTIFICATE OF RECOGNITION TO THE SIERRA CLUB** (9:50 a.m.)

Supervisor Hyland moved approval of the Proclamation to designate April 7-13, 2008, as "*Public Health Week*" in Fairfax County and urged all residents to be aware that climate change may result in a significant impact on their health, and therefore should support efforts to address the unprecedented challenges of changes in the environment. Supervisor Smyth seconded the motion.

Supervisor Hyland further moved approval of a Certificate of Recognition to the Sierra Club for its efforts during National Public Health Week 2008 in raising public awareness of the impact that changes in the environment may have on public health. Supervisor Bulova and Supervisor Smyth jointly seconded the motion.

Supervisor Hudgins asked unanimous consent that the Board direct staff to make available “Unnatural Causes” as viewed on the Public Broadcasting Service (PBS). Without objection, it was so ordered.

The question was called on the motions, which carried by a vote of eight, Supervisor Frey and Supervisor Herrity being out of the room.

8. **PROCLAMATION DESIGNATING APRIL 15, 2008, AS “LEAGUE OF WOMEN VOTERS OF THE FAIRFAX AREA DAY” IN FAIRFAX COUNTY** (10:01 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to recognize the League of Women Voters of the Fairfax Area for its sixtieth anniversary and proclaim April 15, 2008, as “*League of Women Voters of the Fairfax Area Day*” in Fairfax County. Supervisor Gross and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

9. **PROCLAMATION DESIGNATING APRIL 12, 2008, AS “INVASIVE PLANT REMOVAL DAY” IN FAIRFAX COUNTY** (10:11 a.m.)

Supervisor Gross moved approval of the Proclamation to designate April 12, 2008, as “*Invasive Plant Removal Day*” in Fairfax County and urged all residents to support and participate in invasive plant removal activities that day. Supervisor Bulova and Supervisor Smyth jointly seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Hudgins being out of the room.

EBE:ebe

10. **10 A.M. – PRESENTATION OF THE VOLUNTEER FIRE COMMISSION (VFC) ANNUAL REPORT** (10:21 a.m.)

(BACs) Tim Fleming, Chief, Franconia Volunteer Fire Department, and Chief of the VFC, presented its annual report.

Discussion ensued, with input from Mr. Fleming, regarding competition for the manufacture of fire trucks.

Supervisor Hudgins asked unanimous consent that the Board direct staff to contact the State Emergency Management Services Board to provide information on the impact of the cost of equipment. Without objection, it was so ordered.

Additional discussion ensued regarding recruitment and retention, with input from Mr. Fleming and Pete Kirby, Assistant Fire Chief, Fire Station 17, Centreville, regarding the VFC.

Mr. Fleming introduced Jonathan Wood, President of the Fire and Rescue Association, Fire Chief of Fair Oaks, Station 21; Gerald Strieger, Fire Chief of Baileys Crossroad, Fire Station #10; and Shawn Stokes, Fire Chief of Dunn Loring, Fire Station #13.

11. **ORDERS OF THE DAY** (10:41 a.m.)

Chairman Connolly announced that he would defer appointments until a full Board was present.

**DS:ds**

12. **ADMINISTRATIVE ITEMS** (10:41 a.m.)

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

Supervisor McKay asked to amend the motion to consider Admin 3 separately, and this was accepted.

Supervisor Smyth called the Board's attention to Admin 2 – Extension of Review Periods for 2232 Review Applications (Braddock, Lee, Mason, Mount Vernon, Providence, and Springfield Districts), regarding the withdrawal of Application FS-P08-4 [Fairfax County Office of Public Affairs (OPA)]. Discussion ensued, with input from Merni L. Fitzgerald, Director, OPA, who confirmed that the application had been withdrawn.

Therefore, Supervisor Smyth asked to amend the motion to remove Application FS-P08-4 from the list, and this was accepted.

Supervisor Smyth called the Board's attention to Admin 6 – Installation of Yield to Pedestrians in Crosswalk \$100–\$500 Violation Fine Signs, and noted that one of the locations recommended for a Yield to Pedestrian sign (Reston Parkway and Baron Cameron Avenue) was listed in the wrong district. It should be Hunter Mill District, not Providence District.

Discussion ensued, with input from Christopher D. Wells, Pedestrian Program Manager, Department of Transportation, regarding the number of citations that have been issued as a result of these signs. Supervisor Hudgins asked unanimous consent that the Board direct staff to report with information regarding this issue. Without objection, it was so ordered.

The question was called on the motion, as amended, to approve the Administrative Items, with the exception of Admin 3, and it carried by a vote of

nine, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Herrity being out of the room.

**ADMIN 1 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2002-SU-039, DENNIS O. AND KAREN M. HOGGE (SULLY DISTRICT)**

(AT) Approved the request for 23 months of additional time to commence construction for Special Exception Application SE 2002-SU-039 to July 4, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (BRADDOCK, LEE, MASON, MOUNT VERNON, PROVIDENCE, AND SPRINGFIELD DISTRICTS)**

(NOTE: Earlier in the meeting, additional action was taken regarding this item. See page 5.)

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>
2232-V07-19	Verizon Wireless 118-foot tall monopole (tree pole) 8229 Riverside Road (Mount Vernon District)	June 5, 2008
FS-M07-52	Airband Rooftop antennas 6402 Arlington Boulevard (Mason District)	June 7, 2008
FS-L08-1	FiberTower Antenna colocation on existing monopole 6700 Springfield Center Drive (Lee District)	June 8, 2008
FSA-S06-21-1	FiberTower Additional dish antenna colocations on existing tower 4618 West Ox Road (Springfield District)	June 26, 2008

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-B08-6	Fairfax County Park Authority Park master plan revision 4420 Belden Street (Fairfax Villa Park) (Braddock District)	September 22, 2008

**ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 119 (GRASS OR LAWN AREA), REGARDING NOTICES OF VIOLATION AND THE APPEAL PROCESS**

(NOTE: Earlier in the meeting, the Board deferred action on this item. See page 5.)

(NOTE: Later in the meeting, the Board took action regarding this item. See Clerk's Summary Item 13.)

**ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE ENLARGEMENT/DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND/OR LEAF COLLECTION SERVICE (DRANESVILLE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2008, at 4:30 p.m.** to consider the following changes to small and local sanitary districts for refuse, recycling, and/or leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts. The actions listed below will result in a net increase of 12 leaf collection customers and a decrease of 1 refuse/recycling customer:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District 1E Within Small District 1 Within Dranesville District (701, 703, and 707 N. West Street)	Enlarge 3 Units	Refuse/ Recycling and Leaf	Approve
Local District 1A11 Within Small District 1 Within Dranesville District (Crescent Lane Area)	Enlarge 6 Units	Refuse/ Recycling and Leaf	Approve
Small District 14 Within Dranesville District (6450 Orland Street)	De-Create/ Re-Create 1 Unit	Refuse and Recycling	Approve

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 7 Within Dranesville District (6224, 6526, and 6528 Roosevelt Street)	Enlarge 3 Units	Refuse/ Recycling and Leaf	Approve

**ADMIN 5 – STREETS INTO THE SECONDARY SYSTEM (LEE, MOUNT VERNON, AND SULLY DISTRICTS)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Japonica, Section 3	Lee	Japonica Street (Route 1100) (Additional ROW Only)
Laurel Hill North	Mount Vernon	South Run View  Pohick Creek View  Pohick Road (Route 641) (Additional ROW Only)  Pohick Road (Route 641) (Additional ROW Only)  Creekside View Lane (Route 10647) (Additional ROW Only)
Monacan Estates	Mount Vernon	Monacan Road  Monacan Court
Dartmoor Woods Section 4	Sully	Wandabury Road (Route 7049)  Pony Ridge Way  Wild Horse Drive  Tilton Valley Drive (Route 5442)



**ADMIN 6 – INSTALLATION OF YIELD TO PEDESTRIANS IN CROSSWALK \$100–\$500 VIOLATION FINE SIGNS**

(NOTE: Earlier in the meeting, the Board took additional action regarding this item. See page 5.)

Endorsed the installation of Yield to Pedestrian in Crosswalk \$100–\$500 Violation Fine signs at the 20 subject locations shown in Attachment 1 of the Board Agenda Item dated March 31, 2008.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE SOMERSET COMMUNITY PARKING DISTRICT (CPD) (SPRINGFIELD DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2008, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Somerset CPD in accordance with current CPD restrictions.

**ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE SULLY STATION COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2008, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Sully Station CPD in accordance with current CPD restrictions.

**ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE LANDSDOWNE COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to expand the Landsdowne CPD in accordance with current CPD restrictions.

**ADMIN 10 – APPROVAL OF A MULTI-WAY STOP AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (PROVIDENCE DISTRICT)**

- Approved a multi-way stop at Miller Road and South Erin Drive (Providence District)

- Directed staff to request the Virginia Department of Transportation to install the approved measures as soon as possible.

**ADMIN 11 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY FOR AND ACCEPT AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE US DEPARTMENT OF HOMELAND SECURITY (DHS)**

Authorized FRD to apply for and accept funding, if received, from the DHS Fiscal Year 2008 Assistance to Firefighters Grant Program in the amount of \$308,310, including \$61,662 in local cash match.

**ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CONTINUED LEASING OF COUNTY-OWNED PROPERTY KNOWN AS THE HOLLIN HALL FACILITY, LOCATED AT 1500 SHENANDOAH ROAD, TO A CHILD’S PLACE (MOUNT VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 2, 2008, at 4 p.m.** regarding the continued leasing of a portion of County-owned property known as the Hollin Hall facility located at 1500 Shenandoah Road [Tax Map Number 102-2 ((1))-002-A, Mount Vernon District] to A Child’s Place.

**ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CONTINUED LEASING OF COUNTY-OWNED PROPERTY AT 8333 RICHMOND HIGHWAY TO THE ROYAL EMBASSY OF SAUDI ARABIA D/B/A THE ISLAMIC SAUDI ACADEMY (MOUNT VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 19, 2008, at 3 p.m.** regarding the proposed continued leasing of County-owned property at 8333 Richmond Highway, Alexandria, Virginia, Tax Map Numbers 101-4 ((1))-005-A, 101-4 ((1)) 057, 101-4 ((8)) (E) – 001, and 101-4 ((7)) – 001, to The Royal Embassy of Saudi Arabia d/b/a the Islamic Saudi Academy for the purpose of operating a private school.

**ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 109.1 (SOLID WASTE MANAGEMENT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2008, at 5 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 109.1 (Solid Waste Management).

13. **ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 119 (GRASS OR LAWN AREA), REGARDING NOTICES OF VIOLATION AND THE APPEAL PROCESS** (10:44 a.m.)

(A) Supervisor Gross moved that the Board authorize the advertisement of a public hearing to be held before the Board on **April 28, 2008, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 119 (Grass or Lawn Area), regarding notices of violation and the appeal process. The second to this motion was inaudible.

Supervisor McKay called the Board's attention to Page 19 of the Board Agenda, Item 3, regarding the changes to posting and notification, and discussion ensued with input from Penelope Rood, Chief, Code Enforcement, Department of Public Works and Environmental Services (DPWES).

Supervisor Hyland asked to amend the motion to change the wording from "or" to "and" so that it reads as follows: "...by sending the notice of violation by registered mail, **and** by posting the notice of violation..."

Following discussion regarding the amendment, with input from John Foster, Assistant County Attorney, it was accepted.

Further discussion ensued, with input from Ms. Rood and Mr. Foster, regarding notice posting, the cost associated with non-compliance, and the fee collection process.

Following further discussion, with input from Jimmie Jenkins, Director, DPWES, regarding the fee process, Supervisor McKay asked to amend the motion to direct staff to:

- Collect the fees and fines in the context of property taxes.
- Provide a quarterly status report to the Board.

This was accepted.

Discussion ensued, with input from Mr. Jenkins, regarding the hiring of contract personnel to assist administratively with this issue.

Discussion ensued, with input from Mr. Foster, regarding whether foreclosures will eliminate liens.

Discussion ensued, with input from James W. Patteson, Director, Land Development Services, DPWES, regarding the evaluation process.

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

EBE:ebe

14. **10:15 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (10:59 a.m.)

(APPTS)

(BACs)

**A. HEATH ONTHANK AWARD SELECTION COMMITTEE**

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

**ADVISORY SOCIAL SERVICES BOARD**

Supervisor McKay moved the appointment of Ms. Rebecca Geller as the Lee District Representative. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

Supervisor Hyland moved the appointment of Ms. Gretchen V. Johnson as the Mount Vernon District Representative. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

**AGRICULTURAL AND FORESTAL DISTRICT ADVISORY BOARD**

Following query to Nancy Vehrs, Clerk to the Board regarding this seat, Chairman Connolly moved the appointment of Supervisor John Foust as the BOS Member Representative. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

**AIRPORTS ADVISORY COMMITTEE**

The Board deferred the appointment of the Mason District Representative.

**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Mr. Jay Donahue as the Planning Commission Representative

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

**ANIMAL SERVICES ADVISORY COMMISSION**

Supervisor Foust moved the appointment of Ms. Diane D'Arcy as the Dranesville District Representative. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

The Board deferred the appointment of the Springfield District Representative.

**ATHLETIC COUNCIL**

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

**BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE**

The Board deferred the appointment of the Dranesville District Representative.

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

The Board deferred the appointments of the Alternate #4 and Design Professional #6 Representatives.

**CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE**

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

**CHILD CARE ADVISORY COUNCIL**

The Board deferred the appointment of the Providence District Representative.

**CITIZENS CORPS COUNCIL, FAIRFAX COUNTY**

The Board deferred the appointment of the Mason District Representative.

**COMMISSION ON AGING**

Supervisor McKay moved the appointment of Ms. Danielle Wight as the Lee District Representative. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

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

The Board deferred the appointments of the At-Large Minority, Lee, Mason, Mount Vernon District, and Religious Community Representatives.

Supervisor Bulova asked unanimous consent that the Board direct staff to contact the Faith and Community Liaison Office to seek nominations for the Religious Community Representative for the Commission and Organ and Tissue Donation and Transplantation Board. Without objection, it was so ordered.

**COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)**

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

**DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I**

Supervisor Smyth moved the following reappointments:

- Mr. Rich Casale as the At-Large Representative #1
- Mr. Peter Rosen as the At-Large Representative #2
- Ms. Brenda Krieger as the At-Large Representative #3

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

**ENGINEERING STANDARDS REVIEW COMMITTEE**

**CONFIRMATIONS:**

Supervisor Hudgins moved the confirmation of the following appointments:

- Mr. Keith Sinclair as the Engineers and Surveyors Institute Representative
- Mr. Paul B. Johnson as the Northern Virginia Building Industry Association Representative
- Mr. Thomas C. Pickering as the National Association of Industrial and Office Properties Representative

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

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)**

Supervisor Frey moved the appointment of Mr. Richard Weisman as the Sully District Representative. Supervisor Smyth seconded the motion, which carried by a 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**

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

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

Supervisor Hudgins moved the confirmation of the following appointments:

- Ms. Martha Armstrong as the Fairfax City Representative
- Mr. Tapen Banerjee as the Fairfax Area Disability Services Board Representative

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

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)**

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

**HEALTH SYSTEMS AGENCY BOARD**

The Board deferred the appointment of the Provider #1 Representative.

**HUMAN RIGHTS COMMISSION**

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

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

Supervisor McKay moved the appointment of Mr. Brian R. Murray as the Lee District Representative. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

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

**LIBRARY BOARD**

Supervisor Frey moved the reappointment of Mr. Flint Lewis as the Sully District Representative. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

**PARK AUTHORITY**

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

**SMALL BUSINESS COMMISSION**

The Board deferred the appointment of the At-Large #2 and #3, Providence, and Springfield District Representatives.

**SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL**

The Board deferred the reappointments of the Fairfax County #1, #3, #5, #6, and #9 Representatives.

**TENANT LANDLORD COMMISSION**

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

**TRAILS AND SIDEWALKS COMMITTEE**

Supervisor Gross moved the appointment of Mr. Jan. B. Reitman as the Mason District Representative. Supervisor McKay 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 Chairman's, Hunter Mill, and Springfield District Representatives.



**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Mr. Paul B. Johnson as the Northern Virginia Building Industry Association Representative

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

**TRANSPORTATION ADVISORY COMMISSION (TAC)**

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

**TREE COMMISSION**

Supervisor Gross moved the appointment of Ms. Stacy J. Evers as the Mason District Representative. Supervisor McKay seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

**WETLANDS BOARD**

The Board deferred the appointment of the Springfield District Representative.

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

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

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

The Board deferred the appointment of the Tysons Neighborhood Westwood Representative.

**ADDITIONAL APPOINTMENTS****COMMUNITY ACTION ADVISORY BOARD (CAAB)**

Supervisor Frey announced the resignation of Ms. Carol Ann Hawn and moved the appointment of Ms. Laura Granruth as the Sully District Representative. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Herrity being out of the room.

**ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD**

Supervisor Frey announced the resignation of Mr. Bill Keech.

DS:ds

15. **A-1 – APPROVAL OF THE DISEASE CARRYING INSECTS PROGRAM**  
(11:09 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and direct staff to take the actions concerning the County's 2008 Disease Carrying Insects Program as outlined in the Board Agenda Item dated March 31, 2008. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion.

Discussion ensued, with input from Jorge Arias, PhD, Supervisor, Disease Carrying Insects Program, Health Department, regarding the provisions being made to make the brochure available in languages other than English.

Following further discussion, with input from Mr. Arias, regarding bulk mailing, Supervisor Smyth noted that it is cheaper to send bulk mailing through the Merrifield Post Office.

Supervisor Smyth asked unanimous consent that the Board direct the County Executive to inform all County agencies about the cost effectiveness of bulk mailing.

Following discussion, with input from Anthony H. Griffin, County Executive, who noted that there are certain mailings which the County is obligated to send as first class mail, without objection, it was so ordered.

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

Further discussion ensued, with input from Mr. Arias, regarding mailing of the brochure to members of the Hispanic community.

16. **A-2 – AMENDMENT TO THE AGREEMENT WITH ST. MARY OF SORROWS CATHOLIC CHURCH TO PROVIDE TEMPORARY PUBLIC COMMUTER PARKING DURING CONSTRUCTION OF THE BURKE CENTRE VIRGINIA RAILWAY EXPRESS (VRE) PARKING GARAGE (BRADDOCK DISTRICT)** (11:16 a.m.)

On motion of Supervisor Bulova, seconded by Chairman Connolly, and carried by a vote of nine, Supervisor Herrity being out of the room, the Board concurred in the recommendation of staff and approved the amendment to the agreement between St. Mary of Sorrows Catholic Church and the County's Department of Transportation, to provide temporary public commuter parking during the

construction of the Burke Centre VRE Parking Garage, on a portion of the existing church parking lot which is not utilized during the weekdays. It is proposed that the lease be extended through June 30, 2008.

17. **A-3 – APPROVAL OF THE IMPLEMENTATION PLAN TO PREVENT AND END HOMELESSNESS IN THE FAIRFAX-FALLS CHURCH COMMUNITY** (11:17 a.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of the Implementation Committee and approve the Implementation Plan to Prevent and End Homelessness in the Fairfax-Falls Church Community. Supervisor Gross and Supervisor Smyth seconded the motion.

Discussion ensued, with input from Verdia Haywood, Deputy County Executive, regarding the implementation plan.

Supervisor Hyland submitted, for the record, a resolution from the Mount Vernon Council of Citizens' Association in support of this item.

Supervisor Frey expressed his unwillingness to support the initiative without some idea of what the expenditures will be over the next five to ten years.

Following discussion, with input from Mr. Haywood, regarding the implementation plan, Chairman Connolly noted that the Freddie Mac Foundation has committed funds to the plan.

Further discussion ensued regarding:

- Proffers for the housing trust
- “Green-taping”
- The identification of funds and the cost of managing homelessness

Supervisor Gross asked unanimous consent that the Board direct staff to provide a quarterly status report on the progress and cost associated with the implementation plan. Without objection, it was so ordered.

Further discussion ensued, with input from Mr. Haywood, regarding the implementation plan.

The question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Frey voting “NAY,” Supervisor Herrity being out of the room.

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

- Reaffirm its commitment to the Penny for Affordable Housing.

- Direct the Department of Housing and Community Development (HCD) to explore and develop a plan for the utilization of the Penny for Affordable Housing, to some reasonable degree, to help purchase select properties in select parts of the County that may have been foreclosed upon for the following purpose:
  - To help stabilize neighborhoods.
  - To put people into this housing as affordable housing.

Supervisor Hudgins seconded the motion.

Discussion ensued regarding the motion, with input from Conrad Egan, Chairman, Fairfax County Redevelopment and Housing Authority; Paula C. Sampson, Director, HCD; and Mr. Haywood, concerning Section 8 and the waiting list for affordable housing.

Supervisor McKay said he hopes that staff, in developing the plan for the utilization of the Penny for Affordable Housing, gives a lot of thought to taking advantage of purchasing property in areas of the County where normal market conditions otherwise would prevent property purchases, i.e. near employment centers and where other amenities exist, i.e. within proximity to transit, so that these families get help beyond just providing housing.

Supervisor Foust stated that, as the Board works through the Budget, that it makes every effort to ensure that the Penny for Affordable Housing goes toward the purchase of affordable housing and not payment of operating costs with the department.

Further discussion ensued, with input from Ms. Sampson, regarding the number of rental units owned by the County.

Following further discussion, the question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Frey voting “NAY,” Supervisor Herrity being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

18. **A-4 – APPROVAL OF RESOLUTION AND LETTER WITH FAIRFAX COUNTY’S COMMITMENTS TO THE NATIONAL CAPITAL REGION’S COOL CAPITAL CHALLENGE** (12:09 p.m.)

- (R) Supervisor Gross moved that the Board concur in the recommendation of staff and approve a Resolution and letter indicating the County’s pledge to implement the CO<sub>2</sub>e greenhouse gas emission reduction actions, as outlined in the Board Agenda Item dated March 31, 2008, as part of the National Capital Region’s Cool Capital Challenge. Supervisor Bulova seconded the motion.

Supervisor Frey asked to amend the motion to defer action on this item until the next Board meeting, but this was NOT accepted.

Discussion ensued, with input from Kambiz Agazi, Environmental Coordinator, regarding cost and fiscal implications.

The question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “**AYE**,” Supervisor Frey voting “**NAY**,” Supervisor Herrity being out of the room.

19. **A-5 – APPROVAL OF 2008 ZONING ORDINANCE AMENDMENT WORK PROGRAM** (12:14 p.m.)

Supervisor Frey moved that the Board concur in the recommendation of staff and endorse the Zoning Ordinance Amendment Work Program for 2008, as set forth in Attachments 2, 3, and 4 of the Board Agenda Item dated March 31, 2008. Supervisor Hyland seconded the motion.

Discussion ensued, with input from Eileen M. McLane, Zoning Administrator, Department of Planning and Zoning, regarding priority numbering.

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

20. **A-6 – INDUSTRIAL DEVELOPMENT AUTHORITY (IDA) HEALTH CARE REVENUE REFUNDING BONDS** (12:15 p.m.)

(BONDS)  
(R)

Supervisor Gross moved that the Board concur in the recommendation of staff and adopt a Resolution for the issuance of IDA of Fairfax County Health Care Revenue Refunding Bonds. Supervisor Bulova seconded the motion.

Supervisor Gross disclosed that she serves on the Inova Board of Trustees and the Finance Committee, and there is no fiscal impact to the County on this item.

Discussion ensued, with input from Leonard P. Wales, County Debt Manager, regarding the bonds and whether the IDA or the Economic Development Authority (EDA) charges a fee for the issuance of bonds.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked to amend the motion to direct staff to report with a plan for a possible fee schedule for the issuance of bonds to help recover administrative costs.

Discussion ensued regarding the motion, with input from Anthony H. Griffin, County Executive, who stated that he would take the issue up with the IDA/EDA.

Chairman Connolly restated his amendment to the motion that the Board direct staff to report with a possible plan of action after discussions with the IDA/EDA. This amendment would, in no way, affect the action of the Board in approving these particular Inova Health System requests.

The amendment to the motion was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the main motion, as amended, and it carried by a vote of nine, Supervisor Bulova, Supervisor Frey, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Herrity being out of the room.

21. **I-1 – PLANNING COMMISSION ACTION ON APPLICATION 2232-D07-13, NEWPATH NETWORKS, LLC AND NEW CINGULAR WIRELESS PCS, LLC BY AT&T MOBILITY CORPORATION ITS: MANAGER (DRANESVILLE DISTRICT)** (12:20 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, announcing the Planning Commission's approval of Application 2232-D07-13. The application sought approval to construct a carrier-neutral Distributed Antenna System to improve wireless service in a portion of the Great Falls area, Dranesville District. The proposed DAS will include antennas and cabinets co-located on replacement roadside utility poles (nodes), a radio cabinet (hub) in an existing equipment shelter, and fiber-optic cable connecting the nodes to the hub. The DAS system will allow multiple telecommunication carriers to provide service to the area, with AT&T being the first user of the system. The facility will be located on portions of public rights-of-way on Tax Maps 13-4, 20-1, 20-2, 20-4, 21-1, 21-3; Tax Maps 13-4 ((1)) 34, 35; 20-1 ((1)) 45.

22. **I-2 – CONTRACT AWARD – STREAM STABILIZATION OF TURKEYCOCK RUN AT GREEN SPRING GARDENS (MASON DISTRICT)** (12:20 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to award a contract to Environmental Quality Resources, LLC in the amount of \$275,106 for the Turkeycock Run Stream Stabilization at Green Spring Gardens in Project 475004/667, Stream Restoration, in Fund 370, Park Authority Bond Construction. The project includes installation of stone cross vanes and other structures, grading, planting, and related work to stabilize 1,000 linear feet of stream at Green Spring Gardens.

The staff was directed administratively to proceed as proposed.

23. **I-3 – CONSOLIDATED PLAN CERTIFICATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) PUBLIC HOUSING AND HOUSING CHOICE VOUCHER ANNUAL PLAN UPDATE FOR FISCAL YEAR (FY) 2009** (12:20 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Public Housing and Housing Choice Voucher Annual Plan Update for FY 2009 submitted to the US Department of Housing and Urban Development.

The staff was directed administratively to proceed as proposed.

24. **I-4 – RATE REDUCTIONS FOR ELECTRIC SERVICE PROVIDED BY NORTHERN VIRGINIA ELECTRIC COOPERATIVE (NOVEC) EFFECTIVE FEBRUARY 1, 2008, THROUGH JANUARY 31, 2011** (12:20 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, regarding the rate reductions for electric service provided the NOVEC effective February 1, 2008, through January 31, 2011.

Discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the savings associated with the rate reduction.

25. **I-5 – DISPOSITION OF 1447 WOODACRE DRIVE** (12:21 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, regarding the disposition of 1447 Woodacre Drive, Tax Map Number 031-2-06-0008.

The staff was directed administratively to proceed as proposed.

26. **I-6 – CONTRACT AWARD – PROFESSIONAL AUDIT SERVICES** (12:21 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to award a contract to Clifton Gunderson LLP for professional audit services. The contract is a one year contract with two one-year renewal options. The estimated amount of this contract is \$140,000 for the first year audit, \$149,000 for the second year audit, and \$158,000 for the third year audit.

The staff was directed administratively to proceed as proposed.

27. **I-7 – CONTRACT AWARD – MEDICAL DETOXIFICATION SERVICES**  
(12:21 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to award a contract to INOVA Comprehensive Addiction Treatment Services and Prince William Hospital Center for Psychiatric and Addiction Treatment for medical detoxification services. The contract is a five year contract with three one-year renewal options. The total estimated annual amount of this contract is \$180,000. Funding for Fiscal Year 2009 is currently available within the Fairfax-Falls Church Community Services Board (CSB). Future fiscal year funding will also be made available with CSB, subject to Board of Supervisors appropriation. The cost for the entire contract term is estimated to be \$1,444,000.

The staff was directed administratively to proceed as proposed.

28. **I-8 – 2007 VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT ANNUAL REPORT FOR FAIRFAX COUNTY, VIRGINIA** (12:22 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to proceed with the submission of the annual report and publication of the report on the County's web site.

The staff was directed administratively to proceed as proposed.

29. **I-9 – CONTRACT AWARD – LITTLE RIVER TURNPIKE (ROUTE 236)/BEAUREGARD STREET INTERSECTION IMPROVEMENTS (MASON DISTRICT)** (12:22 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to award a contract to A&M Concrete Corporation in the amount of \$76,040 for the construction of Little River Turnpike (Route 236)/Beauregard Street Intersection Improvements, Project Number 4YP013, in Fund 304, Transportation Improvements.

The staff was directed administratively to proceed as proposed.

30. **I-10 – CONTRACT AWARD – CUB RUN STREAM VALLEY CONNECTOR TRAILS – (SULLY DISTRICT)** (12:22 p.m.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to award a contract to Ashburn Contracting Corporation of Dulles, Virginia in the amount of \$446,135 for the Trail and Stream Crossings, and related work at Cub Run Stream Valley Park in Project 474606, Trails and Streams, in Fund 370, Park Authority Bond Construction. The project includes construction of two pedestrian bridges and related trails.



With reference to I-10, I-11, and I-12, Supervisor Foust raised his concern regarding the Park Authority's estimates for the projects, and discussion ensued, with input from Elizabeth Cronauer, Project Manager, Park Authority.

Further discussion ensued, with input from Jimmie Jenkins, Director, Department of Public Works and Environmental Services, regarding the bid estimates for I-12.

The staff was directed administratively to proceed as proposed.

31. **I-11 – CONTRACT AWARD – ACCOTINK STREAM VALLEY TRAIL, LAKE ACCOTINK TO HUNTER VILLAGE DRIVE (BRADDOCK, LEE, AND SPRINGFIELD DISTRICTS)** (12:26 p.m.)

(NOTE: Earlier in the meeting, there was a discussion relating to this item. See Clerk's Summary Item #30.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to award a contract to Jeffrey Stack Incorporated of Jersey, Virginia in the amount of \$1,903,891.75 for the Accotink Stream Valley Trail in Project 474606, Trails and Stream Crossings, in Fund 370, Park Authority Bond Construction. The project includes the installation of 2.2 miles of asphalt trail and three pedestrian bridges in the Accotink Stream Valley Park between the Lake Accotink Dam and Hunter Village Drive, which is a portion of the Cross County Trail.

The staff was directed administratively to proceed as proposed.

32. **I-12 – CONTRACT AWARD – ROYAL LAKE SPILLWAY REHABILITATION PROJECT (BRADDOCK DISTRICT)** (12:26 p.m.)

(NOTE: Earlier in the meeting, there was a discussion relating to this item. See Clerk's Summary Item #30.)

The Board next considered an item contained in the Board Agenda dated March 31, 2008, requesting authorization for staff to award a contract to HGS, LLC d/b/a Angler Environmental in the amount of \$1,498,758.03 for the construction of Royal Lake Spillway Rehabilitation, Project Number FX4000-PC010 in Fund 318, Stormwater Management Program. This contract award will provide for realignment and modification of an existing auxiliary spillway. The spillway rehabilitation will also include constructing earthen dikes and lining with articulated concrete blocks, installation of concrete chute blocks, gravel entrance road, relocation of a trail, and other related items.

The staff was directed administratively to proceed as proposed.

NV:nv

33. **ORDERS OF THE DAY** (12:27 p.m.)

Following input from David P. Bobzien, County Attorney, regarding the expected length of the closed session, Anthony H. Griffin, County Executive, reminded the Board that a number of Members would be attending the 2 p.m. meeting of the Dulles Rail Phase 1 Tax Improvement District Commission.

Chairman Connolly announced that Board Matters would be deferred until later in the meeting.

(NOTE: Later in the meeting, the Board Matters were presented. See Clerk's Summary Items #38-67.)

34. **RECESS/CLOSED SESSION** (12:28 p.m.)

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

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
  1. *Application of Elantic Telecom, Inc.*, Case No. PST-2007-00021 (Virginia State Corporation Commission) (Hunter Mill, Providence, and Dranesville Districts)
  2. *Angela Segura v. Fairfax County Department of Family Services*, Record No. 0858-07-4 (Va. Court of Appeals)

3. *County of Fairfax v. Angela Y. Glasgow and Annette Swift-Bynoe*, Case No. 07-22048 (Fx. Co. Gen. Dist. Ct.)
4. *Louise Root v. D.L. Cook*, Case No. CL-2008-0002380 (Fx. Co. Cir. Ct.)
5. *Mohammed Moosavi v. Desiree Baltimore, et al*, Case No. CL 2007-0015777 (Fx. Co. Cir. Ct.) (Dranesville District)
6. *In re Grievance of Harold E. Person*, Case No. 0801 (Fx. Co. Civil Serv. Comm'n)
7. *Keith Barker v. Commonwealth of Virginia, et al.*, Case No. CL 2008-0002546 (Fx. Co. Cir. Ct.) (Springfield District)
8. *In the Matter of Improving Public Safety in the 800 MHz Band (Federal Communications Commission, WT Docket No. 02-55)* (Countywide)
9. *Fairfax County Redevelopment and Housing Authority v. Zareen Hudson, Juan Zayas, and Cristian Hernandez, et al.*, Case No. CL-2007-0005458 (Fx. Co. Cir. Ct.) (Lee District)
10. *Fairfax County Redevelopment and Housing Authority v. Nectar Projects, Inc., Ticor Title Insurance Company of Florida, Mortgage Electronic Registration Systems, Inc., and First Magnus Financial Corporation*, Case No. CL-2007-0004369 (Fx. Co. Cir. Ct.) (Mason District)
11. *Fairfax County Redevelopment and Housing Authority v. Valicia Ann Spriggs, Abigail Ticono, World Savings Bank, and Commonwealth Trustees, LLC*, Case No. CL-2007-0007678 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Elizabeth Sanchez*, Case No. CL-2007-0013787 (Fx. Co. Cir. Ct.) (Providence District)

13. *Eileen M. McLane, Fairfax County Zoning Administrator, and Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services v. Khoa Nguyen*, Case No. CL-2006-0014957 (Fx. Co. Cir. Ct.) (Lee District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilder S. Soto*, Case No. CL-2008-0001878 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Santos Paradas*, Case No. CL-2007-0015533 (Fx. Co. Cir. Ct.) (Mount Vernon District)
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sonia G. Munoz*, Case No. CL-2007-0015538 (Fx. Co. Cir. Ct.) (Mount Vernon District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Young S. Joo and Mi J. Joo*, Case No. CL-2007-0014788 (Fx. Co. Cir. Ct.) (Braddock District)
18. *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)
19. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jorge L. Tello and Patty Pino*, Case No. CL-2007-0015313 (Fx. Co. Cir. Ct.) (Sully District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. James Norman Graham-Yooll, Juan Guerra, and Laura Guerra*, Case No. CL-2008-0003245 (Fx. Co. Cir. Ct.) (Springfield District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Phillip Granger and Lorraine R. Granger*, Case No. CL-2008-0003243 (Fx. Co. Cir. Ct.) (Lee District)

22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Edward F. Petty and Dorothea M. Petty*, Case No. CL-2008-0002750 (Fx. Co. Cir. Ct.) (Lee District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. John Garbis and Andria Garbis*, Case No. CL-2008-0002838 (Fx. Co. Cir. Ct.) (Springfield District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Asif Attai and John Jung a/k/a Un Pok Jung d/b/a JP Transmission*, Case No. CL-2008-0003329 (Fx. Co. Cir. Ct.) (Lee Transportation District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Harry F. Kendall, III, and Laura P. Kendall*, Case No. CL-2008-0003244 (Fx. Co. Cir. Ct.) (Braddock District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Beltran Sanchez and Sulma P. Flores*, Case No. CL-2008-0003156 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. 7610 Lee Highway, LLC, d/b/a Park's Auto Service*, Case No. CL-2008-0003570 (Fx. Co. Cir. Ct.) (Providence District)
28. *Board of Supervisors of Fairfax County, Virginia, v. Jade Dunn Loring Metro, LLC, et al.*, At Law No. CL-2008-0003247 (Fx. Co. Cir. Ct.) (Providence District)

And in addition:

- Board of Zoning Appeals appeal applications A 2006-PR-028 and A 2006-PR-052.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor McKay being out of the room.

EBE:ebe

At 2:50 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

**ACTIONS FROM CLOSED SESSION**

35. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (2:50 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."

36. **APPEAL APPLICATIONS A 2006-PR-028 AND A 2006-PR-052 (PROVIDENCE DISTRICT)** (2:50 p.m.)

Supervisor Smyth moved that the Board affirm the following:

- The Board has not authorized the Zoning Administrator to intervene or otherwise participate in the case CL 2008-2729 pending in the Fairfax County Circuit Court regarding the decision of the Board of Zoning Appeals in the Appeal Applications A 2006-PR-028 and A 2006-PR-052 which involved a property located at 8741 Cherry Drive and 3029 Chichester Lane, Tax Map 49-3.
- The Board does not authorize the Zoning Administrator to intervene or otherwise participate in that case.
- The Zoning Administrator has no such authority with regard to the appeal. As Part of this motion, Supervisor Smyth requested that the Board direct the County Executive to inform the Zoning Administrator of this vote.

Supervisor Hyland seconded the motion.

Chairman Connolly relinquished the gavel to Vice Chairman Bulova and asked to amend the motion to add a fourth item as follows: "No County funds may be expended for this purpose," and this was accepted.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

37. **APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE RETIREMENT AGENCY** (2:52 p.m.)

Supervisor Gross moved the appointment of Mr. Robert Mears as Executive Director to the Retirement Boards, effective May 5, 2008, at a salary of \$175,000 to replace Mr. Larry Swartz who has tendered his resignation. Supervisor Hyland seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Hudgins abstaining.

NV:nv

**ADDITIONAL BOARD MATTERS**

38. **EARTHHOUR** (2:53 p.m.)

(NOTE: Earlier in the meeting, the Board made reference to the Cool Counties initiative. See Clerk's Summary Item #18.)

In a joint Board Matter with Supervisor Gross, Chairman Connolly said that on March 31, 2007, 2.2 million people and 2100 businesses in Sydney, Australia turned off their lights for one hour, reducing the city's energy consumption by over ten percent, the equivalent of taking thousands of cars off the road for a year. This year's Earthhour took place on March 29. He said that Earthhour draws attention to the need to reduce energy consumption and greenhouse gas emissions. It has proven to be an effective educational tool in other jurisdictions and would complement the County's outreach associated with the Cool Counties initiative.

Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and, jointly with Supervisor Gross, asked unanimous consent that the Board direct staff to examine how the County could participate in Earthhour 2009. Without objection, it was so ordered.

39. **FOSTER CARE MONTH** (2:54 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim May 2008 as "*Foster Care Month*" in Fairfax County and direct staff to invite representatives from the Department of Family Services and non-profit organizations to be recognized with the proclamation at the April 28 Board meeting. Without objection, it was so ordered.

40. **NURSES' WEEK** (2:54 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim May 6-12, 2008, as "*Nurses' Week*" 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 May 5 Board meeting.

Supervisor Gross asked to amend the request to also invite nurses from local health care service providers such as INOVA, Reston Hospital, et cetera as well as nursing schools, George Mason University, and Northern Virginia Community College, and this was accepted.

Without objection, the request, as amended, was so ordered.

41. **PUBLIC WORKS WEEK** (2:55 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim May 18-24, 2008, as "*Public Works Week*" in Fairfax County and direct staff to invite representatives from the Department of Public Works and Environmental Services to be recognized with the proclamation at the May 19 Board meeting. Without objection, it was so ordered.

42. **MOSQUITO AWARENESS WEEK** (2:55 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim June 22-29, 2008, as "*Mosquito Awareness Week*" in Fairfax County and direct staff to invite representatives from the Health Department to be recognized with the proclamation at the June 23 Board meeting.

Supervisor Gross asked to amend the request to direct staff to bring the puppet, appropriate costume, and T-shirts. Without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

43. **EXPEDITED PROCESSING FOR SUN TRUST BANK (SPRINGFIELD DISTRICT)** (2:56 p.m.)

Supervisor Herrity said that Sun Trust Bank has filed a special exception application to construct a 3,200 square foot bank with two drive-through teller windows and 21 surface parking spaces that will serve the bank. The property is situated on a half acre parcel in the Greenbriar Shopping Center located near the intersection of Route 50 and Stringfellow Road, Tax Map Number 45-1 ((1))-10c.

Since preliminary indicators reveal community support for this application and to ensure that this application, if approved by the Board, can be implemented as quickly as possible, Supervisor Herrity moved that the Board direct staff to



expedite processing of the special exception and to concurrently process the application and site plan. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. Supervisor Gross seconded the motion, and it carried by unanimous vote.

44. **CANDIDATES FOR THE GOVERNING BOARD OF THE McLEAN COMMUNITY CENTER (DRANESVILLE DISTRICT)** (2:57 p.m.)

(BACs) Supervisor Foust announced that the following residents of Small District #1 of Dranesville District have been successfully petitioned to become candidates and to have their names placed on the ballot for election to the Governing Board of the McLean Community Center at the election to be held on Saturday, May 17, 2008, from 9 a.m. to 5 p.m., at Lewinsville Park, 1659 Chain Bridge Road.

Adult candidates:

Neal M. Callander, 1701 Woodman Drive, McLean 22101  
Lee C. DiCenso, 7786 Solitude Court, McLean 22102  
Sean A. Dunn, 1543 Brookhaven Drive, McLean 22101  
Dale A. Evans, 7819 Falstaff Road, McLean, 22102  
Michael J. Kelly, 6943 Elizabeth Drive, McLean 22101  
Risa Sanders, 7850 Westmont Lane, McLean 22102  
Lori Wertz, 7212 Churchill Road, McLean 22101

Youth candidates:

*Langley High School area:*

Matthew Evans, 7819 Falstaff Road, McLean 22102  
Thomas Meyer, 1307 Summerwood Court, McLean 22102  
Kayla Phillips, 9431 Vernon Drive, Great Falls 22066

*McLean High School area:*

Eve Cox, 1803 Lansing Court, McLean 22101  
Jennifer Dunn, 1543 Brookhaven Drive, McLean 22101

Supervisor Foust moved that the names of these individuals be placed on the ballot for election to the Governing Board of the McLean Community Center. Supervisor Bulova seconded the motion and it carried by unanimous vote.

45. **PUBLIC FORUMS REGARDING THE REVITALIZATION OF DOWNTOWN McLEAN (DRANESVILLE DISTRICT)** (2:59 p.m.)

Supervisor Foust stated that one of his priorities as Dranesville District Supervisor is the revitalization of downtown McLean. While the area has many thriving shops and restaurants, most would agree that it does not provide the sense of place the community is looking for and that it is not pedestrian friendly.

Supervisor Foust said that he has asked the McLean Planning Committee (MPC) to hold public forums to solicit the public's vision on how McLean should be revitalized. These public forums will address issues relating to architectural character, density, building heights, parking issues, pedestrian amenities, and the future of the Old Firehouse. They will also address how downtown McLean can be revitalized without losing the many wonderful small businesses that have served the community so well for so long. He said that the County Office of Revitalization and Reinvestment has been deeply involved and very helpful in this process.

Currently, there are two public forums, with identical format, scheduled to be held at the following times and location:

April 3 at 7 p.m.  
April 4 at 9:30 a.m.

McLean Community Center  
1234 Ingleside Avenue  
McLean, VA 22101

Following these meetings, the members of the MPC and Supervisor Foust's office will work with the County's Office of Revitalization to consider citizen input and prepare proposed changes to the Comprehensive Plan as it pertains to the McLean Central Business District. This language along with the results of the public forums will be presented to the community at one or more subsequent forums before being finalized.

Supervisor Foust encouraged all interested parties to attend these forums.

46. **TWENTIETH ANNIVERSARY OF STOP CHILD ABUSE NOW (SCAN) OF NORTHERN VIRGINIA** (3 p.m.)

Supervisor Hudgins stated that SCAN is celebrating its twentieth anniversary of working in the community, on behalf of children, to prevent child abuse. In 1988, SCAN began its work in Northern Virginia. Accordingly, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite representatives from SCAN to appear before the Board on April 28 to be recognized and honored for the critical work that they perform in the County.

Following a query to Merni Fitzgerald, Director, Office of Public Affairs, regarding the schedule for that date, without objection, it was so ordered.

47. **HUNTER MILL DISTRICT WINTER COAT CLOSET** (3:01 p.m.)

Supervisor Hudgins stated that the Sixth Annual Hunter Mill District Winter Coat Closet operated from November 13, 2007, through March 15, 2008. Enormous community support for the Coat Closet enabled the distribution of 4,869 coats and 1,535 accessories (hats, gloves, and scarves). The total amount distributed over

the last four years has been 11,502 coats and 3,118 accessories. This endeavor would not have been possible without the dedicated staff support from co-sponsor Reston Interfaith and the volunteers they amass to assist with this effort.

Supervisor Hudgins expressed appreciation to the participants and asked unanimous consent that the Board direct staff to:

- Invite representatives from Reston Interfaith, Burlington Coat Factory, Planet Aid, and WPGC 95.5 Radio Station to appear before the Board at an appropriate time to be recognized for their efforts.
- Complete certificates of appreciation for identified volunteers.

Without objection, it was so ordered.

48. **2007-2008 HYPOTHERMIA PREVENTION SERVICES** (3:02 p.m.)

With reference to her written Board Matter on the issue, Supervisor Hudgins said that today marks the end of the 2007-08 Hypothermia Prevention Services, a partnership between the County, community organizations, and faith communities, offering additional shelter for individuals during the winter months. For the 2007 – 2008 program, over 2,400 volunteers from 57 faith communities and 13 other organizations/businesses partnered with homeless community based organizations and the County, and served approximately 700 individuals.

Accordingly, Supervisor Hudgins asked unanimous consent that the Board invite the participants in the 2007-2008 Hypothermia Prevention Services to appear before the Board to be recognized for partnering with the County to address homelessness throughout the County. Without objection, it was so ordered.

49. **“LEAVE NO CHILD INSIDE” INAUGURAL EVENT (HUNTER MILL DISTRICT)** (3:03 p.m.)

Supervisor Hudgins announced that “Hangin' with Nature . . . Just for Kids” is the inaugural event for the “Leave No Child Inside” initiative by Hunter Mill District in partnership with the Northern Virginia Regional Park Authority to encourage the vital connection between children and nature.

Supervisor Hudgins said that the free event will be held April 20 from 1-4 p.m. at Meadowlark Botanical Gardens in Vienna. Children can explore the park, plant vegetables, create art, dance to live music, visit with reptiles and birds of prey, and learn about saving energy and ways to get around without a car, such as by using County sidewalks and trails. This event is also part of the Cool Hunter Mill District initiative in cooperation with the County’s “Cool Counties Initiative.” On January 28 the Board designated the surrounding new trail network (known as the NoVi Trail Network) as the County’s first “Leave No Child Inside” Corridor as a conduit to connect kids to nature.

Supervisor Hudgins added that the Hunter Mill District Office will be participating in the Earth Day Event sponsored by the Reston Association at the Walker Nature Education Center in Reston to introduce the “Cool Hunter Mill District Initiative” on April 19 from 1 to 5 p.m., located at 11450 Glade Drive, Reston, VA. The rain date is scheduled for Sunday, April 20, 2008.

Accordingly, Supervisor Hudgins asked unanimous consent that the Board direct staff of the Office of Public Affairs to assist in publicizing these events with a press release available on the County’s Website. Without objection, it was so ordered.

There was a brief discussion regarding a book on this subject and its author as well as the fact that this is a National Association of Counties event.

50. **ONLINE PAYMENT FOR DOG LICENSES** (3:04 p.m.)

Supervisor Hudgins said that a constituent recently wrote to ask why he could not pay for his dog’s license online. He felt that it was inconvenient to have to visit the Government Center or the Animal Shelter for a \$5 dog license.

Accordingly, Supervisor Hudgins asked unanimous consent that the Board direct staff to review this issue to determine whether it would be cost effective to permit payment of dog licenses online and, if so, to design the applicable application.

Following discussion, with input from Anthony H. Griffin, County Executive, regarding the issue of spaying and neutering and credit card fees, without objection, it was so ordered.

**DET:det**

51. **GUITARS NOT GUNS RECOGNITION** (3:06 p.m.)

Supervisor Bulova stated that non-profits that provide alternative after-school activities for at-risk youth were an integral part of the community and that one such non-profit, Guitars not Guns, had a mission that was both inspiring and effective: to replace violence with music by providing guitar lessons to at-risk and underprivileged youth. She said that Guitars not Guns provided a unique and positive after-school activity.

Founded in 2000 by a couple who raised foster children, Supervisor Bulova said that Guitars not Guns now spanned 11 states and two countries with numerous chapters in each state. By partnering with local groups like Boys and Girls Clubs, Youth for Tomorrow, and Big Brothers Big Sisters, Guitars not Guns actively sought out the most at-risk youth across the County to provide positive alternatives to substance abuse, crime, and gangs.

Supervisor Bulova noted that now more than ever it was important to recognize the success of groups like Guitars not Guns in the area; as the Cat Stevens' song goes, "We're changing day to day, but tell me, where do the children play."

Supervisor Bulova asked unanimous consent that the Board direct staff to invite members from Guitars not Guns to appear before the Board on April 28 to be recognized for its contributions to the County. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to assist in publicizing how citizens can participate in Guitars not Guns. Without objection, it was so ordered.

52. **EARTH DAY/ARBOR DAY CELEBRATION** (3:09 p.m.)

Supervisor Bulova announced this year's Earth Day/Arbor Day celebration, which will be held at the Annandale Campus of Northern Virginia Community College on Saturday, April 19, 2008, from 11 a.m. to 4 p.m., with the Awards Program beginning at 1 p.m. She noted that Earth Day/Arbor Day was sponsored by Fairfax Recycling, Clean Fairfax Council, Northern Virginia Community College, and the County, and the event had been planned with something of interest for all age groups.

Supervisor Bulova invited Board Members to join the celebration and asked unanimous consent that the Board direct:

- Appropriate staff to assist the Earth Day/Arbor Day Committee with the planning of the event, where County involvement was needed.
- The Office of Public Affairs to draft a news release for the event and provide the committee with a proclamation naming April 19, 2008, as Fairfax County Earth Day and Arbor Day, and that following the event, certificates of recognition be prepared to thank the sponsors of the event, so they could appear before the Board to be acknowledged.

Without objection, it was so ordered.

53. **ALTERNATIVE HOUSE AND CRISIS LINK** (3:10 p.m.)

Supervisor Bulova stated that her last item was discussed at the budget workshop on Friday and dealt with Alternative House and Crisis Link, two programs that were housed within the Community Services Board. Crisis Link has been zeroed out and Alternative House has had 50 percent of its budget eliminated.

Noting that based upon concerns regarding the potential negative impact of these vulnerable youth populations that such a reduction in funding may have on both

Alternative House and Crisis Link, Supervisor Bulova moved that the Board direct the County Executive to examine this situation and report to the Board prior to the conclusion of the budget process. Chairman Connolly seconded the motion and it carried by unanimous vote.

54. **IRA GABRIELSON HIGHWAY MARKER (PROVIDENCE DISTRICT)**  
(3:12 p.m.)

Jointly with Supervisor Frey and Chairman Connolly, Supervisor Smyth stated that Ira “Mr. Conservationist” Gabrielson (1889 – 1977), a resident of Oakton, was a pioneer conservationist, distinguished field ornithologist, renowned author and for 62 years was a leader of national and international wildlife management and conservation projects. She added that he was the first director of the U.S. Fish and Wildlife Service, a founder and first chairman of the Northern Virginia Regional Park Authority, and the first president of World Wildlife Fund – U.S.

Supervisor Smyth announced that a group of Oakton residents, in partnership with the History Commission, had come together to honor Mr. Gabrielson by erecting a highway marker in his honor, and that a special ceremony would be held at the Oakton Library on Saturday, April 26 at 2 p.m. to celebrate Mr. Gabrielson and to place the highway marker.

Supervisor Smyth invited members of the public to the event and asked unanimous consent that the Board direct the Office of Public Affairs to inform the public of this event. Without objection, it was so ordered.

55. **WORKSHOP FOR THE 50+ CROWD (PROVIDENCE DISTRICT)**  
(3:14 p.m.)

Supervisor Smyth announced that Providence District, in conjunction with the Agency for Aging and the Oakton Library, would be sponsoring a 50+ Workshop event on Thursday, April 24, 2008, from 10 a.m. until 1 p.m., at the newly-opened Oakton Library, 10304 Lynnhaven Place in Oakton, just off Hunter Mill Road.

She stated that the Fairfax County Police Department would be presenting a workshop on scams along with the Office of Cable Communications and Consumer Protection, another workshop on services that are available within the County, displays, and a demonstration of Senior Navigator.

Supervisor Smyth invited all residents interested in 50+ issues to this event and asked unanimous consent that the Board direct the Office of Public Affairs to prepare a press release and help publicize this information. Without objection, it was so ordered.

PMH:pmh

56. **EXPEDITED SCHEDULING FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2006-MA-016 (MASON DISTRICT)** (3:15 p.m.)

Supervisor Gross said that PNC Bank has filed Special Exception Amendment Application, SEA 2006-MA-016, for property located at 6950 Braddock Road, which is located at Tax Map 71-4 ((1)) 28A.

PNC Bank has requested an expedited Board public hearing for this application. Although this current application is similar to the special exception that was approved on this same property last year, with the exception of the removal of an interparcel access connection, Supervisor Gross asked the applicant to present this application before the Mason District Land Use Committee. This prompted a deferral of the Planning Commission public hearing.

Therefore, Supervisor Gross moved that the Board direct staff to expedite the scheduling of the public hearing to be held before the Board regarding Special Exception Amendment Application SEA 2006-MA-016 on April 28, 2008, if scheduling permits. 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 ordinances, regulations, or adopted standards. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

57. **PROPERTY ASSESSMENTS** (3:16 p.m.)

Supervisor Gross said that this year's property assessments issued by the Department of Tax Administration have caused a great deal of confusion among County residents. The State mandated assessment process remains confusing and obscure to some, despite the best efforts of staff to provide clear explanations.

One constituent had questions about the use/non-use of foreclosed and other non-market rate transactions of properties in the assessment process. What are the criteria for discarding sales from the process? Where and how many of these transactions have been occurring? Is there an emerging pattern?

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to review the following questions and additional questions contained in the letter from the constituent about the practice of discarding non-market rate sales from the assessment process and provide a response to the Board:

- The criteria for discarding sales.
- Whether sales are discarded because they may be too high or if it is just the low valued sales that are discarded.

- If a sale can be discarded because it is too high, what is the percent of sales discarded because they are too high versus too low.
- The total number of discarded sales across the County and by district.
- The percent of sales discarded in the 2008 assessment process and for other years.

Without objection, it was so ordered.

58. **INTERNATIONAL BUILDING SAFETY WEEK** (3:17 p.m.)

Supervisor Frey said that for many years, International Building Safety Week has been observed in the nation to increase public awareness of the importance of building codes and construction safety. Code officials across the country actively endorse Building Safety Week as a good way to improve communication between their building departments and community residents, local builders, and developers; and to increase public education on a wide range of issues including safety devices such as carbon monoxide detectors, smoke detectors, and ground fault circuit interrupters, which save lives and protect property.

This year International Building Safety Week will be observed during the week of May 5-11, 2008. To mark the event, the Department of Public Works and Environmental Services (DPWES) has scheduled public outreach efforts in several local hardware and building material supply retail stores. In addition, the DPWES will honor a worthy individual or corporate resident with the 2008 Building Safety Community Partnership Award. The award was first presented in 1998 to recognize individuals and corporate citizens in the County who have made significant contributions to the promotion of the goal of building safety in Fairfax County.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to:

- Prepare a proclamation for the Board' meeting on April 28, 2008, declaring the week of May 5-11, 2008 as "*Building Safety Week*" in Fairfax County.
- Invite the 2008 Community Partnership Award recipient, and staff from Land Development Services who have made particular contributions to building safety this past year, to appear before the Board at this time.

Without objection, it was so ordered.



59. **OUT-OF-TURN PLAN AMENDMENT FOR THE PALLONE AUTO DEALERSHIPS (LEE DISTRICT)** (3:19 p.m.)

Supervisor McKay said that on January 22, 2007, the Board authorized an Out-of-Turn Plan Amendment for the Pallone Auto Dealerships located at 7800 and 7722 Backlick Road to allow for office development up to a 2.0 floor area ratio (FAR). The contract purchaser of the property has been engaged in an active dialogue with staff, and based on contemplated development, an amendment to the authorized out-of-turn plan amendment was adopted by the Board on October 15, 2007. The revised authorization directs consideration of office development on property identified as 99-1 ((1)) 22 and 23A up to a 1.4 FAR. Further, additional office density up to a 1.6 FAR may be permitted with the consolidation of properties identified as 99-1 ((5)) 3 and 4, which will facilitate alternative access to Backlick Road. Based upon further evaluation, and future Base Realignment and Closure related development on adjacent Engineering Proving Ground land, the contract purchaser is interested in pursuing an option for a hotel, in addition to office. This combination of uses will have an overall benefit to traffic patterns, as well as afford an opportunity to provide support services in the area.

Therefore, Supervisor McKay moved that the Board amend the pending out-of-turn plan amendment authorized on property identified as 99-1 ((1)) 22 and 23A and 99-1 ((5)) 3 and 4, and include a hotel option in addition to previously authorized uses. 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 ordinances, regulations, or adopted standards. Supervisor Bulova seconded the motion and it carried by unanimous vote.

60. **ZONING ORDINANCE INTERPRETATIONS** (3:21 p.m.)

Supervisor McKay said that a number of constituents have contacted his office frustrated with legacy interpretations of the Zoning Ordinance that apply to the County of yesteryear, not the neighborhoods of today.

Supervisor McKay referred to a recent memorandum from the County Attorney regarding regulation of storage in carports. Up until last week, staff continued to interpret the Zoning Ordinance, as they have for many years in the past, as allowing storage in a carport of materials other than a vehicle because the materials were not "outdoors" but under a roof. Needless to say, this interpretation did not sit well in some neighborhoods.

Supervisor McKay noted that the interpretation has been updated to meet the current challenges of zoning and property maintenance issues of today. The County Attorney, in coordination with the Zoning Administrator, has opined that storage of items in a carport can be regulated within the existing Zoning Ordinance and excessive storage in carports can be enforced.

Supervisor McKay expressed his appreciation to the County Attorney and the Zoning Administrator for updating the interpretation of this ordinance.

61. **MANUFACTURED CHIMNEY FIRE (MOUNT VERNON DISTRICT)**  
(3:23 p.m.)

Supervisor Hyland said that at one of the January Board meetings he raised a question about a fire at 7833 Mulberry Bottom Lane. The home had a triple lined, zero clearance manufactured chimney enclosed within a wooden frame “bump out” wrapped in vinyl siding. The chimney had not been inspected or cleaned in over a year and it appears soot or creosote buildup was a major contributing factor in the fire. This type of chimney construction is permitted in the building code and has been for many years according to staff’s response.

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

- Review the number of fireplace and chimney fires in the County over the last five years comparing masonry structures to manufactured structures and the extent of damages and the cause.
- Examine the building code in light of this review and inform the Board if it should take a position to amend it to increase public safety.

Supervisor Smyth asked to amend the request to direct staff to provide information regarding wood fires versus gas fires, and this was accepted.

Without objection, the request, as amended, was so ordered.

62. **MOUNT VEE MANOR STORMWATER EASEMENT (MOUNT VERNON DISTRICT)** (3:25 p.m.)

Supervisor Hyland said that he received a letter from a constituent who owns a home in the Mount Vee Manor subdivision. When she applied for a permit to remove the stairs her family built on her back door and build a small deck, she learned that neither the deck nor her stairs, which she did not obtain a permit to build, were allowed to connect to her back door because of a storm water easement 1 foot 9 inches from the back of her home. The owners are currently converting the back door into a window and a side window into a door at their expense. He said that what is even more astonishing is that this subdivision was a rezoning to the PDH district and had a multi-agency review. He noted his concern that during the review process the several plan and inspection branches missed important problem areas a comprehensive, collaborative review and inspection may catch.

Therefore, Supervisor Hyland moved that the Board direct staff to review the site plans for the Mount Vee Manor subdivision and determine whether there are any

deficiencies in the site and building plan review or inspections process and report the findings. Supervisor Smyth seconded the motion.

A brief discussion ensued regarding the process.

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

63. **LORTON ARTS FOUNDATION (LAF) – PHASE II (MOUNT VERNON DISTRICT)** (3:27 p.m.)

Supervisor Hyland noted that the County entered into a long term lease with the LAF in July, 2006, for development of the Workhouse Arts Center on a 55-acre portion of the former Lorton Correctional Complex. Since 2006, the LAF has restored and improved the historic buildings in Phase I of the Arts Center, and has installed a major portion of the site work needed for future phases. Phase I is set for completion this summer.

Because the County owns the Workhouse land and buildings, the Foundation's improvements benefit the County and help it meet its obligations to the Federal Government for preservation of the Lorton site.

The staff of the LAF has demonstrated sound financial management and significant private fund-raising to date. It has now approached the staff with its plan for completing the Arts Center as reflected in the development program previously adopted by the Board. LAF now intends to follow on its Phase I work by initiating and completing Phase II.

Therefore, Supervisor Hyland moved that the Board authorize and direct staff to work with LAF on a financially responsible plan for initiating Phase II of the Workhouse Arts Center and to report to the Board on such a plan as soon as reasonably possible. Supervisor Smyth seconded the motion and it carried by unanimous vote.

64. **CONSIDERATION ITEM: PROTECTING CHILDREN AGAINST SEXUAL OFFENDERS** (3:28 p.m.)

Supervisor Hyland said that over the last few years, a Federal grant has enabled the Police Department to partner with Child Safe Net, a non-profit organization dedicated to increase the capacity of local law enforcement to detect, apprehend, and prosecute child sexual predators and monitor convicted sex offenders. The grants allowed six County detectives to administer the Protecting Children Against Sexual Offenders (PCASO) program.

Therefore, Supervisor Hyland asked unanimous consent that the Board:

- Include a Consideration Item in the amount of \$900,000 for the County's Fiscal Year 2009 Budget.

- Direct staff to determine if the Federal Grants can be restored by the Congressional Delegation before the new fiscal year.

Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to recirculate previous memorandums of understanding that were reached years ago between PCASO and the County regarding funding. Without objection, it was so ordered.

Discussion continued regarding funding, with input from Anthony H. Griffin, County Executive.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Smyth asked unanimous consent that the Board direct staff to review how the County can work with the State. Without objection, it was so ordered.

65. **CONSIDERATION ITEM – PSYCHIATRIC SERVICES AT INOVA MOUNT VERNON HOSPITAL (MOUNT VERNON DISTRICT)**  
(3:35 p.m.)

Supervisor Hyland said when the County Executive presented his proposed Fiscal Year (FY) 2009 Budget, it included cuts to the Community Services Board's (CSB) administration and contract services support. As a result, direct service providers, under contract with the CSB, will soon lose their funding. The largest proposed cut is for psychiatric services at Mount Vernon Hospital in the amount of \$347,000. He asserted that this is an essential program. To lose it would mean more patients directed to the already crowded Fairfax Hospital.

Therefore, Supervisor Hyland asked unanimous consent that the Board include a Consideration Item in the amount of \$347,000 for the FY 2009 Budget to retain psychiatric services at Mount Vernon Hospital. Without objection, it was so ordered.

A brief discussion ensued with input from Anthony H. Griffin, County Executive, regarding the proposal.

66. **DEATH OF JOHN PARRISH, FORMER MOUNT VERNON DISTRICT SUPERVISOR** (3:38 p.m.)

Supervisor Hyland announced that a John Parrish, former Mount Vernon District Supervisor, died on Sunday evening. He asked that everyone remember the family in prayers.

67. **“A GUIDE TO BETTER UNDERSTANDING BOSTON TALK”** (3:38 p.m.)

Supervisor Hyland distributed to Board Members “A Guide to Better Understanding Boston Talk.”

DMS:dms

**AGENDA ITEMS**68. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 89-S-072 (T-MOBILE NORTHEAST LLC/NORTHERN VIRGINIA, ELECTRIC COOPERATIVE/SMARTPOLE, INCORPORATED, AND NEW CINGULAR WIRELESS PCS, LLC) (SPRINGFIELD DISTRICT)**  
(3:39 p.m.)

The application property is located at 12700 Popes Head Road, Tax Map 66-4 ((3)) 1.

Mr. James R. Michal reaffirmed the validity of the affidavit for the record.

Mr. Michal 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, William O’Donnell, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Mr. O’Donnell and Kris Abrahamson, Branch Chief, ZED, DPZ, regarding tree height and tree monopoles.

Supervisor Herrity moved:

- Approval of Special Exception Amendment Application SEA 89-S-072, subject to the development conditions dated March 5, 2008.
- Modification of the transitional screening and barrier requirements along all four property lines in favor of the existing vegetation as shown on the SEA Plat.

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

(NOTE: On March 5, 2008, the Planning Commission approved Public Facilities Application 2232-S07-4, noting that the application satisfies the criteria of location, character, and extent, as specified in Section 15.2-2232 of the *Code of*

*Virginia*, and is substantially in accordance with the provisions of the Comprehensive Plan.)

69. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-BR-073 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC) (BRADDOCK DISTRICT)**

**AND**

**PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 75-8-036-2 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC) (BRADDOCK DISTRICT)**

**AND**

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

**AND**

**PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC C-546 (STEUART-BURKE CENTRE SHOPPING CENTER, LLC) (BRADDOCK DISTRICT)** (3:51 p.m.)

The application property is located approximately 500 feet east of the intersection of Ox Road and Burke Centre Parkway, Tax Map 77-1 ((1)) 63 and 64.

Mr. David R. Gill reaffirmed the validity of the affidavit for the record.

Supervisor Foust disclosed the following campaign contribution which he had received:

- In excess of \$100 from Mr. Grant M. Ehat, JBG/Rosenfeld Retail Properties, LLC

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

Vice-Chairman Bulova relinquished the Chair to Acting-Chairman Hyland and moved:

- Approval of Developmental Plan Amendment Application DPA C-54C-23 (sic), subject to the development conditions dated March 28, 2008.
- Approval of Planned Residential Community Application PRC C-546.
- Approval of Proffered Condition Amendment Application PCA 1998-BR-073, subject to the proffers dated March 7, 2008.
- Approval of Proffered Condition Amendment Application PCA 75-8-036-02, subject to the proffers dated March 7, 2008.
- Modification of the transitional screening requirement and waiver of the barrier requirement along the northern and southern property boundary.

Ms. Strunk called the Board's attention to a typographical error in the Board Agenda Item regarding Development Plan Amendment Application DPA C-54C-23, which should be DPA C-546-23.

Supervisor Bulova amended her motion that the Board approve Developmental Plan Amendment Application DPA C-546-23, subject to the development conditions dated March 28, 2008. This was accepted.

Supervisor Smyth seconded the motion, as amended, and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Chairman Connolly being out of the room.

Acting-Chairman Hyland returned the gavel to Chairman Connolly.

70.

**3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84.1 (PUBLIC TRANSPORTATION), REGARDING ISSUANCE AND RENEWAL FEES FOR LICENSES**  
(4:04 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 March 13 and March 20, 2008.

David R. Reidenbach, Chief, Regulatory and Licensing Branch, Department of Cable Communications and Consumer Protection (DCCCP), presented the staff report.

Discussion ensued, with input from Mr. Reidenbach, regarding the number of applications and licenses the County processes in a year.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to obtain additional information regarding the amount of money generated by license and application fees and the cost associated with the licenses. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following the public hearing, Chairman Connolly closed the public hearing, while keeping the record open for oral and written testimony until April 21, 2008, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.

71. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS) AND CHAPTER 62 (FIRE PROTECTION), REGARDING FIRE MARSHAL FEES** (4:10 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 March 15 and March 22, 2008.

Ronald L. Mastin, Chief, Fire and Rescue Department, presented the staff report.

Discussion ensued, with input from Mr. Mastin, regarding the amount of money increased from the advertised amount.

Discussion ensued further, with input from Paula Woodrum, Management Analyst II, Fire Marshal's Office, regarding the reevaluation of the revenue and the direct expenditures in the Fire Marshal's Office.

Discussion continued, with input from Ms. Woodrum and Mr. Mastin, pertaining to recovering as much of the cost as possible and the accuracy of the evaluations of the percentage of the cost recovery rate.

Supervisor Hyland asked unanimous consent that the Board direct staff to determine what additional services will be added for the increased fees. Without objection, it was so ordered.

Following the public hearing, Chairman Connolly closed the public hearing, while keeping the record open for oral and written testimony until April 21, 2008, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.



**ADDITIONAL BOARD MATTER**72. **SPEAKERS LIST** (4:18 p.m.)

Supervisor Bulova noted that a speaker had signed up for a public hearing on the Fiscal Year 2009 Effective Tax Rate Increase, which is not being held. Supervisor Bulova also noted that there was not a tax rate increase proposed for the coming fiscal year.

**AGENDA ITEMS**73. **3 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), REGARDING TRANSPORT BY COUNTY EMERGENCY MEDICAL SERVICE VEHICLES** (4:19 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 13 and March 20, 2008.

Ronald L. Mastin, Chief, Fire and Rescue Department, presented the staff report.

Supervisor Gross asked unanimous consent that the Board direct staff to determine if any correlation exists between the emergency fees and insurance premiums. Without objection, it was so ordered.

Discussion ensued, with input from Mr. Mastin, regarding the amount of money charged per mile for emergency transport in surrounding jurisdictions.

Following the public hearing, Chairman Connolly closed the public hearing, while keeping the record open for oral and written testimony until April 21, 2008, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.

74. **3 P.M. – PH TO CONSIDER THE PROPOSED ABANDONMENT OF A PORTION OF PENIWILL DRIVE (MOUNT VERNON DISTRICT)**  
(No time)

This public hearing was cancelled.

75. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES** (4:24 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 March 13 and March 20, 2008.

Shahram Mohsenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services (DPWES), presented the staff report.

Discussion ensued, with input from Mr. Mohsenin and Jimmie D. Jenkins, Director, DPWES regarding the recovery of the cost, the availability fees, the cost of the facilities for the removal of nitrogen, and other necessary upgrades.

Discussion ensued further, with input from Mr. Jenkins and Anthony H. Griffin, County Executive, regarding the costs associated with Blue Plains and the United States Environmental Protection Agency (USEPA) schedule.

Following the public hearing, Chairman Connolly closed the public hearing, while keeping the record open for oral and written testimony until April 21, 2008, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.

76. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), TO ESTABLISH A RATE FOR THE TRANSPORTATION TAX ON CERTAIN COMMERCIAL AND INDUSTRIAL PROPERTIES** (4:32 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 March 13 and March 20, 2008.

Katharine D. Ichter, Director, Department of Transportation, presented the staff report.

Discussion ensued, with input from Ms. Ichter, regarding the legal delegation of authority to a local government, the maximum rate of \$0.25, and the funding for transportation projects and not the transportation office.

Following the public hearing, Chairman Connolly closed the public hearing, while keeping the record open for oral and written testimony until April 21, 2008, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.

77. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2007-SU-033 (ENTERPRISE LEASING COMPANY A MARYLAND CORPORATION D/B/A ENTERPRISE/CENTREVILLE SQUARE PROJECT, LP) (SULLY DISTRICT)** (4:35 p.m.)

The application property is located at 5948 Centreville Crest Lane, Tax Map 54-4 ((1)) 117 pt.

Mr. John L. McBride 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 Centreville Square Project, L.P.

Supervisor McKay disclosed the following campaign contribution which he had received:

- In excess of \$100 from Albert J. Dwoskin, Jermantown Square, L.P.

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

- In excess of \$100 from Enterprise Leasing Company

Mr. McBride 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, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 2007-S-033, subject to the development conditions dated March 14, 2008. Supervisor Foust seconded the motion and it carried by a vote of six, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, and Chairman Connolly being out of the room.

78. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 01-M-010 (SKYLINE AMOCO, LLC TRADING AS DISCOUNT GAS) (MASON DISTRICT)** (no time)

As listed in the agenda, the public hearing on Special Exception Amendment Application SEA 01-M-010 was deferred until **April 28, 2008, at 3:30 p.m.**

79. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-W-023-03 (FAIRFAX COUNTY BOARD OF SUPERVISORS) (PROVIDENCE DISTRICT)**

**AND**

**PH ON FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 91-W-023-02 (FAIRFAX COUNTY BOARD OF SUPERVISORS) (PROVIDENCE DISTRICT) (4:41 p.m.)**

The application property is located on the south side of Page Avenue north of Judicial Drive and west of Chain Bridge Road, Tax Map 57-3 ((1)) 17 and 57-4 ((1)) 14 and 14A.

Ms. Toni L. Ogurcak reaffirmed the validity of the affidavit for the record.

The Board disclosed that they are indeed the Fairfax County Board of Supervisors.

Ms. Ogurcak 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, Peter Braham, Senior 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 location of a tree save area on the site.

Supervisor Smyth moved:

- Approval of Final Development Plan Amendment Application FDPA 91-W-023-02 and Proffered Condition Amendment Application PCA 91-W-023-03, subject to the proffers dated March 21, 2008.
- Reaffirmation of the previously-approved modifications of the transitional screening yard requirements and barrier requirements, in favor of the existing conditions along the western boundary of the Public Safety Center.

Supervisor Foust seconded the motion and it carried by a vote of six, Supervisor Herryty, Supervisor Hyland, Supervisor McKay, and Chairman Connolly being out of the room.

80. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION  
SEA 88-V-006 (MICHAEL MACNAIR) (MOUNT VERNON DISTRICT)**  
(4:48 p.m.)

The application property is located at 4609 Dolphin Lane, Tax Map 110-3 ((4)) (H) 11.

Mr. Michael E. MacNair reaffirmed the validity of the affidavit for the record.

Mr. MacNair 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.

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

Discussion ensued, with input from Mr. Thompson, regarding the flood plain line, the distance from the house to the flood plain line, and the removal of both the pool and the deck.

Supervisor Hyland submitted items for the record.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Frey and Supervisor Foust jointly seconded the motion and it carried by a vote of seven, Supervisor Herrity, Supervisor McKay, and Chairman Connolly being out of the room.

Supervisor Hyland moved approval of Special Exception Amendment Application SEA 88-V-006, subject to the development conditions dated February 20, 2008. Supervisor Foust seconded the motion and it carried by a vote of seven, Supervisor Herrity, Supervisor McKay, and Chairman Connolly being out of the room.

81. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION  
SEA 90-P-031 (SAINT PHILIPS CATHOLIC CHURCH C/O BISHOP OF  
ARLINGTON) (PROVIDENCE DISTRICT)** (4:55 p.m.)

The application property is located at 7500 St. Philips Court, Tax Map 60-1 ((1)) 3.

Mr. Robert E. Boyars reaffirmed the validity of the affidavit for the record.

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

Supervisor Smyth moved:

- Approval of Special Exception Amendment Application SEA 90-P-031, subject to the development conditions dated March 25, 2008.
- Modification of the transitional screening and barrier requirements along the southern, western, and eastern property lines in favor of the existing vegetation, as shown on the SEA Plat.
- Waiver of the six-foot wide trail requirement.
- Waiver of the interior and peripheral parking lot landscaping requirements.

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

(NOTE: On March 27, 2008, the Planning Commission approved Application 2232-P07-15. The Commission noted that the application to place a temporary public library on a portion of the surface parking lot serving St. Philips Church at 7500 St. Philips Court satisfies the criteria of location, character, and extent, pursuant to Section 15-2.2232 of the *Code of Virginia*, and is in substantial conformance with the provisions of the Comprehensive Plan.)

82. **4 P.M. – PH ON THE DRAFT PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2009** (5:01 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 March 13 and March 20, 2008.

Stephen E. Knippler, Senior Program Manager, Grants Management, Department of Housing and Community Development (HCD), presented the staff report.

Discussion ensued, with input from Mr. Knippler, regarding the description of the funding sources and the funds used for community development and revitalization.

Following the testimony of Mr. Michael Ahern (Speaker 3), a representative from Faith Communities United for Housing, discussion ensued regarding the utilization of the units for housing purchased.

Supervisor Hudgins asked unanimous consent that the Board direct staff to determine the number of units being utilized by persons over 100 percent and up to 120 percent income level and whether the units have been leased or sold. Without objection, it was so ordered.

Following the testimony of Mr. Glenn Kamber (Speaker 5), a representative for Consolidated Community Funding Advisory Committee (CCFAC), discussion ensued regarding the percentage of disabled individuals on waitlists for housing.

Following the testimony of Mr. Frank Blechman (Speaker 6), a representative for CCFAC, discussion ensued regarding the review of applications for funding, the challenge of diminishing resources, and all nonprofits having the ability to work together.

Vice-Chairman Bulova asked unanimous consent that the Board direct staff to determine what works and what does not work when it comes to the human services committee. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board direct staff to determine the process in providing a greater accountability. Without objection, it was so ordered.

Following the testimony of Mr. Conrad Egan (Speaker 9), Chairman, Fairfax County Redevelopment and Housing Authority, discussion ensued regarding option "b" for the funding of the Reston Historic Museum.

Following the public hearing, which included testimony by 12 speakers, Vice-Chairman Bulova closed the public hearing, while keeping the record open for oral and written testimony until April 21, 2008, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearings.

Supervisor Hudgins submitted items for the record.

83. **4 P.M. – PH ON A PROPOSAL TO VACATE UNNAMED RIGHT-OF-WAY IN THE SHIRLEY GATE PARK SUBDIVISION (BRADDOCK DISTRICT)** (5:54 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 13 and March 20, 2008.

Donald Stephens, Transportation Planner, Site Analyst Section, Department of Transportation, presented the staff report.

Following the public hearing, Vice-Chairman Bulova relinquished the Chair to Acting-Chairman Hyland and moved adoption of the Ordinance vacating the unnamed right-of-way in the Shirley Gate Park subdivision. Supervisor Foust

seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Smyth, and Acting-Chairman Hyland voting "AYE," Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, and Chairman Connolly being out of the room.

Acting-Chairman Hyland returned the gavel to Vice-Chairman Bulova.

84. **4 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF POTOMAC AVENUE (ROUTE 1501) (MOUNT VERNON DISTRICT)** (5:56 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 13 and March 20, 2008.

Michael A. Davis, Senior Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Hyland moved adoption of the Ordinance vacating Potomac Avenue and adoption of the Order abandoning the same portion of the roadway. Supervisor Herrity and Supervisor Smyth jointly seconded the motion and it carried by a vote of seven, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor Smyth, and Vice-Chairman Bulova voting "AYE," Supervisor Hudgins, Supervisor McKay, and Chairman Connolly being out of the room.

85. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO ESTABLISH THE HERNDON-MONROE TEMPORARY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT T-HM (HUNTER MILL DISTRICT)** (5:58 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 13 and March 20, 2008.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by six speakers, Supervisor Hudgins moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, establishing the Herndon-Monroe Temporary RPPD, District T-HM. The proposed amendment will establish the District boundaries to include the following streets:

- Roark Drive (Route 7858)
- Roark Court (Route 7859)



- Milburn Lane (Route 7842)
- Stirrup Iron Lane (Route 6375)
- Bayard Drive (Route 7850)
- Cross Country Lane (Route 6374)
- Halter Lane (Route 7852)
- Thunder Chase Drive (Route 6373)
- Darius Lane (Route 7851)
- Hitchcock Drive (Route 8708)
- Hitchcock Court (Route 8709)
- Players Pond Lane (Route 8710)
- Old Club Lane (Route 8394)
- Tournament Drive (Route 8393)
- Hurlingham Lane (Route 8293)
- Club Pond Lane (Route 7855)
- Noble Victory Lane (Route 7856)
- Noble Victory Court (Route 7857)
- Cavesson Court (Route 7854)
- Bridoon Lane (Route 7853)
- Colts Brook Drive (Route 8392)

Supervisor Hyland seconded the motion.

Discussion ensued, with input from Mr. Majdi, regarding a temporary satellite location with a shuttle service, the lack of available parking spaces, and the continued attempt to find parking spaces.

The question was called on the motion and it carried by a vote of nine, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Vice-Chairman Bulova voting "AYE," Chairman Connolly being out of the room.

86. **4:30 P.M. – PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC B-846-02 (JBG ROCKWOOD GATEWAY, LAND LLC) (HUNTER MILL DISTRICT)** (6:18 p.m.)

The application property is located in the southeast quadrant of the intersection of Reston Parkway and the Dulles Airport Access Road, Tax Map 17-4 ((29)) 2C.

Vice-Chairman Bulova stated that there was no affidavit for this application.

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

Supervisor Hudgins submitted items for the record.

Supervisor Hudgins moved approval of Planned Residential Community Application PRC B-846-02, subject to the development conditions dated February 29, 2008. Supervisor Foust and Supervisor Smyth jointly seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Chairman Connolly being out of the room.

87. **BOARD RECESS** (6:24 p.m.)

At 6:24 p.m., the Board recessed and, at 7:01 p.m., reconvened in the Board Auditorium with all Members present and with Chairman Connolly presiding.

DS:ds/EBE:ebe

88. **7 P.M. – PH ON THE COUNTY EXECUTIVE’S PROPOSED FISCAL YEAR (FY) 2009 BUDGET PLAN AND THE CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYS 2009 – 2013 (WITH FUTURE FYS TO 2018)**  
(7:01 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearings were duly advertised in that newspaper as follows:

- County Executive’s proposed FY 2009 advertised Budget Plan and the CIP for the FYS 2009-2013 (with future FYS to 2018) on March 18 and March 20, 2008.
- The current appropriation in the FY 2008 revised Budget Plan on March 20, 2008.

Chairman Connolly opened the first of three nights of public hearings on the FY 2009 Budget as proposed by the County Executive.

### **ADDITIONAL BOARD MATTER**

#### **Adoption of the Report of the Auditor** (7:06 p.m.)

Following the testimony of Rebecca Prather (Speaker 1), Supervisor Herrity moved that the Board adopt the Report of the Auditor dated March 31, 2008. Supervisor Hyland seconded the motion.

Chairman Connolly announced that the Police Department is now writing tickets according to the Fairfax County Code rather than the Virginia State Code, which will generate additional County funds.

Supervisor Gross asked to amend the motion that the Board direct staff to refer to the Legislative Committee the bill to be introduced into the Virginia legislature to allow the County to keep the money from fines for seat belt violations. This was accepted.

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

(8:01 p.m.)

Following the testimony of Arthur Purves, Representative, Fairfax County Taxpayers Alliance, (Speaker 12), with reference to the trust funds mentioned, Supervisor Frey asked unanimous consent that the Board direct staff to provide

information regarding the trust funds, the growth in them, where the revenue was generated, and where it is proposed to be spent. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide information regarding the CONNECTOR's 989 Route, compared to other routes on the CONNECTOR service. Without objection, it was so ordered.

(8:51 p.m.)

Following the testimony of Judith Dittman, Executive Director, Alternative House, (Speaker 23), discussion ensued regarding the 50 percent funding reduction for Alternative House. Supervisor Hudgins asked unanimous consent that the Board direct staff to provide information regarding the origin of where the funding for the Community Services Board. Without objection, it was so ordered.

Supervisor Bulova noted that earlier in the meeting, she presented a Board Matter regarding the funding issue.

(See Clerk's Summary Item #53.)

(10:14 p.m.)

Following the testimony of Summer Rivas, Representative of the Pine Spring PTA, (Speaker 44), Chairman Connolly announced that the budget public hearing scheduled for Wednesday, April 2, 2008, will begin at 6 p.m., instead of 7 p.m., because 99 people are scheduled to testify.

The public hearing included testimony by 55 speakers.

89. **BOARD RECESS** (10:52 p.m.)

Chairman Connolly announced that the Board would recess until April 1, 2008, at 6 p.m., at which time there will be a presentation by the School Board, followed by the continuation of the public hearings regarding the:

- Proposed adoption of the County Executive's Fiscal Year (FY) 2009 Advertised Budget Plan.
- Capital Improvement Program for FY 2009–2013 (with future FYs to 2018).
- Current appropriation level in the FY 2008 Revised Budget Plan.

Chairman Connolly announced that the Wednesday, April 2, 2008, meeting will begin at 6 p.m.

# Index

<b>AGENDA ITEM</b>	<b>Page</b>
<b>Presentations: Certificates/Awards</b> .....	<b>2-4</b>
<b>Presentation of the Volunteer Fire Commission Annual Report</b> .....	<b>4-5</b>
<b>Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups</b> .....	<b>12-18</b>
<b>Items Presented by the County Executive</b>	
<b>Administrative Items</b> .....	<b>5-11</b>
<b>Action Items</b> .....	<b>18-22</b>
<b>Information Items</b> .....	<b>22-25</b>
<b>Board Matters</b>	
<b>Chairman Connolly</b> .....	<b>2, 31-32, 38</b>
<b>Supervisor Bulova</b> .....	<b>36-38</b>
<b>Supervisor Foust</b> .....	<b>33-34</b>
<b>Supervisor Frey</b> .....	<b>38, 40</b>
<b>Supervisor Gross</b> .....	<b>31, 39-40</b>
<b>Supervisor Herrity</b> .....	<b>32-33</b>
<b>Supervisor Hudgins</b> .....	<b>34-36</b>
<b>Supervisor Hyland</b> .....	<b>42-45</b>
<b>Supervisor McKay</b> .....	<b>41</b>
<b>Supervisor Smyth</b> .....	<b>38</b>
<b>Actions from Closed Session</b> .....	<b>30-31</b>
<b>Public Hearings</b> .....	<b>45-60</b>