



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
May 17, 2016**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, May 17, 2016, at 9:35 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, 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 Jeffrey C. McKay, Lee District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Linda Q. Smyth, Providence District
- Supervisor Daniel G. Storck, Mount Vernon District

Others present during the meeting were Edward L. Long Jr., County Executive; David P. Bobzien, County Attorney; Elizabeth A. Teare, Deputy County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Denise A. Long, Deputy Clerk to the Board of Supervisors; Ekuwa Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:36 a.m.)

Supervisor Gross asked everyone to keep in thoughts the family and friends of Ms. Mary McCracken Lathram, who was almost 101 years old when she died last month. A resident of Goodwin House Bailey's Crossroads, she and her husband were its first residents in 1978. Supervisor Gross noted that both she and Ms. Lathram graduated from the University of Oregon; Ms. Lathram and her husband were founders of the Unitarian Universalist Church of Arlington; were active in community affairs; and she participated in the Senior Olympics, holding a national swimming record for those 95-years and older.

AGENDA ITEMS2. **PRESENTATION TO THE COUNTY** (9:38 a.m.)

Greg Billing, Executive Director of the Washington Area Bicyclist Association, announced that an invitation was sent to Board Members asking them to participate Friday, May 20, at one of the 14 local pit stops for "*Bike to Work Day*."

He informed the Board that this presentation is in recognition of the progress the County has made to support bicycling in the last 18 months including:

- Striping 17 miles of bike lanes in 2015
- Funding Capitol Bike Share in January 2016 with initial installations in Reston and Tysons
- Support of the I-66 trail extension which will connect thousands of County residents to the regional trail network

He noted the following priorities of the Association in the County:

- Progress and completion of the Arlington Boulevard Trail connecting the National Mall to Fairfax City
- Commitment to Vision Zero to alleviate traffic fatalities and serious injuries
- Protected bike lanes, separated from traffic by physical barriers

Mr. Billings presented the County with the Washington Area Bicyclist Association's "Take the Lane" Award for the greatest number of bike lanes striped in one year.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE WESTFIELD HIGH SCHOOL BASKETBALL TEAM (SULLY DISTRICT)** (9:45 a.m.)

Supervisor K. Smith moved approval of the Certificate of Recognition presented to members of the Westfield High School basketball team for its motivation, determination, and teamwork throughout the season resulting in winning the Virginia High School League 6A championship – the first County boys’ basketball State title in 35 years. Supervisor Foust and Supervisor Herrity jointly seconded the motion and it carried by unanimous vote.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO ATHLETES FROM THE CHANTILLY AND WESTFIELD HIGH SCHOOLS (SPRINGFIELD AND SULLY DISTRICTS)** (9:51 a.m.)

Supervisor K. Smith moved approval of the following Certificates of Recognitions:

CHANTILLY HIGH SCHOOL

- Mr. Titus Jeffries, Mr. Brandon McGorty, Mr. Conrad Pereira, and Mr. Michael Scopellite – for striving spirit and teamwork throughout the season, resulting in winning the Virginia High School League 6A Indoor Track 4x400 Meter Relay championship
- Mr. Brandon McGorty for his athletic ability and efforts throughout the season, resulting in winning the Virginia High School League 6A Indoor Track 1000- and 1600-Meter Run championships
- Ms. Jacquee Clabeaux for her athletic ability and efforts throughout the season, resulting in winning the Virginia High School League 6A 100-Yard Breaststroke championship

WESTFIELD HIGH SCHOOL

- Mr. Jay Aiello for his athletic ability and efforts throughout the season, resulting in winning the Virginia High School League 6A 195-pound Wrestling championship
- Ms. Chloe Hicks for her athletic ability and efforts throughout the season, resulting in winning the Virginia High School League 6A 100-Yard Backstroke championship

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

5. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE LANGLEY HIGH SCHOOL MODEL UNITED NATIONS CLUB (DRANESVILLE DISTRICT)** (10:03 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to members of the Langley High School Model United Nations Club for its numerous outstanding achievements and noteworthy accomplishments. Supervisor Gross, noting her personal experience with the program, seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING MAY 2016 AS "OLDER AMERICANS AND ADULT ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (10:13 a.m.)

Supervisor Herrity moved approval of the Proclamation to designate May 2016 as "*Older Americans and Adult Abuse Prevention Month*" in Fairfax County and urged all residents to recognize the contributions made to the community by older adults and to be alert for symptoms of abuse, neglect, and exploitation. Supervisor Foust seconded the motion.

Discussion ensued concerning:

- A recent Senior Volunteer Awards ceremony which recognized the many contributions made by the County's senior citizens
- A recent newspaper article raising awareness of the the vulnerability of many senior citizens
- A briefing by the County Police Department to be presented at the next 50+ Community meeting on the Department's efforts in preventing the exploitation of older adults

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

7. **PROCLAMATIONS DESIGNATING MAY 2016 AS "MENTAL HEALTH AWARENESS MONTH" AND MAY 6, 2016, AS "CHILDREN'S MENTAL HEALTH AWARENESS DAY" IN FAIRFAX COUNTY** (10:23 a.m.)

Supervisor Cook moved approval of the Proclamation to designate May 2016 as "*Mental Health Awareness Month*" in Fairfax County and urged all residents to renew their commitment to ridding society of the stigma associated with mental illness and ensure that those who need assistance have access to the appropriate support and resources. Supervisor Herrity and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

Supervisor Hudgins and Supervisor McKay jointly moved approval of the Proclamation designating May 6, 2016, as "*Children's Mental Health Awareness Day*" in Fairfax County and urged all residents to renew their commitment to the well-being of all children and youth in the County. Supervisor Cook and Supervisor McKay jointly seconded the motion.

Supervisor Cook noted the County's efforts in being a leader on mental health issues. He added that at last week's Base Realignment and Closing (BRAC) Regional Commission meeting, there was extensive discussion regarding children's mental health and efforts by the US Department of Defense (DOD) in providing services to youth who have deployed family members.

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

8. **PROCLAMATION DESIGNATING MAY 15-21, 2016, AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (10:42 a.m.)

Supervisor Gross moved approval of the Proclamation to designate May 15-21, 2016, as "*Public Works Week*" in Fairfax County and urged all residents to acquaint themselves with the varied services and programs provided by the Department of Public Works and Environmental Services to recognize the commitment exhibited by staff to the community's health, safety, and welfare. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

9. **PROCLAMATION DESIGNATING JUNE 2016 AS "FIGHT THE BITE AWARENESS MONTH" IN FAIRFAX COUNTY** (10:50 a.m.)

Supervisor Storck moved approval of the Proclamation to designate June 2016 as "*Fight the Bite Awareness Month*" in Fairfax County and urged all residents to learn how to take actions to prevent and protect against the Zika virus and other mosquito-borne illnesses. Supervisor Foust seconded the motion and it carried by unanimous vote.

Dr. Gloria Addo-Ayensu, Director, County Health Department, made a brief presentation, noting that additional information can be found on the Health Department's website or by calling the Disease Carrying Insects program.

Chairman Bulova suggested that Board Members use newsletters and social media to get the message out on how to address mosquitos. She added that it was important to note the type of mosquito that carries the Zika virus which breeds in clean standing water rather than in brackish or pond water.

Discussion ensued concerning:

- Checking tarps/plastic covers for collected water

- In-ground swimming pools, hot tubs, and plastic baby pools as possible mosquito breeding grounds

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10. **10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (11:05 a.m.)

(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard May 17, 2016,” as distributed around the dais. Supervisor McKay seconded the motion and it carried by unanimous vote.

Supervisor Gross reminded Board Members to circulate the resumes of nominees to new positions on BACs.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointment of:

- Ms. Ernestine Heastie as the Providence District Representative

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Lee District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder (Single Family), Engineer/Architect/ Planner #2, and Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Dranesville, Mount Vernon Business, and Providence District Representatives.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Mason and Mount Vernon District Representatives.

ARCHITECTURAL REVIEW BOARD

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

ATHLETIC COUNCIL

The Board deferred the appointment of the Mason District Alternate and Member At-Large Principal Representatives.

AUDIT COMMITTEE

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

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

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CHILD CARE ADVISORY COUNCIL

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

CITIZEN CORPS COUNCIL

Reappointment of:

- Mr. James Sobecke as the Braddock District Representative
- Ms. Linda J. Waller as the Lee District Representative

- Mr. Brian P. Foley as the Mason District Representative

The Board deferred the appointment of the At-Large Chairman's, Dranesville, Hunter Mill, Mount Vernon, Providence, Springfield, and Sully District Representatives.

COMMISSION FOR WOMEN

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

COMMISSION ON AGING

Reappointment of:

- Ms. Sharron Dreyer as the Lee District Representative

The Board deferred the appointment of the Hunter Mill, Mason, and Mount Vernon District Representatives.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

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

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Appointment of:

- Ms. Tara J. Bright as the Lee District Representative

Confirmation of:

- Ms. Shari Zamarra as the Faith in Communities In Action Representative
- Ms. (NFN) Elethia as the North Target Area Representative

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

CONSUMER PROTECTION COMMISSION

Appointment of:

- Mr. Denis Gulakowski as the Fairfax County Resident #12 Representative

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of the Mason and Springfield District Representatives.

ENGINEERING STANDARDS REVIEW COMMITTEE

Appointment of:

- Mr. John W. Ewing as the Citizen #2 Representative

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the At-Large Fairfax County and Mason District Representatives.

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Reappointment of:

- Mr. Ken Balbuena as the Braddock District Representative
- Mr. Arvind Manocha as the Dranesville District Representative

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

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Mr. Tom Bash as the Commission on Aging Representative
- Ms. Cheryl Rodakowski as a Long Term Care Providers Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Reappointment of:

- Ms. Jane Haycock Woods as the At-Large #2 Representative

Nomination of:

- Ms. Sarah Meiburg as the Sully District Representative

Confirmation of:

- Captain Basilio I. Cachuela, Jr. as the Sheriff's Office Representative

The Board deferred the appointment of the At-Large #1 Chairman's, Mount Vernon, and Providence District Representatives.

(NOTE: The Board is scheduled to confirm the appointment of Ms. Meiburg on June 21, 2016.)

HEALTH CARE ADVISORY BOARD

Reappointment of:

- Dr. Michael C. Trahos as the At-Large Chairman's Representative
- Ms. Ann Zuvekas as the Braddock District Representative
- Ms. Deborah Rimmer Leser as the Sully District Representative

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

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #3 and Provider #4 Representatives.

HISTORY COMMISSION

The Board deferred the appointment of the At-Large #2 and Citizen #7 Representatives.

HUMAN SERVICES COUNCIL

Appointment of:

- Ms. Patrice M. Winter as the Braddock District #2 Representative

The Board deferred the appointment of the Mason District #2 and Springfield District #2 Representatives.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

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

LIBRARY BOARD

Reappointment of:

- Ms. Sheila Janega as the Hunter Mill District Representative

Appointment of:

- Mr. Yearn Hong Choi as the Springfield District Representative

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the Braddock, Dranesville, Hunter Mill, Lee, Mount Vernon, and Providence District Representatives.

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

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

REDEVELOPMENT AND HOUSING AUTHORITY

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

ROAD VIEWERS BOARD

The Board deferred the appointment of the At-Large #1 and #4 Representatives.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #5, #7, #8, and #9 (Youth) Representatives.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Condo Owner, and the Tenant Member #2 and #3 Representatives.

TRAILS AND SIDEWALKS COMMITTEE

Appointment of:

- Ms. Nora Perry as the Sully District Representative

TREE COMMISSION

The Board deferred the appointment of the Mason and Springfield District Representatives.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Residential Owners and HOA/Civic Association #1 Representative.

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

The Board deferred the appointment of the Citizen appointed by BOS #4 Representative.

WETLANDS BOARD

Appointment of:

- Mr. Leslie E. Jacobs as the Mount Vernon District #3 Representative

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

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11. **ADMINISTRATIVE ITEMS** (11:08 a.m.)

Supervisor Gross moved approval of the Administrative Items. Chairman Bulova seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO ESTABLISH PARKING RESTRICTIONS ON PARK CENTER ROAD (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 7, 2016, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, recreational

vehicles, and all trailers, as defined in Chapter 82, from parking on Park Center Road from 6 p.m. to 9 a.m., seven days-per-week.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO REMOVE PARKING RESTRICTIONS ON DORR AVENUE (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 7, 2016, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix R, to remove parking restrictions that designated no parking, except government vehicles, on a portion of Dorr Avenue.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON MARSHALL STREET (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 7, 2016, at 4:30 p.m.**, regarding endorsing Marshall Street between Lee Highway and Arlington Boulevard to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON SUMMERFIELD ROAD (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 7, 2016, at 4:30 p.m.**, regarding endorsing Summerfield Road between Lee Highway and Arlington Boulevard to be included in the Residential Traffic Administration Program (RTAP) for a through truck traffic restriction.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 21, 2016, at 3:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law, Section 82-6-38.1, Use of a protective helmet while operating a bicycle, and the repeal of Section 82-9-6, Playing on streets or highways, et cetera.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), TO MAKE EDITORIAL AMENDMENTS TO SECTION 82-5-37(4) AND APPENDIX R, TO ESTABLISH PARKING RESTRICTIONS ON VOGUE ROAD (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 7, 2016, at 4 p.m.**, to consider the following proposed amendments to the Code of the County of Fairfax:
- Chapter 82 (Motor Vehicles and Traffic), regarding an editorial amendment clarifying Section 82-5-37(4)
 - Appendix R, to prohibit commercial vehicles, recreational vehicles and all trailers, as defined in Chapter 82, from parking on the east side of Vogue Road along commercially zoned areas, seven days per week

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO ESTABLISH PARKING RESTRICTIONS ON LADSON LANE (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 7, 2016, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, recreational vehicles and all trailers, as defined in Chapter 82, from parking on Ladson, seven days per week.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 30 (MINIMUM PRIVATE SCHOOL AND CHILD CARE FACILITY STANDARDS), ARTICLE 3 (HOME CHILD CARE FACILITIES)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 21, 2016, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 30 (Minimum Private School and Child Care Facility Standards), Article 3 (Home Child Care Facilities).

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF JONES BRANCH CONNECTOR - FINAL DESIGN (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 21, 2016, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Project AA1400093-13, Jones Branch Connector - Final

Design, Fund 50000; Federal-State Grants, and Project 2G40-062-000, Jones Branch Connector, in Fund 40010.

ADMIN 10 – AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR AND ACCEPT FUNDING FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE (BJA) FOR A JUSTICE AND MENTAL HEALTH COLLABORATION PROGRAM GRANT

Authorized the CSB to apply for and accept funding, if received, from BJA for the Justice and Mental Health Collaboration Program. Federal funding of \$250,000 over two years will support one full-time exempt new grant position to develop and manage a system-wide data collection and reporting effort for the County's Diversion First initiative. A required local match of 20 percent will be met with in-kind resources.

ADMIN 11 – AUTHORIZATION FOR THE HEALTH DEPARTMENT TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF HEALTH (VDH) TO EXPAND LATENT TUBERCULOSIS (TB) TESTING AND TREATMENT

Authorized the Health Department to apply for and accept grant funding, if received, in the amount of \$465,000 from the VDH as a subgrantee of Federal Centers for Disease Control funding. It will support a program to provide testing, treatment, and treatment adherence management to several ethnic communities in the County that experience a disproportionate morbidity of TB. There is one full-time exempt new grant position associated with this award. No local cash match is required.

ADMIN 12 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE APPROVAL PROCESS FOR MONOPOLES AND TOWERS

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on June 15, 2016, at 8:15 p.m., and before the Board on **June 21, 2016, at 3:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding the approval process for monopoles and towers.

12. **A-1 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE COUNTY AND THE NORTHERN VIRGINIA HIGH INTENSITY DRUG TRAFFICKING AREA-NORTHERN VIRGINIA FINANCIAL INITIATIVE (HIDTA-NVFI) TASK FORCE** (11:08 a.m.)

On motion of Supervisor Herrity, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chief of Police to sign the MOU between the HIDTA-NVFI and the Fairfax County Police Department (FCPD). The agreement establishes the procedures and responsibilities of the HIDTA-NVFI and the FCPD for assignment of personnel, overtime, other related expenses, and equitable sharing of forfeited assets occurring as a result of the task force's investigations.

13. **A-2 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN FAIRFAX COUNTY AND THE COUNTIES OF ARLINGTON, LOUDOUN, AND PRINCE WILLIAM; THE CITIES OF ALEXANDRIA, FAIRFAX, FALLS CHURCH, MANASSAS, AND MANASSAS PARK; THE TOWNS OF HERNDON, LEESBURG, AND VIENNA; AND THE VIRGINIA STATE POLICE REGARDING THE NORTHERN VIRGINIA REGIONAL GANG (NVRG) TASK FORCE** (11:09 a.m.)

On motion of Supervisor Gross, seconded jointly by Supervisor Herrity and Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chief of Police to sign the MOU between Fairfax County and the counties of Arlington, Loudoun, and Prince William; the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; the towns of Herndon, Leesburg, and Vienna; and the Virginia State Police regarding the NVRG Task Force.

14. **A-3 – APPROVAL OF A ONE YEAR EXTENSION TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) CAPITAL FUNDING AGREEMENT (CFA) AND OPTING OUT OF WMATA-ISSUED LONG TERM DEBT FOR FISCAL YEAR (FY) 2017** (11:10 a.m.)

Tom Biesiadny, Director, Department of Transportation, gave a presentation regarding this item.

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

- Approve, in substantial form, the amendment to the current CFA, which extends the agreement through FY 2017
- Authorize the County Executive to sign the Amendment to the CFA

- Opt out of any long-term debt issued by WMATA in FY 2017

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

15. **A-4 – APPROVAL OF EACH MEMORANDUM OF UNDERSTANDING (MOU) (1) BETWEEN THE TOWN OF VIENNA, FAIRFAX COUNTY, AND THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB); (2) BETWEEN THE CITY OF FAIRFAX, FAIRFAX COUNTY, AND THE CSB, (3) BETWEEN THE TOWN OF HERNDON, FAIRFAX COUNTY, AND THE CSB; AND (4) BETWEEN THE NORTHERN VIRGINIA COMMUNITY COLLEGE, FAIRFAX COUNTY, AND THE CSB; EACH ESTABLISHING COLLABORATION AMONG THESE ENTITIES’ LAW ENFORCEMENT AGENCIES AT THE MERRIFIELD CRISIS RESPONSE CENTER FOR PEOPLE EXPERIENCING A PSYCHOLOGICAL CRISIS** (11:14 a.m.)

On a joint motion of Supervisor Cook and Supervisor Hudgins, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved each MOU. The CSB provides emergency screening for individuals detained through emergency custody (ECO), temporary detention (TDO), and for others in search of crisis intervention and support. Each MOU allows law enforcement officers (LEO) from each of these jurisdictions within the CSB service area to have the opportunity to have the Crisis Intervention trained police officer or deputy sheriff on duty at the Merrifield Crisis Response Center take custody of an individual in lieu of being charged with a minor crime, being held by a LEO through an ECO, allowing the LEO to return to patrol or other duties as assigned by their respective jurisdictions.

16. **A-5 – APPROVAL OF FAIRFAX CONNECTOR JUNE 2016 SERVICE CHANGES** (11:16 a.m.)

Supervisor Foust moved that the Board concur in the recommendation of staff and approve Fairfax Connector’s June 2016 service changes that address needed service reliability improvements system-wide, commence weekend service in the Centreville and Chantilly areas, and balance resources with ridership. Supervisor Herryty seconded the motion.

Supervisor Gross stated that the changes are current service changes that have been in the works and not changes that will address the track safety issue and expansion of the service, with confirmation from Tom Biesiadny, Director, Department of Transportation.

Discussion ensued with several Board Members expressing appreciation for the commencement of weekend service in the Centreville and Chantilly area.

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

17. **I-1 – CONTRACT AWARD – FINANCIAL SERVICES, WASTEWATER MANAGEMENT PROGRAM** (11:20 a.m.)

The Board next considered an item contained in the Board Agenda dated May 17, 2016, announcing that staff is awarding a contract to Public Resources Management Group, Incorporated. The contract term is five years from July 1, 2016, through December 30, 2022, with no renewal options.

18. **I-2 – CONTRACT AWARD – PHARMACY SERVICES AND PHARMACEUTICALS** (11:20 a.m.)

The Board next considered an item contained in the Board Agenda dated May 17, 2016, announcing that staff is awarding a contract to Genoa, a QoL Healthcare Company. This contract will begin on July 1, 2016, and terminate on June 30, 2018. This contract is a seven year contract that includes five one-year renewal options. The total estimated amount of this contract over seven years is \$17,500,000.

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ADDITIONAL BOARD MATTERS

19. **REQUEST FOR PRESENTATIONS** (11:21 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct the Office of Public Affairs to:

- Prepare a Proclamation for the Mustang Sally Brewery, on the occasion of its Grand Opening, to be presented by the Chairman
- Prepare Certificates of Recognition for the Lord and Lady Fairfax honorees, for presentation at the conclusion of the Board's meeting on June 7, 2016
- Invite representatives from the Fairfax County Fire and Rescue Department to appear before the Board on June 7, 2016, to recognize June 19-26, 2016, as "*Safety Stand Down Week*" in Fairfax County
- Invite representatives from the Ahmadiyya Community to appear before the Board on June 21, 2016, in recognition of the community's dedication for peace, unity, and equality in the County

Without objection, it was so ordered.

Chairman Bulova, jointly with Supervisor McKay, asked unanimous consent that the Board direct the Office of Public Affairs to:

- Invite representatives from the Fairfax County Master Gardeners Association to appear before the Board at a future meeting to accept a proclamation celebrating its fortieth anniversary
- Prepare a proclamation to be sent to the Infant and Toddler Connection of the Fairfax-Falls Church Community Services Board declaring May 2016 as “*Early Intervention Month*” in Fairfax County

Without objection, it was so ordered.

20. **MOTION TO ADOPT THE MAY 2016 QUARTERLY REPORT OF THE AUDITOR OF THE BOARD** (11:23 a.m.)

Chairman Bulova announced that the Board has received the Auditor of the Board's Quarterly Report for May 2016. The report included the following study areas:

- Customer Relations Management Systems
- Administrative Leave for Employee Organizations
- Eligibility of Dependents on the County Healthcare Insurance Plan
- Unemployment Insurance

Chairman Bulova asked Board Members to review her written Board Matter which contains recommendations for each of the study areas listed, and moved that the Board:

- Adopt the Auditor of the Board’s May 2016 Quarterly Report
- Approve the Audit Committee Work Plan for the upcoming quarter as contained in her written Board Matter

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

21. **RECOGNIZING SUPERVISOR PENNY GROSS AND SUPERVISOR CATHY HUDGINS FOR RECEIVING THE 2016 FREDERICK AND DIANA PRINCE LIVABLE COMMUNITIES AWARD** (11:25 a.m.)

Supervisor Foust asked the Board to join him in congratulating Supervisor Penny Gross and Supervisor Cathy Hudgins for receiving the 2016 Frederick and Diana Prince Livable Communities Award from the Coalition for Smarter Growth.

The award is bestowed annually on Washington area individual(s) who have made a particularly significant contribution to smart growth in the region.

Supervisor Gross was selected based on the hard-earned Seven Corners plan, on Bailey's Crossroads, and community revitalization in general; championing the Columbia Pike Streetcar and the Route 7 transit-way; water quality issues; and safer streets for biking and walking in the Mason District.

Supervisor Hudgins is being honored because of her leadership on Metro, the Silver Line, and Fairfax transit; affordable housing; transit-oriented development; and safe walking and bicycling in the Hunter Mill District.

Both Supervisors were commended for championing the benefits of transit-oriented development as critical to the County's future - for economic development, traffic mitigation, social equity, and the environment.

The award will be presented by the Coalition for Smarter Growth at an evening reception on May 23.

Supervisor Foust asked unanimous consent that the Board direct the Office of Public Affairs to publicize the prestigious honors that Supervisor Hudgins and Supervisor Gross have received from the Coalition for Smarter Growth. Without objection, it was so ordered.

22. **NO BOARD MATTERS FOR SUPERVISOR L. SMYTH (PROVIDENCE DISTRICT)** (11:28 a.m.)

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

EBE:ebe

23. **REQUEST FOR RECOGNITION (SPRINGFIELD DISTRICT)** (11:28 a.m.)

Supervisor Herrity referred to his written Board Matter and asked unanimous consent that the Board direct staff to prepare a resolution recognizing August 14 as "*Pakistani-American Day*" in Fairfax County in honor of Pakistani-Americans in the area and in conjunction with Pakistan's Independence Day, to be presented at this year's festival. Without objection it was so ordered.

24. **WEST SPRINGFIELD ROTARY CLUB OUTSTANDING FIRE/RESCUE/FIRST RESPONDER OF THE YEAR AWARDS** (11:28 a.m.)

Supervisor Herrity said West Springfield Rotary Club is honoring three outstanding Fire/Rescue/First Responders on May 25, 2016, for epitomizing the Rotary Club motto: "service above self." He noted that more details regarding the honorees are outlined in his written Board Matter.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a Resolution, to be signed by him and the Chairman, to honor Technician Antwaun Hawkins, Technician William Harrington, and Master Technician Hyun Lee to join West Springfield Rotary Club in recognizing them for their exemplary service to the County. The Resolution will be presented at the May 25 West Springfield Rotary Club meeting. Without objection, it was so ordered.

25. **RESOLUTION TO CONSIDER PUTTING DRUG COUNSELORS BACK IN THE SCHOOLS** (11:32 a.m.)

Supervisor Herrity said that earlier this month he and Chairman Bulova participated in his Heroin and Prescription Drug Abuse Town Hall. At this town hall, they learned about this growing threat, what is being done to combat it, and what the County needs to do moving forward. The Board is receiving notification reports of overdoses from the Police Department on a near-weekly basis. The problem is real and the Board needs to ensure that it does whatever it takes to address it in the County.

The County is seeing a disturbing trend: opioid abusers are becoming younger and younger. In fact, a majority of the overdoses seen in the County in the past couple of months have involved 16-25 year olds. This problem needs to be combatted not only at home, but in the schools. Three years ago, the Board took drug counselors out of the public schools during a reorganization. The feedback from principals, then and again now, is that this had a huge negative impact on high school staff and that current programs have not been as effective.

As an example, Supervisor Herrity stated that he equates this need to the impact of having police school resource officers (SROs) in the schools rather than at the station. SROs are much more effective when they are in the schools, working hands-on with children – ensuring the students and SROs have easy access to one-another for following up on a case. The same can be said about drug counselors. This is a problem growing among some of the County's most vulnerable citizens and he stated his belief that the Board must work to put drug counselors back into the schools. Following the town hall meeting, the school system and the Community Services Board (CSB) started a discussion and are supportive of the idea. The issue likely will be funding.

Therefore, Supervisor Herrity moved that the Board direct the County Executive to work with the CSB and schools to evaluate the feasibility of returning drug counselors to the schools and to prepare a discussion for an upcoming Human Services Committee meeting. Supervisor Cook seconded the motion.

Supervisor Hudgins asked to amend the motion to include collaboration with the Successful Children and Youth Policy Team (SCYPT) Committee. This was accepted.

Following discussion regarding the motion, Chairman Bulova announced that the SCYPT Committee and its work will be on the agenda for the joint Board of Supervisors/School Board retreat on June 14, 2016.

Supervisor K. Smith asked unanimous consent that the Board direct staff to circulate upcoming meetings of the SCYPT Committee. Without objection, it was so ordered.

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

26. **GRAND OPENING OF THE NORTH COUNTY GOVERNMENTAL CENTER (HUNTER MILL DISTRICT)** (11:37 a.m.)

Supervisor Hudgins said she is happy to invite the Board and the Hunter Mill District to the Grand Opening of the North County Governmental Center, on Saturday, June 18, 2016, 10 a.m. – 2 p.m., at 1801 Cameron Glen Drive in Reston.

Supervisor Hudgins said that this event has been a long time coming and the new facility, just like the Grand Opening celebration, is shared with the Reston District Police Station. Captain Ron Manzo, on behalf of the Police Department, will be hosting along with her in welcoming the community.

In addition to the ribbon cutting and the official unveiling of the gorgeous public art sculpture, everyone should stop by and enjoy some yummy treats, tour the building, or climb aboard a helicopter. It promises to be a fun, interesting day. Supervisor Hudgins invited the community to join her in this celebration of community and mutual respect and cooperation.

Supervisor Hudgins asked unanimous consent that the Board direct the Office of Public Affairs to assist in publicizing the Grand Opening of the North County Governmental Center. Without objection, it was so ordered.

27. **REZONING APPLICATION RZ 2016-SU-003 – CARRHOMES, LLC (ROCKLAND VILLAGE GREEN (SULLY DISTRICT))** (11:38 a.m.)

Supervisor K. Smith said that Carrhomes, LLC, has filed Rezoning Application RZ 2016-SU-003 on Tax Map Parcels 34-4 ((6)) 49, 68, 69, 70 and A2 for the rezoning of 2.34 acres from the R-1 to the R-12 District for the development of 24 single family attached dwellings. The applicant has been working diligently with staff and has conducted community outreach. Given the positive feedback and the applicant's desire to fulfill its contractual obligations to the church which owns the property, this case should move forward as soon as possible.

Therefore, Supervisor K. Smith moved that the Board expedite the scheduling for Rezoning Application RZ 2016-SU-003 with the Planning Commission public

hearing scheduled for July 13, 2016, and the Board's public hearing on July 26, 2016, at 3:30 p.m. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Foust seconded the motion and it carried by unanimous vote.

28. **CONGRATULATING CATHY RUFFING FOR WINNING THE 2016 JOHN MARSHALL FOUNDATION TEACHER AWARD** (11:40 a.m.)

Jointly with Supervisor Herrity, Supervisor K. Smith said that Centreville High School social studies teacher, Cathy Ruffing, recently received the 2016 John Marshall Foundation Teacher Award. This award is a recognition of middle or high school teachers who demonstrate knowledge of the United States Constitution with great passion both in and out of the classroom. Specifically, she received this award due to her unique programming with students every year in which she has them research and write proposals for bills to be considered by the Virginia General Assembly. Each year, Ms. Ruffing works with Senator George Barker, and this year, one of her student's bill was introduced by Senator Barker and ultimately signed into law by Governor McAuliffe.

In addition, Ms. Ruffing was able to personally arrange a meeting between her students and Supreme Court Justice Sonia Sotomayor; works every year with the school's Model Judiciary team, which progressed to the Virginia Supreme Court round for the eighth consecutive year; and is a veteran of education in the County, as she has been a part of the Fairfax County Public School (FCPS) team for 25 years.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite Ms. Ruffing to appear before the Board to receive a resolution honoring her for this outstanding accomplishment. Without objection, it was so ordered.

DAL:dal

29. **KOINONIA FOUNDATION CELEBRATES FIFTIETH ANNIVERSARY (LEE DISTRICT)** (11:42 a.m.)

Supervisor McKay stated that this year marks the fiftieth anniversary of the Koinonia Foundation.

The Koinonia Foundation is one of the County's smaller non-profits and is also the sole nonprofit organization recognized by the County to provide both short-term emergency assistance and self-sufficiency services to citizens of the Greater Franconia/Kingstowne area.

The Koinonia Foundation was founded in the 1960s by Mr. Jack Miles with the original tag of "caring and sharing." The foundation is a Christian organization

with the capability to provide a way for local churches to combine their resources to more efficiently and effectively provide emergency services and compassionate care to people in the local community.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a certificate of recognition, to be jointly signed by him and the Chairman, for presentation to the Koinonia Foundation in celebration of its fiftieth anniversary at a future Board meeting. Without objection, it was so ordered.

30. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**
(11:43 a.m.)

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

31. **REQUEST FOR INFORMATION REGARDING STORMWATER PENNY**
(11:43 a.m.)

Supervisor Cook said that in recent weeks Board Members will likely have interacted with the Stormwater Planning staff to discuss possible projects in their respective District for stream restoration, pond retrofits, and outfall improvements or, in his case, a construction project to dredge Royal Lake.

In discussions with staff, he became aware that, for a variety of reasons, the construction costs related to stream restoration have jumped significantly over the last year which will have a direct impact on the number of projects that can realistically move through the construction queue. This has created a level of frustration for communities who participate in the design process and are anxious to see their projects move forward.

He stated the importance for Board Members to establish reasonable expectations as this construction pipeline becomes more constrained. According to the Fiscal Year 2017 Advertised Capital Construction Budget (Fund 40100 Stormwater Services), \$42.5 million is identified for Capital Projects in the next Fiscal Year. His understanding is that \$6.5 million is directed towards the Regulatory Program, \$7 million is directed toward rehabilitation of the conveyance system, and \$20.1 million is apparently available for the Streams and Water Quality Program. However, it is quite likely that there is a project list that considerably exceeds the last amount.

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

- Make a presentation, at a future meeting of the Environment Committee, on trends in the costs associated with stormwater capital projects

- Provide an accounting of the costs associated with projects completed over the past two years
- Identify any potential large projects that would further reduce the funding that will be available for community-supported projects in the near future
- Provide an update on whether costs associated with Federal and State regulatory requirements will consume a larger amount of this funding
- Provide information regarding the costs that will be associated with staffing and administration and whether these costs are rising as the Board has increased the levy for the Stormwater Service District over the last several budget cycles

Without objection, it was so ordered.

Supervisor Gross stated that this issue will be included on the Board's Environmental Committee meeting scheduled for October.

32. **COMMENTS ON AD HOC COMMITTEE RECOMMENDATIONS**
(11:46 a.m.)

Supervisor Cook, Chair of the Board's Public Safety Committee, reminded his colleagues that at last week's meeting, Board Members were asked to submit comments on the Draft Proposal for Action Items. He noted that, to date, no comments have been received and he will proceed with finalization of the Draft Proposal for distribution to the Board by June 7, 2016. He also noted that there was some trepidation or concern expressed to individuals other than himself.

Discussion ensued, with Board Members expressing their concerns regarding the process and the need for a more collaborative/deliberative discussion by the Board. Supervisor Cook noted that the Police Department has made significant progress in addressing a number of the recommendations listed on the matrix.

Supervisor Cook asked unanimous consent that the Board direct staff to schedule a Public Safety Committee meeting prior to June 7. Without objection, it was so ordered. Discussion continued regarding the process.

33. **REQUEST TO RECOGNIZE THE TWENTIETH ANNIVERSARY OF THE HARMONY HERITAGE SINGERS AND A TRIBUTE TO DIRECTOR BOB WACHTER** (12:09 p.m.)

Supervisor Storck said the Harmony Heritage Singers (HHS) is the Mount Vernon chapter of the Barbershop Harmony Society, historically known as the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America.

HHS is a men's chorus of over 60 active members, some of whom also sing regularly with one or more other choruses. Most of them are militia veterans and they are always happy to perform during the day when many other groups are unavailable. They often sing for retirement communities, assisted living facilities, and church senior groups.

On June 23, the HHS will celebrate its twentieth anniversary at Fort Belvoir and will also pay tribute to their Emeritus Director, Bob Wachter, who has had a distinguished career as a director, judge, coach, voice instructor, and quartet member.

Supervisor Storck congratulated and thanked the HHS for its great entertainment and Mr. Wachter for his years of musical service and shared a quote from one of his favorite barbershop songs: "May the road rise to meet you, may the wind be always at your back."

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to prepare a proclamation recognizing Mr. Bob Wachter and the Harmony Heritage Singers for 20 years of melodious service to the community. Following a brief discussion, Supervisor Storck clarified his request to prepare and send the proclamation. Without objection, the request, as clarified, was so ordered.

Supervisor McKay announced that his Lord Fairfax Honoree for 2016 is a member of HHS.

34. **CLARIFICATION OF THE APRIL 26, 2016, MOTION REGARDING THE PUBLIC HEARING ON 2222 COLTS NECK ROAD, LLC (HUNTER MILL DISTRICT)** (12:12 p.m.)

- (O) Supervisor Hudgins said that at the April 26, 2016, meeting the Board held a public hearing on three concurrent applications in the Hunter Mill District filed by the applicant, 2222 Colts Neck Road, LLC. The applications are Proffered Condition Amendment Application PCA A-936-03, Planned Residential Community Application PRCA A-936, and Development Plan Amendment Application DPA A-936-05.

The required public notice of the public hearings was given, the applications were correctly listed on the Board's Meeting Agenda, and the Chairman correctly called the applications at the start of the public hearing.

However, the motion for approval of Development Plan Amendment Application DPA A-935 was incorrectly stated as -03. Therefore, to correct the record, Supervisor Hudgins moved that the Board approve Development Plan Amendment Application DPA 936-05, as was advertised, and reaffirm the Board's previous approval for Proffered Condition Amendment Application PCA A-936-03 and Planned Residential Community Application PRCA A-936,

and the requested waivers and modifications. Supervisor Gross seconded the motion.

Following a brief discussion, with input from David P. Bobzien, County Attorney, Supervisor Hudgins corrected the motion that the Board approve Development Plan Amendment Application DPA A-936-05, as was advertised, and reaffirm the Board's previous approval for Proffered Condition Amendment Application PCA A-936-03, Planned Residential Community Application PRCA A-936, and the requested waivers and modifications. The question was called on the motion, as corrected, and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

35. **RECESS/CLOSED SESSION** (12:15 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. *Anthony D. Craft v. County of Fairfax, Virginia*, Case No. 1:16cv86 (E.D. Va.)
 2. *Adrienne Yvonne Hall v. Fairfax County, Virginia*, Case No. 1:16cv6 (GB/TCB) (E.D. Va.)
 3. *Board of Supervisors of Fairfax County and James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. David J. Laux and Tara K. Laux, a/k/a Tara K. Long*, Case No. CL-2014-0013597 (Fx. Co. Cir. Ct.) (Mason District)

4. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mohammad Ali*, Case No. CL-2015-0009648 (Fx. Co. Cir. Ct.) (Dranesville District)
5. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yongchao Wang and Equity Trust Company, Custodian, FBO Shujun Ding IRA*, Case No. CL-2016-0001188 (Fx. Co. Cir. Ct.) (Sully District)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Romulo Castro and Blanca B. Castro*, Case No. CL-2015-0013768 (Fx. Co. Cir. Ct.) (Providence District)
7. *Board of Supervisors of Fairfax County and James W. Patteson, Director of the Fairfax County Department of Public Works and Environmental Services v. Nirmaladevi Jayanthan and Jayanthan Balasubram, a/k/a Balasubram Jayanthan, Jayanthan Bala, Bala Jayanthan, and Jay Bala*, Case No. CL-2015-0008179 (Fx. Co. Cir. Ct.) (Dranesville District)
8. *In Re: Decision of January 6, 2016, of the Board of Zoning Appeals of Fairfax County, Virginia; Medhi Rofougaran and Tournament Drive, LLC v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2016-0001763 (Fx. Co. Cir. Ct.) (Mason District)
9. *Sharon Messina v. Adam Nicholas Thomes*, Case No. CL-2015-0010574 (Fx. Co. Cir. Ct.)
10. *Michael Evans v. Cigna Health and Life Insurance Company Health Insurance Plan and County of Fairfax*, Case No. CL-2016-02267 (Fx. Co. Cir. Ct.)
11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Edward Eugene Ankers, Jr.*, Case No. CL-2016-0005534 (Fx. Co. Cir. Ct.) (Hunter Mill District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County,*

Virginia v. Muhsin Sislioglu, Case No. CL-2016-0005751 (Fx. Co. Cir. Ct.) (Dranesville District)

13. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Marisol Ferrel*, Case No. CL-2016-0005993 (Fx. Co. Cir. Ct.) (Providence District)
14. *Fairway I Residential LLC v. Department of Family Services*, Case Nos. GV16-004247, GV16-004248, GV16-004249, GV16-004250 (Fx. Co. Gen. Dist. Ct.)
15. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Joseph G. Seeber and Francine B. Seeber*, Case Nos. GV15-015624 and GV16-004925 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
16. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. William S. Pournaras*, Case No. GV16-004926 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
17. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Janice T. McCallum*, Case No. GV16-004924 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
18. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Michael P. Galson and Charlotte M. Wilkes*, Case No. GV16-004602 (Fx. Co. Gen. Dist. Ct.) (Mason District)
19. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Donald W. Major, Richard B. Major, and Dennis G. Major*, Case No. GV16-004579 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District/Town of Vienna)
20. *Tarsha S. Warren v. Officer Ryan Wever*, Case No. GV15-024483 (Fx. Co. Gen. Dist. Ct.)
21. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ali Matthew*

Bastani, Case No. GV16-002242 (Fx. Co. Gen. Dist. Ct.) (Providence District)

22. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Gilbert L. Southworth Jr.*, Case No. GV16-007299 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jolanta U. Coleman, Trustee of the Jolanta U. Coleman Trust Agreement*, Case No. GV16-014952 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

And in addition:

- *Magaly Hernandez v. Fairfax County Fire and Rescue Department*, Civil Action Number 1:16 CV 502
- Interim Real Estate Exchange Agreement with Inova Health Services, Inc., Regarding Reston Town Center North
- Virginia Code Section 15.2-2303.4 Provisions Applicable to Certain Conditional Rezoning Proffers
- Legal Issues Relating to the Crescent Apartments
- Legal Issues Relating to an ABC License Application for a Farm Winery

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

EBE/DAL:dal

At 3:55 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

36. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:55 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herry, Supervisor

Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

37. **RETAINING AN OUTSIDE THIRD-PARTY CONSULTANT TO ASSESS THE WORKING ENVIRONMENT WITHIN THE FIRE AND RESCUE DEPARTMENT (FRD)** (3:56 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved that the Board direct the County Executive to retain an outside third-party consultant to assess the working environment within the FRD focusing on equal employment issues, workforce moral, mental health assistance, and communication issues. County staff will develop a more formal scope of work for this study and Fire and Rescue Chief Richie Bowers fully supports this initiative. Supervisor Cook, Supervisor Herrity, and Vice-Chairman Gross jointly seconded the motion.

Chairman Bulova stated that she does not want anyone to think that the Board feels it does not have an outstanding FRD, but where there are issues it is important that the Board ensure they are addressed.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

38. **APPOINTMENT OF CATHERINE SPAGE AS DIRECTOR OF HUMAN RESOURCES** (3:57 p.m.)

Supervisor Gross moved the appointment of Ms. Catherine Spage to the position of Director, Department of Human Resources, Grade E-12, with a starting salary of \$162,000 annually, effective May 14, 2016. The motion was multiply seconded and carried by unanimous vote.

Chairman Bulova recognized the presence of Ms. Spage and, on behalf of the Board, welcomed and congratulated her.

39. **APPOINTMENT OF JACK WEYANT AS DIRECTOR OF CODE COMPLIANCE** (3:58 p.m.)

Supervisor Gross moved the appointment of Mr. Jack Weyant to the position of Director, Code Compliance, Grade E-9, with a starting salary of \$161,516 annually, effective May 28, 2016. Supervisor McKay seconded the motion and it carried by unanimous vote.

Chairman Bulova recognized the presence of Mr. Weyant and, on behalf of the Board, welcomed and congratulated him.

40. **RESOLUTION APPROVING AND AUTHORIZING PARTIAL TERMINATION OF CRESCENT APARTMENTS** (4 p.m.)

- (R) Supervisor Hudgins moved that the Board adopt the following Resolution releasing ten apartment units from the Crescent Apartment lease with the Fairfax County Redevelopment and Housing Authority:

WHEREAS, the Board of Supervisors of Fairfax County, Virginia ("Board") entered into a lease agreement dated February 25, 2015 ("Lease") with the Fairfax County Redevelopment and Housing Authority (FCRHA) leasing to the FCRHA an apartment complex commonly known as the Crescent Apartments, located at 1527 Cameron Crescent Drive in Reston, Virginia, as more particularly described on Exhibit A to the Lease, consisting of 181 residential units (Crescent Apartments) for the operation of multi-family affordable rental housing;

WHEREAS, the Board deems it desirable to remove ten 2-bedroom units (the Released Units) from the Lease for the purpose of enabling the Board to make those Released Units available to County agencies for uses as may be deemed appropriate by the County Executive and senior staff;

NOW, THEREFORE, the Board hereby approves and authorizes an amendment to the Lease (the Amendment) to remove the Released Units from the Lease, and further authorizes the County Executive to execute the Amendment on behalf of the Board.

Supervisor Herrity seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

EBE:ebe

AGENDA ITEMS

41. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL APPLICATION AA 2012-SU-001 (JON AND KIM HICKOX) (SULLY DISTRICT)** (4:02 p.m.)

Supervisor K. Smith said that the public hearing for Local Agricultural and Forestal Districts Agricultural Application AA 2012-SU-001 has been indefinitely deferred by the Planning Commission to provide an opportunity for the applicants to prepare a coordinated special permit application for the horse sporting facility on the property.

Therefore, Supervisor K. Smith moved to defer the public hearing on Local Agricultural and Forestal Districts Agricultural Application AA 2012-SU-001 indefinitely. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

42. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-MV-033 (OLETHEA GILMORE LEE’S HOME DAYCARE) (MOUNT VERNON DISTRICT)** (4:03 p.m.)

The application property is located at 8652 Bent Arrow Court, Springfield, 22153, Tax Map 98-1 ((4)) 802.

Ms. Olethea Gilmore reaffirmed the validity of the affidavit for the record.

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

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

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

Following a query by Supervisor Storck, Ms. Gilmore confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 29, 2016.

Supervisor Storck moved approval of Special Exception Application SE 2015-MV-033, subject to the development conditions dated March 29, 2016. Supervisor Foust seconded the motion and it carried by unanimous vote.

43. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2004-MV-001-02 (THE TRUSTEES OF FIRST VIRGINIA BAPTIST CHURCH) (SPRINGFIELD DISTRICT)** (4:08 p.m.)

The application property is located at 8616 Pohick Road, Springfield, 22153, Tax Map 98-1 ((1)) 21.

Mr. Andrew Painter reaffirmed the validity of the affidavit for the record.

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

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

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

Following a query by Supervisor Herrity, Mr. Painter confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 30, 2016.

Supervisor Herrity moved:

- Approval of Special Exception Amendment Application SEA 2004-MV-001-02, subject to the development conditions dated March 30, 2016.
- Reaffirmation and the modification of the transitional screening requirements and waiver of the barrier requirements along the western, northern, and southern property lines pursuant to Section 13-305 of the Zoning Ordinance in favor of that shown on the SEA Plat.

Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

44. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 75-7-004-03 (MERIDIAN SCIENCE 7980 LP) (PROVIDENCE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2015-PR-021 (MERIDIAN SCIENCE 7980 LP) (PROVIDENCE DISTRICT) (4:14 p.m.)

- (O) The Proffered Condition Amendment Application PCA 75-7-004-03 property is approximately 600 feet east of the intersection of Science Application Court and Kidwell Drive, Tax Map 39-2 ((1)) 13D and 13E.

The Special Exception Application SE 2015-PR-021 property is located at 7910 and 7980 Science Application Court, Vienna 22182, Tax Map 39-2 ((1)) 13D pt. and 13E pt.

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

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

Discussion ensued, with input from Edward L. Long Jr., County Executive regarding the status of a recommendation by the Planning Commission (PC) for staff to monitor the status and progress of pending Federal studies on the impact of crumb rubber athletic fields.

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, Ms. Atkinson presented the staff and PC recommendations.

Supervisor L. Smyth moved approval of:

- Proffered Condition Amendment Application PCA 75-7-004-03, subject to the proffers dated May 11, 2016.
- Special Exception Application SE 2015-PR-021, subject to the development conditions dated April 13, 2016.

Following a query by Supervisor L. Smyth, Mr. Gill confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated April 13, 2016.

Supervisor L. Smyth further moved:

- Modification of Paragraph 2 of Section 2-506 of the Zoning Ordinance to allow for a parapet wall, cornice or similar projection to exceed the height limit established by more than three feet to a maximum height of 4.5 feet, as shown on the General Development Plan/Special Exception (GDP/SE) Plat.
- Modification of Paragraph 4 of Section 11-202 of the Zoning Ordinance requiring a minimum distance of 40 feet from a loading space in proximity to a drive aisle in favor of that shown on the GDP/SE Plat.
- Waiver of the maximum length of private streets as provided in Paragraph 2 of Section 11-302 of the Zoning Ordinance to allow private streets in excess of 600 feet in length.
- Modification of peripheral landscape requirements for the existing surface lot (southeast of proposed field), as allowed by Paragraph 3 of Section 13-203 of the Zoning Ordinance, in favor of the existing and proposed landscaping as shown on the GDP/SE Plat.

- Modification of the transitional screening and barrier requirements is requested for the eastern property boundary adjacent to I-495 to that shown on the GDP/SE Plat.
- Modification of the transitional screening and barrier requirements along the southern property line (Science Applications Court) in favor of the proposed streetscape design and containment structure as shown on the GDP/SE Plat.
- Modification of Paragraph 2 of Section 17-201 of the Zoning Ordinance regarding the construction of trails and bike trails, in favor of the streetscape and on-road bike trail system shown on the GDP/SE Plat.
- Waiver of Paragraph 3 of Section 17-201 of the Zoning Ordinance to provide additional interparcel connection to adjoining parcels other than those specifically identified on the GDP/SE Plat.
- Waiver of Paragraph 4 of Section 17-201 of the Zoning Ordinance to not require any further dedication, construction or widening of existing roads beyond that for which is indicated on the GDP/SE Plat. Dedication and improvements shown on the SE/GDP Plan shall be deemed to meet all comprehensive policy plan requirements.
- Modification of Paragraphs 12, 13, and 14, of Section 17-201 of the Zoning Ordinance and requirement to provide improvements in a phased sequence as outlined in the GDP/SE Plat and proffers and to be determined with the site plan.
- Modification of Section 12-0510 and 12-0511 of the Public Facilities Manual (PFM) for the required 10 percent tree canopy coverage on individual lots/land bays, to allow for canopy coverage to be calculated as depicted on the GDP/SE Plat.
- Modification of Standard E of Section 9-624 of the Zoning Ordinance to permit signage at all entry points to the field.

Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

45. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 91-Y-001-03 (TOM V. RICHARDSON AND JOAN J. RICHARDSON) (SULLY DISTRICT)** (4:23 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 April 29 and May 6, 2016.

The application property is located at 6001 Bull Run Post Office Road Centreville, 20120, Tax Map 42-4 ((1)) 15Z.

Michael Lynskey, Planner, Department of Planning and Zoning, presented the staff report.

Mr. Andrew Painter, agent for the applicant, 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 the case.

Following the public hearing, which included testimony by one speaker, Mr. Lynskey presented the staff and Planning Commission recommendations.

Supervisor K. Smith moved approval of Agricultural Renewal Application AR 91-Y-001-03, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Richardson Local Agricultural and Forestal District, subject to the Ordinance provisions dated April 16, 2016. Supervisor Foust, Supervisor Herrity, and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor L. Smyth being out of the room.

46. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 98-Y-011 (RWG VENTURES INCORPORATED) (SULLY DISTRICT)** (4:30 p.m.)

The application property is located at 14709 Lee Highway, Centreville 20121. [Identified as 14717 Lee Highway on the Department of Tax Administration’s Tax Records, Tax Map 54-3 ((3))5A]

Ms. Sara Mariska reaffirmed the validity of the affidavit for the record.

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

Ms. Mariska 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, Mr. Gorney presented the staff and Planning Commission recommendations.

Following a query by Supervisor K. Smith, Ms. Mariska confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated April 20, 2016.

Supervisor K. Smith moved:

- Approval of Special Exception Amendment Application SEA 98-Y-011, subject to the development conditions dated April 20, 2016.
- Approval of the following reaffirmations and modifications, in favor of the alternatives as shown on the proposed plat and as conditioned, pursuant to Section 13-305 of the Zoning Ordinance:
 - Modification of the transitional screening requirement along the western boundary adjacent to the single-family attached development.
 - Modification of the barrier requirement along the western boundary adjacent to the single-family attached development.
 - Modification of the barrier requirement along the northern boundary adjacent to the child care center.

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

47. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF RICHMOND HIGHWAY PUBLIC TRANSPORTATION INITIATIVE (RHPTI) RT 1-PH5-VIRGINIA LODGE TO HUNTINGTON AVENUE SW (MOUNT VERNON DISTRICT)**
(4:35 p.m.)

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 29 and May 6, 2016.

Carol Kresge, Right of Way Agent, Land Acquisition Division, Department of Public Works and Environmental Services (DPWES), presented the staff report.

Following the public hearing, Supervisor Storck moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Richmond Highway Public Transportation Initiative (RHPTI) Rt 1-PH5-Virginia Lodge to Huntington Avenue SW. Chairman Bulova seconded the motion.

Following discussion, with input from Ms. Kresge, regarding outreach efforts to property owners, the question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

48. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-D-007 (FAIRFAX COUNTY SCHOOL BOARD) (DRANESVILLE DISTRICT)** (4:41 p.m.)

A brief discussion ensued, with input from Elizabeth Teare, Assistant County Attorney, who confirmed that the public hearing is being deferred due to affidavit issues.

Supervisor Foust moved to defer the public hearing on Proffered Condition Amendment Application PCA 89-D-007 until **June 7, 2016, at 3 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

49. **4 P.M. – PH ON REZONING APPLICATION RZ 2014-LE-008 (PHD ASSOCIATES, LLC) (LEE DISTRICT)** (4:43 p.m.)

- (O) The application property is located north of and abutting the terminus of the unconstructed Thomas Grant Drive right-of-way, Tax Map 90-4 ((1)) 17.

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

Supervisor Herrity disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Mr. Edwin W. Lynch, Long Branch Partners, LLC

Supervisor K. Smith disclosed that she had received a campaign contribution in excess of \$100 from the following:

- Mr. William H. Casterline Jr., Blankenship and Keith, PC

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

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

Following the public hearing, which included testimony by three speakers, Ms. Strobel presented rebuttal.

Discussion ensued, with input from Ms. Strobel, Mr. David McElhaney, agent for the applicant, and Mr. Van Atta, regarding:

- Proffer commitments the applicant has made regarding the geotechnical issues and insurance
- The size of the Island Creek development and the proposed development
- The Resource Protection Area (RPA) and future development potential
- The flood plain and ownership of the surrounding property

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

Discussion ensued, with input from Mr. Van Atta, regarding density, the geotechnical review process, and the proffer requirements.

Supervisor McKay moved:

- That the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-LE-008, be amended from the R-1 District to the PDH-3 District, subject to the proffers dated May 13, 2016.
- Modification of the requirements of Public Facilities Manual (PFM) Section 7-0406.8A to allow a minimum 30-foot pavement radius within the cul-de-sac terminating the extension of Thomas Grant Drive.
- Modification of the transitional screening and barrier requirements along all sides of the applicant property in favor of the existing landscaping, as shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP).

Supervisor Foust seconded the motion. Following a brief discussion regarding the application, the question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herry,

Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

(NOTE: On April 13, 2016, the PC approved Final Development Plan Application FDP 2014-LE-008, subject to development conditions dated February 23, 2016.)

Barbara Berlin, Director, ZED, DPZ, thanked staff for all the work done on the application, especially Mr. Van Atta, who continued to work on the application after transferring to a different division within the department.

50. **4 P.M. – PH ON REZONING APPLICATION RZ 2015-HM-010 (CHRISTOPHER W. WARNER AND MARY J. WARNER) (HUNTER MILL DISTRICT)** (5:23 p.m.)

(O) (NOTE: On April 26, 2016, the Board deferred this public hearing until May 17, 2016.)

The application property is located on the south side of Clarks Crossing Road at its intersection with Ballycor Drive, Tax Map 28-3 ((1)) 46.

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

Laura Arseneau, Planner, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a PowerPoint slide presentation depicting the application and site location.

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

Discussion ensued, with input from Ms. Strobel and William Mayland, ZED, DPZ, regarding the requested waivers and proposed lot widths of the application.

Following the public hearing, which included testimony by one speaker, Ms. Arseneau presented the staff and Planning Commission recommendations.

Supervisor Hudgins submitted items for the record.

Supervisor Hudgins moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2015-HM-010, be amended from the R-1 District to the R-3 District, subject to the proffers dated May 13, 2016. Supervisor L. Smyth seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

51. **BOARD ADJOURNMENT** (5:35 p.m.)

The Board adjourned.

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