



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
June 7, 2004**

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14-04

DMB:dmb

The meeting was called to order at 9:20 a.m., with all Members being present, and with Chairman Connolly presiding.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; J. Patrick Taves, Deputy County Attorney; Catherine A. Chianese, Assistant to the County Executive; Regina Thorn Corbett, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTER

1. **MOMENT OF SILENCE** (9:22 a.m.)

Chairman Connolly asked everyone to remember former President Ronald W. Reagan, who died on Saturday, June 5, 2004, and his family in thoughts.

AGENDA ITEMS

2. **PROCLAMATION DESIGNATING JUNE 6-13, 2004, AS "US ARMY WEEK" IN FAIRFAX COUNTY** (9:25 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 6-13, 2004, as "US Army Week" in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO THE 2004 LORD AND LADY FAIRFAX HONOREES** (9:34 a.m.)

Supervisor Hudgins moved approval of the Certificates of Recognition presented to the 2004 Lord and Lady Fairfax honorees as follows:

Chairman At-Large

- Ms. Heisung J. Lee
- Mr. Henry B. "Herk" Latimer

Braddock District

- Ms. Janyce Hedetniemi
- Mr. Robert Mizer

Dranesville District

- Ms. Juliann Jordan Clemente
- Mr. C. Daniel Clemente

Hunter Mill District

- Ms. Jane Vitray
- Mr. Robert E. Simon, Jr.

Lee District

- Ms. Norma D. Hoffman
- Mr. Alan G. Norris

Mason District

- Ms. Elizabeth Clements
- Mr. Don Di Spirito

Mount Vernon District

- Ms. Harriet H. Piper
- Mr. Joseph M. Chudzik

Providence District

- Ms. Harolyn L. Smith
- Mr. John Mastenbrook

Springfield District

- Ms. Kathy May
- Mr. Jim McIntyre

Sully District

- Ms. Leslie Jenuleson
- Mr. Daniel G. Jenuleson

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

Paul Weinschenk, Chairman, Celebrate Fairfax Board of Directors, introduced Stephen King, the new President and CEO of Celebrate Fairfax, Kimberly McKinnish from King Wholesale, which is the recipient of the James Scott Community Spirit Award this year for Celebrate Fairfax, and some of this year's sponsors of Celebrate Fairfax. Mr. Weinschenk stated that Celebrate Fairfax is this Friday, Saturday, and Sunday, June 11, 12, and 13 at the Government Center.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO VIRGINIA MATHCOUNTS TEAM** (10 a.m.)

Supervisor DuBois moved approval of the Certificates of Recognition presented to members of the Virginia Mathcounts Team for their accomplishments. Supervisor Bulova and Supervisor Smyth jointly seconded the motion and it carried by unanimous vote.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO SPONSORS AND COMMITTEE MEMBERS OF EARTH DAY/ARBOR DAY 2004**

AND

PRESENTATION TO FAIRFAX COUNTY OF THE TREE CITY USA AWARD FOR 2003 (10:11 a.m.)

Supervisor Bulova moved approval of the Certificates of Appreciation to sponsors and committee members of Earth Day/Arbor Day 2004:

Sponsors

- Northern Virginia Community College, Barbara Saperstone, Provost
- National Soft Drink Association, Judith Thorman
- Department of Public Works and Environmental Services, Division of Solid Waste Collections and Recycling, Pamela Gratton

Committee

- Ms. Julia Brown
- Ms. Rosemary Byrne
- Mr. John Dudzinski
- Ms. Meredith Eisenberg
- Ms. Cheryl Fairhurst
- Dr. Robin Gorham
- Ms. Donna Jackson
- Ms. Liz Kirchner
- Mr. Michael Knapp
- Ms. Ronni McCohan
- Mr. Michael McMahan
- Ms. Cheryl Robinette
- Mr. Charlie Sakowicz

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

Representatives of the Fairfax County Tree Commission, Virginia Department of Forestry, and Fairfax County Urban Forestry Division presented the County with the Tree City USA award for 2003.

6. **PRESENTATION TO THE DEPARTMENT OF PUBLIC WORKS
DIVISION OF SOLID WASTE COLLECTION AND RECYCLING**

(10:18 a.m.)

Paul Woyciechowski, Recycle America Alliance/America, presented the Department of Public Works, Division of Solid Waste Collection and Recycling, with the Grand Prize Award of \$7500 in recognition of the County's Community Recycling Roadshow as the best in the country by America Recycles Day, Incorporated, and the Recycle America Alliance.

7. **PROCLAMATION DESIGNATING JUNE 10-17, 2004, AS "DIRECT
CARE WORKERS' WEEK" IN FAIRFAX COUNTY** (10:22 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 10-17, 2004, as "*Direct Care Workers' Week*" in Fairfax County. This motion was multiply seconded and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

PW:pw

8. **10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES,
COMMISSIONS, AND ADVISORY GROUPS** (10:30 a.m.)

(APPTS)

(BACs)

ADVISORY SOCIAL SERVICES BOARD

Supervisor Frey moved the reappointment of Ms. Pamela Cave as the Sully District Representative to the Advisory Social Services Board. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Providence and Springfield District Representatives to the Advisory Social Services Board.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Supervisor Hyland moved the reappointment of Mr. Rick Genuario as the Builder/Single Family Representative to the Affordable Dwelling Unit Advisory Board. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Engineer/Architect/Planner #2 Representatives to the Affordable Dwelling Unit Advisory Board.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Hunter Mill District Representative to the Airports Advisory Committee.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointments of the Braddock and Dranesville District Representatives to the Animal Services Advisory Commission.

ATHLETIC COUNCIL

The Board deferred the appointments of the Springfield District Representative and the Women's Sports Association Alternate Representative to the Athletic Council.

BOARD OF BUILDING CODE APPEALS

The Board deferred the appointment of the Design Professional Representative #5 to the Board of Building Code Appeals.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

The Board deferred the appointments of the Appraiser #1 and Appraiser #3 Representatives to the Board of Equalization of Real Estate Assessments.

COMMISSION ON AGING

Supervisor Kauffman moved the reappointment of Mr. Fred Hoffman as the Lee District Representative to the Commission on Aging. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. George Myers as the Mount Vernon District Representative to the Commission on Aging. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Marilyn Cantrell as the Sully District Representative to the Commission on Aging. Chairman Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Mason District Representative to the Commission on Aging.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the At-Large Minority Representative and the Dranesville and Sully District Representatives to the Commission on Organ and Tissue Donation and Transplantation.

COMMUNITY ACTION ADVISORY BOARD

The Board deferred the appointments of the Dranesville and Lee District Representatives to the Community Action Advisory Board.

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE**CONFIRMATION:**

Supervisor Gross moved the confirmation of the following appointment to the Countywide Non-Motorized Transportation (Trails) Committee:

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

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

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Dranesville District Representative to the Criminal Justice Advisory Board.

ENGINEERING STANDARDS REVIEW COMMITTEE**CONFIRMATIONS:**

Supervisor Gross moved the confirmation of the following appointment to the Engineering Standards Review Committee:

- Mr. Leo Titus, Jr. as the Association of Builders and Contractors Representative
- Mr. Gene Van Dyck as the Washington Area Council of Engineering Laboratories Representative

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

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the At-Large Business Community Representative and the Dranesville, Lee, and Mount Vernon District Representatives to the Fairfax Area Disability Services Board.

Supervisor Bulova noted that the Fairfax Area Disability Services Board needed the large number of vacant seats filled so that it could conduct business.

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

Supervisor Hyland moved the confirmation of the following appointments to the Fairfax Community Long Term Care Coordinating Council:

- Ms. Lisa Sparks as a Community Representative
- Ms. Jackie Mills-Fernald as a Community Representative

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

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Chairman Connolly noted that nominations to the Fairfax-Falls Church Community Services Board must be announced in advance of the actual appointment.

Chairman Connolly provided notice of his intent to nominate Mr. David Redman as the At-Large #2 Chairman's Representative for appointment to the Fairfax-Falls Church Community Services Board at the next Board meeting scheduled for June 21, 2004.

Supervisor Gross provided notice of her intent to nominate Mr. Josiah Beeman as the Mason District Representative for appointment to the Fairfax-Falls Church Community Services Board at the next Board meeting scheduled for June 21, 2004.

Supervisor Hyland provided notice of his intent to nominate Mr. David Bender as the Mount Vernon District Representative for appointment to the Fairfax-Falls Church Community Services Board at the next Board meeting scheduled for June 21, 2004.

Supervisor Frey provided notice of his intent to nominate Ms. Trudy Harsh as the Sully District Representative for appointment to the Fairfax-Falls Church Community Services Board at the next Board meeting scheduled for June 21, 2004.

HISTORY COMMISSION

Supervisor Kauffman moved the appointment of Mr. Donald Hakenson to fill the unexpired term of the late Mr. Robert Heittman as the Citizen #9 Representative to the History Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Archaeologist Representative to the History Commission.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Springfield District #2 Representative to the Human Services Council.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

Supervisor Frey moved the appointment of Mr. Michael DiConti to fill the unexpired term of Mr. John Grady as the Sully District Representative to the Information Technology Policy Advisory Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

LIBRARY BOARD

Supervisor Smyth moved the appointment of Ms. Chris Niedzielski-Eichner to fill the unexpired term of Mr. Herbert Doyle, Jr., as the Providence District Representative to the Library Board. Supervisor Gross seconded the motion, which carried by unanimous vote.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointments of the Braddock, Lee, and Mason District Representatives to the Oversight Committee on Drinking and Driving.

ROAD VIEWERS BOARD

The Board deferred the appointments of the At-Large #1 and At-Large #4 Representatives to the Road Viewers Board.

TENANT LANDLORD COMMISSION

The Board deferred the appointments of the Condominium Owner and Landlord Member #3 Representatives to the Tenant Landlord Commission.

AD HOC COMMITTEES**LAUREL HILL ADAPTIVE REUSE PLAN ADVISORY COMMITTEE**

The Board deferred the appointment of the Dranesville District Representative to the Laurel Hill Adaptive Reuse Plan Advisory Committee.

TELECOMMUNICATION LAND USE REGULATIONS TASK FORCE-MONOPOLES

The Board deferred the appointments of the Dranesville, Lee, and Sully District Representatives to the Telecommunication Land Use Regulations Task Force-Monopoles.

ADDITIONAL APPOINTMENTS**TRANSPORTATION ADVISORY COMMISSION**

Supervisor Kauffman moved the appointment of Mr. Harry Zimmerman, Jr., as the Lee District Representative to the Transportation Advisory Commission. Chairman Connolly and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

HEALTH SYSTEMS AGENCY BOARD

Supervisor Bulova moved the appointment of David Wheeler, M.D. as the Provider #4 Representative to the Health Systems Agency Board effective July 1, 2004. Chairman Connolly and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

DS:ds

9. **ADMINISTRATIVE ITEMS** (10:38 a.m.)

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

Supervisor Hudgins called the Board's attention to Admin 1 – Supplemental Appropriation Resolution AS 05004 for the Department of Community and Recreation Services (CRS) to Accept Grant Funds from the US Department of Agricultural to Continue the Summer Food Service Program for Children.

Discussion ensued with input from Holly Franz, Acting Division Supervisor, Community Centers Division, CRS.

Supervisor Hyland called the Board's attention to Admin 5 – Extension of Review Period for a 2232 Public Facility Review Application (Mount Vernon District) and a brief discussion ensued with input from David S. Jillson, Planning Division, Department of Planning and Zoning.

Supervisor Hyland called the Board's attention to Admin 7 – Authorization to Advertise a Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 110 (Inoperative Motor Vehicles, Trailers, and Semitrailers) and discussion ensued with input from Erin Ward, Assistant County Attorney, and Anthony H. Griffin, County Executive.

Supervisor Kauffman noted that at the January 5, 2004, Board meeting he presented a Board Matter regarding additional staff to support the enforcement of inoperable vehicle ordinances. Therefore, he asked unanimous consent that the Board direct staff to report at the June 21, 2004, meeting with a response. Without objection, it was so ordered.

Chairman Connolly called the Board's attention to Admin 13 – Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 6 (Weapons), and a brief discussion ensued with input from Frank Wernlein, Commander, Patrol Bureau Division Two, Fairfax County Police Department.

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

ADMIN 1 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05004 FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS) TO ACCEPT GRANT FUNDS FROM THE US DEPARTMENT OF AGRICULTURAL (USDA) TO CONTINUE THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

(SAR) (NOTE: Earlier in the meeting, there was a brief discussion regarding this item. See page 10.)

Approved SAR AS 05004 in the amount of \$70,811 for CRS to continue the USDA Summer Food Service Program for Children. This funding includes \$65,251 in USDA funds and \$5,560 in local cash match.

ADMIN 2 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-L-063, MOBIL OIL CORPORATION (LEE DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 98-L-063, Mobil Oil Corporation, to November 24, 2006, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-M-002, WASHINGTON INTERNATIONAL TELEPORT, INCORPORATED (MASON DISTRICT)

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 98-M-002, Washington International Teleport, Incorporated, to April 13, 2006, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-110-4, VERESTAR, INCORPORATED (MASON DISTRICT)

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Amendment Application SEA 85-L-110-4, Verestar, Incorporated, to April 22, 2006, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 – EXTENSION OF REVIEW PERIOD FOR A 2232 PUBLIC FACILITY REVIEW APPLICATION (MOUNT VERNON DISTRICT)

(NOTE: Earlier in the meeting, there was a brief discussion regarding this item. See page 11.)

Approved the extension of review period for Public Facility (2322) Review Application FS-V04-25 to August 19, 2004.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, BY ADOPTING A NEW CHAPTER NUMBERED 41.1 (ANIMAL CONTROL AND CARE), AND REPEALING CHAPTER 41 (ANIMALS AND FOWL)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 21, 2004, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, by adopting a new Chapter 41.1 (Animal Control and Care), and repealing Chapter 41 (Animals and Fowl).

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 110 (INOPERATIVE MOTOR VEHICLES, TRAILERS, AND SEMITRAILERS)

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See page 11.)

Authorized the advertisement of a public hearing to be held before the Board on **June 21, 2004, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 110 (Inoperative Motor Vehicles, Trailers, and Semitrailers), adopting actions of the 2004 General Assembly.

ADMIN 8 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05005 FOR THE HEALTH DEPARTMENT’S CARDIOVASCULAR DISEASE PROJECT UNDER PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT FROM THE VIRGINIA DEPARTMENT OF HEALTH

- (SAR) Approved SAR AS 05005 in the amount of \$24,827 for the Health Department to continue the program that targets populations in communities that have limited access to health care, lack financial resources, and have significant health risk factors for cardiovascular disease. No local cash match is required.

ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05002 FOR THE HEALTH DEPARTMENT TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF HEALTH (VDH) FOR THE ANONYMOUS HIV TESTING SITE GRANT

- (SAR) Approved SAR AS 05002 in the amount of \$18,000 for the Health Department to accept grant funds from VDH for the HIV Testing Site grant. No local cash match is required.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS), RELATING TO ELECTION PRECINCTS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 21, 2004, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections) to:
- Rename the polling place for Chapel precinct.
 - Relocate the polling place for Vienna Number 4 precinct.

- Relocate the polling place for Lorton Center precinct.

ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 04084 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT GRANT FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE URBAN SEARCH AND RESCUE ACTIVITIES RELATED TO HURRICANE ISABEL

- (SAR) Approved SAR AS 04084 in the amount of \$27,705 for FRD to accept funds from FEMA as reimbursement for activities and costs resulting from the activation of members for the Urban Search and Rescue team to provide assistance during Hurricane Isabel. No local cash match is required.

ADMIN 12 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 04085 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT GRANT FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR URBAN SEARCH AND RESCUE ACTIVITIES RELATED TO THE COLUMBIA SPACE SHUTTLE DISASTER

- (SAR) Approved SAR AS 04085 in the amount of \$44,912 for FRD to accept funds as reimbursement from FEMA for expenses incurred as a result of the deployment of Urban Search and Rescue team members to Texas after the Columbia Shuttle disaster. No local cash match is required.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS)

- (A) (NOTE: Earlier in the meeting, there was a brief discussion regarding this item. See page 11.)

Authorized the advertisement of a public hearing to be held before the Board on **June 21, 2004, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 6 (Weapons), to repeal provisions as required by changes in State law, add provisions newly authorized by changes in State law, update existing references to State law that have been codified, and update terminology to reflect that the former Department of Animal Control is now a division of the Police Department.

ADMIN 14 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05003 FOR THE CIRCUIT COURT TO ACCEPT NEUTRAL CASE EVALUATION (NCE) FUNDING FROM THE SUPREME COURT OF VIRGINIA

(SAR) Approved SAR AS 05003 in the amount of \$40,426 for the Circuit Court to continue the NCE grant. No local cash match is required.

ADMIN 15 – INSTALLATION OF MULTI-WAY STOPS AT MOUNT VERNON DRIVE AND FARRINGTON AVENUE, AND AT SOUTHRUN ROAD AND SILVERDALE ROAD (MOUNT VERNON DISTRICT)

- Endorsed the installation of multi-way stops as part of the Department of Transportation's Residential Traffic Administration Program at the following locations:
 - Mount Vernon Drive and Farrington Avenue
 - Southrun Road and Silverdale Road
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 16 – RESOLUTION TO INSTALL "WATCH FOR CHILDREN" SIGNS ON STOKLEY WAY AND ON ATWOOD ROAD (DRANESVILLE DISTRICT)

- (R)
- Adopted the Resolution endorsing the installation of "Watch for Children" signs as part of the Department of Transportation's Residential Traffic Administration Program at the following locations:
 - Stokley Way
 - Atwood Road

ADMIN 17 – APPROVAL OF TRAFFIC-CALMING MEASURES FOR SHAFFER DRIVE AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION'S RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (LEE DISTRICT)

- Endorsed the traffic-calming plan for Shaffer Drive as proposed by the Fairfax County Department of Transportation and the Virginia Department of Transportation as part of R-TAP, consisting of the following measures:

- One speed table adjacent to 6008, 6011, and 6013 Shaffer Drive
- One raised crosswalk adjacent to 6025 and 6026 Shaffer Drive
- Multi-way stop at the intersection of Bayliss Place and Shaffer Drive
- Directed staff to request VDOT to install the approved measures as soon as possible.

ADMIN 18 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE KINGSTOWNE COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 12, 2004, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Kingstowne CPD, encompassing the entire length of the following roads:

- Clapham Road
- Kingstowne Commons Drive
- Lake Village Drive
- Park Village Drive
- Summer Ridge Road

ADMIN 19 – INSTALLATION OF “NO PARKING FOR COMMERCIAL VEHICLES OVER 12,000 POUNDS” SIGNS ON BOTH SIDES OF OLD FRANCONIA ROAD FROM FLEET DRIVE TO FRANCONIA ROAD (LEE DISTRICT)

- (Rs)
- Adopted the Resolutions restricting commercial parking of vehicles over 12,000 pounds on both sides of Old Franconia Road from Fleet Drive to Franconia Road.
 - Directed staff to install these signs at the earliest possible date.

10. **A-1 – PARKING REDUCTION FOR SHELL OIL PARK, LOT 11 (MASON DISTRICT)** (10:49 a.m.)

On motion of Supervisor Gross, jointly seconded by Supervisor Hyland and Supervisor Kauffman, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 48.3 percent for the Shell Oil Park, Lot 11, pursuant to Paragraph 4(B), Section 11-102 of the Fairfax County Zoning Ordinance, and based on an analysis of the parking requirements for church, warehouse, and office uses on the site, a shared use parking study, and on the conditions outlined in the Board Agenda Item dated June 7, 2004.

11. **A-2 – FAIRFAX COUNTY'S COMMENTS REGARDING THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) PROPOSED FISCAL YEAR (FY) 2005 OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM (CIP)** (10:50 a.m.)

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

- Endorse the comments on WMATA's Proposed FY 2005 Operating Budget and the CIP as outlined in the Board Agenda Item dated June 7, 2004.
- Direct staff to transmit the comments to WMATA.

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

Supervisor Kauffman distributed to Board Members a copy of a summary from the Brookings Institution entitled "Washington's Metro: Deficits by Design," which was presented to the WMATA Board Committee on June 3, 2004, and a brief discussion ensued.

12. **A-3 – FAIRFAX CITY REGIONAL LIBRARY PROJECT DEVELOPMENT AGREEMENT** (10:53 a.m.)

Supervisor DuBois moved that the Board concur in the recommendation of staff and approve a Project Development Agreement between the County and the City of Fairfax to define the understandings, commitments, and responsibilities of the parties for the development of a new library. Supervisor Bulova seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive, and Leonard Wales, County Debt Manager.

Chairman Connolly stated for the record that a mistake had been made in the crediting of sales tax receipts. The City of Fairfax received credits that should have been made to the County.

Mr. Griffin noted that an agreement has been reached to readjust the figures and the item would be brought before the Board at the meeting scheduled for June 21, 2004.

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

13. **C-1 – APPEAL OF THE DISAPPROVAL OF CEDAREST PROPERTY RESOURCE PROTECTION AREA PLAN (PROVIDENCE DISTRICT)**
(10:56 a.m.)

The Board next considered an item contained in the Board Agenda dated June 7, 2004, regarding decision of an appeal of a decision by the Director of the Department of Public Works and Environmental Services (DPWES) on March 17, 2004, to disapprove Resource Protection Area Plan Number 3037-RPA-01-1, for the Cedarest Property.

Donald Demetrius, Chief, Flood Plains and Special Projects Branch, Stormwater Planning Division, DPWES, gave a presentation regarding the appeal.

Discussion ensued with input from Mr. Demetrius and Matthew Meyers, staff, Stormwater Planning Division, DPWES.

Noting that the motion would be predicated on available evidence to staff at the present time, Supervisor Smyth moved that the Board affirm the March 17, 2004, decision of the Director of DPWES to disapprove the appellant's Resource Protection Area Plan Number 3037-RPA-01-1, for the Cedarest Property, seeking to reclassify the stream on the appellant's property from perennial to intermittent for all of the reasons specified by staff. Supervisor Gross seconded the motion and it carried by unanimous vote.

14. **I-1 – RETIREMENT SYSTEMS COST-OF-LIVING INCREASES FOR 2004** (11:10 a.m.)

The Board next considered an item contained in the Board Agenda dated June 7, 2004, regarding the Retirement Systems cost-of-living increases for 2004.

The staff was directed administratively to proceed as proposed.

15. **I-2 – CONTRACT AWARD – CLUBHOUSE AND RELATED WORK AT THE LAUREL HILL GOLF COURSE (MOUNT VERNON DISTRICT)**
(11:10 a.m.)

The Board next considered an item contained in the Board Agenda dated June 7, 2004, requesting authorization for staff to award a contract to Creative Finishes,

Incorporated, in the amount of \$3,171,000 for the construction of the Clubhouse and Related Work at the Laurel Hill Golf Course.

Following a brief discussion, the staff was directed administratively to proceed as proposed.

16. **I-3 – CONTRACT AWARD – ARTIFICIAL TURF ATHLETIC FIELD AND RELATED IMPROVEMENTS AT ELLANOR C. LAWRENCE PARK (SULLY DISTRICT)** (11:10 a.m.)

The Board next considered an item contained in the Board Agenda dated June 7, 2004, requesting authorization for staff to award a contract to JSI Paving and Construction, Incorporated, in the amount of \$509,112 for the construction of an artificial turf athletic field and related improvements at Ellanor C. Lawrence Park.

The staff was directed administratively to proceed as proposed.

17. **I-4 – FOREST PEST PROGRAM COST RECOVERY FROM THE STATE OF VIRGINIA FOR THE EMERALD ASH BORER ERADICATION PROGRAM** (11:11 a.m.)

The Board next considered an item contained in the Board Agenda dated June 7, 2004, requesting authorization for staff to execute:

- An agreement between the Virginia Department of Agriculture and Consumer Services and the County.
- Agreement Grant Number 04-UCF-EAB.
- All other documents necessary to receive financial assistance for the Emerald Ash Borer Eradication Program.

Following a brief discussion, the staff was directed administratively to proceed as proposed.

18. **I-5 – CONTRACT AWARD – CONTRACT FOR ARCHITECTURAL/ENGINEERING (A/E) DESIGN SERVICES FOR THE BURKE CENTRE VIRGINIA RAILWAY EXPRESS (VRE) STATION PARKING STRUCTURE (BRADDOCK DISTRICT)** (11:11 a.m.)

The Board next considered an item contained in the Board Agenda dated June 7, 2004, requesting authorization for staff to award a contract to Wisniewski Blair and Associates in the amount of \$1,722,017 for A/E design services on the Burke Centre VRE Station Parking Structure, Grant 26004G, 04000, in Fund 102, Federal/State Grant Funds.

The staff was directed administratively to proceed as proposed.

19. **I-6 – CONTRACT AWARD – FAIRFAX COUNTY COURTHOUSE EXPANSION AND RENOVATION (PROVIDENCE DISTRICT)**
(11:11 a.m.)

The Board next considered an item contained in the Board Agenda dated June 7, 2004, requesting authorization for staff to award a contract to Dick Corporation in the amount of \$94,457,000 for the construction of Fairfax County Courthouse Expansion and Renovation, Project 009209, in Fund 312, Public Safety Construction.

Chairman Connolly recognized the presence of Circuit Court Judge Michael P. McWeeny, and warmly welcomed him to the Board Auditorium.

Following discussion, with input from Judge McWeeny, the staff was directed administratively to proceed as proposed.

20. **I-7 – MENTAL RETARDATION SPECIAL EDUCATION GRADUATES AND DAY SUPPORT/EMPLOYMENT SERVICES** (11:13 a.m.)

The Board next considered an item contained in the Board Agenda dated June 7, 2004, requesting authorization for staff to proceed with the:

- Provision of day support and employment services to the remaining 31 special education graduates of June 2004.
- Review of the scholarship approach and possible use of a foundation as directed by the Board in the Fiscal Year (FY) 2006 guidelines with the funding of procuring professional services to assist in this effort not to exceed \$100,000 from the \$500,000 reserve approved by the Board in the FY 2005 Adopted Budget Plan.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Hudgins asked unanimous consent that the Board direct staff to:

- In establishing a non-profit foundation, do the appropriate exploration with a consultant to address the larger need, and keep her, as Chair of the Human Services Council, apprised.
- As the entity is created, which will be outside of the County's responsibilities, report what the criteria will be and how it will be functioning.

Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

(NOTE: Later in the meeting, discussion continued briefly. See Clerk's Summary Item CL#22.)

ADDITIONAL BOARD MATTERS

NV:nv

21. **WELCOME TO PARTICIPANTS IN NEIGHBORHOOD COLLEGE PROGRAM (MOUNT VERNON DISTRICT)** (11:18 a.m.)

Chairman Connolly recognized the presence of participants in the Neighborhood College Program from Hollin Hall and warmly welcomed them. Supervisor Hyland introduced them, and discussion ensued.

Supervisor Gross asked unanimous consent that the Board direct staff to provide cost estimates on expanding the Neighborhood College Program throughout the County. Without objection, it was so ordered.

22. **ADDITIONAL DISCUSSION REGARDING I-7 – MENTAL RETARDATION SPECIAL EDUCATION GRADUATES AND DAY SUPPORT/EMPLOYMENT SERVICES** (11:21 a.m.)

(NOTE: Earlier in the meeting, the Board discussed this item. See Clerk's Summary Item CL#20.)

With reference to I-7, the Board engaged in additional discussion, with input from Anthony H. Griffin, County Executive.

23. **RECONSIDERATION OF C-1 – APPROVAL OF PROPOSED REVISIONS TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE FAIRFAX COUNTY BOARD OF SUPERVISORS AND THE RESTON COMMUNITY CENTER (RCC) BOARD OF GOVERNORS FROM MAY 24, 2004** (11:22 a.m.)

(BACs) Supervisor Hudgins moved to reconsider the Board's action on C-1 – Approval of Proposed Revisions to the MOU Between the Fairfax County Board of Supervisors and the RCC Board of Governors from the May 24, 2004, Board meeting. Supervisor Hyland seconded the motion, and it carried by a recorded vote of eight, Supervisor DuBois and Supervisor Frey abstaining because they were absent from that meeting.

Supervisor Hudgins moved approval of the revised MOU between the Board of Supervisors and the RCC Board of Governors that was attached to the Board Agenda Item from May 24, 2004. Supervisor Hyland seconded the motion.

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

Supervisor Hudgins moved that the Board advise the RCC Board of Governors that in conducting the 2004 preference poll, the RCC shall retain its current walk-in ballot process for residents and shall limit any mail out ballot to the commercial property owners only. Supervisor Hyland seconded the motion, and it carried by unanimous vote.

24. **WEEK OF GREAT CONFERENCES** (11:25 a.m.)

(BACs) Chairman Connolly announced that last week the County held two summits. One was the affordable housing summit and the other was the “Early Learning is Good Business” summit, which focused on early childhood learning.

Chairman Connolly noted that one of the recommendations from the affordable housing summit is to create a task force focused on preservation. He said that he and Supervisor Hudgins would return with the structure and suggested membership of that task force.

A brief discussion ensued regarding these exceptional conferences.

25. **CERTIFICATE OF PUBLIC NEED GOVERNING BODY NOTIFICATION** (11:28 a.m.)

(BACs) Chairman Connolly reminded the Board that beginning July 1, 2004, local health planning agencies will be required to notify local governing bodies when a Certificate of Public Need application is filed in their jurisdictions. He provided copies of the resolution that created the County’s Health Care Advisory Board (HCAB). Because the HCAB is responsible for coordinating the activities of the Board with the County Executive and other County agencies, he asserted that the HCAB is clearly appropriate for the responsibility of notifying the Board of these applications.

Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board designate the HCAB as the responsible party for notifying the Board when a Certificate of Public Need application is filed beginning July 1, 2004, as required by House Bill 391 and Senate Bill 86. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Gross being out of the room.

26. **SUBSTANCE ABUSE AWARENESS WEEK** (11:28 a.m.)

Chairman Connolly announced that substance abuse awareness week is an annual event that provides a series of educational programs throughout the County on a variety of substance abuse treatment and prevention topics. He moved that the Board proclaim November 15-19, 2004, as “*Substance Abuse Awareness Week*”

in Fairfax County and direct staff to invite the appropriate representatives from the Fairfax-Falls Church Community Services Board and others to receive the proclamation at the November 15, 2004, Board meeting. Supervisor Hyland seconded the motion, which carried by unanimous vote.

27. **CHESS CHAMPIONS** (11:29 a.m.)

Jointly with Supervisor Frey, Chairman Connolly announced that the Bull Run Elementary School chess team won the 2004 Virginia State Scholastic Chess Championship. Jointly with Supervisor Frey, Chairman Connolly moved that the Board direct staff to invite the members of the Bull Run Elementary School chess team to appear before the Board to be presented with certificates commending their achievement at the June 21, 2004, Board meeting. Supervisor Frey seconded the motion.

Following a brief discussion, the question was called on the motion, which carried by unanimous vote.

28. **HOUSING ASSOCIATION OF NONPROFIT DEVELOPERS (HAND) AWARD** (11:30 a.m.)

Chairman Connolly reminded the Board that the Fairfax County Redevelopment and Housing Authority (RHA) received the “Best Project of the Year in Northern Virginia Housing Achievement Award” from HAND for Gum Springs Glen, a very successful mixed use project and public-private partnership located along Richmond Highway. This 60-unit independent senior living facility offers seniors of moderate income the opportunity to live in an affordable retirement community and is a perfect example of an innovative solution to battling the affordable housing crisis facing Fairfax today.

Accordingly, jointly with Supervisor Hyland, Chairman Connolly moved that the Board direct staff to invite the appropriate representatives from the RHA and Gum Springs Glen to appear before the Board to be recognized for this outstanding achievement at the June 21, 2004, Board meeting. Supervisor Hyland seconded the motion.

Following a brief discussion, the question was called on the motion, which carried by unanimous vote.

29. **AMERICAN YOUTH PHILHARMONIC ORCHESTRA** (11:32 a.m.)

Chairman Connolly said that the American Youth Philharmonic Orchestra gives approximately 400 promising young musicians from over 100 schools throughout the region the opportunity to progress and excel not only as musicians, but also as future community leaders. The 2004-2005 concert season will mark the fortieth anniversary of this outstanding organization.

Accordingly, Chairman Connolly asked unanimous consent that the Board direct staff to invite representatives from the American Youth Philharmonic Orchestra to be presented with a resolution to honor and recognize their fortieth anniversary and accomplishments throughout the region at the September 13, 2004, Board meeting. Without objection, it was so ordered.

30. **HEPATITIS AWARENESS DAY** (11:32 a.m.)

Chairman Connolly announced that on June 26, 2004, citizens throughout the region will participate in the annual Tim Harmon Run-Walk in memory of Tim Harmon, the past director of Residential Services for Alcohol and Drug Services, in an effort to educate and raise the awareness of citizens of the impact that Hepatitis C has on both individuals and their families while also keeping the memory of a dedicated public official alive.

Therefore, Chairman Connolly moved that the Board proclaim June 26, 2004, as "*Hepatitis Awareness Day*" in Fairfax County and direct staff to invite appropriate representatives from the Fairfax-Falls Church Community Services Board, the Health Department, and the Fire and Rescue Department to be presented with the proclamation at the June 21, 2004, Board meeting. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

31. **INTRODUCTION OF DRANESVILLE DISTRICT SUMMER INTERN**
(11:33 a.m.)

Supervisor DuBois introduced Ryan Fay, the new summer intern for her office. He is a third year student at the University of Virginia.

32. **MEDIA COVERAGE OF THE HERNDON FESTIVAL (DRANESVILLE DISTRICT)** (11:34 a.m.)

Supervisor DuBois expressed her grave concern over the negative television coverage of the recent Herndon Festival. The media implied that there were safety concerns for violence at this annual family-oriented community festival. She noted that police coverage is routine at these events. She praised the Herndon Town Council, and specifically the Herndon parks and recreation director, for providing the community with such a wonderful event.

A brief discussion ensued.

(NOTE: Later in the meeting, the Board made additional mention of this media coverage. See Clerk's Summary Item CL#34.)

33. **SCHEDULING OF THE PUBLIC HEARING FOR SPECIAL EXCEPTION APPLICATION SE 2004-PR-016 (PROVIDENCE DISTRICT)** (11:38 a.m.)

- (A) Supervisor Smyth stated that Prentiss Properties Acquisition Partners, LP filed Special Exception Application SE 2004-PR-016 for the Willow Oaks Corporate Center to permit the University of Phoenix, an accredited university, to have a second location in Fairfax County. The corporate center is zoned C-3 and, while schools are deemed a by-right use, universities require a special exception. She asserted that this university would contribute to the revitalization of Merrifield by allowing residents and workers an opportunity to pursue undergraduate and graduate degrees locally. With most students attending classes at this university after normal working hours, additional traffic impact should be limited.

Accordingly, Supervisor Smyth moved that the Board direct staff to change the public hearing date for Special Exception Application SE 2004-PR-016 in the name of Prentiss Properties Acquisition Partners LP, located at Tax Map 49-3((1)) 140 from September 27, 2004, at 3:30 p.m. to **August 2, 2004, at 4 p.m.** Supervisor Bulova seconded the motion.

Supervisor Smyth added that this motion does not prejudice in any way the consideration of this pending application.

The question was called on this motion, which carried by unanimous vote.

34. **MEDIA COVERAGE OF INCIDENTS** (11:39 a.m.)

(Earlier in the meeting, the Board discussed the negative media coverage of the Herndon Festival. See Clerk's Summary Item CL#32.)

Supervisor Gross echoed Supervisor DuBois' concerns about media coverage of incidents. She invited representatives of the media to cover the County's after school programs, library programs, and other kinds of intervention programs designed to alleviate gang activity and help children make the right decisions.

DMB:dmb

35. **EMERGENCY PREPAREDNESS FOR COMMUNITY ASSOCIATIONS** (11:40 a.m.)

Supervisor Bulova said that a community association president asked if there was some kind of a plan for activating community associations when an incident is expected or has occurred, pointing out that when power is out, for instance, neighborhoods could help with disseminating information and looking in on each other. She is familiar with the Community Emergency Response Team training that her sister community, Canterbury Woods, has undergone, but hoped there was something less intensive than that, more focused on communication.

Supervisor Bulova asked unanimous consent that the Board refer this issue to Volunteer Fairfax and to staff responsible for developing contingency plans for emergency preparedness in the County and that a response be provided to the Board. Without objection, it was so ordered.

36. **ROBINSON MIDDLE SCHOOL AFTER-SCHOOL PROGRAMS (BRADDOCK DISTRICT)** (11:41 a.m.)

Supervisor Bulova said that she attended a planning meeting last month for an after-school program for middle school students at Robinson Secondary School. The meeting was facilitated by Susan Lydick, Coordinator of the Robinson Community Coalition, and was attended by a number of Robinson pyramid parents and representatives for the Partnership for Youth and Safe and Drug Free Youth. The program was being planned to be held at the Mott Community Center, with transportation provided from Robinson Secondary School. She said that parents were very enthusiastic about the program, and had an interesting discussion about its cost. As presented, the after-school program is supposed to be free to parents. Parents at the meeting felt that they should be charged something for enrolling their children in the program. Their reasons were:

- They were already paying for SACC and they would expect to be charged.
- If they paid for the program, they would feel committed to have their children attend, rather than feeling that attendance was optional.
- A program requiring some payment would be viewed as more of a "professional" enterprise and that a "free" program would be construed as being a less professional "volunteer" effort.
- Funding collected from parents could be used to subsidize parents who cannot afford the cost. The funds could also be used to help with transportation costs to help sustain the program.

Supervisor Bulova said that she was very impressed with these remarks and offered to take their recommendation to the Board.

Therefore, Supervisor Bulova asked unanimous consent that the Board refer to staff the issue of charging parents for Middle School After-School Programs on a sliding scale (like School Age Child Care), listing the reasons raised by Robinson Secondary School parents and that a response be provided to the Board. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Acting Chairman McConnell and asked unanimous consent that the Board direct staff to include the Partnership of Youth on the list. Without objection, it was so ordered.

Acting Chairman McConnell returned the gavel to Chairman Connolly.

Supervisor Kauffman asked unanimous consent that the Board direct the County's recreation staff to work closely with the school system to determine if existing programs could be modified or expanded rather than creating new programs. Without objection, it was so ordered.

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

- Work with the School Board to review the current array of after-school programs to assess what the needs are versus what is already out there and then determine how to fill the voids.
- Include the Virginia Extension Service on the list.

Without objection, it was so ordered.

37. **REFILING OF REZONING APPLICATION NUMBER RZ 2003-HM-042 (HUNTER MILL DISTRICT)** (11:45 a.m.)

Supervisor Hudgins said that Rezoning Application RZ 2003-HM-042 was filed to rezone Tax Map parcels 28-4 ((1)) 22B and 23, situated at the end of Irvin Street. One side of the property is traversed by Bartholomew Court, which has been used by the public for decades. The rezoning application proposes to extend Irvin Street into the site to Bartholomew Court at the far end of the property and include Bartholomew Court in the application property for the rezoning. The County Attorney, the applicant, and staff reviewed this matter and concluded that, although the Board may not have formally accepted the dedication of Bartholomew Court as a public right-of-way, given the decades of public use of this roadway, it would be appropriate for the Board to consider abandoning any rights to Bartholomew Court, which will then revert to the owner of the application property. The new development would result in a public street being closer to the homes currently served by Bartholomew Court. To proceed with the rezoning application, Bartholomew Court needs to be included in the land area of the rezoning application. Supervisor Hudgins said that she understands that the application to abandon Bartholomew Court will be filed by the applicant for future consideration by the Board.

Therefore, Supervisor Hudgins moved that the Board concur in the filing of a rezoning application that includes Bartholomew Court. This motion should not be construed as a favorable recommendation by the Board on the rezoning application or the application to abandon Bartholomew Court and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Supervisor Hyland seconded the motion and it carried by unanimous vote.

38. **REQUEST FOR DEE COTTON TO RECEIVE A RESOLUTION RECOGNIZING THE HISTORICAL ROLE OF "ROSIE THE RIVETER" IN THE NATION'S HISTORY** (11:47 a.m.)

Supervisor Hudgins said that in the past month the nation has stopped and reflected on the contributions made by the Greatest Generation, those whose efforts are highly valued for making the "World Safe for Democracy." The generation that went to war was supported on the home front by more than 6 million women who filled positions traditionally held by men. While symbolized nationally by "Rosie the Riveter," women across America worked as welders, engineers, managers; working on production lines, they made military equipment at record speeds. Women entering the work force in non-traditional roles in record number dramatically increased both gender equity and racial integration. Because so many women entered the work place, it created public acceptance for employer sponsored child care. A great deal of change occurred with little fanfare. Supervisor Hudgins said that Reston is fortunate to have its own "Rosie the Riveter," Dee Cotton.

Therefore, Supervisor Hudgins asked unanimous consent that the Board pay tribute to all of the County's "Riveters" and direct staff to invite Ms. Cotton to appear before the Board on behalf of all Rosie the Riveters to receive a Resolution recognizing the historical role of "Rosie the Riveter" in the nation's history. Without objection, it was so ordered.

39. **CERTIFICATE OF RECOGNITION FOR THE NEWLY INSTALLED MEMORIAL PLAQUE DEDICATED TO THE FORMER CIVIL WAR SOLDIERS OF THE TWENTY-SIXTH REGIMENT, FREED SLAVES, FORMER SLAVES, AND THEIR DESCENDANTS (HUNTER MILL DISTRICT)** (11:48 a.m.)

Supervisor Hudgins said that Memorial Day traditionally provides the community with an opportunity to honor those who have served the nation in wars both foreign and domestic. This past Memorial Day the Vienna community had a rare moment to reflect on the Civil War service to the Union Army by soldiers in the twenty-sixth Regiment under the leadership of Captain H. L. Salisbury. Through Captain Salisbury's efforts, a cemetery for the former soldiers of the twenty-sixth Regiment, freed slaves, former slaves, and their descendants was established. In 1892, the land he purchased was transferred originally to the United Order of the Sons and Daughters of the Liberty Lodge Number Nine. In 1986, the last remaining Lodge trustee deeded the cemetery ownership to First Baptist Church of Vienna. A plaque to recognize this cemetery's illustrious history was unveiled on May 31, 2004.

Therefore, Supervisor Hudgins asked unanimous consent that the Board pay tribute to the community's past and direct staff to:

- Prepare and send a Certificate of Recognition for the newly installed memorial plaque to First Baptist Church of Vienna.
- Widely disseminate the location of this historic location.
- Include cemetery information in the next printing of the *African American Landowners, Churches, Schools, and Businesses (1860-1900)* map.

Without objection, it was so ordered.

40. **PROPOSED RESOLUTION REGARDING THE CONSTITUTIONAL RIGHTS OF CITIZENS** (11:49 a.m.)

Supervisor Hudgins said that she has a proposed resolution regarding the Constitutional Rights of Citizens that she will circulate to Board Members for input. She said that she would present it at the next meeting.

PMH:pmh

41. **FLAG CEREMONY (SPRINGFIELD DISTRICT)** (11:50 p.m.)

Supervisor McConnell announced that she attended the Greenbriar East flag ceremony provided by the first graders.

42. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR MR. BARRY BRADY (LEE DISTRICT)** (11:51 p.m.)

Supervisor Kauffman said that on Friday, June 3, 2004, Barry Brady retired as General Manager of the Hilton Springfield. He referred to his written Board Matter and outlined Mr. Brady's accomplishments.

Therefore, Supervisor Kauffman moved that the Board direct staff to invite Mr. Brady to appear before the Board at a future meeting for formal recognition and that a certificate be prepared to present to Mr. Brady for his many years of service. Supervisor McConnell seconded the motion and it carried by unanimous vote.

A brief discussion ensued with input from Merni Fitzgerald, Director, Office of Public Affairs.

43. **CORRECT MAINTENANCE OF TREES UNDER COUNTY CONTRACTS** (11:53 p.m.)

Supervisor Hyland said Mr. Alfred Aitken attended the Fairfax Tree Forum II and received information regarding proper mulching of trees. However, he did see examples of trees being maintained through County contracts which do not conform to the guidelines for mulching described at the Tree Forum.

Therefore, Supervisor Hyland asked unanimous consent that the Board:

- Refer these issues to staff for review of the current tree maintenance contracts and the information provided at the Fairfax Tree Forum II.
- Direct staff to report with recommendations for any needed policy or procedural changes in amending or letting such contracts.

Without objection, it was so ordered.

44. **RECOGNITION OF THE THIRTY-FIFTH ANNIVERSARY OF THE CARTER GOSPEL SINGERS (MOUNT VERNON DISTRICT)** (11:54 p.m.)

Supervisor Hyland said that the Carter Gospel Singers were organized in 1970 when Juanita Gibson (mother of Mayre Elizabeth Thomas from the Gum Springs community) needed backup singers for skits and poetry readings being performed in conjunction with the Urban League throughout metropolitan Washington. The group recently celebrated its thirty-fifth anniversary with a concert at Woodlawn United Methodist Church.

Therefore, Supervisor Hyland moved that the Board direct staff to prepare a certificate of recognition for the Carter Gospel Singers on the occasion of their thirty-fifth anniversary and that arrangements be made to have the current and past members of the group appear before the Board and perform subject to time and space limitations. Chairman Connolly seconded the motion and it carried by unanimous vote.

A brief discussion ensued.

45. **RECOGNITION OF THE ACCOMPLISHMENTS OF THE WEST POTOMAC HIGH SCHOOL STEP TEAM (MOUNT VERNON DISTRICT)** (11:55 p.m.)

Supervisor Hyland said on Saturday, March 27, 2004, the West Potomac High School Step Team traveled to Atlanta, Georgia for the Regional Step Off Competition. The team won in three categories -- Best Theme, Best Spirit, and

first place - Southeast Regional Champions. It competed against 30 teams from Maryland to Florida.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to prepare a certificate of recognition congratulating the West Potomac High School Step Team on the occasion of the Southeast Regional Championship and that arrangements be made to have the team appear before the Board to accept the recognition. Without objection, it was so ordered.

A brief discussion ensued.

46. **NAMING OF QUANDER BROOK (MOUNT VERNON DISTRICT)**
(11:56 p.m.)

Supervisor Hyland stated that at its Wednesday, May 26 meeting, the Mount Vernon Council of Citizens Associations discussed and passed a resolution recommending and requesting the naming of an unnamed tributary to Hunting Creek originating from various spring sources in the Spring Bank neighborhoods to be officially named Quander Brook. This name is in recognition of the Quander family and their historical connection to, and involvement with, the Spring Bank area. The resolution further asks the Board to acknowledge the naming of this unnamed tributary and to notify staff of such action.

Therefore, Supervisor Hyland moved that the Board name this tributary Quander Brook and direct staff to take appropriate action to survey, and add the name to the current electronic version of County maps and all future versions of County maps. Supervisor McConnell seconded the motion and it carried by unanimous vote.

A brief discussion ensued.

47. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2003-MV-059 (MOUNT VERNON DISTRICT)**
(11:58 p.m.)

Supervisor Hyland announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 2003-MV-059 until July 26, 2004, at 3 p.m.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item CL#59.)

48. **INTENT TO DEFER THE PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 4800 OLD MILL ROAD (MOUNT VERNON DISTRICT)** (11:58 p.m.)

Supervisor Hyland announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Spot Blight Abatement Ordinance for 4800 Old Mill Road until July 26, 2004, at 3 p.m.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item CL#53.)

49. **MASTERFILE PLANS AND PERMITS MUST COMPLY WITH THE 2000 UNIFORM STATEWIDE BUILDING CODE** (11:59 a.m.)

Supervisor Frey said that beginning on October 1, 2004, all masterfile plans and permits must comply with the 2000 Uniform Statewide Building Code. Currently, the Department of Public Works and Environmental Services has more than 2400 plans on file for house-types utilizing the master plan system. These plans all need to be revised and reviewed to ensure compliance with current standards if they are intended to be used for construction beginning October 1, 2004. Any plans which are not revised by this date will be discarded, and all new plans will be required. It is his understanding that it is currently taking approximately six to eight weeks to review the current residential workload of approximately 140-150 new residential plans per month.

Supervisor Frey noted that to date, a very small number of masterfile plans have been resubmitted, which indicates impending delays as the deadline approaches for compliance. He added that he has emailed a number of residential builders reminding them of this deadline and encouraging them to file new plans expeditiously.

Supervisor Frey said that this issue has been the subject of two letters to the industry which provide greater detail. The letters can be reviewed at the following website:

- <http://www.fairfaxcounty.gov/dpwes/publications/lti/03-21.htm>
- <http://www.fairfaxcounty.gov/dpwes/publications/lti/04-05.htm>

50. **WESTFIELD HIGH SCHOOL BOYS TRACK TEAM CAPTURES STATE CHAMPIONSHIP (SULLY DISTRICT)** (12 noon)

Supervisor Frey announced that the Westfield High School Boys Track Team captured the State championship.

51. **SUPERVISOR FREY'S TRIP TO CAMBODIA** (12:01 p.m.)

Supervisor Frey briefed the Board on his recent trip to Cambodia.

A brief discussion ensued.

52. **RECESS/CLOSED SESSION** (12:07 p.m.)

At 12:07 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 2.1-344 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. *William E. Shoup, Fairfax County Zoning Administrator v. Emma C. Whitney, Duane Whitney, Edward Whitney, and Leslie Whitney*, In Chancery No. 152580 (Fx. Co. Cir. Ct.) (Providence District)
 2. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Jimmie K. Walker and Margie L. Walker*, In Chancery No. 182748; *Jimmie K. Walker and Margie L. Walker v. Fairfax County Board of Supervisors and Fairfax County*, At Law No. 204529; and *Jimmie K. Walker and Margie L. Walker v. Fairfax County Board of Zoning Appeals*, At Law No. 210396 (Fx. Co. Cir. Ct.) (Lee District)
 3. *William E. Shoup, Fairfax County Zoning Administrator v. Mary Ann Miller*, In Chancery No. 184365 (Fx. Co. Cir. Ct.) (Braddock District)

4. *William E. Shoup, Fairfax County Zoning Administrator v. Eugene G. Hopson*, In Chancery No. 189092 (Fx. Co. Cir. Ct.) (Braddock District)
5. *William E. Shoup, Fairfax County Zoning Administrator v. Doris Heath Douglass, Trustee, et al.*, In Chancery No. 188183 (Fx. Co. Cir. Ct.) (Springfield District)
6. *William E. Shoup, Fairfax County Zoning Administrator v. Michael J. Reid and Karen L. Reid*, In Chancery No. 189961 (Fx. Co. Cir. Ct.) (Dranesville District)
7. *William E. Shoup, Fairfax County Zoning Administrator v. Peter Komtzamanys*, In Chancery No. 190140 (Fx. Co. Cir. Ct.) (Sully District)
8. *Board of Supervisors v. Heron Pines, L.C., et al.*, At Law No. 215344 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- The Williamsburg Commons Developer Default, Plan Number 7588-SD-02.
- Code of the County of Fairfax, Chapter 41 (Animals and Fowl).
- Proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Chapter 101, (Subdivision Ordinance), and the Public Facilities Manual regarding cluster subdivisions.

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

PW:pw

At 3:56 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

DT:dt

53. **3 P.M. – PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 4800 OLD MILL ROAD (MOUNT VERNON DISTRICT)** (3:56 p.m.)

Supervisor Hyland moved to defer the public hearing on the adoption of the Ordinance to declare 4800 Old Mill Road, Tax Map Number 110-1 ((03))-0004 blighted, constituting a nuisance until **July 26, 2004, at 3 p.m.** Supervisor Kauffman seconded the motion and it carried by unanimous vote.

PW:pw

ACTIONS FROM CLOSED SESSION

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

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

55. **WILLIAMSBURG COMMONS** (3:57 p.m.)

Supervisor Smyth moved that the Board reject the settlement offer submitted to the Board in the developer default on Williamsburg Commons, Plan Number 7758-SD-02, and make a counteroffer, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

56. **PURCHASE OF HISTORIC GRAVESITE (MASON DISTRICT)** (3:58 p.m.)

(R) Supervisor Gross noted that it has come to her attention that there is an abandoned graveyard in the Mason District that the Fairfax County Park Authority has been maintaining for many years. The graveyard is located on property that contains approximately 8,000 square feet, is zoned to the R-3 District, and is identified on the Fairfax County Tax Assessment Map as 72-2((7)) parcel 15A. This property is an integral part of two other parcels of property the Park Authority has been leasing for public park purposes, which parcels are identified on the Fairfax County Tax Assessment Map as 72-2((7)) parcels 1 and 15. The cemetery

property has historical significance because it was established in the 18th century, is registered as an archaeological site with the Virginia Department of Historic Resources, and a Revolutionary War soldier is buried there. Because of the cemetery's historical significance and because of its proximity to other property that is used for public park purposes, I believe that the cemetery property should be acquired by the County for public park purposes.

Supervisor Gross moved that the Board adopt a Resolution which authorizes and directs the County Attorney to acquire, on behalf of the Board as soon as possible, the fee simple absolute interest in the cemetery property by gift, purchase, eminent domain, or otherwise. Supervisor Hyland seconded the motion which carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Kauffman being out of the room.

DT:dt

AGENDA ITEMS

57. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2003-SP-041 (COXCOM, INCORPORATED D/B/A COX COMMUNICATIONS NORTHERN VIRGINIA) (SPRINGFIELD DISTRICT) (3:59 p.m.)**

The application property is located in the northwest quadrant of the intersection of Burke Road and Burke Lake Road, Tax Map 78-1 ((1)) 27E and 37B.

Ms. Inda E. Stagg reaffirmed the validity of the affidavit for the record.

Ms. Stagg 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, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Approval of Special Exception Application SE 2003-SP-041, subject to the development conditions dated June 7, 2004.
- Modification of the transitional screening and waiver of the barrier requirements to the south in favor of that shown on the SE Plat.
- Modification of the peripheral parking lot landscaping requirements to the north in favor of that shown on the SE Plat.

- Approval of Chesapeake Bay Exception 026438, under Section 118-6-9 of the Chesapeake Bay Preservation Ordinance to permit the encroachments into the Resource Protection Area depicted on the SE Plat, subject to the conditions included in the SE staff report dated May 12, 2004. This approval shall be valid for as long as the Special Exception Application SE 2003-SP-041 remains valid. Additional amendments to the approved special exception may be approved as long as the amendment does not aggravate conflicts with the provisions of the ordinance.

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

58. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING SIGNS IN TEMPORARY CUL-DE-SACS, TRAFFIC-CALMING AND CUT-THROUGH MEASURES, VIRGINIA DAM SAFETY REGULATIONS, UNDERGROUND DETENTION FACILITIES, AND PERCOLATION TRENCHES** (4:05 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 20 and May 27, 2004.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the proposed amendments to the PFM, as set forth in the staff report dated April 26, 2004. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor, DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Kauffman and Supervisor McConnell being out of the room.

59. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2003-MV-059 (ANASTASIOS AND ANNA GRYPEOS) (MOUNT VERNON DISTRICT)** (4:12 p.m.)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 2003-MV-059, until **July 26, 2004, at 3 p.m.** Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell being out of the room.

60. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), CHAPTER 101 (SUBDIVISION PROVISIONS), AND THE PUBLIC FACILITIES MANUAL (PFM) REGARDING CLUSTER SUBDIVISIONS**
(4:13 p.m.)

(O's) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 6 and May 13, 2004.

Following the public hearing, which included testimony by four speakers, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Chapter 101 (Subdivision Ordinance), and the PFM, as recommended by the Planning Commission. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Smyth and Chairman Connolly voting "AYE," Supervisor McConnell being out of the room.

Supervisor Frey moved that the Board direct staff to prepare an annual analysis of the effectiveness of the cluster subdivision amendments made with this proposal for all cluster subdivision applications filed in the R-C, R-E, R-1, R-2, R-3 and R-4 Districts for up to two years. At the end of each year represent the findings of such analysis to the Planning Commission and the Board for their consideration as to whether any further amendments to the Cluster Subdivision provisions in the Zoning Ordinance, Subdivision Ordinance, or PFM are warranted. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor DuBois moved that the Board direct staff to prepare as soon as possible an amendment to the Zoning Ordinance that will allow for rezoning from a conventional Zoning District where cluster is not permitted by-right to the corresponding PDH District at the same permitted maximum density, with the provision of one additional bonus dwelling unit. Supervisor Hyland seconded the motion.

Following discussion, with input from Karen J. Harwood, Deputy County Attorney, and Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning, the question was called on the motion, and it carried by a vote of nine, Supervisor McConnell being out of the room.

61. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE LANGLEY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 20 (DRANESVILLE DISTRICT)** (4:53 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 20 and May 27, 2004.

Following the public hearing, which included testimony by four speakers, Supervisor DuBois moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Langley RPPD, District 20. The proposed District expansion includes Ridge Drive (Route 6090) from Sunny Hill Court (Route 6093) to Ridge Drive. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE,” Supervisor Frey being out of the room.

62. **4 P.M. – PH TO PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, REMOVING THE GREENWAY DOWNS RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 13, FROM THE RPPD PROGRAM (PROVIDENCE DISTRICT)** (5:01 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 20 and May 27, 2004.

Following the public hearing, which included testimony by eight speakers, Supervisor Smyth moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, with the following modification:

- Remove only Greenway Boulevard from the Greenway Downs RPPD District 13, leaving West George Mason Road in the RPPD program.

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

63. **4 P.M. – PH TO PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)** (5:28 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 20 and May 27, 2004.

Following the public hearing, which included testimony by five speakers, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the Robinson RPPD, District 17. The proposed District expansion includes the following street blocks:

- Concordia Street (Route 4893) from Linfield Street (Route 4894) to Holden Street (Route 4895).
- Concordia Street from Gadsen Drive (Route 4871) to the end.
- Holden Street from Concordia Street to Grinnell Street (Route 4896).

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

64. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S04-IV-RH1, LOCATED NORTHEAST OF OLD TELEGRAPH ROAD/TELEGRAPH ROAD INTERSECTION (LEE DISTRICT)** (5:41 p.m.)

Supervisor Kauffman moved to defer the public hearing on Out-of-Turn Plan Amendment S04-IV-RH1 indefinitely. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Frey being out of the room.

65. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2003-LE-036 (DIANE COX BASHEER, TRUSTEE AND KENNETH O. THOMPSON, TRUSTEE) (LEE DISTRICT)** (5:42 p.m.)

Supervisor Kauffman moved to defer the public hearing on Special Exception Application SE 2003-LE-036 until **June 21, 2004, at 3:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor DuBois and Supervisor Frey being out of the room.

66. **BOARD ADJOURNMENT** (5:43 p.m.)

At 5:43 p.m., the Board adjourned.

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