



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
April 30, 2007**

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12-07

DMS:dms

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, April 30, 2007, at 9:20 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Dana Kauffman, Lee District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Elaine McConnell, Springfield District, arrived at 9:36 a.m.

Others present during the meeting were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Karen J. Harwood, Deputy County Attorney; Catherine A. Chianese, Assistant to the County Executive; Regina Thorn, Administrative Assistant, Office of the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; and Denise Scott, Deputy Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:21 a.m.)

Chairman Connolly asked everyone to keep in thoughts the family of Patricia Pinales, who lost her battle with cancer on Saturday. She was a County employee who worked for the Health Department. Ms. Pinales was selected by the Health Department as its 2007 Nurse of the Year.

(NOTE: Later in the meeting, the Board designated May 6–12, 2007, as Nurses' Week in Fairfax County. See Clerk's Summary Item #9.)

AGENDA ITEMS2. **CERTIFICATES OF RECOGNITION PRESENTED TO ROBOTICS TEAMS FROM FOREST EDGE ELEMENTARY SCHOOL, CHANTILLY HIGH SCHOOL, AND HERNDON HIGH SCHOOL** (9:22 a.m.)

Supervisor Hudgins moved approval of the Certificate to Recognition presented to members of the Nano Technology Terminators Team from Forest Edge Elementary School for its accomplishments in the For Inspiration and Recognition of Science and Technology (FIRST) Lego League competition. Supervisor Bulova and Supervisor Frey jointly seconded the motion.

Supervisor Hudgins further moved approval of the Certificate of Recognition presented to members of the Super Nanobot Extremes Team from Forest Edge Elementary School for its accomplishments in the FIRST Lego League competition. Supervisor Frey seconded the motion.

The question was called on the motions and it carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Frey moved approval of the Certificate to Recognition presented to members of the Robotics Team 612 from Chantilly High School for its accomplishments in the FIRST 2007 competition season. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion and it carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

Supervisor DuBois moved approval of the Certificate to Recognition presented to members of the Robotics Team 116 from Herndon High School for its accomplishments in the FIRST 2007 competition season. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

3. **RESOLUTION OF RECOGNITION TO PRESENTED TO COMMUNITY COALITION** (9:45 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Resolution of Recognition presented to Community Coalition to support the Countywide initiative and the public awareness campaign to reduce underage drinking. Chairman Connolly spoke of a public awareness campaign, "Parents Who Host Lose The Most," which originated from Community Coalition. Supervisor Hyland and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. BILL DUNN** (9:57 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Certificate of Recognition presented to Mr. Bill Dunn for his ongoing efforts to send packages to the soldiers in Iraq and Afghanistan. Supervisor Hyland and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

Mr. Dunn announced that public donations can be made on May 5 from 10 a.m. to 1 p.m. at James Lee Community Center.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

5. **PROCLAMATION DESIGNATING MAY 2007 AS "FOSTER CARE MONTH" IN FAIRFAX COUNTY** (10:06 a.m.)

Supervisor McConnell moved approval of the Proclamation to designate May 2007 as "Foster Care Month" in Fairfax County. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING MAY 2007 AS "OLDER AMERICANS MONTH" IN FAIRFAX COUNTY** (10:15 a.m.)

Supervisor Kauffman moved approval of the Proclamation to designate May 2007 as "Older Americans Month" in Fairfax County. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Supervisor Kauffman noted that he had a Board Matter to present later in the meeting regarding the aging population.

(NOTE: Later in the meeting, the Board discussed the County's aging population. See Clerk's Summary Item #55.)

7. **PROCLAMATION DESIGNATING MAY 6-12, 2007, AS "BUILDING SAFETY WEEK" IN FAIRFAX COUNTY** (10:23 a.m.)

Supervisor Frey moved approval of the Proclamation to designate May 6-12, 2007, as "*Building Safety Week*" in Fairfax County. Supervisor Bulova seconded the motion.

Supervisor Gross stressed the need to continue to educate the community about construction codes and safety regulations.

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

Following passage of the Resolution, Ray Pylant, Director, Commercial Inspections Division, Department of Public Works and Environmental Services, presented the 2007 Building Safety Community Partnership Award to Bill Sutton, Chairman of the Liaison Committee between the Northern Virginia Building Industry Association and the County's Building Code Enforcement staff.

(NOTE: Later in the meeting, the Board noted International Building Safety Week. See Clerk's Summary Item #26.)

8. **PROCLAMATION DESIGNATING MAY 2007 AS "ASIAN/PACIFIC HERITAGE MONTH" IN FAIRFAX COUNTY** (10:32 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate May 2007 as "*Asian/Pacific Heritage Month*" in Fairfax County. Supervisor Hyland and Supervisor McConnell jointly seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

9. **PROCLAMATION DESIGNATING MAY 6-12, 2007, AS "NURSES' WEEK" IN FAIRFAX COUNTY** (10:41 a.m.)

(NOTE: Earlier in the meeting, the Board recognized the passing of the 2007 Nurse of the Year. See Clerk's Summary Item #1.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate May 6-12, 2007, as "*Nurses' Week*" in Fairfax County. Supervisor Gross, Supervisor Hyland, and Supervisor McConnell jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

NV:nv

ADDITIONAL BOARD MATTER**10. STATEMENT BY CHAIRMAN CONNOLLY CONCERNING THE BUDGET** (10:48 a.m.)

Chairman Connolly disclosed for the record that his wife was employed by the Fairfax Symphony and that under provisions of Virginia Code Section 2.2-3112, he was disqualifying himself from participating in any consideration of a request for funding of the symphony in the Fiscal Year (FY) 2008 Budget. In addition, he stated that any subsequent vote by him regarding the FY 2008 Budget, in so far as it pertained to any funding of the symphony, would be regarded and recorded as an abstention.

(NOTE: Later in the meeting, the Board voted on the budget. See Clerk's Summary Item #11.)

AGENDA ITEMS**11. 10 A.M. – BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSALS), TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES** (10:48 a.m.)

(O) (NOTE: On April 9, 2007, the Board held a public hearing on this item and deferred decision until April 30, 2007.)

Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposals), Article 10, Section 2, Subsection (d) to maintain the sewer service charges on a multi year basis as included in the ordinance amendment. The effect of this approval for Fiscal Year (FY) 2008 is a sewer service charge rate of \$3.74 per 1,000 gallons. This is an increase from the FY 2007 service charge of \$3.50 per 1,000 gallons. Supervisor Hyland seconded the motion.

A brief discussion ensued, with input from Susan Datta, Director, Department of Management and Budget, regarding the rate increase because of stricter environmental compliance in accordance with Chesapeake Bay regulations as well as the County's low rates in comparison with the region.

Supervisor Bulova moved adoption of the proposed amendment to the Fairfax County Code, Chapter 67.1, Article 10, Section 2, Subsection (a) Availability Charges to maintain the availability charges on a multi year basis as included in the ordinance amendment. As a result of this motion, the availability fee for a single family residence increases to \$6,506 from \$6,138 in FY 2007. Supervisor Smyth seconded the motion.

Discussion ensued with input from Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services, regarding the Base Realignment and Closure Act (BRAC) and sewer service agreements with Fort Belvoir.

The question was called on the motions, which 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."

(NOTE: Late in the meeting, the Board considered several agenda items concerning BRAC. See Clerk's Summary Items #18, #23, and #24.)

12. **10 A.M. – BOARD ADOPTION OF THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS 2008–2012 (WITH FUTURE FYS TO 2017)** (No time)

(NOTE: Later in the meeting, the Board took action on the CIP. See Clerk's Summary Item #14.)

13. **10 A.M. – BOARD ADOPTION OF THE FISCAL YEAR (FY) 2008 BUDGET PLAN** (10:54 a.m.)

(Rs) (NOTE: Earlier in the meeting, Chairman Connolly issued a statement about his vote on the budget. See Clerk's Summary Item #10.)

Real Property Tax Rate

Having provided public notice and a public hearing in accordance with Virginia Code Section 58.1-3321 (B), and because it is necessary to set the real property tax rate higher than the lowered tax rate specified in Virginia Code Section 58.1-3321, Supervisor Bulova moved that the Board set the real property tax rate at \$0.89 per \$100 of assessed value. As a result of this action, the real property tax rate for calendar year 2007 will remain the same as the real property tax rate for calendar year 2006. Supervisor Hyland seconded the motion, which carried by unanimous vote.

FY 2008 Tax Rate Resolution

Having established the real property tax rate at \$0.89 per \$100 of assessed value in accordance with Virginia Code Section 58.1-3321, Supervisor Bulova moved adoption of the FY 2008 Tax Rate Resolution Adopting Tax Rates for Fairfax County, as detailed in Attachment II of the Memorandum to the Board dated April 26, 2007. Supervisor Hyland seconded the motion, which 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."

FY 2008 Appropriation Resolution for County Agencies/Funds

Supervisor Bulova moved adoption of the FY 2008 Appropriation Resolution for County Agencies/Funds as set forth in Attachment III of the Memorandum to the Board dated April 26, 2007. Supervisor Hyland seconded the motion.

Supervisor Frey called the Board's attention to the presence in the Board Auditorium of representatives from the Western Fairfax Christian Ministries (WFCM) who are concerned about the potential insolvency of WFCM, a non-profit social service agency that is 20 years old and operates in the Centreville-Chantilly-Clifton area. The organization receives funding within the County's funding pool, but needs additional funding to continue in operation. Discussion ensued with input from Susan Datta, Director, Department of Management and Budget, and Verdia Haywood, Deputy County Executive.

Supervisor Frey asked unanimous consent that the Board direct staff to continue ongoing meetings with representatives of the organization, prepare an assessment, explore options for continuity of services, and present a plan of action and recommendations by May 7. Without objection, it was so ordered.

Discussion continued with reference to a handout from WFCM dated March 26 distributed around the dais, with input from Anthony H. Griffin, County Executive, and Mr. Haywood.

Supervisor Hyland asked unanimous consent that the Board direct staff to request information regarding the rent increase from \$1000 to \$10,000 per month and the organization's original plan to cover that increase and the reason for the change of space. Without objection, it was so ordered.

Chairman Connolly noted for the record that there are two separate issues: provision of the services and the solvency of the individual organization.

Discussion continued regarding providing a continued level of service throughout non-profits in the area of childcare, the Board's lack of timely notice regarding WFCM's issues, the history of funding non-profits and the Consolidated Community Funding Advisory Committee (CCFAC) process, similar organizations to WFCM and their boards of directors' fiduciary responsibilities, and CCFAC financial monitoring, with input from Mr. Haywood.

(NOTE: Later in the meeting, during public comment, a representative of WFCM addressed the Board. See Clerk's Summary Item #70.)

The question was called on the motion to adopt the FY 2008 Appropriation Resolution for County Agencies/Funds, 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.”

FY 2008 Appropriation Resolution For School Board Funds

Supervisor Bulova moved adoption of the FY 2008 Appropriation Resolution for School Board Funds as set forth in Attachment IV of the Memorandum to the Board dated April 26, 2007. Supervisor Hyland seconded the motion, which 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.”

FY 2008 Fiscal Planning Resolution (FPR)

Supervisor Bulova moved adoption of the FY 2008 FPR as set forth in Attachment V of the Memorandum to the Board dated April 26, 2007. Supervisor Gross seconded the motion, which 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.”

14. **10 A.M. – BOARD ADOPTION OF THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS (FY) 2008–2012 (WITH FUTURE FYs TO 2017)** (11:28 a.m.)

(NOTE: On April 9–11, 2007, the Board held public hearings on this item and deferred decision until April 30, 2007.)

Supervisor Bulova moved adoption of the Capital Improvement Program for FYs 2008–2012 (with future FYs to 2017) as amended on April 23, 2007. 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.”

15. **10:15 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:29 a.m.)

(APPTS)
(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Sully District Representative.

ADVISORY SOCIAL SERVICES BOARD

Supervisor Gross moved the appointment of Ms. Sarah Wells as the Mason District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ATHLETIC COUNCIL

Supervisor Kauffman moved the reappointment of Ms. Lula Bauer as the Lee District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Mount Vernon District Principal and Alternate Representatives and the Hunter Mill and Springfield District Alternate Representatives.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

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

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Supervisor Hyland moved the appointment of Mr. Nick Gallagher as the Professional #6 Representative. Supervisor McConnell seconded the motion, which carried by unanimous vote.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

The Board deferred the appointment of the Mason District Representative.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointment of the Lee District Representative.

COMMUNITY ACTION ADVISORY BOARD

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

CRIMINAL JUSTICE ADVISORY BOARD

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

COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP

Supervisor DuBois moved the appointment of Ms. Mary Baker as the Dranesville District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the appointment of Mr. Kyle Talente as the Lee District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the appointment of Mr. Michael DeLoose as the Springfield District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment:

- Mr. John Jennison as the Federation of Citizens Associations Representative.

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

The Board deferred the appointment of the Sully District Representative.

ENGINEERING STANDARDS REVIEW COMMITTEE**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Mr. Bryan Layman as the Associated Builders and Contractors Representative.

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the Springfield District Representative.

HUMAN SERVICES COUNCIL

The Board deferred the appointment the Mount Vernon District Representative #1.

REDEVELOPMENT AND HOUSING AUTHORITY

Supervisor DuBois moved the reappointment of Mr. Martin R. Dunn as the Dranesville District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Ronald Christian as the Braddock District Representative. Supervisor Gross and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

SMALL BUSINESS COMMISSION

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

TENANT LANDLORD COMMISSION

Supervisor Smyth moved the appointment of Ms. Barbara Mosgrave as the Citizen #3 Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

TREE COMMISSION

Supervisor DuBois moved the appointment of Mr. Robert D. Vickers, Jr. as the Dranesville District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ADDITIONAL APPOINTMENT**CONSUMER PROTECTION COMMISSION**

Supervisor Smyth moved the appointment of Mr. Brian MacDonald to fill the unexpired term of Mr. Melvin Murphy as the Fairfax County Representative #3. Supervisor DuBois seconded the motion, which carried by unanimous vote.

DET:det

16. **ADMINISTRATIVE ITEMS** (11:34 a.m.)

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

Supervisor Kauffman asked to amend the motion to consider Admin 13 separately, and this was accepted.

The question was called on the motion to approve the Administrative Items, as amended, with the exception of Admin 13, 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 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY FOR AND ACCEPT FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY (DHS) FISCAL YEAR (FY) 2006 HOMELAND SECURITY GRANT PROGRAM THROUGH THE OFFICE OF COMMONWEALTH PREPAREDNESS, OFFICE OF INTEROPERABILITY

Authorized FRD to apply for and accept funding, if received, from the DHS FY 2006 Homeland Security Grant Program through the Office of Commonwealth Preparedness, Office of Interoperability, in the amount of \$2,385,319 for the establishment of a Type I radio cache. No local cash match is required.

ADMIN-2 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, LEE, MASON, AND SULLY DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Dranesville Manor Lots 1 thru 5	Dranesville	Dranesville Manor Drive Leesburg Pike (Route 7) (Additional ROW Only)
Caris Glenne Section 2 Phase 1	Hunter Mill	Caris Glenne Drive (Route 8186) Broad Creek Place Preference Way

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Elmwood Townhouses	Lee	Linnean Street (Route 1655) Peaceful Terrace (Route 3554)
Huntington Grove	Lee	South Kings Highway (Route 633) (Additional ROW Only)
Overlook Section A1	Mason	Stevenson Avenue (Route 3687)
Pulte Home Corporation	Mason	Landmark Mews Drive (Route 8500)
SLF Chantilly, LLC	Sully	Centreville Road (Route 657) (Additional ROW Only)
Tanners Ridge	Sully	Old Centreville Road (Route 858) (Additional ROW Only)

**ADMIN-3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION
FOR SPECIAL EXCEPTION APPLICATION SE 2004-MV-001,
WASHINGTON DC SMSA LIMITED PARTNERSHIP D/B/A VERIZON
WIRELESS, (MOUNT VERNON DISTRICT)**

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Application SE 2004-MV-001 to September 13, 2007, 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 82-V-003, SUN TRUST BANK, INCORPORATED (MOUNT
VERNON DISTRICT)**

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Amendment Application SEA 82-V-003 to January 26, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN-5 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-L-063, MOBIL OIL CORPORATION (LEE DISTRICT)

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 98-L-063 to November 24, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN-6 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2002-PR-018, JEFFERSON INVESTMENT GROUP (PROVIDENCE DISTRICT)

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 2002-PR-018 to April 28, 2008, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN-7 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-L-053-4, SPRINGFIELD EAST LC (LEE DISTRICT)

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Amendment Application SEA 91-L-053-4 to October 28, 2007, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN-8 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 07109 AND APPROVAL OF CONDITIONS NECESSARY FOR THE DEPARTMENT OF PLANNING AND ZONING (DPZ) AND THE DEPARTMENT OF TRANSPORTATION (DOT) TO ACCEPT FUNDING FROM THE OFFICE OF ECONOMIC ADJUSTMENT (OEA), DEPARTMENT OF DEFENSE, FOR STUDIES RELATED TO FORT BELVOIR BASE REALIGNMENT AND CLOSURE (BRAC) 2005 ACTIONS (LEE, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)

- (SAR)
- Approved SAR AS 07109 in the amount of \$1,542,568 for DPZ and DOT to accept grant funds from OEA, Department of Defense, to assess Fort Belvoir BRAC 2005 Actions. The required non-Federal local cash match of \$178,233 will be provided in-kind using DPZ and DOT staff resources.
 - Authorized the Director of DOT to execute the agreement on behalf of the County with the OEA for the grant funds.
 - Authorized staff to take all necessary measures to ensure County compliance with the conditions of the OEA grant.

(NOTE: Later in the meeting, the Board considered other BRAC agenda items. See Clerk's Summary Items #19 and #24.)

ADMIN-9 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (MOUNT VERNON AND SPRINGFIELD DISTRICTS)

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-V07-3	Verizon Wireless Antenna co-location on existing tower 9128 Belvoir Court (Mount Vernon District)	July 2, 2007
FS-S07-4	Verizon Wireless Antenna co-location on existing tower 12510 Yates Ford Road (Springfield District)	July 2, 2007

ADMIN-10 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY FOR AND ACCEPT AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE US DEPARTMENT OF HOMELAND SECURITY

Authorized the FRD to apply for and accept funding, if received, from the Department of Homeland Security Fiscal Year 2007 Assistance to Firefighters Grant Program in the amount of \$670,766, which includes the local cash match of \$134,153.

ADMIN-11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), ARTICLE 1, SECTION 61-1-3, REGARDING FEES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 21, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), Article 1, Section 61-1-3, to provide a \$0 fee for permits to repair, replace, or otherwise reconstruct a residential, commercial, or industrial structure damaged as the result of a declared catastrophic event. Current provisions establish permit fees based on estimated value of construction or equipment replaced as the result of damage that must be paid prior to issuance of a permit.

ADMIN-12 – APPROVAL OF TRAFFIC CALMING MEASURES AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (SULLY, LEE, AND DRANESVILLE DISTRICTS)

- (R)
 - Endorsed the following traffic calming measures:

- Two speed tables and a double yellow centerline on Pickwick Road (Sully District).
- Adopted the Resolution authorizing “Watch for Children” signs on the following streets:
 - Westchester Street (Lee District)
 - Brookland Road (Lee District)
 - Falstaff Road [two locations] (Dranesville District)
 - Titania Road (Dranesville District)
 - Elsinore Avenue (Dranesville District)
 - Claiborne Drive (Dranesville District)
 - Snow Meadow Lane (Dranesville District)
- Directed staff to request the Virginia Department of Transportation (VDOT) install the approved measures as soon as possible.

ADMIN-13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), SECTION 61-1-2, DEFINITIONS

(NOTE: Earlier in the meeting, the Board deferred action on this item. See page 12.)

(NOTE: Later in the meeting, the Board took action on this item. See Clerk’s Summary Item #17.)

17. **ADMIN-13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS), SECTION 61-1-2, DEFINITIONS** (11:35 a.m.)

- (A) (NOTE: Earlier in the meeting, the Board deferred action on this item. See page 12.)

Supervisor Smyth called the Board’s attention to the background statement on the first page of the Board Agenda Item dated April 30, 2007, concerning a range of 75 to 150 percent on the percentage of new construction of existing floor area and demolition of 25 to 50 percent. Supervisor Kauffman said he had similar

concerns and distributed a picture of a house with an addition that was larger than the existing house, noting that if the Board went with the 150 percent, this would be an allowed "addition."

Supervisor Kauffman asked unanimous consent that the Board direct staff to review similar examples prior to the public hearing scheduled for May 21. Without objection, it was so ordered.

Discussion ensued with input from David Sharp, Permits Division, Department of Public Works and Environmental Services (DPWES), concerning the ranges and the Department's recommendations which were based on recent Zoning Ordinance amendments.

Supervisor Smyth stated that her concerns dealt with the inspection process as additions have different inspection processes than construction projects. Chairman Connolly noted neighborhood concerns about "McMansions." Discussion continued with input from Jimmie D. Jenkins, Director, DPWES, concerning the advertisement of percent ranges and further review and additional recommendations by the Department.

Discussion continued concerning the construction of larger homes on existing foundations, particularly with in-fill development, with additional input from Mr. Jenkins, which included information on the number of permits the County currently receives each week for additions to single family detached houses which are actually an entirely new house constructed on an existing foundation.

Supervisor Kauffman called the Board's attention to the range for gross floor area for demolition, and the use of basement areas which cannot be used for bedrooms, being used as a multiplier for additions. Discussion ensued with input from Mr. Sharp regarding American National Standards Institute (ANSI) standards.

Supervisor Kauffman moved that the Board authorize the advertisement of a public hearing to be held before the Board on **May 21, 2007, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), Section 61-1-2, Definitions, to include a definition of "addition," with the following amendment:

- Change "existing gross floor area" to "existing **above grade** gross floor area."

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

Supervisor Gross asked unanimous consent that the Board direct staff to prepare three examples demonstrating percentage increases of a standard three bedroom, two bath brick Rambler, a Cape Cod bungalow, and a split level home, i.e. standard homes from the 1950s, 1960s, and 1970s. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to provide a history of the lot depicted in the picture that was distributed by Supervisor Kauffman. Without objection, it was so ordered.

18. **A-1 – APPROVAL OF COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR IMPLEMENTATION OF 2005 BASE REALIGNMENT AND CLOSURE (BRAC) RECOMMENDATIONS AND RELATED ARMY ACTIONS AT FORT BELVOIR, VIRGINIA** (11:48 a.m.)

(NOTE: Earlier in the meeting, the Board took action on a BRAC-related agenda item. See page 14, Admin-8.)

Supervisor Hyland moved that the Board:

- Approve the comments on the DEIS for implementation of 2005 BRAC recommendations and related Army actions at Fort Belvoir, Virginia.
- Authorize staff to transmit the materials to Fort Belvoir.

Supervisor Kauffman seconded the motion.

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide, before the next Board meeting, additional actions the Board should take prior to the record of decision in July. Without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to amend the letter as follows:

- Change “**should**” to “**must**” on handwritten page 2, Item A of the letter: “An execution plan and timeline for the transportation projects identified should be developed, and funding recommendations for transportation mitigation should be demonstrated in the record of decision.”
- Bold that sentence.

Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to amend the letter as follows:

- Prepare the letter for the Chairman’s signature rather than the County Executive’s.

- In the first sentence, change “**from County staff**” to “**from both the Fairfax County Board of Supervisors and our staff.**”

Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

- Change “**we recommend**” to “**it is imperative**” on handwritten page 3 of the letter, at the end of Item B: “...we recommend that the land use plan changes that are made through this process be limited to the minimum necessary to accommodate the BRAC relocations.”
- Bold that sentence.
- Change “**should be evaluated**” to “**is our choice**” on handwritten page 4 of the letter, Item E: “A hybrid alternative that disperses Washington Headquarters Services (WHS) activities on both the EPG (Engineering Proving Ground) and General Services Administration (GSA) sites but that retains the hospital and other uses on the Main Post should be evaluated.”
- Review the Department of the Army (DOA) Adaptive Reuse Study of the GSA Warehouses prior to the next Board meeting.
- Recognize that this acreage is to be used by both the surrounding community and the employees that will be relocated to this area on handwritten page 32 of the Board Agenda Item dated April 30, 2007, Item N (Parks and Recreation): “... and the 135 acres promised to the Park Authority.”
- Include in the list of those copied: the congressional delegation, the Governor, the Secretary of Transportation, the Fairfax County Chamber of Commerce, the Greater Springfield Chamber of Commerce, the Mount Vernon-Lee Chamber of Commerce, and local legislators.

Without objection, it was so ordered.

Supervisor Smyth called the Board’s attention to handwritten page 37 of the Board Agenda Item concerning the loss of tree canopy. Chairman Connolly noted that the Draft Environmental Impact Statement (DEIS) does not specify tree replanting policies.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to encourage the DOA to extend its tree replacement policy to all of the trees, rather than just those with diameters exceeding four inches. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

- Confirm with Fort Belvoir representatives their publicly-announced tree replacement policy of three to one.
- Confirm that the policy is applicable to anything that is done in reference to BRAC.

Without objection, it was so ordered.

Supervisor Smyth called the Board's attention to that section of the letter concerning air quality, ozone, and fine particulate matter. Chairman Connolly noted that the DEIS asserts that air quality will improve.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to take direct issue with that conclusion. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Smyth called the Board's attention to water quality, particularly stormwater management. Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to make changes to the following sentence on handwritten page 40 of the Board Agenda Item: "We encourage the Army to share plans of suggested stormwater management facilities with the County once these plans are developed":

- Change "**once these plans are developed**" to "**they need to be developed.**"
- Request that they share the plans.

Without objection, it was so ordered.

Chairman Connolly referenced a letter from School Superintendent Jack Dale stating that the DOA recently issued student impact projections. Discussion ensued with input from Fred R. Selden, Director, Planning Division, Department of Planning and Zoning, concerning the fact that provisions had not been made in either the School's or Board's Capital Improvement Plan (CIP).

Chairman Connolly asked unanimous consent that the Board direct staff to:

- Take note of this new information.
- Reference Superintendent Dale's letter.
- Note the Board's concern.

Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

The question was called on the motion, which **CARRIED** by a recorded vote of eight, Supervisor McConnell voting "NAY," Supervisor DuBois being out of the room.

(NOTE: Later in the meeting, the Board considered additional BRAC-related agenda items. See Clerk's Summary Items #23 and #24.)

19. **A-2 – PARKING REDUCTION FOR MARYMOUNT UNIVERSITY**
(12:24 p.m.)

On motion of Supervisor Hudgins, seconded by Chairman Connolly, and carried by a vote of nine, Supervisor DuBois being out of the room, the Board concurred in the recommendation of staff and approved a parking reduction of 7.8 percent for Marymount University located at 1861 Wiehle Avenue, Reston, Virginia, pursuant to paragraph 4(B), Section 11-102 of the Fairfax County Zoning Ordinance, based on an analysis of the parking requirements for each use on the site and a parking reduction study, on the conditions outlined in the Board Agenda Item dated April 30, 2007.

20. **A-3 – APPROVAL OF 2007 ZONING ORDINANCE AMENDMENT WORK PROGRAM** (12:25 p.m.)

Supervisor Frey moved that the Board concur in the recommendation of staff and endorse the Zoning Ordinance Amendment Work Program for 2007 as recommended by the Development Process Committee, and set forth in Attachments 2-4 of the Board Agenda Item dated April 30, 2007. Supervisor Gross seconded the motion.

Supervisor Kauffman called the Board's attention to page 63, Item 5, second sentence, of the Board Agenda Item, and asked unanimous consent that it be rewritten to include "solely focused on the recreation fee." Without objection, it was so ordered.

Discussion ensued with input from Eileen M. McLane, Zoning Administrator, Department of Planning and Zoning, concerning the two-year review.

Supervisor Kauffman asked to amend the motion to include all development fees in the two-year review. This was accepted.

Supervisor Frey noted that the school fees, among others, were more informal and not part of the ordinance. Supervisor Frey asked unanimous consent that the Board direct staff to review those fees as they develop their recommendations for rezonings. Without objection, it was so ordered.

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

21. **A-4 – APPROVE RESOLUTION TO AMEND VIRGINIA RAILWAY EXPRESS (VRE) MASTER AGREEMENT FOR SUBSIDY ALLOCATION FORMULA AND GOVERNANCE CHANGES** (12:28 p.m.)

(R) Supervisor Bulova moved that the Board concur in the recommendation of staff and adopt the Resolution agreeing to amend the VRE Master Agreement. Supervisor McConnell seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive, concerning potential savings to the County.

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.”

22. **A-5 – APPROVAL OF PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2008 AND AMENDED CITIZEN PARTICIPATION PLAN** (12:35 p.m.)

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

- Adopt the Proposed Consolidated Plan One-Year Action Plan for FY 2008 and amended Citizen Participation Plan as issued by the Consolidated Community Funding Advisory Committee.
- Authorize signature of the Consolidated Plan Certifications and Federal funding application forms (SF424s) required by the US Department of Housing and Urban Development.

Supervisor Bulova seconded the motion.

Following discussion, with input from Audrey Spencer-Horsley, Associate Director, Grants Management, Department of Housing and Community

Development, concerning the consistency of federal funding, the question was called on the motion and it carried by unanimous vote.

23. **A-6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 07110 AND APPROVAL OF A GRANT AGREEMENT FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO ACCEPT VIRGINIA NATIONAL DEFENSE INDUSTRIAL AUTHORITY (VNDIA) FUNDING FOR THE DESIGN AND ADVANCED LAND ACQUISITION FOR THE TELEGRAPH ROAD PROJECT BETWEEN BEULAH STREET AND SOUTH KINGS HIGHWAY RELATED TO THE FORT BELVOIR BASE REALIGNMENT AND CLOSURE (BRAC) PLAN (LEE, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (12:37 p.m.)

(SAR) (NOTE: Earlier in the meeting, the Board took action on other BRAC-related agenda items. See Clerk's Summary Items #18 and #24, and page 14 [Admin-8].)

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

- Approve SAR AS 07110 in the amount of \$1 million for DOT to accept funds from the VNDIA for the design and advanced land acquisition for the Telegraph Road project between Beulah Street and South Kings Highway. The required local cash match of \$2 million is available in Northern Virginia Transportation District bond funds held by the Virginia Department of Transportation for construction of the Telegraph Road widening project.
- Authorize DOT to execute the agreement on behalf of the County with the VNDIA for the grant funds.
- Authorize staff to take all necessary measures to ensure County compliance with the conditions of the VNDIA grant.

Supervisor Hyland seconded the motion.

Discussion ensued with input from Katharine D. Ichter, Director, DOT, who announced that Mark G. Canale is the new BRAC Coordinator for DOT.

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."

(NOTE: Later in the meeting, the Board took action on other BRAC-related agenda items. See Clerk's Summary Item #24.)

24. **A-7 – APPROVAL OF A GRANT AGREEMENT FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO ACCEPT VIRGINIA NATIONAL DEFENSE INDUSTRIAL AUTHORITY (VNDIA) FUNDING FOR SPOT TRANSPORTATION IMPROVEMENTS AND A TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM RELATED TO THE FORT BELVOIR BASE REALIGNMENT AND CLOSURE (BRAC) PLAN (LEE, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (12:39 p.m.)

(NOTE: Earlier in the meeting, the Board took action on other BRAC-related agenda items. See Clerk's Summary Items #18 and #23.)

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

- Authorize DOT to accept grant funds from VNDIA for spot transportation improvements and a TDM program in the Fort Belvoir area of the County. The required local cash match of \$3 million is available in Fund 304, Transportation Improvements.
- Authorize DOT to execute the agreement on behalf of the County with VNDIA for the grant funds.
- Authorize staff to take all necessary measures to ensure County compliance with the conditions of the VNDIA grant.

Supervisor McConnell seconded the motion.

Discussion ensued with input from Katharine D. Ichter, Director, DOT, concerning the amount of the grant and TDMs on Fort Belvoir.

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

25. **I-1 – CONTRACT AMENDMENT – ARCHITECTURAL/ENGINEERING DESIGN SERVICES FOR THE RICHARD BYRD COMMUNITY LIBRARY RENOVATION/EXPANSION PROJECT (LEE DISTRICT)** (12:40 p.m.)

The Board next considered an item contained in the Board Agenda dated April 30, 2007, requesting authorization for staff to award a contract amendment to Beery Rio Architecture in the amount of \$826,547 for full architectural/engineering design and construction administrative services for the renovation and expansion of Project 004843, Richard Byrd Community Library, in Fund 302, Library Construction.

The staff was directed administratively to proceed as proposed.

26. **I-2 – INTERNATIONAL BUILDING SAFETY WEEK** (12:40 p.m.)

(NOTE: Earlier in the meeting, the Board designated May 6–12, 2007, as Building Safety Week in Fairfax County. See Clerk’s Summary Item #7.)

The Board next considered an item contained in the Board Agenda dated April 30, 2007, announcing that in observance of International Building Safety Week, May 6–12, 2007, the Department of Public Works and Environmental Services is conducting a campaign to promote public awareness of building safety in the County.

The staff was directed administratively to proceed as proposed.

27. **I-3 – CONTRACT AWARD – ELEVATOR REHABILITATION AT THE NOMAN M. COLE, JR., POLLUTION CONTROL PLANT (MOUNT VERNON DISTRICT)** (12:40 p.m.)

The Board next considered an item contained in the Board Agenda dated April 30, 2007, requesting authorization for staff to award a contract to W. M. Schlosser Company, Incorporated, in the amount of \$644,000 for the construction of the Elevator Rehabilitation, Project X00910, Replacement and Renewal, in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

28. **CONGESTION INITIATIVE PROGRAM APPLICATION** (12:41 p.m.)

Chairman Connolly noted that the Board had discussed congestion mitigation especially in the Tysons area in anticipation of the rail project as well as the high occupancy vehicle (HOT) lane project and other construction projects.

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

- The Department of Transportation (DOT) to submit the proposed Tysons Corner Urban Partnership Initiative application and authorize the Director of DOT to execute the documents as needed throughout the application process.
- Staff to include County government as an “urban partner” with the County Chamber of Commerce, TYTRAN, the Virginia Department of Transportation (VDOT), Virginia Department of Rail and Public Transportation (DRPT), the Washington

Metropolitan Area Transit Authority (WMATA), and others in supporting this application and furthering its implementation if selected for federal funding.

- Staff also to include the County government as an “urban partner” with VDOT and DRPT on the application being submitted by the State addressing congestion mitigation strategies in a larger portion of the County encompassing as well the Dulles Toll Road, Capital Beltway, and I-95/I-395 corridors in conjunction with the proposed HOT lane projects.

Supervisor DuBois and Supervisor Smyth jointly seconded the motion.

Following discussion regarding a timetable to accommodate training, a plan from the County Executive next month with a conceptual framework and timelines, and necessary coordination by the State because there is more than one project, the question was called on the motion, which carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

29. **NO BOARD MATTERS FOR BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA** (12:44 p.m.)

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

30. **COUNTY PUBLICATION** (12:44 p.m.)

Jointly with Chairman Connolly, Supervisor Gross said that last week at the Lake Barcroft Watershed Improvement District meeting, they were advised of a problem experienced by a constituent when he tried to find information on tree removal in Resource Protection Areas (RPAs). She added that they were advised by a gentleman who had relied on information in a County publication, "Chesapeake Bay Preservation Ordinance Amendments," which was produced in November 2003, and which contains the telephone number and email address of the Office of Public Affairs (OPA) as contacts. When he called the number, he was referred to Zoning Enforcement and to Urban Forestry. Neither office was able to address his questions which centered on enforcement, or the phrase "subject to approval by the County," as the brochure says. The constituent was disappointed and somewhat bewildered.

Supervisor Gross said that when she examined the brochure, she found a contact number for Site Development Services on the back page in the very last paragraph. However, in looking at the brochure information, she said that most people would call the OPA number on the front. She said that this was a confusing situation and wondered whether other County-published documents might present a similar dilemma.

Therefore, Supervisor Gross asked unanimous consent that the Board direct OPA to review this document, and others, to determine what information should be clarified or changed to make it more user-friendly. She acknowledged that the County has a new Communications Policy that was established subsequent to the publication of this brochure. Without objection, it was so ordered.

31. **STORMWATER PLANNING PROGRAM** (12:46 p.m.)

Supervisor Gross said that for the second year, the Stormwater Planning Program has mentored the bacteria monitoring program at Thomas Jefferson High School for Science and Technology. The program has grown significantly from 2 students last year to 11 this year. Four different programs of study, using new and emergent technology, enabled the County to collect additional data on the County's waterways and complete pilot studies. Students make connections between land use and water quality, learn about relevant policies, and experience using technical equipment. According to staff in the Department of Public Works and Environmental Services, the TJ program is a "win-win" situation for everyone involved.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to invite the students and appropriate staff to make a brief presentation at one of the May Board meetings. Following a brief discussion advising caution about any proliferation of such briefings, without objection, it was so ordered.

32. **CENTRAL FAIRFAX SERVICES AND THE ANNANDALE CHRISTIAN COMMUNITY FOR ACTION (ACCA) TO CELEBRATE ANNIVERSARIES (MASON DISTRICT)** (12:48 p.m.)

Supervisor Gross said that two Mason District organizations are celebrating milestones this year. Central Fairfax Services, a non-profit, community-based organization that provides programs and opportunities for adults with intellectual and developmental disabilities, will observe its thirty-fifth year of service at a luncheon on May 24. ACCA will celebrate its forty-fourth anniversary on October 2.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to prepare proclamations for both groups to be presented at their special observances, and that the proclamations contain both the Chairman's signature and that of the Mason District Supervisor. Without objection, it was so ordered.

33. **ARTS COUNCIL'S ANNUAL INTERNATIONAL CHILDREN'S FESTIVAL** (12:49 p.m.)

Supervisor Gross noted that the Arts Council of Fairfax County was founded in 1964 and is designated as the County's local arts agency. Through partnerships with schools, individual artists, and other cultural and community organizations, the Arts Council creates and supports programs, activities, and policies which

inspire, nurture, and reflect the cultural and artistic diversity of the County and integrate the arts into the lives of all County residents.

Supervisor Gross said that one such program is the annual International Children's Festival (ICF). Now in its thirty-seventh year, the ICF has become a signature event for the County and is the Washington metropolitan area's only youth-oriented festival dedicated to performing, visual, and technical arts. This year's festival will begin on Tuesday, September 18 and run through Sunday, September 27 and features more than 80 young performers from Bolivia, Nepal, Spain, and Sweden.

Rather than request a budget consideration item for funds to market this event, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to publicize the event and coordinate with other interested parties so that residents, businesses, and cultural and artistic organizations will have a greater opportunity to take part in this event. She mentioned that the Convention and Visitors' Corporation could be utilized. Without objection, it was so ordered.

34. **RECOGNITION OF MEMBERS OF THE ANNANDALE CHAMBER OF COMMERCE (BRADDOCK AND MASON DISTRICTS)** (12:51 p.m.)

Supervisor Gross called the Board's attention to her written Board Matter regarding the Annandale Chamber of Commerce. She asked unanimous consent that the Board direct staff in the Office of Public Affairs to prepare certificates of appreciation for Mr. Tom Crawford, Lt. Frank Cresswell, and Ms. Shirley Fegan, all of whom will be honored at the Annandale Chamber of Commerce's annual dinner on May 18. The certificates should have three blocks for the signatures of Chairman Connolly, Supervisor Bulova, and Supervisor Gross. Without objection, it was so ordered.

35. **"MOTHERING OUR MOTHERS, MOTHERING OURSELVES" SYMPOSIUM** (12:51 p.m.)

Supervisor Gross said that the March 2006 study, *Anticipating the Future: A Discussion of Trends in Fairfax County*, points out the "graying" of residents in the County and its implications in continuing to provide a high level of service and preserving a good quality of life for residents. This trend also underscores the need for families to have more open and informed discussions as they plan for the future.

Supervisor Gross explained that "Mothering Our Mothers, Mothering Ourselves" is a half-day symposium, for mothers and daughters, to examine the issues of providing and preparing for care and wellbeing throughout life. Its goal is to raise awareness, educate, and provide resources to help individuals prepare for the later years of life. The symposium is sponsored by the Women's Alliance for Financial Education, the Women's Advisory Board of Capitol Financial Partners, the Area Agency on Aging, the Office for Women, the Commission for Women,

and 40 businesses, nonprofit groups, organizations, and individuals. The symposium will take place on Saturday, May 5 from 8:30 a.m. – 1:30 p.m. at the Ernst Center located at the Annandale Campus of the Northern Virginia Community College.

Supervisor Gross announced that symposium organizers have graciously given each member of the Board five complimentary registrations. She asked each Board Member to use this opportunity and submit five names to the organizers so they may be properly registered for the event.

Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event so that residents, businesses, and community organizers will have a greater opportunity to participate in this symposium. Without objection, it was so ordered.

36. **NO BOARD MATTERS FOR SPRINGFIELD DISTRICT SUPERVISOR ELAINE McCONNELL** (12:54 p.m.)

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

(NOTE: Later in the meeting, Supervisor McConnell presented a Board Matter. See Clerk's Summary Item #57.)

37. **RECOGNITION OF THE FREDDIE MAC CORPORATION FOR ITS EXEMPLARY RECYCLING EFFORTS** (12:54 p.m.)

Supervisor Smyth said that the Freddie Mac Corporation has joined the Virginia Environmental Excellence Program and is making the environment its business. Through the program it has achieved superior environmental performance through the voluntary use of environmental management systems and pollution prevention. The Freddie Mac Corporation's voluntary participation in this program serves as a good example of corporate initiatives and policies for other businesses to follow.

Supervisor Smyth referred to the impressive recycling statistics provided in her written Board Matter on the subject. For its recycling efforts, the Freddie Mac Corporation contracted with Esquire Environmental Services, Incorporated, to determine disposal methods and track progress. Esquire Environmental Services works closely with the US Environmental Protection Agency and the Virginia Department of Environmental Quality and provides recommendations and guidance to firms interested in participating in the use of environmental management systems and pollution prevention.

Noting that this voluntary use of environmental management systems and pollution prevention practiced by the Freddie Mac Corporation is truly commendable and noteworthy, Supervisor Smyth moved that the Board direct staff to invite the management of the Freddie Mac Corporation and Esquire

Environmental Services to appear before the Board on June 18 to be recognized for their commitment and dedication to the protection of the environment. Supervisor Gross seconded the motion, which carried by unanimous vote.

38. **PUBLIC BRIEFING ON THE RAIL TO DULLES PROJECT** (12:57 p.m.)

Chairman Connolly reminded the Board that it wanted to have a public briefing from the consultants and general counsel of the Metropolitan Washington Airports Authority on the Rail to Dulles Project. Accordingly, he relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to schedule this public briefing on June 4 at an appropriate time. He noted that this was NOT a public hearing. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

PMH:pmh

39. **COUNTY CONTRIBUTION TO DULLES LOOP STUDY** (12:59 p.m.)

Jointly with Supervisor Frey, Supervisor Hudgins said that the Dulles Loop consists of sections of Routes 28, 50, and 606 which together, if improved, could essentially form a Dulles Airport "beltway" to facilitate traffic flow to and around the airport. The Route 50 and Route 606 sections of the Loop are currently inadequate.

Supervisor Hudgins said that since last fall, she, Supervisor Frey, and the Department of Transportation (DOT) staff have been working with the Dulles Loop Implementation Group (DLIG) including representatives from Virginia General Assembly, Fairfax and Loudoun Counties, the Metropolitan Washington Airports Authority (MWAA), VDOT, the Dulles Area Transportation Association (DATA), the Dulles South Business Alliance, the Washington Airports Task Force (WATF), the Committee for Dulles, the Route 28 Tax District, and the Route 606 Coalition. The group is chaired by Douglas Koelemay, Northern Virginia District member to the Commonwealth Transportation Board.

A consultant scope of work has now been completed and is ready to be bid to prepare an implementation plan for the project. Fairfax County, Loudoun County, MWAA, and the private sector have each been requested to contribute \$50,000 toward the cost of the consultant study. DLIG expects to complete a plan for at least the initial short term improvements within a budget of \$200,000. DOT has Fiscal Year 2007 funds available for Fairfax County's contribution, if so directed by the Board.

An implementation plan is required to define required short term improvements, to apply current available funding, and to identify the additional funding required to complete immediate improvements. By DLIG estimates, 20 percent of the traffic is currently associated with the airport and the remaining 80 percent is

local and through traffic.

Therefore, Supervisor Hudgins moved that the Board approve the County's \$50,000 contribution to the implementation plan with the following written conditions:

- That it be recognized that the Dulles Loop Project has not been identified as a Fairfax County transportation priority for funding.
- The Dulles Loop is not a part of the Dulles Toll Road Corridor. Therefore, the Fairfax County Board does not support the use of any Dulles Toll Road revenue for construction of any part of the loop.
- Any further expenditure of Fairfax County funds for the Dulles Loop would first require Board approval of the project as a County transportation priority.

Supervisor Frey seconded the motion.

Supervisor Frey clarified the first written condition that much of the Route 50 segment continues to be a priority and does have VDOT funding already approved for preliminary engineering and design.

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

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that his office be kept informed and involved. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

40. **HOUSING COMMITTEE** (1:01 p.m.)

Supervisor Hudgins said that the Housing Committee met on Monday, April 23 and received a presentation from George Mason University Professor Dr. John McClain on the job/housing nexus in the region. Professor McClain presented what his analysis projects as the housing deficit across income levels in 2020. The Committee also received modified recommendations from the High-rise Affordability Panel and recommendations from the Affordable Housing Advisory Committee regarding a new goal for the County's affordable housing preservation targets, income distribution targets for the Penny for Housing Fund, and the development of Single Room Occupancy (SROs) units.

The High-Rise Affordability Panel reconvened after the October 2006 Housing Committee meeting to address concerns raised by Board Members. The High-Rise Affordability Panel met twice with the Planning Commission and has achieved a compromise that allows 12 percent affordability in high density development at a 1:1 bonus density ratio versus the 1.8 ratio originally presented.

The High-Rise Affordable Panel recommends the following:

- Maintain 12 percent expectation as policy applicable in Fairfax County's defined "Development Centers," as identified in the Comprehensive Plan.
- Serve three income tiers between 80 and 120 percent Area Median Income.
- The Board adopt an interim policy in advance of Ordinance/Plan amendments to provide for administration of proffered units, in a manner similar to the ADU program.
- Grant one unit bonus market unit for every one affordable/workforce unit provided, with a maximum bonus of up to 20 percent.

The following is a summary of the recommendations from the Affordable Housing Advisory Committee:

- New affordable housing goal of preserving or producing an additional 2,200 units, using the Penny for Affordable Housing Fund by the end of Fiscal Year 2011.
- Increasing the number of households earning 50 percent of the Area Median Income and below that are served using the Penny for Affordable Housing Fund.
- Use of the Penny Fund for new construction.
- Investments in SRO Residential Studio Units.

Therefore, Supervisor Hudgins moved that the Board direct the appropriate staff to review and develop language, complete with timetables, for the Board's consideration for approval and implementation of the recommendations of the High Rise Affordability Panel, endorsed by the Planning Commission, and the Affordable Housing Advisory Committee. The second to this motion was indistinguishable.

Following discussion regarding the motion, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved to amend the motion to delete the following bullet:

- New affordable housing goal of preserving or producing an additional 2,200 units, using the Penny for Affordable Housing Fund by the end of Fiscal Year 2011.

Following discussion of the amendment to the motion, Chairman Connolly moved to amend the amendment to delete the following bullet:

- Use of the Penny Fund for new construction.

Supervisor Gross seconded the amendments to the motion.

Following discussion, Chairman Connolly clarified the amendment to the motion as follows:

- New affordable housing goal of preserving an additional 2,200 units, using the Penny for Affordable Housing Fund by the end of Fiscal Year 2011.

Chairman Connolly clarified the new main motion to adopt the recommendations of the High-Rise Affordable Panel and direct staff to report with language for implementation. Chairman Connolly seconded the motion.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Bulova asked to amend the motion that the Board direct staff to evaluate the income levels. This was accepted.

Supervisor Smyth asked to amend the motion that the Board direct staff to provide the list of other funding sources for affordable housing, how they are used and for a list of proffer commitments. This was accepted.

Supervisor Gross asked unanimous consent that the Board separate the motions. Without objection, it was so ordered.

Chairman Connolly clarified the motion to direct staff to report with recommendations for implementation of the recommendation on the High-Rise Affordable Panel endorsed by the Planning Commission with the amendments.

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

Supervisor Hudgins asked unanimous consent that the Board accept the recommendations of the Affordable Housing Advisory Committee and direct staff to report with information on those recommendations.

Supervisor Gross asked to amend the request to change the word “accept” to “receive.” Without objection, the request, as amended, was so ordered.

(NOTE: Later in the meeting the One Penny Fund was discussed. See Clerk’s Summary Item #51.)

41. **RECESS/CLOSED SESSION** (1:38 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. *Sheets v. Board of Supervisors*, Case No. CL-2006-0013714 (Fx. Co. Cir. Ct.) (Hunter Mill District).
 - 2. *Board of Supervisors of Fairfax County, Virginia, v. Mohammad Aliabadi, et al.*, At Law No. CL-2004-0227289 (Fx. Co. Cir. Ct.) (Springfield District).
 - 3. *Citizens to Preserve and Expand Fitness Facilities, Seymour Schneider, Truett Degeare, Kevin Ritter, Joseph Stewart, Sidney Sachs, Glen Dixon, Suzanne Ritter, and Robert Cook v. Fairfax County Park Authority, Fairfax County Department of Public Works and Environmental Services, and Fairfax County Board of*

Supervisors, Case No. CL-2007-0003492 (Fx. Co. Cir. Ct.) (Springfield District).

4. *John Reed v. John W. Scaman, III*, Case No. CL-2006-0005658; (Fx. Co. Cir. Ct.).
5. *Ernst B. Sprinckmoller v. Ronald K. Haas*, Case No. CL-2007-0002364 (Fx. Co. Cir. Ct.).
6. *Robert Lepelletier, Jr. v. Robert L. Mears, Director of the Department of Finance*, Case No. GV07008814-00 (Fx. Co. Gen. Dist. Ct.).
7. *Potential Claims for Damage to Properties in Huntington Park Resulting from Flooding in 2006* (Mount Vernon District).
8. *In re: The Grievance of William Vazquez*; Fairfax County Civil Service Commission.
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Wilver Galindo*, Case No. CL-2006-0008832 (Fx. Co. Cir. Ct.) (Braddock District).
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. The 5408 Oakwood Road, LLC*, Case No. CL-2007-0001709 (Fx. Co. Cir. Ct.) (Lee District).
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Woo Dong Han and Young Nam Han*, Case No. CL-2007-0003552 (Fx. Co. Cir. Ct.) (Braddock District).
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Anthony Eller and Barbara D. Eller*, Case No. CL-2006-0014177 (Fx. Co. Cir. Ct.) (Providence District).
13. *William E. Shoup, Fairfax County Zoning Administrator v. Enrique Lopez*, Case No. CL-2006-0004984 (Fx. Co. Cir. Ct.) (Mount Vernon District).
14. *Richard William Horner and Margaret Draffin Horner v. Board of Zoning Appeals of Fairfax*

County, et al., Case No. CL-2006-0007696 (Fx. Co. Cir. Ct.) (Dranesville District).

15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Motiva Enterprises, LLC*, Case No. CL-2007-0004128 (Fx. Co. Cir. Ct.) (Sully District).
16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Simon V. Ortiz, Ronald Ortiz, and Ruth A. Ortiz*, Case No. CL-2007-0003736 (Fx. Co. Cir. Ct.) (Mason District).
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Christine A. Bucierka*, Case No. CL-2007-0004195 (Fx. Co. Cir. Ct.) (Sully District).

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

DET:det

At 3:10 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

42. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:10 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 and Supervisor Smyth jointly 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."

43. **SHEETS VERSUS BOARD OF SUPERVISORS, CASE NUMBER CL-2006-0013714** (3:11 p.m.)

Supervisor Hudgins moved that the Board authorize settlement of *Sheets versus Board of Supervisors*, Fairfax County Circuit Court Case Number CL-2006-0013714, according to the terms and conditions outlined by the County Attorney

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

DS:ds

AGENDA ITEM

44. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-DR-049-04 (HAMPSTEAD VILLAGE LLC) (DRANESVILLE DISTRICT)** (3:11 p.m.)

Supervisor DuBois moved to defer the public hearing on Proffered Condition Amendment Application PCA 1998-DR-049-04 until **May 21, 2007, at 3:30 p.m.** Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

PMH:pmh

ADDITIONAL BOARD MATTERS

45. **GREAT FALLS AWARDED CERTIFICATION AS COMMUNITY WILDLIFE HABITAT (DRANESVILLE DISTRICT)** (3:13 p.m.)

Supervisor DuBois said that the community of Great Falls has received classification by the National Wildlife Federation as a Community Wildlife Habitat. This designation recognizes Great Falls' commitment to preserve, enhance, and restore wildlife habitat. Through the community's habitat stewardship and conservation education efforts, a Community Wildlife Habitat is being created as a place where people, flora, and fauna can flourish. The National Wildlife Federation has awarded this designation to only 23 communities in the entire country.

To qualify for the Community Wildlife Habitat program, a percentage of homes, schools, and common areas in Great Falls had to meet the requirements of the Backyard Wildlife Habitat program. In all categories, Great Falls exceeded the minimum requirements. Additional activities included stream and trail clean-ups, native plant sale, conversion of parkland to wildlife friendly areas, stream and riverbank restorations and removal of invasive plant species. All of these projects and efforts were accomplished by the dedicated volunteers of the Habitat Team.

Therefore, Supervisor DuBois moved that the Board direct staff to invite the members of the Great Falls Habitat Team, Robin Rentsch, Elaine Tholen, Jackie Taylor, Eleanor Anderson, Stella Koch, Mary Anger, Heather Stroup, and Serena Wilson, to appear before the Board to be recognized for their efforts and congratulate them for their accomplishments. Vice-Chairman Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Gross, and Chairman Connolly being out of the room.

46. **HERNDON ENVIRONMENTAL CHAMPIONS (DRANESVILLE DISTRICT)** (3:14 p.m.)

Supervisor DuBois said that the Herndon community is fortunate to have two outstanding community resources actively practicing their environmental stewardship in Herndon, Mr. Gary Gepford and the organization he founded at Herndon High School, Students Against Global Abuse, or SAGA.

SAGA manages recycling programs of 150 Herndon organizations and businesses and collects an estimated 10 tons of office paper each year. In addition, the students organize clean-ups, tree planting and educational programs. Through their paper recycling efforts, SAGA has raised \$200,000 for college scholarships for the students and helped fund community beautification projects and school improvements.

At a ceremony earlier this month, the US Department of the Interior honored SAGA with its 2007 Environmental Achievement Award. In addition, founder and sponsor Gary Gepford was recognized at Dranesville's Community Champion at the 2007 Fairfax County Volunteer Service Awards.

Therefore, Supervisor DuBois asked unanimous consent that the Board direct staff to invite Mr. Gepford and the members of SAGA to appear before the Board and be recognized for their accomplishments. Without objection, it was so ordered.

47. **HERNDON SENIOR CENTER WINS AWARD (DRANESVILLE DISTRICT)** (3:15 p.m.)

Supervisor DuBois said that the Herndon Senior Center has been presented with the Best New Facility Award by the Virginia Recreation and Park Society. The award is given to a facility that meets selection criteria including innovative design, excellence in addressing community needs, and the needs of the population, efficiency of resources, and general facility excellence in the areas of accessibility, security, and aesthetics. The center was selected from over 100 entries from across the state.

Therefore, Supervisor DuBois asked unanimous consent that the Board direct staff to invite staff of the Herndon Senior Center and representatives from the Department of Community and Recreation Services appear before the Board to be recognized for this honor. Without objection, it was so ordered.

48. **McLEAN DAY SHOWMOBILE WAIVER (DRANESVILLE DISTRICT)** (3:16 p.m.)

Supervisor DuBois said that the McLean community celebrates its hometown each spring at McLean Day. This year marks the 92nd McLean Day celebration.

Many of the signs and sounds of that first McLean day back in 1915 will be seen this year. There will be balloons, carnival games, horses, and good eating enjoyed by local families. This year's celebration also features musical and dance performances along with other presentations by local performers on the County's showmobile stage.

Therefore, Supervisor DuBois asked unanimous consent that the Board direct staff to waive the fees for the use of the County's showmobile for the McLean Community Center's 2007 McLean Day celebration on May 19, 2007. Without objection, it was so ordered.

49. **McLEAN COMMUNITY CENTER 2007 ELECTIONS (DRANESVILLE DISTRICT)** (3:17 p.m.)

(BACs) Supervisor DuBois said that the citizens of Small District #1 will hold an election to replace three adult members and two student member of the McLean Community Center Governing Board. The Memorandum of Understanding between the McLean Community Center and the Board of Supervisors, dated February 8, 1984, specifies that the Board of Supervisors approve elections standards and procedures.

Supervisor DuBois said that she is satisfied that the McLean Community Center has established an elections committee and issued a public notice of the opportunity for all citizens of Small District #1 to petition for a place on the ballot.

Supervisor DuBois said that the nominees are as follows:

Adult Candidates:

- Katherine Armstrong
- Drew Clark
- Kevin Dent

Youth Candidates:

- Langley High School area: John E. Byrne
- There was no candidate to represent McLean High School.

50. **FAIRFAX PUBLIC ACCESS SHOW APPROACHING FIVE HUNDREDTH PROGRAM** (3:18 p.m.)

Supervisor DuBois said that Channel 10, Fairfax Public Access Cable TV, has a long running show, "Communicating Today," that is rapidly approaching its five

hundredth program. "Communicating Today" is a talk/variety show that has been on the airwaves for a continuous 17 years. John Mosul, the show's creator, producer and host, developed the show to highlight the many different ways people have of communicating with each other, whether through conversation or the arts. The show features interviews with a wide variety of guests on topics from architecture to zoology, and features musical or artistic talents of the guests and the host.

Therefore, Supervisor DuBois asked unanimous consent that the Board direct staff to prepare a joint proclamation acknowledging this milestone and send it to Mr. Mosul for inclusion on the 500th program which will take place on June 25.

Without objection, it was so ordered.

51. **ONE PENNY FUND REPORT** (3:18 p.m.)

(NOTE: Earlier in the meeting, the One Penny Fund was discussed. See Clerk's Summary Item #40.)

Supervisor Hyland said that recently, the Mount Vernon Council of Citizens Association Special Subcommittee on Affordable and Workforce Housing drafted a comprehensive report that looks at a number of issues related to affordable housing, including the One Penny for Affordable Housing Fund. In addition to the official review undertaken by the Affordable Housing Advisory Committee, direct citizen input at the district level is always appreciated and very much valued. The topic of affordable housing is a complex one and in the interest of ensuring that the community has the benefit of a complete and accurate report.

Therefore, Supervisor Hyland moved that the Board direct staff from the Department of Housing and Community Development to review the recommendations of the report and provide the Board with an analysis. This information should be provided to the Board by May 15. Supervisor Bulova seconded the motion and it carried by unanimous vote.

52. **FORT DRIVE NO PARKING SIGNS (MOUNT VERNON DISTRICT)**
(3:20 p.m.)

Supervisor Hyland said that concerned neighbors and County employees from the Mount Vernon District have brought to his attention a parking problem that has occurred due to the completion of a new townhome subdivision on Fort Drive. Specifically, this traffic issue is located between North Kings Highway and Bangor Drive adjacent to the Huntington Metro.

Supervisor Hyland noted that his office has received numerous complaints and concerns about the parking situation. Commuters who are trying to avoid Metro parking lots and restricted residential streets have created numerous traffic problems for school bus drivers, people wanting to turn right from Fort Drive onto

North Kings Highway, and residents of adjacent properties backing out of their driveways. The residents who live on the affected block would like "No Parking" signs installed at this location. The decision is supported by both the Police Department and Department of Transportation (DOT).

Therefore, Supervisor Hyland moved that the Board direct DOT to install "No Parking" signs between Fort Drive and Bangor Drive. DOT should receive the necessary permits from the Virginia Department of Transportation and coordinate enforcement with the Police Department. Supervisor McConnell seconded the motion and it carried by unanimous vote.

53. **RECOGNITION FOR AMBER HEALY'S NATIONAL PRESS ASSOCIATION AWARDS** (3:21 p.m.)

Supervisor Hyland announced that Ms. Amber Healy, formerly a reporter with the Laurel Hill Connection, won two awards at the Virginia Press Association's Annual Banquet. She won first place in general news writing and general news and third place for health, science and environmental writing. She has recently left the Connection Newspaper to work for an area nonprofit association working to help children and the senior population.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Office of Public Affairs to invite Ms. Healy to appear before the Board for recognition. Without objection, it was so ordered.

54. **CERTIFICATE OF RECOGNITION FOR MR. GARY ROISUM (LEE DISTRICT)** (3:22 p.m.)

Supervisor Kauffman said that Gary Roisum, the first manager of Huntley Meadows Park is retiring after more than 30 years of service to the Park Authority.

Supervisor Kauffman asked unanimous consent that the Board direct the Office of Public Affairs to invite Mr. Roisum to appear before the Board at a future meeting for formal recognition and prepare a certificate to present to Mr. Roisum. Without objection, it was so ordered.

55. **THE COUNTY'S CHANGING DEMOGRAPHICS** (3:22 p.m.)

(NOTE: Earlier in the meeting, Board designated May 2007 as Older Americans Month in Fairfax County. See Clerk's Summary Item #6.)

Supervisor Kauffman said that the Board, via its Aging Committee, has been looking closely at the County's changing demographics in light of the rapidly increasing aging population.

Supervisor Kauffman referred to his written Board Matter and outlined how the challenges and opportunities are interdependent.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct each department to look forward three years and report three new aging focused initiatives each could tackle to tap the talents and skills, and/or to meet the needs of the increasing senior population. This information will be compiled by the Area Agency on Aging and will be reviewed for inclusion in the committee report scheduled to come out this fall with recommendations for an aging friendly Fairfax.

Department reports should include a general timeline for taking action. If there are associated costs, the Board expects they will be noted and considered by the department in developing future budget requests. Also, the committee is interested in any changes in planning the departments are undertaking related to the increasing older adult population.

Department representatives should contact Grace Starbird in the Area Agency on Aging for an electronic copy of the necessary forms and return it to Ms. Starbird no later than June 11, 2007.

Department staff seeking help on the completion of this assignment can meet with Ms. Starbird and her staff on May 11, 2007, from 11:30 a.m. until 2 p.m. in room 403 in the Pennino Building or contact Ms. Starbird directly by email.

Without objection, it was so ordered.

Supervisor Gross asked to amend the request that the Board direct the County Executive to respond instead of asking individual departments.

Following input from Anthony H. Griffin, County Executive, without objection, the request, as amended, was so ordered.

56. **CENTREVILLE COMMUNITY FOUNDATION LAUNCHES
SPRINGFLING FEST (SULLY DISTRICT)** (3:24 p.m.)

Supervisor Frey announced that beginning on Thursday evening, May 3, Friday evening, all day Saturday and Sunday, the Centreville Community Foundation is launching its first Spring Fling Fest. It is a family oriented celebration similar to an old carnival and will be held at Bull Run Regional Park.

Supervisor Frey invited everyone to attend.

Supervisor Bulova asked unanimous consent that the Board direct the Office of Public Affairs to publicize the event. Without objection, it was so ordered.

57. **TEMPORARY TRUCK RESTRICTION ON FULLERTON ROAD (SPRINGFIELD DISTRICT)** (3:26 p.m.)

Supervisor McConnell said that in July 2002 the Virginia Department of Transportation (VDOT) imposed a truck restriction on Fullerton Road that prevents trucks from turning between Rolling and Fullerton Roads. This restriction was imposed when Fullerton Gate was open. VDOT indicated that it was a temporary restriction and that the intersection geometry did not allow trucks to safely make the turn without encroaching into the imposing travel lanes. It was anticipated that this intersection would be further improved. The existing truck restriction is frequently violated and police enforcement is difficult.

Therefore, Supervisor McConnell moved that the Board direct staff to request VDOT to review this temporary truck restriction at Rolling Road and Fullerton Road and, if feasible, replace the existing signs with new signs restricting the trucks that are 40 feet or longer. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

58. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2006-PR-012 (PROVIDENCE DISTRICT)** (3:28 p.m.)

Supervisor Smyth announced her intent later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 2006-PR-012 until May 21, 2007, at 3:30 p.m.

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

DS:ds

AGENDA ITEMS

59. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-PR-012 (CB COMPANIES, LLC) (PROVIDENCE DISTRICT)** (3:30 p.m.)

Supervisor Smyth moved to defer the public hearing on Rezoning Application RZ 2006-PR-012 until **May 21, 2007, at 3:30 p.m.** Supervisor DuBois seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

60. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-LE-026 (EASTWOOD PROPERTIES, INCORPORATED) (LEE DISTRICT)** (3:31 p.m.)

(O) The application property is located in the southeast quadrant of the intersection of Lackawanna Drive and Dudrow Road, Tax Map 90-3 ((3)) 6, 7, and 8.

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

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

- Carson Lee Fifer, Jr., Esquire, McGuire Woods LLP
- Mr. Richard L. Labbe

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

Following the public hearing, Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2006-LE-026, from the R-1 District to the PDH-2 District, and approval of the Conceptual Development Plan, subject to the proffers dated March 29, 2007.
- Modification of Section 2-0103.2 of the Public Facilities Manual (PFM), which limits pipestem lots to 20 percent of the total number of lots, to permit 50 percent of the total number of lots to be pipestem lots.
- That the Board direct the Director of the Department of Public Works and Environmental Services to modify Section 7-0503 of the PFM, which contains a requirement for pipestem driveways, to permit a 10-foot wide planting strip in the center of the pipestem driveway.

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

(NOTE: On March 22, 2007, the Planning Commission approved Final Development Plan Application FDP 2006-LE-026.)

61. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-LE-018 (FLEET DRIVE LLC) (LEE DISTRICT)** (3:37 p.m.)

- (O) The application property is on the west side of Beulah Street and the east side of Fleet Drive at its intersection with Gravel Avenue, Tax Map 91-1 ((1)) 58, 59A, 59B and 60; 91-1 ((5)) 2-6.

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

Discussion ensued, with input from Cathy Lewis, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, and Mr. Lawrence regarding backyard space.

Additional discussion ensued, with input from Mr. Lawrence, regarding open space and lot requirements.

Further discussion ensued, with input from Ms. Lewis and Mr. Lawrence, regarding the stormwater management pond.

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

Supervisor Kauffman moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2006-LE-018, from the R-1 and R-3 Districts to the R-12 District, subject to the proffers dated April 10, 2007.
- Waiver of the 600-foot maximum length requirement for a private street.
- Waiver of the trail requirement along Fleet Drive in lieu of the 600-foot concrete sidewalk as shown on the Generalized Development Plan.
- Waiver of the barrier requirement to the existing single-family detached dwelling on abutting parcel 7.

Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor

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

62. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2006-PR-012 (CB COMPANIES, LLC) (PROVIDENCE DISTRICT)** (No Time)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk’s Summary Item #59.)

63. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-MA-029 (PETROLEUM MARKETING GROUP, INCORPORATED) (MASON DISTRICT)** (3:51 p.m.)

The application property is located at 6464 Edsall Road, Tax Map 80-2 ((3)) 22.

Ms. Jane Kelsey reaffirmed the validity of the affidavit for the record.

Ms. Kelsey 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, William O’Donnell, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 2006-MA-029, subject to the development conditions dated April 14, 2007.
- Modification of the transitional screening yard and barrier requirements in favor of the existing screening and barriers on-site.

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

64. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2006-MA-028 (PETROLEUM MARKETING GROUP, INCORPORATED) (MASON DISTRICT)** (3:55 p.m.)

The application property is located at 6014 Leesburg Pike, Tax Map 61-2 ((1)) 7.

Ms. Jane Kelsey reaffirmed the validity of the affidavit for the record.

Ms. Kelsey 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 Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 2006-MA-028, subject to the development conditions dated April 13, 2007. Supervisor DuBois seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Smyth being out of the room.

65. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-M-097-04 (CCP SHIRLEY HIGHWAY, INCORPORATED AND PETROLEUM MARKETING GROUP, INCORPORATED) (MASON DISTRICT)** (3:58 p.m.)

The application property is located at 5550 Bloomfield Drive, Tax Map 81-1 ((1)) 7H pt.

Ms. Jane Kelsey reaffirmed the validity of the affidavit for the record.

Mr. Alan Frank, General Counsel, Senior Vice-President of CCP Shirley Highway, Incorporated, gave a brief presentation.

Ms. Kelsey 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. Kelsey and Tracy Strunk, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, regarding the car wash and intensity of uses.

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

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 81-M-097-4, subject to the development conditions dated April 20, 2007, with the following conditions added:
 - The hours of operation for the car wash shall be limited to 7 a.m. to 9 p.m.
 - The car wash facility shall have a silencer kit installed and in use at all times the car wash is in operation.

- The car wash shall be equipped to capture at least 80 percent of the wastewater associated with a single cycle of the car wash operation. All wastewater discharge from the car wash shall be discharged to the sanitary sewer system.
- Modification of the transmittal screening requirements and waiver of the barrier requirements along the eastern, southern, and western boundaries in favor of that shown on the Special Exception Plat and as modified by the development conditions.

Supervisor McConnell seconded the motion.

Discussion ensued, with input from Ms. Strunk, regarding the car wash.

The question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Bulova abstaining, Supervisor Hyland being out of the room.

Discussion ensued, with input from Ms. Strunk, regarding the development condition related to public telephones.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide information regarding the number of car washes in the County and in which districts they are located. Without objection, it was so ordered.

(NOTE: Later in the meeting, additional action was taken regarding this item. See Clerk's Summary Item #69.)

66. **4 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON BENT WILLOW DRIVE (LEE DISTRICT)** (4:21 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 12 and April 19, 2007.

Donald Stephens, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved adoption of the Ordinance and Order for vacation and abandonment of Bent Willow Drive. Supervisor Smyth seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Gross, Supervisor Hudgins, and Supervisor Hyland being out of the room.

67. **4 P.M. – PH FOR THE ENLARGEMENT/DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING, AND/OR VACUUM LEAF COLLECTION SERVICE (DRANESVILLE AND PROVIDENCE DISTRICTS)** (4:24 p.m.)

(Rs) 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 12 and April 19, 2007.

Terry Czarny, Petition Coordinator, Solid Waste and Recycling Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor Smyth moved approval of the proposed petitions within Dranesville and Providence Districts in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts. The actions listed below will result in a net increase of 57 leaf customers and 1 new refuse and recycling customer:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District 1A6 Within Small District 1 Within Dranesville District (1868 Kirby Road)	Enlarge 1 Unit	Refuse and Recycling	Approve
Small District 7 Within Dranesville District (2124 Powhatan Street)	De-Create/ Re-Create 1 Unit	Refuse, Recycling, and Leaf	Approve
Small District 2 Within Providence District (Pine Ridge)	Enlarge 55 Units	Leaf	Approve
Small District 2 Within Providence District (8956, 8958, and 8960 Colesbury Place)	Enlarge 3 Units	Leaf	Approve

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

68. **4 P.M. – PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON POWHATAN STREET AND FREEDOM LANE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (DRANESVILLE DISTRICT)** (4:28 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 12 and April 19, 2007.

Doug Hansen, Senior Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor DuBois submitted an item for the record.

Supervisor DuBois moved adoption of the Resolution endorsing the following roads to be included in the R-TAP for a through truck traffic restriction:

- Powhatan Street between Kirby Road and the Arlington County line.
- Freedom Lane between Kirby Road and Powhatan Street.

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

69. **ADDITIONAL ACTION ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-M-097-04 (MASON DISTRICT)** (4:37 p.m.)

(NOTE: Earlier in the meeting, the Board held a public hearing on this item. See Clerk’s Summary Item #65.)

With reference to Special Exception Amendment Application SEA 81-M-097-04, Supervisor Gross noted that although three development conditions had been added, there was one that needed to be deleted.

Therefore, Supervisor Gross moved to amend the motion to delete Condition Number 10, which addresses removal of the four parking spaces that are on somebody else’s property. Supervisor Smyth seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being out of the room.

70. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (4:38 p.m.)

(NOTE: Earlier in the meeting, the Board discussed the financial situation of Western Fairfax Christian Ministries [WFCM]. See Clerk's Summary Item #13.)

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 issue of April 19, 2007.

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

Chairman Connolly noted that individuals may not comment on pending personnel matters or issues under litigation.

The public hearing was held and included testimony by the following individuals:

- Seymour Schneider, President of Citizens to Preserve and Expand Fitness Facilities, regarding the racquetball court at the South Run Recreation Center.
- Ms. Dorothy Fonow regarding WFCM.
- Mr. Frank Sarley regarding Huntington flood issues.

71. **BOARD ADJOURNMENT** (4:57 p.m.)

The Board adjourned.

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