



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
May 19, 2008**

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12-08

DS:ds

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, May 19, 2008, at 9:33 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Supervisor Patrick S. Herrity, Springfield District, arrived at 9:35 a.m.

Supervisor Catherine M. Hudgins, Hunter Mill District, arrived at 9:35 a.m.

Supervisor Gerald W. Hyland, Mount Vernon District, arrived at 9:39 a.m.

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

AGENDA ITEMS**1. CERTIFICATES OF RECOGNITION PRESENTED TO HERNDON HIGH SCHOOL'S FOR INSPIRATION AND RECOGNITION OF SCIENCE AND TECHNOLOGY (FIRST) ROBOTICS TEAMS (9:35 a.m.)**

Supervisor Foust moved approval of the Certificate of Recognition presented to members of Robotics Team 116 for receiving the Chairman's Award at the 2008 New York regional contest. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

Supervisor Foust moved approval of the Certificate of Recognition presented to members of Robotics Team 116 Animation Subgroup for receiving the Autodesk Visualization Award for the sixth consecutive year at the FIRST competition at the 2008 Richmond NASA/Virginia Commonwealth University. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

Supervisor Foust moved approval of the Certificate of Recognition presented to members of Robotics Vex Team 519 for noteworthy performance at the FIRST Tech Challenge at the 2008 Maryland FTC championship tournament. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland not yet having arrived.

2. CERTIFICATES OF RECOGNITION PRESENTED TO ATHLETIC TEAMS OF EDISON HIGH SCHOOL (9:50 a.m.)

Supervisor McKay moved approval of the Certificates of Recognition presented to members of the following Thomas A. Edison High School teams for receiving National District championships for the 2007–2008 school year:

- Boys' Cross Country
- Field Hockey
- Cheerleading
- Football
- Golf
- Volleyball

Chairman Connolly seconded the motion and it carried by unanimous vote.

3. **RESOLUTION OF RECOGNITION PRESENTED TO FAIRFAX COUNTY FEDERAL CREDIT UNION** (9:56 a.m.)

Supervisor Hyland moved approval of the Resolution of Recognition presented to the Fairfax County Federal Credit Union for its fiftieth anniversary. Supervisor Bulova and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING MAY 29 – JUNE 1, 2008, AS "SPRINGFIELD DAYS" IN FAIRFAX COUNTY** (10:08 a.m.)

Supervisor McKay moved approval of the Proclamation to designate May 29–June 1, 2008, as "*Springfield Days*" in Fairfax County. Supervisor Bulova and Supervisor Herrity jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Supervisor Bulova said that she will present a Board Matter, later in the meeting at the appropriate time, regarding the new Greater Springfield flag.

Tawny Hammond, representative of Springfield Days, noted that more information about Springfield Days is available at www.springfielddays.com.

(NOTE: Later in the meeting, Supervisor Bulova presented a Board Matter regarding the new Greater Springfield flag. See Clerk's Summary Item #35.)

5. **PROCLAMATION DESIGNATING MAY 18-24, 2008, AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (10:19 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate May 18–24, 2008, as "*Public Works Week*" in Fairfax County. Supervisor Hyland 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.

6. **PROCLAMATION DESIGNATING JUNE 22–29, 2008, AS "MOSQUITO AWARENESS WEEK" IN FAIRFAX COUNTY** (10:25 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 22–29, 2008, as "*Mosquito Awareness Week*" in Fairfax County. Supervisor Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Chairman Connolly noted that during 2008 approximately 145,000 mosquitoes were collected and tested for West Nile Virus in the County. Over 107,000 storm sewers have been treated. Staff has made approximately 15 presentations at local, regional, statewide, and international conferences, as well as participating in fairs around the community trying to raise public awareness of how to deal with mosquitoes.

7. **10 A.M. – PRESENTATION OF HISTORY COMMISSION ANNUAL REPORT** (10:35 a.m.)

(BACs) Robert E. Beach, Chairman of the History Commission, introduced the following members of the commission:

- Carole Herrick
- Anne Barnes, Vice Chairman
- Lynne Garvey Wark

Mr. Beach proceeded to present the History Commission's annual report, noting the following:

- History Commission's third annual History Conference theme was "*400 Years of Fairfax County History*"
- Continuation of work on the Oral History Committee
- Support of the Lorton Laurel Hill National Register nomination
- Ongoing work with the Virginia Department of Historic Resources
- Approval of several County historical markers and dedications
- One new commissioner, Deborah Robison, Sully District
- Collaborations with the Park Authority, Architectural Review Board, and the Fairfax Museum and Visitors Center

Mr. Beach noted that the theme for the History Commission's fourth annual conference, which will be held November 15, is "*Our Twentieth Century.*"

DMS:dms

8. **10:15 A.M. – PRESENTATION BY THOMAS JEFFERSON HIGH SCHOOL FOR SCIENCE AND TECHNOLOGY (TJHSST) BACTERIAL MONITORING PROGRAM IN COLLABORATION WITH FAIRFAX COUNTY, STORMWATER PLANNING DIVISION, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES)**
(10:48 a.m.)

Danielle Wynne, Ecologist, Stormwater Planning Division, DPWES, presented the Board with the benefits of the partnership between the County and TJHSST. Ms. Wynne introduced the following students who are seniors at TJHSST:

- Ms. Morgan Bell
- Ms. Kelly Pierce
- Ms. Christine Beres
- Ms. Megan Barnett
- Ms. Caroline Grady
- Ms. Julie Bertoia

These students were responsible for:

- Studying the bacteria E-coli.
- Assessing the significance of variance in duplicate samples of E-Coli.
- Studying the role of optical brighteners on bacteria.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to examine the presence of bacteria like E-Coli in the downzoned parts of the County, most notably, the Occoquan River. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Discussion ensued, with input from the students:

- Where they plan to attend college.
- The area of their future degree.

- The locations of the areas tested for bacteria.
- The results and the findings of the areas tested in the County.

9. **10:30 A.M. – PRESENTATION TO FAIRFAX COUNTY OF THE RECERTIFICATION FOR THE CERTIFIED CRIME PREVENTION COMMUNITY BY THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES** (11:02 a.m.)

Craig Hartley, Director, Law Enforcement and Research Division, Department of Criminal Justice Services, presented the first recertification for the certified crime prevention community to the County. Mr. Hartley stated that this was designed to promote community safety through the development of policies and practices in the area of crime prevention to keep communities safe.

Mr. Hartley stated that several programs were examined when the Criminal Justice Services Board examined the County's application for recertification. These programs are:

- P'CASO (Protecting Children Against Sex Offenders)
- Road DAWG (Don't Associate with Gangs)

Mr. Hartley and David M. Rohrer, Chief of Police, introduced the following individuals from the Police Department: Patrick A. Lucas, Master Police Officer; Pamela Minnich, Commander of the Youth Services Division; Maggie DeBoard, Major; and Mark Kidd, 2nd Lieutenant. They presented Chairman Connolly and the Board with a plaque for recertification.

Supervisor Bulova asked unanimous consent that the Board direct staff to examine ways to replicate and expand the Road DAWG program. Without objection, it was so ordered.

EBE:ebe

10. **10:40 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:11 a.m.)

(APPTS)
(BACs)

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative.

ANIMAL SERVICES ADVISORY COMMISSION

Supervisor Herrity moved the reappointment of Ms. Victoria P. Kirby as the Springfield District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

ATHLETIC COUNCIL

Supervisor McKay moved the appointment of Mr. Michael Rodgers as the Lee District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Dranesville District Representative.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

The Board deferred the appointment of the Alternate #4 Representative.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Providence District Representative.

CITIZENS CORPS COUNCIL

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

Supervisor Hudgins moved the reappointment of Mr. Adeel Mufti as the Hunter Mill District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Al Bornmann as the Mount Vernon District Representative. Chairman Connolly seconded the motion, which carried by unanimous vote.

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

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

COMMISSION ON AGING

Supervisor Hudgins announced the resignation of Mr. Charles Gorsey as the Hunter Mill District Representative.

Supervisor McKay moved the reappointment of Ms. Danielle Wight as the Lee District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Jacob Jack Fritz as the Mason District Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. George T. Myers as the Mount Vernon District Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

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

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

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the Mason District, Mount Vernon District, Providence District, and Religious Community Representatives.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

The Board deferred the appointment of the At-Large Chairman's Representative.

COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

Chairman Connolly moved the appointment of Ms. Martina Hone as the At-Large #7 Fairfax County Education Representative. Supervisor Gross seconded the motion, which carried by unanimous vote.

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

CONSUMER PROTECTION COMMISSION

The Board deferred the appointment of the Fairfax County Resident #3 Representative.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

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

FAIRFAX AREA DISABILITY SERVICES BOARD

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

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)

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

HEALTH SYSTEMS AGENCY BOARD

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

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the #6 Representative.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Supervisor Herrity moved the reappointment of Mr. Joseph Bunnell as the Springfield District Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

SMALL BUSINESS COMMISSION

Supervisor Herrity moved the appointment of Mr. Brett B. Coffee as the Springfield District Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Providence District Representative.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #5 Representative.

TENANT LANDLORD COMMISSION

Supervisor Herrity moved the appointment of Mr. Michael D. Kiffney as the Citizen Member #3 Representative. Supervisor Bulova seconded the motion, which carried by unanimous vote.

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

TRAILS AND SIDEWALKS COMMITTEE

Chairman Connolly moved the appointment of Mr. Joseph R. Pettoni as the At-Large Chairman's Representative. Supervisor McKay seconded the motion, which carried by unanimous vote.

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

TRANSPORTATION ADVISORY COMMISSION (TAC)

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

WETLANDS BOARD

Supervisor Herrity moved the reappointment of Mr. Edward Bentz as the Springfield District Representative. Supervisor Hyland seconded the motion, which carried by unanimous vote.

AD HOC COMMITTEES

FAIRFAX COUNTY HISTORY MUSEUM SUBCOMMITTEES

Supervisor McKay asked unanimous consent that the Board direct the Clerk to check the term end date for the subcommittees, which is listed as June 30, 2008, and report with her findings. Without objection, it was so ordered.

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

TYSONS CORNER TRANSPORTATION AND URBAN DESIGN STUDY COORDINATING COMMITTEE

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

(NOTE: Later in the meeting, the Board made additional appointments to the McLean Community Center Board. See Clerk's Summary Item #31.)

DET:det

11. ADMINISTRATIVE ITEMS (11:17 a.m.)

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

Supervisor McKay called the Board's attention to Admin 8 - Authorization to Advertise a Public Hearing on Proposed Amendments to The Code of the County of Fairfax, Virginia, to Add a New Chapter, Chapter 121 (Graffiti Ordinance) Regarding Repair or Removal of the Defacement of Buildings, Facilities, and Personal Property, concerning the need for a sixth step to address follow-up. Discussion ensued with input from Robert Bermingham, Gang Prevention Coordinator, Office of the County Executive, concerning responding to citizenry. Chairman Connolly noted the need to address these matters both quickly and thoroughly. He relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to get that word out to everyone involved. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Smyth inquired as to the cost incurred by the County, with input from Mr. Bermingham concerning fees and the concern of victimizing the victim twice.

Further discussion ensued, with input from Michael Long, Senior Assistant County Attorney, concerning past legislative efforts in the General Assembly.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to draft new legislation which parallels the cost of cleaning up graffiti in a manner similar to that of blighted properties or grass ordinances. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor McKay expressed concern that victims of crime might not have the means to pay, particularly in repeat circumstances, and asked unanimous consent that the Board direct staff to take into consideration individuals who do not have the means to clean up the graffiti or who have tried and cannot remove it. Without objection it was so ordered.

Supervisor Gross noted a provision in Step 5 for the best method of graffiti removal and asked unanimous consent that the Board direct staff to provide counsel to individuals to ensure that painting over the graffiti does not further highlight it. Without objection, it was so ordered.

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

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (MASON AND MOUNT VERNON DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-V08-3	T-Mobile Northeast LLC 100-foot monopole (flagpole) 8592 Richmond Highway (Mount Vernon District)	July 27, 2008
2232-M08-4	Fairfax County Park Authority Light existing athletic fields, and provide other park improvements 3401 Woodburn Road (Pine Ridge Park) (Mason District)	November 17, 2008

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (MOUNT VERNON AND SPRINGFIELD 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>
Vernon Heights	Mount Vernon	Central Avenue (Route 781) (Additional ROW Only)
		Richmond Highway (Route 1) (Additional ROW only)
Forest Hills of Fairfax	Springfield	Forest Hills Drive (Existing Route 1286) (Additional ROW only)

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF CLIFTON, VIRGINIA, RELATED TO THE CLIFTON PROFESSIONAL OFFICES PROJECT

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 4:30 p.m.** to consider adopting an ordinance approving the Memorandum of Understanding with the Town of Clifton for the Clifton Professional Offices project.

ADMIN 4 – APPROVAL OF A “WATCH FOR CHILDREN” SIGN AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (BRADDOCK DISTRICT)

- (R)
- Adopted the Resolution authorizing a “Watch for Children” sign on Waters Edge Landing Lane (Braddock District).
 - Directed staff to request the Virginia Department of Transportation (VDOT) to install the approved measures as soon as possible.

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON PART OF THE RIGHT-OF-WAY OF SUNCREST LANE (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 4 p.m.** to consider a proposal to vacate and abandon part of the right-of-way of Suncrest Lane.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 15011 LEE JACKSON MEMORIAL HIGHWAY (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 4 p.m.** regarding adoption of a Spot Blight Abatement Ordinance for 15011 Lee Jackson Memorial Highway, Tax Map Number 033-2-((01))-0007.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 15519 LEE HIGHWAY (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 4 p.m.** regarding adoption of a Spot Blight Abatement Ordinance for 15519 Lee Highway, Tax Map Number 064-1-((01))-0012A.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA, TO ADD A NEW CHAPTER, CHAPTER 121 (GRAFFITI ORDINANCE), REGARDING REPAIR OR REMOVAL OF THE DEFACEMENT OF BUILDINGS, FACILITIES, AND PERSONAL PROPERTY

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 11.)

Authorized the advertisement of a public hearing to be held before the Board on **June 30, 2008, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, to add a new Chapter 121 (Graffiti Ordinance). The new chapter would address issues related to the damage and defacement of public and private property and to the repair or removal of such defacement to buildings, facilities, and personal property, and imposes penalties for violations of the ordinance.

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

12. **A-1 – APPROVAL OF REVISIONS TO CHAPTERS 4, 5, 6, 7, 8, 10, AND 12 OF THE PERSONNEL REGULATIONS REGARDING THE PROBATIONARY PERIOD FOR PUBLIC SAFETY COMMUNICATORS, CERTIFICATION, DEMOTION AND HOLIDAY PROCESSES, AND THE NEPOTISM POLICY** (11:27 a.m.)

Supervisor Gross stated that the Civil Service Commission and the Employee Advisory Council reviewed these items as did the Board's Personnel and Reorganization Committee, and moved that the Board concur in the recommendation of staff and approve the proposed revisions to the Personnel Regulations. Supervisor Bulova seconded the motion and it carried by unanimous vote.

13. **A-2 – APPROVAL OF REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT AND AWARD OF FUNDING TO THE NEW HOPE HOUSING, INCORPORATED, AS A PORTION OF THE FUNDING FOR THE PURCHASE OF SAMARITAN HOUSE (MOUNT VERNON DISTRICT)** (11:28 a.m.)

On motion of Supervisor Hyland, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved:

- A loan in the amount of \$446,242 to the New Hope Housing, Incorporated.

- The reallocation of \$446,242 within Fund 142, Community Development Block Grant.

14. **A-3 – APPROVAL OF CONTRACT AWARD – HERNDON MONROE PARKING GARAGE REMEDIAL WORK AND APPROVAL OF THE FUND ALLOCATION (HUNTER MILL DISTRICT)** (11:28 a.m.)

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

- Approve allocating up to \$2,675,000 in State aid funds available at the Northern Virginia Transportation Commission for the Herndon Monroe Parking Garage Remedial Work project.
- Authorize staff to award the contract to Eastern Waterproofing and Restoration Company, Incorporated, in the amount of \$1,937,642 for the construction of the Herndon Monroe Parking Garage Remedial Work project.

Supervisor Bulova seconded the motion.

Supervisor Foust expressed concern about the Board's ability to make informed decisions about projects when the independent engineer continued to be between 30 and 40 percent off the mark, with input from Jimmie D. Jenkins, Director, Department of Public Works and Environmental Services (DPWES), concerning estimating construction costs and changes in the market.

Supervisor Foust asked unanimous consent that the Board direct staff to make it a priority to get these estimates as accurate as possible. Without objection, it was so ordered.

Discussion ensued concerning the review process, with input from Theresa Lepe, Senior Engineer, Building Design Branch, DPWES. She noted that this project was a little more unusual than a basic construction contract because it was specialty work.

Discussion continued concerning funding of the project and the priority of alternate funding.

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

15. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-MD08-5, FAIRFAX WATER (BRADDOCK, MASON, AND PROVIDENCE DISTRICTS)** (11:36 a.m.)

The Board next considered an item contained in the Board Agenda dated May 19, 2008, announcing the Planning Commission's approval of Public

Facilities Application 2232-MD08-5, Fairfax Water. The application sought approval by Fairfax Water to relocate and replace approximately 14,885 linear feet of 24-inch through 54-inch replacement water main and associated appurtenances along Interstate 495 between Braddock Road and Chain Bridge Road in the Braddock, Mason, and Providence Districts to accommodate the addition of two new high occupancy toll lanes in each direction along the Beltway. The property included in the application is located on Tax Maps 29-4 ((1)) 35A; 39-2((1)) 12, 13A1, 13A2, 13A3, 13A5, 13A6, 13C, 62B; 39-2((29)) 1A1; 39-2((48)) A; 49-4((1)) 71, 72, 73, 73A1, 73A2; 49-4((13)) 2; 59-2((1)) 59; 59-2((6)) 9; 59-2((8))(1) 1,12, 12A, 13,14, 15; 59-2((17)) A; 59-2((21)) 125, 126, 128, 129, 130, 131, 132, 134, 135; 59-2((26)) 4; 59-4((1)) 9; 59-4((18)) P; 70-2((1)) 22; 70-4((10)) 1A; Portions of 29-4, 39-2, 39-4, 49-2, 49-4, 59-2, 59-4, 70-2, and 70-4 [Virginia Department of Transportation (VDOT) right-of-way and Commonwealth of Virginia].

Supervisor Bulova expressed concern regarding tree removal in the vicinity of the intersection of the Beltway and Braddock Road as part of the high occupancy toll (HOT) lanes project and asked unanimous consent that the Board direct staff to closely monitor the clearing to ensure that clearing was not done unnecessarily. 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 communicate with VDOT representatives and inform them that it was imperative that they communicate with the County in a timely fashion. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Smyth asked unanimous consent that the Board direct staff to remind VDOT where there were options to replant it would be good for them to see what could be done in terms of replanting. Without objection, it was so ordered.

16. **I-2 – SUPPLEMENTAL PROJECT ADMINISTRATIVE AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE GEORGETOWN PIKE TRAIL PROJECT (DRANESVILLE DISTRICT)** (11:38 a.m.)

The Board next considered an item contained in the Board Agenda dated May 19, 2008, requesting authorization for staff to execute a Supplemental Agreement with VDOT for project development and administration of the Georgetown Pike Trail project.

The staff was directed administratively to proceed as proposed.

17. **I-3 – SUPPLEMENTAL PROJECT ADMINISTRATIVE AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE WALKER ROAD TRAIL PROJECT (DRANESVILLE DISTRICT)** (11:39 a.m.)

The Board next considered an item contained in the Board Agenda dated May 19, 2008, requesting authorization for staff to execute a Supplemental Agreement with VDOT for project development and administration of the Walker Road Trail project.

The staff was directed administratively to proceed as proposed.

18. **I-4 – CONTRACT AWARD – ACUTE PSYCHIATRIC INPATIENT SERVICES FOR ADULTS** (11:39 a.m.)

The Board next considered an item contained in the Board Agenda dated May 19, 2008, requesting authorization for staff to award a contract, to best meet the needs of residents in the Health Planning Region II requiring acute psychiatric inpatient services, to the following:

- INOVA Health System
- Prince William Hospital
- Virginia Hospital Center/Arlington Health System
- Virginia Psychiatric Company, Incorporated (dba Dominion Hospital)

The contract is a five year contract with five one-year renewal options. The total estimated annual amount of this contract is \$3,523,920.

The staff was directed administratively to proceed as proposed.

19. **ORDERS OF THE DAY** (11:40 a.m.)

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

(NOTE: Later in the meeting, Board Matters were presented. See Clerk's Summary Items #23–57.)

20. **RECESS/CLOSED SESSION** (11:41 a.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. Mohammed Moosavi v. Desiree Baltimore, et al., Case No. CL 2007-0015777 (Fx. Co. Cir. Ct.) (Dranesville District)
 - 2. Louise Root v. County of Fairfax, et al., Case No. CL-2008-0005303 (Fx. Co. Cir. Ct.)
 - 3. Augusta E. Jackson v. Fairfax County Government, Case No. 1:07-cv-850 (E.D. Va.)
 - 4. Larry M. Cuffee v. Fairfax County Fire & Rescue Department, Case No. CL-2008-0004873 (Fx. Co. Cir. Ct.)
 - 5. Kenneth A. Carroll v. Anthony H. Griffin, Case No. CL 2008-0004459 (Fx. Co. Cir. Ct.)
 - 6. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. TWG Huntington, LLC, Case No. CL-2007-0013577 (Fx. Co. Cir. Ct.) (Lee District)
 - 7. Keith Barker v. Commonwealth of Virginia, et al., Case No. CL 2008-0002546 (Fx. Co. Cir. Ct.) (Springfield District)
 - 8. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Mohamed Sorour, Case No. CL-2007-0015044 (Fx. Co. Cir. Ct.) (Mount Vernon District)

9. Eileen M. McLane, Fairfax County Zoning Administrator v. Matthew A. Mathes and Elizabeth A. Mathes, Case No. CL-2008-0001012 (Fx. Co. Cir. Ct.) (Mount Vernon District)
10. Eileen M. McLane, Fairfax County Zoning Administrator v. G. Lawrence Marling, Case No. CL-2007-0007677 (Fx. Co. Cir. Ct.) (Dranesville District)
11. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Kings Crossing Venture, LLC, Case No. CL-2008-0000352 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. Eileen M. McLane, Fairfax County Zoning Administrator v. Somphone Aphayvong, Amalee Aphayvong, and Kay Aphayvong, Case No. CL-2008-0004735 (Fx. Co. Cir. Ct.) (Lee District)
13. Eileen M. McLane, Fairfax County Zoning Administrator v. Merritt Road, L.C., and Ronald Joseph Sweeney, Case No. CL-2008-0002313 (Fx. Co. Cir. Ct.) (Mason District)
14. Eileen M. McLane, Fairfax County Zoning Administrator v. Michael P. Savage, Case No. CL-2008-0000541 (Fx. Co. Cir. Ct.) (Lee District)
15. Eileen M. McLane, Fairfax County Zoning Administrator v. Victor E. Mendoza, CL-2008-0001178 (Fx. Co. Cir. Ct.) (Providence District)
16. Eileen M. McLane, Fairfax County Zoning Administrator v. Adeeb S. Ibrahim, Jr., Case No. CL-2008-0000050 (Fx. Co. Cir. Ct.) (Lee District)
17. Eileen M. McLane, Fairfax County Zoning Administrator v. Edward F. Petty and Dorothea M. Petty, Case No. CL-2008-0002750 (Fx. Co. Cir. Ct.) (Lee District)
18. Eileen M. McLane, Fairfax County Zoning Administrator v. Youssef Achhal, aka Youssel Achhal, and Marisol Ferrel, Case No. CL-2007-0015033 (Fx. Co. Cir. Ct.) (Lee District)

19. Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Ibrahim Sh-Ibrahim, Case No. CL-2008-0005229 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
20. Eileen M. McLane, Fairfax County Zoning Administrator v. Jose Ricardo Orellana and Angelica Orellana, Case No. CL-2008-0006050 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team Case)
21. Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Emily H. Lu, Case No. CL-2008-0005924 (Fx. Co. Cir. Ct.) (Mount Vernon District)
22. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Khosrow Taher and Azam Taher, Case No. CL-2008-0006052 (Fx. Co. Cir. Ct.) (Mount Vernon District)
23. Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Richard H. Chiu and M. Linnea Chiu, Case No. CL-2008-0006051 (Fx. Co. Cir. Ct.) (Mason District)
24. Eileen M. McLane, Fairfax County Zoning Administrator v. Otis Perry and Elcetia L. Perry, Case No. CL-2008-0005923 (Fx. Co. Cir. Ct.) (Providence District)
25. Eileen M. McLane, Fairfax County Zoning Administrator v. Lucia O. Palacio, Case No. CL-2008-0005849 (Fx. Co. Cir. Ct.) (Providence District)

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

DMS:dms

At 2:38 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

21. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (2:38 p.m.)

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

22. **APPOINTMENT OF THE DIRECTOR OF THE PARK AUTHORITY** (2:38 p.m.)

Supervisor Gross moved the appointment of Mr. John W. Dargle to the position of Director, Park Authority, effective June 16, 2008, at a salary of \$150,000. Supervisor Bulova seconded the motion and it carried by unanimous vote.

NV:nv

BOARD MATTERS

23. **INTRODUCTION OF INTERNS IN THE CHAIRMAN'S OFFICE** (2:39 p.m.)

Chairman Connolly introduced the following two interns in his office:

- Ms. Claire Coscia
- Ms. Hannah Doerwaldt

24. **GREEN BUILDINGS** (2:40 p.m.)

Chairman Connolly said that on December 3, 2007, the Board adopted an amendment to the Comprehensive Plan to establish a principle that all buildings going through the development process should be LEED-Certified, at a minimum. As the County has been working on implementation of this amendment, it has become evident that it is critical to have staff expertise on green building practices generally and LEED criteria in particular. Some jurisdictions have a central point

of contact for green developments; someone to help businesses through the process, saving time, money, and receiving much cooperation. For example, Arlington's green building staff contact receives universal praise from environmentalists and developers for her ability to work with applicants to deliver some of the greenest buildings in the region.

Accordingly, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to examine the feasibility and desirability of creating a green building point of contact who can work with applicants to ensure that development proposals will be LEED-Certified, and to address site and proposal specific issues so that the green building Comprehensive Plan amendment fulfills its objectives without unduly burdening applicants who are attempting to construct green buildings. This position would be similar to those in other localities.

Without objection, it was so ordered.

Supervisor Smyth asked to amend the request to also include individual homeowners who are seeking "greener" building alternatives, and this was accepted.

Supervisor Gross asked to amend the request to direct staff to examine redeveloped areas as part of this review, and this was accepted.

Supervisor Bulova noted that this coordinates well with the concept of universal design.

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

25. **POPE'S HEAD CREEK TRAIL (SPRINGFIELD DISTRICT)** (2:43 p.m.)

In a joint Board Matter with Supervisor Herrity, Chairman Connolly said that several constituents have met with them to suggest creating a stream valley trail from the Town of Clifton to Fairfax Station, generally following an abandoned rail line. He asserted that a trail from Clifton to Fairfax Station would be an extraordinary recreational amenity for the County, linking several parks in a beautiful stream valley. Ultimately, completing a trail from Clifton to Fairfax Station would bring the County closer to completing the South County East-West Trail, which would stretch from Hemlock Overlook Regional Park to Alexandria.

Accordingly, jointly with Supervisor Herrity, Chairman Connolly moved that the Board direct staff to work with the Town of Clifton, Fairfax Trails and Streams, and the County's Trails and Sidewalks Committee to acquire easements necessary to complete a trail through the Popes Head Creek stream valley from Clifton to Fairfax Station. Vice-Chairman Bulova seconded the motion.

Following a reference to a map of the proposed trail that was distributed to the Board, the question was called on the motion, which carried by unanimous vote.

26. **ENDORSEMENT OF LETTERS** (2:44 p.m.)

With reference to his written Board Matter on the subject, Chairman Connolly said that the Tax Increase Prevention and Reconciliation Act was signed into law on May 17, 2006 (PL 109-222). He noted that this issue was a follow up to a discussion in a meeting of the Board's Legislative Committee. A provision of great concern for local governments in this new law requires state and local governments with annual expenditures for goods and services of \$100 million to withhold three percent on certain payments for products and services. Governments would then be required to remit the three percent withholding to the federal government for federal income tax purposes. The withholding provision will go into effect on January 1, 2011.

Chairman Connolly's written Board Matter noted that the main stated justification for the withholding provision is to attempt to undermine the misreporting of taxes by certain government vendors not currently subject to withholding. This is part of an effort to close the tax gap — in 2001 the Internal Revenue Service (IRS) estimated that vendors paid \$345 billion less in taxes than what they should have paid. According to government estimates, the withholding provision will raise \$7 billion for the federal government between 2011 and 2015.

The IRS recently completed a public comment period regarding the non-wage withholding provisions. The Government Finance Officers Association (GFOA) encouraged all affected state and local governments to provide comments to the IRS during this time; the National Association of Counties (NACo) has called for the repeal of the withholding provision, and the Board has taken a position opposing this new federal law as an unfunded mandate. To provide comments before the IRS deadline, staff comments were provided with a cover letter from the County Executive, copies of which Chairman Connolly provided to the Board.

If this provision of law takes effect, and based on Fiscal Year 2007 expenditures for goods and services, the County would be required to withhold and transmit \$19.2 million annually to the IRS in non-wage withholdings. If vendors attempt to pass along to the County even a small portion of this expense, it could result in a significant financial cost for the County. Additionally, to comply with this new requirement, County staff estimates that reprogramming the mainframe financial and procurement systems, plus accounting, collection, and controls would cost the County approximately \$100,000 in the first year, with an approximately \$20,000 to \$30,000 annual cost thereafter.

Two bills currently in Congress, H.R. 1023 and S. 777, would repeal the non-wage withholding provision from federal law. H.R. 1023 currently has bipartisan support from 248 co-sponsors, including Congressman Jim Moran. These bills have been endorsed by NACo and other state and local government organizations.

Accordingly, Chairman Connolly asked unanimous consent that the Board endorse the individualized letters to the County's Congressional delegation,

indicating the County's concerns with the new Federal non-wage withholding requirements on state and local governments and encouraging them to support legislation repealing this requirement. Without objection, it was so ordered.

27. **JOHN LEE CARROLL DAY** (2:45 p.m.)

Chairman Connolly said that on June 23, 2007, the County and the Board lost a dedicated civil servant when John "Lee" Carroll passed away. He spent 48 years working for the Department of Information and Technology (DIT) and was a founding member of the Dunn Loring Volunteer Fire and Rescue Station. Additionally, the Franconia Fire and Rescue Station made him a "Life Member" thanks to the many hours of communications work he donated. He provided assistance to many previous Boards of Supervisors over the last few decades and for many years was a necessary mainstay in the Board Auditorium. Chairman Connolly asserted that the County is a better place thanks to John Lee Carroll's dedication both to the County government and the Fairfax community at large.

Therefore, Chairman Connolly moved that the Board declare June 20, 2008, as "*John Lee Carroll Day*" in Fairfax County and direct staff to prepare:

- A proclamation in honor of John Lee Carroll to be presented at the DIT ceremony on June 20 honoring the life and service of John Lee Carroll.
- A plaque honoring John Lee Carroll and his service to the County to be permanently displayed at the Radio Services Shop where he worked.

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

28. **RESPONSIBLE FATHERHOOD WEEK** (2:46 p.m.)

Chairman Connolly asked unanimous consent that the Board proclaim June 9-16, 2008 as "*Responsible Fatherhood Week*" in Fairfax County and direct staff to invite representatives from the Fairfax Fatherhood Collaborative, Opportunities Alternatives and Resources (OAR), and the Office of the Sheriff to receive the proclamation at the June 2 Board meeting.

Following input from Merni Fitzgerald, Director, Office of Public Affairs, and Catherine A. Chianese, Assistant County Executive, regarding the Board meeting schedule, without objection, the request was so ordered.

29. **GIRLS LEARN INTERNATIONAL** (2:47 p.m.)

Chairman Connolly said that equality in the matter of education, particularly as it relates to young women and girls, is of great importance to the County. Girls Learn International is an organization that furthers the education of young women

and girls around the world and provides excellent leadership training for young members of the community. He asked unanimous consent that the Board:

- Recognize the outstanding contributions that Girls Learn International brings to the County and its younger generations.
- Direct staff to invite the local members of the Girls Learn International and the local area founder, Monica Choudhury, to appear before the Board to receive the proclamation at an appropriate time this summer.

Without objection, it was so ordered.

30. **JUDGE DAVID STITT** (2:48 p.m.)

Chairman Connolly announced the death of the Honorable David Stitt, a Circuit Court judge who previously served as County Attorney.

Discussion ensued, with input from David P. Bobzien, County Attorney, regarding tentative plans for a memorial service and an appropriate remembrance for Judge Stitt.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

31. **RESULTS OF McLEAN COMMUNITY CENTER (MCC) ELECTIONS (DRANESVILLE DISTRICT)** (2:52 p.m.)

(BACs)
(APPTS)

(NOTE: Earlier in the meeting, the Board made additional appointments. See Clerk's Summary Item #10.)

Supervisor Foust reported that on Saturday May 17, the MCC held elections for seven positions on the MCC's Board of Directors including three adult three-year terms, one adult two-year term, one youth one-year term for the Langley High School (H.S.) area, and one youth one-year term for the McLean H.S. area. He distributed copies of the MCC's Elections and Nominations Committee's certification of the results of the election.

Supervisor Foust explained that pursuant to the Memorandum of Understanding between the Board of Supervisors and the Governing Board of the MCC dated February 8, 1984, the full results of the election shall be reported to the Board of Supervisors at its first meeting following the election. The Board of Supervisors, after determining that it is in the public interest to do so, shall appoint those persons receiving the highest number of votes to the MCC Governing Board.

Accordingly, based on the results of the election, as certified by the MCC's Elections and Nominations Committee, Supervisor Foust moved that the Board find that it is in the public interest to confirm the appointment of those persons receiving the highest number of votes in this election of Governing Board

Members, and that the following individuals be appointed to the MCC Board:

- Adults, three-year terms: Ms. Risa Sanders, Mr. Sean Dunn, and Mr. Lee DiCenso
- Adult, two-year term: Ms. Lori Wertz
- Youth, one-year term – Langley H.S. area: Mr. Thomas Meyer
- Youth, one-year term – McLean H.S. area: Ms. Jennifer Dunn

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

32. **PLEASANT GROVE CHURCH (DRANESVILLE DISTRICT)** (2:53 p.m.)

Supervisor Foust explained that the Friends of Pleasant Grove Church is a non-religious nonprofit organization that was chartered in 1982 to acquire, rebuild, and preserve the community landmark. Pleasant Grove Church located on Lewinsville Road in McLean. This historic structure was built by descendants of freed slaves. Construction of the church began in 1882. Services were first held in the church on July 10, 1896.

For seven decades, the building was the center of the community, both religious and secular. In 1968, due to declining membership, the members joined the Williams Waters Church. They sold the church in 1980 to a private owner who removed many of its architectural elements and left the building in ruins.

The Friends of Pleasant Grove Church have renovated the building and continue to struggle to preserve this community landmark. They make the building available for community meetings, art shows, craft exhibits, poetry readings, family reunions, musical recitals, and lectures. The building also houses the Francis K. Moore Museum, named for a descendant of the church founders.

Since 1982, private, business, and government assistance has enabled the Friends in their efforts to rebuild and maintain the historic Pleasant Grove Church. The Board has been unwavering in its support. Under the leadership of former Dranesville Supervisor Lilla Richards, proffers for a parking lot, water, sewer, and catering kitchen facility were negotiated with Stanley Martin and Pulte Corporation. Former Dranesville Supervisors Ernie Berger and Stu Mendelsohn helped obtain a special exception recreational use permit, waiver of building permit fees, and expedited permitting process. The Board waived County fees for the restoration work via an action dated December 14, 1992.

The Friends currently plan to build a handicapped ramp and lighting project to make the building more accessible and inviting for community use. The Friends are anxious to start construction, but it has not been determined whether the fee waiver passed by the Board in 1992 applies to this project.

Therefore, jointly with Chairman Connolly, Supervisor Foust moved that the Board direct staff to waive all building permit and related fees associated with the Friends' current construction project and that approval of building permits for this project be expedited by County staff. This motion is not intended to relieve the Friends from complying with all applicable building code requirements. Chairman Connolly seconded the motion.

Following an inquiry to David P. Bobzien, County Attorney, who stated that this action is permissible, the question was called on the motion, which carried by unanimous vote.

33. **HERNDON FESTIVAL (DRANESVILLE DISTRICT)** (2:55 p.m.)

Supervisor Foust announced that the Herndon Festival will be held May 29 through June 1, and he invited all Board Members to attend. He said that more information is available at www.herndonfestival.net.

Supervisor Foust also congratulated the McLean Community Center for its success with the recent McLean Day festival.

34. **BURKE CENTRE LIBRARY RIBBON CUTTING AND TIME CAPSULE COMMITTEE (BRADDOCK DISTRICT)** (2:56 p.m.)

Supervisor Bulova said that on June 28 at 11 a.m. there will be the celebration of the opening of the new Burke Centre Library, located at the intersection of Freds Oak Road and the Fairfax County Parkway. Members of the community close to the library have been very much a part of the library's design and future operation. A Friends of the Library group, led by president Pat Riedinger, has been in existence even before ground was first broken two years ago. They have been conducting book sales and are helping to plan for the opening ceremony.

To prepare for the opening of the new library, residents of the Burke/Fairfax Station community have been working since spring of 2006 on a Time Capsule Committee. For the capsule, members of this group have been preparing: a *History of Libraries in the Burke Area*, a scrapbook of materials showing *A Day in the Life of a Librarian in 2007/2008*, and a Student Essay Contest "*What Will the World be Like in 2038?*" when the time capsule is slated to be opened. Recently the Women's Club of Clifton led the judging of over 100 entries, and on May 7 the final winners were chosen.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite members of the Friends of the Burke Centre Library, members of the Time Capsule Committee, and winners of the Student Essay Contest to appear before the Board at the June 30 meeting to be thanked and recognized for their efforts on behalf of the library, and that the student winners be presented with certificates congratulating them on their winning entries. Without objection, it was so ordered.

35. **GREATER SPRINGFIELD FLAG DESIGN (BRADDOCK, LEE, AND SPRINGFIELD DISTRICTS)** (2:59 p.m.)

(NOTE: Earlier in the meeting, the Board designated May 29–June 1 as “*Springfield Days*” in Fairfax County. See Clerk’s Summary Item #4.)

In a joint Board Matter with Supervisor Herrity and Supervisor McKay, Supervisor Bulova said that the Greater Springfield Chamber of Commerce recently completed a community-wide flag design competition. The contest was open to all K-12 students residing in the Greater Springfield area. According to contest chairman, Elaine Gibson, 83 students submitted contest entries. Judges represented local business owners along with i play Children's Museum, Springfield Art Guild, and the Lorton Arts Foundation.

The contest design winner, Matthew Tiemann from Lake Braddock Secondary School, and his entry, along with the new flag design, was unveiled at Greenspring Village on Wednesday, May 7, during the Chamber's monthly Networking Breakfast. Peter Ansoff, president of the North American Vexillological Association, who participated in the creation of an Annandale flag, took part in the Springfield flag process and ceremony.

Supervisor Bulova announced that the Springfield flag will be officially raised at the American Legion Post on Flag Day, Saturday, June 14, tentatively at 10 a.m.

Accordingly, jointly with Supervisor Herrity and Supervisor McKay, Supervisor Bulova asked unanimous consent that the Board direct staff to invite representatives of the Greater Springfield Chamber of Commerce, along with Matthew Tiemann and his family, and the principal of Lake Braddock Secondary School to appear before the Board on June 30 to be congratulated for Springfield's proud new standard. Without objection, it was so ordered.

Chairman Connolly asked Supervisor Bulova for a flag for his office.

36. **BRADDOCK DISTRICT’S SPRING TOWN MEETING** (3:01 p.m.)

Supervisor Bulova announced that she will be hosting Braddock District’s spring town meeting to be held Wednesday, June 11 at 7:30 p.m., at the Kings Park Library meeting room. The theme for the meeting is environmental, “Welcome to the Age of Green,” and the focus will be on environmental initiatives in the region, County, and neighborhood, and greening one’s personal lifestyle.

Supervisor Bulova noted that Chairman Connolly will provide opening remarks and that the meeting will be cablecast on Channel 16 at 8 p.m. on Sunday, June 15, Friday, June 20, and Tuesday, June 24. She asked unanimous consent that the Board direct staff to publicize this event. Without objection, it was so ordered.

37. **BRADDOCK NIGHTS** (3:02 p.m.)

Supervisor Bulova distributed copies of the Braddock Nights summer concert series schedule to the Board. Concerts begin in June and will be held Thursday evenings at 7:30 p.m. at Ossian Hall Park and Friday evenings at 7:30 p.m. at Royal Lake and Lake Accotink Parks, respectively.

(NOTE: Later in the meeting, other concert series were announced. See Clerk's Summary Item #41.)

38. **SEVENTIETH ANNIVERSARY OF THE PLANNING COMMISSION**
(3:03 p.m.)

(BACs) In a joint Board Matter with Chairman Connolly, Supervisor Smyth noted that the Planning Commission was first established by the Board on July 6, 1938, and will be celebrating its seventieth anniversary this year. Over those years, the Board has appointed 121 individuals to serve on the Commission to provide it with recommendations on appropriate land uses in the County, and the Commission has provided thousands of recommendations to the Board.

Therefore, to honor this special occasion, in conjunction with Chairman Connolly, Supervisor Smyth asked unanimous consent that the Board:

- Direct staff to invite the Chairman of the Planning Commission, as well as any other Commissioners, past or present, or staff, to appear before the Board on June 30 to receive a Board proclamation honoring this significant occasion.
- Designate the week of July 6-13 as "*Planning Commission Week*" in Fairfax County to honor its hard-working members and staff, former and present.

Without objection, it was so ordered.

39. **VIRGINIA RAILWAY EXPRESS (VRE) TRAIL (BRADDOCK DISTRICT)** (3:04 p.m.)

Chairman Connolly congratulated Supervisor Bulova on the recent opening of the new VRE trails.

DMS:dms

40. **GOODWIN HOUSE BAILEY'S CROSSROADS (MASON DISTRICT)**
(3:04 p.m.)

Supervisor Gross stated that Goodwin House Bailey's Crossroads is completing the expansion of its community with a new Health and Wellness Center. The expansion reflects the changes in the environment and care model for the County's most vulnerable residents. Goodwin House Bailey's Crossroads will host a welcoming event on May 28, 2008, for the community to learn more about its work with older adults.

Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to prepare a proclamation commending Goodwin House Bailey's Crossroads to be presented at the "Coming Home Celebration" on May 28. Without objection, it was so ordered.

41. **SPOTLIGHT BY STARLIGHT (MASON DISTRICT)** (3:05 p.m.)

(NOTE: Earlier in the meeting, the Board announced other concert series. See Clerk's Summary Item #37.)

Supervisor Gross circulated around the dais the concert schedule for "Spotlight by Starlight" at Mason District Park. She stated that there are 49 concerts scheduled to run from June 1 to August 31, 2008. Supervisor Gross noted that at 7 p.m. on June 1, June 29, and August 17, 2008, the Mason District Park will be hosting free swing dancing lessons.

42. **TOM DAVIS DRIVE AND WAYS TO HONOR CONGRESSMAN DAVIS FOR HIS CONTRIBUTIONS TO THE COUNTY (MASON DISTRICT)**
(3:06 p.m.)

Supervisor Gross noted that in a Board Matter at a previous meeting, she had requested that Annandale Center Drive, a one block County-owned roadway, be renamed to Tom Davis Drive. Supervisor Gross noted that on Saturday, May 17, 2008, the new signs were up in time for the Annandale Chamber Bed Race. She stated that there would be a formal recognition of the change in the name at the Annandale Chamber of Commerce dinner on Friday, May 23, 2008.

Chairman Connolly noted that the Board has never had any discussion regarding an appropriate way of acknowledging Congressman Tom Davis' long contribution to the community, nor has the Board ever had a conversation about the naming of the Government Center Building. He also noted that there was an understanding not to change the name of the Government Center. Chairman Connolly asked Board Members to give serious thought to ways to honor Mr. Davis.

43. **BRIDGE-NAMING CEREMONY FOR ALEC MONROE** (3:08 p.m.)

Jointly with Supervisor Frey, Supervisor Herrity stated that it was with great sadness that he reported to the Board the passing of Alec Monroe of Clifton this past February. For those who did not have the fortune to meet him, he was often referred to as “The Mayor” of the Little Rocky Run Community and served five years as its Homeowners Association president. Mr. Monroe was instrumental in rejuvenating Little Rocky Run’s community.

Supervisor Herrity noted that he was recently approached by the leadership of the Little Rocky Run community who expressed an interest in naming a recently constructed pedestrian bridge in the Clifton area in memory of Mr. Monroe. Consistent with his interest in open space, Mr. Monroe worked hard to get the bridge built. The community has secured the approval of this request from the two landowners on which the bridge sits, the Upper Occoquan Sewage Authority and the Compton Heights Homeowners Association. Supervisor Herrity stated that he has spoken with staff and found that the County can facilitate this request.

Therefore, Supervisor Herrity, jointly with Supervisor Frey, asked unanimous consent that the Board direct:

- The County Executive to take the steps necessary to have a plaque installed on the bridge in memory of Mr. Monroe.
- Staff of the Office of Public Affairs to work with Supervisor Herrity’s office, the Little Rocky Run Community, and Mr. Monroe’s family to have the bridge-naming ceremony scheduled.

Without objection, it was so ordered.

44. **GOVERNMENT CONTRACTING DAY** (3:10 p.m.)

Jointly with Chairman Connolly, Supervisor Herrity stated that the County has one of the most dynamic and vibrant local economies in the world. The main driver of this economic success is the presence of a number of successful government contracting firms which are either headquartered in the County or have a large presence in the County.

Supervisor Herrity noted that some of the larger contracting firms with headquarters in the County are: Booz Allen Hamilton, Computer Sciences Corporation (CSC), General Dynamics, ManTech International Corporation, Bearing Point, and SRA International. Northrup Grumman, Science Applications International Corporation (SAIC), Lockheed Martin, and Raytheon also have large presences in the County. In addition to these larger companies, there are numerous small and mid-sized firms that provide essential services to the Federal

Government while also providing jobs to the County's citizens and revenue to fund the services the County provides to its citizens.

Supervisor Herrity stated that to honor these companies, the sixth Annual Government Contractor Awards will be held on October 7, 2008. This is the region's premier event honoring the best of the government contracting industry and it is presented by the Fairfax County Chamber of Commerce, the Professional Services Council, and *Washington Technology*. Supervisor Herrity noted that all of these government contracting firms are a boon to the County and that he is proud that they have chosen to make the County their home.

Supervisor Herrity, jointly with Chairman Connolly, asked unanimous consent that the Board direct staff to:

- Declare October 7, 2008, as "*Government Contracting Day*" in Fairfax County.
- Invite representatives from the Economic Development Authority, the Northern Virginia Government Contractors Council, the Professional Services Council, the Northern Virginia Technology Council's Business 2 Government Committee, and others to a future Board meeting to celebrate the importance of government contracting to the County.
- Issue a press release regarding "*Government Contracting Day*."

Without objection, it was so ordered.

PMH:pmh

45. **COMMITTEE FOR HELPING OTHERS (CHO)** (3:13 p.m.)

Supervisor Hudgins said that CHO, a Vienna non-profit organization of concerned churches and individuals in the Dunn Loring, Merrifield, Oakton, and Vienna communities provides charity to those in need of goods and services. CHO collects used furniture for families in need and assists with delivery and disposal which requires the use of a large vehicle. After accumulating 110,000 miles, the County retired comparable vehicles. Approximately ten years ago, such a vehicle was made available to CHO which currently endures many costly repairs. Such costs are meaningful to an organization as small and efficient as CHO and can determine the level of service it may offer. She said that CHO representatives recently contacted her office inquiring about receiving another vehicle so that they can maintain assisting others.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to include CHO in the queue with fleet management to receive another

comparable vehicle when it may become available. Without objection, it was so ordered.

46. **ADDRESSING THE FORECLOSURE CRISIS** (3:14 p.m.)

Supervisor Hudgins said that the Housing Committee met on May 12 and received a presentation from the Department of Housing and Community Development staff outlining a program to mitigate residential foreclosures and minimize its negative effects throughout the County.

Staff noted that the County has experienced a substantial increase in residential property foreclosures from 2005-2007. It is estimated that 198 residential foreclosures occurred in the County in 2005 and 4,527 in 2007. The Center for Regional Analysis at George Mason University estimates that 4,724 foreclosures occurred between November 30, 2007, and February 15, 2008.

The program components will provide the following:

- Assistance for homeowners in distress utilizing certified foreclosure counselors who will work with Virginia Housing Development Authority staff to train counselors to assist those at risk and connect them with lenders and other resources.
- Assistance to first-time homebuyers to purchase foreclosed homes through an affordable first trust and a Home Equity Loan Program second trust, and providing home improvement loans if needed.
- Neighborhood preservation efforts to assist neighborhoods faced with foreclosed homes.

Supervisor Hudgins stated that the presentation was thorough and well received by Board Members present. It was the consensus that the program will enable the County and its residents to better confront the foreclosure crisis.

The staff was asked to work with the County Attorney and the Office of Consumer Affairs to determine what legal and regulatory authority exists for the County to hold predators accountable in cases where clients have been victimized.

The Home Foreclosure Program will be presented to the Fairfax County Redevelopment and Housing Authority on May 19 and come before the Board for approval on June 30.

A discussion ensued regarding foreclosure issues, with input from Anthony H. Griffin, County Executive.

Supervisor Frey asked unanimous consent that the Board direct staff to provide information regarding the number of units within each price range that are available. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to contact financial institutions to determine what assistance they can provide. Without objection, it was so ordered.

47. **VIVA VIENNA! (HUNTER MILL DISTRICT)** (3:31 p.m.)

Supervisor Hudgins announced that Viva Vienna!, a community festival, begins on Friday May 23-25. She invited everyone to attend.

48. **CENTREVILLE VOLUNTEER FIRE DEPARTMENT (SULLY DISTRICT)** (3:31 p.m.)

- (A) Supervisor Frey said that the Centreville Volunteer Fire Department plans to purchase a 2008 pumper truck and finance the purchase through a local bank. For the loan to be tax-free to the bank, the Board is required to declare that the Volunteer Fire Department is a provider of emergency services.

Therefore, Supervisor Frey moved that the Board authorize a public hearing on this matter, if required, on the next available Board meeting.

Following input from David P. Bobzien, County Attorney, Chairman Connolly seconded the motion and it carried by unanimous vote.

49. **WAIVER OF FEES FOR THE BRAIN FOUNDATION (SULLY DISTRICT)** (3:32 p.m.)

Supervisor Frey said that the Brain Foundation recently acquired a second house and is looking to purchase and establish a third. He said that as part of its due diligence, the Brain Foundation is required to gain a zoning compliance letter. He added that it is a non-profit organization which receives little County funding for its mission providing small group residential facilities to persons with brain injuries and mental illness.

Therefore, Supervisor Frey moved that the Board authorize waiving the zoning compliance letter fees and to reimburse the Brain Foundation for the fees that have already been collected. Chairman Connolly seconded the motion and it carried by unanimous vote.

50. **COUNTY TRAILS AND SIDEWALKS COMMITTEE FEE WAIVER**
(3:33 p.m.)

(BACs) Supervisor Frey noted that the Board had received a letter from the Chairman of the County Trails and Sidewalks Committee with a policy for waiving trails and collecting fees from developers in lieu of trail construction.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to review the letter and report with its recommendations. Without objection, it was so ordered.

A brief discussion ensued regarding the policy.

51. **HONEY FROM CENTREVILLE (SULLY DISTRICT)** (3:35 p.m.)

Supervisor Frey distributed Centreville honey to Board Members.

52. **RESOLUTION TO RECOGNIZE COLONEL BRIAN LAURITZEN'S TENURE AS FORT BELVOIR'S BASE COMMANDER (MOUNT VERNON DISTRICT)** (3:36 p.m.)

Supervisor Hyland said that on July 11, 2005, Colonel Brian W. Lauritzen, a Luray, Virginia native, took command of Fort Belvoir. After a three year tour, Colonel Lauritzen will relinquish his command on July 2 and retire.

Supervisor Hyland referred to his written Board Matter and outlined the contributions of Colonel Lauritzen to Fort Belvoir and the County.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Department of Public Affairs to invite Colonel Lauritzen to appear before the Board at its June 2 meeting to be recognized for his leadership and service. Without objection, it was so ordered.

53. **ENVISIONING THE FUTURE FEDERAL WORKPLACE GRANT OPPORTUNITIES** (3:37 p.m.)

Supervisor Hyland said that he received an email from the National Association of Counties (NACo) advising that the General Services Administration (GSA) is seeking grant proposals that would help to cultivate innovative regional coordination, design, and planning practices for accommodating federal offices in the Washington region over the next half-century. The federal government seeks to encourage regional coordination to plan intelligently, based upon mutual stakeholder concerns, including sustainability, transportation, and security, as well as the changing regional dynamics of land use, housing, and workforce issues.

To promote a guiding vision for the future of federal work in the Washington region, GSA will award competitive grants in the range of \$50,000 to \$500,000

for coordination, planning, and research efforts that explore fundamental questions related to the form, location, and design of federal offices over the next 10 to 50 years in the National Capital Region. The maximum aggregate value of the grants is \$500,000. Eligible recipients include institutions of higher education, nonprofit organizations, commercial organizations, and state or local governments, as well as qualified individuals.

Grant proposals will be evaluated by a panel consisting of federal officials and GSA Design Excellence Peers, who are nationally recognized private sector experts in the field of urban planning and design. Grant proposals must be received by June 20. Successful grantees will be notified in July 2008.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to review the GSA grants and submit applications. Without objection, it was so ordered.

54. **BUILDING PERMITS** (3:38 p.m.)

Supervisor McKay expressed concern about an error that was made on a building permit in the community that raised the original complaints that led to the creation of the Strike Team. The construction site has very high visibility on Amherst Avenue in Springfield and illustrates some serious set back review and enforcement issues in the building and zoning departments. A modest one story brick home originally built in 1953 was demolished in February and a new much larger house was under construction until just recently when a stop work order was issued for setback violations.

Supervisor McKay referred to his written Board Matter and outlined the issues concerning the set back review of the above-referenced property.

Supervisor McKay said that on May 5, two and a half months after his first requests to review this site, staff found the errors in the permit and on the site. It appears that numerous staff and the builder all contributed to the multitude of errors made on this site. A stop work order has been issued and the owner has two choices:

- Correct the setback violation along the boundary of Backlick Road.
- Apply for a special permit from the Board of Zoning Appeals for error in building location.

Therefore, Supervisor McKay moved that the Board direct the County Executive to initiate a comprehensive study of setback enforcement procedures and include the lessons learned in this case in the Housing Compatibility recommendations that are scheduled to come before the Board later this summer. Setback enforcement must be explored in the Housing Compatibility Study. This will be a

start in helping to restore the community's faith in the building and permit review processes. Supervisor Gross seconded the motion.

Supervisor Gross asked unanimous consent that the Board direct staff to respond to the issue of future use for this and similar properties. Without objection, it was so ordered.

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

55. **COMMERCIAL AND RESIDENTIAL BLIGHT** (3:52 p.m.)

(NOTE: Earlier in the meeting, the Board took action on Administrative Item 8. See Clerk's Summary Item #11, and page 14.)

Supervisor McKay said that one of his Board Matters in January asked staff to review enabling state legislation that provides localities with tools to deal with residential and commercial blight, drug blight, and graffiti.

Supervisor McKay asserted that the quality of life issues in the community are paramount and the Board supported his motion and asked that the Board have a preliminary response to this request by April of this year. On today's agenda there was a partial response to part of the request with Administrative Item 8 that deals with graffiti.

Supervisor McKay said that the Board has not received a response to the remaining enabling blight legislation that he raised. Meanwhile cases of blight continue to grow along with neighbors' frustrations. He added that he asked for a report by April deliberately so that when spring came and people spend more time outdoors observing issues around them, the Board would be ready to respond more fully to the number of complaints that spike at this time of the year.

Therefore, Supervisor McKay moved that the Board direct the County Executive to report at the next meeting with a review of actions to date regarding commercial and residential blight. Supervisor Smyth seconded the motion and it carried by unanimous vote.

56. **LEWIN PARK (MONUMENT REALTY) (LEE DISTRICT)** (3:54 p.m.)

Supervisor McKay said that Monument Realty, a Washington, DC, based mixed-use developer, garnered the support of 75 percent of the 26 single family parcels (11.55 acres) and filed a Base Realignment and Closure Annual Plan Review (BRAC APR) nomination. The site is nominally outside the areas initially designated as eligible for the BRAC APR process since the Franconia-Springfield Transit Station area does not extend east of the railroad/Metro rail line.

The area of the nomination is commonly known as Lewin Park, an older collection of single family houses consisting of 26 lots at Tax Map 91-1((4)). This neighborhood has been subject to considerable change over the years.

However, since the BRAC APR Guidelines were initially issued by the Planning Commission, discussions about using the GSA Warehouse to accommodate potentially 6,200 BRAC jobs have intensified. The increased likelihood of this significant impact on Lewin Park warrants reexamining the immediate area and including Lewin Park in the BRAC APR process.

Given these factors, Supervisor McKay said that it is logical to allow the BRAC APR Task Force to evaluate and consider the potential impact of this redevelopment in the context of the other BRAC APR nominations.

Therefore, Supervisor McKay moved that the Board direct staff to evaluate the possible re-planning and redevelopment of Lewin Park for additional office-related uses as part of the BRAC APR Process. This motion shall in no way prejudice any associated land use or re-planning processes. He noted that the Lewin Park nomination will be subject to the same process and scrutiny as any of the other BRAC APR nominations and shall be indistinguishable from any other BRAC APR nominations. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

57. **FLOODING ISSUES ALONG THE ROUTE ONE CORRIDOR (LEE AND MOUNT VERNON DISTRICTS)** (3:55 p.m.)

Supervisor McKay said that in the past month, two rain storms have resulted in Virginia Department of Transportation (VDOT) road closures along the Route One corridor. This is unprecedented; even during the June 2006 storm that caused extensive flooding throughout this area and the rest of the County, roads along the Route One corridor were not flooded and closed.

Supervisor McKay asked unanimous consent that the Board direct the Chairman to draft a letter to VDOT requesting an investigation of the new flooding issues and report on the causes and possible solutions. Time is of the essence and the report should be provided to the Board within the next two months. Without objection, it was so ordered.

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AGENDA ITEMS**58. 3 P.M. – PH REGARDING THE CONTINUED LEASING OF COUNTY-OWNED PROPERTY AT 8333 RICHMOND HIGHWAY, ALEXANDRIA, VIRGINIA TO THE ROYAL EMBASSY OF SAUDI ARABIA D/B/A THE ISLAMIC SAUDI ACADEMY (MOUNT VERNON DISTRICT) (3:56 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 1 and May 8, 2008.

Marguerite Verville, Assistant Director, Real Estate Development and Planning Branch, Facilities Management Department, presented the staff report.

Discussion ensued, with input from Gail Langham, Assistant County Attorney, regarding the existing provision in the original lease requiring approval by the Department of State.

Discussion continued, with input from Abdalla Al Shabnan, Director General of the Islamic Saudi Academy, regarding the availability of the school's curriculum and materials for review when requested. Mr. Al Shabnan indicated that the materials have been made available to the Department of State.

Following the public hearing, which included testimony by 11 speakers, Supervisor Hyland moved authorization to staff to execute a Fifth Addendum to Lease Agreement for the continued leasing of the County-owned property at 8333 Richmond Highway, Alexandria, Virginia, Tax Map Numbers 101-4((1))-005-A, 101-4((1))057, 101-4((8)) (E)-001, and 101-4 ((7)) – 001, to The Royal Embassy of Saudi Arabia d/b/a the Islamic Saudi Academy for the purpose of operating a private school. Supervisor Gross seconded the motion.

Further discussion ensued regarding approval of the lease for one year.

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

59. 3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2006-MA-016 (PNC BANK, NA) (MASON DISTRICT) (5:03 p.m.)

(NOTE: On May 5, 2008, the Board deferred the public hearing on this item until May 19, 2008.)

The application property is located at 6950 Braddock Rd. Tax Map 71-4 ((1)) 28A.

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

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

- Friends of Richard L. Saslaw

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

- Friends of Richard L. Saslaw

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

- Friends of Richard L. Saslaw

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

- Friends of Richard L. Saslaw

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

Following the public hearing, Suzianne Battista, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of SEA 2007-MA-016 (sic), subject to the Development Conditions dated May 2, 2008.
- Modification of the 8-foot wide trail requirement along the Braddock Road and Backlick Road frontages in favor of a 5-foot wide sidewalk along each road.
- Waiver of construction only of on-road bike lanes on Braddock and Backlick Roads.
- Waiver of the loading space requirement.
- Modification of the transitional screening requirements and waiver of the barrier requirements along the western and southern property boundaries, in favor of that shown on the SEA Plat, as conditioned.

- Modification of the peripheral parking lot landscaping requirement, in favor of that shown on the SEA Plat, as conditioned.

Ms. Battista clarified that the application is Special Exception Amendment Application SEA-2006-MA-016, not SEA-2007-MA-016, as read by Supervisor Gross.

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

60. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2007-MA-017 (AMERIKOR PROPERTIES, LLC)**

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2007-MA-032 (AMERIKOR PROPERTIES, LLC) (MASON DISTRICT) (5:11 p.m.)

Supervisor Gross moved to defer the public hearing on Rezoning Application RZ 2007-MA-017 and Special Exception Application SE 2007-MA-032 until **June 2, 2008, at 3:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

61. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5B, REGARDING CLARIFICATION OF SIGNAGE REQUIREMENTS FOR LARGE AREA COMMUNITY PARKING DISTRICTS (CPD)** (5:12 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 1 and May 8, 2008.

Ellen Gallagher, Chief of Capital Projects and Operations Division, Department of Transportation, presented the staff report.

Discussion ensued, with input from David P. Bobzien, County Attorney, regarding the sign requirement for large area CPDs as legally sufficient.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82, Article 5B, regarding clarification of signage requirements for large area CPDs.

The motion was multiply seconded and it carried by unanimous vote, Supervisor Bulova, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herry,

Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Connolly voting “AYE.”

Further discussion ensued regarding whether the public will have enough notification before ticketing will occur.

62. **BOARD ADJOURNMENT** (5:17 p.m.)

The Board adjourned.

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