



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

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

**TUESDAY  
April 6, 2010**

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

---

**07-10**

---

**DET:det**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, April 6, 2010, at 9:36 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

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

**BOARD MATTERS**1. **MOMENT OF SILENCE** (9:36 a.m.)

(BACs) Supervisor Herrity asked everyone to keep in thoughts a great public servant who died on March 27, former Congressman and Mount Vernon District Supervisor Stan Parris, who served six terms in Congress and whose many accomplishments included the Interstate (I)395 high occupancy vehicle (HOV) lanes, the Four Mile Run Project Control, and the eventual close of Lorton Prison. Supervisor Herrity stated that, in addition, Congressman Parris was a veteran of the Korean War and a recipient of the Purple Heart and Distinguished Flying Cross.

Supervisor Hudgins asked everyone to keep in thoughts Mr. Marty Marinoff and his family. Mr. Marinoff is the principal of Aldrin Elementary School in Reston, and his daughter Erin was in a serious car accident last week.

Supervisor Gross asked everyone to keep in thoughts Jack Fritz, Mason District Representative to the Commission on Aging since 2004, who died last week following complications from surgery.

Supervisor Hyland asked everyone to keep in thoughts the family of Jerald terHorst, former press secretary for President Ford. Supervisor Hyland noted that Mr. terHorst was a long-time resident of Mount Vernon with an incredible reputation in the press community, and who, after resigning his position, continued to work in the community.

2. **INTRODUCTION OF CHRISTINE MORIN, A MOUNT VERNON DISTRICT STAFF MEMBER** (9:39 a.m.)

Supervisor Hyland introduced Christine Morin, a member of his staff, and noted that she was a Hokie (an alumna of Virginia Tech). Chairman Bulova warmly welcomed her to the Board Auditorium.

**AGENDA ITEMS**3. **CERTIFICATES OF RECOGNITION PRESENTED TO THE CODE ENFORCEMENT STRIKE TEAM AND THE POLICE DEPARTMENT** (9:40 a.m.)

Supervisor McKay moved approval of the Certificates of Recognition presented to the Code Enforcement Strike Team and the Police Department for the successful conclusion of the largest fraud investigation in County history. Supervisor Gross seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING APRIL 12-16, 2010, AS "PUBLIC SAFETY TELECOMMUNICATIONS WEEK" IN FAIRFAX COUNTY** (9:59 a.m.)

Supervisor Gross moved approval of the Proclamation to designate April 12-16, 2010, as "*Public Safety Telecommunications Week*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO MR. JOHN ADAIR AND MR. RON COEN** (10:13 a.m.)

Supervisor Foust, on behalf of the Audit Committee, moved approval of a Certificate of Recognition presented to Mr. John Adair upon his retirement for more than 12 years of dedicated service as the Auditor to the Board. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Supervisor Foust moved approval of a Certificate of Recognition presented to Mr. Ron Coen for more than 25 years of dedicated service to the County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING APRIL 2010 AS "DONATE LIFE MONTH" IN FAIRFAX COUNTY** (10:27 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate April 2010 as "*Donate Life Month*" in Fairfax County. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION DESIGNATING APRIL 11-19, 2010, AS "ARCHITECTURE WEEK" IN FAIRFAX COUNTY** (10:40 a.m.)

Supervisor Gross moved approval of the Proclamation to designate April 11-19, 2010, as "*Architecture Week*" in Fairfax County. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

8. **PROCLAMATION DESIGNATING APRIL 2010 AS "FAIR HOUSING MONTH" IN FAIRFAX COUNTY** (10:54 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate April 2010, as "*Fair Housing Month*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Following discussion, Supervisor Hudgins and Supervisor Hyland jointly asked unanimous consent that the Board direct staff to provide information regarding the correlation between employment and housing needs and case levels. Without objection, it was so ordered.

9. **PROCLAMATION DESIGNATING APRIL 2010 AS "SEXUAL ASSAULT AWARENESS MONTH" IN FAIRFAX COUNTY** (11:10 a.m.)

Supervisor Cook moved approval of the Proclamation to designate April 2010, as "*Sexual Assault Awareness Month*" in Fairfax County. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

**EBE:ebe**

10. **ADMINISTRATIVE ITEMS** (11:27 a.m.)

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

Supervisor Herrity called the Board's attention to Admin 5 – Authorization to Advertise a Public Hearing on the Proposed Five-Year Consolidated Plan for Fiscal Years (FY) 2011-2015 and Proposed Consolidated Plan One-Year Action Plan for FY 2011 and discussion ensued, with input from John Payne, Deputy Director, Revitalization and Real Estate Planning, Department of Housing and Community Development (HCD), regarding the one year Action Plan and which projects are earmarked for the Community Funding Pool funds.

Additional discussion ensued, with input from Mr. Payne, regarding the Urban Initiative Program and the impact and allocation on programs, and how they relate to transportation and the environment.

Further discussion ensued, with input from Stephen Knippler, Senior Program Manager, Grants Management, HCD, and Mr. Payne, regarding the \$8.6 million for projects, the selection process for the awards, and which programs will benefit. Staff will make available a list of all the programs selected.

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

**ADMIN 1 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (HUNTER MILL AND DRANESVILLE DISTRICTS)**

- Endorsed the following traffic calming measures:
  - Two chicanes on Abbotsford Drive (Hunter Mill District)

- One speed hump on Center Street (Hunter Mill District)
- Two multi-way stops on Dead Run Drive (Dranesville District)
- Two speed humps on Dead Run Drive (Dranesville District)
- Directed staff to request the Virginia Department of Transportation install the approved measures as soon as possible.

**ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (BRADDOCK, DRANESVILLE, HUNTER MILL, LEE, MASON, MOUNT VERNON, PROVIDENCE, AND SPRINGFIELD 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>
FS-D09-116	Clearwire US LLC Antenna colocation on existing monopole Georgetown Pike at I-495 interchange (VDOT right-of-way) Dranesville District	June 6, 2010
FS-M09-175	Clearwire US LLC Rooftop antennas 3100 South Manchester Street Mason District	June 6, 2010
FS-L09-185	Clearwire US LLC Antenna colocation on existing transmission tower 4500 Roundhill Road Lee District	June 6, 2010
FS-S09-195	Clearwire US LLC Antenna colocation on existing transmission tower 7000 Cottontail Court Springfield District	June 6, 2010

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-P09-193	T-Mobile Northeast LLC Rooftop antennas 2863 Hunter Mill Road Providence District	June 7, 2010
FSA-M04-34-1	T-Mobile Northeast LLC Replacement antennas on rooftop 6129 Leesburg Pike Mason District	June 7, 2010
FS-D09-157	Clearwire US LLC Rooftop antennas 1551 Trap Road (Wolf Trap Filene Center) Dranesville District	June 10, 2010
FS-B09-83	Clearwire US LLC Antenna colocation on existing monopole 5035 Sideburn Road (Robinson Secondary School) Braddock District	June 14, 2010
FS-M09-204	Clearwire US LLC Antenna colocation on existing monopole (treepole) 3435 Sleepy Hollow Road Mason District	June 16, 2010
456A-M97-1-1	T-Mobile Northeast LLC Additional antennas and equipment cabinet at existing monopole 6621 Columbia Pike (Mason District Park) Mason District	June 18, 2010
FSA-V07-57-1	T-Mobile Northeast LLC Additional antenna and equipment cabinet at existing transmission tower 8400 Durga Place Mount Vernon District	June 18, 2010

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232A-B05-23-1	T-Mobile Northeast LLC Additional antenna and equipment cabinet at existing monopole 4700 Medford Drive (Annandale High School) Braddock District	June 19, 2010
FS-P09-203	Clearwire US LLC Rooftop antennas 8501 Arlington Boulevard Providence District	June 20, 2010
FS-P09-197	T-Mobile Northeast LLC Antenna colocation on existing water tank 3300 Gallows Road (Inova Fairfax Hospital) Providence District	June 21, 2010
FS-H10-1	Sprint Rooftop antennas 10740 Parkridge Boulevard Hunter Mill District	June 21, 2010
FS-V10-7	Clearwire US LLC Rooftop antennas 5904 Richmond Highway Mount Vernon District	June 21, 2010
FS-V09-205	Clearwire US LLC Antenna colocation on existing monopole 8201 Terminal Road Mount Vernon District	June 24, 2010
FS-P09-207	Clearwire US LLC Rooftop antennas 7389 Lee Highway Providence District	June 24, 2010

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-D09-201	New Cingular Wireless PCS LLC Antenna colocation on existing monopole Dulles Airport Access Road at I-495 interchange (VDOT Right-of-Way) Dranesville District	June 25, 2010
FS-S10-6	Fairfax County Dept. of Public Works and Environmental Services 10,761 square-foot I-66 workers facility 4618 West Ox Road (I-66 Solid Waste Transfer Station) Springfield District	September 28, 2010

**ADMIN 3 – AUTHORIZATION FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE ROBERT WOOD JOHNSON FOUNDATION FOR AN ACTIVE LIVING RESEARCH (TOPIC 5) GRANT**

Authorized CRS to apply for and accept funding, if received, from the Robert Wood Johnson Foundation in the amount of \$200,000 for an Active Living Research (Topic 5) Grant to evaluate the effectiveness of CRS' Teen Action Planner youth advocacy efforts to support active living.

**ADMIN 4 – AUTHORIZATION FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE ROBERT WOOD JOHNSON FOUNDATION FOR AN ACTIVE LIVING RESEARCH (TOPIC 1) GRANT**

Authorized CRS to apply for and accept funding, if received, from the Robert Wood Johnson Foundation in the amount of \$300,000 for an Active Living Research (Topic 1) Grant to evaluate new CRS policies designed to provide community access to CRS facilities to establish new opportunities for youth to become physically active.



**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED FIVE-YEAR CONSOLIDATED PLAN FOR FISCAL YEARS (FY) 2011-2015 AND PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FY 2011**

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 4.)

Authorized the advertisement of a public hearing to be held before the Board on **April 27, 2010, at 4:30 p.m.** to consider the *Proposed Five-Year Action Plan for FY 2011 – 2015* and the *Proposed Consolidated Plan One-Year Action Plan for FY 2011*. The public will have an opportunity to comment on both the Five-Year Consolidated Plan for FYs 2011 – 2015 and the proposed use of funds as described in the Proposed One-Year Action Plan for FY 2011 in accordance with the US Department of Housing and Urban Development regulations and guidelines. Citizens may also comment on housing and community service needs in the County, as well as provide information concerning changes in housing and community service trends since the last public hearing before the Board on the Consolidated Plan in 2009.

11. **A-1 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) OF ITS REVENUE BONDS FOR THE BENEFIT OF LORTON ARTS FOUNDATION, INCORPORATED** (11:37 a.m.)

(BONDS)  
(R)

On motion of Supervisor Hyland, seconded jointly by Supervisor Herrity and Supervisor McKay, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and adopted a Resolution approving the issuance of revenue bonds by the EDA up to \$27,500,000 for the benefit of Lorton Arts Foundation, Incorporated.

12. **A-2 – APPROVAL OF THE DISEASE CARRYING INSECTS PROGRAM** (11:38 a.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and direct staff to take the actions concerning the County's 2010 Disease Carrying Insects Program, as outlined in the Board Agenda Item dated April 6, 2010. Supervisor Gross seconded the motion.

Discussion ensued, with input from Dr. Jorge R. Arias, Disease Carrying Insects Program, Health Department, regarding monitoring and documentation of human cases of Lyme disease and West Nile Virus (WNV) that is diagnosed.

Supervisor Herrity asked unanimous consent that the Board direct staff to provide an update and status on the Deer Bait Pilot Program, including the education and implementation of the program. Without objection, it was so ordered.

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

13. **C-1 – APPROVAL OF NEW CHARTER AND BYLAWS FOR THE INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)** (11:43 a.m.)

(BACs) The Board next considered an item contained in the Board Agenda dated April 6, 2010, requesting approval of a new charter and bylaws for ITPAC to clarify how the members are appointed and to emphasize the requirements of the Virginia Freedom of Information Act and the Virginia Conflict of Interests Act. The mission of ITPAC and the composition and terms of its members will not be changed.

Supervisor Hyland moved approval of the new charter and bylaws for ITPAC. Chairman Bulova seconded the motion.

Discussion ensued with input from David P. Bobzien, County Attorney, and Nancy Vehrs, Clerk to the Board, regarding confirmed seats from representing organizations on the Board and the procedures that exist.

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

Further discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the County's MIS project and whether there is funding in the budget to implement the project.

14. **I-1 – CONTRACT AWARD – CONTRACT FOR ARCHITECTURAL/ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE McLEAN POLICE STATION AND GOVERNMENTAL CENTER RENOVATION AND EXPANSION PROJECT (DRANESVILLE DISTRICT)** (11:46 a.m.)

The Board next considered an item contained in the Board Agenda dated April 6, 2010, requesting authorization for staff to award a contract to Moseley Architects in an amount of \$1,450,000 to provide architectural and engineering design and construction administrative services for the renovation and expansion of the McLean Police Station and Governmental Center, Project 009227, in Fund 312, Public Safety Construction.

The staff was directed administratively to proceed as proposed.

15. **I-2 – SUPPLEMENTAL AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE MASON NECK TRAIL PROJECT (MOUNT VERNON DISTRICT)** (11:47 a.m.)

Supervisor Hyland asked unanimous consent that the Board defer consideration of this item until April 27, 2010. Without objection, it was so ordered.

NV:nv

**ADDITIONAL BOARD MATTERS**16. **RECOGNITION OF ORGANIZATIONS AND INDIVIDUALS** (11:47 a.m.)

(BACs) Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to:

- Invite Mr. Michael McMahon, past Braddock District Tree Commissioner, to appear before the Board to accept a resolution recognizing and thanking him for his accomplishments.
- Prepare and send a proclamation to the American Society of Safety Engineers National Capital Chapter recognizing May 2-10, as “*North American Occupational Safety and Health Week*” in Fairfax County.
- Prepare and send a proclamation to Visit Fairfax proclaiming May 8-16 as “*Tourism Appreciation Week*” in Fairfax County in time for its May 10 tourism celebration.
- Invite representatives from the Office of Human Rights and Equity Programs to appear before the Board to accept a proclamation on May 11, declaring May 2010, as “*Asian/Pacific American Heritage Month*” in Fairfax County.

Without objection, it was so ordered.

17. **ASIAN AMERICAN HISTORY PROJECT BOOK DEBUT** (11:49 a.m.)

Chairman Bulova said that January 23, 2008, was the official kickoff for the County Asian American History Project. The mission of this initiative is to involve County residents in the researching, recording, preservation, writing, and promotion of history regarding the experiences of Asian American groups that have chosen the County as their home.

Thanks to Project Leader Cora Foley and the Asian American History Project volunteers, a website was developed ([FCAAHP](#)) which has become the virtual home for the many activities, oral histories, and book excerpts associated with the project, which include:

- A first-time-ever naturalization ceremony on May 29, 2009, hosted in the County Government Center.

- Frequent social activities and pot luck dinners organized by Carolyn Sam, Nathan Wang, Heisung Lee, and Jackie Bong Wright.
- At Ted Gong's suggestion, a display presented at the County's Pohick Regional Library, "Remembering 1882 Exhibit" (The Chinese Exclusion Act), which depicted the difficulty Chinese-Americans encountered as they attempted to become American citizens.

Mr. Hank Chao and Mr. Ted Gong, both Chinese-Americans, assumed leadership roles early in the process, beginning with their organization of a tour of the Immigration Library in Washington DC, which was followed by lunch at Hank Chao's restaurant in Chinatown.

Mr. Terry Sam, who shared his father's heritage as a "Paper Son," became the group's official photographer.

Jaya Kori and Swati Damle joined the group as the Asian-Indian group leaders, while father-daughter team Dzung and Vy Nguyen headed up efforts for the Vietnamese community. Ms. Nguyen, while still in high school, created a Vietnamese American History website as part of the project.

Taiwanese-Americans Linda and Joe Yao assisted with publicity, and Soo Yee engaged Korean-American high school students in a discussion of their heritage.

Ms. Amy Trang, Ms. Roberta Chew, and Mr. Ken Burnette were invaluable history project members who helped organize social events and potluck dinners.

Chairman Bulova noted that County staff who worked with the group included Chief Demographer Anne Cahill, Suzanne Levy of the library's Virginia Room, Jean Johnston of Pohick Library, and Mike Gatti, Director of Document Services, who assisted with publication of the book. Mary Lipsey and John Browne, veterans from the earlier ALBB project, provided help and support throughout the Asian American History project. Chairman Bulova added that Christina Fullmer, in her office, served as staff support to members of the group.

Chairman Bulova announced that after this rewarding two and a half year journey, the Fairfax County Asian American History Project book, *A Contemporary History honoring 143 Years of Asian Residents in Fairfax County (1867-2010)* is ready for its debut. She expressed her appreciation to the following financial sponsors for their support and generosity:

- The Korean American Cultural Committee
- The Korean American Women's Chamber of Commerce

- The Korean American Association of Northern Virginia
- M. Siddique Sheikh, who arranged for donations from:
  - Bovex's Limousine Services, Incorporated
  - Star Towing
  - Dr. Vaqar Choudry of Hagerstown Dental Center
  - Mr. and Mrs. Reilly of Fairfax, VA
- Base Technologies
- Cox Communications

Therefore, Chairman Bulova asked unanimous consent that the Board direct staff to invite the following to appear before the Board on May 11 to officially present their book and be thanked for their fine work:

- Project Leader Cora Foley
- Members of the AAHP Task Force
- Sponsors of the book

Without objection, it was so ordered.

18. **AUTHORIZATION OF A POLICY PLAN AMENDMENT TO ADDRESS PROPOSALS FOR DISTURBANCES TO ENVIRONMENTAL QUALITY CORRIDORS (EQC)** (11:53 a.m.)

- (A) On behalf of Chairman Bulova and herself, Supervisor Gross said that last winter, subsequent to the approval of the Aerospace rezoning application, she asked that staff, in conjunction with the Planning Commission (PC), the Environmental Quality Advisory Council (EQAC), and other stakeholders, conduct a thorough review of EQC policy as it relates to proposals for disturbances to EQCs so that there is a clear policy that remains both functional and true to the spirit of environmental preservation and restoration. Staff provided the Board's Environmental Committee with a briefing on this matter on March 6, 2009, and noted at that time that the issue had been referred to the PC's Environment Committee.

On March 24, 2010, the Executive Director of the PC forwarded to the Board a recommendation from the PC to advertise a proposed Policy Plan amendment that would address proposals for disturbances to EQCs. The PC's Environment Committee reviewed the issue in coordination with staff and interested

stakeholders, including EQAC and industry professionals. The review included a public workshop at which input was provided from the community. Subsequent to the workshop and committee consideration of testimony, the committee recommended that the draft amendment that was included in the March 24 transmittal be advertised for consideration through the public hearing process, and the Planning Commission supported this recommendation.

Therefore, jointly with Supervisor Gross, Chairman Bulova moved that the Board authorize the advertisement of public hearings to be held before the Board on a Policy Plan amendment addressing proposals for disturbances to EQCs as recommended for consideration by the PC. Supervisor McKay seconded the motion and it carried by unanimous vote.

19. **PREVENTING AND ENDING HOMELESSNESS** (11:56 a.m.)

Chairman Bulova said that yesterday morning she was able to share some positive news as funders and partners began a day-long tour of homeless shelters in the County. She noted that the bottom line was that the County just completed its one-day count of homeless people residing in the County and the report noted a remarkable decrease of nearly 11 percent.

As contained in her written Board Matter, the continuing service redesign to support the Fairfax-Falls Church Community Partnership to Prevent and End Homelessness is showing significant results as follows:

- In the first 75 days, the newly created Housing Opportunities Support Teams (HOST) have prevented 374 people from becoming homeless by providing flexible and adaptive services needed to help individuals and families obtain or maintain housing.
- A Housing Locator program is being developed to help homeless services providers find housing that is appropriate and affordable to clients.
- During the past year:
  - Two nonprofit partners have added units to their Housing First apartment programs.
  - One nonprofit is now implementing a nine-bed program for chronically homeless individuals using \$305,890 in new Department of Housing and Urban Development (HUD) funds awarded in 2009.
  - Another partner nonprofit adjusted a program from a transitional housing model of serving people while they are homeless to ending their

homelessness by helping them obtain permanent housing and providing support services to maintain housing stability.

- The partnership is reaching out to the broader community:
  - A communications work group of nonprofits, faith-based organizations, county agencies, and other partners has been formed. The Partnership Website can be found at [www.fairfaxcounty.gov/homeless](http://www.fairfaxcounty.gov/homeless).
  - A bi-monthly *Partner Update* e-newsletter highlights progress, accomplishments, and upcoming events.
  - Quarterly community forums provide an opportunity for broad discussion on issues, feedback, suggestions, and networking for providers and interested community participants.
- Data collection and reporting capability has been greatly enhanced through expanded use of the Homeless Management Information System (HMIS).
- Prevention initiatives, housing first, and permanent housing with supports appear to be having an impact on the number of persons who are homeless.
  - During the past year, the number of people who were homeless in the Fairfax-Falls Church Community has decreased nearly 11 percent.

#### Who are the Homeless?

- In the January 27, 2010, Point-in-Time Survey, a total of 1,544 people who were homeless were counted; 892 were together with their families and 652 were single individuals.
- The number of homeless families decreased by over 16 percent from 2009.
  - 36 percent of all persons who were homeless were children under the age of 18.
  - More than 60 percent of adults in homeless families were employed.

- The number of single individuals who were homeless decreased slightly by 1.7 percent.
  - 60 percent of single individuals who were homeless suffered from serious mental illness or substance abuse, and many had chronic health problems or physical disabilities.

Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs to prepare a press release sharing the County's progress on its Initiative to Prevent and End Homelessness. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

20. **TRANSPORTATION ADVISORY COMMISSION (TAC)**  
**COMMONSENSE ACCESSIBILITY INITIATIVE** (11:57 a.m.)

Jointly with Supervisor McKay and Chairman Bulova, Supervisor Foust explained that the mission of the TAC is to provide advice, information, and comments to the Board on major transportation issues faced by the County. In its role as an advocate for all County residents, the TAC has identified a need to bring greater thought and coordination to issues relating to making public transportation more accessible to disabled, frail, and elderly County residents as well as other County residents who have difficulty accessing and navigating public transportation in the County.

To enable those residents to be actively involved in their communities, to maintain productive roles in the economy, and to have access to the full range of facilities and services needed to lead enjoyable and fulfilling lives, the TAC has recommended that the Board approve its proposal to establish and implement a "Commonsense Accessibility Initiative" that would be dedicated to improving public transportation options for those residents.

Supervisor Foust said that the TAC's proposed Initiative sets forth the dual goals of:

- Expanding and improving communication and learning tools offered to disabled residents to inform them of their public transportation options.
- Planning and prioritizing existing and structural improvement projects to ensure disabled residents with access to public transportation facilities and critical County locations.

As proposed, the initiative will also permit the TAC to use the transportation experience and expertise of its members to support the efforts of other Boards,



Authorities and Commissions and County agencies responsible for providing services to disabled and elderly residents. He noted that the TAC has coordinated this proposal with the Fairfax Area Disability Services Board.

Therefore, jointly with Supervisor McKay and Chairman Bulova, Supervisor Foust moved that the Board:

- Approve the TAC's proposal to establish and implement the Commonsense Accessibility Initiative.
- Commend the members of the TAC for advancing this important initiative.
- Direct staff to provide the appropriate support to ensure its success.

Supervisor McKay seconded the motion.

Following discussion regarding snow and adverse weather on the accessibility of sidewalks and bus stops, Supervisor Foust clarified that this was included in his motion.

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

21. **ACCEPTANCE OF A PORTION OF WHITLER'S CREEK DRIVE INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS (SPRINGFIELD DISTRICT)** (12:04 p.m.)

- (R) Supervisor Herrity stated that after the completion of the Fairfax County Parkway project in 1990 (R000-029-249-C512), the Virginia Department of Transportation (VDOT) provided to the Board a sketch and plans depicting the addition of roadways to be accepted into the Secondary System of State Highways as part of the project. Unfortunately, a portion of Whitley's Creek Drive, which was designed and built as part of this project, was erroneously omitted from this list of roadways to be accepted in the Secondary System. Staff from the VDOT Permits Section confirmed that the roadway is built to State standards and is dedicated for public street purposes; however, Board approval is necessary prior to the roadway's formal acceptance into the Secondary System.

Therefore, to correct this error and provide the County with the anticipated benefits of maintenance and funding for this section of roadway, Supervisor Herrity moved that the Board direct staff to request that the Commonwealth Transportation Board add to the Secondary System of State Highways the section of Whitley's Creek Drive as described on the Resolution and related documents provided by VDOT. Supervisor McKay seconded the motion, and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor

Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

22. **REQUEST FOR RECOGNITION FOR EDISON HIGH SCHOOL VARSITY FOOTBALL HEAD COACH VAUGHN LEWIS (LEE DISTRICT)** (12:05 p.m.)

Supervisor McKay said that Edison High School and the Lee District community lost a great coach, an outstanding mentor, and a consummate gentleman with the retirement of Edison High School Varsity Football Head Coach Vaughn Lewis. Coach Lewis announced his retirement as head coach at the end of the 2009 football season after many years with Fairfax County Public Schools. Previously, Coach Lewis retired as a school administrator, but remained active as Edison's head football coach.

After outlining some of Coach Lewis's noteworthy accomplishments, Supervisor McKay said that more importantly, Coach Lewis always found time to mentor his players and has former players competing at all levels of football, including Eric Barton in the National Football League and Stephon Robertson at James Madison University.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite Coach Lewis to appear before the Board for recognition. Without objection, it was so ordered.

23. **REQUEST FOR EXPEDITIOUS PROCESSING FOR SPRINGFIELD PLAZA SPECIAL EXCEPTION APPLICATION** (12:07 p.m.)

Supervisor McKay said that the property identified as Tax Map 80-3 ((1)) 4A (part) (the "subject property") is zoned to the C-6, Sign Control Overlay, Highway Corridor Overlay, and Springfield Commercial Revitalization Districts. The subject property is developed as a freestanding building that was most recently occupied by a travel agency and is currently vacant.

Supervisor McKay explained that to lease the vacant building and respond quickly to market demand, Springfield Plaza, LLC (the "applicant") has filed a special exception application to permit a fast food restaurant use without drive-through facilities. The application also requests approval of a small amount of additional sign area and a number of waivers and modifications in a Commercial Revitalization District. The fast food restaurant will be constructed within the existing building. Site modifications will include minor enhancements to the building's facade, the addition of a trash enclosure, and new signage. The application does not propose drive-through facilities, major design changes, or any increase in floor area ratio (FAR). He added that given the relatively minor nature of this request, he believes that expedited processing is appropriate. He said that he understands that the subject property's location in a Commercial Revitalization District permits prompt scheduling of a Board hearing and allows

concurrent processing; any efforts that can be made to process the application expeditiously are appreciated.

Therefore, Supervisor McKay moved that the Board direct staff to expeditiously process the special exception application filed on behalf of Springfield Plaza, LLC. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of applicable ordinances, regulations, or adopted standards in any way. Supervisor Foust and Supervisor Herrity jointly seconded the motion and it carried by unanimous vote.

24. **COMPREHENSIVE PLAN AMENDMENT REGARDING WOODBURN CENTER FOR COMMUNITY MENTAL HEALTH (PROVIDENCE DISTRICT)** (12:09 p.m.)

Supervisor Smyth reminded the Board that in 2008 it authorized a special study of the comprehensive land use plan for Woodburn and the adjoining County and Inova-owned properties and the Inova Fairfax Hospital Campus. A citizen task force was formed and reviewed options for a comprehensive plan amendment proposing to move Woodburn Center for Community Mental Health to accommodate future hospital expansion.

Supervisor Smyth said that the focus of this review has primarily been a land use planning exercise, not an analysis of the future medical and mental health needs of the growing community. To fully inform the land use planning for Woodburn and the Inova campus, anticipated future medical and mental health needs must be identified.

Accordingly, Supervisor Smyth moved that the Board direct the Department of Planning and Zoning to forward any proposed comprehensive plan changes to both the Fairfax/Falls Church Community Services Board (CSB) and the Health Care Advisory Board (HCAB) for review and comment. Supervisor Foust seconded the motion.

Following discussion regarding the timing, the question was called on the motion, which carried by a vote of nine, Supervisor Cook being out of the room.

25. **FALLS CHURCH WATER RATES (DRANESVILLE, HUNTER MILL, MASON, AND PROVIDENCE DISTRICTS)** (12:12 p.m.)

In a joint Board Matter with Supervisor Hudgins,\* Supervisor Smyth noted that the Board previously directed the Consumer Protection Commission (CPC) to conduct an investigation, with the assistance of appropriate staff, and report its findings and possible recommendations regarding why certain County residents are subject to paying differential water rates from the various water systems that furnish water service within the County. She stated her understanding that the

CPC conducted such an investigation and will be reporting its findings to the Board shortly.

Supervisor Smyth said that much has occurred since the Board first gave that direction to the CPC, not the least of which was a lawsuit between the City of Falls Church and the Fairfax County Water Authority in which the City of Falls Church sued the Board in an unsuccessful attempt to limit the Board's power to accept proffers relating to the provision of water service within the County. The Board was dismissed from that case after the court ruled that the Board alone has the power to determine which entities will provide water service within the County's geographical borders.

Supervisor Smyth added that in that same case, on January 6, 2010, the Circuit Court of Fairfax County ruled that the City of Falls Church has been violating the Virginia Constitution and its own city charter by charging water rates designed to generate profits to transfer to the city's general fund. The Circuit Court specifically decreed:

“The City of Falls Church must comply with Section 13.09 of the City Charter in setting water rates that, in the judgment of the City Council, will result in receipts equal to expense (including any future expense of the water system). In setting its water rates, the City may not include as an ‘expense’ any surplus to be transferred to the general fund . . . .”

The Court found that Falls Church set its current water rate, \$3.03 per 1,000 gallons, in 2005 to generate millions of dollars a year in profits. The court ruled that the City's water charges amounted to an unconstitutional, extraterritorial tax on County residents, who comprise 92 percent of the City's water customers. Such rate setting by Falls Church constituted “taxation without representation.”

While the City is appealing the Court's ruling regarding the City's unconstitutional, extraterritorial tax on County residents, the City is planning to “study” its water rates, but does not intend to act on the study until Fiscal Year (FY) 2012. In the meantime, the City has no plans to lower its water rates in its FY 2011 Budget and instead has indicated it is considering “modest” future increases, according to page 25 of the March 11, 2010, *Falls Church Financial Update*, available on the City's website.

Because the City has provided no explanation regarding why it has no plans to lower its water rates despite the Court's ruling, Supervisor Smyth, jointly with Supervisor Hudgins, moved that, in accordance with the oversight authority granted pursuant to *Virginia Code* Annotated Section 15.2-823 and *Virginia Code* Annotated Section 15.2-2111, the Board direct the CPC, with the assistance of appropriate staff, to report its findings as to what, if anything, the City of Falls Church is doing to comply with the Court's Order of January 6, 2010, so as to give relief from this unconstitutional tax to the 92 percent of its customers who reside in the County.

Supervisor Gross and Supervisor Hudgins jointly seconded the motion.

\*Supervisor Gross and Supervisor Foust asked unanimous consent to jointly co-sponsor this item. Without objection, it was so ordered.

Following discussion, with input from Ellen Posner, Assistant County Attorney, regarding the current status of the appeal, the question was called on the motion, which carried by unanimous vote.

**PMH:pmh**

26. **INTERNATIONAL BUILDING SAFETY WEEK** (12:18 p.m.)

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

This year, International Building Safety Week will be observed during the week of May 9-15. To mark the event, the Department of Public Works and Environmental Services (DPWES) has scheduled public outreach efforts in several local hardware and building material supply retail stores. In addition, DPWES will honor a worthy individual or corporate resident with the 2010 Building Safety Community Partnership Award. The award was first presented in 1998 to recognize individuals and corporate citizens in the County who have made significant contributions to the promotion of the goal of building safety in the County.

Therefore, Supervisor Frey moved that the Board:

- Direct staff to prepare a proclamation for the Board's meeting on April 27, 2010, declaring the week of May 9-15, 2010, as "*Building Safety Week*" in Fairfax County.
- Also recognize the 2010 Community Partnership Award recipient on April 27.

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

27. **AUGUST FRATTALI NAMED FAIRFAX COUNTY PUBLIC SCHOOLS (FCPS) 2010 PRINCIPAL OF THE YEAR (SULLY DISTRICT)** (12:20 p.m.)

Jointly with Supervisor Hudgins, Supervisor Frey announced that August (Augie) Frattali, principal at Carson Middle School, has been named the FCPS 2010 Principal of the Year and is the recipient of the *Washington Post* Distinguished Educational Leadership Award. He has been principal of Carson Middle School since 2003 and a FCPS employee for 24 years.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite Mr. Frattali to appear before the Board in recognition of this accomplishment. Without objection, it was so ordered.

28. **IMPLEMENT PARKING REDUCTION ON THE EAST AND WEST SIDES OF JUNIPER LANE (MASON DISTRICT)** (12:20 p.m.)

Supervisor Gross said that she has received complaints about long-term and overnight parking of oversized vehicles on Juniper Lane, from Leesburg Pike to the northern boundaries of 3103 and 3106 Juniper Lane. Although this area is zoned commercial, it also is adjacent to a residential area. The vehicles are not registered to the businesses in the adjacent area.

Juniper Lane is not a storage lot for drivers of any vehicle. After consulting with Department of Transportation (DOT) staff, Supervisor Gross said that the most reasonable option currently available is to restrict overnight parking on both sides of this road where there are no current vehicle restrictions. This would mitigate the concerns of nearby residents and business owners, allow parking for customers during the day, and prevent the long-term and overnight storage of oversized vehicles on this section of the road.

Therefore, Supervisor Gross moved that the Board direct DOT to take the necessary steps to install signs restricting parking, from 7 p.m. until 7 a.m. on Juniper Lane, from Leesburg Pike to the northern boundaries of 3103 and 3106 Juniper Lane, where currently there are no existing parking restrictions. Chairman Bulova seconded the motion and it carried by unanimous vote.

29. **FISCAL YEAR (FY) 2011 FAIRFAX CONNECTOR BUDGET CONSIDERATION** (12:22 p.m.)

Supervisor Hudgins said that the proposed FY 2011 Advertised Budget includes \$6.65 million of Fairfax Connector service reductions, route eliminations, and fare increases to compensate for the loss of grant funding from the Metropolitan Washington Airports Authority (MWAA). The budget adjustments include seven routes for elimination, more than 30 routes for service reductions, and discontinuance of weekend service. These changes have significant impacts on

most transit dependents areas of the County, at a time when land use changes have shifted to greater dependence on reliable and efficient transit service.

The Dulles Express Bus service has been partially funded through an annual State set aside for Dulles Toll Road revenue through a grant with the Commonwealth and the Virginia Department of Rail and Public Transportation since 2000. The funding was to remain in place until the arrival of Metrorail service to Wiehle Avenue. The grant, initially 50 percent Commonwealth funding and 50 percent County funding, has remained unchanged while the County's contribution has grown as operating costs have increased. In 2008, the Dulles Toll Road and control of the grant were transferred to MWAA. Unfortunately, MWAA has chosen not to continue the grant.

Supervisor Hudgins said that Fairfax Connector services have become an essential part of the daily transportation infrastructure for thousands of residents and commuters. These services are critical in making County communities better connected and more accessible, with less congestion and improved air quality.

Therefore, Supervisor Hudgins moved approval of a Consideration Item to restore the \$6.645 million of proposed cuts and reductions to the Fairfax Connector North and South bus service. Supervisor McKay seconded the motion.

Supervisor Herrity referred to the Tyson's Corner lunch time bus service, or "Tyson's Shuttle" that is funded through Congestion Mitigation and Air Quality (CMAQ) funds and asked to amend the motion to direct staff to determine if the CMAQ funds could be used to help with the restoration of service for the Fairfax Connector, and this was accepted.

Following further discussion regarding transportation issues, the question was called on the motion, as amended, and it carried by unanimous vote.

30. **FISCAL YEAR (FY) 2011 HUMAN SERVICES BUDGET**  
**CONSIDERATION ITEM** (12:31 p.m.)

Supervisor Hudgins said that on Friday, March 26, the Human Services Council made its presentation to the Budget Committee and its subsequent recommendation to the Board to include as part of its FY 2011 Budget restoration of \$2,012,685 in previously proposed service and program reductions.

The council spent numerous hours hearing from staff, boards, authorities, and commissions, as well as deliberations amongst its members on what the Board ought to give further consideration to funding.

Therefore, Supervisor Hudgins moved that the funding restorations submitted by the Human Services Council be considered by the Board as part of the FY 2011 Budget. Supervisor Foust seconded the motion and it carried by unanimous vote.

31. **RESTON COMMUNITY CENTER (RCC) BOARD OF GOVERNORS (HUNTER MILL DISTRICT)** (12:32 p.m.)

(APPT) Supervisor Hudgins announced that Ms. Claudine Varesi resigned from the RCC Board of Governors in December 2009.

Therefore, Supervisor Hudgins moved the appointment of Mr. Roger Lowen to fill the unexpired term of Ms. Varesi as a member of the Board of Governance for the RCC. The term expires on October 31, 2010. Chairman Bulova seconded the motion and it carried by unanimous vote.

32. **IMPROVING THE COUNTY'S PERSONNEL MANAGEMENT** (12:33 p.m.)

Jointly with Supervisor Gross, and Supervisor Herrity, Supervisor Cook said that last month he submitted several budget questions based on suggestions provided to him by the County Government Employee's Union.

Supervisor Cook said that a recent survey was completed by the Employee Advisory Council (EAC) yielded over 3000 responses and generated three recommendations that should be discussed at a future meeting of the Personnel Committee.

Supervisor Cook noted that the EAC urges that the Board do more to promote teleworking. Currently, supervisors have the option to deny telework requests without formal justification. Given the strict guidelines already governing telework, which ensure that employees complete their work, the EAC emphasizes that managers should have to provide a rationale for why a given employee would not be allowed to telework. Second, the EAC recommended, that where appropriate, alternative work schedules should be encouraged. This would allow employees who desire the ability to work nine or ten hour days and receive one or two days off per pay period, respectively. The EAC said that an employee sick leave bank received positive comments and many employees responded that they would contribute if one was made available. He noted that there is such a system for the County's firefighters.

Supervisor Cook said that County employees are dedicated and hard-working. They provide the excellent government services and in this difficult budget climate they have learned to do more with less.

Therefore, Supervisor Cook moved that the aforementioned proposals be submitted to the Personnel Committee for further review and discussion at the earliest opportunity and ask that representatives from the EAC be invited to testify on behalf of their suggestions. Supervisor Gross and Supervisor Herrity jointly seconded the motion.

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



33. **BURKE CENTRE VIRGINIA RAILWAY EXPRESS (VRE) (BRADDOCK DISTRICT)** (12:37 p.m.)

Jointly with Chairman Bulova, Supervisor Cook said that the Braddock District Land Use Task Force, active during Chairman Bulova's tenure as the Braddock District Supervisor, developed a list of projects that could improve pedestrian access throughout the Braddock District. One proposed undertaking that came out of the Task Force was a pedestrian bridge that would connect the Burke Centre VRE to communities north of the station. The Burke Centre VRE is seated close to a number of large communities including the Burke Centre Conservancy, Bonnie Brae, Colony Park, and Kings Park West, but easily accessible to pedestrians only from the south. A pedestrian bridge over the tracks could make walking more attractive to commuters on the north side. It could also create an attractive alternative to those who would not walk, but would shorten their drives by using a kiss-and-ride option, or even a future shuttle bus.

In 2008, the Board received a study from the Department of Public Works and Environmental Services (DPWES) that estimated a cost for the pedestrian bridge project in the range of \$4 million. Unfortunately, the study did not include a pedestrian accessibility analysis. Without a full study of potential usage, it is impossible to subject the proposal to a necessary cost-benefit analysis.

Jointly with Chairman Bulova, Supervisor Cook moved that the Board direct the Department of Transportation (DOT) to conduct a count of the number of pedestrians currently utilizing the Burke Centre VRE Station from the north side and determine an estimated usage of a bridge by pedestrians and potential kiss-and-ride users, should such bridge be built. He added that it is his understanding from staff that these counts can be accomplished without additional appropriated funds. Chairman Bulova seconded the motion and it carried by unanimous vote.

34. **ENHANCING THE COUNTY'S BUDGET PROCESS** (12:40 p.m.)

Jointly with Supervisor Herrity, Supervisor Cook said that the collaborative approach to garner citizen participation in the budget process has resulted in many ideas.

Two such ideas are the formation of a Countywide citizen's budget advisory committee and a proposed redesign and strengthening of the current office of the Auditor to the Board so that it more closely resembles the US Government Accountability Office (GAO). The Lee District Budget Advisory Group offered these proposals, both were recently endorsed by the County Federation of Civic Associations, and the Braddock District Citizens Budget Advisory Committee discussed both proposals and strongly recommended the creation of a GAO type organization.

Supervisor Cook said that these recommendations deserve the Board's consideration. Last year the Board discussed the citizen's committee proposal, but did not move forward with it.

Supervisor Cook said that much like the Board looks for advice and counsel from the Transportation Advisory Council (TAC) on transportation issues or the Environmental Quality Advisory Council (EQAC) on environmental questions, a Countywide budget committee would offer an ongoing community perspective that is informed by in-depth examination of budget data. He said that having a more robust, GAO-type organization in the Auditor's Office would strengthen the Board's oversight ability, through an independent office, and allow it to better identify long-term changes that would result in savings and efficiency.

These proposals are not solutions for the next fiscal year, but they are on target to meet long-term challenges.

Therefore, Supervisor Cook moved that these matters as budget consideration items be included in the budget guidance as part of the FY 2011 Budget. Supervisor Herrity seconded the motion.

A lengthy discussion ensued, with input from Anthony H. Griffin, County Executive, regarding the:

- Formation of a Countywide citizen's budget advisory committee.
- Proposed redesign and strengthening of the Office of the Auditor to the Board.
- Duties of the Board's Auditor and the Office of Internal Audit.

Supervisor Cook withdrew his motion.

Supervisor Cook moved that as a budget consideration item the Board consider the structure, scope, and funding of the Office of the Auditor to the Board to determine if those functions can be enhanced and the scope of the office be adjusted to be of greater use to the Board. Supervisor Herrity and Supervisor McKay jointly seconded the motion.

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

Supervisor Cook moved that as a budget consideration item the Board discuss the establishment of a Countywide citizens advisory committee. Supervisor McKay seconded the motion.

A brief discussion ensued regarding citizen budget committees.

The question was called on the motion and it **FAILED** by a recorded vote of seven, Supervisor Cook, Supervisor Frey, and Supervisor Herrity voting "AYE."

35. **JOE AND FREDONA GARTLAN CENTER FOR COMMUNITY MENTAL HEALTH (MOUNT VERNON DISTRICT)** (1:21 p.m.)

Supervisor Hyland said that in July of 2008, the County and all of Virginia lost a loyal and devoted public servant: State Senator Joseph V. Gartlan, Jr. Shortly after his death, the Board directed staff to work with the surrounding community to rename the recently renovated Mount Vernon Center for Community Mental Health after this champion of environmental and social causes.

Supervisor Hyland said that after extensive discussions, staff, members of the community, and his office have selected a fitting tribute by renaming the facility the “Joe and Fredona Gartlan Center for Community Mental Health” in honor of the work both Senator Gartlan and his wife have made to help persons suffering from acute psychiatric crises and mental illness.

Therefore, Supervisor Hyland moved that the Board rename the Mount Vernon Center for Community Mental Health the “Joe and Fredona Gartlan Center for Community Mental Health.” Supervisor McKay seconded the motion and it carried by unanimous vote.

36. **REQUEST FOR RECOGNITION – MASTER POLICE OFFICER PETE (MPO) MASOOD AND HIS BLOODHOUND SCHNOZ (MOUNT VERNON DISTRICT)** (1:23 p.m.)

Supervisor Hyland said that last week, after park rangers at Mason Neck State Park found an abandoned vehicle and were unsuccessful in locating its driver, they called for backup. Schnoz and MPO Pete Masood got the call. “Schnoz could smell trouble was in the air.” The floppy-eared, snuff-colored bloodhound is a veteran on the force. Just three weeks before, Schnoz and MPO Masood tracked down a suspect wanted in an armed carjacking.

Supervisor Hyland said that Schnoz helped find the woman who was disoriented and suffering from hypothermia after two days in the forest. Without his keen sense of smell and dedication to serve and protect, the woman may have died.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Schnoz and MPO Pete Masood to appear before the Board to be recognized for their heroism. Without objection, it was so ordered.

37. **REQUEST TO RECOGNIZE WALT WHITMAN MIDDLE SCHOOL PRINCIPAL OTHA DAVIS (MOUNT VERNON DISTRICT)** (1:24 p.m.)

Supervisor Hyland said that an institution along Parkers Lane in the Mount Vernon District has decided to retire at the end of the year. Otha Davis, Principal of Walt Whitman Middle School, has taught and led generations of young men and women as well as teachers and faculty. After 30 years of dedicated service to the County schoolchildren, 16 as Principal of Walt Whitman, Mr. Davis will

conclude a very successful tour. He is extremely well respected by students, teachers, and parents alike.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the staff to prepare a resolution congratulating Mr. Davis for his service to the County public schools and children. Without objection, it was so ordered.

38. **LORTON COMMUNITY ACTION CENTER (LCAC) SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-V-076 (MOUNT VERNON DISTRICT)** (1:25 p.m.)

Supervisor Hyland said that on November 17, 2008, the Board authorized the filing of a special exception amendment by the County for the LCAC located on Richmond Highway [Tax Map 107-4 ((1)) 34 and 107-4 ((5)) 4] in Lorton to permanently allow a storage trailer. The property, which includes the Lorton Library, a small park, and the LCAC, is owned by the Board. The County has a license agreement with LCAC for the existing house on the property which is governed by a special exception approved in 1983 for a public benefit association. LCAC is currently proposing to add a 2000 square foot trailer/modular building for storage.

Supervisor Hyland noted that the Facilities Management Department (FMD) is filing Special Exception Amendment Application SEA 83-V-076 on behalf of the Board.

To facilitate the enhanced delivery of the community services that LCAC provides, Supervisor Hyland moved that the Board:

- Direct staff to expedite the processing of the Special Exception Amendment Application SEA 83-V-076 and the scheduling of the public hearing before the Planning Commission, and to schedule a public hearing to be held before the Board on July 27 to ensure the opportunity for final action on the application before the August recess.
- Direct staff to concurrently process the related site plan and building plan applications with the processing of the special exception amendment.
- Authorize Marguerite Verville Guarino, Assistant Director for Real Estate Development and Planning, FMD, to act as agent for the Board in this application.

This motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or

adopted standards. Chairman Bulova seconded the motion and it carried by unanimous vote.

39. **RESCUE INCIDENT (MOUNT VERNON DISTRICT)** (1:27 p.m.)

Supervisor Hyland recounted a recent water rescue incident that occurred in the Mount Vernon District.

40. **RECESS/CLOSED SESSION** (1:29 p.m.)

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

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
  - 1. *Application of Virginia Electric and Power Company*, PUE-2009-00019 (Va. State Corp. Comm'n.) (Countywide)
  - 2. *Application of Reston Lake Anne Air Conditioning Corp.*, PUE-2009-00129 (Va. State Corp. Comm'n) (Hunter Mill District)
  - 3. *Brenda Dodson v. Fairfax County Department of Family Services*, Record No. 1900-09-4, and *Brian Aucoin v. Fairfax County Department of Family Services*, Record No. 2652-09-4 (Va. Ct. App.)
  - 4. *Mary Ann and Robert Berkowitz and Mary Ann Brewer v. County of Fairfax* (Va. Sup. Ct.)

5. *Melia Nebeker v. Fairfax County, Virginia, and Steven Souder*, Case No. CL-2009-0014802 (Fx. Co. Cir. Ct.)
6. *Tieramana V. Walls v. Officer Ali Sepehri*, Case No. 1:10cv44 (U.S. District Court)
7. *Dannette James v. Fairfax County Department of Public Works and Environmental Services: Appeal of Five-Day Suspension* (Ffx. Co. Civil Serv. Comm'n)
8. *Board of Supervisors of Fairfax County, Virginia v. Xicheng Qi and Xiao Cai*, Case No. CL-2009-0013426 (Fx. Co. Cir. Ct.) (Dranesville District)
9. *Kenneth R. Andersen v. Fairfax County*, Case No. CL-2010-0002395 (Fx. Co. Cir. Ct.) (Hunter Mill District)
10. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. The Fairfax Development Corporation*, Case No. CL-2009-0006892 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team/BNV Case)
11. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Landmark Property Development, L.L.C.*, Case No. CL-2009-0015973 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team/BNV Case)
12. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Curtis O. Williams and Barbara J. Williams*, Case No. CL-2009-0011792 (Fx. Co. Cir. Ct.) (Lee District) (Strike Team/BNV Case)
13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Carol A. Davis*, Case No. CL-2008-0014958 (Fx. Co. Cir. Ct.) (Lee District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. MY West Spring Plaza, LLC*, Case No. CL-2006-0003805 (Fx. Co. Cir. Ct.) (Springfield District)

15. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tito Vallejos*, Case No. CL-2009-0004251 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
16. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Carolyn Jones*, Case No. CL-2009-0011791 (Fx. Co. Cir. Ct.) (Lee District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Louise K. Runquist and Jacqueline B. Bossi*, Case No. CL-2009-0010261 (Fx. Co. Cir. Ct.) (Mason District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Alma Carranza and Luis Carranza*, Case No. CL-2009-0011725 (Fx. Co. Cir. Ct.) (Lee District)
19. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mong Heng and Sou Khim Heng*, Case No. CL-2009-0016278 (Fx. Co. Cir. Ct.) (Mason District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Paul J. Gayet, Trustee of the Gayet Living Trust*, Case No. CL-2009-0016595 (Fx. Co. Cir. Ct.) (Mason District) (Strike Team Case)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Meena Joshi and Dheeraj Joshi*, Case No. CL-2009-0006507 (Fx. Co. Cir. Ct.) (Lee District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Noor Enterprises, LLC*, Case No. CL-2010-0001468 (Fx. Co. Cir. Ct.) (Mason District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Vincente Lazarte-Zurita and Alex G. Lazarte-Lopez*, Case No. CL-2009-0018221 (Fx. Co. Cir. Ct.) (Mason District)

24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Carmen S. Ribeiro*, Case No. CL-2009-0016681 (Fx. Co. Cir. Ct.) (Lee District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. Chau Quynh Nguyen and Sarah K. Nguyen*, Case No. CL-2009-0016344 (Fx. Co. Cir. Ct.) (Mason District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Omer Malik*, Case No. CL-2009-0015575 (Fx. Co. Cir. Ct.) (Springfield District) (Strike Team Case)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Fredi G. Guerke and Ruth M. Guerke*, Case No. CL-2010-0003571 (Fx. Co. Cir. Ct.) (Mount Vernon District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Winkal Holdings, L.L.C., d/b/a Max Cleaners*, Case No. CL-2010-0003572 (Fx. Co. Cir. Ct.) (Providence District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dwark O. Parikh*, Case No. CL-2010-0003839 (Fx. Co. Cir. Ct.) (Mount Vernon District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Vinh Lai*, Case No. CL-2010-0003921 (Fx. Co. Cir. Ct.) (Mason District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Milton Ortega and Maria A. Lopez*, Case No. CL-2010-0004121 (Fx. Co. Cir. Ct.) (Mason District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Hermiz N. Yono and Mae Y. Yono*, Case No. CL-2010-0004120 (Fx. Co. Cir. Ct.) (Springfield District)



33. *Eileen M. McLane, Fairfax County Zoning Administrator v. SCI Virginia Funeral Services, Inc.*, Case No. CL-2010-0004119 (Fx. Co. Cir. Ct.) (Providence District)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Carlos E. Romero*, Case No. CL-2010-0004274 (Fx. Co. Cir. Ct.) (Providence District)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Julio C. Torres Martinez and Luis A. Cruz*, Case Nos. 10-007440 and 10-007439 (Fx. Co. Gen. Dist. Ct.) (Lee District)
36. *Jon Soo Jang v. David J. Giaccio*, Case No. 09-0023409, (Fx. Co. Gen. Dist. Ct.)
37. *Eileen M. McLane, Fairfax County Zoning Administrator v. Iglesia De Dios Pentecostal Esmirna, Inc.*, Case Nos. 10-0004099 and 10-0006617 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
38. *Eileen M. McLane, Fairfax County Zoning Administrator v. Emmanuel T. Arcenas and Gina D. Arcenas*, Case Nos. 10-0004490, 10-0004533, and 10-0007350 (Fx. Co. Gen. Dist. Ct.) (Lee District)
39. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Kathleen M. Jansen*, Case Nos. 10-0006293 and 10-0006294 (Fx. Co. Gen. Dist. Ct.) (Mason District)
40. *Eileen M. McLane, Fairfax County Zoning Administrator v. Marvin R. Melendez and Laritza Andrade*, Case Nos. GV10006408-00 and GV10006409-00 (Fx. Co. Gen. Dist. Ct.) (Lee District)

And in addition:

- Potential lawsuit against NewPath Networks, LLC
- Decision to debar Robert Pierre Johnson Housing Development Corporation of the National Capital Area

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

DAL:dal

At 2:59 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

**ACTIONS FROM CLOSED SESSION**

41. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (2:59 p.m.)

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

42. **AUTHORIZATION TO ACQUIRE REAL PROPERTY** (3 p.m.)

Supervisor Hyland moved that the Board authorize the acquisition of certain real property pursuant to the terms outlined in closed session and that the Board direct the County Executive and the County Attorney to take the necessary steps to acquire this property. Supervisor Gross seconded the motion and it carried by unanimous vote.

43. **AUTHORIZATION TO TAKE LEGAL ACTION AGAINST NEWPATH NETWORKS** (3 p.m.)

Supervisor Foust moved that the Board authorize and direct the County Attorney to take legal action against NewPath Networks and its agents, if appropriate, for the construction of telecommunications facilities without Planning Commission approval as required by *Virginia Code* Annotated Section 15.2-2232, all on the terms and conditions outlined by the County Attorney in closed session. Supervisor Smyth seconded the motion and it carried by unanimous vote.

44. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES** (3:01 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 18 and March 25, 2010.

Randy Bartlett, Deputy Director, Department of Public Works and Environmental Services, presented the staff report.

Discussion ensued, with input from Mr. Bartlett, regarding the local jurisdiction comparisons of average service charges and availability fees for single family residential equivalents.

Following the public hearing, Chairman Bulova announced that the record will be kept open to receive testimony until April 20, 2010, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

45. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 17.2, TO ESTABLISH LOCAL VEHICLE REGISTRATION LICENSE FEES FOR FISCAL YEAR (FY) 2011** (3:05 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 18 and March 25, 2010.

Kevin Greenlief, Director, Department of Taxation, presented the staff report.

Following the public hearing, which included testimony by three speakers, Chairman Bulova announced that the record would be kept open to receive testimony until April 20, 2010, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

46. **2:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), SECTION 4-22-2, TO IMPOSE THE COURTHOUSE FACILITIES FEE ON CIVIL CASES** (3:13 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 18 and March 25, 2010.

Michael Long, Deputy County Attorney, presented the staff report.

Following the public hearing, discussion ensued, with input from Mr. Long, regarding usage of the fees.

Chairman Bulova announced that the record would be kept open for oral and written testimony until April 20, 2010, to permit persons wishing to testify on this matter to provide such testimony during the forthcoming budget public hearing.

47. **3:30 P.M. – BOARD DECISION ON SPECIAL EXCEPTION APPLICATION SE 2008-HM-010 (GEORGE B. AND CAROLYN L.E. SAGATOV) (HUNTER MILL DISTRICT)** (3:16 p.m.)

(NOTE: On March 23, 2010, the Board held a public hearing on this item and deferred decision until April 6, 2010.)

Following an inquiry to David P. Bobzien, County Attorney, regarding whether a Board decision could be considered earlier than the allotted start time of 3:30 p.m., Chairman Bulova announced that the Board would proceed with this item.

Chairman Bulova raised a question regarding the public hearing scheduled for 4 p.m., which was to be deferred, and discussion ensued, with input from Mr. Bobzien, who noted that it was publicly advertised that the item would be deferred, so the Board could proceed earlier than the allotted time.

The application property is located at 10120 Wendover Drive, Tax Map 27-4 ((1)) 14C1.

Following a statement, Supervisor Hudgins moved approval of Special Exception Application SE 2008-HM-010, subject to the development conditions dated February 4, 2010. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

48. **3:30 P.M. – PH ON THE LOISDALE ROAD SPECIAL STUDY, ST09-IV-S1, LOCATED EAST OF LOISDALE ROAD, WEST OF THE CSX RAILROAD TRACKS, NORTH OF NEWINGTON ROAD, AND SOUTH OF LOISDALE PARK (LEE DISTRICT)**

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item #50.)

49. **4 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 08-III-7UP, 08-III-11UP, AND 08-III-12UP LOCATED NORTH OF THE DULLES TOLL ROAD AND WEST OF THE FAIRFAX COUNTY AND LOUDOUN COUNTY BOUNDARY (DRANESVILLE DISTRICT)** (3:24 p.m.)

Supervisor Foust moved to defer the public hearing on proposed APR Items 08-III-7UP, 08-III-11UP, and 08-III-12UP, until **May 25, 2010, at 4 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Smyth being out of the room.

50. **3:30 P.M. – PH ON THE LOISDALE ROAD SPECIAL STUDY, ST09-IV-S1, LOCATED EAST OF LOISDALE ROAD, WEST OF THE CSX RAILROAD TRACKS, NORTH OF NEWINGTON ROAD, AND SOUTH OF LOISDALE PARK (LEE DISTRICT)** (3:30 p.m.)

A Certificate of Publication was filed from the Editor of the *Washington Times* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 18 and March 25, 2010.

Jennifer C. Lai, Planner III, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, gave a brief description of the application and site location.

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

Supervisor McKay moved approval of proposed Comprehensive Plan Amendment ST-09-IV-S1. Supervisor Hyland seconded the motion.

Discussion ensued, with input from Jaak Pedak, Senior Transportation Planner, Department of Transportation, and Marianne Gardner, regarding an issue raised by the speaker, Ms. Cynthia Smith, concerning Loisdale Road and revising the comprehensive plan text to include specific residential communities.

Supervisor Hyland asked to amend the motion to include the following language in the plan text: “The future improvement of Loisdale Road should seek to minimize cut-through traffic impacts on the nearby Hunter Estates and Hunter Wood residential communities, including on Newington Road and Accotink Road.”

Following discussion regarding the proposed amendment, Supervisor McKay asked to amend the amendment as follows: “The future improvement of Loisdale Road should seek to minimize cut-through traffic impacts on the nearby residential communities.” This was accepted.

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

51. **BOARD RECESS** (3:50 p.m.)

Chairman Bulova announced that the Board would recess until 6 p.m., at which time the School Board would give a budget presentation, followed by testimony from citizens regarding the County Executive’s proposed budget plan for Fiscal Year 2011.

At 6:03 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

### **ADDITIONAL BOARD MATTER**

52. **WELCOME TO MS. MANASA PALLAPOLU** (6:03 p.m.)

Chairman Bulova introduced Manasa Pallapolu, an intern with the Office of Clerk to the Board, who is a sophomore at Fairfax High School and involved in student government. On behalf of the Board, she warmly welcomed her to the Board Auditorium.

### **AGENDA ITEM**

53. **6 P.M. – PH ON THE COUNTY EXECUTIVE’S PROPOSED FISCAL YEAR (FY) 2011 ADVERTISED BUDGET PLAN, THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FYs 2011-2015 (WITH FUTURE FYs TO 2020) AND THE CURRENT APPROPRIATION IN THE FY 2010 REVISED BUDGET PLAN** (6:05 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 18 and March 25, 2010.

Chairman Bulova announced that tonight is the first of three nights of public hearings on the FY 2011 Budget as proposed by the County Executive.

Chairman Bulova called upon School Board Chairman and Sully District Representative Kathy L. Smith to present the School System’s annual presentation.

Ms. Smith introduced the following members of the School Board:

- Judith (Tessie) Wilson, Vice-Chairman, and Braddock District Representative
- Elizabeth T. Bradsher, Springfield District Representative
- Sandy Evans, Mason District Representative
- Stu Gibson, Hunter Mill District Representative
- Ilryong Moon, At-Large Representative
- Janie Strauss, Dranesville District Representative

Following Ms. Smith's presentation, Chairman Bulova recognized the presence of Dan Stork, the Mount Vernon District Representative to the School Board, and warmly welcomed him to the Board Auditorium.

Discussion ensued, with input from Ms. Smith and Dr. Jack Dale, Superintendent, Public Schools regarding the Project Excel and Focus Programs.

Dr. Dale suggested that a joint focus work session be conducted to discuss how the School Board is dealing with schools that are underperforming and have greater needs.

Supervisor Herrity raised a question regarding a response to budget questions and discussion ensued, with input from Susan Datta, Director, Department of Management and Budget, who noted the response will be provided on Thursday.

Chairman Bulova noted that additional budget questions and answers were in Board Members' red folders.

(6:48 p.m.)

Following the testimony of the Honorable Dennis Smith (Speaker One), Supervisor Hyland asked unanimous consent that the Board direct staff to provide information regarding vacancies at the courts. Without objection, it was so ordered.

Supervisor Gross raised a question regarding what the cuts would mean and the potential delay in emergency hearings and discussion ensued, with input from Judge Smith.

Chairman Bulova recognized the presence of Judge Jan Brody, formerly a Deputy County Attorney, and, on behalf of the Board, warmly welcomed her to the Board Auditorium.

The public hearing was held with testimony presented by 62 speakers.

54. **BOARD RECESS** (10:57 p.m.)

Chairman Bulova announced that the Board would recess until 3 p.m. on April 7, 2010, at which time the budget public hearings will continue regarding the:

- Proposed adoption of the County Executive's Fiscal Year (FY) 2011 Advertised Budget Plan.
- Capital Improvement Program for FY 2011–2015 (with future FYs to 2020).
- Current appropriation level in the FY 2010 Revised Budget Plan.

# Index

<b>AGENDA ITEM</b>	<b>Page</b>
<b>Presentations: Certificates/Awards</b> .....	<b>2-4</b>
<b>Items Presented by the County Executive</b>	
<b>Administrative Items</b> .....	<b>4-9</b>
<b>Action Items</b> .....	<b>9</b>
<b>Consideration Items</b> .....	<b>10</b>
<b>Information Items</b> .....	<b>10</b>
<b>Board Matters</b>	
<b>Chairman Bulova</b> .....	<b>11-16, 16-17, 25, 38</b>
<b>Supervisor Cook</b> .....	<b>24-26</b>
<b>Supervisor Foust</b> .....	<b>16-17</b>
<b>Supervisor Frey</b> .....	<b>21-22</b>
<b>Supervisor Gross</b> .....	<b>2, 22, 24</b>
<b>Supervisor Herrity</b> .....	<b>2, 17, 24, 25</b>
<b>Supervisor Hudgins</b> .....	<b>2, 19-21, 22-24</b>
<b>Supervisor Hyland</b> .....	<b>2, 27-29</b>
<b>Supervisor McKay</b> .....	<b>16-17, 18-19</b>
<b>Supervisor Smyth</b> .....	<b>19-21</b>
<b>Actions from Closed Session</b> .....	<b>34</b>
<b>Public Hearings</b> .....	<b>34-39</b>