



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
January 25, 2011**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, January 25, 2011, at 9:39 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, 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 MATTER1. **MOMENT OF SILENCE** (9:40 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of Ms. Khristin Kylo, who died recently. Ms. Kylo graduated from Madison High School last year where she played basketball and softball. She was a freshman at Princeton University. Supervisor Hudgins noted that Ms. Kylo recently received a Character Counts award for her perseverance in continuing her contributions with sports and assisting her team to move to the finals.

Supervisor Hudgins asked everyone to keep in thoughts the volunteers at the Vienna Fire Department and the family of Mr. Edward E. Purcell, Jr. who died recently. He was a volunteer at the Vienna Fire Department.

Supervisor Cook asked everyone to keep in thoughts Mr. Nicholas L. Stuban, who died recently. He was a student at Woodson High School and had transferred to Fairfax High School. Supervisor Cook said that the County needs to continue to recognize the importance of addressing the issue of teenage suicide.

Supervisor Hyland asked everyone to keep in thoughts the family of Mr. John Ariail, Jr., who died recently. He was an attorney in Alexandria who had a profound impact because of his commitment to make the Lorton Arts Foundation Workhouse a success. Mr. Ariail was the president of the Board of Directors of the Workhouse.

Supervisor Herrity asked everyone to keep in thoughts all those serving the nation in harm's way and especially the family of Sergeant Zainah Creamer, who died recently while taking part in a bomb clearing mission in Afghanistan. She had been in the army for over six years and was a military working dog handler. Sergeant Creamer's K-9 dog, Jofa, was not injured and is being adopted by her family.

Supervisor McKay asked everyone to keep in thoughts the family of Ms. Ruth Marler, who died recently. He announced that a memorial service will be held for her today.

AGENDA ITEMS2. **CERTIFICATES OF RECOGNITION PRESENTED TO TEACHERS FROM SONGPA-GU, SEOUL, KOREA, AND FAIRFAX COUNTY PUBLIC SCHOOLS** (9:46 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates of Recognitions presented to the following individuals for participating in an academic and cultural exchange between Songpa-Gu,

Seoul, Korea, and Fairfax County Public Schools:

- Mr. In Kap Chang
- Ms. Eun Kyung Park*
- Ms. Laura L. Brown
- Mr. Brian A. Olmes

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

(*Ms. Park was not present to receive the award.)

3. **RESOLUTION OF RECOGNITION PRESENTED TO MR. JAMES OLIVER** (9:52 a.m.)

Supervisor Frey moved approval of the Resolution of Recognition presented to Mr. James Oliver for more than 30 years of service in Fairfax County Public Schools, teaching at Herndon, Langley, and Centreville High Schools and serving as principal for the last six years at Mountain View Alternative High School. Supervisor Herrity and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO MEMBERS OF THE CHANTILLY HIGH SCHOOL GOLF TEAM AND MR. JI SOO PARK** (10:08 a.m.)

Supervisor Frey moved approval of the Certificates to Recognition presented to:

- Members of the Chantilly High School Golf Team for winning the 2010 Northern Region Golf Championship at Twin Lakes Golf Course and placing third in the State Championship
- Senior Ji Soo Park for winning the individual medal for the consecutive year at the Virginia High School League 2010 Northern Region Championship

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

John Dargle, Director, Park Authority, announced that the US Golf Association awarded Laurel Hill Golf Course with the 2013 US Amateur Golf Links Championship tournament.

5. **RESOLUTIONS OF RECOGNITION PRESENTED TO GOOD SHEPHERD CHRISTIAN ACADEMY AND KOHL'S DEPARTMENT STORES** (10:19 a.m.)

Supervisor Cook moved approval of the Resolutions of Recognition presented to:

- Good Shepherd Christian Academy for successfully completing the Kohl's Cares Challenge and earning a \$500,000 grant.
- Kohl's Department Stores for the commitment it shows to improving communities across the nation and in the County.

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

6. **CERTIFICATES OF RECOGNITION PRESENTED TO MR. MICHAEL CANTRELL AND THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD)** (10:29 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates to Recognition presented to:

- The FCPD Motor Squad for organizing Santa's Ride in an effort to collect new, unwrapped toys, games, books, and gifts via motorcycle cavalcade and delivering them to less fortunate children during the holiday season.
- Mr. Michael Cantrell for his initiative and generosity in organizing and hosting a holiday event for more than ten years to collect toys to contribute to the FCPD Motor Squad's annual Santa's Ride.

This motion, the second to which was inaudible, carried by unanimous vote.

Chairman Bulova announced that the FCPD will be participating in a Polar Plunge to be held at Virginia Beach, Virginia, to raise awareness in the community for the Special Olympics.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

7. **RESOLUTION OF RECOGNITION PRESENTED TO MR. DOUGLAS PEW** (10:40 a.m.)

(BACs) Supervisor Hudgins moved approval of the Resolution of Recognition presented to Mr. Douglas Pew for his years of service on the County's Trails and Sidewalks Committee. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

8. **PROCLAMATION DESIGNATING JANUARY 2011 AS "MENTORING MONTH" IN FAIRFAX COUNTY** (10:48 a.m.)

Supervisor Gross moved approval of the Proclamation to designate January 2011 as "*Mentoring Month*" in Fairfax County. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

9. **PROCLAMATION DESIGNATING FEBRUARY 2011 AS "AFRICAN AMERICAN HISTORY MONTH" IN FAIRFAX COUNTY** (10:54 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate February 2011 as "*African American History Month*" in Fairfax County. Supervisor Foust and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Tilly Blanding, Community Developer, Department of Neighborhood and Community Services, announced that the annual Fairfax County Black History Program will be held on Friday, February 11, 2011, at 6 p.m. at the Government Center. The theme for this year's program is "Embracing our Youth, our Heritage, and Celebrating all Cultures." She invited everyone to attend.

10. **PROCLAMATION DESIGNATING JANUARY 28, 2011, AS "EARNED INCOME TAX CREDIT AWARENESS DAY" IN FAIRFAX COUNTY** (11:08 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate January 28, 2011, as "*Earned Income Tax Credit Awareness Day*" in Fairfax County. Supervisor Foust seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

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ADDITIONAL BOARD MATTER

11. **LENGTH OF SERVICE AWARD PRESENTED TO HUNTER MILL DISTRICT SUPERVISOR CATHERINE HUDGINS** (11:18 a.m.)

Chairman Bulova presented a length of service award pen to Supervisor Hudgins for 15 years of service to the County. On behalf of the Board, Chairman Bulova offered her congratulations.

AGENDA ITEMS12. **10:30 A.M. – PRESENTATION OF THE DON SMITH AWARD**
(11:19 a.m.)

Anita Baker, Chairperson, Employee Advisory Council (EAC), presented background on the history of the Don Smith Award.

Judy Schambach, EAC Representative, presented:

- An honorable mention award to Swaim Pessaud, Management Analyst III, Office of Partnerships
- An honorable mention award to Janis Simmons, Assistant Human Resources manager, Fairfax County Public Library
- The Don Smith Award to **Edward Cook**, Programmer Analyst II, Department of Information Technology

The following nominees received certificates of appreciation at an earlier ceremony:

- Theresa Carroll, Business Analyst I, Department of Administration for Human Services
- Christopher Cochrane, Police Officer, Police Department
- Mark Dale, Master Police Officer, Police Department
- Maggie DeBoard, Police Major, Police Department
- Lucy Gerland, Management Analyst II, Department of Family Services
- Lewis Hudson, Housing Services Specialist II, Department of Housing and Community Development
- Carmen Inofuentes, Administrative Assistant II, Police Department
- Anne McAfee, Administrative Assistant II, McLean Community Center
- Denise McDonald, Administrative Assistant IV, Community Services Board

- Jon Miskell, Housing Services Specialist I, Department of Housing and Community Development
- Joyce Roby, Probation Counselor II, Juvenile and Domestic Relations Court

13. **10:45 A.M. – PRESENTATION ON THE TYSONS PARTNERSHIP**
(11:35 a.m.)

Chairman Bulova explained that when the Board adopted the Tysons Plan, one of the task force's recommendations was that a "Keeper of the Vision" should be established to assist in achieving the overarching goals and objectives of the new Comprehensive Plan. The "Keeper of the Vision" should be an implementation entity, established by the Board and charged with working in conjunction with County agencies, landowners, and other stakeholders. This entity should be focused on ensuring that the new Comprehensive Plan, and associated regulations and recommendations, are effective.

Chairman Bulova expressed appreciation to Barbara Byron, Director, Office of Community Revitalization and Reinvestment, and Brenda Krieger, Vice President for Dweck Properties and member of the Tysons Partnership, who have worked with this group on the development of such an organization.

Ms. Krieger briefed the Board on the progress of the Tysons Partnership and introduced the following members of the partnership board:

- Hillary Zahm with Macerich
- Jon Cox with AvalonBay Communities
- Sol Glasner with the Mitre Corporation
- Martin Howie with SAIC
- Keith Turner with Cityline Partners LLC
- Jim Policaro with Lerner Enterprises

Mr. Glasner, Mr. Turner, and Mr. Cox each presented specific aspects of the partnership and their respective employers' interests.

Discussion ensued, with input from Ms. Krieger, regarding marketing, branding, access to transportation, financing of Tysons, and the impact on surrounding communities.

14. **11 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (12:06 p.m.)

Supervisor McKay, Chairman of the Board's Legislative Committee, briefed the Board on the updated report distributed to Board Members at the dais from the committee meeting on Friday, January 21, 2011. He briefed the Board on the status of select legislation initiated by the County.

Supervisor McKay announced that the next meeting of the Board's Legislative Committee will be held on Friday, January 28, 2011, at 4 p.m., in Government Center Conference Rooms 9 and 10. He also announced that the Board will host its annual legislative reception in Richmond on Tuesday, February 15, at 5:30 p.m. in Old City Hall.

Supervisor McKay moved adoption of 2011 Legislative Report Number One. Supervisor Foust seconded the motion.

Discussion ensued regarding funding for transportation.

The question was called on the motion, and it **CARRIED** by a recorded vote of nine, Supervisor Herrity voting "NAY."

15. **11:15 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (12:24 p.m.)

(APPTS)
(BACs)

Supervisor Gross moved the appointments and reappointments of those individuals identified in the revised document entitled "Appointments to be Heard January 25, 2011," as distributed around the dais. Supervisor Hyland and Supervisor Smyth jointly seconded the motion and it carried by unanimous vote.

Appointments are as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointments of:

- Mr. Clifford Fields as the At-Large Chairman's Representative.
- Ms. Jane Gwinn as the Braddock District Representative.
- Ms. Kerrie Wilson as the Dranesville District Representative.
- Mr. Ronald Copeland as the Hunter Mill District Representative.
- Mr. Joseph Blackwell as the Lee District Representative.
- Ms. Eileen Garnett as the Mason District Representative.

- Mr. John Byers as the Mount Vernon District Representative.
- Ms. Ernestine Heastie as the Providence District Representative.
- Mr. Phillip Rosenthal as the Springfield District Representative.

The Board deferred the appointment of the Sully District Representative.

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointments of the Lee and Mason District Representatives.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointments of the Citizen and the Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

Reappointment of Mr. Robert Ackerman as the Dranesville District Representative.

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Appointment of Mr. Nicholas Capezza as the At-Large #5 Representative.

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

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

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Reappointments of:

- Ms. Carrie Lord Maglich as the Mount Vernon District Representative.
- Mr. William Stephens as the Springfield District Representative.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

Appointment of Ms. Patricia Greenberg as the Hunter Mill District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the At-Large Fairfax County and the Sully District Representatives.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of Elizabeth d'Alelio as the Advisory Social Services Board Representative.

HEALTH SYSTEMS AGENCY BOARD

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

HUMAN SERVICES COUNCIL

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

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Reappointments of:

- Ms. Patricia Smith-Solan as the Hunter Mill District Representative.
- Ms. Joleane Dutzman as the Mount Vernon District Representative.
- Ms. Caroline Kerns as the Sully District Representative.

The Board deferred the appointments of At-Large Chairman's Representative and the Providence District Representative.

NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

Appointment of Mr. Bruce Neilson as the Fairfax County #1 Representative.

PARK AUTHORITY

Reappointment of Mr. Harold Pyon as the Springfield District Representative.

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

ROAD VIEWERS BOARD

Reappointment of Mr. Richard Bochner as the At-Large #5 Representative.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #7 Representative.

TENANT LANDLORD COMMISSION

Reappointments of:

- Ms. H. Lillian Vogl as the Citizen Member #1 Representative.
- Mr. Antonio Gomez as the Citizen Member #2 Representative.
- Ms. Sally Liff as the Condo Owner Representative.
- Mr. Kevin Denton as the Tenant Member #3 Representative.

The Board deferred the appointments of the Landlord Member #3 and the Tenant Member #1 and #2 Representatives.

TRAILS AND SIDEWALKS COMMITTEE

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

TREE COMMISSION

Appointment of Mr. Douglas E. Thompson as the Providence District Representative.

The Board deferred the appointment of the Mason District Representative.

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16. **ADMINISTRATIVE ITEMS** (12:25 p.m.)

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

Supervisor Cook called the Board's attention to Admin 2 – Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5A, Residential Permit Parking Districts (RPPD), Related to High School, Rail Station, and University Criteria. Supervisor Cook distributed around the dais a

revision for Section 82-5A-4, and asked to amend the motion to include his substituted language in the proposed amendments. Following discussion, it was accepted.

The question was called on the motion to approve the Administrative Items, as amended, 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 AND INSTALLATION OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MASON AND HUNTER MILL DISTRICTS)

- (R)
- Endorsed traffic calming measures on the following streets in the Mason District:
 - One Speed Hump on Shelley Lane
 - One Speed Hump on Frost Way
 - Two Speed Tables on Cherokee Avenue
 - One Multi-Way Stop on Cherokee Avenue
 - Pavement Striping on Cherokee Avenue
 - Two Multi-Way Stops on Chowan Avenue
 - No Consensus for Measures on Fairland Street
 - Adopted a Resolution authorizing the installation of “Watch for Children” signs on the following roads:
 - Merritt Place (Mason District)
 - Guildmore Road (Hunter Mill District)
 - Directed staff to schedule the installation of the approved measures as soon as possible

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD), RELATED TO HIGH SCHOOL, RAIL STATION, AND UNIVERSITY CRITERIA

- (A) (NOTE: Earlier in the meeting, additional action was taken regarding this item. See pages 11-12.)

Authorized the advertisement of a public hearing to be held before the Board on **February 22, 2011, at 4 p.m.** to include properties that are within 1,000 feet of high school, rail station, or university property boundaries in the RPPD criteria when considering petitions for restricted parking.

ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (MASON, SPRINGFIELD, AND SULLY 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>
FSA-Y03-32-1	Verizon Wireless Rooftop antennas 15000 Conference Center Drive Sully District	March 26, 2011
FS-M10-65	AT&T Mobility Antenna collocation on existing water tower 7001 Cindy Lane Mason District	April 2, 2011
2232-S09-26	T-Mobile Northeast LLC 97-foot monopole/treepole 5110 Ox Road Springfield District	April 7, 2011

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF ZION DRIVE ROAD IMPROVEMENTS (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 22, 2011, at 4 p.m.** on the acquisition of certain land rights necessary

for the construction of Project 4YP205 – Zion Drive Road Improvements, Fund 304, Transportation Improvements.

ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 11106 FOR THE ECONOMIC DEVELOPMENT AUTHORITY TO ACCEPT GRANT FUNDING FROM THE COMMONWEALTH OF VIRGINIA – GOVERNOR’S OPPORTUNITY FUND FOR NORTHROP GRUMMAN CORPORATION

- (SAR) Approved SAR AS 11106 for the EDA to accept grant funding in the amount of \$3 million from the Commonwealth of Virginia as part of the Governor’s Opportunity Fund to convey to Northrop Grumman Corporation. No local cash match is required. The County must provide transportation improvements in Merrifield (Providence District).

ADMIN 6 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL DISTRICT)

- (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>
Arrowbrook Centre Parcel 5 (SWM)	Hunter Mill	Centreville Road (Route 657) [Additional Right-of-Way (ROW) Only]
		Sunrise Valley Drive (Route 5320) (Additional ROW Only)

17. **A-1 – ADOPTION OF THE LOWER OCCOQUAN WATERSHED MANAGEMENT PLAN (SPRINGFIELD AND MOUNT VERNON DISTRICTS) AND ADOPTION OF THE NICHOL RUN/POND BRANCH WATERSHED MANAGEMENT PLAN (DRANESVILLE DISTRICT)**
(12:28 p.m.)

On motion of Supervisor Foust, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Lower Occoquan Watershed Management Plan and the Nichol Run/Pond Branch Watershed Management Plan.

18. **A-2 – APPROVAL FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES TO DONATE 20 SURPLUS FASTRAN BUSES** (12:29 p.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize the Department of Neighborhood and Community Services to

donate 20 surplus FASTRAN buses to selected applicants. Supervisor Foust seconded the motion.

Discussion ensued, with input from Patricia M. Innocenti, Deputy Director, Department of Purchasing and Supply Management, who noted that the County has no obligation to assist with repairs of the surplus buses.

Further discussion ensued, with input from Christopher A. Leonard, Director, Department of Neighborhood and Community Services, and Ms. Innocenti regarding which organizations are located within the County and the criteria for receiving the buses.

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

19. **A-3 – REVISIONS TO THE WATER FACILITIES PLANNING AGREEMENT BETWEEN THE BOARD OF SUPERVISORS AND FAIRFAX WATER** (12:34 p.m.)

Following clarification that his motion is on the Revised Agreement which was distributed today and labeled “Draft Revised Action 3 Attachment 1,” Supervisor Frey moved that the Board concur in the recommendation of staff and:

- Approve the revised agreement between the Board and Fairfax Water to modify the types of projects which require public review under the County’s 2232 Review process and to make minor editorial changes.
- Authorize the Chairman of the Board to sign the agreement.

Supervisor Herrity, Supervisor Hyland, and Supervisor McKay jointly seconded the motion.

Discussion ensued, with input from Jamie Hedges, Director, Planning and Engineering Division, Fairfax Water, regarding the process for projects in right-of-way.

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

20. **A-4 – PARKING REDUCTION FOR PARCEL “C1” OF DULLES TECHNOLOGY CENTER (HUNTER MILL DISTRICT)** (12:39 p.m.)

On motion of Supervisor Hudgins, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 20.8 percent (30 fewer spaces) for parcel “C1” of Dulles Technology Center, 13525 Dulles Technology Drive, pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Section 11-102,

paragraph 4(B), based on an analysis of the parking requirements for each use on the site and a parking reduction study, on the conditions as outlined in the Board Agenda Item dated January 25, 2011.

21. **I-1 – MARTHA WASHINGTON LIBRARY (MOUNT VERNON DISTRICT) AND THOMAS JEFFERSON LIBRARY (MASON DISTRICT) RECEIVE AWARDS OF EXCELLENCE FROM THE NATIONAL ASSOCIATION OF INDUSTRIAL AND OFFICE PROPERTIES (NAIOP)** (12:39 p.m.)

The Board next considered an item contained in the Board Agenda dated January 25, 2011, announcing that the NAIOP recently presented the County with the following awards:

- Martha Washington Library – 2010 Award of Excellence for Best Building, Institutional Facility Under \$20 million
- Thomas Jefferson Library – 2010 Award of Excellence for Best Building, Renovation Capital Improvement

22. **I-2 – ANNUAL STATUS REPORT ON THE BOARD’S SECOND FOUR-YEAR TRANSPORTATION PROGRAM** (12:40 p.m.)

The Board next considered an item contained in the Board Agenda dated January 25, 2011, regarding the annual status report on the Board’s second four-year transportation program.

23. **I-3 – CONTRACT AWARD – SEQUOIA SECTION 2, POND 1 (SULLY DISTRICT)** (12:40 p.m.)

The Board next considered an item contained in the Board Agenda dated January 25, 2011, requesting authorization for the Board to award a contract to Avon Corporation in the amount of \$429,764.17 for the construction of the Sequoia Section 2, Pond 1, Project CU8001, Cub Run Pro Rata Share Projects, Fund 316, Pro Rata Share Drainage Construction.

The staff was directed administratively to proceed as proposed.

NV:nv

ADDITIONAL BOARD MATTERS24. **ORDERS OF THE DAY** (12:40 p.m.)

Chairman Bulova said that the Board would complete as many Board Matters as possible before breaking for lunch at 1 p.m. to be followed by closed session.

(NOTE: Later in the meeting, the Board revised its lunch break. See Clerk's Board Summary Item #30.)

25. **BOARD PRESENTATIONS** (12:41 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite representatives from the:

- Department of Public Works and Environmental Services to appear before the Board in February to receive a proclamation declaring February 20-26, as "*Engineers Week*" in Fairfax County.
- Office for Women and Domestic and Sexual Violence Services to appear before the Board in March to receive a proclamation recognizing March 2011 as "*Women's History Month*" in Fairfax County.
- Office of Human Rights and Equity Programs to appear before the Board in April to receive a proclamation recognizing "*Asian American History Month*" in Fairfax County.
- Fairfax-Falls Church Community Services Board to appear before the Board on March 8 to receive a proclamation recognizing March as "*Intellectual and Developmental Disabilities Inclusion Month*" in Fairfax County.

Without objection, it was so ordered.

26. **I-95 WASTE-TO-ENERGY FACILITY (LORTON INCINERATOR) COMMUNITY ENGAGEMENT MEETINGS (MOUNT VERNON DISTRICT)** (12:42 p.m.)

- (A) Over the past several months, Chairman Bulova said that staff has been negotiating with Covanta Fairfax, Incorporated, the operators of the I-95 Waste-to-Energy Facility, also known as the Lorton Incinerator, to explore options presented by the expiration of the long-term contract between the County and

Covanta. The three options for future use of the facility are:

- Allow the contract to expire and (allow) the market to determine the cost and availability of use.
- Negotiate a new long-term contract similar to the current contract that includes price and capacity stipulations.
- Purchase the facility and contract with Covanta to operate it.

Chairman Bulova said that staff is recommending the third option, that the County purchase the facility. The Board must make a decision by March 3 according to terms in the existing contract, which expires in 2016.

Noting that this is a very complex issue, Chairman Bulova said that it is important for stakeholders to have an opportunity to learn about the details of the proposal and be afforded an opportunity to ask questions and have their perspectives heard. To facilitate this dialogue, the Board has directed staff to arrange for a number of community meetings. She expressed her belief that the complex nature of this issue warrants a thoughtful and detailed discussion that cannot be achieved just through a public hearing.

Chairman Bulova stated that staff is prepared to explain the merits of, and differences between, the three options in three community outreach meetings beginning Thursday of this week. These meetings will allow the public to learn the benefits and drawbacks of each of the three options. Participants will be able to ask questions and offer their thoughts on what is best for the community.

Dates and locations for the community meetings are:

- Thursday, January 27, 7 p.m. at South County Secondary School (8501 Silverbrook Road, Lorton)
- Monday, January 31, 7 p.m. at the Fairfax County Government Center (12000 Government Center Parkway, Fairfax) in Conference Rooms 2 and 3
- Tuesday, February 1, 7 p.m. at the North County Governmental Center (12000 Bowman Towne Drive, Reston) in the community room

Chairman Bulova noted that these dates are posted on the County's website and have been publicized in a press release. In addition to holding these public meetings, the Office of Public Affairs (OPA) is utilizing the County's social media platform to collect comments and distribute information. It has scheduled an *Ask Fairfax* live chat with Department of Public Works and Environmental

Services staff for residents to ask questions and learn more about the proposal. This will take place on Thursday, January 27 at 1:30 p.m.

Chairman Bulova expressed her strong belief that this comprehensive outreach plan is critical to the tradition of conducting County business in an open and transparent manner. Additionally, she asserted her belief that the culmination of this process should end with a formal public hearing before the full Board.

Therefore, Chairman Bulova asked unanimous consent that the Board direct the County Executive to schedule a public hearing to be held on this issue on **February 22, 2011, at 4:30 p.m.** Without objection, it was so ordered.

There was a brief discussion about the process, comments that Supervisor Herrity had received on this issue, as well as scheduling issues for the February 22 meeting, with input from Merni Fitzgerald, Director, OPA.

(NOTE: Later in the meeting, during the annual meeting of the Solid Waste Authority, the Board reiterated this action. See Clerk's Summary Item #41.)

Vice-Chairman Gross returned the gavel to Chairman Bulova.

27. **REQUEST TO AUTHORIZE A SPECIAL STUDY OF THE VILLAGE OF ACCOTINK (MOUNT VERNON DISTRICT)** (12:49 p.m.)

Supervisor Hyland stated that in past Area Plan Review (APR) cycles, several individual parcels within the Village of Accotink have been nominated to propose changes to the Comprehensive Plan. The Village of Accotink, located east of the Fairfax County Parkway and at the juncture of Backlick Road and Richmond Highway, is directly across from one of Fort Belvoir's main post visitor entrance gates. Rather than relying on piecemeal efforts, he asserted that evaluating the area as a whole is warranted to give the Village of Accotink the proper attention it deserves; this is especially important given the impending growth at Fort Belvoir as a result of Base Realignment and Closure (BRAC) actions. The opportunity to support revitalization could bring renewed vitality to this area.

Accordingly, Supervisor Hyland moved that the Board authorize a special study for the Village of Accotink. This study will allow staff to consider adding guidance to the Plan that recommends redeveloping the Village of Accotink into a walkable place with a unique character. This planning effort should include consideration of the suitability of mixed-use development with a residential focus located near Richmond Highway and Backlick Road. This concept should consider densities up to 40 dwelling units per acre with ancillary commercial uses, with reduced densities tapering to the north. New Plan text should also address parcel consolidation, improved pedestrian connectivity and circulation, neighborhood retail uses that reflect a pedestrian scale, high quality urban design, as well as low impact development and stormwater management techniques. Transportation improvements, including support for transit services and

transportation demand management strategies, should also be included in the analysis. The Plan recommendations will address a survey currently underway that assesses the Village of Accotink's eligibility as a local historic overlay district. Supervisor McKay seconded the motion, which carried by a vote of nine, Supervisor Frey being out of the room.

28. **HUNTINGTON MIXED USE PROJECT (MOUNT VERNON DISTRICT)**
(12:51 p.m.)

Supervisor Hyland noted that a few years ago, A & R Development submitted Comprehensive Plan text, which the Board approved, to redevelop several properties adjacent to the Huntington Metro Station bounded by Huntington Avenue, Biscayne Drive, Glendale Terrace, and Blaine Drive for transit oriented mixed use with a floor area ratio of up to 3.0 with residential, office, and retail uses. The Huntington Civic Association has been very supportive of this development and has urged the County to move the application forward through the rezoning process. Given that the area is included in the Huntington Conservation Area (HCA), amendments to the HCA must be approved by the Redevelopment and Housing Authority (RHA) and the Board before the Planning Commission and Board can consider the zoning application.

Supervisor Hyland said that the Huntington Civic Association has drafted conservation plan text that would permit A & R's development to advance. Also included in the community's draft conservation plan text is more debatable text that would permit redevelopment of the Arlington Terrace and Fenwick Drive properties if a flood protection project is not complete by a certain date. A & R Development's proposal was also postponed because the County was involved in a lawsuit brought forward by several of the homeowners who experienced flooding in 2006. The County is no longer a party in that suit.

Given A & R's patience and commitment to be a partner in the redevelopment of the Huntington community, Supervisor Hyland stated his belief that it is time for the RHA and the Department of Planning and Zoning staff to move this application forward. He looked forward to a discussion with the Huntington Civic Association about the redevelopment language in the conservation plan text.

Therefore, Supervisor Hyland moved that the Board direct staff to permit the filing of a conservation plan amendment and rezoning application and expeditiously schedule public hearings on the same. Supervisor Herrity and Supervisor McKay jointly seconded the motion, which carried by a vote of nine, Supervisor Frey being out of the room.

29. **FINANCIAL DISCLOSURE REQUIREMENTS** (12:53 p.m.)

(BACs) Supervisor Hyland reminded the Board that six years ago, it imposed new, more extensive disclosure requirements on several of the County's Boards, Authorities, and Commissions (BACs). Eleven of the BACs are currently required, by

ordinance, to fill out the longer, more detailed Statement of Economic Interests, the same form that Board Members are required to complete and submit. He reported that he had heard from several BAC members about the arduous requirement, which they feel is a disincentive to their continued service to the County. He also indicated that he was sensitive to the fact that some of these BACs, like the Board of Zoning Appeals and the Planning Commission, among others, make decisions of such an importance that a thorough analysis of its members' financial interests is warranted.

Given that the General Assembly may make changes to the disclosure requirements in the Virginia Code this legislative session and the six years since the Board examined and altered disclosure requirements, Supervisor Hyland moved that the Board direct staff to review the County's disclosure requirements on members of BACs and return with recommendations to possible changes to the County Code after the conclusion of the 2011 General Assembly session so staff may consider and incorporate any changes to the relevant statutes that may be made. Supervisor Cook seconded the motion.

Following discussion regarding the 2005 reduction of the disclosure burden on most BACs, with input from David P. Bobzien, County Attorney, regarding the fiduciary responsibilities of some BACs, including the Library Board, the question was called on the motion, and it carried by unanimous vote.

30. **ORDERS OF THE DAY** (12:57 p.m.)

Noting that the time was nearly 1 p.m., and with input from David P. Bobzien, County Attorney, regarding the expected length of closed session, Chairman Bulova stated that the Board would continue with the presentation of Board Matters and plan to recess for lunch and closed session at 1:30 p.m.

31. **RECOGNIZING LONGFELLOW MIDDLE SCHOOL FOR WINNING KNOWLEDGE MASTER OPEN (DRANESVILLE DISTRICT)**
(12:57 p.m.)

Supervisor Foust said that on December 8, 2010, the quiz bowl team of Longfellow Middle School in Falls Church beat out over 500 schools and placed first in the nation in the Knowledge Master Open. Knowledge Master Open is a semi-annual computer-based national competition, sponsored by Academic Hallmarks, in which a school team of any size answers 200 multiple-choice questions in areas of history, science, literature, music, art, geography, mathematics, current events, and pop trivia. All questions are put on a CD and sent to the participating schools. The entire competition takes about two hours to complete, and time bonuses are given for speed. The sponsoring teacher phones the score to Academic Hallmarks. Longfellow Middle School has competed in the contest since 2006 and has placed first in the national championship for four consecutive years.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a certificate that he can present to Longfellow Middle School's Knowledge Bowl Team and its coach congratulating them on their achievement in winning four national Knowledge Master Open competitions. Without objection, it was so ordered.

32. **SNOW SUMMIT FOLLOW UP** (12:59 p.m.)

Supervisor Foust reminded everyone that after the blizzards of last winter, the Board held a Snow Summit with the Virginia Department of Transportation and County staff. The summit was very effective in raising issues and problems encountered with snow removal during and after the storms.

Noting that although the County has been fortunate so far this year with only mild storms in the area, Supervisor Foust said that it is clear that VDOT has vastly improved its snow removal process. He congratulated VDOT on its success. Unfortunately, while great progress in addressing snow removal on VDOT roadways has been made, he said that the County still needs to address a problem with snow removal on County roadways.

At the Snow Summit, the County's Department of Public Works and Environmental Services (DPWES) made a presentation that indicated the department was responsible for snow removal operations at 118 building complexes (such as police stations, fire stations, libraries, and community centers) and 83 neighborhood roadways. As of the time of the summit, the neighborhood roadways included 43 County-owned roads, 36 developer defaults, and 4 roadways designated "other" or not designated. DPWES assigns these sites to four levels of priority for snow removal, with the County-maintained neighborhood roadways assigned the lowest priority.

Because of limited snow removal resources, Supervisor Foust said that the County's neighborhood roadways are not plowed in a timely manner. This problem was particularly severe last year during the blizzards, but it is a problem that arises any time the County's roads need to be treated or plowed.

Supervisor Foust said that it can take DPWES several days to plow neighborhood roads, and County residents who live on or use these roadways should not have to accept this level of service. Because of the substantial snow removal responsibility it has, DPWES cannot be expected to provide an adequate response to snow storms by wholly relying on its limited snow removal resources. VDOT has been successful in plowing VDOT-owned roads in the County because it contracts with the private sector to significantly supplement its own resources. He expressed the belief that DPWES should explore adopting the VDOT contracting model, at least for the neighborhood roadways.

Accordingly, Supervisor Foust moved that the Board direct staff to investigate how the County can improve snow removal on the County's neighborhood

roadways and report with its finding in a timely manner with a plan for doing so. If DPWES determines that, with its limited snow plowing resources, it cannot commit to more timely snow removal service on these roadways, the plan should consider contracting out responsibility for snow removal on these roadways and how the cost of doing so might be funded. Supervisor Cook and Supervisor McKay jointly seconded the motion.

Supervisor Bulova clarified that the report would include the location of these County roads.

Following discussion regarding the priority level for these County roads, people who live on them, and the difficulty in providing snow removal equipment to those locations, the question was called on the motion, which carried by unanimous vote.

33. **JANUARY 2011 QUARTERLY REPORT OF THE OFFICE OF FINANCIAL AND PROGRAM AUDIT** (1:06 p.m.)

(BACs) Supervisor Foust said that the Board received at the dais the Office of Financial and Programs Audit's Quarterly Report as of January 2011. The Auditor's report addressed the following study areas:

- Dulles Metro Project
- Dulles Toll Road Revenues
- Wireless Facility Leases on County Owned Property
- Review of Reserve Fund Accounts
- Review of Overtime
- Fleet Services
- Bail Violations

Supervisor Foust said that the Auditor continues to monitor the cost and schedule for the Dulles Metrorail Project. A potential area of concern that the Auditor will continue to monitor is the schedule for Phase I. The October project report showed a 97 day delay. The most recent report (as of the end of November) shows a delay of 111 days. The Auditor notes that recovery schedule discussions are on-going between Metropolitan Washington Airports Authority (MWAA) and DTP and there may be opportunities to regain this time.

The report contains a discussion of the Dulles Toll Road revenues that will be used to finance a significant portion of Dulles Metrorail Project costs. Based on his review of the traffic studies used to project toll road revenues, the Auditor

recommends that the Board encourage MWAA to more fully explain the potential divergence of commuters from the toll road to the Dulles Metrorail in future toll road revenue and traffic studies. Although not specifically addressed in the report, the Auditor notes that the projected toll rate schedule found on page 13 of the report is based on total estimated Phase I and Phase II costs of \$5.25 billion and that recently revised estimates based on preliminary engineering for Phase II indicate the total cost could be substantially greater. The impact on future toll rates is an issue that needs to be monitored as MWAA studies alternatives that may result in different cost estimates.

The Auditor reviewed the lease rates and terms for wireless facility leases on County owned property. The Park Authority and Schools cooperated with the Auditor in this review. Using available data, the Auditor determined that County lease revenue is in line with the experience of other Northern Virginia jurisdictions. However, there is a lack of available market data with which to determine true market information. The report contains several recommendations intended to ensure that the County maximizes revenue from these leases. The Facilities Management Department (FMD) is in concurrence with the audit recommendations.

The report includes a discussion of the Auditor's findings based on his review of County reserve accounts. At the Audit Committee's request, the Auditor will continue his review of the special revenue funds, including solid waste, and report to the Audit Committee prior to adoption of the Fiscal Year (FY) 2012 Budget.

The Auditor found that most overtime expenditures are spent by public safety departments including Police, Fire and Rescue, and the Department of Public Safety Communications. He found that these departments have appropriate policies and controls in place to manage overtime. The Audit Committee agreed that management should be congratulated for reducing County overtime expenditures by \$20.3 million from CY 2007 to CY 2009.

The Auditor examined fleet services, specifically how mechanic labor time is accounted for by the Department of Vehicle Services and whether the department was using the warranties that were in effect for its newer vehicles. He found appropriate controls were used for reporting mechanic labor time and vehicle warranty claims were properly handled.

The Auditor examined the collection of forfeited bail bonds and found that the process generates very few collection problems. Forfeitures that become delinquent are resolved through the actions of the local courts or with the assistance of the State Corporation Commission - Bureau of Insurance.

Therefore, Supervisor Foust moved that the Board:

- Adopt the January 2011 Quarterly Report of the Office of Financial and Program Audit.
- Authorize the Chairman to forward a letter to MWAA encouraging it to more fully disclose the potential divergence of commuters from the toll road to the Dulles Metrorail in future toll road revenue and traffic studies.
- Direct FMD to consider the recommendations set forth in the report and work with Schools and the Park Authority to develop a proposal for retaining a consultant to negotiate new lease requests and lease renewals for wireless facility leases on County owned property.

Chairman Bulova and Supervisor Hudgins jointly seconded the motion.

Chairman Bulova pointed out for the record that the Auditor of the Board reports directly to the Board's Audit Committee and functions in a manner similar to an inspector general.

Discussion ensued regarding toll revenue and transit.

Regarding the bullet point in the motion regarding wireless facilities, Supervisor Gross asked to amend the motion to direct staff to present the proposal to the Board for approval, and this was accepted.

Following further discussion ensued about the technology that could overtake wireless facilities, compliments to the Audit staff, and the effect of tolls on the County's economic engine, the question was called on the motion, and it carried by unanimous vote.

Supervisor Herrity asked unanimous consent that the Board direct staff to provide the current projection for tolls 5, 10, 15, and 20 years out, respectively based on Phase I, the full Phase II at \$5.25 billion, and Phase III at \$6.4 billion, and what would not be funded by the tolls. He further asked that this be provided for both the main toll plaza and the exit ramps.

Following further discussion regarding ridership and congestions, Supervisor Herrity asked to amend his request to include an evaluation as to future ridership, how much of an increase or decrease, and projected reasons. Without objection, the request, as amended, was so ordered.

Supervisor Foust called the Board's attention to page 13 of the report and clarified that the chart reflects the full phase II at \$5.25 billion.

34. **REQUEST FOR EXPEDITED PROCESSING OF REZONING APPLICATION RZ 2010-LE-009 (LEE DISTRICT)** (1:26 p.m.)

Supervisor McKay said that pending Rezoning Application RZ 2010-LE-009 is the next step to Base Realignment and Closure (BRAC) Area Plans Review Item APR 08-IV-10S which will create another high-quality "Class-A" office park within walking distance of the Joe Alexander Transit Center, next to Metro Park. It will be the subject of a public hearing before the Planning Commission on March 2. Additionally, the Lee District Land Use Committee has endorsed this application. On that basis, the applicant has requested permission to begin concurrently processing the necessary site plan and an expedited public hearing before the Board. Concurrent processing will occur at the applicant's risk. This use at this location was already vetted through the BRAC APR process several years ago.

Accordingly, Supervisor McKay moved that the Board authorize the Department of Public Works and Environmental Services to concurrently process the site plan and other engineering approvals associated with this pending special exception application and that the application be placed on the March 8 hearing date.

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. Chairman Bulova and Supervisor Herrity jointly seconded the motion, which carried by unanimous vote.

35. **RETIREMENT OF MS. DOROTHY PURVIS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (1:27 p.m.)

Supervisor McKay asserted that Lee District, indeed the entire County, would be a different place (and not for the better) were it not for the dedicated service of VDOT's permits manager Dorothy Purvis. For 29 years, Ms. Purvis worked to ensure that any construction in the VDOT right of way by the public and private sector meets all of the technical, legal, and safety requirements of the project.

Accordingly, Supervisor McKay asked unanimous consent that the Board direct staff to invite Ms. Purvis appear before the Board for recognition on March 8, 2011. Without objection, it was so ordered.

There was a brief discussion about Ms. Purvis.

36. **LEE DISTRICT OPEN HOUSE** (1:28 p.m.)

Supervisor McKay expressed appreciation to Chairman Bulova for attending his very successful Lee District Open House the previous Saturday.

37. **COMMISSION FOR WOMEN BYLAWS REVISION** (1:30 p.m.)

(BACs) Supervisor Herrity said that at the November 2010 meeting of the Commission for Women, the commission voted to amend its bylaws to reflect the fact that it produces a biennial report as opposed to an annual report. The report will coincide with the term of the chair, which is a two year term.

Therefore, Supervisor Herrity moved that the Board adopt the bylaws as contained in his written Board Matter. Supervisor Smyth seconded the motion.

Following discussion, Supervisor Herrity withdrew his motion and moved that the Board direct staff to prepare a Board Item with the bylaw changes. Supervisor Smyth seconded the motion, and it carried by unanimous vote.

38. **RECESS/CLOSED SESSION** (1:31 p.m.)

Following an inquiry to David P. Bobzien, County Attorney, regarding the expected length of closed session, Chairman Bulova stated that the Board planned to convene for closed session at 2 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. *Andrew Chiles, et al. v. Melvin M. Dunn, Jr., et al.*, Case No. CL-2009-007555 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 2. *Virginia Department of Labor and Industry v. Fairfax County Fire and Rescue Department and Its Successors*, Inspection No. 314841099 (Springfield District)

3. Application of Columbia Gas of Virginia, Inc., PUE-2010-00017 (Va. State Corp. Comm'n) (Dranesville, Hunter Mill, and Sully Districts)
4. *Xuli Zhang v. Police S. Regan and Police PEC M. Green, Mason Station, Fairfax County Police Department*, C.A. No. 1:10-cv-1329 (E.D.Va.)
5. *Craig J. Blakeley and Kathleen M. McDermott v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2010-0005765 (Fx. Co. Cir. Ct.) (Mason District)
6. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ruben Perez and Sonia M. Montecinos*, Case No. CL-2010-0001725 (Fx. Co. Cir. Ct.) (Mason District)
7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Leonel A. Romero and Nora E. Martinez*, Case No. CL-2009-0012157 (Fx. Co. Cir. Ct.) (Braddock District)
8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nasir Ahmad and Wosai Ahmadi*, Case No. CL-2010-0000725 (Fx. Co. Cir. Ct.) (Mason District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Reynaldo C. Medrano and Carla Munoz-Lopez*, Case No. CL-2006-0010659 (Fx. Co. Cir. Ct.) (Mason District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Santos E. Martinez*, Case No. CL-2010-0012138 (Fx. Co. Cir. Ct.) (Lee District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mounir Badawy*, Case No. CL-2010-0010675 (Fx. Co. Cir. Ct.) (Dranesville District)
12. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Aminullah A. Arsala*, Case No. CL-2010-0014719 (Fx. Co. Cir. Ct.) (Mason District)

13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Laird Graham Minor*, Case No. CL-2010-0012137 (Fx. Co. Cir. Ct.) (Providence District)
14. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Michel Vallet*, Case No. CL-2010-0011361 (Fx. Co. Cir. Ct.) (Dranesville District)
15. *Eileen M. McLane, Fairfax County Zoning Administrator v. Idalia Cruz and Nelzar Gallo*, Case No. CL-2010-0014776 (Fx. Co. Cir. Ct.) (Hunter Mill District)
16. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. George W. Garber and Mary L. Garber*, Case No. CL-2010-0015516 (Fx. Co. Cir. Ct.) (Hunter Mill District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator v. Jorge A. Mondino and Marta M. Mondino*, Case No. CL-2010-0017077 (Fx. Co. Cir. Ct.) (Dranesville District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. Nelson Adams and Juana Adams*, Case No. CL-2010-0014239 (Fx. Co. Cir. Ct.) (Mount Vernon District)
19. *Mark J. Stadskev and Susan M. K. Stadskev v. Board of Zoning Appeals of Fairfax County, Virginia, Case No. CL-2009-0015290; Eileen M. McLane, Fairfax County Zoning Administrator v. Mark J. Stadskev and Susan M. K. Stadskev*, Case No. CL-2009-0015289 (Fx. Co. Cir. Ct.) (Dranesville District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rosa E. Martinez*, Case No. CL-2010-0011285 (Fx. Co. Cir. Ct.) (Mason District)

21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Eric D. Smith, Kevin D. Smith, and Michelle C. Smith*, Case No. CL-2010-0014667 (Fx. Co. Cir. Ct.) (Hunter Mill District)
22. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Steven Nagy and Rosario Nagy*, Case No. CL-2010-0017883 (Fx. Co. Cir. Ct.) (Providence District)
23. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jorge Alberto Broide*, Case No. CL-2010-0017885 (Fx. Co. Cir. Ct.) (Providence District)
24. *Eileen M. McLane, Fairfax County Zoning Administrator v. KF Bailey's Crossroads, LLC*, Case No. CL-2011-0000048 (Fx. Co. Cir. Ct.) (Mason District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator v. JMM, LLC, T/A Lake Anne Market*, Case No. CL-2011-0000051 (Fx. Co. Cir. Ct.) (Hunter Mill District)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Daniel P. Sachs*, Case No. CL-2011-0000050 (Fx. Co. Cir. Ct.) (Dranesville District)
27. *Eileen M. McLane, Fairfax County Zoning Administrator v. Doan-Tran T. Luong*, Case No. CL-2011-0000049 (Providence District)
28. *Eileen M. McLane, Fairfax County Zoning Administrator v. Reynaldo C. Medrano and Carla Munoz-Lopez*, Case No. CL-2011-0000217 (Fx. Co. Cir. Ct.) (Mason District)
29. *Eileen M. McLane, Fairfax County Zoning Administrator v. Manuel Martinez*, Case No. CL-2011-0000216 (Fx. Co. Cir. Ct.) (Mason District)

30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Lawrence G. Rich and Vanessa C. Rich*, Case No. CL-2011-0000231 (Fx. Co. Cir. Ct.) (Providence District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Dennis N. Brill*, Case No. CL-2011-0000268 (Fx. Co. Cir. Ct.) (Lee District)
32. *Eileen M. McLane, Fairfax County Zoning Administrator v. 4005 Hummer Road, LLC*, Case No. CL-2011-0000354 (Fx. Co. Cir. Ct.) (Mason District)
33. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sandra E. Bermudez*, Case Nos. 10-0023194 and 10-0023195 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
34. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Doris Harwitz, Trustee of the Florence Harwitz Trust*, Case Nos. 10-0025984 and 10-0025985 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
35. *Board of Supervisors of Fairfax County, Virginia v. Monarch Equities, LLC*, Case No. CL-2010-0002565 (Fx. Co. Cir. Ct.) (Dranesville District)

And in addition:

- Commonwealth of Virginia, ex rel. FX Analytics v. The Bank of New York Mellon Corporation, et al.
- Dominion Virginia Power Application before the State Corporation Commission, PUE-2009-00019

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

DET:det

At 4:25 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hyland, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

39. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:25 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 McKay seconded the motion.

Chairman Bulova noted that Supervisor Hyland was present during most of the closed session but had to leave for a doctor's appointment.

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

40. **APPOINTMENT OF MR. RAY WILLIS TO THE POSITION OF DIRECTOR, DEPARTMENT OF VEHICLE SERVICES** (4:26 p.m.)

Supervisor Gross moved the appointment of Mr. Raymond Willis to the position of Director, Department of Vehicle Services, with an annual salary of \$132,385, effective February 28, 2011. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

NV:nv

AGENDA ITEMS

41. **3 P.M. – ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (4:27 p.m.)

(BACs) (NOTE: Earlier in the meeting, the Board took action regarding the I-95 Waste-to-Energy facility. See Clerk's Summary Item #26.)

At 4:27 p.m., the annual meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Bulova in accordance with Article III, Section I of the bylaws.

Supervisor Gross moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

OFFICERS

Sharon Bulova Chairman, Fairfax County Board of Supervisors	– Chairman
Penelope A. Gross Vice-Chairman, Fairfax County Board of Supervisors	– Vice-Chairman
Nancy Vehrs Clerk to the Fairfax County Board of Supervisors	– Secretary
Victor Garcia Director, Office of Finance	– Treasurer
David P. Bobzien County Attorney	– Attorney
Anthony H. Griffin County Executive	– Executive Director
Joyce M. Doughty Director, Division of Solid Waste Disposal and Resource Recovery, Department of Public Works and Environmental Services (DPWES)	– Authority Representative

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

Supervisor Gross moved approval of the minutes from the January 26, 2010, meeting of the Fairfax County Solid Waste Authority. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Gross moved approval of the financial statements attached to the Board Agenda Item dated January 25, 2011. Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Chairman Bulova called the Board's attention to item five on the authority's agenda, Discussion of the I-95 Energy/Resource Recovery Facility Agreement. Ms. Doughty noted that the Board received the schedule earlier in the meeting and briefly outlined the status of the I-95 Energy/Resource Recovery Facility Agreement and the schedule of the public meetings and the public hearing to be held before the Board.

Following an inquiry from Supervisor Smyth, Ms. Doughty stated that it appears that Covanta is ready to proceed with an extension on the option.

Chairman Bulova referenced the Board Matter she presented earlier in the meeting and reiterated that, in addition to the public hearing that the Board authorized for February 22 at 4:30 p.m., there are a number of community outreach discussion meetings as follows:

- Thursday, January 27, 7 p.m. at South County Secondary School (8501 Silverbrook Road, Lorton)
- Monday, January 31, 7 p.m. at the Fairfax County Government Center (12000 Government Center Parkway, Fairfax) in Conference Rooms 2 and 3
- Tuesday, February 1, 7 p.m. at the North County Governmental Center (12000 Bowman Towne Drive, Reston) in the community room

Chairman Bulova noted that in addition to holding these public meetings, the Office of Public Affairs (OPA) is utilizing the County's social media platform to collect comments and distribute information. It has scheduled an *Ask Fairfax* live chat with Department of Public Works and Environmental Services staff for residents to ask questions and learn more about the proposal online. This will take place on Thursday, January 27 at 1:30 p.m. on the County's website, www.fairfaxcounty.gov.

Supervisor Gross moved to adjourn the Annual Meeting of the Fairfax County Solid Waste Authority. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

At 4:32 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was adjourned.

DET:det

42. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2010-MA-020 (HIGHER HORIZONS DAY CARE CENTER, INCORPORATED) (MASON DISTRICT)** (4:33 p.m.)

The application property is located at 6201 Leesburg Pike, Tax Map 51-3 ((23)) C pt. and C1 pt.

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

Chairman Bulova disclosed a campaign contribution in excess of \$100 which she had received from:

- Don C. McIlvaine, a general partner of McIlvaine Associates Limited Partnership, LLLP (the ground lessee/sub-lessor in Section 1(a) of the affidavit), on behalf of Ravensworth Properties LLC, however Ravensworth Properties LLC is not associated with this application.

Ms. Mariska had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case. Discussion ensued concerning access, parking, and pedestrian crossing, with input from Ms. Mariska.

Following the public hearing, which included testimony by two speakers, Ms. Mariska provided rebuttal.

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

Supervisor Gross, citing the uncertainty of development condition 12 concerning a pending decision by the Virginia Department of Transportation (VDOT), moved to defer decision on Special Exception Application SE 2010-MA-020 until **February 8, 2011, at 3:30 p.m.** Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

43. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2005-PR-041 (ESKRIDGE (E & A) LLC) (PROVIDENCE DISTRICT)** (4:51 p.m.)

Supervisor Smyth moved to defer the public hearing on Proffered Condition Amendment Application PCA 2005-PR-041 until **February 8, 2011, at 3:30 p.m.** Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

44. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-L-057-02 (MCDONALD'S CORPORATION) (LEE DISTRICT)** (4:51 p.m.)

The application property is located at 7608 and 7614 Richmond Highway, Tax Map 92-4 ((2)) 3 and 4.

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

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

Following the public hearing, Catherine E. Lewis, Branch Chief, Rezoning and Special Exception Evaluation Branch, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McKay moved:

- Approval of Special Exception Amendment Application SEA 81-L-057-02, subject to the development conditions dated January 13, 2011.
- Modification of the Richmond Highway Corridor Area Streetscape Elements to that shown on the SEA Plat.
- To direct the Director of the Department of Public Works and Environmental Services to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the SEA Plat.

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

45. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2010-LE-017 (ISKALO CBR LLC) (LEE DISTRICT)** (4:58 p.m.)

Supervisor McKay moved to defer the public hearing on Special Exception Application SE 2010-LE-017 until **February 8, 2011, at 3:30 p.m.** Supervisor Herrity and Supervisor Smyth jointly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

46. **4 P.M. – PH FOR FAIRFAX COUNTY’S PURCHASE OF ONE MILLION GALLONS PER DAY (MGD) OF CAPACITY AT LOUDOUN WATER’S BROAD RUN WATER RECLAMATION FACILITY (BRWRF)** (4:59 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 January 7 and January 14, 2011.

Shahram Mosenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services, presented the staff report.

Discussion ensued concerning projected exhaustion with input from Mr. Mosenin.

Following the public hearing, Supervisor Gross moved that the Board authorize the Chairman to execute a purchase agreement for one MGD of capacity at Loudoun Water’s BRWRF substantially in the form of the Draft Agreement attached to the Board Agenda Item dated January 25, 2011. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

47. **4 P.M. – PH ON THE SALE OF TWO MILLION GALLONS PER DAY (MGD) OF THE COUNTY’S UNUSED CAPACITY AT THE UPPER OCCOQUAN SEWAGE AUTHORITY’S (UOSA) TREATMENT PLANT TO PRINCE WILLIAM COUNTY** (5:04 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 January 7 and January 14, 2011.

Shahram Mosenin, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services, presented the staff report.

Discussion ensued concerning fiscal impact, sewer extension projects and capacity with input from Mr. Mosenin.

Following the public hearing, Supervisor Gross moved that the Board authorize the Chairman to execute a capacity sales agreement for two MGD of the County’s capacity at UOSA to Prince William County. Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Hyland being out of the room.

ADDITIONAL BOARD MATTERS48. **PROTECTING SOCIAL SECURITY NUMBERS** (5:09 p.m.)

Supervisor Herrity said that, as appropriate, the Board offices receive copies of Alcoholic Beverage Control (ABC) license applications that are being processed within each of their districts. Included for review are copies of both the state applications and the County's ABC license review sheets, an example of which was distributed to the Board. These applications, which include the applicants' full names, addresses, date of birth, Social Security numbers, and driver's license numbers, are sent to the Board via County Courier.

Supervisor Herrity indicated his understanding that the Police Department and other review agencies that have enforcement responsibilities need to see identifying information. However, he stated his belief that there are other ways to confirm the identity of the applicant, including only using the last four digits of the Social Security number. In fact, many federal, state, and local agencies and the private sector now only use the last four digits of the Social Security number or the customer identification number on driver's licenses when needing to confirm an individual's identity.

In the age of increased risk of identity theft, Supervisor Herrity expressed his worry about the internal circulation of Social Security numbers within County departments and the risk of this information being compromised. The information can be compromised by simply throwing the papers in the trash bin without properly shredding them or by a visitor to a County facility.

Accordingly, with Social Security numbers as one of the best ways for criminals to commit identity theft, Supervisor Herrity moved that the Board direct staff to identify and determine if it is necessary to use a full Social Security number not only this instance, but in any other areas where social security numbers are required and that, where social numbers are required, staff review the policies for taking prudent measures to protect them whether electronic or paper. Supervisor Hudgins seconded the motion.

Following discussion regarding broad stronger controls, Supervisor Hudgins asked to amend the motion to direct the County Executive to report with his recommendations to protect Social Security numbers by changing practices to prohibit providing information that could result in identity theft, and this was accepted. The question was called on the motion, as amended, and it carried by a vote of nine, Supervisor Hyland being out of the room.

49. **2011 TYSONS COMMERCIAL "CAP" (PROVIDENCE DISTRICT)**
(5:12 p.m.)

Supervisor Herrity said that in September 2008, he brought before the Board his concern for reaching and maintaining a commercial tax base of 25 percent,

stressing its importance in providing tax relief to homeowners. He asserted that it is critical because it provides much of the tax revenues used to fund the high quality services County residents have come to expect. He said that he proposed, and the Board approved, a motion to reaffirm the County's priority of a 25 percent commercial tax base.

Supervisor Herrity said that recently, he was approached by community and business leaders regarding their concern for the development level ("cap") of 45 million square feet of office space. Based on the applications received and in process, this cap will soon be reached. Much of this office development is expected to remain in the pipeline and will not be built in the near future. However, he said that his fear and the fear in the business community is that this cap will discourage applications that might be built earlier and end up discouraging actual commercial development in Tysons Corner. The plan does allow for an update once this cap is reached, but he stated his concern about the time it may take for such an amendment to the plan.

Supervisor Herrity moved that the Board direct the County Executive to develop a plan to address the cap, along with the timetable, and report with his findings at the next Development Process Committee meeting. Supervisor Cook seconded the motion.

Following discussion regarding conceptual stages and what the market will bring, Supervisor Smyth asked to amend the motion to direct staff to examine this question in terms of realistically what the County will be getting in terms of final development plans coming in and approaching the idea of the cap knowing that what will actually be built in the nearer timeframe is quite different from the conceptual plan.

Following further discussion regarding transportation in Tysons, the plan for public infrastructure, and the schedule, Supervisor Smyth clarified that instead of "cap," the correct term is "the first increment of development."

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

50. **HOLDING A PUBLIC HEARING FOR THE COVANTA PURCHASE**
(5:25 p.m.)

(NOTE: Earlier in the meeting, the Board took action regarding the waste-to-energy facility. See Clerk's Summary Item #26.)

With reference to his written Board Matter on the subject of Covanta, Supervisor Herrity said that it was overtaken by events.

PMH:pmh

51. **RECOGNITION FOR JOYCE WHITE, MANAGER, JAMES LEE CENTER (PROVIDENCE DISTRICT)** (5:25 p.m.)

Supervisor Smyth referred to her written Board Matter which outlined the many accomplishments of Joyce White, Manager, James Lee Center.

Therefore, Supervisor Smyth asked unanimous consent that the Board direct staff to invite Miss White to appear before the Board to be recognized for her many years of service with a Certificate of Appreciation to be signed by the Chairman and the Providence District Supervisor. Without objection, it was so ordered.

52. **MASON DISTRICT BASE REALIGNMENT AND CLOSURE (BRAC) 133 TASK FORCE MEETING** (5:26 p.m.)

Supervisor Gross expressed her appreciation to Chairman Bulova for attending the Mason District BRAC 133 Task Force meeting. She noted that meetings would be held over the next several months to address the anticipated impact of parking, cut through, and commuter traffic as a result of the move into the BRAC building at Seminary Road and I-395 in the City of Alexandria.

53. **FAIRFAX HOSPITAL CELEBRATES 50 YEARS** (5:27 p.m.)

On behalf of the entire Board, Supervisor Gross noted that 50 years ago, Fairfax Hospital became a reality, opening to serve patients from across the County, Northern Virginia, and beyond. In fact, as if to punctuate the timeliness of the new and modern facility, two babies were born at Fairfax on opening day, February 6, 1961. Fairfax Hospital now is the flagship of a world-class, but still home town, community health care organization, the INOVA Health System.

Supervisor Gross said that since those early days (the Beltway was not yet constructed, Tysons Corner was just a country crossroads, Skyline was still a general aviation airport, Dulles Airport was not built yet, the County's population was 275,000, and the Board had seven members: six men and one woman, Anne Wilkins of Mason District, who served as chair), INOVA has widened its scope to match the ever-increasing demands of Northern Virginia residents. No corner of the County is far from an INOVA facility, and Fairfax Hospital is ranked consistently as one of the top hospitals in the nation. The Fairfax campus alone hosts the INOVA Hospital for Children; INOVA Fairfax Hospital for Women; INOVA Heart and Vascular Institute, and the INOVA campus of the Virginia Commonwealth University School of Medicine. INOVA may be the largest non-government employer in the region.

In recognition of the "golden anniversary" of the Fairfax Hospital, Supervisor Gross moved that the Board approve the proclamation contained in her written Board Matter and for presentation at the February 7 cake-cutting ceremony for

Fairfax Hospital staff and visitors. The Board seconded the motion and it carried by unanimous vote.

54. **TRUCK RENTAL IN PLANNED RESIDENTIAL COMMUNITY (PRC) DISTRICTS** (5:30 p.m.)

Supervisor Hudgins said that in dealing with a recent zoning issue, it was brought to her attention that a truck rental service is not a permitted use within a PRC District, not even as an ancillary use to a principal use with a special exception. With the variety of mixed uses permitted within the PRC, it seems appropriate for this use to be considered as a special exception use as long as it meets the appropriate standards.

Supervisor Hudgins said that it has come to her attention that the February 1, 2011, Development Process Committee meeting has been postponed. She noted that there is a need to address this issue in the more immediate time frame and she requested that this issue be placed on the Priority One list for review of the Zoning Ordinance.

Therefore, Supervisor Hudgins moved that the Board place the review of the Zoning Ordinance for provisions of truck rental in the PRC District on the Priority One list of the 2011 Work Program. Chairman Bulova seconded the motion.

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

55. **NO BOARD MATTERS FOR BRADDOCK DISTRICT SUPERVISOR COOK** (5:32 p.m.)

Supervisor Cook announced that he had no Board Matters to present today.

56. **NO BOARD MATTERS FOR SULLY DISTRICT SUPERVISOR FREY** (5:32 p.m.)

Supervisor Frey announced that he had no Board Matters to present today.

57. **BOARD ADJOURNMENT** (5:32 p.m.)

The Board adjourned.

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