



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

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

**TUESDAY  
June 4, 2013**

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**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, June 4, 2013, at 9:34 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 Edward L. Long Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Denise A. Long, Deputy Clerk to the Board of Supervisors; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of Clerk to the Board of Supervisors.

**BOARD MATTERS**1. **ORDERS OF THE DAY** (9:34 a.m.)

Chairman Bulova announced that the meeting would begin with a moment of silent meditation followed by a special beginning to this meeting. This being “*Army Strong Week*,” she welcomed Colonel Gregory Gadson, Garrison Commander, Fort Belvoir, to the Board Auditorium and announced that the Army Fife and Drum Corps would be performing.

2. **MOMENT OF SILENCE** (9:35 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of Walter Mess, former chairman of the Northern Virginia Regional Park Authority, who recently died. He served on the Authority for over 45 years and one of his greatest accomplishments was the establishment of the W&OD Trail.

Supervisor Frey asked everyone to keep in thoughts the family of Martha Vaughan, a long-time member of the Centreville community and widow of the late Elder Lorenzo Vaughan; she recently died. She was committed to the community and her family has been part of the western Fairfax – Prince William area for several generations.

**AGENDA ITEMS**3. **PRESENTATION OF THE COLORS** (9:38 a.m.)

Following an introduction by Jim Person, Public Safety Information Officer, Office of Public Affairs, the US Army Color Guard presented the colors and an element of the Old Guard Fife and Drum Corps performed.

Chairman Bulova noted that this presentation has become a tradition to the beginning of “*Celebrate Fairfax Week*” while also recognizing “*Army Strong Week*” as well as the Lord and Lady Fairfax honorees.

4. **PROCLAMATION DESIGNATING JUNE 9–14, 2013, AS "ARMY STRONG WEEK" IN FAIRFAX COUNTY** (9:43 a.m.)

Chairman Bulova, noting that the County has had a long relationship with Fort Belvoir and its leadership, relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate June 9–14, 2013, as “*Army Strong Week*” in the County and urged all residents to join in congratulating the US Army on the 238th anniversary of its formation. Supervisor Hyland and Supervisor McKay jointly seconded the motion.

Supervisor McKay thanked Colonel Gadson and his team at Fort Belvoir for their availability and willingness to address concerns and issues that arise in the

immediate communities adjacent to the post. He also recognized the collaborative efforts between the two including the annual Veterans Bridge Walk in Springfield as well as the signing of a community covenant which explicitly states the cooperation between the post and the surrounding communities and also expresses appreciation of the community for the work that is done not only at Fort Belvoir but also by the men and women in uniform.

Supervisor Hyland noted the incredible cooperation of present and former commanders in dealing with community issues, particularly those relating to Base Realignment and Closure (BRAC). He also recognized the efforts of the base and the surrounding communities, particularly the Mason Neck community, in the Wounded Warriors' program.

Following additional remarks by Vice-Chairman Gross, who noted that as an Army "brat" she had lived on Fort Belvoir, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO 2013 LORD AND LADY FAIRFAX HONOREES** (9:57 a.m.)

Chairman Bulova introduced the following 2013 Lord and Lady Fairfax honorees:

At Large

- Mr. Anthony H. Griffin
- Miss Amanda Andere

Braddock District

- Ms. Catie Morales (not present)
- Mr. Mark H. O'Meara

Dranesville District

- Ms. Wendy Gradison (not present)
- Mr. Robert L. Hahne

Hunter Mill District

- Ms. Patricia Nicoson
- Mr. Arthur S. Hill

Lee District

- Miss Samantha Underwood
- Mr. Kyle Talente

Mason District

- Ms. Jo Hodgins
- Mr. Frank Sellers

Mount Vernon District

- Ms. Becky Todd
- Mr. Jeff Todd (posthumously)

Providence District

- Ms. Burma Bochner
- Mr. Rick Bochner

Springfield District

- Ms. Michelle Stein
- Mr. Michael R. Congleton

Sully District

- Ms. Gina Richard
- Mr. Eric Cox

Following recognition of each nominee by their respective Supervisors, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates of Recognition presented to the 2013 Lord and Lady Fairfax honorees. The motion was multiply seconded and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

**ADDITIONAL BOARD MATTERS**6. **RECOGNITION OF BOY SCOUT TROOP 2215** (10:25 a.m.)

Chairman Bulova recognized the presence of Scout Troop 2215 and, on behalf of the Board, warmly welcomed them to the Board Auditorium. They meet at the Church of Christ at 7512 Old Keene Mill Road. She asked them to stand and be recognized.

7. **“CELEBRATE FAIRFAX”** (10:26 a.m.)

Chairman Bulova announced that the honoring of the Lords and Ladies Fairfax comes as final plans are put in place for this weekend’s “*Celebrate Fairfax*” festival, which opens this Friday, June 7, at 6 p.m., and runs through the evening of Sunday, June 9. Produced by Celebrate Fairfax, Incorporated, the festival is the County’s official fair and features more than 300 community and commercial exhibits, outstanding entertainment, thrilling carnival rides, and fantastic food.

Chairman Bulova invited Barry Feil, President and Chief Executive Officer, Celebrate Fairfax, to the podium to make brief remarks. In his remarks, Mr. Feil noted:

- The launch of an emerging artists’ program for student artists
- The first-ever County DockDogs championship
- The completion of the second year of its County community scholarship program which recognizes ten students with \$1000 scholarships who have balanced outstanding academics with a wide array of volunteer experiences, community activism, and extra-curricular activities

**ADDITIONAL AGENDA ITEMS**8. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. NATHAN KILEY (SULLY DISTRICT)** (10:30 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to Mr. Nathan Kiley from Westfield High School for his outstanding effort resulting in winning the 800 meter race at both the New Balance High School Indoor National Championship and the Virginia Championship. Supervisor Foust, Supervisor Herrity, and Supervisor Hudgins jointly seconded the motion.

Supervisor Frey noted that Mr. Kiley is the only high school runner in the region to win a national championship and the he had also anchored the gold medal-winning 4x800 relay at the Virginia Championship this past weekend.

Supervisor Frey added that Mr. Kiley was considering attending Stanford and that the Westfield High School marching band would be performing on January 1, 2014, in the Rose Bowl Parade; a first-ever for the County.

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

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE ROBINSON SECONDARY SCHOOL VARSITY WRESTLING TEAM (BRADDOCK DISTRICT)** (10:36 a.m.)

Supervisor Cook moved approval of the Certificate of Recognition presented to members of the Robinson Secondary School Varsity Wrestling team for its extraordinary talent, stamina and team effort resulting in winning the 2013 AAA Virginia Championship, its second State title in three years. Supervisor Hyland seconded the motion and it carried by unanimous vote.

10. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE ROBINSON SECONDARY SCHOOL MEN'S SWIM AND DIVE TEAM (SPRINGFIELD DISTRICT)** (10:42 a.m.)

Supervisor Herrity moved approval of the Certificate of Recognition presented to members of the Robinson Secondary School Men's Swim and Dive team for its distinctive efforts and athletic ability resulting in winning the 2013 AAA Virginia Championship. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

11. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. ABI SPEERS (DRANESVILLE DISTRICT)** (10:48 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to Ms. Abi Speers from Langley High School for her outstanding effort resulting in winning the 50-yard Freestyle event for the second consecutive year and setting a new state record at the Virginia 2013 AAA Swim and Dive State Championship. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

12. **RESOLUTION OF RECOGNITION PRESENTED TO MR. MICHAEL LONG** (10:52 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to Mr. Michael Long for more than 40 years of distinguished, devoted, and loyal service to the County. The motion was unanimously seconded. Following extensive remarks by the Board, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

13. **RESOLUTION OF RECOGNITION PRESENTED TO THE DEPARTMENT OF TRANSPORTATION (DOT) AND MEMBERS OF THE BICYCLING COMMUNITY** (11:13 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition presented to DOT and members of the bicycling community for their dedicated work to make “*Bike to Work Day*” an outstanding and successful event. Supervisor Hyland seconded the motion.

Supervisor Hudgins announced that this resolution was jointly requested and that on “*Bike to Work Day*” there were more than ten pit stops throughout the County. She added that the County is a bicycling community and is growing, and there had been enormous participation in the event.

Supervisor Cook noted that this is the largest regional bicycling event sponsored by the Metropolitan Washington Council of Governments (COG) and while the ridership goal this year was 15,000 (a thousand more than last year), the actual participation number was 15,600 registered riders.

Supervisor Foust congratulated his staff stating that his office had 100 percent participation in the event. He also noted a recently completed project of the posting of over 80 way-finding signs in McLean which will benefit bicyclists in that community.

Chairman Bulova asked Charlie Strunk, Bicycle Program Coordinator, DOT, to address the County’s bicycle map in his remarks.

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

Mr. Strunk stated that there were two new pit stops in the County this year: in Merrifield at the Mosaic District and in Mount Vernon at Collingwood Park which were both successful for first-year pit stops. He added that the third version of the paper map has been issued and there is an interactive on-line bicycle map as well.

14. **PROCLAMATION DESIGNATING JUNE 2013 AS "FIGHT THE BITE AWARENESS MONTH" IN FAIRFAX COUNTY** (11:26 a.m.)

While being attacked by a giant mosquito, Supervisor Herrity moved approval of the Proclamation to designate June 2013 as “*Fight the Bite Awareness Month*” in the County and urged all residents to take steps to control mosquitoes around their homes and to protect themselves and their families from mosquito bites. Supervisor Foust seconded the motion.

Discussion ensued concerning the entertaining “*Fight the Bite*” calendars and booklets developed by the County Health Department that are very educational and get the message across.

Following an inquiry from Supervisor Hudgins concerning a tick spoon, discussion continued concerning mosquito dunks and their popularity.

Following an additional inquiry from Supervisor McKay concerning whether the booklet has been incorporated in the County’s school curriculum, further discussion ensued regarding the importance of delivering a serious message to kids in a way they can process the information willingly and with great interest.

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

Dr. Jorge Arias, Disease-Carrying Insects Program, Office of Health Services, Health Department, informed the Board that this was the second worst year for West Nile virus for the County, the State, and the country. He added that his office is working closely with the schools to integrate the booklets with them as they are published at different levels for different age groups. He also stated that the calendars are distributed to all fourth graders.

15. **PROCLAMATION DESIGNATING JUNE 16–22, 2013, AS “SAFETY, HEALTH, AND SURVIVAL WEEK” IN FAIRFAX COUNTY** (11:40 a.m.)

Supervisor McKay moved approval of the Proclamation to designate June 16-22, 2013, as “*Safety, Health, and Survival Week*” in the County and urged all residents to observe this week with appropriate programs and activities. Supervisor Gross and Supervisor Hyland jointly seconded the motion.

Discussion ensued concerning the dedication of the public safety officers in the County.

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

Deputy Fire Chief Dan Gray, Safety and Personnel Services Division, Fire and Rescue Department (FRD), asked everyone to keep in thoughts the Houston Fire Department which had a tragic loss of four members. He also announced that Captain Chris Thompson, Safety Officer, Safety and Personnel Services, FRD, will be retiring next week after 30 years of dedicated service. He then introduced Captain Dave Hall, Occupational Health and Safety Programs, RFD, who provided a brief overview of safety, health and survival.



EBE:ebe

16. **ADMINISTRATIVE ITEMS** (11:53 a.m.)

Chairman Bulova noted that Admin 5 was withdrawn by staff.

Supervisor Gross moved approval of the Administrative Items with the exception of Admin 6, which is being deferred to a later date. Supervisor Hyland seconded the motion.

Supervisor McKay called the Board's attention to Admin 3 – Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Temporary Family Health Care Structures. Discussion ensued, with input from Cathy S. Belgin, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning (DPZ), and Lorrie Kirst, Senior Deputy Zoning Administrator, DPZ, regarding:

- Building code requirements
- Criteria for permanent foundation
- Procedure and process for dealing with the proposed amendments
- Minimum yard requirements and P-Districts
- Floor area limitations

Supervisor Smyth asked unanimous consent that the Board direct staff to provide information on the effect of the proposed amendment and P-Districts. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board direct staff to reach out to the Health Care Advisory Board for its input. Without objection, it was so ordered.

The question was called on the motion to approve the Administrative Items, with the exception of Admin 5 and Admin 6, 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 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONVEY BOARD-OWNED PROPERTY TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) (PROVIDENCE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 9, 2013, at 4 p.m.** to consider conveying Board-owned property to WMATA.

**ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING MINOR REVISIONS**

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 10, 2013, at 8:15 p.m., and before the Board on **September 24, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding minor revisions.

**ADMIN 3 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING TEMPORARY FAMILY HEALTH CARE STRUCTURES**

- (A) (R) (NOTE: Earlier in the meeting, this item was discussed. See page 9.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 10, 2013, at 8:15 p.m., and before the Board on **September 24, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding temporary family health care structures.

**ADMIN 4 – STREETS INTO THE SECONDARY SYSTEM (MASON AND PROVIDENCE DISTRICTS)**

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

<b><u>Subdivision</u></b>	<b><u>District</u></b>	<b><u>Street</u></b>
Mount Pleasant Parcel 55	Mason	Braddock Road (Route 620) [Additional Right-of-Way (ROW) Only]
Cedarest Assemblage	Providence	Lee Highway (Route 29) (Additional ROW Only)
		Cedarest Road (Route 1076) (Additional ROW Only)

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 18, TO EXTEND THE PARTIAL REAL ESTATE TAX EXEMPTION FOR SOLAR ENERGY EQUIPMENT TO 10 YEARS**

This item was withdrawn by staff.

**ADMIN 6 – DISCONTINUANCE OF A PORTION OF VIRGINIA STREET (ROUTE 811) FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS (MASON DISTRICT)**

This item was deferred.

**ADMIN 7 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) FOR THE VIRGINIA QUALITY RATING AND IMPROVEMENT SYSTEM**

Authorized DFS to apply for and accept funding, if received, from VDSS in the amount of \$300,000 to continue the implementation of QRIS in the County, as well as expand it on a regional level. No local cash match is required; however, \$89,190 of in-kind support will be contributed towards regional coordination activities.

**ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 9, 2013, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law.

17. **A-1 – APPROVAL OF REVISIONS TO FAIRFAX CONNECTOR SERVICE TO SUPPORT PHASE I OF THE METRORAIL SILVER LINE (BRADDOCK, DRANESVILLE, HUNTER MILL, LEE, MASON, PROVIDENCE AND SULLY DISTRICTS)** (12:07 p.m.)

Tom Biesiadny, Director, Department of Transportation provided a brief background on the route revisions.

Discussion ensued, with input from Mr. Biesiadny, regarding:

- Funding sources for the Service
- Criteria used in making the changes
- Duplication of service routes
- Capital cost involved
- Monitoring the revisions for increased efficiency
- Congestion reduction and commuter improvements
- Safety
- Farebox return

Supervisor Hudgins asked unanimous consent that the Board direct staff to monitor ongoing bus routes, service provision, and policy for efficiency. Without objection, it was so ordered.

Supervisor McKay moved that the Board concur in the recommendation of staff and approve implementation of the Fairfax Connector service as outlined in the Board Agenda Item dated June 4, 2013. Supervisor Foust seconded the motion.

Discussion ensued, regarding the extent of community outreach and input regarding the changes.

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

Supervisor Hudgins asked unanimous consent that the Board refer the issue to the Transportation Committee meeting to explore the establishment of a Transit Riders Advisory Group to provide input on transit issues. Without objection it was so ordered.

18. **A-2 – APPROVAL OF THE NORTHERN VIRGINIA LAW ENFORCEMENT MUTUAL AID AGREEMENT OF 2013** (12:40 p.m.)

On motion of Supervisor Hyland, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to sign the Northern Virginia Law Enforcement Mutual Aid Agreement of 2013 between the Fairfax County Police Department and various other law enforcement agencies in the Northern Virginia area.

19. **A-3 – AUTHORIZATION TO UTILIZE HOUSING BLUEPRINT FUNDS FOR THE PRESERVATION AND REHABILITATION OF THE MURRAYGATE VILLAGE APARTMENTS (LEE DISTRICT)** (12:40 p.m.)

On motion of Supervisor McKay, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Herrity being out of the room, the Board concurred in the recommendation of staff and authorized funding in an amount not to exceed \$4,443,655 from Housing Blueprint funds for the preservation and rehabilitation of Murraygate Village Apartments.

20. **A-4 – TESTIMONY AND COMMENTS FOR PUBLIC HEARING ON COMMONWEALTH OF VIRGINIA’S SIX-YEAR IMPROVEMENT PROGRAM FOR INTERSTATE, PRIMARY, AND URBAN HIGHWAY SYSTEMS AND PUBLIC TRANSPORTATION FOR FISCAL YEAR (FY) 2014 THROUGH FY 2019** (12:42 p.m.)

Supervisor McKay said that on May 15, 2013, the Virginia Department of Transportation (VDOT) released its Draft Six-Year Interstate, Urban, Primary, and Transit Improvement Program for Fiscal Years 2014 through 2019. By law, the Commonwealth Transportation Board has the responsibility to hold public hearings and adopt a final program based on the official revenue forecast by July 1, 2013. For Northern Virginia, the public hearing was held on Wednesday, May 29, 2013 at VDOT’s Northern Virginia District Office.

Staff prepared a testimony based on review of the Adopted Fiscal Years 2013-2018 Six Year Improvement Program and Draft Fiscal Years 2014-2019 Program which was presented at the public hearing. That testimony is attached to the Board Item in the Board package. Subsequent to that testimony which was prepared for this Board meeting, additional information concerning the allocation of unspent funding from the Department of Defense Office of Economic Adjustment and Defense Access Roads Program has been identified, and it is recommended that the testimony in the Board package be amended to include the following language:

- Now that construction of the Fairfax County Parkway project adjacent to the Fort Belvoir North Area is nearly complete, it appears that there will be \$15 million in unspent funds at the end of the project. In addition, the award for the Route 1 Widening project between Telegraph Road and Mount Vernon Highway came in well below the estimate, meaning there will likely be significant funding remaining when it is complete. Fairfax County supports the allocation of funding to advance a project to widen Route 1 from Armistead road to the Occoquan River, including the transfer of the \$15 million remaining from the Parkway project. The County will partner with the State to apply for the remaining funds from the Route 1 Widening project through Fort Belvoir to

complete this next piece of Route 1 to the south of Fort Belvoir as a continuation of the commitment to mitigate Base Realignment and Closure (BRAC) impacts at Fort Belvoir. Otherwise, these funds could be reallocated to other projects in other parts of the country, because these are Federal funds and they are tied directly to the construction of medical facilities on Military Bases.

Therefore, Supervisor McKay moved that the Board approve adding this language to the attached testimony to be forwarded to the Virginia Secretary of Transportation. Supervisor Hyland seconded the motion, and it carried by unanimous vote.

21. **C-1 – NATIONAL ASSOCIATION OF COUNTIES’ (NACO) ANNUAL CONFERENCE** (12:45 p.m.)

The Board next considered an item contained in the Board Agenda dated June 4, 2013, regarding designation of a voting and alternate delegate to represent the County at the NACo Annual Conference to be held in Fort Worth/Tarrant County, Texas, July 19-22, 2013.

Supervisor Gross moved the appointment of:

- Supervisor Hyland as the Voting Delegate for NACo.
- Supervisor Gross as the Alternate Delegate for NACo.

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

22. **I-1 – CONTRACT AWARD – OPERATE, STAFF, AND MANAGE THE PUBLIC SAFETY OCCUPATIONAL HEALTH CENTER** (12:47 p.m.)

The Board next considered an item contained in the Board Agenda dated June 4, 2013, informing the Board that staff intends to award a contract to Medocracy, Incorporated, for the services of a qualified medical provider to operate, staff, and manage the Public Safety Occupational Health Center (PSOHC) and to provide a full range of occupational medical services to uniformed public safety personnel (Fire and Rescue, Police, and Sheriff). The contract has a term of five years with ten one-year renewal options. The estimated annual amount of this contract is \$3,074,291.

23. **I-2 – PLANNING COMMISSION (PC) ACTION ON PUBLIC FACILITIES APPLICATION 2232-P12-6, MILESTONE COMMUNICATIONS, INCORPORATED (PROVIDENCE DISTRICT)** (12:47 p.m.)

The Board next considered an item contained in the Board Agenda dated June 4, 2013, announcing the PC’s approval of Public Facilities Application 2232-P12-6. The PC noted that the application met the criteria of character,

location, and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia. The application sought approval for Milestone Communications, Incorporated to construct a 135 foot tall monopole (clock tower), concealing 54 panel antennas for five telecommunications providers including Verizon Wireless, AT&T, Sprint, T-Mobile, and Cricket at 3036 Graham Road, on property owned by the County School Board. The 3,692 square foot equipment compound will contain a 232 square foot Verizon equipment shelter, a 228 square foot AT&T equipment shelter, and other outdoor equipment cabinets. The equipment compound will be screened by an 8 foot high chain link fence with brown concealment slats, Tax Map 50-3 ((12)) 11A.

24. **I-3 – PLANNING COMMISSION (PC) ACTION ON PUBLIC FACILITIES APPLICATION 2232-Y13-1, MILESTONE COMMUNICATIONS, INCORPORATED AND VERIZON WIRELESS (SULLY DISTRICT)**  
(12:48 p.m.)

The Board next considered an item contained in the Board Agenda dated June 4, 2013, announcing the PC's approval of Public Facilities Application 2232-Y13-1. The PC noted that the application met the criteria of character, location and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia. The application sought approval to construct a 115 foot monopole "treepole" and/or "monopine" telecommunications facility at Stone Middle School. The facility will also have a 2,125 square foot equipment compound for up to five wireless carriers, with Verizon Wireless to be the initial carrier. The property is located at 5500 Sully Park Drive, at its intersection with Braddock Road, Tax Map 54-1 ((1)) 23A.

25. **I-4 – DOLLEY MADISON LIBRARY AND I-66 TRANSFER STATION OPERATIONS CENTER RECEIVE MID-ATLANTIC CHAPTER AMERICAN PUBLIC WORKS ASSOCIATION PROJECT OF THE YEAR AWARDS (DRANESVILLE AND SPRINGFIELD DISTRICTS)**  
(12:48 p.m.)

The Board next considered an item contained in the Board Agenda dated June 4, 2013, announcing that Dolley Madison Library and the I-66 Transfer Station Operations Center received Mid-Atlantic Chapter American Public Works Association Project of the Year awards.

26. **I-5 – PROJECT AGREEMENT BETWEEN THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS), THE NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD), AND THE COUNTY FOR THE REHABILITATION OF POHICK CREEK DAMSITE NUMBER 8, HUNTSMAN LAKE (SPRINGFIELD DISTRICT)** (12:48 p.m.)

The Board next considered an item contained in the Board Agenda dated June 4, 2013, informing the Board that the County Executive, on behalf of the County, will execute the Project Agreement and other supporting documents with

the NRCS and the NVSWCD for the rehabilitation of Pohick Damsite Number 8, Huntsman Lake.

### **ADDITIONAL BOARD MATTERS**

27. **REQUESTS FOR RECOGNITION** (12:49 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a proclamation to be sent to:

- The Dahn Yoga and Health Center, recognizing June 29, 2013, as Brain Education Day.
- The Vienna Toastmasters Organization, recognizing June 12, 2013, as Toastmaster's Day.

Without objection, it was so ordered.

28. **MEDICAID-FUNDED TRANSPORTATION SERVICES** (12:50 p.m.)

Chairman Bulova said that numerous individuals in the community who have an intellectual disability or mental illness must rely on Medicaid-funded transportation services managed through the current vendor Logisticare. She explained that this vendor has a history of poor performance and in the last few months she and her staff have personally been contacted by many County residents complaining about their service. Complaints include very late pick-ups in the morning, late arrivals at their therapeutic service or employment day service sites due to inefficient routing, and very late arrivals home, many over two hours late. There have also been incidents where individuals, many of whom are unable to communicate have been taken to the wrong address.

In Fiscal Year 2012, the Fairfax-Falls Church Community Services Board (CSB) received over 600 complaints regarding Medicaid transportation providers contracted through Logisticare. Nearly 10 percent of the complaints reported in 2012 are still unresolved as of May 2013. This lack of response from Logisticare and accountability from the Virginia Department of Medical Assistance Services to complaints cannot continue.

Therefore, Chairman Bulova moved that the Board direct staff to send a letter (as contained in her written Board Matter) to Governor McDonnell with a copy to the Northern Virginia General Assembly representatives expressing the Board's grave concern and requesting a thorough independent and analytical study of the performance of the transportation vendor Logisticare, and the oversight provided by the Medicaid office. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.



29. **EVENINGS ON THE ELLIPSE** (12:53 p.m.)

Chairman Bulova announced that she is hosting a new, exciting *Evenings on the Ellipse* concert series this summer. On Thursday evenings, from 5 p.m. until 6:30 p.m., July 11 through August 29, the County Government Center's "back yard" will be alive with music, relaxation, and fun. There will be some wine tasting opportunities with the County's two wineries, Paradise Springs and Bull Run Winery. Concerts are designed for employees and nearby residents who wish to celebrate the end of the day in Wolf Trap-esque style! If you like music and enjoy spending time with family, co-workers, and friends, you will love this concert series.

This concert series is possible thanks to a partnership with the County's Park Authority and generous corporate neighbors. Chairman Bulova expressed her appreciation to them for helping make these good times happen. The brochure for the concerts can be found on the web at: <http://www.fairfaxcounty.gov/parks/performances/downloads/13EllipseWebAdFINAL.pdf>.

30. **EVOLUTION OF TRANSPORTATION** (12:54 p.m.)

Chairman Bulova announced that a program for the evolution of Transportation will be held on Wednesday, June 12, at the Angelika Film Center, 2911 District Avenue, Fairfax, VA 22031, from 7:30 p.m. to 9:30 p.m. The brochure for the program can be found on the web at: [http://www.fairfaxcounty.gov/chairman/pdf/evolution\\_of\\_transportation.pdf](http://www.fairfaxcounty.gov/chairman/pdf/evolution_of_transportation.pdf).

Vice-Chairman Gross returned the gavel to Chairman Bulova.

31. **McLEAN COMMUNITY CENTER (MCC) ELECTIONS (DRANESVILLE DISTRICT)** (12:54 p.m.)

(APPTS)  
(BACs)

Supervisor Foust said that on Saturday May 18, 2013, the MCC held elections for five positions on the McLean Community Center's Governing Board of Directors, including three adult three-year terms, one youth one-year term for the Langley High School (HS) area, and one youth one-year term for the McLean HS area.

Based on the results of the election, as certified by the MCC's Elections and Nominations Committee, Supervisor Foust moved that the Board find that it is in the public interest to appoint those persons receiving the highest number of votes in this election of Governing Board Members, and that the following individuals be appointed to the MCC Board:

- Adults - three-year terms: Mr. Dennis Findley, Mr. Jay Howell, and Mr. Paul Kohlenberger
- Youth - one-year term- Langley HS area: Sudharsan Sriram

- Youth - one-year term- McLean HS area: Steven Pardo

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

32. **PROCLAIMING JUNE 2013 AS “LESBIAN, GAY, BISEXUAL, AND TRANSGENDER (LGBT) PRIDE MONTH” IN FAIRFAX COUNTY**  
(12:56 p.m.)

Supervisor Foust said that the LGBT civil rights movement began with the Stonewall Riots in New York on June 28, 1969. Every year since that date, June has been celebrated as LGBT Pride Month across the country.

Supervisor Foust noted that the County has a diverse LGBT community that includes all races, ethnicities, and walks of life, including business owners, accountants, IT professionals, real estate agents, civil servants, teachers, and religious leaders, who contribute to the enrichment of the County. The County’s LGBT community has organized long standing and active organizations including social, business, professional, sporting, charitable, advocacy, and political groups.

Supervisor Foust said that while various advancements have been made with respect to equitable treatment of LGBT persons throughout the nation, there continues to be strong opposition against people from this community around the world and in the Commonwealth, making it imperative for the County to stand up and show support for citizens who are affected.

Therefore, Supervisor Foust moved that the Board proclaim June 2013 as “*LGBT Pride Month*” in Fairfax County. Supervisor Gross and Supervisor Herrity jointly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Herrity being out of the room.

33. **RECOGNIZING HERNDON HIGH SCHOOL STEP TEAM - NATIONAL CHAMPIONS (DRANESVILLE DISTRICT)** (12:57 p.m.)

Supervisor Foust congratulated the Herndon High School Step Team for winning the 2013 Youth Step USA National Championship last month in Harrisburg, Pennsylvania. The team consists of 24 boys and girls in grades 9-12. In addition, the team’s coach, Gary Bushrod, was named Coach of the Year.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Coach Bushrod and the Herndon High School Step Team and other school officials, to appear before the Board at its July 30 meeting to be recognized for their outstanding achievements. Without objection, it was so ordered.

34. **GIFTS FROM VISIT TO TURKEY** (12:57 p.m.)

Supervisor Foust and Supervisor Cook presented the Board with authentic handcrafted trinket gift boxes from their visit to Turkey.

Chairman Bulova reiterated that no County funds were used for this trip.

**DET:det**

35. **NO BOARD MATTERS FOR SUPERVISOR FREY (SULLY DISTRICT)**  
(12:59 p.m.)

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

36. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (12:59 p.m.)

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

**PMH:pmh**

37. **RECOGNITION OF JAMES MADISON HIGH SCHOOL LACROSSE BOYS' AND GIRLS' TEAM FOR THE STATE CHAMPIONSHIP (HUNTER MILL DISTRICT)** (1 p.m.)

Supervisor Hudgins announced that James Madison High School boys' and girls' Lacrosse team won the State championship.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite representatives of the teams to appear before the Board to be recognized. Without objection, it was so ordered.

38. **APPOINTMENT TO THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (1 p.m.)

(APPT) Supervisor Hudgins said that Glenn Kamber, Hunter Mill District Representative to the CSB, announced that he would be stepping down effective April 30, 2013. At a subsequent meeting of the CSB, he was presented with a plaque, and thanked for his service.

Therefore, pursuant to the Code of Virginia, Section 37.2-602, Board of Directors; appointment; membership, regarding the CSB, Supervisor Hudgins announced her intent to appoint Ms. Katherine K. Hanley, as the next Hunter Mill District Representative.

Supervisor Hudgins noted that this advertisement must stand for 30 days and she will then confirm the appointment of Ms. Hanley during the month of July.

Supervisor Hudgins moved to advertise the position. This motion, the second to which was inaudible, carried by unanimous vote.

39. **SULI DAINKEN - GATORADE VIRGINIA BOYS SOCCER PLAYER OF THE YEAR (HUNTER MILL DISTRICT)** (1:02 p.m.)

Supervisor Hudgins announced that South Lakes High School senior Suli Dainken has been named the 2012-13 Gatorade Virginia Boys Soccer Player of the Year. The award recognizes athletic excellence, high standards of academic achievement, and exemplary character both on and off the field.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Mr. Dainken to appear before the Board to receive its congratulations. Without objection, it was so ordered.

40. **HUNTER MILL DISTRICT SOFTBALL GAME** (1:02 p.m.)

Supervisor Hudgins asked unanimous consent that the Board direct staff to advertise the Hunter Mill District softball game on June 12 from 5 p.m. until 8 p.m. at the South Lakes Drive Park. Without objection, it was so ordered.

41. **COMMENTS REGARDING ADULT PROTECTIVE SERVICES (APS) REGULATIONS** (1:03 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Herrity said that the State Board of Social Services approved a regulatory package for APS, 22VAC40-740, on April 18, 2013. He added that proposed changes to the regulation include the opportunity for an alleged perpetrator to request a review of an investigation finding and ensures that alleged perpetrators are guaranteed due process. A perpetrator can include a licensed caregiver, a relative of the victim, or the victim himself where the neglect is self-neglect.

From a “due process” standpoint, a perpetrator who loses his or her license or employment as a result of an APS finding of abuse, neglect, or exploitation, likely does have a property right in that license or employment which should be afforded the protection of the Due Process Clause of the U.S. Constitution. An unpaid caregiver, however, does not have that same property interest or constitutional protection and this proposed regulation may result in unintended consequences with perpetrators having access to presently confidential information which may further result in an increase in risk for vulnerable adults, especially those adults who live with and/or are dependent upon the perpetrators. Furthermore, all adults who are the subject of investigations currently have the right to refuse services and will only have services imposed upon them if they are found to be incapacitated by a Circuit Court. Thus the “right to review” process is redundant for persons who neglect themselves and could jeopardize the casework mission of APS whose focus is to provide services to vulnerable adults by

unnecessarily inserting confusion into the process thereby diminishing the rapport the social worker has with the client.

In the County, in Fiscal Year 2012, there were 1,040 APS investigations. Assuming only 20 percent of the substantiated investigations will involve a review per this regulatory proposal, at a cost of \$933 per review (based on information from similar reviews conducted in Child Protective Services' cases), the annual cost would be nearly \$100,000 for the County — making this proposal yet another unfunded mandate of the State.

Therefore, Supervisor Herrity moved that the Board direct staff to send a letter to Governor McDonnell requesting that he consider an alternative proposal from the League of Social Services Executives to apply the right to review to only paid or licensed caregivers. Supervisor Gross seconded the motion and it carried by a unanimous vote.

42. **RECOGNIZING STUDENTS AT WEST SPRINGFIELD HIGH SCHOOL FOR EFFORTS TO PRESERVE THE STORIES OF WORLD WAR II VETERANS (SPRINGFIELD DISTRICT)** (1:06 p.m.)

Supervisor Herrity said that students of West Springfield High School have embarked on an initiative to keep the stories of World War II veterans alive for generations to come. Partnering with the Friends of the National World War II Memorial, students interviewed dozens of World War II veterans on site at the memorial and heard stories that are themselves national treasures. Guided by National Teacher Hall of Fame 2011 inductee and former WSHS history teacher Jim Percoco, the students have interviewed and archived hundreds of stories and first-hand accounts of the war. According to some of the veterans, a few of their stories have never been heard before, even by their own family.

Supervisor Herrity said that students who are the same age as many of the veterans when they left to defend the nation, have done their part in preserving history for countless generations to come. They have worked tirelessly to ensure that important lessons are passed from one generation to the next, and that veterans will not be forgotten. Efforts by young people to preserve the stories of World War II reinforce the national gratitude and respect for the sacrifices that the Greatest Generation made to stamp out evil. For these students, allowing these stories to fade from memory was unacceptable, and they have gone through great lengths to ensure we never forget.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite Mr. Percoco, the students that contributed to this project, and representatives from the Friends of the National World War II Memorial to appear before the Board to receive a resolution honoring them for their work to preserve a critical piece of American history. Without objection, it was so ordered.

43. **FOUR FAIRFAX COUNTY HIGH SCHOOL TEAMS FEATURED IN RUGBY VIRGINIA STATE HIGH SCHOOL STATE CHAMPIONSHIP (SPRINGFIELD DISTRICT)** (1:08 p.m.)

Supervisor Herrity said that on Saturday June 1 the County saw four of its teams defeat strong challengers from other regions in Virginia to compete in the Rugby Virginia High School State Championships. The girls Fairfax Police Youth Club (FPYC) and the boys NOVA team overcame a strong SWE team in a nail biting 31 to 26 victory in Marshall, VA.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite the FPYC women's team and NOVA men's team and coaches to appear before the Board to receive a resolution honoring them for winning the Rugby Virginia High School Division I State Championship. Without objection, it was so ordered.

44. **DECLARING NOVEMBER 7, 2013, AS GOVERNMENT CONTRACTING DAY** (1:08 p.m.)

Supervisor Herrity asked unanimous consent that the Board:

- Declare November 7, 2013, as "*Government Contracting Day*" in Fairfax County
- Direct staff to prepare a resolution to be presented at the awards dinner

Without objection, it was so ordered.

45. **PAKISTANI FESTIVAL USA 2013** (1:09 p.m.)

In a joint Board Matter with Supervisor Frey, Supervisor Herrity asked unanimous consent that in honor of Pakistani-Americans in the area and in conjunction with Pakistan's Independence Day that the Board direct staff to prepare a resolution recognizing August 14, 2013, as "*Pakistani-American Day*" in Fairfax County to be presented at this year's festival. Without objection, it was so ordered.

46. **WILLSTON MULTICULTURAL CENTER COMPUTER CLUBHOUSE WINS AWARD (MASON DISTRICT)** (1:09 p.m.)

Supervisor Gross announced that six County Computer Clubhouses received "Kudos Awards" from the Intel Computer Clubhouse Network of Boston, Massachusetts. The Department of Neighborhood and Community Services (NCS), Computer Clubhouse Program, received the awards on behalf of the County. The Computer Clubhouses are located at Bailey's Community Center (in Mason District), Gum Springs Community Center (in Mount Vernon District),

James Lee Community Center (in Providence District), Mott Community Center (in Springfield District), Reston Teen Center (in Hunter Mill District), and the Willston Multicultural Center (in Mason District).

All six Clubhouses were recognized for demonstrating outstanding leadership for "getting the word out about the Clubhouse program to the community, the press, and the world." The "Kudos Awards" recognize the partnership between the County, NCS, Clubhouse staff, and the Equal Footing Foundation for its longstanding commitment to provide a consistent presence in lives of community youth.

The Willston Multicultural Center's Computer Clubhouse was presented a second "Kudos Award" for "significantly giving back to the community where the Clubhouse is located.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to invite staff of NCS, the County's partners with the Computer Clubhouses, and community participants to appear before the Board to receive its thanks for a job well done. Without objection, it was so ordered.

47. **AMENDMENT TO THE COUNTY HOLIDAY CALENDAR** (1:10 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Gross noted that there has been a lot of media discussion recently about federal employee furloughs as a way to meet agency budget reductions due to sequestration, and its potential effect on State and local revenues. It seems that furlough is a politically correct way to say "you still have your job, but you must take as many as three weeks of unpaid leave to keep it!"

Fortunately, the County's experience with furloughs has been very brief (one day at the very beginning of 2009). Supervisor Gross said that last fall, when the Board adopted the 2013 holiday calendar, Independence Day, July 4, was on the holiday list, as usual. However, the Board did not address July 5, which falls on a Friday this year. She noted that County employees work hard to provide services to constituents, but the constrained County budget has limited our ability to provide regular pay increases to employees.

Therefore, Supervisor Gross moved approval of an amendment to the holiday calendar to make Friday, July 5, 2013, a holiday (with pay) for employees. Supervisor Hyland, Supervisor McKay, and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

48. **GOOD LUCK TO THE LAKE BRADDOCK BASEBALL TEAM (BRADDOCK DISTRICT)** (1:12 p.m.)

Supervisor Cook wished good luck to the Lake Braddock Baseball Team in its defense of the State title tonight.

49. **RECOGNITION OF MR. SHANNON STEENE (LEE DISTRICT)**  
(1:13 p.m.)

In a joint Board Matter with Supervisor Hyland and Supervisor Hudgins, Supervisor McKay said that since 1974, Good Shepherd Housing and Family Services has served the working poor, the disabled, and the elderly, promoted self-sufficiency, and worked to reduce homelessness along the Route One corridor.

Much of the organization's success can be attributed to its executive director, Shannon Steene. Mr. Steene has been a key member of Good Shepherd's leadership team for the past 13 years and in 2004 was named the organization's executive director.

During Mr. Steene's tenure, Good Shepherd Housing has been recognized for its effective and innovative programs.

Supervisor McKay said that Mr. Steene is about to begin a new phase of his career with a nationally-focused non-profit and will leave Good Shepherd in mid-June.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite Mr. Steene to appear before the Board for recognition on July 30. Without objection, it was so ordered.

50. **RETIREMENT OF KEN DISSELKOEN, FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (1:14 p.m.)

Supervisor McKay announced that a retirement reception will be held for Ken Disselkoen, CSB, on Tuesday, June 25 from 3 p.m. until 5 p.m. at the Government Center.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite Mr. Disselkoen to appear before the Board to be recognized. Without objection, it was so ordered.

51. **SPRINGFIELD DAYS** (1:15 p.m.)

Supervisor McKay expressed his appreciation to Supervisor Cook and Chairman Bulova for their participation in the Springfield Days activities. He also thanked the Police Department and the Fire and Rescue Department who ensured everyone's safety.



52. **OUT-OF-TURN COMPREHENSIVE PLAN AMENDMENT LOWER POTOMAC PLANNING DISTRICT, LP-1, SUBUNIT 5A AND POHICK PLANNING DISTRICT, P5 DOMINION COMMUNITY PLANNING SECTOR (MOUNT VERNON DISTRICT)** (1:17 p.m.)

Supervisor Hyland moved:

- That the Board authorize an Out-of-Turn Plan Amendment for Land Unit 5, Subunit 5 A of the Laurel Hill Community Planning Sector LPI of the Lower Potomac Planning District; and the Pohick Planning District, P5-Dominion Community Planning Sector, recommendation 7
- That the Board direct staff from the Department of Planning and Zoning to work with the Mount Vernon District office, Vulcan, Fairfax Water, and the adjacent communities to recommend to the Planning Commission and the Board appropriate language amending the text for Land Unit 5, Subunit 5 A and recommendation 7
- That the proposed plan text include provisions to designate the ultimate disposition of the Vulcan Quarry as a water supply storage facility to be owned, operated, and maintained by Fairfax Water
- That the proposed amendment consider the critical infrastructure aspects of the existing water treatment facility, the benefits of establishing a future quarry water supply storage facility at this location and the preservation to the greatest extent possible of the area's sensitive environmental resources.

Chairman Bulova seconded the motion.

Following a brief discussion regarding the proposal, Supervisor Hyland further noted that the South County Federation (SCF) is conceptually supportive of this plan amendment, there are issues that the subsequent zoning applications will need to address. First is a prohibition of truck traffic on Lorton Road. Second, the SCF has requested that the relocation of Vulcan's plant closer to Route 123 be modified away from Route 123, the Workhouse, and a Gateway to the County. Third, the SCF wants to ensure sufficient setbacks from quarry operations to adjacent residential properties to minimize the impacts to surrounding communities. Fourth, is the request that the FCWA build the proposed ball fields and provide public access to the ball fields on the Griffith plant site, as well as provide a trail connecting to the Occoquan River and Regional Park. And finally, the Federation would like to have additional information related to the plant extraction rates and a timeline for quarry operations, in view of the changes in circumstances since the relevant Plan text was adopted, Unit 5, Subunit 5A within the LPI Laurel Hill Community Planning Sector and recommendation #7 within the P5 Dominion Community Planning Sector.

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

53. **REQUEST TO PROCLAIM JUNE 18 AS US AMATEUR PUBLIC LINKS CHAMPIONSHIP DAY** (1:21 p.m.)

Supervisor Hyland asked unanimous consent that the Board:

- Proclaim June 18 as “*U.S. Amateur Public Links Championship Day*” in Fairfax County
- Direct staff to invite representatives from the Fairfax County Park Authority, Fairfax County Park Foundation, Office of Public Private Partnerships, Visit Fairfax and the event sponsors, Cox Communications, Giant and E-Z-GO golf carts to appear before the Board for recognition

Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board name the days to coincide with the tournament. Without objection, it was so ordered.

54. **RECESS/CLOSED SESSION** (1:22 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. Joint Petition of Aqua Virginia, Inc., and Reston RELAC LLC for Approval of a Change in Control and Transfer of Assets Pursuant to § 56-88.1 of the Utility Transfers Act, Case No. PUE-2012-00131 (Va. State Corp. Comm’n) (Hunter Mill District)

2. *Kristin L. Burns, OBO Emma S. Burns-Sullivan, OBO Liam P. Burns-Sullivan v. Kenneth W. Sullivan, Kathryn D. Leckey, FCPD, CPS, FCPS, The Morgan Center, FCSO, Domestic Relations, Farrell Pediatrics, Reston Pediatrics, INOVA, Jennie McKinnie of the Arbor Center, Fairfax County Office of the Clerk, Restons Pediatrics, Case No. 2013-0003528 (Fx. Co. Cir. Ct.)*
3. *Gerald Lowe, by GEICO, subrogee v. Carl Newcomb, Case No. GV12-012852 (Fx. Co. Gen. Dist. Ct.)*
4. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Sheldon P. Ellison and Wauleah A. Ellison, Case No. CL-2010-0017783 (Fx. Co. Cir. Ct.) (Mason District)*
5. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tina M. Howard, Case No. CL-2011-0017608 (Fx. Co. Cir. Ct.) (Providence District)*
6. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Charilene N. Lucas, a/k/a Christine N. Lucas, Case No. CL-2011-0012915 (Fx. Co. Cir. Ct.) (Lee District)*
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John Hicks, Betty Pearson-Pavone, Dallas Hicks, Harold E. Pearson, Alice Hicks, and Edward Hicks, Case No. CL-2012-0013536 (Fx. Co. Cir. Ct.) (Providence District)*
8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Otis Perry and Elcetia L. Perry, Case No. CL-2008-0005923 (Fx. Co. Cir. Ct.) (Providence District)*

10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rotonna L. Mullen*, Case No. CL-2012-0008992 (Fx. Co. Cir. Ct.) (Mount Vernon District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Deochand Narish Lawkaran and Mahabal Leelawattee*, Case No. CL-2012-0006262 (Fx. Co. Cir. Ct.) (Mason District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Weiqing Gu and Shenjung Jiang*, Case No. CL-2013-0004204 (Fx. Co. Cir. Ct.) (Lee District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rafael Antonio Carbajal and Maria Delmi Carbajal*, Case No. CL-2013-0005404 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Howard R. Moon, III*, Case No. CL-2012-0013714 (Fx. Co. Cir. Ct.) (Providence District)
15. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Laura S. Daleski*, Case No. CL-2012-0008989 (Fx. Co. Cir. Ct.) (Lee District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Guido Uriona and Beatrix Nogales*, Case No. CL-2013-06349 (Fx. Co. Cir. Ct.) (Mason District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hewa G. Sayers, Jr.*, Case No. CL-2013-0003257 (Fx. Co. Cir. Ct.) (Lee District)
18. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Columbia Crossroads, LP*, Case No. CL-2013-0007938 (Fx. Co. Cir. Ct.) (Mason District)

19. *James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. Edward Caine and Susan Power*, Case No. CL-2013-0008131 (Fx. Co. Cir. Ct.) (Dranesville District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nova Petroleum Realty, LLC*, Case No. CL-2013-0008132 (Fx. Co. Cir. Ct.) (Lee District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kirubel Gebrehiwot*, Case No. CL-2013-0008130 (Fx. Co. Cir. Ct.) (Mason District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. George W. Spicer, Agnes G. Spicer, and Abiy Bisrat*, Case No. CL-2013-0008289 (Fx. Co. Cir. Ct.) (Mason District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Barry Road, LLC*, Case No. CL-2013-0008290 (Fx. Co. Cir. Ct.) (Lee District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator and Michael R. Congleton, Property Maintenance Code Official for Fairfax County v. Nathalie Kay Jacobsen*, Case No. CL-2013-0008288 (Fx. Co. Cir. Ct.) (Lee District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tania Soto-Yapura*, Case No. CL-2013-0008359 (Fx. Co. Cir. Ct.) (Mason District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tung Nguyen and Benjawan Pancharoen Ngyuen*, Case No. CL-2013-0008398 (Fx. Co. Cir. Ct.) (Mason District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kanya Kunchaekan*, Case No. CL-2013-0008436 (Fx. Co. Cir. Ct.) (Providence District)

28. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Blanka Krizek*, Case No. CL-2013-0008510 (Fx. Co. Cir. Ct.) (Dranesville District)
29. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Candace K. Noonan*, Case No. GV12-014862 (Fx. Co. Cir. Ct.) (Hunter Mill District)
30. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Rashid Miraj*, Case No. GV12-028028 (Fx. Co. Gen. Dist. Ct.) (Lee District)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lloyd R. Staggs, III, and Shari L. Staggs*, Case No. GV13-008363 (Fx. Co. Gen. Dist. Ct.) (Lee District)
32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jeffrey E. Burns*, Case No. GV13-008361 (Fx. Co. Gen. Dist. Ct.) (Mason District)
33. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Jeffrey E. Burns*, Case No. GV13-008362 (Fx. Co. Gen. Dist. Ct.) (Mason District)
34. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Linda P. Zackin*, Case No. GV13-009463 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
35. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Edward F. Tuerk and Emma M. Tuerk*, Case No. GV13-009847 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Marjorie M. Hayes and George F. Hayes*, Case No. GV13-010168 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert K. Stilling, Trustee under*

*the Stilling Family Trust Dated November 5, 2004, and Carolyn A. Stilling, Trustee under the Stilling Family Trust Dated November 5, 2004, Case No. GV13-009845 (Fx. Co. Gen. Dist. Ct.) (Providence District)*

38. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Fairfax Investors Limited Partnership, LLP, Case No. GV13-009848 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
39. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sergio Luna Lozano, Case No. GV13-009800 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*
40. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sam K. Yoon, Case No. GV13-009706 (Fx. Co. Gen. Dist. Ct.) (Mason District)*
41. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mark Skrinski and Maria Skrinski, Case No. GV13-009846 (Fx. Co. Gen. Dist. Ct.) (Lee District)*
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Roger L. Vasilas and Karen B. Vasilas, Case No. GV13-010487 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)*

And in addition:

- Virginia Code, Section 24.2-628 pertaining to special elections
- Carla Thomas vs. Fairfax County et al
- House Bill 2313 and Bond Validation Proceedings
- FCDC vs. Cameron Quinn et. al.

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

**DAL:dal**

At 3:30 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

**ACTIONS FROM CLOSED SESSION**55. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:30 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 Foust and Chairman Bulova jointly 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."

56. **AUTHORIZATION TO PETITION THE FAIRFAX COUNTY CIRCUIT COURT FOR A SPECIAL ELECTION** (3:31 p.m.)

Supervisor Hudgins moved that the Board authorize the County Attorney to petition the Fairfax County Circuit Court for a special election to be held on November 5, 2013, the same day as the 2013 General Election, to fill the vacancy created by the resignation of Sheriff Stan Barry effective July 1, 2013, as outlined by the County Attorney in closed session. Supervisor McKay seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Cook and Supervisor Herrity voting "NAY."

57. **MS. JILL COOPER APPOINTED AS EXECUTIVE DIRECTOR OF THE PLANNING COMMISSION (PC)** (3:32 p.m.)

(APPT) Supervisor Gross moved that the Board support the County Executive's appointment of Ms. Jill Cooper to the position of Executive Director to the PC with an annual salary of \$88,363 effective July 1, 2013. Supervisor Foust seconded the motion.

Supervisor Smyth asked unanimous consent that the Board direct staff to invite Barbara Lippa, former Executive Director to the PC, to appear before the Board to thank her for her years of service to the County. Without objection, it was so ordered.

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

Chairman Bulova recognized the presence of Ms. Cooper in the Board Auditorium and, on behalf of the Board, congratulated her on the appointment.



**AGENDA ITEMS**

58. **3 P.M. – DECISION ONLY ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE REFLECTION COMMUNITY PARKING DISTRICT (CPD) (DRANESVILLE DISTRICT)** (3:33 p.m.)

(NOTE: On May 14, 2013, the Board held a public hearing regarding this item and deferred decision until June 4, 2013.)

Supervisor Foust noted that he was not present for the May 14, 2013, Board meeting due to a family matter, however he reviewed the audio/video recording of the hearing, in addition to the numerous emails regarding the proposal.

Supervisor Foust submitted items for the record.

Supervisor Foust moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Reflection CPD, in accordance with current CPD restrictions.
- That the Board direct staff to expedite the sign installation process.

Supervisor McKay seconded the motion.

Discussion ensued, with input from Maria Turner, Senior Transportation Planner, Department of Transportation, and Sara Silverman, Assistant County Attorney, regarding the effective date of the amendment.

Discussion continued, with input from David P. Bobzien, County Attorney, who noted that the effective date of the amendment is 12:01 a.m. following the date of adoption, and enforcement begins once the signs are posted.

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 Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hudgins being out of the room.

59. **3 P.M. – PH ON THE APPROVAL OF FINANCING FOR THE PURCHASE OF A NEW AMBULANCE BY THE LORTON VOLUNTEER FIRE DEPARTMENT (VFD), INCORPORATED (MOUNT VERNON DISTRICT)** (3:39 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 17 and May 24, 2013.

Jeffrey F. Katz, Volunteer Liaison, Fire and Rescue Department, presented the staff report.

Following the public hearing, Supervisor Hyland moved adoption of a Resolution approving the financing for the purchase of a new ambulance by the Lorton VFD. Supervisor Frey and Supervisor McKay jointly seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Herrity and Supervisor Hudgins being out of the room.

60. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2011-PR-017  
(COMMONS OF McLEAN L/CAL LLC) (PROVIDENCE DISTRICT)**  
(3:41 p.m.)

- (O) The application property is located south of Route 123, on both sides of Anderson Road, Tax Map 30-3 ((28)) B4, 5, 6 and 8.

Mr. G. Evan Pritchard reaffirmed the validity of the affidavit for the record.

Bob Katai, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (ZED), gave a PowerPoint slide presentation depicting the application and site location.

Supervisor Foust called the Board's attention to the page 47 of proffers dated May 13, 2013, and raised a question regarding the dedication date. Discussion ensued, with input from Mr. Katai and Cathy Lewis, Branch Chief, ZED, DPZ.

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

Discussion ensued, with input from Mr. Pritchard, regarding endorsement by the McLean Citizens Association.

Following the public hearing, which included testimony by one speaker, Supervisor Smyth stated she had items for the record.

Mr. Pritchard presented rebuttal, and addressed issues raised by Mark Zetts (Speaker One), Board Member, McLean Citizens Association.

Mr. Katai presented the staff and Planning Commission (PC) recommendations.

Following remarks regarding the application, Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2011-PR-017, from the R-20, C-6, and HC Districts to the PTC and HC Districts, subject to the proffers dated May 20, 2013.
- Modification of Paragraph 1A and 1C of Section 2-506 of the Zoning Ordinance to allow structures located on the building roof to occupy an area greater than 25 percent of the roof, as proffered.
- Modification of Paragraph 7 of Section 6-505 of the Zoning Ordinance to permit outdoor dining areas as proffered and shown on future Final Development Plans (FDPs).
- Modification of Paragraph 2 of Section 2-506 of the Zoning Ordinance to allow a parapet wall, cornice, or similar projection to extend more than three feet above the roof, as proffered and shown on future FDPs.
- Waiver of Paragraph 3E and Paragraph G of Section 10-104 of the Zoning Ordinance to modify the maximum fence height from 7 feet to 14 feet around accessory uses/structures located within the rear yard for areas associated with sports courts, as proffered and shown on future FDPs.
- Modification of Paragraph 1 of Section 6-509 and Paragraph 12 of Section 11-102 of the Zoning Ordinance to allow the use of tandem spaces to be counted toward required parking as proffered.
- Modification of Paragraph 4 of Section 11-202 of the Zoning Ordinance requiring a minimum distance of 40 feet of loading space in proximity to drive aisles, to that shown on the Conceptual Development Plan (CDP) and when shown on an approved FDP.
- Modification of Sections 11-201 and 11-203 of the Zoning Ordinance to permit a reduction in the required number of loading spaces to that shown on the CDP.
- Modification of Section 7-0802.2 of the PFM to allow for the projection of structural columns into the parking stall (no more than four percent of the stall area).
- Waiver of Section 11-302 of the Zoning Ordinance to allow a private street (Center Alley) to exceed 600 feet in length, as shown on the CDP.

- Modification of Paragraph 7 of Section 17-201 of the Zoning Ordinance to permit the applicant to establish parking control, signs, and parking meters along private streets within the development.
- Modification of Section 17-201 of the Zoning Ordinance to permit the streetscape and on-road bike lane system shown on the CDP in place of any trails and bike trails shown for the subject property on the Comprehensive Plan.
- Waiver of Paragraph 3 of Section 17-201 of the Zoning Ordinance to provide any additional interparcel connections to adjacent parcels beyond that shown on the CDP and as proffered.
- Waiver of Section 16-403 of the Zoning Ordinance to permit a public improvement plan for public streets and park spaces without requiring a FDP.
- Modification of the 10 year tree canopy requirements, in favor of that shown on the CDP and as proffered.
- Modification of the Zoning Ordinance and the Public Facilities Manual (PFM) for the required tree preservation target and 10 percent canopy coverage on individual lots/land bays, to allow for tree preservation and canopy to be calculated as shown on the overall CDP area.
- Approval of Waiver Number 3797-WPFM-003-1, to allow the use of underground stormwater detention facilities in a residential development, subject to the conditions dated February 15, 2013, and as contained in Attachment A of Appendix 11 of the staff report.
- Waiver of Section 13-202 and Section 13-203 of the Zoning Ordinance allowing interior parking lot landscaping for interim surface lots on private street to that shown on the CDP and FDP.
- Modification of Section 12-0515.6B of the PFM to allow trees located above any proposed percolation trench or bio-retention areas to count towards County tree cover requirements, as depicted on the CDP and FDP.
- Waiver of Paragraph 4 of Section 17-201 of the Zoning Ordinance requiring any further dedication and construction for widening of existing roads to address Comprehensive Plan requirements beyond that which is indicated in the CDP, FDP, and proffers.

Supervisor Hyland seconded the motion.

Supervisor Foust expressed his concerns regarding the application, but noted that his concerns do not justify opposing it.

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."

(NOTE: On May 9, 2013, the PC approved Final Development Plan Application FDP 2011-PR-017, subject to the development conditions dated April 17, 2013.)

61. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2012-MV-018 (CAPITAL INVESTMENT ADVISORS, LLC) (MOUNT VERNON DISTRICT)** (4:25 p.m.)

- (O) The application property is located on the northeast quadrant of the intersection of Richmond Highway and North Kings Highway, Tax Map 83-3 ((1)) 22B, 22C, and 22D; 83-3 ((9)) (1) A, B, 1, 2, 3, 4, 4A, 5 and 5A.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

A brief discussion ensued regarding configuration and alignment of the intersection.

Ms. Strobel 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. Ms. Strobel submitted items for the record, in support of the application.

Supervisor McKay raised a question concerning Proffer J, regarding the left turn lane, and discussion ensued with input from Ms. Strobel.

Discussion ensued, with input from Mr. Mayland and Michael Davis, Senior Transportation Planner, Department of Transportation, regarding alternatives and intersection improvements.

Following the public hearing, which included testimony by two speakers, discussion ensued regarding transportation issues related to cut-through traffic, with input from Sharon MacInnes (Speaker Two), representative of the Calvary Presbyterian Church.

Supervisor McKay submitted items for the record.

Ms. Strobel presented rebuttal.

Supervisor Gross raised a question regarding whether there is a policy concerning transportation/intersection signalization in developments, and discussion ensued, with input from Mr. Davis.

Mr. Mayland presented the staff and Planning Commission (PC) recommendations.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2012-MV-018, from the C-5, C-8, R-4, CRD, and HC Districts to the PRM, CRD, and HC Districts, and approval of the associated Conceptual Development Plan, subject to the proffers dated May 23, 2013.
- Approval of Waiver Number 9285-WPFM-001-1 of Section 6-0303.8 of the PFM to allow for an underground stormwater vault on a residential property, subject to the waiver conditions in Attachment A of Appendix 3 of the staff report, dated February 6, 2013.
- Approval of a modification of Section 13-303 of the Zoning Ordinance for transitional screening and waiver of Section 12-304 for the barrier requirements between the residential and commercial uses within the property and along the property boundaries, in favor of the landscaping depicted on the CPD/FDP.
- Waiver of Section 12-0508 of the Public Facilities Manual for the tree preservation target.
- Waiver of the service drive requirement along Richmond Highway.

Supervisor McKay seconded the motion.

Chairman Bulova reiterated that approval of the motion does not choose an alignment and work will need to be done with the community to make those improvements.

Following a brief discussion regarding the site development and the intersection, 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.”

(NOTE: On May 22, 2013, the PC approved Final Development Plan Application FDP 2012-MV-018, subject to the development conditions contained in Appendix 2 of the staff report.)

62. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2005-SU-026 (DD NORTH 3 LC) (SULLY DISTRICT)** (5:14 p.m.)

- (O) The application property is located at 13800 and 13870 Air and Space Museum Parkway, Chantilly, 20151, north and south sides of Air and Space Museum Parkway, south of Wall Road, west of Centreville Road and east of Sully Road, Tax Map 34-2 ((1)) 33A pt. and 34A1 pt. and portion of public-right-of-way for Air and Space Museum Parkway.

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

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

- Mr. William E. Peterson, agent for the applicant

Supervisor Frey, noting recent changes in Board Policy regarding financial disclosures, stated that he will not be voting on the application and he recused himself from the public hearing and left the room.

Supervisor Herrity disclosed a campaign contribution in excess of \$100 which he had received from:

- Mr. Francis A. McDermott, Hunton and Williams LLP, attorney for the applicant

Supervisor Cook disclosed a campaign contribution in excess of \$100 which he had received from:

- Mr. Francis A. McDermott, Hunton and Williams LLP, attorney for the applicant

Supervisor Cook queried David P. Bobzien, County Attorney, concerning his disclosure, and Mr. Bobzien clarified that neither Supervisor Cook nor Supervisor Herrity are required to recuse themselves from the public hearing.

Joseph Gorney, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Following the public hearing, Mr. Gorney presented the staff and Planning Commission recommendations.

Supervisor Herrity moved:

- Approval of Proffered Condition Amendment Application PCA 2005-SU-026, and the Generalized Development Plan, subject to the proffers dated May 31, 2013.
- Reaffirmation of the previous modification of the transitional screening and barrier requirements along portions of the northern, southern, eastern, and western property boundaries, as shown on the Generalized Development Plan (GDP).
- Reaffirmation of the previous waiver of the Countywide Trails Plan recommendation for a major paved trail along a portion of Wall Road in favor of that shown on the GDP.

Supervisor Smyth seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Frey being recused, Supervisor Foust and Supervisor Hyland being out of the room.

63. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2012-MA-018 (AGAPE HEALTH MANAGEMENT, INCORPORATED) (MASON DISTRICT)** (5:22 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 2012-MA-018 until **July 30, 2013, at 4 p.m.** Supervisor Smyth seconded the motion and it carried by a vote of eight, Supervisor Foust and Supervisor Hyland being out of the room.

64. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2012-SU-015 (VIRGINIA ELECTRIC AND POWER COMPANY D/B/A DOMINION VIRGINIA POWER) (SULLY DISTRICT)** (5:23 p.m.)

The application property is located at 14600 Compton Road, Centreville, 20121, Tax Map 65-3 ((1)) 35.

Ms. Janell M. Hancock reaffirmed the validity of the affidavit for the record.

Joseph Gorney, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.



Ms. Hancock 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, Mr. Gorney presented the staff and Planning Commission (PC) recommendations.

Supervisor Frey moved:

- Approval of Special Exception Application SE 2012-SU-015, subject to the development conditions dated April 3, 2013.
- Approval of the transitional screening and barrier requirements modification in lieu of the alternatives as shown on the proposed plat, and as conditioned.
- Approval of a modification to the 10-year canopy requirement in lieu of the alternatives as shown on the proposed plat, and as conditioned.
- Approval of a deviation of the tree preservation target in lieu of the alternatives as shown on the proposed plat, and as conditioned.

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

(NOTE: On April 25, 2013, the PC approved Public Facilities Application 2231-Y12-5, as amended, noting that the application met the criteria of character, location, and extent, and was in conformance with Section 15.2-2232 of the *Code of Virginia*, as amended.)

65. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT S12-I-J1, LOCATED SOUTH OF LEESBURG PIKE AND I-66, AND WEST OF THE CITY OF FALLS CHURCH CORPORATE BOUNDARY (PROVIDENCE DISTRICT)** (5:34 p.m.)

Brent Krasner, Planner III, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Mr. Krasner presented the staff and Planning Commission recommendations.

Supervisor Smyth moved approval of Plan Amendment S12-I-J1, as recommended by the Planning Commission, and as shown on pages 12–18 of the staff report dated May 30, 2013. Supervisor Foust seconded the motion and it

carried by a vote of seven, Supervisor Hudgins, Supervisor Hyland, and Supervisor McKay being out of the room.

66. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE NORTHERN VIRGINIA COMMUNITY COLLEGE (NVCC) RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 39 (BRADDOCK DISTRICT)**  
(5:40 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 17 and May 24, 2013.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by three speakers, Chairman Bulova queried Mr. Majdi, who reaffirmed that the proposed amendment meets the criteria for establishing a RPPD.

Supervisor Cook submitted items for the record.

Following remarks regarding the proposed amendment, Supervisor Cook moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the NVCC RPPD, District 39. The proposed district expansion includes the following streets:

- Wakefield Chapel Road (Route 710), east side, from Toll House Road to the southern boundary of 4509 Wakefield Chapel Road and west side, from Toll House Road to Sugarbush Court
- Banff Street (Route 3031), from Wakefield Chapel Road to Fidelity Court
- Fidelity Court (Route 4386), from Banff Street to the cul-de-sac inclusive

Supervisor Foust seconded the motion.

Discussion ensued, with input from Mr. Majdi, regarding an issue raised by Margaret Desko (Speaker Two), concerning the addition of three properties in the proposed expansion.

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.”

A brief discussion ensued regarding the amendment and State legislation, with input from Michael Perel (Speaker Three), Representative of the Oak Hill Citizens Association.

67. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE CULMORE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 9 (MASON DISTRICT)** (6 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 17 and May 24, 2013.

Hamid Majdi, Transportation Planner II, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by three speakers, discussion ensued, with input from Mr. Majdi, regarding the inclusion of additional streets in the proposed expansion.

Chairman Bulova queried Mr. Majdi, who reaffirmed that the proposed amendment meets the criteria for establishing a RPPD.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Culmore RPPD, District 9. The proposed district expansion includes the following streets:

- Magnolia Avenue (Route 3024), east side, from the southern property boundary of 3321 Magnolia Avenue to Red Pine Street
- Red Pine Street (Route 3016), south side, from Magnolia Avenue to Longbranch Drive

Supervisor Smyth seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Herrity being out of the room.

68. **4 P.M. – PH TO PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO ESTABLISH PARKING RESTRICTIONS ON APPLE TREE DRIVE AND STREETS WITHIN THE HILLTOP BUSINESS PARK (LEE DISTRICT)** (6:12 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of May 17 and May 24, 2013.

Maria Turner, Senior Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by ten speakers, Chairman Bulova queried Ms. Turner, who reaffirmed that the proposed amendment meets the criteria for establishing parking restrictions.

Supervisor McKay raised a question regarding whether there is currently a one-hour parking ban on Apple Tree Drive, and discussion ensued, with input from Ms. Turner.

Supervisor McKay submitted items for the record.

Supervisor McKay noted that the proposed code amendment pertains to two different locations, therefore, he would make two separate motions.

Supervisor McKay moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit all vehicles from parking along the south side only of Apple Tree Drive (Route 1636), from Rose Hill Drive to Willowood Lane, 24 hours per day, 7 days per week. Supervisor Smyth 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."

Supervisor McKay stated that parking problems in the Hilltop Business Park have existed for quite some time and are significant. So, time is being given to allow for suitable parking alternatives. Therefore, Supervisor McKay moved to defer decision only, on the parking restrictions on all public streets within the Hilltop Business Park, until **September 10, 2013, at 3:30 p.m.** Supervisor Hyland seconded the motion.

Discussion ensued, and Supervisor McKay restated his intent to approve the parking restrictions on September 10.

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

69. **4:30 P.M. – JOINT PH ON THE PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SIX-YEAR SECONDARY SYSTEM CONSTRUCTION PROGRAM FOR FISCAL YEARS (FYs) 2014 – 2019 AND THE FY 2014 BUDGET** (6:45 p.m.)

Kenneth Kanownik, staff, Coordination and Funding Division (CFD), Department of Transportation (DOT), presented the staff report.

Mr. Kanownik introduced Leonard Siegel, Arlington/Fairfax Preliminary Engineering Manager, Virginia Department of Transportation (VDOT), who also gave a short presentation.

Discussion ensued, with input from Todd Wigglesworth, Acting Chief, CFD, DOT, regarding the staff recommendation.

Following the public hearing, discussion ensued, with input from Mr. Wigglesworth and Mr. Kanownik, regarding funding allocations.

Supervisor McKay moved approval of the VDOT Six-Year Secondary System Construction Program for FYs 2014–2019 and the FY 2014 Budget. Supervisor Smyth and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

70. **BOARD ADJOURNMENT** (6:55 p.m.)

The Board adjourned.

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