



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
September 23, 2014**

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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, September 23, 2014, at 9:37 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; 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 MATTER1. **MOMENT OF SILENCE** (9:37 a.m.)

Chairman Bulova asked everyone to keep in thoughts the family of Mr. Vincent F. Callahan, Jr., who died on September 20 at the age of 82. He was a 40-year member of the Virginia House of Delegates and did an outstanding job representing the County and the region.

Chairman Bulova asked everyone to keep in thoughts the family of Dr. Jorge Arias, who died on September 12. Dr. Arias was a joyful person who worked for the Health Department and brought attention to the issues of pest illnesses, including West Nile Virus and Lyme disease, in a playful way that helped teach both children and adults about the hazards and dangers of illnesses, especially those caused by mosquitoes and ticks.

Chairman Bulova asked everyone to keep in thoughts the family and friends of Ms. Hannah Graham. Ms. Graham, a student at the University of Virginia, is from the County and the subject of a search.

Supervisor Herrity noted that both Mr. Callahan and Dr. Arias contracted West Nile virus.

Supervisor Herrity stated that Mr. Callahan, long-time chair of the Appropriations Committee, was a consistent fighter for Northern Virginia, working to promote George Mason University and the Dulles Corridor, who worked across party lines (a hallmark and trait of the Northern Virginia delegation), bringing people together for the best of the region. Supervisor Herrity added that Mr. Callahan was the second longest-serving delegate in Virginia's history and a classmate of his father, former Chairman of the Board John "Jack" Herrity.

Supervisor McKay asked everyone to keep in thoughts the family of Ms. Susan Maher, a Springfield resident. She was best known as a real estate agent but well-known to the community for her advocacy of the schools.

Supervisor McKay noted that the County sent resources to Charlottesville to assist in the search efforts for Ms. Graham. In addition, the softball team at West Potomac High School, where she played, along with teams from Edison and Hayfield High Schools, will be holding a candlelight vigil for her.

Additional discussion ensued concerning Mr. Callahan, Dr. Arias, and Ms. Graham.

2. **ORDERS OF THE DAY** (9:49 a.m.)

Chairman Bulova announced that the Board would begin Presentations with the recognition of those who participated in updating the 50+ Action Plan which would be followed by consideration of A-1 - Adoption of the 50+ Community Action Plan.

AGENDA ITEMS

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE COMMISSION ON AGING, COMMUNITY FORUMS, STEERING COMMITTEE, SUBCOMMITTEES, AND STAFF** (9:49 a.m.)

Supervisor Herrity moved approval of the Certificate of Recognition to thank and commend those who participated in updating the 50+ Action Plan, including members of the Commission on Aging, members of the community forums, steering committee, subcommittees, and staff, for their dedicated and diligent work. Supervisor Cook and Supervisor Hyland jointly seconded the motion.

Discussion ensued concerning:

- Recognition of contributors representing a broad spectrum of the community
- Revisions to the brochure resulting in it being easier to read
- Partnerships with non-profits and businesses

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

4. **A-1 – ADOPTION OF THE 50+ COMMUNITY ACTION PLAN** (10:04 a.m.)

Supervisor Herrity moved that the Board concur in the recommendation of staff and adopt the proposed 2014 Fairfax 50+ Community Action Plan and its 31 initiatives. This motion, the second to which was unanimous, carried by unanimous vote.

5. **PROCLAMATION DESIGNATING OCTOBER 2014 AS "DOMESTIC VIOLENCE AWARENESS MONTH" IN FAIRFAX COUNTY** (10:14 a.m.)

Supervisor Cook moved approval of the Proclamation to designate October 2014 as "*Domestic Violence Awareness Month*" in Fairfax County and to celebrate the success of the Violence Against Women Act including the local establishment of a committed, proactive, and coordinated community response to domestic violence. This motion, the second to which was unanimous, carried by unanimous vote.

Supervisor Cook announced that he will be hosting an October 22 “awareness event” at the Coyote Grill in Fairfax City with a special guest-appearance by the Mayor of the City of Fairfax, R. Scott Silverthorne. He also announced his acceptance of “The Purple Purse Challenge” which spreads awareness of domestic violence and proceeded to “challenge” Chairman Bulova, who accepted.

Supervisor Frey called the Board’s attention to the upcoming K-9 Krawl which will take place at the Government Center on October 18. He noted that it is also part of the effort to raise awareness of domestic violence and for several years has been sponsored by the Police Department. He expressed his pride at the County’s recognition of the link between animal abuse by individuals when they are minors, who, later-in-life abuse their partners, spouses, and others. He added that the County’s Animal Shelter was one of the first in the nation to reserve spots at the shelter for domestic violence situations.

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

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

Following comments from David P. Bobzien, County Attorney, concerning the recent extension of authority of the Act, he announced that the County had received a grant renewal from the Department of Justice for an additional three years for the Domestic Violence Action Center (DVAC). He added that the Police Department, Fire and Rescue Department, and Sheriffs’ Office are all contributing to the effort to make awareness universal throughout the County. They will have magnets on their vehicles to remind the public of the scourge of domestic violence.

6. **PROCLAMATION DESIGNATING OCTOBER 2014 AS “DISABILITY EMPLOYMENT AWARENESS MONTH” IN FAIRFAX COUNTY** (10:37 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation to designate October 2014 as “*Disability Employment Awareness Month*” in Fairfax County and urged all residents to recognize the history, concerns, contributions, and achievements of individuals with disabilities and to create a favorable environment for a fully integrated community. Supervisor Hyland and Supervisor McKay jointly seconded the motion.

Discussion ensued concerning:

- The importance of ensuring that everyone in the community can participate to the greatest of their ability
- The Americans with Disabilities Act (ADA)

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

A presentation was made by Dr. Tapan Banerjee, Dranesville District Representative and Chair of the Fairfax Area Disability Services Board, which included information concerning:

- County employee initiatives
- The disAbilities Expo scheduled for November 15 at The Tysons Corner Marriott

Vice-Chairman Gross returned the gavel to Chairman Bulova.

7. **RESOLUTION OF RECOGNITION PRESENTED TO MS. CAROLE KIHM (DRANESVILLE DISTRICT)** (10:53 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to Ms. Carole Kihm for being named the 2014 Outstanding Middle School Principal of Virginia and thanked her for her distinguished and noteworthy leadership. Supervisor McKay seconded the motion.

Discussion ensued concerning Principal Kihm's accomplishments at Longfellow Middle School and her ability to inject a sense of fun into learning.

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

8. **RESOLUTION OF RECOGNITION PRESENTED TO POLICE OFFICER SCOTT DAVIS (DRANESVILLE DISTRICT)** (11 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to Police Officer Scott Davis for being named the 2014 Fairfax County Public Schools Distinguished School Resource Officer (SRO) and thanked him for his outstanding service and commitment to the students, parents, and staff of McLean High School. Supervisor McKay seconded the motion.

Following discussion concerning the importance of SROs and the role they play in our schools, the question was called on the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being out of the room.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO THE ROUTE 28 STATION - SOUTH STUDY WORK GROUP (DRANESVILLE DISTRICT)** (11:07 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to the Route 28 Station - South Study Work Group for its considerable time and effort to develop a vision and Comprehensive Plan recommendations for the area. Supervisor Hudgins seconded the motion.

Discussion ensued concerning community engagement and involvement.

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

10. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE HERNDON WOMAN'S CLUB (DRANESVILLE DISTRICT)** (11:15 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition presented to members of the Herndon Woman's Club for its seventy-fifth anniversary of extraordinary service in the community. Supervisor Hudgins seconded the motion.

Supervisor Foust announced that the Club will be holding the Fifty-sixth Annual Herndon Woman's Club Fashion Show on November 8, at the Crowne Plaza Hotel in Herndon, with this year's theme being "Cracking the Cure."

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

ADDITIONAL BOARD MATTER

11. **RECOGNITION OF MS. TISHA DEEGHAN** (11:21 a.m.)

Chairman Bulova acknowledged the presence of Tisha Deeghan, the new Executive Director of the Community Services Board, and warmly welcomed her to the Board Auditorium.

AGENDA ITEMS

12. **RESOLUTION OF RECOGNITION PRESENTED TO THE NORTHERN VIRGINIA FAMILY SERVICE (NVFS)** (11:22 a.m.)

Supervisor Smyth moved approval of the Resolution of Recognition presented to the NVFS for its ninetieth anniversary and for empowering individuals and families to improve their quality of life and promoting community cooperation and support in responding to family needs. Supervisor Herrity and Supervisor Hudgins jointly seconded the motion.

Supervisor Smyth noted that Mary Agee, NVFS president and chief executive officer, would be retiring next year and thanked her for her years of service.

Discussion ensued concerning the extensive work the NVFS does in the community including serving as a mentor to other non-profits.

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

13. **PROCLAMATION DESIGNATING SEPTEMBER 23-30, 2014, AS "VOTER REGISTRATION WEEK" IN FAIRFAX COUNTY** (11:39 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate September 23-30, 2014, as "Voter Registration Week" in Fairfax County and urged all citizens who are eligible to register to vote to check and make sure their voter registration is accurate before the October 14, 2014, deadline. Supervisor Hyland and Supervisor McKay jointly seconded the motion.

Discussion ensued concerning the importance of being prepared and participating in the voting process.

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

14. **RESOLUTION OF RECOGNITION PRESENTED TO THE EXCEPTIONAL DESIGN AWARDS PROGRAM** (11:47 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition to recognize the Exceptional Design Awards Program for its thirtieth anniversary. Vice-Chairman Gross seconded the motion.

Following discussion, including art in architecture, the question was called on the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

15. **10:30 A.M. – PRESENTATION OF THE EXCEPTIONAL DESIGN AWARDS** (11:54 a.m.)

Joseph J. Plumpe, Architectural Review Board Member and Chairman of the 2014 Exceptional Design Awards Jury, gave a presentation regarding the history of the program, noting that since 1985 the Fairfax Exceptional Design Awards has recognized achievements in the total design of a building and site and to create an awareness of outstanding planning and design projects among design professionals and the general public. He announced the recipients of the 2014 Exceptional Design Awards, as follows:

- *Honorable Mention:* Coviello Oral Surgery
Category: Commercial office (interior)
Architect: FORMA Design, Incorporated
Owner/Developer: Dr. Vincent Coviello
Year Built: 2013
District: Providence
- *Honorable Mention:* Halstead Square
Category: Mixed Use

Architect: SK+I Architects
Owner/Developer: DSF Advisors
Year Built: 2013
District: Providence

- *Merit Award:* Do Carriage House
Category: Residential
Architect: Ritter Norton Architects PLLC
Owner/Developer: Name withheld
Year Built: 2013
District: Dranesville
- *Merit Award:* The Aerospace Corporation
Category: Commercial
Architect: KGD Architecture (Kishimoto.Gordon.Dalaya PC)
Owner/Developer: The Aerospace Corporation
Year Built: 2013
District: Sully
- *Merit Award:* Tysons West
Category: Mixed Use
Architect: MV+A Architects
Owner/Developer: JBGR Retail
Year Built: 2013
District: Hunter Mill
- *Honor Award:* Banaji Pediatric Dental Specialists
Category: Commercial office (interior)
Architect: FORMA Design, Incorporated
Owner/Developer: Girish Banaji DDS
Year Built: 2013
District: Providence
- *Honor Award:* George Mason University – Music/Theater Building
Category: Institutional
Architect: Ayers Saint Gross
Owner/Developer: George Mason University
Year Built: 2013
District: Braddock
- *Honor Award:* Thomas Edison High School Modernization
Category: Institutional
Architect: Hughes Group Architects
Owner/Developer: Fairfax County Public Schools
Year Built: 2012
District: Lee

16. **10:45 A.M. – PRESENTATION OF THE ENVIRONMENTAL EXCELLENCE AWARDS** (12:09 p.m.)

(BACs) Linda Burchfiel, member of the Environmental Quality Advisory Council, gave a presentation on the history of the awards which are divided into the following categories: resident; business; organization; and County employee. She then presented the Environmental Excellence Awards to:

- *County Resident* – Mr. John DeNoyer
- *County Resident* – Ms. Ann Csonka (posthumously)
- *County Employee* – Ms. Joyce Doughty
- *Business* – Davis, Carter, Scott LTD
- *Business* – Guernsey Office Products
- *Organization* – Potomac Environmental Research and Education Center, George Mason University

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79. **11 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (12:20 p.m.)

(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard September 23, 2014,” as distributed around the dais. Supervisor Foust seconded the motion.

Supervisor Cook asked to amend the motion to reappoint Ms. Monica Jackson as the Braddock District Representative to the Child Care Advisory Council. This was accepted.

Supervisor Hyland asked to amend the motion to defer the reappointment of the At-Large #1 Representative to the Wetlands Board. This was accepted.

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

Appointments are as follows:

ADVISORY SOCIAL SERVICES BOARD

Appointment of:

- Dr. Nancy Dalton Hall as the Mason District Representative

- Ms. Meg Keadle Rayford as the Sully District Representative

The Board deferred the appointment of the Lee and Mount Vernon District Representatives.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder (Single Family) and Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative.

ARCHITECTURAL REVIEW BOARD

Reappointment of:

- Mr. Christopher Daniel as the Related Professional Group #5 Representative

The Board deferred the appointment of the Archaeologist Representative.

ATHLETIC COUNCIL

The Board deferred the appointment of the Braddock District Alternate and the Lee District Principal Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Lee District Representative.

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #2 Representative.

CELEBRATE FAIRFAX INCORPORATED BOARD OF DIRECTORS

Reappointment of

- Mr. Jason Chung as the At-Large #2 Representative
- Ms. Jill Patrick as the At-Large #3 Representative

The Board deferred the appointment of the At-Large #1 Representative.

**CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION
REVIEW COMMITTEE**

The Board deferred the appointment of the Sully District Representative.

CHILD CARE ADVISORY COUNCIL

Reappointment of:

- Ms. Monica Jackson as the Braddock District Representative
- Ms. Rosemary A. Kendall as the Dranesville District Representative
- Ms. Wynne Busman as the Mason District Representative
- Mr. Hugh Mac Cannon as the Springfield District Representative

The Board deferred the appointment of the Lee, Mount Vernon, and Providence District Representatives.

CITIZEN CORPS COUNCIL

Appointment of:

- Ms. Linda J. Waller as the Lee District Representative

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

COMMISSION FOR WOMEN

The Board deferred the appointment of the Braddock District Representative.

COMMISSION ON AGING

Appointment of:

- Ms. Sharron Dreyer as the Lee District Representative
- Mr. Denton Urban Kent as the Mason District Representative

**COMMISSION ON ORGAN AND TISSUE DONATION AND
TRANSPORTATION**

The Board deferred the appointment of the At-Large, Lee, and Mount Vernon District Representatives.

CONSUMER PROTECTION COMMISSION

Reappointment of:

- Mr. Wes Callender as the Fairfax County Resident #6 Representative

The Board deferred the appointment of the Fairfax County Resident #2 Representative.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

Appointment of:

- Ms. Janice Shafer as the Sully District Representative

FAIRFAX AREA DISABILITY SERVICES BOARD

Appointment of:

- Ms. Alexandra Dixon as the At-Large #1 Business Community Representative

The Board deferred the appointment of the Sully District Representative.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Jennifer L. Disano as an Educational Organization #4 Representative
- Ms. Elizabeth D'Alelio as the Advisory Social Services Board Representative
- Mr. Stephen A. Morrison as the Advocacy Organizations #2 Representative
- Ms. Doris Ray as the Advocacy Organizations #3 Representative
- Mr. Steve Yaffe as the Community/Religious Leaders #1 Representative
- Mr. Gerald Hopkins as the Community/Religious Leaders #2 Representative

- Ms. Gracie Ortiz as the Community/Religious Leaders #6 Representative
- Ms. Betty Ann Yurkewitch Community/Religious Leaders #9 Representative
- Mr. Paul Browne as the Community/Religious Leaders #10 Representative
- Ms. Maureen Hallman as the Constituents/Consumer #2 Representative
- Ms. Dorothy Keenan as the Constituents/Consumer #3 Representative
- Dr. Michael Behrmann as the Educational Organizations #1 Representative
- Ms. Ann L. Long as the Educational Organizations #5 Representative
- Mr. Albert J. McAloon as the Redevelopment and Housing Authority Board Representative
- Mrs. Rosanne L. Rodilosso as the Health Care Advisory Board Representative
- Ms. Patricia D. Williams as the Long Term Care Provider #1 Representative
- Ms. Sharon F. Canner as the Long Term Care Provider #4 Representative
- Mr. Myles Nienstadt as the Long Term Care Provider #10 Representative
- Ms. C. Courtney H. Nuzzo as the Long Term Care Provider #11 Representative
- Ms. Donna A. Goldbranson as the as the Long Term Care Provider #12 Representative
- Ms. April-Lyn Pinch Keeler as the Long Term Care Provider #13 Representative

- Mr. Steve Gurney as the Long Term Care Provider #14 Representative

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

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

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Sully District Representative.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #4 and #6 and the Provider #1 Representatives.

HUMAN RIGHTS COMMISSION

Appointment of:

- Ms. Mona Malik as the At-Large #9 Representative
- Mr. Shahid S. Malik as At-Large #11 Representative

The Board deferred the appointment of the At-Large #2, #8, and #12 Representatives.

HUMAN SERVICES COUNCIL

Appointment of:

- Reverend LaVerne M. Gill as the Hunter Mill District #1 Representative

The Board deferred the appointment of the Lee District #1 and Mount Vernon District #2 Representatives.

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointment of the Braddock District Representative.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the At-Large Chairman's, Hunter Mill, Lee, and Providence District Representatives.

ROAD VIEWERS BOARD

The Board deferred the appointment of the At-Large #4 Representative.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #3 and #5 Representatives.

Confirmation of:

- Mr. Andy Sigle as the Reston Association #2 Representative

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Condo Owner and the Tenant Member #2 and #3 Representatives.

TRAILS AND SIDEWALKS COMMITTEE

The Board deferred the appointment of the Mason District Representative.

TRANSPORTATION ADVISORY COMMISSION

Appointment of:

- Mr. Alan G. Young as the At-Large Representative

The Board deferred the appointment of the Providence District Representative.

TRESPASS TOWING ADVISORY BOARD

Appointment of:

- MPO Steven Lescallett as the Citizen Alternate Representative

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

WETLANDS BOARD

The Board deferred the appointment of the At-Large #1 Representative.

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18. **ADMINISTRATIVE ITEMS** (12:22 p.m.)

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

Supervisor Cook called the Board's attention to ADMIN 3 – Authorization for the Fairfax County Health Department to Apply for and Accept Grant Funding from the Virginia Health Care Foundation to Improve Regional Local Specialty Health Care Access and asked unanimous consent that the Board direct staff to report with more information regarding specialist physicians being unavailable in Northern Virginia because they do not accept some insurances and/or Medicaid. Without objection, it was so ordered.

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

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM
(DRANESVILLE AND HUNTER MILL DISTRICTS)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
EDW. O'Brien Parcel B (O'Brien Property)	Dranesville	Towlston Road (Route 676) [Additional Right-of-Way (ROW) Only]
		Peacock Station Road (Route 639) (Additional ROW Only)
Crystal Cove at Reston Town Center	Hunter Mill	Fairfax County Parkway (Route 286) (Additional ROW Only)
		Baron Cameron Avenue (Route 606) (Additional ROW Only)
		Bennington Woods Road (Route 6390) (Additional ROW Only)

ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 REVIEW APPLICATIONS (DRANESVILLE, MASON, BRADDOCK, AND MOUNT VERNON DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-D14-22	Verizon Wireless Modification of Telecommunications Facility 1633 Davidson Road McLean, Virginia Dranesville District	November 28, 2014
FS-M14-23	Sprint Rooftop Co-location 4114 Woodland Road Annandale, Virginia Mason District	December 4, 2014
2232A -Y11-9-1	AT&T Wireless/New Cingular Wireless Installation of DAS Telecommunications Facility 11342 Lee Highway Fairfax, Virginia Braddock District	December 5, 2014
FS-V14-16	Verizon Wireless Installation of Telecommunications Facility on Existing Tower 10112 Furnace Road Lorton, Virginia Mount Vernon District	December 5, 2014
FSA-H00-100-1	Sirius XM Radio, Incorporated Modification of Telecommunications Facility 2340 Dulles Corner Boulevard Herndon, Virginia Dranesville District	December 5, 2014

ADMIN 3 – AUTHORIZATION FOR THE FAIRFAX COUNTY HEALTH DEPARTMENT TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE VIRGINIA HEALTH CARE FOUNDATION (VHCF) TO IMPROVE REGIONAL LOCAL SPECIALTY HEALTH CARE ACCESS

(NOTE: Earlier in the meeting, action was taken regarding specialist physicians. See page 16.)

Authorized the Health Department to apply for and accept grant funding in the amount of \$318,363 from VHCF to support the implementation of a centralized specialty referral office to coordinate local specialty care access for patients receiving primary care health services from regional safety net providers to achieve greater efficiencies and benefits for patients. The required 25 percent local contribution will be met by utilizing in-kind resources from the Health Department and its community partners.

19. **A-1 – ADOPTION OF THE 50+ COMMUNITY ACTION PLAN**
(12:24 p.m.)

(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item #4.)

Chairman Bulova noted that earlier in the meeting action was taken regarding the 50+ Community Action Plan which helps the County in planning and developing programs and services for and working with the private sector to serve the aging population in the County.

20. **A-2 – APPROVAL OF COMMENTS ON THE DRAFT REAL PROPERTY MASTER PLAN AND THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR SHORT-TERM PROJECTS AND REAL PROPERTY MASTER PLAN UPDATE AT FORT BELVOIR, VIRGINIA**
(12:24 p.m.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve and transmit the comments prepared by staff to the National Capital Planning Commission and Fort Belvoir. Supervisor McKay seconded the motion and it carried by unanimous vote.

21. **A-3 – APPROVAL OF A DRAFT BOARD OF SUPERVISOR'S MEETING SCHEDULE WITH AN AMENDMENT TO THE MONTH OF FEBRUARY 2015** (12:26 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the new draft Board meeting schedule for 2015, which includes a change to the February meeting date. Chairman Bulova seconded the motion noting that this change allows the Board additional time for discussion and a Board Budget Committee meeting after the presentation of the budget by the

County Executive. It also allows more time to discuss the advertisement of a tax rate.

Supervisor Gross noted a precaution that, historically, President's Day weekend has had snowstorms, so the February meeting date could be affected.

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

ADDITIONAL BOARD MATTERS

22. **PROCLAMATION REQUESTS** (12:29 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 Family Services to appear before the Board to receive a proclamation declaring November 2014 as "*National Adoption Month*" in Fairfax County, to be presented at the Board meeting on October 28, 2014.
- Prepare and send a proclamation to Ms. Hannah Rothwell recognizing October 2014 as "*Dysautonomia Awareness Month*" in Fairfax County. Dysautonomia is a term used to describe a number of conditions caused by a malfunction of the autonomic nervous system.

Without objection, it was so ordered.

23. **SYRIAN REFUGEE BLANKET DRIVE** (12:30 p.m.)

Chairman Bulova said that the Northern Virginia Regional Commission is once again coordinating a regional effort to collect blankets for refugees who are fleeing from Syria and other countries to Turkey to escape violence in the Middle East. Last year more than 18,000 blankets were collected during the drive and shipped to Turkey.

This year's blanket drive will take place November 1–22, 2014, with collection locations throughout Northern Virginia. Chairman Bulova will co-chair this effort with Loudoun County Board Chairman Scott York. Last year, the County's Faith Communities in Action coalition and the Office of Community and Faith liaison did an excellent job mobilizing assistance for this humanitarian effort, and she would ask if they again could lead the blanket drive this year in the County.

The Chairman's Office is planning once again to serve as a blanket donation collection point and she invited Members of the Board to consider doing the same. Details on the collection drive and locations can be found at www.helpsvrianrefugees.net.

Therefore, Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs and the Office of Community and Faith liaison to help share information about this opportunity to help. Without objection, it was so ordered.

24. **UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)
PROPOSED RULE ON CARBON EMISSIONS** (12:31 p.m.)

Chairman Bulova said that the EPA has developed new guidelines regarding carbon dioxide emissions reductions for existing fossil-fuel electric generating units under the Clean Air Act and directed states to design programs to achieve the needed reductions. The Virginia Department of Environmental Quality (DEQ) has been tasked with developing a program for the Commonwealth and the draft program is currently open for public comment.

The County has supported policies to address climate change in its annual legislative program since 2008. At the same time, new regulations for existing facilities could have an impact on the rates local residents pay on their electric bills. Chairman Bulova said, from working on the Private Sector Energy Task Force, that Dominion Virginia Power is taking proactive steps to reduce emissions from its generation facilities. Given the impact this rule could have for residents and the environment, it is important for the County to participate in this process.

Therefore, Chairman Bulova asked unanimous consent that the Board direct the Utility Branch of the Department of Cable and Consumer Services to review DEQ's proposed rule under Section 111d of the Clean Air Act and prepare a letter citing the strengths of the proposal, as well as any area of potential concern, for the Board's approval at its October 7 Board meeting. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

25. **REQUEST FOR EXPEDITED PROCESSING – SPECIAL EXCEPTION
AMENDMENT APPLICATION SEA 94-D-002-2 (DRANESVILLE
DISTRICT)** (12:33 p.m.)

Supervisor Foust said that Wesley Hamel Lewinsville LLC has filed Special Exception Amendment Application SEA 94-D-002-2 for an 8.65 acre property located at 1609 Great Falls Street, McLean, Tax Map Parcel 30-3 ((1)) 42, to develop a senior independent living residence. The existing building, once an elementary school, houses a 22-unit senior independent residence, the Lewinsville Senior Center, an adult day health care center, and two separate private child day care centers.

The previously-approved Special Exception Amendment Application SEA-94-D-002 and Public Facilities Application 2232-D03-09 permits the redevelopment of the site to include the addition of a 60-bed assisted living facility with commercial

kitchen and dining facility. Due to the costs to construct and operate an assisted living facility, the County has elected to pursue the independent living senior residential model that could be constructed and operated under a ground lease at no cost to the County.

On May 14, 2012, the Board advertised a Request for Proposal (RFP) for the Lewinsville Senior Center and Independent Living Residence Development. Pursuant to the RFP, the County sought a developer to act as agent for the County to file a special exception amendment to supersede the previous approval in 2004.

On July 29, 2014, the Board approved an Interim Agreement with Wesley Hamel. Under the agreement, Wesley Hamel is required to prepare and submit an application to the Virginia Housing and Development Authority for nine percent Low Income Housing Tax Credits in 2015 and again in 2016 if not initially successful. To file the tax credit application, Wesley Hamel must demonstrate that it has control of the site. Supervisor Foust said it is critical to proceed as quickly as possible with the review of this application for Wesley Hamel to meet the VHDA deadline of March 6, 2015, for the submission of its application.

Therefore, Supervisor Foust moved that the Board expedite the processing of this application and direct the Director of the Zoning Evaluation Division, Department of Planning and Zoning, to schedule the public hearing before the Board for Special Exception Amendment Application SEA 94-D-002-2 on a date no later than February 3, 2015*, and that the site plan associated with the development be processed concurrently. This motion should not be construed as a favorable recommendation by the Board on Special Exception Amendment Application SEA 94-D-002-2 and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor McKay seconded the motion and it carried by unanimous vote.

(*NOTE: Earlier in the meeting, the Board approved a new Draft Meeting Schedule for calendar year 2015. The February meeting is scheduled for February 17, 2015.)

26. **MPAartfest (DRANESVILLE DISTRICT)** (12:37 p.m.)

Supervisor Foust said that on Sunday, October 5, 2014, from 10 a.m. to 5 p.m., the McLean Project for the Arts (MPA) will present its eighth annual community MPAartfest. This occasion transforms the McLean Central Park into a lively landscape of mini-art galleries, showcasing and offering for sale the work of a diverse group of 50 juried artists. Admission is free.

MPAartfest includes activities to captivate art-lovers of all ages. The Children's ArtWalk will display the work of youth artists from McLean area schools. In the Hands-On Art Studio, visitors will have the opportunity to create a Mandala (Sanskrit for circle) for themselves and for the community art "quilt."

Tours of MPA's Gallery exhibitions will be offered at noon and 3 p.m. beginning in the McLean Community Center lobby. Local entertainers will perform throughout the day, and local restaurants will offer refreshments for sale. This wonderful event connects art and the community within the beautiful setting of McLean Central Park. Supervisor Foust thanked MPA, its many volunteers, corporate and community sponsors, and other community volunteers, for creating such an outstanding experience.

Supervisor Foust asked unanimous consent that the Board direct the Office of Public Affairs to distribute information publicizing this event including to County offices, libraries, public schools, and community groups. Without objection, it was so ordered.

27. **REQUEST FOR RECOGNITION – DR. ROBERT TEMPLIN (BRADDOCK DISTRICT)** (12:38 p.m.)

Supervisor Cook announced that Dr. Robert Templin, a great contributor to Braddock District and the County, is retiring after more than 10 years as president of Northern Virginia Community College (NOVA).

Dr. Templin said that “NOVA is one of the top colleges in the country for creating higher education opportunities and producing outstanding graduates.” Much of the success of NOVA can be attributed to the work of Dr. Templin. He was outstanding at working with the community and the Board, and will be missed.

Under Dr. Templin's leadership, the college achieved numerous milestones, including enrolling more than 500,000 credit and noncredit students. Eighty percent of the enrollment growth comes from minority, low income, and first-generation college students. NOVA also increased the number of graduates by 120 percent to over 6,000 graduates annually.

Jointly with Chairman Bulova, Supervisor Cook asked unanimous consent that the Board direct staff to invite Dr. Templin to appear before the Board to be recognized for his long service to NOVA and the community. Without objection, it was so ordered.

28. **REQUEST TO SCHEDULE A PUBLIC HEARING FOR NCL XI, LLC – REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2014-BR-009 (BRADDOCK DISTRICT)** (12:39 p.m.)

Supervisor Cook said that NCL XI, LLC, has filed two concurrent rezoning/final development plan applications (RZ/FDP 2014-BR-009) on Tax Map Parcel 77-2 ((1)) 14 to rezone approximately 8.08 acres from R-1 to PDH-3 which would permit 17 single-family detached dwelling units at a density of 2.1 dwelling units per acre. The applicant recently proposed a development plan showing a new access point from Zion Drive that would be consistent with the Comprehensive

Plan and help facilitate future development of adjacent properties to the north. The Planning Commission public hearing is scheduled for November 6, 2014, and these applications are ready to move forward for a public hearing before the Board.

Therefore, Supervisor Cook moved that the Board direct staff to expedite the scheduling of a public hearing for Rezoning/Final Development Plan Application RZ/FDP 2014-BR-009 to be held before the Board on December 2, 2014. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Hyland seconded the motion and it carried by unanimous vote.

29. **REQUEST TO SCHEDULE A PUBLIC HEARING FOR NVR, INCORPORATED – REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2014-BR-007 (BRADDOCK DISTRICT)**
(12:40 p.m.)

Supervisor Cook said that last February, NVR, Incorporated, filed Rezoning/Final Development Plan Application RZ/FDP 2014-BR-007, on Tax Map Parcel 56-2 ((1)) and ((4)), to rezone approximately 13.8 acres from R-1 to PDH-3. This proposal would permit 41 single-family detached dwelling units at a density of 2.95 dwelling units per acre. The applicant recently submitted a revised development plan which responds to concerns raised by staff and the community. The Planning Commission public hearing is scheduled for November 6, 2014, and the application is now ready to move forward for a public hearing before the Board.

Therefore, Supervisor Cook moved that the Board direct staff to expedite the scheduling of a public hearing for Rezoning/Final Development Plan Application RZ/FDP 2014-BR-007 to be held before the Board on November 18, 2014. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Foust seconded the motion and it carried by unanimous vote.

30. **HEROIN USE IN THE COUNTY** (12:42 p.m.)

Supervisor Herrity said that the rise in heroin-associated deaths over the last few years is no secret, and has gained the attention of the media and many of the political leaders. Congressman Frank Wolf has been holding town hall meetings across his district to raise awareness, meeting with the Northwest Virginia Regional Drug Task Force Command Board who have described the problem as an "epidemic" and a "crisis," and has also been urging the Governor to set up a State-wide task force to tackle the problem. Supervisor Herrity said some may

have seen two weeks ago that Attorney General Mark Herring also announced a plan, at a meeting with the Virginia Association with Chiefs of Police, to try to curb this terrible scourge. The problem is real and the County needs to ensure that it is prepared to address it in the County.

Heroin use, and subsequently heroin overdoses are on the rise in Virginia. Overdoses doubled in Virginia between 2011 and 2013, and according to the *Washington Post* the problem is worse in Northern Virginia where overdoses saw a 163 percent rise in the same time period. These numbers may even be artificially low because currently hospitals are not required to report overdoses to the police. This is a problem the County cannot afford to ignore.

Heroin is here, it is on the doorstep and in communities, and often goes unnoticed. Prescription pills, especially Oxycontin and pain medications, have been seen as the gateway, and when users can no longer get ahold of, or afford to get ahold of those pills, they turn to the cheaper, easily accessible, and deadlier heroin. This problem ranges through all demographics, it does not have "a face," and for that reason often goes unnoticed until it is too late. Just two weeks ago the County lost yet another youth to this terrible drug in the Mount Vernon area who was a good student, a soccer, golf, and hockey player, who went on to the University of Virginia and excelled. Someone you would not ever associate as a drug user at face value.

Supervisor Herrity attached several relevant news articles about this problem to his written Board Matter for perusal.

Therefore, Supervisor Herrity moved that the Board:

- Direct the County Executive to prepare a report documenting the extent of the problem and its impacts on the County, and what steps are being taken/should be taken to address the problem.
- Direct staff to add the subjects of heroin and K2-Spice to the agenda for discussion at the next Public Safety Committee meeting.

Supervisor Hyland and Supervisor McKay jointly seconded the motion.

Chairman Bulova stated that inherent in the motion is a request to work with the schools to get information and coordinate efforts.

Supervisor Cook asked to amend the motion to:

- Direct staff to review the Fairfax County Youth Survey; specifically its questions regarding combatting substance abuse, and whether they are specific to the type of substance being used.

This was accepted.

Supervisor Frey noted that the problem is not new, and that various County departments have been dealing with this issue for quite some time.

Following additional discussion regarding past, present, and future efforts concerning substance abuse, the question was called on the motion, as amended, and it carried by unanimous vote.

31. **NO BOARD MATTERS FOR SUPERVISOR SMYTH (PROVIDENCE DISTRICT)** (12:54 p.m.)

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

DET:det

32. **BAN-THE-BOX** (12:54 p.m.)

Supervisor Hudgins stated that this Board Matter deals with job applications: many job applications ask applicants if they have ever been convicted of a crime. Ex-offenders must check the box "yes." Far too often a yes response automatically disqualifies job applicants with a prior conviction, with no further consideration, or interview. She noted that this issue has been previously brought to the attention of the Board. The County is compliant in practice with "ban-the-box". For most positions, a question on one's criminal record is not asked on the initial application. Public safety and certain other positions are an exception.

The goal is to find a way to provide individuals that re-enter into the community, with jobs opportunities, by leaving off the identification of the criminal activity they might have had until further in the interview process.

She noted that others have banned-the-box and moved that the Board:

- Refer Ban-the-Box policies (at the State level) to the Legislative Committee to review for consideration in the County's 2015 Legislative Program.
- Refer this item to the Personnel Committee for staff analysis and recommendations regarding the practices of current County contractors relative to criminal record questions on job applications. The recommendations would evaluate the necessity of the questions and the feasibility of requiring removal of the questions on initial applications.
- Ask staff to explore how the County can publicly join the list of jurisdictions that have banned-the-box.

Supervisor Gross seconded the motion.

Following discussion concerning the first bullet of the motion, Supervisor Hudgins stated that the legislative piece that has been before the General Assembly talks about government agencies. This would provide a mechanism to promote some good opportunities of re-entry of individuals coming out of the criminal justice system, enabling an individual to get through an interview while still having to disclose.

Following additional discussion, Supervisor Hudgins clarified that this would place the disclosure at a different stage of the process rather than at the beginning of the application. Discussion continued concerning further evaluation of applications.

Following discussion concerning the position of the Equal Employment Opportunity Commission (EEOC) on these questions, Supervisor Cook asked unanimous consent that the Board direct staff to determine whether it has the legal authority to implement it and that it be a part of the review. Without objection, it was so ordered.

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

33. **“INTERNATIONAL WALK TO SCHOOL DAY”** (1:01 p.m.)

Supervisor Hudgins announced that “*International Walk to School Day*” in Fairfax County promotes a much more engaged group of youth through walking and exercising and asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event in the County. Without objection, it was so ordered.

34. **TOWN OF VIENNA WAIVER REQUEST (HUNTER MILL DISTRICT)**
(1:02 p.m.)

Supervisor Hudgins stated that the Town of Vienna is preparing to start renovations of the Vienna Community Center, located at 120 Cherry Street, S. E. It will be submitting plans and applications for the project requiring building permits and subsequent inspections by the Department of Public Works and Environmental Services (DPWES).

The Town has requested a waiver for all County building and inspection fees relating to the renovation of the Vienna Community Center.

Supervisor Hudgins moved that the Board direct DPWES staff to exempt the Town of Vienna from only building and inspections fees applicable to the Vienna Community Center renovations at 120 Cherry Street, S.E., Vienna. This motion should not be construed as a favorable recommendation by the Board or the County on the application and plans and does not relieve the applicant from compliance with the provisions of all applicable laws, ordinances, regulations,

adopted standards, and proffers. This action in no way prejudices the substantive review of the application and plans. Supervisor Hyland and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

35. **LAKE ANNE VILLAGE PLAN AMENDMENT AUTHORIZATION (HUNTER MILL DISTRICT)** (1:03 p.m.)

Supervisor Hudgins announced that on September 10, 2013, the Board authorized a Comprehensive Plan amendment for Land Units A, D, and E of the Lake Anne Village Center in Reston to consider a modification to the consolidation recommendations for the Full Consolidation Option.

A pending rezoning application for Lake Anne Village Center that has been filed under the Comprehensive Plan's Full Consolidation Option also affects additional land units, uses, and intensities. Specifically, this proposal includes the demolition of the Millennium Bank building in Land Unit F, while the Comprehensive Plan currently recommends no redevelopment in Land Unit F.

To facilitate the consideration of proposed uses and intensities under the pending rezoning application, Supervisor Hudgins stated she is asking that the Board expand the authorization of the Plan amendment.

Therefore, Supervisor Hudgins moved that the Board authorize a Comprehensive Plan amendment for the Lake Anne Village Center to consider modifications to the recommendations of Land Units A, B, C, D, E, and F as related to the Full Consolidation Option. The Plan amendment may consider the redevelopment of the Millennium Bank building as well as changes to transportation recommendations. This motion should not be construed as a favorable recommendation by the Board or the County on the application and plans and does not relieve the applicant from compliance with the provisions of all applicable laws, ordinances, regulations, adopted standards, and proffers. This action in no way prejudices the substantive review of the application and plans. Chairman Bulova seconded the motion and it carried by unanimous vote.

36. **REQUEST FOR RECOGNITION OF THE STROKE COMEBACK CENTER (SCC) (MASON DISTRICT)** (1:05 p.m.)

In a joint Board Matter with Supervisor Hudgins, Supervisor Smyth, and Chairman Bulova, Supervisor Gross said that the SCC is a community-based non-profit organization that provides programs for stroke and brain injury survivors in a supportive, caring environment.

The only center of its kind in the area, the SCC will hold its Tenth Anniversary Celebration Gala on October 30, 2014, at the USA Today headquarters in McLean.

Supervisor Gross asked unanimous consent that the Board:

- Recognize the SCC for a decade of outstanding service
- Direct staff to invite the SCC Executive Director and members of the SCC Board of Directors and their advisory boards to appear before the Board at its October 7, 2014, meeting to be presented with a Certificate of Recognition.

Without objection, it was so ordered.

A brief discussion ensued, with input from Anthony Castrilli, Director of Public Affairs, regarding the number of presentations scheduled for October 7.

37. **REQUEST THE HONORARY RENAMING OF A PORTION OF ROUTE 1, RICHMOND HIGHWAY, AFTER CONGRESSMAN JAMES P. MORAN (MOUNT VERNON DISTRICT)** (1:07 p.m.)

In a joint Board Matter with Supervisor McKay, Supervisor Hyland announced that in January 2014, Congressman James P. Moran announced his retirement as the representative to Virginia's Eighth Congressional District. For the past 23 years, he diligently served the diverse interests of his residents and the County in the United States Congress. There is no doubt that his effectiveness and willingness to listen and help comes from his background in local government, having served as Mayor of the City of Alexandria and a City Council member prior to his election to Congress. Congressman Moran was instrumental in securing \$180 million in Federal funding for the widening of Richmond Highway to accommodate new personnel and hospital traffic related to the Base Realignment and Closure (BRAC) actions at Fort Belvoir. At the April 29, 2014, Board meeting, the Board honored Congressman Moran's long-time service representing the Eighth Congressional District and expressed particular appreciation for his work to mitigate BRAC-related congestion on Richmond Highway. In honor of his work, the Board directed staff to work with the Virginia Department of Transportation (VDOT) to rename a portion of Richmond Highway after Congressman Moran.

Virginia Code Section 33.2-213 provides that the naming of highways, bridges, interchanges and other transportation facilities is a function of the Commonwealth Transportation Board (CTB). The Code provides that the CTB cannot approve the naming of a transportation facility without receiving a resolution from the governing body of the locality within which the facility is located. Typically, the naming of a road results in an honorary sign being placed at the ends of the road segment. Other signage along the segment would not be changed.

Jointly with Supervisor McKay, Supervisor Hyland moved that the Board:

- Approve the honorary naming of Richmond Highway, between the intersections of Telegraph Road to the south and Mount Vernon Memorial Highway to the north, at Woodlawn Plantation to "The Honorable James P. Moran Highway."
- Direct the Clerk to the Board to transmit a resolution to the CTB of its action and request that the CTB take appropriate action consistent with Virginia Code Section 33.2-213.

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

38. **PUBLIC SAFETY COMMITTEE** (1:10 p.m.)

Supervisor Hyland asked unanimous consent that the Board direct staff to schedule a meeting of the Public Safety Committee. Without objection, it was so ordered.

39. **REQUEST FOR RECOGNITION OF THE CHANTILLY PYRAMID MINORITY STUDENT ACHIEVEMENT COMMITTEE (CPMSAC) (SULLY DISTRICT)** (1:10 p.m.)

Jointly with Supervisor Herrity, Supervisor Hudgins, and Chairman Bulova, Supervisor Frey informed the Board that the CPMSAC is a non-profit community organization designed to assist schools in encouraging and motivating students through community recognition in sustaining high levels of achievement and active participation through their school years.

CPMSAC offers various programs and workshops to students and parents of elementary, middle, and high school levels that focus on mentoring, tutoring and outreach. This encouragement helps students reach goals throughout and beyond their school years.

There are approximately 100 families in the Centreville, Chantilly, Oakton, and Westfield cluster schools who are members of CPMSAC which is proudly celebrating its thirtieth year by holding a reception, silent auction, and program on November 2 at the Fair Lakes Hyatt Hotel.

Supervisor Frey asked unanimous consent that the Board direct staff to invite Johnny Nelson, President of CPMSAC, to appear before the Board on October 28 to thank him and the rest of the organization for touching the lives of thousands of students in the area and helping them reach their vision of success, academic achievement, and building positive human relations. Without objection, it was so ordered.

A brief discussion ensued, with input from Anthony Castrilli, Director of Public Affairs, regarding the number of presentations scheduled for October 28.

40. **NO BOARD MATTERS FOR SUPERVISOR McKAY (LEE DISTRICT)**
(1:12 p.m.)

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

41. **RECESS/CLOSED SESSION** (1:13 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. *Minh-Sang Nguyen v. Fairfax County Department of Family Services*, Record No. 131594 (Va. Sup. Ct.); *Tyrus H. Thompson and Ja'Ree C. Thompson v. Fairfax County Department of Family Services*, Record No. 131577 (Va. Sup. Ct.); *B.N., a Minor Child v. Fairfax County Department of Family Services*, Record No. 131578 (Va. Sup. Ct.)
 2. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edward E. Ankers, Jr.*, Case No. CL-2006-0010511 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 3. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Blanka Krizek*, Case No. CL-2013-0008510 (Fx. Co. Cir. Ct.) (Dranesville District)
 4. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard Chiu*, Case

- No. CL-2013-0007284 (Fx. Co. Cir. Ct.) (Mason District)
5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lowell Fine and Ethel V. Fine*, Case No. CL-2011-0003529 (Fx. Co. Cir. Ct.) (Lee District)
 6. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Samuel A. Forcey and Jo Jo's Massage & Asian Body Works*, Case No. CL-2014-0010092 (Fx. Co. Cir. Ct.) (Mason District)
 7. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Fairfax Court Limited Partnership and Sangria Café, Inc.*, Case No. CL-2014-0011240 (Fx. Co. Cir. Ct.) (Braddock District)
 8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Paul Chau*, Case No. CL-2014-001502 (Fx. Co. Cir. Ct.) (Lee District)
 9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Pascal Sung-Won Hong and Agnes Song-Kyung Hong*, Case No. GV14-007987 (Fx. Co. Gen. Dist. Ct.) (Sully District)
 10. *Joanne E. Leonard-Anderson v. Mason District Police, Officer Depty [sic] White, and Chief Gun Lee*, Case No. GV14-011819 (Fx. Co. Gen. Dist. Ct.)
 11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Zina Theresa Bleck*, Case No. GV14-016079 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
 12. *KyAnna Sheldon v. David Kroll*, Case No. GV14-008300 (Pr. Wm. Co. Gen. Dist. Ct.)
 13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard E. During and Eugenia F. During*, Case No. GV14-014521 (Fx. Co. Gen. Dist. Ct.) (Braddock District)

14. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Gary D. Carlson and Susan S. Carlson*, Case No. GV14-016796 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rosa Lee Clegg, Trustee of the Rosa Lee Clegg Trust*, Case No. GV14-016798 (Fx. Co. Gen. Dist. Ct.) (Lee District)
16. *Karen Payne v. Sharman G. Harris*, Case No. GV14-014868 (Fx. Co. Gen. Dist. Ct.)

And in addition:

- *Graham Holdings Company and WP Company, LLC v. Fairfax County, Virginia*, Case Number CL-2013-0018936
- *Morrison, et al. v. County of Fairfax, Virginia*, Civil Action Number 1:14-cv-5 CMH/A (E.D. Va.)
- Virginia Code Annotated Section 42.1-36
- *Viridis Development Corporation v. Board of Supervisors of Chesterfield County, Virginia*, U.S. District Court for the Eastern District of Virginia, Richmond Division.

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

EBE:ebe

At 3:35 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

42. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:35 p.m.)

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

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

43. **JIM SHELTON APPOINTED AS AUDITOR OF THE BOARD** (3:36 p.m.)

Supervisor Gross moved the appointment of Mr. Jim Shelton as Auditor of the Board, Grade E-9, with an annual salary of \$135,000 effective October 27, 2014. Supervisor McKay and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

44. **AUTHORIZATION OF SETTLEMENT – BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA V. GRAHAM HOLDINGS COMPANY AND WP COMPANY, LLC** (3:37 p.m.)

Supervisor Cook moved that the Board authorize settlement of *Board of Supervisors of Fairfax County, Virginia v. Graham Holdings Company and WP Company, LLC*, Case No. CL-2013-0018936, on the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

45. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 2006-DR-001 (JOHN H. AND BARBARA WHITNEY) (DRANESVILLE DISTRICT)** (3:38 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 September 5 and September 12, 2014.

The application property is located at 10607 Beach Mill Road, Great Falls, 22066.

Michael Lynskey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report

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

Supervisor Foust moved approval of Agricultural Renewal Application AR 2006-DR-001, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Whitney Local Agricultural and Forestal District, subject to the Ordinance provisions dated June 13, 2014. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

46. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 89-S-005-03 (WILLIAM G. MURRAY, TRUSTEE OF TRUST U/W OF JONES D. JASPER) (SPRINGFIELD DISTRICT)** (3:43 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 September 5 and September 12, 2014.

The application property is located at 6712 Wolf Run Shoals Road, Fairfax Station, 22039.

Michael Lynskey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

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

Supervisor Herrity moved approval of Agricultural Renewal Application AR 89-S-005-03, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Jasper Local Agricultural and Forestal District, subject to the Ordinance provisions dated June 13, 2014. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

47. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 89-S-003-03 (THOMAS S. REED, MADELEINE S. REED) (SPRINGFIELD DISTRICT)** (3:48 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 September 5 and September 12, 2014.

The application property is located at 12801 Popes Head Road, Clifton, 2012.

Michael Lynskey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

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

Supervisor Herrity moved approval of Agricultural Renewal Application AR 89-S-003-03, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Reed Local Agricultural and Forestal District, subject to the Ordinance provisions dated June 16, 2014. Supervisor McKay seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

48. **3:30 P.M. – PH ON PROPOSED PLAN AMENDMENT 2013-I-B1, LOCATED SOUTH OF LEESBURG PIKE, EAST OF CHARLES STREET, AND WEST OF WASHINGTON DRIVE (MASON DISTRICT)**
(3:52 p.m.)

Pamela Nee, Branch Chief, Environmental and Development Review Branch, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report.

Discussion ensued, with input from Leonard Wolfenstein, Chief, Transportation Planning Section, Department of Transportation, regarding:

- Plan language
- Site orientation and transportation
- Realignment of Charles Street
- Timeframe, funding availability, and who will perform the realignment
- Right-of-way requirements
- Primary entrance on Leesburg Pike
- Provision of streetscape design and pedestrian entrance
- Possible applicant’s contribution toward construction

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

Supervisor Gross moved approval of Plan Amendment 2013-I-B1, as recommended by the Planning Commission and shown in the staff reports dated July 3, 2014 and August 26, 2014. Supervisor Foust seconded the motion and it carried by unanimous vote.

49. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2010-LE-005 (GRAMM SPRINGFIELD PROPERTY, LLC) (LEE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2014-LE-005 (GRAMM SPRINGFIELD HYUNDAI PROPERTY LLC) (LEE DISTRICT)

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2014-LE-004 (GRAMM SPRINGFIELD PROPERTY, LLC) (LEE DISTRICT)

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2010-LE-009 (JENNINGS BUSINESS PARK LLC) (LEE DISTRICT) (4:02 p.m.)

(O) The Proffered Condition Amendment Application PCA 2010-LE-005 property is located on the east side of Loisdale Road, west of the CSX Railroad right-of-way and south of Loisdale Park, Tax Map 90-4 ((1)) 6 A2; 90-4 ((1)) 6 A3; 90-4 ((1)) 6 A4; and 90-4 ((1)) 6 A5.

The Special Exception Application SE 2014-LE-005 property is located on the west side of Richmond Fredericksburg and Potomac Railroad, east side of Loisdale Road, approximately 2,400 feet south of its intersection with Lois Drive, Tax Map 90-4 ((1)) 6 A4 pt.

The Special Exception Application SE 2014-LE-004 property is located on the west side of Fredericksburg and Potomac Railroad, east side of Loisdale Road, approximately 2,000 feet south of its intersection with Lois Drive, Tax Map 90-4 ((1)) 6 A3 pt.

The Special Exception Amendment Application SEA 2010-LE-009 property is located on the west side of Fredericksburg and Potomac Railroad, east side of Loisdale Road, approximately 2,800 feet south of its intersection with Lois Drive, Tax Map 90-4 ((1)) 6 A2; 90-4 ((1)) 6 A3 pt.; 90-4 ((1)) 6 A4 pt.; and 90-4 ((1)) 6 A5.

Ms. Elizabeth Nicholson reaffirmed the validity of the affidavit for the record.

Mike Van Atta, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a Powerpoint slide presentation depicting the application and site location.

Ms. Nicholson 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. Van Atta presented the staff and Planning Commission recommendations.

A brief discussion ensued, with input from Ms. Nicholson, who confirmed, for the record, agreement to the development conditions dated September 15, 2014.

Supervisor McKay moved:

- Approval of Proffered Condition Amendment Application PCA 2010-LE-005, subject to the proffers dated September 17, 2014.
- Approval of Special Exception Application SE 2014-LE-004, subject to the development conditions dated September 15, 2014.
- Approval of the Special Exception Application SE 2014-LE-005, subject to the development conditions dated September 15, 2014.
- Approval of Special Exception Amendment Application SEA 2010-LE-009, subject to the development conditions dated September 15, 2014.
- Approval of a waiver of frontage improvements along Loisdale Road.

Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

50. **BOARD ADJOURNMENT** (4:17 p.m.)

The Board adjourned.

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