



CLERK'S BOARD SUMMARY
REPORT OF ACTIONS OF THE
FAIRFAX COUNTY BOARD OF SUPERVISORS

MONDAY
February 28, 2005

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04-05

PW:pw

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, February 28, 2005, at 9:40 a.m., there were present:

- Chairman Gerald E. Connolly, presiding
- Supervisor Sharon Bulova, Braddock District
- Supervisor Joan M. DuBois, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District

- Supervisor Dana Kauffman, Lee District
- Supervisor Elaine McConnell, Springfield District
- Supervisor Linda Q. Smyth, Providence District

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

BOARD MATTERS

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1. **MOMENT OF SILENCE** (9:41 a.m.)

Chairman Connolly asked everyone to keep in thoughts the men and women in uniform serving the country.

Supervisor Kauffman asked everyone to keep in thoughts the family of Police Officer Randy Hargus who was recently struck by an automobile while assisting a motorist.

2. **ORDERS OF THE DAY** (9:42 a.m.)

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Chairman Connolly noted that several presentations would not be heard due to the threat of inclement weather.

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AGENDA ITEMS

3. **CERTIFICATE OF RECOGNITION PRESENTED TO CHESTERBROOK ELEMENTARY SCHOOL STUDENTS**

(NOTE: This presentation will be rescheduled to a later date.)

4. **CERTIFICATE OF RECOGNITION PRESENTED TO 2003-2004 FREEDOM HILL ELEMENTARY SCHOOL FOURTH GRADE CLASS**

(NOTE: This presentation will be rescheduled to a later date.)

5. **PROCLAMATION TO DESIGNATE MARCH 2005 AS "WOMEN'S HISTORY MONTH" IN FAIRFAX COUNTY** (9:42 a.m.)

Supervisor McConnell moved approval of the proclamation designating March 2005 as "*Women's History Month*" in Fairfax County. Supervisor Bulova and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB**

(NOTE: This presentation will be rescheduled to a later date.)

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. PAOLA AND MR. BOB PIZZANO** (9:52 a.m.)

Supervisor DuBois moved approval of the Certificate of Recognition presented to Ms. Paola and Mr. Bob Pizzano for their commitment to ensure that children and adults with disabilities who live in the County are given the opportunity to learn swimming safety skills. This motion, which was multiply seconded, carried by unanimous vote.

Supervisor Hyland also presented to Mr. and Mrs. Pizzano the National Association of Counties' 2004 Achievement Award and "Best of Category" in Parks and Recreation.

8. **RESOLUTION OF RECOGNITION PRESENTED TO THE REVEREND GREGORY LOEWER AND THE GLENCARLYN ROAD BAPTIST CHURCH** (10:03 a.m.)

Supervisor Gross moved approval of the Resolution of Recognition presented to the Reverend Gregory Loewer and the Glencarlyn Road Baptist Church for their support in addressing the needs of the community. Chairman Connolly and Supervisor Smyth jointly seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

9. **10 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (10:11 a.m.)

Chairman Connolly discussed the actions of the General Assembly at the session that concluded over the weekend.

Discussion ensued with input from Tom Biesiadney, Section Chief, Department of Transportation; Karen Harwood, Deputy County Attorney; Michael Mohler, Representative, Fairfax County Professional Firefighters and Paramedics; Sue Rowland, County Contract Lobbyist for Human Services; and Susan Mittereder, Legislative Liaison.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide the Board with more specific information regarding bridge maintenance and if it would include the replacement of Gunston Cove Bridge. Without objection, it was so ordered.

Chairman Connolly noted that in light of the adoption of the State budget, the Board's Legislative Committee meeting scheduled for Friday, March 4, is cancelled.

Supervisor Gross noted that the Board is still meeting with the Employees Advisory Council on Friday, March 4, at 3 p.m.

NV:nv

10. **10:15 A.M. – PRESENTATION OF THE PROPOSED FISCAL YEAR (FY) 2006 BUDGET BY THE COUNTY EXECUTIVE** (10:45 a.m.)

Anthony H. Griffin, County Executive, presented his proposed FY 2006 Budget, and announced that the entire FY 2006 Advertised Budget Plan is available on the County's website, <http://www.fairfaxcounty.gov/dmb/>, and also on compact disk. The theme of the proposal is "commitment, to high quality of life and exceptional services and to taxpayer relief." The budget proposal included a ten cent reduction in the real estate tax rate to \$1.03.

Discussion ensued following the presentation.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following discussion, with input from Susan W. Datta, Director, Department of Management and Budget, Supervisor Hyland asked unanimous consent that the Board direct staff to ensure that the position for Laurel Hill is on the add-on list of budget items. Without objection, it was so ordered.

Following further discussion, with input from Mr. Griffin, Supervisor Hyland asked unanimous consent that the Board direct staff to provide the following information regarding the new Public Safety Communications Center and the upfront purchase of equipment:

- A list of the equipment that will be purchased for the center.
- The estimated useful life of that equipment.
- When the County expects to be replacing equipment in that center because its technology may become outdated sooner.

Without objection, it was so ordered.

In regard to the additional staff proposed for the Police Department to address gang activity, Supervisor Hyland asked unanimous consent that the Board direct staff to determine whether there are enough officers and to consider locating more officers permanently in areas with a known gang problem. Following input from Mr. Griffin, without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Board direct staff to review the distribution of School Resource Officers in relation to gang activity. Without objection, it was so ordered.

Supervisor Hyland mentioned that he met with employees from the Health Department whose status was converted from State employees to County employees in 1995. There are ongoing parity issues with their employment as County employees. He asked unanimous consent the Board direct staff to provide:

- Information regarding those issues raised by those “new” County employees and the impact of the adjustments they have requested.
- Background information as to why they were continued in the State retirement system.
- The budgetary impact and cost estimates of the proposed changes.

Following input from Mr. Griffin, Chairman Connolly noted that staff could simply compile informational memoranda that were previously distributed. Without objection, the request was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to prepare a Consideration Item for an increase in pay for the magistrates. Following input from Mr. Griffin, without objection, it was so ordered.

(NOTE: Later in the meeting, Supervisor Hyland presented a Board Matter on this issue. See Clerk’s Summary Item CL#66.)

Discussion continued regarding the estimated revenue to be generated from the athletic (youth sports) and ambulance fees, respectively, and public safety salary increases, with input from Mr. Griffin and Ms. Datta.

Supervisor Kauffman announced that on Saturday, March 12 from 9 a.m. – 12 noon at the Franconia Governmental Center, he will be hosting presentations on the County Executive’s and the School Board’s budgets. He asked unanimous consent that the Board direct staff

to publicize this event as well as similar events around the County. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board announced other meetings. See pages 7 and 8.)

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide:

- A breakout of funding to support senior citizens, much like what is provided for the funding associated with the schools.
- A Consideration Item to contract out the maintenance of new facilities rather than increase the employee base of the Facilities Management Division.
- Cost estimates of a possible designated South County court facility instead of providing increased levels of overtime pay as police officers spend more time in traffic to report for court appearances. This would keep officers closer to their home bases.

With regard to the third bullet, Supervisor Kauffman noted his desire to meet with the Courts to discuss the implications of the increasing urbanization of the County and the ensuing budget pressure of continuing business as usual.

Without objection, the request was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to provide cost estimates to allow the State maximums for income and assets in relation to tax relief for senior citizens. Without objection, it was so ordered.

Following discussion, with input from Mr. Griffin, Chairman Connolly asked unanimous consent that the Board direct staff to provide the following information on the allocation of funds for sidewalks:

- The current and proposed amounts to be available.
- Whether these funds are already designated.
- Locations for any current designations.

Following further discussion, Chairman Connolly amended his request to also direct staff to answer why the County's costs are so high for sidewalks. Without objection, the request, as amended, was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Further discussion ensued regarding pedestrian issues, with input from Mr. Griffin.

With respect to Land Development Services, Supervisor Hudgins asked unanimous consent that the Board direct staff to provide an update regarding technology and the status of review or transmission of digital plans. Following input from Mr. Griffin, without objection, it was so ordered.

Supervisor Hudgins announced she will be hosting two community budget meetings in the Hunter Mill District as follows:

- March 9 from 7 – 9 p.m. at the Vienna Community Center.
- March 23 from 7 – 9 p.m. at the Reston Community Center-Lake Anne Plaza location.

Supervisor Hudgins asked unanimous consent that the Board direct the Office of Public Affairs to widely disseminate this information. Without objection, it was so ordered.

Following discussion, Supervisor DuBois announced that she will host a budget meeting in the Dranesville District on Saturday, March 19 at Cooper Middle School starting at 9 a.m.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide information about Lidar (radar) guns for County police officers. Without objection, it was so ordered.

Supervisor Bulova announced that her office, along with the Braddock District Council of Community Associations, will be hosting a budget briefing for residents of the Braddock District on March 8 at 7:30 p.m. in Braddock Hall at her district office.

Supervisor Gross announced that her budget town meeting will be held Tuesday, March 29 from 7 – 9 p.m. at George Mason Regional Library.

Supervisor Hyland announced that the Mount Vernon Citizens Association's budget committee will have a presentation on March 1 and he will be a guest. On Wednesday, March 2, Mr. Griffin will appear before that committee.

Chairman Connolly expressed appreciation to the County Executive for his presentation and alignment of the budget with the Board's priority items.

PW:pw

11. **10:15 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS**
(12:24 p.m.)

(APPTS)

(BACs) **A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

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Supervisor Smyth moved the reappointment of Ms. Ernestine Heastie as the Providence District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being out of the room.

The Board deferred the appointment of the Sully District Representative to the A. Heath Onthank Memorial Award Selection Committee.

ADVISORY SOCIAL SERVICES BOARD

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The Board deferred the appointments of the Hunter Mill, Lee, and Sully District Representatives to the Advisory Social Services Board.

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AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative to the Airports Advisory Committee.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Supervisor Smyth moved the appointment of Mr. David Sousa to fill the unexpired term of Ms. Kathy Cutri as the At-Large #5 Representative to the Alcohol Safety Action Program Local Policy Board. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor DuBois being out of the room.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Hunter Mill District Representative to the Animal Services Advisory Commission.

BOARD OF BUILDING CODE APPEALS

Supervisor Kauffman moved the appointment of Mr. Mark Drake as the Design Professional #3 Representative to the Board of Building Code Appeals. Following discussion, Supervisor Kauffman withdrew his motion.

Supervisor Bulova moved the reappointment of Mr. Mervin Dizenfeld as the Alternate #1 Representative to the Board of Building Code Appeals. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor DuBois being out of the room.

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Supervisor Bulova moved the reappointment of Mr. Paul Kraucunas as the Design Professional #1 Representative to the Board of Building Code Appeals. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Alternate #2 and Design Professional #3 Representatives to the Board of Building Code Appeals.

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BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Supervisor McConnell moved the appointment of Mr. Ryan Davis as the Appraiser #3 Representative to the Board of Equalization of Real Estate Assessments. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the appointment of Mr. Joseph Blackwell to fill the unexpired term of Ms. Julia Kriss as the Freeholder #2 Representative to the Board of Equalization of Real Estate Assessments. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Appraiser #1, Appraiser #2, and Builder Representatives to the Board of Equalization of Real Estate Assessments.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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Supervisor DuBois moved the appointment of Mr. Thorton Withers Field to fill the unexpired term of Mr. Robert Jordan as the Dranesville District Representative to the Chesapeake Bay Preservation Ordinance Exception Review Committee. This motion, the second to which was inaudible, carried by unanimous vote.

CHILD CARE ADVISORY COUNCIL

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Supervisor Frey moved the reappointment of Ms. Carol Vennergrund as the Sully District Representative to the Child Care Advisory Council. Supervisor McConnell seconded the motion, which carried by unanimous vote.

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COMMISSION FOR WOMEN

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The Board deferred the appointment of the Dranesville District Representative to the Commission for Women.

COMMISSION ON AGING

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Supervisor Smyth moved the appointment of Mr. Joseph Heastie to fill the unexpired term of Ms. Lilyan Spero as the Providence District Representative to the Commission on Aging. Supervisor Hyland seconded the motion, which carried by unanimous vote.

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COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the Dranesville and Sully District Representatives and the Religious Community Representative to the Commission on Organ and Tissue Donation and Transplantation.

COMMUNITY ACTION ADVISORY BOARD

Supervisor Hudgins moved the reappointment of Ms. Pamela Abston as the Hunter Mill District Representative to the Community Action Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Tom Fox as the Mason District Representative to the Community Action Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Dranesville District Representative to the Community Action Advisory Board.

COMMUNITY CRIMINAL JUSTICE BOARD

The Board deferred the appointment of the Fairfax County At-Large #1 Representative to the Community Criminal Justice Board.

CONFIRMATION:

Supervisor Hudgins moved the confirmation of the following appointment to the Criminal Justice Advisory Board:

- Ms. Joanmarie Davoli as the Office of the Public Defender Representative

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

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

Supervisor Bulova moved the appointment of Mr. Allan Jones to fill the unexpired term of Mr. Michael Brennan as the Braddock District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. This motion, the second to which was inaudible, carried by unanimous vote.

The Board deferred the appointments of the At-Large Chairman's Representative and the Mason District Representative to the Countywide Non-Motorized Transportation (Trails) Committee.

CRIMINAL JUSTICE ADVISORY BOARD

Supervisor McConnell moved the appointment of Mr. Donald Kane to fill the unexpired term of Mr. Donald Scoggins as the Springfield District Representative to the Criminal Justice Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the At-Large Business Community #1, Hunter Mill, Providence, and Springfield District Representatives to the Fairfax Area Disability Services Board.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Fairfax Community Long Term Care Coordinating Council:

- Ms. Judy Seiff as a Business/Corporation Representative

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

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Provider #4 Representative to the Health Systems Agency Board.

HISTORY COMMISSION

Supervisor Gross moved the appointment of Mr. Joseph Balicki to fill the unexpired term of Mr. Charles Wroblewski as the Citizen #7 Representative to the History Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Springfield District #1 Representative to the Human Services Council.

INDUSTRIAL DEVELOPMENT AUTHORITY

The Board deferred the appointment of the At-Large #7 Representative to the Industrial Development Authority.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointments of the Dranesville, Lee, Providence, and Springfield District Representatives to the Juvenile and Domestic Relations Court Citizens Advisory Council.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointments of the Braddock, Lee, and Mason District Representatives to the Oversight Committee on Drinking and Driving.

PARK AUTHORITY

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Supervisor Hudgins moved the appointment of Mr. William Bouie to fill the unexpired term of Ms. Glenda Blake as the Hunter Mill District Representative to the Park Authority. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ROAD VIEWERS BOARD

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The Board deferred the appointments of the At-Large #1 and At-Large #4 Representatives to the Road Viewers Board.

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TENANT LANDLORD COMMISSION

The Board deferred the appointments of the Citizen Member #2 and Landlord Member #3 Representatives to the Tenant Landlord Commission.

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UPPER OCCOQUAN SEWAGE AUTHORITY

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CONFIRMATIONS:

Supervisor Hyland moved the confirmation of the following appointments to the Upper Occoquan Sewage Authority:

- Mr. John di Zerega as the Fairfax County Principal #2 Representative
- Mr. Jimmie Jenkins as the Fairfax County Alternate #2 Representative

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

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AD HOC COMMITTEES

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VIRGINIA 2007 COMMUNITY CITIZEN PLANNING COMMITTEE

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CONFIRMATIONS:

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Supervisor Hudgins moved the confirmation of the following appointments to the Virginia 2007 Community Citizen Planning Committee:

- Mr. Mayo Stuntz as the History Commission #2 Representative
- Reverend Kimberli Lile as the Interfaith Community Representative

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

ADDITIONAL APPOINTMENTS

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ATHLETIC COUNCIL

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Supervisor DuBois moved the appointment of Mr. Michael Champness to fill the unexpired term of Mr. Roger Smith as the Dranesville District Principal Representative to the Athletic Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

TREE COMMISSION

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Supervisor Kauffman moved the appointment of Ms. Roberta Cain to fill the unexpired term of Ms. Kathleen Snyder as the Lee District Representative to the Tree Commission. Supervisor Bulova seconded the motion, which carried by unanimous vote.

DET:det

12. **ADMINISTRATIVE ITEMS** (12:34 p.m.)

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

Supervisor Kauffman asked to amend the motion to separately consider Admin 4 – Additional Time to Commence Construction for Special Exception Amendment Application SEA 90-L-045-2, Mobil Oil Corporation (Lee District), and this was accepted.

Supervisor Hudgins called the Board’s attention to Admin 7 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Articles 2, 3, and 7, Regarding the Maximum Combined Compensation for a Rehired Retiree. Discussion ensued with input from Anthony H. Griffin, County Executive, and Peter Andreoli, Deputy County Attorney, to clarify that the Civil Service Commission did not need to hold a public hearing on this action.

The question was called on the motion to approve the administrative items, as amended, with the exception of Admin 4, and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting “AYE.”

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE PROPOSED LEASING FOR THE CONTINUED USE OF COUNTY-OWNED PROPERTY TO HISPANOS UNIDOS DE VIRGINIA (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 21, 2005, at 4:30 p.m.** regarding the proposed leasing for the continued use of County-owned property at 6400 Seven Corners Place, Unit 1B, Falls Church, Tax Map Number 51-3-34-0001B1 to Hispanos Unidos de Virginia for the purpose of providing a variety of human and social services to the Hispanic community in the Falls Church areas of the County.

ADMIN 2 – ADDITION OF A SEGMENT OF BRADDOCK ROAD TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (SULLY DISTRICT)

- (R) Adopted the Resolution requesting that a segment of Braddock Road be added to the Secondary System of State Highways.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE WEST HAMPTON COMMUNITY PARKING DISTRICT (CPD) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 21, 2005, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the West Hampton CPD, in accordance with the current CPD restrictions. The proposed district includes the following:

- Carawood Court
- Creek Crest Way

- Fernholy Court
- Hampton Creek Way (from Hunters Oak Court to the south boundary of parcels 90-1 ((19))-83 and 48
- Hunters Oak Court
- Spring Summit Road
- Woolin Place

ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 90-L-045-2, MOBIL OIL CORPORATION (LEE DISTRICT)

(Note: Later in the meeting, the Board took action on this item. See Clerk’s Summary Item CL#13.)

ADMIN 5 – STREETS INTO THE SECONDARY SYSTEM (BRADDOCK AND MASON 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>
The Judd Property	Braddock	Banting Court Route 10004
		Banting Drive Route 7175
Chapel Ridge	Braddock	Twinbrook Run Drive Route 5628
		Twinbrook Road Route 652
		Additional ROW Only
Farr McCandlish Property	Mason	Farr Street Route 955

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING AUTHORIZING THE COUNTY EXECUTIVE TO SIGN A LICENSE AGREEMENT ON BEHALF OF THE BOARD PERMITTING THE TEMPORARY USE OF RIGHT-OF-

WAY (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 21, 2005, at 4:30 p.m.** regarding authorizing the County Executive to sign a license agreement on behalf of the Board permitting the temporary use of right-of-way that is currently part of Tax Map Number 34-4-1-parcel 43.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLES 2, 3, AND 7, REGARDING THE MAXIMUM COMBINED COMPENSATION FOR A REHIRED RETIREE

- (A) (Note: Earlier in the meeting, the Board discussed this item. See page 15.)

Authorized the advertisement of a public hearing to be held before the Board on **March 21, 2005, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Articles 2, 3, and 7, revising the Employees' Police Officers, and Uniformed Retirement Systems by modifying the definition of the maximum combined compensation for a rehired retiree.

ADMIN 8 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) OF REVENUE BONDS PURSUANT TO THE PLAN OF FINANCING OF THE S. ZIVIC FAMILY LLC, AN AFFILIATE OF Z AND M SHEET METAL, INCORPORATED

(BONDS)

- (R) Adopted the Resolution authorizing the EDA to issue its revenue bonds to assist financing pursuant to the Plan of Financing by the Zivic Family LLC authorizing the issuance of up to \$2,700,000.

13. **ADMIN 4 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 90-L-045-2, MOBIL OIL CORPORATION (LEE DISTRICT)** (12:36 p.m.)

(Note: Earlier in the meeting, the Board took action to consider this item separately. See Clerk's Summary Item CL#12.)

Supervisor Kauffman moved that the Board **DENY** Special Exception Amendment Application SEA 90-L-045-2 requesting 18 months of additional time to commence construction. Supervisor Hyland seconded the motion and it carried by unanimous vote.

14. **A-1 – APPROVAL OF FISCAL YEAR (FY) 2005 FOREST PEST MANAGEMENT SUPPRESSION PROGRAM** (12:37 p.m.)

Following discussion, with input from Troy Shaw, Program Coordinator, Forest Pest Management Section, Division of Urban Forestry, Department of Public Works and Environmental Services, Supervisor Bulova moved that the Board concur in the recommendation of staff and direct staff to take the actions concerning the County's FY 2005 Forest Pest Management Suppression Program, as outlined in the Board Agenda Item dated February 28, 2005.

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

15. **A-2 – APPROVAL OF AMENDED AND RESTATED CONTRACT FOR THE PURCHASE OF ELECTRIC SERVICE WITH THE NORTHERN VIRGINIA ELECTRIC COOPERATIVE (NOVEC)** (12:40 p.m.)

On motion of Supervisor Bulova, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the execution of an amended and restated contract with NOVEC for the purchase of electric service.

16. **A-3 – APPROVAL OF A COMPREHENSIVE AGREEMENT, CLEMYJONTRI PARK DEVELOPMENT (DRANESVILLE)**

DISTRICT (12:41 p.m.)

Supervisor DuBois moved that the Board concur in the recommendation of staff and approve a comprehensive agreement with Orr Partners, LLC, to develop certain recreational facilities at Clemyjontri Park under the provisions of the Public Private Education and Infrastructure Act of 2002. Supervisor Gross seconded the motion.

Chairman Connolly recognized the presence of Dan and Jule Clemente and commended their energies and work with the public sector to show improved ways of getting things done.

Discussion ensued, with input from Lynn Tadlock, Director, Planning and Development Division, Fairfax County Park Authority, regarding the cost for the development of Clemyjontri Park.

Supervisor Gross asked unanimous consent that the Board direct staff to review the process in this endeavor for use of a possible template for the future. Without objection, it was so ordered.

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

17. **A-4 – APPROVAL OF FAIRFAX COUNTY’S FEDERAL APPROPRIATIONS REQUEST** (12:44 p.m.)

Chairman Connolly asked Board Members to review the list presented by the County Executive, to determine if there was a need for any additions.

Supervisor Bulova moved that the Board concur in the recommendation of staff and approve the projects identified by staff to be included in the County’s federal appropriations request. Chairman Connolly seconded the motion.

Discussion ensued with input from Young Ho Chang, Director, Department of Transportation, and Anthony H. Griffin, County Executive, regarding individual items on the list as well as the process used to develop the list.

Following discussion, with input from Mr. Chang, Supervisor DuBois asked to amend the motion to include funding for the Route 7 Improvement Project, for design taking it to the Toll Road. This was accepted.

Following discussion with input from Mr. Chang regarding pedestrian safety enhancements in the area of the Franconia-Springfield Metro Station and in the Windsor Estates area, Supervisor Bulova asked unanimous consent that the Board review federal opportunities to pay for pedestrian enhancements that would augment or lead to the Burke Center VRE including trail connections, and, in particular, a pedestrian overpass over the railroad tracks that would feed into the station. Without objection, it was so ordered.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to look at a global number and break it out by Congressional District so that the three area Congressmen could see which projects were in their districts. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following further discussion, with additional input from Mr. Chang, the question was called on the motion, as amended, which carried by unanimous vote.

18. **I-1 – CONTRACT AWARD – ATHLETIC FIELD LIGHTING AT ARROWHEAD PARK AND COLIN POWELL**

ELEMENTARY SCHOOL (SULLY DISTRICT) (1:02 p.m.)

The Board next considered an item contained in the Board Agenda dated February 28, 2005, requesting authorization for staff to award a contract to Electrifiers' Incorporated in the amount of \$280,250 for installation of lighting equipment at three rectangular fields at Arrowhead Park and two 60-foot diamond fields on the adjacent Colin Powell Elementary School site.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

19. **DEFERRAL OF THE PUBLIC HEARING TO ESTABLISH THE SIGNAL HILL COMMUNITY PARKING DISTRICT (BRADDOCK DISTRICT)** (1:03 p.m.)

Supervisor Bulova announced her intent, later in the meeting, at the appropriate time, to defer the public hearing on the Signal Hill Community Parking District.

(Note: Later in the meeting, the Board formally deferred this public hearing. See Clerk's Summary Item CL#37.)

20. **DEFERRAL OF THE PUBLIC HEARING ON PROPOSED OUT-OF-TURN AMENDMENT S04-IV-LP1, LOCATED EAST OF CRANFORD STREET/GUNSTON COVE ROAD INTERSECTION (MOUNT VERNON DISTRICT)** (1:04 p.m.)

Supervisor Hyland announced his intent later in the meeting, at the appropriate time, to defer the public hearing on Proposed Out-of-Turn Plan Amendment S04-IV-LP1.

(Note: Later in the meeting, the Board formally deferred this public hearing. See Clerk's Summary Item CL#23.)

21 **RECESS/CLOSED SESSION** (1:05 p.m.)

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

- (a) Discussion or consideration of personnel matters pursuant to *Virginia Code* § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to *Virginia Code* § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to *Virginia Code* § 2.2-3711(A) (7).

1. *Trinity Centre One, L.L.C. v. Board of Supervisors of Fairfax County, Virginia*, At Law No. CL-2004-227957 (Fx. Co. Cir. Ct.)
2. *Charles and Susan Fisenne v. Fairfax County Board of Zoning Appeals*, At Law No. CL-2004-0225648 (Fx. Co. Cir. Ct.) (Mason District)
3. *William E. Shoup, Fairfax County Zoning Administrator v. AJB Associates, Inc., et al.*, In Chancery No. CH-2004-0189533 (Fx. Co. Cir. Ct.) (Sully District)

4. *Roubin Associates, L.L.C. v. The Board of Supervisors of Fairfax County, Virginia*, In Chancery No. CH-2004-0192512 (Fx. Co. Cir. Ct.) (Mount Vernon District)
5. *The Ira and Virginia Cox Limited Partnership, L.L.P., et al. v. Board of Zoning Appeals, et al.*, At Law No. 210690 (Fx. Co. Cir. Ct.); *William E. Shoup, Fairfax County Zoning Administrator v. The Ira and Virginia Cox Limited Partnership, L.L.P.*, In Chancery No. CH-2004-0183107 (Fx. Co. Cir. Ct.); Record No. 042782 (Sup. Ct. Va.) (Sully District)
6. *William E. Shoup, Fairfax County Zoning Administrator v. Mark Wiseman*, At Law No. CL-2004-0224884 and In Chancery No. CH-2004-0193372 (Fx. Co. Cir. Ct.) (Springfield District)
7. *William E. Shoup, Fairfax County Zoning Administrator v. Josiah H. Hill and Evangeline Hill*, In Chancery No. CH-2004-0193240 (Fx. Co. Cir. Ct.) (Mason District)
8. *Warren M. Bailey v. County of Fairfax, Anthony H. Griffin, County Executive, and Michael T. Cash, Executive Director of the Fairfax County Human Rights Commission*; In Chancery No. CH-2004-0188398 (Fx. Co. Cir. Ct.)
9. *Board of Supervisors v. Commons at McNair Farms, L.L.C., et al.*, At Law No. CL-2005-0000862 (Fx. Co. Cir. Ct.) (Hunter Mill District)
10. *Board of Supervisors v. Holly Park Development Associates, L.C., et al.*, At Law No. CL-2005-0000906 (Fx. Co. Cir. Ct.) (Braddock District)

And in addition:

- Virginia Code §15.2-2308.
- Virginia Code §§ 15.2-813 and 24.2-110.
- Memorandum of Understanding between the Fairfax County Board of Supervisors and Celebrate Fairfax, Incorporated.

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

DMB:dmb

At 4:51 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTION FROM CLOSED SESSION

22. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:51 p.m.)

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

23. **3 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S04-IV-LP1, LOCATED EAST OF CRANFORD STREET/GUNSTON COVE ROAD INTERSECTION (MOUNT VERNON DISTRICT)** (4:53 p.m.)

Supervisor Hyland moved to defer the public hearing on Proposed Out-of-Turn Plan Amendment S04-IV-LP1 until **March 21, 2005, at 3 p.m.** Supervisor Kauffman seconded the motion and it carried by unanimous vote.

24. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-P-032-4 (WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY) (PROVIDENCE DISTRICT)** (4:53 p.m.)

The application property is located at 2900 Nutley Street, Tax Map 48-1 ((1)) 90, 91B, 96, 97, 100A; 48-1 ((6)) 7A, 8B; 48-2 ((1)) 4, 4A; 48-2 ((24)) 38A; and 48-3 ((4)) 28.

Mr. Jeffrey C. Hume reaffirmed the validity of the affidavit for the record.

Mr. Hume 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.

Supervisor Kauffman disclosed that he represents Fairfax County on the Metro Board.

Supervisor Hudgins disclosed that she is the Alternate representing Fairfax County on the Metro Board.

Following the public hearing, William Sherman, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Approval of Special Exception Amendment Application SEA 82-P-032-4, subject to the development conditions dated February 24, 2005.
- Modification of the transitional screening requirements and waiver of the barrier requirements along all lot lines.
- Waiver of the interior parking lot landscaping requirement.

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

Chairman Connolly announced that the record would remain open for written comments.

25. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-MA-030 (COMMERCE BANK, NA) (MASON DISTRICT)** (4:58 p.m.)

The application property is located in the northwest quadrant of the intersection of Arlington Boulevard and Patrick Henry Drive in the Willston Shopping Center, Tax Map 51-3 ((18)) 4 pt.

Mr. Frederick R. Taylor reaffirmed the validity of the affidavit for the record.

Mr. Taylor 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.

Supervisor McConnell disclosed that she has a business relationship with M. J. Wells and Associates, LLC, that is not related to any party in this application.

Chairman Connolly disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Frederick R. Taylor

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 2004-MA-030, subject to the development conditions dated February 28, 2005. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

26. **3:30 P.M. – PH ON AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AR 87-V-001-02 (GARY D. KNIPLING AND CHARLOTTE J. KNIPLING) AND PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) (MOUNT VERNON DISTRICT)** (5:06 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 February 10 and February 17, 2005.

The application property is located southeast of Harley Road, approximately 0.6 miles south of Gunston Road, Tax Map 118-1 ((3)) V/Z, 118-2 ((1)) 6 V/Z, 118-2 ((2)) V/Z, 118-2 ((5)) V/Z, 1 V/V, 2 V/Z, and 7 V/Z.

Mr. Gary D. Knipling reaffirmed the validity of the affidavit for the record.

Mr. Knipling 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.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Approval of Agricultural Forestal Application AR 87-V-001-02.
- Adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F (Local Agricultural and Forestal Districts), renewing the Knipling Local Agricultural and Forestal District, subject to the Ordinance provisions dated February 9, 2005.

Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Connolly voting "AYE," Supervisor Smyth being out of the room.

27.

3:30 P.M. – PH ON AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AR 87-D-002-02 (1999 LAND ACQUISITIONS, LLC) AND PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) (DRANESVILLE DISTRICT) (5:09 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 February 10 and February 17, 2005.

The application property is located on the east side of Leigh Mill Road approximately 500 feet north of its intersection with Kelso Road, Tax Map 13-4 ((1)) 47 V/Z.

Mr. Jonathan P. Rak reaffirmed the validity of the affidavit for the record.

Mr. Rak 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.

Supervisor Frey disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Carson Lee Fifer, Jr.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor DuBois moved:

- Approval of Agricultural Forestal Application AR 87-D-002-02.
- Adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F (Local Agricultural and Forestal Districts), renewing the Rhinehart Local Agricultural and Forestal District, subject to the Ordinance provisions dated February 9, 2005.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Connolly voting "AYE," Supervisor Smyth being out of the room.

28.

3:30 P.M. – PH ON AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AR 96-D-001 (DAVID B. AND MARILYN M. STEWART) AND PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) (DRANESVILLE DISTRICT) (5:12 p.m.)

(O)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 10 and February 17, 2005.

The application property is located on the north and east sides of Creamcup Lane and on the west side of Milkweed Drive, Tax Map 7-1 ((10)) 20 V/Z; 7-3 ((5)) 17 V/Z, 18 V/Z, and 19 V/Z.

Mr. David B. Stewart reaffirmed the validity of the affidavit for the record.

Mr. Stewart 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.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor DuBois moved:

- Approval of Agricultural Forestal Application AR 96-D-001.
- Adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F (Local Agricultural and Forestal Districts), renewing the McInturff-Stewart Local Agricultural and Forestal District, subject to the Ordinance provisions dated February 9, 2005.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Connolly voting "AYE," Supervisor Smyth being out of the room.

29. **3:30 P.M. – PH ON AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AR 87-S-003-02 (ERIC D. COX TRUST AND GINA T. RICHARD TRUST) AND PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) (SULLY DISTRICT) (5:14 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 February 10 and February 17, 2005.

The application property is located in the southwest quadrant of the intersection of Braddock Road and Pleasant Valley Road, Tax Map 43-1 ((3)) 13 V/Z, 14 V/Z, and 15 V/Z.

Mr. Eric D. Cox reaffirmed the validity of the affidavit for the record.

Mr. Cox 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.

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Approval of Agricultural Forestal Application AR 87-S-003-02.
- Adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F (Local Agricultural and Forestal Districts), renewing the Cox Local Agricultural and Forestal District, subject to the Ordinance provisions dated February 9, 2005.

Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Connolly voting "AYE," Supervisor Smyth being out of the room.

Supervisor Frey submitted an item for the record.

DS:ds

30. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S04-IV-MV1, BOUNDED BY RICHMOND HIGHWAY, BUCKMAN ROAD, AND JANNA LEE AVENUE (LEE DISTRICT)** (5:18 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 10 and February 17, 2005.

Jayjeev Hada, Planner II, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, Supervisor Kauffman moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S04-IV-MV1, as amended and approved by the Planning Commission as shown in Attachment I, with the following modifications:

- Under Transportation – Add a new bullet that reads as follows: **“Primary access is provided via Janna Lee Avenue and Buckman Road. Vehicular access from Richmond Highway is limited to one right turn in and one right turn out access point.”**
- Under Parks and Recreation – Add the following sentence at the end: **“As a substitute, funds may be dedicated to the Park Authority for off-site land acquisition and/or facilities.”**

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

31. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2004-MV-010 (JERRY L. WINCHESTER)**
(MOUNT VERNON DISTRICT) (5:21 p.m.)

The application property is located at 6430 Fourteenth Street, Tax Map 93-2 ((8)) (10) 31 (includes 32).

Mr. Frederick L. Winchester reaffirmed the validity of the affidavit for the record.

Regina Murray, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented a brief description of the application and site location.

Mr. Winchester 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.

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

Supervisor Hyland moved approval of Special Exception Amendment Application SEA 2004-MV-010, subject to the development conditions dated January 26, 2005, as contained in Appendix One of the staff report. Supervisor Frey seconded the motion.

Following a brief discussion regarding the application, the question was called on the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

32. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-121-02 (WESTMINSTER SCHOOL, INCORPORATED) (MASON DISTRICT) (5:25 p.m.)**

The application property is located at 3819 Gallows Road, Tax Map 60-3 ((24)) 4, 5, and 5A.

Mr. William C. Thomas reaffirmed the validity of the affidavit for the record.

Kris Abrahamson, Branch Chief, RZ/SE Branch, Zoning Evaluation Division, Department of Planning and Zoning, presented a brief description of the application and site location.

Mr. Thomas 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.

Following the public hearing, which included testimony by one speaker, a brief discussion ensued regarding a street light in the community.

Ms. Abrahamson presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Amendment Application SEA 84-M-121-02, subject to the development conditions dated February 9, 2005. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Smyth being out of the room.

33. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1996-MV-037-07 (LORTON TOWN CENTER COMMERCIAL, LLC) (MOUNT VERNON DISTRICT) (5:33 p.m.)**

The application property is located on the west side of Lorton Station Boulevard, approximately 1,500 feet south of Pohick Road, Tax Map 107-2 ((1)) 43 A pt.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Chairman Connolly disclosed the following campaign contribution which he had received:

- In excess of \$100 from Mr. Keith C. Martin

Regina Murray, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented a brief description of the application and site location.

Mr. Martin 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.

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Smyth being out of the room.

Supervisor Hyland moved:

- Approval of Proffered Condition Amendment Application PCA 1966-MV-037-07*, subject to the proffers dated January 7, 2005.
- Reaffirmation of the previously approved waiver of the barrier requirements and modification of the transitional screening requirements along Lorton Station Boulevard.
- Waiver of the height limitation requirement to permit the proposed wall along Lorton Station Boulevard to be six feet in height.

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

*Supervisor Hyland clarified, for the record, that the Proffered Condition Amendment Application is PCA 1996-MV-037-07, not 1966-MV-037-07.

On January 13, 2005, the Planning Commission approved Final Development Plan Amendment Application FDPA 1996-MV-037-05, subject to the development conditions dated January 12, 2005, revised by the addition of a new Development Condition 4 to read: "Retail Management shall prohibit VRE commuter parking within the retail center parking lot."

34. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 98-M-009-02 (THE MOST REVEREND PAUL S. LOVERDE, BISHOP OF THE CATHOLIC DIOCESE OF ARLINGTON AND HIS SUCCESSORS IN OFFICE) (MASON DISTRICT) (5:37 p.m.)**

The application property is located at 4329 Sano Street, Tax Map 72-2 ((1)) 21.

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

Aaron Shriber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented a brief description of the application and site location.

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.

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

Supervisor Gross moved approval of Special Exception Amendment Application SEA 98-M-009-2, subject to the development conditions dated January 3, 2005. Supervisor DuBois seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, and Supervisor Smyth being out of the room.

Supervisor Gross moved:

- Modification of the transitional screening requirement and waiver of the barrier requirements along the southern, eastern, and western property boundaries.

- Waiver of the interior parking lot landscaping requirement and modification of the peripheral parking lot landscaping requirements.

Supervisor DuBois seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, and Supervisor Smyth being out of the room.

35. **4:30 P.M. – PH TO OBTAIN CITIZEN INPUT FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES' GRANT APPLICATION TO THE COMMONWEALTH OF VIRGINIA FOR TWO REPLACEMENT VEHICLES** (5:42 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 10 and February 17, 2005.

Matthew A. Spruill, Division Supervisor, FASTRAN, Department of Community and Recreation Services, presented the staff report.

Following the public hearing, Supervisor Bulova moved authorization for staff to apply for Federal Trade Administration Section 5310 grant funds to allow FASTRAN to replace two high-mileage vehicles at a substantially reduced cost to the County. Supervisor Hudgins seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Supervisor Smyth being out of the room.

36. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)** (5:44 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 February 10 and February 17, 2005.

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

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Annandale RPPD, District 14. The proposed district expansion includes the following street blocks:

- Gaylord Drive (Route 3062) from Mayfield Drive (Route 3060) to the end.
- Weyburn Drive (Route 3059) from Mayfield Drive to Medford Drive (Route 2249).
- Weyburn Drive from Medford Drive to the end.

Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor, Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Connolly voting "AYE," Supervisor DuBois, Supervisor Gross, Supervisor Hyland, and Supervisor Smyth being out of the room.

37. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE SIGNAL HILL COMMUNITY PARKING DISTRICT (CPD) (BRADDOCK DISTRICT)** (5:46 p.m.)

Supervisor Bulova moved to defer the public hearing on proposed amendments to the Code of the County of Fairfax, Appendix M, until **May 23, 2005, at 4 p.m.** This motion, the second to which was inaudible, carried by a vote of seven, Supervisor DuBois, Supervisor Hyland, and Supervisor Smyth being out of the room.

38. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-Y-010-03 (COMMERCE BANK, NA) (SULLY DISTRICT)** (5:47 p.m.)

The application property is located in the southeast quadrant of the intersection of Centrewood Drive and Machen Road, Tax Map 65-1 ((10)) 8, 9, and 10.

Mr. Frederick R. Taylor reaffirmed the validity of the affidavit for the record.

Supervisor McConnell disclosed that she has a business relationship with M.J. Wells and Associates, LLC, but it is not related to any party in this application.

Chairman Connolly disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Frederick R. Taylor

Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning presented a brief description of the application and site location.

Mr. Taylor 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.

Supervisor Frey submitted items for the record.

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

Supervisor Frey moved:

- Approval of Proffered Condition Amendment Application PCA 91-Y-010-3, subject to the proffers dated January 18, 2005.
- Modification of the transitional screening requirement and waiver of the barrier requirement along the northeastern and northwestern property boundaries in favor of that shown on the plat and as conditioned.

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

On January 26, 2005, the Planning Commission approved Final Development Plan Amendment Application FDPA 91-Y-010-02, subject to the development conditions dated January 25, 2005, as revised and outlined in the Board Agenda Item dated February 28, 2005.

39. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 69.1 (WATER RECREATION FACILITIES ORDINANCE)** (5:53 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 February 10 and February 17, 2005.

Glenn L. Smith, staff, Division of Environmental Health, Health Department, presented the staff report.

The public hearing was held and included testimony by one speaker.

Following the testimony of Susan Earman, President, Lee Graham Corporation, (Speaker One), discussion ensued regarding the process that staff used to send notices regarding the proposed amendment.

Supervisor Hyland called the Board Members' attention to Attachment II of the Board Agenda Item dated February 28, 2005, and noted more than 300 notices were sent and many of them were presumably to community associations.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide a copy of the list to Ms. Earman. Without objection, it was so ordered.

Discussion ensued with input from Mr. Smith regarding the list, diving wells and diving boards.

Following further discussion, with input from Mr. Smith regarding pool operator requirements, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 69.1 (Water Recreation Facilities Ordinance), regarding pool operator requirements, fees, diving areas, disinfection equipment flow indicator, disinfectant feeding equipment, fencing and barriers, interactive water features, drowning report, and safety equipment and other safety features. Supervisor Hyland seconded the motion.

Following discussion, with input from Mr. Smith regarding pool signage, the question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE."

40. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:04 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 10 and February 17, 2005.

Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and included testimony by the following individuals regarding the impact of the proposed water pipeline in Great Falls:

- Mr. Richard Bliss

- Ms. Jean Packard

- Mr. David Olin

- Mr. Glen Sjoblom
- Mr. Joan Barnes
- Ms. Amelia Clark
- Ms. Eleanor Anderson

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to provide a copy of all written testimony received from tonight's speakers to the Water Authority for consideration. Without objection, it was so ordered.

Chairman Connolly said that he and Supervisor DuBois will meet and discuss this matter to see what can be done.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

41. **6 P.M. – PH ON THE DRAFT PROPOSED FIVE-YEAR CONSOLIDATED PLAN FOR FISCAL YEAR (FY) 2006–2010 AND PROPOSED ONE-YEAR ACTION PLAN FOR FY 2006** (6:31 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 10 and February 17, 2005.

Audrey Spencer-Horsley, Associate Director, Real Estate Finance and Grants Management Division, Department of Housing and Community Development, presented the staff report.

Following the public hearing, which included testimony by four speakers, Chairman Connolly closed the public hearing, but left the record open for written testimony. He said that a copy of all written testimony will be forwarded to the Consolidated Community Funding Advisory Committee for consideration. Final action on this item will be taken by the Board at its April 25, 2005, meeting.

ADDITIONAL BOARD MATTERS

NV:nv

42. **DEPARTURE OF SUPERVISOR KAUFFMAN (LEE DISTRICT)** (6:50 p.m.)

Chairman Connolly announced that Supervisor Kauffman had to leave the meeting to pick up his son.

43. **FAIRFAX COUNTY GANG PREVENTION SUMMIT** (6:51 p.m.)

Chairman Connolly reminded the Board that the Gang Prevention Coordinating Council held its first major outreach meeting in the Government Center on Friday. The council was formed at the direction of the Board to reach out to County, community, public safety, and business representatives and identify needs in the County's efforts to fight gang violence in the community. The Fairfax County

Gang Prevention Summit brought hundreds of individuals and representatives of organizations across the County and beyond to brainstorm and help the Council as it moves towards the recommendations it will make to the Board in June. He said that it was an outstanding success.

Chairman Connolly announced that the County received a check for \$3 million from Cox Communications, with \$1 million in cash and \$2 million in varying contributions, to be used to expand boys' and girls' clubs to target gang prevention in the County.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to invite Captain Amy Lubas, Mr. David Ellis, and Ms. Merni Fitzgerald, and all of the volunteers who helped make the Gang Prevention Summit a day of hope and commitment in the County, to appear before the Board at the next opportunity to be recognized for their efforts. Without objection, it was so ordered.

44. **COLLECTION OF DOG LICENSING FEES** (6:52 p.m.)

According to the Department of Tax Administration, in Fiscal Year 2004 the County received \$243,026 in dog licensing fees. Chairman Connolly said that this represented a compliance rate of only 20 percent of all dog owners. In addition to concern about the proliferation of unlicensed animals in the County, this low compliance rate represents a potential loss of close to \$1 million. Rabies vaccination is a prerequisite to obtaining a dog license and the licensing process is ideally a convenient avenue to ensure compliance. Yet with a compliance rate of just 20 percent, four out of every five dogs in the County may potentially have no vaccination against rabies.

Therefore, Chairman Connolly moved that the Board direct staff to investigate a manner in which the County can efficiently improve the compliance rate of dog licensing and report with any options for improvement. Supervisor DuBois seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

45. **ASIAN/PACIFIC-AMERICAN HERITAGE MONTH** (6:53 p.m.)

Chairman Connolly said that from the early 1800s to the 21st century, Asian and Pacific Americans have played a vital role in the development of the United States and made lasting contributions in all elements of society. Each May, jurisdictions across the country join in recognizing the contributions of these citizens during Asian/Pacific American Heritage Month.

Therefore, Chairman Connolly moved that the Board proclaim May 2005 "Asian/Pacific American Heritage Month" and direct staff to invite representatives from the Office of Equity Programs and other appropriate individuals to be recognized with the proclamation at the April 25, 2005, Board meeting. Vice-Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

46. **STRINGFELLOW ROAD PRELIMINARY ENGINEERING (PE) (SULLY AND SPRINGFIELD DISTRICTS)** (6:53 p.m.)

Jointly with Supervisor Frey and Supervisor McConnell, Chairman Connolly said that in November 2004, the Virginia Department of Transportation (VDOT) notified the County that the widening of Stringfellow Road was ready to move into the PE phase. This project is part of the Board's Four Year Transportation Initiative. The PE costs for this project are \$3 million. To proceed with the project, the County provided \$400,000 to VDOT in November 2004 to begin the PE work.

In January 2005 VDOT indicated that the Stringfellow project was progressing and that the remainder of the PE funds were needed to advance the project through the end of the PE phase. County staff notified VDOT that with the passage of the County's transportation bond referendum, the funds were available for the project. On February 22, 2005, VDOT presented the County with an invoice for the \$2.6 million needed for PE costs. County staff is currently working with VDOT to secure a project agreement for the land acquisition and construction phases of this project; however, the agreement is not yet finalized and will be brought before the Board and the Commonwealth Transportation Board before being executed. Funding is included in the Four Year Transportation Initiative in the amount of \$16 million for this project.

Therefore, Chairman Connolly moved that the Board direct staff to transfer this \$2.6 million to VDOT for payment of PE costs prior to final execution of the project agreement so that this project can proceed expeditiously. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

47. **PRESERVE PROTECT PLAY WRISTBANDS** (6:54 p.m.)

Chairman Connolly said that the County Park Foundation will be selling green “PRESERVE PROTECT PLAY” wristbands similar to Lance Armstrong’s “Livestrong” bands. The Foundation’s wristbands will be green, as this color represents parks in many different ways:

- Green represents life.
- Those with a “green thumb” enjoy plants and flowers.
- A “green” or “common” is a town park.
- Green is the color of nature.
- Green means “go.”

Chairman Connolly announced that the Foundation will be offering “PRESERVE PROTECT PLAY” wristbands at County Park Authority recreation centers, golf courses, lakefront parks, nature centers, skate parks and historic sites throughout the County.

The goal of the wristbands will be to:

- Increase awareness of the Foundation’s projects, campaigns, and programs.
- Raise money for the Foundation. Wristbands will be sold for \$2. Proceeds from the sale of the wristbands will support current Foundation campaigns such as CLEMYJONTRI Park and Bright Futures, a summer camp scholarship program for kids in the County considered at-risk. The Foundation will be offering bulk orders in packages of 10 and 100 wristbands on its website at www.fairfaxcountyparkfoundation.com.
- Increase the number of donors who support the Foundation by identifying County residents who want to PRESERVE PROTECT PLAY in the County’s parks.

Additional information can be obtained by contacting Bob Brennan, Executive Director of the Fairfax County Park Foundation, at 703-324-8581.

Therefore, Chairman Connolly asked unanimous consent that the Board direct the Office of Public Affairs to promote this initiative by including it in Channel 16 programming, the *Courier*, and other appropriate media outlets. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

48. **SOUTH LAKES HIGH SCHOOL GIRLS’ SWIM TEAM WINS STATE CHAMPIONSHIP (HUNTER MILL DISTRICT)** (6:56 p.m.)

Supervisor Hudgins noted that prior to this year’s season, the South Lakes High School girls’ swim team finished the season as Virginia AAA runners-up for three consecutive years. At this year’s Virginia High School League State championships, the team finished first in

the team standings and won the Virginia AAA State Championship. She said that an all-female team from South Lakes has not won a state title since 1988.

Accordingly, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Coach Scott Brown and the members of the South Lakes High Schools girls' swim and dive team to appear before the Board to be recognized for their outstanding team accomplishment. Without objection, it was so ordered.

49. **RECOGNITION OF MS. PATTI SMYLIE'S SERVICE AT THE RESTON POLICE STATION (HUNTER MILL DISTRICT)** (6:57 p.m.)

Supervisor Hudgins said that for more than 20 years, the public service of Ms. Patti Smylie has been associated with the Reston Police Station. Ms. Smylie will be moving to the Police Department headquarters at the Massey Building to support Chief David Rohrer, who had been one of ten captains with whom she had worked at the Reston station.

To recognize Ms. Smylie's service to both the public and the Reston Police Station, Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare a resolution for presentation to Ms. Smylie on March 4, her last day of service at the station. Without objection, it was so ordered.

50. **COMMENTS REGARDING A PROPOSAL TO ESTABLISH A CHESAPEAKE BAY FINANCE AUTHORITY** (6:58 p.m.)

Supervisor Gross said that the Metropolitan Washington Area Council of Governments (COG) has requested feedback on the proposal to establish a Chesapeake Bay Finance Authority, and related funding recommendations, from the jurisdictions within the COG region. Jurisdictional feedback will help the COG Chesapeake Bay Policy Committee prepare a regional position to transmit to the Chesapeake Executive Council for its meeting March 18.

To ensure that the County submits comments in a timely fashion, Supervisor Gross asked unanimous consent that the Board direct the County Executive and appropriate staff to:

- Prepare draft comments for the Board to review at its next meeting on March 7.
- Forward the adopted comments to COG immediately after approval by the Board.

Without objection, it was so ordered.

51. **CHESAPEAKE BAY MEDIA CAMPAIGN** (7 p.m.)

Supervisor Gross announced that the Chesapeake Bay is currently the focus of a new media campaign entitled "Chesapeake Club," an educational program for public awareness. She asked unanimous consent that the Board direct the Office of Public Affairs to be actively involved with this effort. Without objection, it was so ordered.

52. **RESCHEDULING OF CHESTERBROOK ELEMENTARY SCHOOL PRESENTATION (DRANESVILLE DISTRICT)** (7:01 p.m.)

(NOTE: Earlier in the meeting, this presentation was deferred. See Clerk's Summary Item CL#3.)

Supervisor DuBois confirmed with Merni Fitzgerald, Director, Office of Public Affairs that the presentation to Chesterbrook Elementary

School would be rescheduled for March 7, pending confirmation with the school staff.

53. **MCLEAN LITTLE LEAGUE CELEBRATES GOLDEN ANNIVERSARY (DRANESVILLE DISTRICT)** (7:01 p.m.)

Supervisor DuBois announced that McLean Little League, originally founded as Chesterbrook Little League, will be celebrating its golden anniversary by holding a year-long series of community events commemorating 50 years of baseball and softball in McLean. Past and present Little League players and their parents will kick off the celebration with a dinner dance “Celebrating the Life of the Community” on March 5, 2005. She noted the success of the league.

In recognition of the event, Supervisor DuBois asked unanimous consent that the Board direct staff to invite representatives of the McLean Little League Board of Directors to the Board on March 7 to congratulate them on their fiftieth anniversary.

Following a brief query to Merni Fitzgerald, Director, Office of Public Affairs, without objection, it was so ordered.

54. **MCLEAN CITIZENS FOUNDATION CELEBRATES 25 YEARS (DRANESVILLE DISTRICT)** (7:02 p.m.)

Supervisor DuBois announced that the McLean Citizens Foundation is celebrating its twenty-fifth year of operation in service to the citizens of the McLean Planning District of the County. She said that it has reached out to all corners of the community by funding projects that actively serve the citizens in educational and civic endeavors, improving the arts, environment, and social services programs. She shared some information on projects the foundation funded.

Accordingly, Supervisor DuBois asked unanimous consent that the Board direct staff to invite representatives of the McLean Citizens Foundation Board of Trustees to appear before the Board on April 25 to congratulate them on their anniversary. Without objection, it was so ordered.

55. **AUTHORIZATION OF THE FILING OF A REZONING APPLICATION (DRANESVILLE DISTRICT)** (7:04 p.m.)

Supervisor DuBois stated that she had a Board Matter regarding the Board’s authorization of a filing on a rezoning application submitted by Winchester Homes, Incorporated on right-of-way owned by the County. The right-of-way is a portion of Gordon Lane (Route 3493) between Lewinsville Road (Route 694) and Ordrick’s Lane (Route 3495). It is part of a rezoning application which includes the aforementioned portion of Gordon Lane and Tax Map Numbers 29-1 ((1))-33, 33A, 34, 34A, 35, 36, 37, and 37A. This potential rezoning proposes to vacate and align Gordon Lane from the western edge of the parcel to the middle of the proposed development to provide better interparcel access. The rezoning is located south of Lewinsville Road and north of Ordrick’s Lane, and more generally located north of the Dulles Airport Toll Road and west of Spring Hill Road. The rezoning seeks to change the zoning district from R-1 to a density not to exceed that allowed under the PDH-3 Zoning District.

Accordingly, Supervisor DuBois moved that the Board authorize the filing of a rezoning application on Gordon Lane (Route 3493) between Lewinsville Road (Route 694) and Ordrick’s Lane (Route 3495), as generally identified in the pending application filed in the name of Winchester Homes, Incorporated. She noted that as is always the case in matters such as this, approval of this motion shall in no way prejudice the substantive review of the pending rezoning application. Supervisor Hudgins seconded the motion, which carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

DET:det

56. **STRENGTHENING TREE PRESERVATION POLICIES AND PROCEDURES: ENHANCED IDENTIFICATION OF TREE SAVE AREAS** (7:05 p.m.)

Supervisor Smyth stated that the Board has strongly supported the implementation of existing tree preservation ordinances and has consistently worked to strengthen state tree preservation legislation. In keeping with the Board’s strong support of tree preservation,

Supervisor Smyth had recently identified an opportunity for the County to strengthen its tree preservation policies and procedures. During her first year as Providence District Supervisor, she has seen the development of several by right and rezoned properties. During the land development process, she said developers often were too optimistic when identifying tree save areas and/or too conservative when identifying the amount of root system area that was actually needed to preserve mature trees. The County could and must do a better job to ensure that proffered tree preservation areas were viable, and that developer pledges to preserve trees were realistic.

Supervisor Smyth moved that the Board direct the County Urban Forester and the Department of Planning and Zoning to work with a sub-group of the Tree Commission to review and strengthen the policies and procedures of the identification of tree save areas and the marking of the limits of clearing and grading. Supervisor Gross seconded the motion.

Following discussion, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to report with options for tree legislation based on previous years. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

57. **ROAD CONDITIONS** (7:11 p.m.)

Supervisor Gross announced that Supervisor McConnell had called to inform the Board that roads were getting hazardous.

58. **DOMINION POWER USE OF THE HERBICIDE** (7:12 p.m.)

Supervisor Smyth stated that there has been considerable concern among residents about the prospect of the spraying of herbicides along the W&OD to control some of the growth. In addition, when they cut the trees, they also spray them. A constituent brought to Supervisor Smyth's attention that someone witnessed this sort of spraying and questioned the individual to determine what chemical was being sprayed. The person did not know what he was spraying and had no idea if any precautions were needed in applying the herbicide. Supervisor Smyth said that it appeared there was a lack of training and perhaps there was an Occupational Safety and Health Administration (OSHA) issue.

Supervisor Smyth asked unanimous consent that the Board direct the County Executive to review whether individuals who spray the herbicides are properly trained and whether there are any violations occurring. Supervisor Hudgins also noted that there was a meeting in Reston in which there was discussion about this, and subsequent to that there was a proposed agreement with the Task Force that addressed all of the above issues, including giving the Park Authority the right to do the spraying.

Without objection, it was so ordered.

59. **YOUTH "SPEAK OUTS": STOPPING YOUTH VIOLENCE AND GANG INVOLVEMENT (BRADDOCK DISTRICT)** (7:14 p.m.)

Supervisor Bulova informed the Board that last year, her office hosted a five-month Community Dialog series about Gang Activity and Revitalization. Although gang activity exists throughout Fairfax County, the series focused discussion on the Annandale area.

At its last meeting, the Dialog Group adopted a slate of recommendations. A number of the recommendations dealt with making wholesome, constructive opportunities available to young people including employment programs, after-school activities, etcetera.

In particular, one of the recommendations was to “Engage the Kids in Planning for Activities and Programs.”

In response to this recommendation, two “Youth Speak Outs” were conducted last October, one at Annandale High School, the other at Annandale Terrace Elementary School. Supervisor Bulova had just received summaries from the Speak Outs and wanted to share them with her colleagues, with the School staff, and anyone who was working toward the prevention and intervention of emerging gang activity in Fairfax County.

Briefly, they wanted:

- More information to be provided to them about the existence of gang activity in their school and community. They wanted to be engaged in addressing the problem.
- More after-school opportunities, especially directly in their communities.
- More information about existing programs and resources that they and their families could access.
- More police presence at their school and in their community. They said the presence of police gave them a sense of safety and made them feel less vulnerable.
- More Speak Outs, and better promotion of the Speak Out opportunities.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide this Board Matter and the summary report to members of the Fairfax County Coordinating Council on Gangs, the Partnership for Youth, and other County and School staff working to address gang issues. Without objection, it was so ordered.

60. **WOODSON HIGH SCHOOL STUDENT AWARDED 2005 PRUDENTIAL SPIRIT OF COMMUNITY AWARD (BRADDOCK DISTRICT)** (7:16 p.m.)

Supervisor Bulova informed the Board that Sean Douglass, a senior at Woodson High School, had been named a State Honoree by the Prudential Spirit of Community Awards. Sean, one of two winners in Virginia, was recognized for raising nearly \$8,000 in three years for Fairfax FISH (For Immediate and Sympathetic Help).

Sean organized an annual leaf-raking project that has generated thousands of dollars for Fairfax FISH over the past three years. He combined his desire to contribute to a local charity with providing a service to his neighbors. Sean advertised his service by distributing fliers in his neighborhood, then recruited eight friends to help during the first year. By year two, 32 teenagers were involved in the project and in 2004, nearly 50 teens were raking leaves. Sean devoted his weekends each November to arranging work schedules, managing the volunteers, and handling the proceeds, along with raking leaves.

Fairfax FISH works in conjunction with the Department of Human Services to serve the poor and elderly who need food, transportation, and financial assistance with prescription drugs, rent, and utility bills.

Two students, one high school student and one middle school student, were selected from each of the 50 states, the District of Columbia, and Puerto Rico, to receive the Prudential Spirit of Community Awards. Each honoree received \$1000, an engraved silver medallion, and a trip to Washington, DC, in May, for recognition activities.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite Mr. Douglass to appear before the Board on March 21, 2005, to be presented with a certificate to thank him and recognize his outstanding achievements and service to the community. Without objection, it was so ordered.

61. **ROBINSON SECONDARY SCHOOL SYMPHONIC BAND WINS SUDLER FLAG OF HONOR (BRADDOCK DISTRICT)** (7:16 p.m.)

Supervisor Bulova announced that the Robinson Secondary School Symphonic Band won the Sudler Flag of Honor, the top award recognizing excellence in high school bands. The Flag of Honor recognizes the work of high school bands over a period of several years. The band's director, Denny Stokes, also won this award in 1993 while he was director at Marshall High School.

In the past 21 years, 8 of the 55 bands selected for the award were from Fairfax County. In addition to Robinson, they were Marshall, South Lakes, Madison, Herndon, Woodson, McLean, and Lake Braddock Secondary. However, Robinson was one of only four high schools in the country that won this award twice; the school also won in 1992.

Supervisor Bulova asked unanimous consent that the Board direct staff to invite Mr. Stokes, Student Band President Ms. Amy Swietlick, and any other members of the band and School staff that Mr. Stokes deems appropriate, to appear before the Board for commendation on May 9, 2005. This would be a great time to congratulate the Band, as they would be receiving the award and performing a free concert at 7:30 p.m. on May 18, 2005, at the school. Without objection, it was so ordered.

PMH:pmh

62. **BUSH HILL ELEMENTARY SCHOOL TO CELEBRATE ITS FIFTIETH ANNIVERSARY (LEE DISTRICT)** (7:17 p.m.)

On behalf of Supervisor Kauffman, Chairman Connolly said that Bush Hill Elementary School will celebrate its fiftieth anniversary on April 22. The school and the surrounding community will mark the occasion with a special program from 5-8 p.m. at the school.

Therefore, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to invite Jack Pitzer, principal, Cecelia Breazeale and Cynthia Mizelle, assistant principals, and other Bush Hill teachers, parents, and children to appear before the Board at a future meeting for formal recognition. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

63. **NO BOARD MATTERS FOR SUPERVISOR MCCONNELL (SPRINGFIELD DISTRICT)** (7:18 p.m.)

Chairman Connolly announced that Supervisor McConnell had no Board Matters to present today.

64. **REPORT ON MOUNT VERNON DISTRICT'S EIGHTEENTH ANNUAL TOWN MEETING** (7:18 p.m.)

Supervisor Hyland said that Mount Vernon District's Eighteenth Annual Town meeting held at the Mount Vernon High School's Little Theatre on February 5 attracted more than 400 people from the Mount Vernon vicinity.

Supervisor Hyland expressed his appreciation to the panelists and guests -- Chairman Connolly; Supervisor Kauffman; County Executive Anthony H. Griffin; Chief Financial Officer Edward Long; Colonel Williams, Commanding Officer of Fort Belvoir; School Superintendent Dr. Jack Dale; Mount Vernon School Board Representative Dan Storck; Police Chief David Rohrer; and Fire and Rescue Assistant Chief Dave Rohr.

Supervisor Hyland noted that citizens were again taken on a virtual bus tour, which highlighted the changes occurring in the Richmond Highway corridor and the Mount Vernon District. Attendees were brought up to date on the County's upcoming fiscal challenges including strategies for maintaining the high level of services the County provides its citizens. Chairman Connolly spoke of the Board's priorities and challenges for the County and the mounting issue of gangs, and Supervisor Kauffman focused on transportation issues as he begins his tenure as Chairman to the Washington Metro Area Transit Authority Board.

Supervisor Hyland said that among this year's list of citizen concerns, the need for increasing the stock of affordable housing was identified, as was the increase in fees to use the County's parks. In addition, members of the audience expressed the need for new South County Middle School.

For those who were unable to attend Mount Vernon's Eighteenth Annual Town meeting, it will be shown on Cable Channel 16 on Friday, March 11 at 8 p.m.

Extra copies of the tape will also be available for loan to citizens at Mount Vernon District libraries and at the Supervisor's office. A copy of the *Mount Vernon Voice* and *Mount Vernon Gazette* newspaper that provides a full account of the meeting was distributed to Board Members.

Chairman Connolly thanked Supervisor Hyland.

65. **SUCCESS OF THE ELECTORAL BOARD AND ITS USE OF ELECTRONIC VOTING MACHINES (MOUNT VERNON DISTRICT)** (7:19 p.m.)

(Note: Earlier in the meeting the Mount Vernon District Town meeting was discussed. See Clerk's Summary Item CL#64.)

Supervisor Hyland said that part of this year's Mount Vernon District's Town meeting included inviting the Electoral Board to bring its electronic voting machines and administer a survey. Over 100 people completed the survey, which included Mount Vernon area trivia and a feedback from the town meeting. He expressed his gratitude to Kate Mickey of the Electoral Board for bringing the machines and taking the time on a Saturday to use them in a new capacity.

66. **SUPPLEMENT TO MAGISTRATES PAY FOR THE FISCAL YEAR (FY) 2006 BUDGET** (7:19 p.m.)

(NOTE: Earlier in the meeting, the Board took additional action regarding magistrates pay. See Clerk's Summary Item CL#10, page 6.)

Supervisor Hyland said that on January 31, 2005, the Office of the County Executive addressed a memorandum to the Board on the subject of the County augmenting Magistrate pay. In the memorandum the County Executive advised that the Board should support initiatives in the General Assembly to raise Magistrate pay. Two budget amendments were submitted in the current legislative session to raise the Magistrate pay (House Resolution 505 and Senate Resolution 36). Neither of these resolutions was approved in committee. Among all its neighboring jurisdictions, the County is the only one that does not augment Magistrate's salaries. Because of this, the County has experienced a high degree of turnover among Magistrates resulting in lessened experience level, a significant vacancy rate, and potentially lesser quality service to citizens.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to include as a Consideration item in the FY 2006 Budget a 50 percent augmentation to Magistrates pay at a total cost to the County of \$523,698.00. Without objection, it was so ordered.

67. **REQUEST FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENDORSEMENT LETTER** (7:19 p.m.)

Supervisor Hyland said that it was recently brought to his attention that the White House has proposed to eliminate the CDBG program.

This proposal has been sharply criticized by the National Association of Counties (NACo), the Conference of Mayors and the National League of Cities. The CDBG program is the one comprehensive program that allows local government to address long-range physical, social, housing, and economic development needs. The CDBG program works largely without fanfare or recognition to ensure decent affordable housing for all, and to provide services to the most vulnerable in the communities, to create jobs and expand business opportunities. The CDBG program is an important tool in helping local governments tackle the most serious challenges facing their communities.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Chairman to send a letter on behalf of the Board to the County's Congressional Delegation expressing its opposition to any proposed changes or elimination of the CDBG program and that it support its future funding. Without objection, it was so ordered.

68. **REQUEST FOR THE APPOINTMENT OF A CITIZEN TASK FORCE TO THE RICHMOND HIGHWAY – TELEGRAPH ROAD CONNECTOR PROJECT (LEE AND MOUNT VERNON DISTRICTS)** (7:20 p.m.)

(BACs) Jointly with Supervisor Kauffman, Supervisor Hyland said that following the attacks of September 11, 2001, Fort Belvoir closed Woodlawn Road (VA Route 618) a heavily traveled road that connects Mount Vernon and Lee Districts to the rest of the County.

Supervisor Hyland referred to his written Board Matter and moved that the Board:

- Appoint a Citizen Task Force from residents of the Lee and Mount Vernon Districts to the Richmond Highway – Telegraph Road Connector Project.
- Include the Citizen Task Force as stakeholders in all future Federal Highway Administration studies, meetings and publications.

Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

69. **REQUEST FOR CONCURRENT PROCESSING OF A SITE PLAN FOR 8616 POHICK ROAD (MOUNT VERNON DISTRICT)** (7:20 p.m.)

Supervisor Hyland said on September 13, 2004, the Board approved Special Exception Application SE 2004-MV-001, which was to allow Verizon Wireless (Verizon) to construct a tree monopole on the Calvary Korean Baptist Church property located at 8616 Pohick Road.

Supervisor Hyland referred to his written Board Matter and moved that the Board allow Verizon or authorized agent, to file a site plan pursuant to Special Exception Application SE 2004-MV-001 for a site located at 8616 Pohick Road, [Tax Map 98-1((1))-0021] prior to meeting condition number five of Special Exception Application SE 2004-MV-001 which requires a special permit be approved by the BZA for the Calvary Korean Baptist Church. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of Special Permit Application SP 2004-MV-025 by the BZA nor relieve Verizon of meeting all other conditions of Special Exception Application SE 2004-MV-001 in its filing. Verizon understands that this will be at its sole risk and that the site plan will not be finally approved until condition number five of Special Exception Application SE 2004-MV-001 is met, and there shall be no refund of fees should Special Permit Application SP 2004-MV-025 not be granted by the BZA. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

70. **OUT-OF-TURN PLAN AMENDMENT FOR POHICK PUBLIC STORAGE (MOUNT VERNON DISTRICT)** (7:22 p.m.)

Supervisor Hyland announced that there is a parcel zoned in the I-4 District that is currently being developed as a self-storage facility adjacent to the residential community of Lorton Station. On December 23, 2004, Public Storage began clear-cutting its lot to begin construction of the Pohick Public Storage Facility. This parcel of land was rezoned to the I-4 District in the late 1960s and is being

developed by right. Because of the proximity of single-family homes and the elevation of the I-4 property, this development is not desirable.

To facilitate the development of residential use on the site, a plan amendment to allow consideration of a density greater than the currently recommended 5 dwelling units per acre (du/ac) is necessary. Therefore, Supervisor Hyland moved that the Board authorize an out-of-turn plan amendment for parcel 107-2((1))8 to consider a density of 8-12 du/ac. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

71. **REQUEST FOR RESOLUTION OF RECOGNITION FOR DOUG HANSEN, SENIOR PLANNER, DEPARTMENT OF TRANSPORTATION (DOT)** (7:23 p.m.)

On behalf of Supervisor Frey, Chairman Connolly noted that there are many talented people that work for the County and regularly receive recognition for their achievements. He announced that Doug Hansen, a senior planner in the Department of Transportation, was recently elected secretary of the Traffic Signals Technical Committee of the National Committee on Uniform Traffic Control Devices.

Therefore, on behalf of Supervisor Frey, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to prepare a resolution to recognize Mr. Hansen for this achievement. Without objection, it was so ordered.

72. **MINNIELAND PRIVATE DAY CARE SCHOOL, INCORPORATED, SPECIAL EXCEPTION APPLICATION SE 2005-SU-008 (SULLY DISDISTRICT)** (7:23 p.m.)

On behalf of Supervisor Frey, Chairman Connolly said that Minnieland Private Day Care School, Incorporated has filed a special exception application for a day care center within the Centreville Square shopping center. The applicant is leasing space which had been used as a private school of general education, which was a by-right use. Since this use is classified as a child care center, a special exception is required, although no construction is proposed.

Therefore, on behalf of Supervisor Frey, Chairman Connolly moved that the Board direct staff to attempt to schedule the public hearings in late spring to the extent feasible. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of the rezoning applications or future abandonment/vacation requests in any way. Vice-Chairman Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

73. **DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) TO INITIATE PARTNERSHIPS REGARDING DEVELOPMENT REVIEW PROCESS** (7:24 p.m.)

On behalf of Supervisor Frey, Chairman Connolly said that recently the Division of Land Development Services, DPWES requested that the Board authorize public hearings to consider increasing fees charged for various development applications. Prior to the authorization, staff vetted their proposal throughout the development community. He said that the industry was generally supportive, provided that efforts are undertaken to improve the timeliness, predictability and consistency of the development review process. Staff and members of the industry have already begun discussions of suggested areas of improvement and will continue to search for solutions together.

Therefore, on behalf of Supervisor Frey, Chairman Connolly moved that the Board direct DPWES staff to initiate a partnership including representatives of Northern Virginia Building Industry Association, Engineers and Surveyors Institute, National Association of Industrial and Office Properties, and County staff from the Department of Planning and Zoning and DPWES as appropriate to identify and evaluate recommendations for improving the effectiveness and efficiency of the development review process. These recommendations would in turn be brought before the Board's Development Process Review Committee for review. Vice-Chairman Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

74. **BOARD ADJOURNMENT** (7:25 p.m.)

The Board adjourned at 7:25 p.m.