



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
June 21, 2004**

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15-04

PW:pw

The meeting was called to order at 9:52 a.m., with all Members being present, with the exception of Supervisor Frey, and with Chairman Connolly presiding.

Supervisor Frey arrived at 10:02 a.m.

Others present 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

1. **MOMENT OF SILENCE** (9:53 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of Mr. William Kirkpatrick who died recently. Mr. Kirkpatrick was an auxiliary police officer with the Reston District Station.

Supervisor Hudgins asked everyone to keep in thoughts the family of Ms. Alfreda Walker who died recently. Ms. Walker, as well as her husband, were great contributors to the Reston area.

Supervisor Hyland asked everyone to keep in thoughts the family of Mr. Peter Brinitzer who died recently. Mr. Brinitzer was very involved in the Mount Vernon community. Chairman Connolly also noted Mr. Brinitzer's activity in the Federation of Citizens Association.

Supervisor Gross asked everyone to keep in thoughts the family of Ms. Edna White Robinson who died recently. Ms. Robinson was very involved in the Mason District community.

Chairman Connolly asked everyone to keep in thoughts the families of two children who died this past week. One was a high school student who died from viral meningitis and the other was a middle school student whose cause of death has not yet been determined.

AGENDA ITEMS

2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE HONORABLE MARK D. SICKLES** (9:57 a.m.)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to the Honorable Mark D. Sickles for his years of service to the County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey not yet having arrived.

Delegate Sickles presented the Fairfax County Public Library Foundation a check in the amount of \$1,265 representing the per diem he received from the extra days he served in the General Assembly in Richmond this year.

Ms. Roberta Longworth, Executive Director, Fairfax County Public Library Foundation, made a presentation to Delegate Sickles.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO BULL RUN ELEMENTARY SCHOOL CHESS TEAM (SULLY DISTRICT)** (10:04 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to members of the Bull Run Elementary School chess team for its achievement. Chairman Connolly seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. PATRICIA ZISSIOS** (10:10 a.m.)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Ms. Patricia Zissios for her years of service to the County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor DuBois being out of the room.

5. **PROCLAMATION DESIGNATING JUNE 19–26, 2004, AS “RESPONSIBLE FATHERHOOD WEEK” IN FAIRFAX COUNTY**
(10:16 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved approval of the Proclamation to designate June 19–26, 2004, as “*Responsible Fatherhood Week*” in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING JUNE 26, 2004, AS “HEPATITIS AWARENESS DAY” IN FAIRFAX COUNTY** (10:20 a.m.)

(BACs) Chairman Connolly moved approval of the Proclamation to designate June 26, 2004, as “*Hepatitis Awareness Day*” in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Chairman Connolly asked unanimous consent that the Board direct the Health Care Advisory Board to examine the issue of a prevention program and report with recommendations. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

7. **10 A.M. – PRESENTATION OF THE 2003 A. HEATH ONTHANK AWARDS** (10:27 a.m.)

Peter J. Schroth, Director, Department of Human Resources, announced the 2003 A. Heath Onthank Award Recipients:

- Thomas P. Biesiadny, Transportation Planner IV, Department of Transportation
- John J. Caussin, Jr., Battalion Chief, Fire and Rescue Department
- John B. Coleman, Safety and Security Assistant, South Lakes High School, Fairfax County Public Schools
- Maria B. Demarest, Office Assistant/Parent Liaison, Bailey’s Elementary School, Fairfax County Public Schools
- Donald T. Lacquement, Engineer III, Department of Public Works and Environmental Services
- Andrea Lomrantz, Management Analyst II, Office of Partnerships
- Kenneth M. Pedigo, Sergeant, Police Department

- Jeffrey M. Smithberger, Director, Division of Solid Waste Collection and Recycling, Department of Public Works and Environmental Services
- Boyd F. Thompson, Second Lieutenant, Police Department
- William T. Young, Building Supervisor IV, Herndon High School

ADDITIONAL BOARD MATTER

8. **ANNOUNCEMENT OF CLOSED SESSION FOR PURPOSE OF INTERVIEWING CANDIDATES FOR POSITION OF POLICE CHIEF**
(10:50 a.m.)

Chairman Connolly announced that, pursuant to Virginia Code Section 2.2-3712(B), later today the Board will meet in closed session for the purpose of interviewing candidates for the position of Police Chief.

AGENDA ITEMS

9. **10:15 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (10:50 a.m.)

(APPTS)
(BACs)

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointments of the Providence and Springfield District Representatives to the Advisory Social Services Board.

(NOTE: Later in the meeting, the Board made an appointment to this board. See page 12.)

AIRPORTS ADVISORY COMMITTEE

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

Chairman Connolly moved the reappointment of Mr. Grant Nelson as the At-Large #2 Representative to the Alcohol Safety Action Program Local Policy Board. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

Chairman Connolly moved the reappointment of Mr. Darren Dickens as the At-Large #3 Representative to the Alcohol Safety Action Program Local Policy Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointments of the Braddock and Dranesville District Representatives to the Animal Services Advisory Commission.

ATHLETIC COUNCIL

Supervisor McConnell moved the appointment of Mr. J. Roger Sims, III as the Springfield District Representative to the Athletic Council. Chairman Connolly seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Gross moved the confirmation of the following appointment to the Athletic Council:

- Ms. Deborah Honaker as the Youth and Adult Soccer Council Principal Representative

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

The Board deferred the appointments of the Women's Sports Association Principal and Women's Sports Association Alternate Representatives to the Athletic Council.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Chairman Connolly moved the appointment of Ms. Lilyan Spero as the At-Large Chairman's Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Ms. Regina Jordan as the Hunter Mill District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the appointment of Ms. Ika Joiner as the Mason District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the appointment of Ms. Ellen Cantor as the Providence District Representative to the Barbara Varon Volunteer Award Selection Committee. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the appointment of Ms. Diane McIntyre as the Springfield District Representative to the Barbara Varon Volunteer Award Selection Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Braddock, Dranesville, Lee, Mount Vernon, and Sully District Representatives to the Barbara Varon Volunteer Award Selection Committee.

BOARD OF BUILDING CODE APPEALS

The Board deferred the appointment of the Design Professional Representative #5 to the Board of Building Code Appeals.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

The Board deferred the appointments of the Appraiser #1 and Appraiser #3 Representatives to the Board of Equalization of Real Estate Assessments.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Springfield District Representative to the Chesapeake Bay Preservation Ordinance Exception Review Committee.

COMMISSION ON AGING

The Board deferred the appointment of the Mason District Representative to the Commission on Aging.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Chairman Connolly moved the appointment of Ms. Lan Le as the At-Large Minority Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Commission on Organ and Tissue Donation and Transplantation:

- Mr. Michael O'Grady as the National Kidney Foundation of the National Capital Area Representative

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

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

COMMUNITY ACTION ADVISORY BOARD

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Community Action Advisory Board:

- Ms. Jennifer Branch as the Head Start Representative

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

The Board deferred the appointments of the Dranesville and Lee District Representatives to the Community Action Advisory Board.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Dranesville District Representative to the Criminal Justice Advisory Board.

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

The Board deferred the appointment of the At-Large #3 Representative to the Dulles Rail Transportation Improvement District Advisory Board, Phase I.

ECONOMIC DEVELOPMENT AUTHORITY

Chairman Connolly moved the reappointment of Mr. Sudhakar Shenoy as the At-Large #1 Citizen Representative to the Economic Development Authority. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor Frey moved the reappointment of Mr. Terrell Spence as the Sully District Representative to the Environmental Quality Advisory Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Environmental Quality Advisory Council:

- Ms. Diane Wu as the Student Representative

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

The Board deferred the appointment of the Hunter Mill District Representative to the Environmental Quality Advisory Council.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the At-Large Business Community Representative and the Dranesville, Lee, and Mount Vernon District Representatives to the Fairfax Area Disability Services Board.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Chairman Connolly moved the reappointment of Mr. David Redman as the At-Large #2 Chairman's Representative to the Fairfax-Falls Church Community Services Board. Supervisor Hudgins and Supervisor Hyland jointly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Josiah Beeman as the Mason District Representative to the Fairfax-Falls Church Community Services Board. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. David Bender as the Mount Vernon District Representative to the Fairfax-Falls Church Community Services Board. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Trudy Harsh as the Sully District Representative to the Fairfax-Falls Church Community Services Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

HEALTH CARE ADVISORY BOARD

Supervisor Bulova moved the reappointment of Mr. John Clark as the Braddock District Representative to the Health Care Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. William Finerfrock as the Springfield District Representative to the Health Care Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Edna Cruz as the Sully District Representative to the Health Care Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large Chairman's Representative and the Lee District Representative to the Health Care Advisory Board.

HEALTH SYSTEMS AGENCY BOARD

Supervisor Smyth moved the appointment of Sarah John, M.D. as the Consumer #4 Representative to the Health Systems Agency Board. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey asked unanimous consent that the Board direct staff to invite Ms. Carol Ann Coryell to appear before the Board to be recognized for her many years of service to the Health Systems Agency Board. Without objection, it was so ordered.

HISTORY COMMISSION

Supervisor Hudgins moved the appointment of Ms. Barbara Naef to fill the unexpired term of the late Ms. Edith Sprouse as the Archaeologist Representative to the History Commission. Supervisor Frey seconded the motion, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

Supervisor McConnell moved the appointment of Mr. Bob Gaudian to fill the unexpired term of Ms. Gerry Gunn as the Springfield District #2 Representative to the Human Services Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

LIBRARY BOARD

Supervisor Hudgins moved the reappointment of Ms. Stephanie Abbott as the Hunter Mill District Representative to the Library Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hudgins moved the confirmation of the following appointment to the Library Board:

- Ms. Susan Thorniley as the School Board Representative

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

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

Chairman Connolly moved the reappointment of Ms. Eileen Nelson as the At-Large Chairman's Representative to the Oversight Committee on Drinking and Driving. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Jeffrey Levy as the Mount Vernon District Representative to the Oversight Committee on Drinking and Driving. Chairman Connolly seconded the motion, which carried by unanimous vote.

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

ROAD VIEWERS BOARD

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

TENANT LANDLORD COMMISSION

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

TRANSPORTATION ADVISORY COMMISSION

Chairman Connolly moved the reappointment of Mr. George Barker as the At-Large Representative to the Transportation Advisory Commission. Supervisor Bulova seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Janyce Hedetniemi as the Braddock District Representative to the Transportation Advisory Commission. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor DuBois moved the reappointment of Mr. George Smith, Jr. as the Dranesville District Representative to the Transportation Advisory Commission. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Roger Hoskins as the Mason District Representative to the Transportation Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Earl Flanagan as the Mount Vernon District Representative to the Transportation Advisory Commission. Chairman Connolly seconded the motion, which carried by unanimous vote.

Supervisor Smyth moved the reappointment of Mr. Robert Adams as the Providence District Representative to the Transportation Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Eric Thiel as the Springfield District Representative to the Transportation Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Jeff Parnes as the Sully District Representative to the Transportation Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

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

TREE COMMISSION

Supervisor Frey moved the reappointment of Ms. Deborah Foster as the Sully District Representative to the Tree Commission. Supervisor Frey seconded the motion, which carried by unanimous vote.

VOLUNTEER FIRE COMMISSION

CONFIRMATIONS:

Supervisor Gross moved the confirmation of the following appointments to the Volunteer Fire Commission:

- Mr. Timothy G. Fleming as the Volunteer Fire Chief's Association Representative
- Mr. Gerald B. Strider as the Zone I Representative

- Mr. John F.X. Ryan as the Zone II Representative

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

WATER AUTHORITY

Supervisor Frey moved the reappointment of Mr. Philip Allin as the Sully District Representative to the Water Authority. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville, Hunter Mill, and Providence District Representatives to the Water Authority.

AD HOC COMMITTEES

LAUREL HILL ADAPTIVE REUSE PLAN ADVISORY COMMITTEE

The Board deferred the appointment of the Dranesville District Representative to the Laurel Hill Adaptive Reuse Plan Advisory Committee.

TELECOMMUNICATION LAND USE REGULATIONS TASK FORCE-MONOPOLES

The Board deferred the appointments of the Dranesville, Lee, and Sully District Representatives to the Telecommunication Land Use Regulations Task Force-Monopoles.

ADDITIONAL APPOINTMENT

ADVISORY SOCIAL SERVICES BOARD

Supervisor McConnell moved the appointment of Ms. Joan Dolberg to fill the unexpired term of Mr. Douglas Webster as the Springfield District Representative to the Advisory Social Services Board. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting, the Board made additional appointments. See Clerk's Summary Items CL#20, CL#51, CL#56, CL#64, and CL#81.)

10. **ADMINISTRATIVE ITEMS** (11:04 a.m.)

Supervisor Gross moved approval of the Administrative Items. 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."

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (HUNTER MILL AND PROVIDENCE DISTRICTS)

Approved the extension of review periods for the following Public Facility (2322) Review Applications:

- FS-P04-26 to August 26, 2004
- FS-H04-27 to August 26, 2004

ADMIN 2 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO SUBMIT GRANT APPLICATIONS TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE HOUSING CHOICE VOUCHER FAMILY SELF-SUFFICIENCY COORDINATOR AND THE MAINSTREAM HOUSING OPPORTUNITIES FOR PERSONS WITH DISABILITIES PROGRAMS

Authorized FCRHA to apply to HUD for the Housing Choice Voucher Family Self-Sufficiency Coordinator and the Mainstream Housing Opportunities for Persons with Disabilities Program.

ADMIN 3 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05006 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) TO CONTINUE VIRGINIA INSTITUTE FOR THE SOCIAL SERVICES TRAINING ACTIVITIES FOR HUMAN SERVICES STAFF AND LICENSED AND NON-LICENSED DAY CARE PROVIDERS

(SAR) Approved SAR AS 05006 in the amount of \$742,743 from VDSS for DFS to provide a wide range of skills training to staff, line workers serving on Comprehensive Services Act teams, and staff in licensed and non-licensed day care homes and facilities. No local cash match is required.

ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05009 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) TO CONTINUE THE FEDERAL TITLE IV-E ADMINISTRATIVE PASS-THROUGH FUNDING FOR FOSTER/ADOPTIVE PARENT AND VOLUNTEER TRAINING, CHILD WELFARE STAFF TRAINING, AND AN EMPLOYEE EDUCATIONAL AWARD PROGRAM

- (SAR) Approved SAR AS 05009 in the amount of \$600,676 from VDSS to DFS for training activities for foster and adoptive families and volunteers, enhanced training for child welfare staff, and an employee educational stipend program. Of this total, \$450,507 is funding from VDSS, and the remaining \$150,169 is the required 25 percent local cash match.

ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05008 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FOR FISCAL YEAR 2005 TITLE V, SENIORS IN COMMUNITY SERVICES EMPLOYMENT PROGRAM (SCSEP)

- (SAR) Approved SAR AS 05008 in the amount of \$160,885 for the Title V, SCSEP Older Worker Employment Program. Of this total, \$144,797 is from the US Department of Labor, and the remaining \$16,088 is the required 10 percent local cash match.

ADMIN 6 – INSTALLATION OF “NO PARKING” SIGNS ON THE SOUTH SIDE OF SULLY STATION DRIVE FROM CUB RUN ELEMENTARY SCHOOL TO WESTFIELDS BOULEVARD/POPLAR TREE ROAD (SULLY DISTRICT)

- (R)
- Adopted the Resolution restricting parking on the south side of Sully Station Drive from the eastern end of Cub Run Elementary School to Westfields Boulevard/Poplar Tree Road.
 - Directed staff to install these signs at the earliest possible date.

ADMIN 7 – EXTENSION OF THE “NO PARKING HERE TO CORNER” AREA ADJACENT TO THE WEST OF THE 10640 PAGE AVENUE DRIVEWAY (PROVIDENCE DISTRICT)

- (R)
- Adopted the Resolution restricting parking on the corner area adjacent to the west of the 10640 Page Avenue driveway.
 - Directed staff to install these signs at the earliest possible date.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF CANAL DRIVE (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 26, 2004, at 4:30 p.m.** to consider the vacation and abandonment of a portion of Canal Drive (Route 3631).

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, ESTABLISHING THE BURGOYNE FOREST COMMUNITY PARKING DISTRICT (CPD) (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 26, 2004, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Burgoyne Forest CPD to encompass the following roads:

- Groveland Drive from Newington Forest Drive to the east of Groveland Heights Court [boundary of parcels 98-1 ((7)) H and 98-1 ((7)) J].
- Newington Forest Drive from Pohick Road to the cul-de-sac inclusive.

ADMIN 10 – RECOMMENDATION OF STREETS TO BE CONSIDERED FOR TRAFFIC-CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (DRANESVILLE, HUNTER MILL, MASON, AND MOUNT VERNON DISTRICTS)

- Endorsed the following streets to be considered for traffic-calming measures as part of R-TAP:
 - Flint Hill Road (Hunter Mill District)
 - Backlick Road (Mount Vernon District)
 - Bay Tree Lane (Mason District)
 - Bent Branch Road (Mason District)
 - Carpers Farm Way (Dranesville District)
 - Mill Run Drive (Dranesville District)

- Southridge Drive (Dranesville District)
 - Directed staff and requested the Virginia Department of Transportation to develop traffic-calming plans in conjunction with each community, as soon as possible.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON MONOCAN ROAD AND A CONVEYANCE OF FEE OWNERSHIP (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a joint public hearing with the Virginia Department of Transportation to be held before the Board on **July 26, 2004, at 4 p.m.** to consider the following:
- Abandonment of Monocan Road.
 - Conveyance of the fee ownership for the right-of-way by the Board to the Fairfax County Park Authority.

ADMIN 12 – RESOLUTION TO INSTALL "WATCH FOR CHILDREN" SIGNS ON BRANTLEIGH PLACE (SPRINGFIELD DISTRICT)

- (R) Adopted the Resolution endorsing the installation of "Watch for Children" signs on Brantleigh Place, as part of the Department of Transportation's Residential Traffic Administration Program.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, EXPANDING THE LANGLEY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 20 (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 26, 2004, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Langley RPPD, District 20. The proposed district expansion includes Baymeadow Court (Route 6094) from Ridge Drive (Route 6090) to the end.

ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE RAVEN PLACE AND PORTIONS OF SPLIT ROCK ROAD AND WAYSIDE PLACE (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 26, 2004, at 4:30 p.m.** to consider the vacation of Raven Place and portions of Split Rock Road and Wayside Place pursuant to the adoption of an ordinance consistent with the terms and conditions set forth in Attachment III of the Board Agenda Item dated June 21, 2004.

**ADMIN 15 – STREETS INTO THE SECONDARY SYSTEM
(DRANESVILLE AND LEE 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>
Brown's Chapel Property	Dranesville	Dunn Meadow Road Route 6941 Newkirk Court Leesburg Pike Route 7 Additional ROW Only
Polo Ridge	Dranesville	Polo Place Route 3776 Polo Club Court
Wilton Ridge Section 2	Lee	Old Telegraph Road Route 1490 Additional ROW Only

**ADMIN 16 – AUTHORIZATION FOR THE OFFICE OF PARTNERSHIPS
TO APPLY FOR COMMUNITY TECHNOLOGY CENTERS GRANT
FROM THE US DEPARTMENT OF EDUCATION (DOE)**

Authorized the Office of Partnerships to submit an application for the DOE Community Technology Centers Program Fiscal Year 2004 Discretionary Grant in an amount of \$499,651. No local cash match is required.

**ADMIN 17 – AUTHORIZATION FOR THE HEALTH DEPARTMENT TO
APPLY TO THE CENTER FOR DISEASE CONTROL AND
PREVENTION (CDC) FOR THE STEPS TO A HealthierUS PROGRAM
FUNDS**

Authorized the Health Department to submit an application for STEPS to a HealthierUS funding from CDC in the amount of \$1,000,000 to identify resources already available in the community to fight obesity, diabetes, and complications from asthma, identify gaps that exist in the resources, and develop new resources to fill these gaps. No local cash match is required.

ADMIN 18 – AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT VIRGINIA TOBACCO SETTLEMENT FOUNDATION FUNDS TOTALING \$64,025 FOR A REGIONAL YOUTH TOBACCO PREVENTION INITIATIVE

Authorized CSB to accept funding in the amount of \$64,025 from the Virginia Tobacco Settlement Foundation to build capacity and partnerships across the region with youth-serving organizations and faith communities to provide evidence-based tobacco prevention programming.

ADMIN 19 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05012 FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES TO ACCEPT GRANT FUNDS FROM THE VIRGINIA TOBACCO SETTLEMENT FOUNDATION (VTSF) FOR YOUTH SMOKING PREVENTION

(SAR) Approved SAR AS 05012 in the amount of \$59,619 from VTSF to fund the Tobacco Use Prevention Program for Youth. Of this total, \$59,619 is from VTSF, while the remaining \$12,929 in required match will be met through the provision of in-kind services.

ADMIN 20 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE US DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), FOR A 2004 TECHNOLOGY PROGRAM GRANT

Authorized FCPD to apply to COPS for a 2004 Technology Program grant in the amount of \$395,791 to purchase 63 mobile computer terminals and related software. No local cash match is required.

ADMIN 21 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05007 FOR THE HEALTH DEPARTMENT'S TITLE V PERINATAL SERVICES GRANT

(SAR) Approved SAR AS 05007 in the amount of \$309,634 from the Virginia Department of Health for the Health Department to continue to provide outreach and counseling to at-risk, low-income pregnant women and fund diagnostic testing for Health Department maternity clients. No local cash match is required.

ADMIN 22 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE AFFORDABLE DWELLING UNIT (ADU) PROGRAM

(A)(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 21, 2004, and before the Board on **September 13, 2004, at 4 p.m.** to consider proposed amendments to the Code of

the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding the ADU Program.

ADMIN 23 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 91-V-039, FAIRFAX INDUSTRIAL PARK ASSOCIATES (MOUNT VERNON DISTRICT)

- (AT) Approved the request for 18 months and 8 days of additional time to commence construction for Special Exception Application SE 91-V-039, Fairfax Industrial Park Associates, to September 30, 2005, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 24 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05011 FOR THE DEPARTMENT OF TRANSPORTATION (DOT) RIDESOURCES MARKETING AND RIDESHARING PROGRAM

- (SAR)
- Approved SAR AS 05011 in the amount of \$350,000 for the RIDESOURCES Marketing and Ridesharing Program to continue ridesharing and transit marketing activities in Fiscal Year 2005. Of this total, \$280,000 is State funding from the Virginia Department of Rail and Public Transportation and the remaining \$70,000 is the required 20 percent local cash match.
 - Authorized the Director of DOT to sign the necessary grant documents to execute this grant.

ADMIN 25 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 05010 FOR THE DEPARTMENT OF TRANSPORTATION'S (DOT) EMPLOYER SERVICES PROGRAM

- (SAR)
- Approved SAR AS 05010 in the amount of \$170,000 for the Fiscal Year (FY) 2005 Employer Services Program. Regional Congestion Mitigation Air Quality funds will be provided in this amount to support this program. No local cash match is required.
 - Authorized the Director of DOT to sign the necessary grant documents to execute this grant.
 - Directed DOT to carry out a solicitation and enter into an agreement to obtain supplemental employer outreach services for FY 2003 through FY 2008. During FY 2005 DOT is authorized to utilize up to \$25,000 from this grant for this supplemental support.

ADMIN 26 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 26, 2004, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions), to update the Code to be consistent with the practices of the Board relating to the Department of Public Works and Environmental Services and provide the County greater flexibility in designating the County Building Official.

ADMIN 27 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) AND FAIRFAX COUNTY, ACTING ON BEHALF OF THE FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT (FRD)

Approved a MOU between the FCRHA and the County, acting on behalf of FRD for the Magnet Housing Rental Program.

DT:dt

ACTION ITEMS

11. **A-1 – AUTHORIZATION TO REALLOCATE AND AUTHORIZE DISBURSEMENT OF TWO TIER TWO PREDEVELOPMENT FUNDS FROM THE AFFORDABLE HOUSING PARTNERSHIP PROGRAM FUND OF THE HOUSING TRUST FUND AS A LOAN TO CHESTERBROOK RESIDENCES, INCORPORATED (DRANESVILLE DISTRICT)** (11:04 a.m.)

Board Matter

Availability of Board Agenda to Television Viewers
(11:04 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct the staff of the Office of Public Affairs to work with Channel 16 to ensure that the full agenda for the Board meeting is readily available to television viewers. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

On motion of Supervisor DuBois, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the reallocation and disbursement of up to \$50,000 from the

Affordable Housing Program funds within Fund 144, Housing Trust Fund, for the purpose of conducting studies for the development of up to 100 affordable assisted-living rental units.

12. **A-2 – PUBLIC FACILITIES MANUAL (PFM) WAIVER REQUEST TO PERMIT USE OF UNDERGROUND DETENTION IN A RESIDENTIAL AREA FOR MONUMENT PLACE (PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-101-3) (SPRINGFIELD DISTRICT)** (11:06 A.m.)

Supervisor McConnell moved that the Board concur in the recommendation of staff and approve a waiver of Section 6-0303.8 of the PFM to permit use of underground detention in a residential area for Monument Place (Proffered Condition Amendment Application PCA 84-P-101-3) in the name of Camden USA, Incorporated, subject to the conditions outlined in Attachment A of the Board Agenda Item dated June 21, 2004, and the approved proffer conditions for Rezoning Application RZ 84-P-101, as amended by Proffered Condition Amendment Application PCA 84-P-101-3. Supervisor Hyland seconded the motion.

Following discussion, with input from John Friedman, Engineer IV, Code Analysis Division, Office of Site Development Services, Department of Public Works and Environmental Services, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to report on the progress of this change in a year. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

A brief discussion ensued.

(NOTE: Later in the meeting, the Board voted on the pending motion. See Clerk's Summary Item CL#33.)

13. **A-3 – PUBLIC FACILITIES MANUAL (PFM) WAIVER REQUEST TO PERMIT USE OF UNDERGROUND DETENTION IN A RESIDENTIAL AREA FOR MERRIFIELD TOWN CENTER (REZONING APPLICATION RZ 2003-PR-009) (PROVIDENCE DISTRICT)** (11:09 a.m.)

Supervisor Smyth moved that the Board concur in the recommendation of staff and approve a waiver of Section 6-0303.8 of the PFM to permit use of underground detention in a residential area for Merrifield Town Center (Rezoning Application RZ 2003-PR-009) in the name of Uniwest Group, LLC, subject to the conditions outlined in Attachment A of the Board Agenda Item dated June 21, 2004, and the approved proffer conditions for Rezoning Application RZ 2003-PR-009. Chairman Connolly seconded the motion.

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

14. **A-4 – BOARD AUTHORIZATION OF MEMORANDUM OF UNDERSTANDING (MOU) WITH CITY OF FAIRFAX REGARDING REPAYMENT OF VEHICLE RENTAL TAX PAYMENTS DUE TO THE COUNTY AND ERRONEOUSLY DISTRIBUTED TO THE CITY OF FAIRFAX** (11:11 a.m.)

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved that the Board concur in the recommendation of staff and:

- Approve the repayment schedule proposed by the City of Fairfax.
- Authorize the County Executive to sign an MOU which sets out the repayment schedule beginning in Fiscal Year 2005.

Supervisor Hyland seconded the motion.

Following discussion, with input from Susan Datta, Director, Department of Management and Budget, and Anthony H. Griffin, County Executive, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

15. **A-5 – ADOPTION OF AN EMERGENCY UNCODIFIED ORDINANCE TO PROVIDE FOR A FIFTY-CENT TAXICAB FUEL SURCHARGE AND AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AN UNCODIFIED ORDINANCE THAT WILL PROVIDE FOR A 50-CENT TAXICAB FUEL SURCHARGE UNTIL DECEMBER 31, 2004** (11:16 a.m.)

- (O) (A) Steve Sinclair, Utility Analyst, Consumer Protection Division, presented a brief staff report.

Discussion ensued with input from Gail Eskew, Acting Director, Department of Cable Communications and Consumer Protection.

Supervisor Bulova moved that the Board concur in the recommendation of staff and:

- Adopt the emergency Uncodified Ordinance to provide a 50-cent taxicab fuel surcharge effective June 22, 2004.
- Authorize the advertisement of a public hearing to be held before the Board on July 12, 2004, to consider the readoption of this Uncodified Ordinance which would be effective until December 31, 2004.

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."

16. **A-6 – SOUTH COUNTY BUS SERVICE PLAN AND RICHMOND HIGHWAY PUBLIC TRANSPORTATION INITIATIVE** (11:21 a.m.)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and:

- Authorize staff to implement the Revised South County Bus Service Plan, as described in Attachment One of the Board Agenda Item, on or about September 26, 2004.
- Authorize staff to take the necessary actions to implement the Richmond Highway Public Transportation Initiative, including the use of \$446,000 of available Northern Virginia Transportation Commission funds and \$111,500 of Washington Metropolitan Area Transit Authority audit adjustment credits.

Chairman Connolly and Supervisor Hyland jointly seconded the motion.

Supervisor Hyland referred to the incident that took place on Sunday, June 13, in which a six-year-old child was struck by a Fairfax Connector bus while the bus was negotiating its route along Tis Well Drive in the River Farms area. This tragic accident was the subject of many recent press and television stories. During a meeting of the residents of River Farms and Briary Farms, suggestions were made as to how to deal with this situation.

Therefore, Supervisor Hyland asked to amend the motion that the Board defer its decision on part of the Fairfax Connector Bus Route 105 which traverses the River Farm/Briary Farm residential area until sufficient information is gathered to determine whether discontinuation or modification of that portion of the route should be mandated by the Board, and this was accepted.

Following discussion, the question was called on the motion, as amended, which carried by a vote of nine, *Supervisor DuBois being out of the room.

(NOTE: *Later in the meeting, Supervisor DuBois asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#18.)

(NOTE: Later in the meeting, additional action was taken regarding Fairfax Connector 105. See Clerk's Summary Item CL#72.)

17. **A-7 – ENDORSEMENT OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) DESIGN PLANS TO PROVIDE GENERAL ACCESS RAMPS BETWEEN INTERSTATE 95 (I-95) AND THE FRANCONIA-SPRINGFIELD PARKWAY (ROUTE 7900) (LEE DISTRICT)** (11:26 a.m.)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and endorse VDOT's design plans to provide general access ramps in the future between I-95 and the Franconia-Springfield Parkway, including roadway, trail, signing, striping, stormwater management, and drainage improvements, as presented at the November 19, 2003, public hearing, with the conditions outlined in the Board Agenda Item dated June 21, 2004, and with the following modification to page 91 of the staff recommendation, fourth bullet, last line:

- Change "...on the Parkway and improved HOV access." to "...on the Parkway improved HOV access and the impact on traffic to and from the Joe Alexander Transportation Center."

Supervisor McConnell seconded the motion.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct Young Ho Chang, Director, Department of Transportation, to draft a letter for the Chairman's signature informing VDOT of the Board's action. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

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

ADDITIONAL BOARD MATTERS

18. **REQUEST TO RECORD VOTE** (11:30 a.m.)

(NOTE: Earlier in the meeting, the Board took action on item A-6. See Clerk's Board Summary Item CL#16.)

Upon her return to the Board Auditorium, Supervisor DuBois asked unanimous consent that she be recorded as voting "AYE" on item A-6. Without objection, it was so ordered.

19. **TRANSPORTATION PROJECTS** (11:31 a.m.)

Chairman Connolly announced that some transportation projects were withdrawn by the Commonwealth Transportation Board due to the failure of the General Assembly to appropriate any new money for transportation. The following is a

list of some of the projects that would be affected in Fairfax County:

- The fourth lane of I-95 at Newington
- Interim improvements in the I-66/I-495 interchange
- The Route 29/Gallows Road intersection
- Phase 8 of the Springfield Interchange Program

AGENDA ITEMS

20. **A-8 – MEMORANDUM OF UNDERSTANDING (MOU) AND AGREEMENT BETWEEN FAIRFAX COUNTY, VIRGINIA, AND THE FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION**
(11:33 a.m.)

(BACs)

(APPTS)

Supervisor DuBois moved that the Board concur in the recommendation of staff and:

- Approve the MOU between the County and the Fairfax County Convention and Visitors Corporation which details how tourism promotion in the County will be managed.
- Authorize the Chairman of the Board to sign it on behalf of the County.

Supervisor Hudgins seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, and William Lecos, President, Fairfax County Chamber of Commerce, Supervisor McConnell asked to amend the motion to increase the number of Board appointees on the newly created council by three.

Following discussion, with input from Mr. Griffin and Mr. Lecos, Supervisor McConnell amended the amendment to the motion to increase the number of Board appointees by five for a total of ten appointees by the Board, and this was accepted.

Supervisor McConnell asked to amend the motion to stipulate that the appointees from the Board use the same criteria as was previously sent out and that they must have some technical professional expertise in marketing or relevant expertise, and this was accepted.

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

Following additional discussion regarding terms, with input from Mr. Griffin and Mr. Lecos, Supervisor Gross moved that the Board:

- Confirm the ten Hospitality Council appointees as included in the Board Agenda Item as follows:
 - Mr. Stuart Damon
 - Mr. Heeren Patel
 - Ms. Meredith Quamstrom
 - Mr. Matt White
 - Mr. Jim Wordsworth
 - Mr. Daniel Bretl
 - Mr. Mark Carrier
 - Ms. Mame Reilly
 - Mr. Michael Sternberg
 - Ms. Celia Stokes
- Hold in abeyance the Board appointees (the remaining ten) until the Board meeting scheduled for July 12, 2004.
- Strike the reference to the specific terms in the MOU.
- Authorize staff to amend the bylaws regarding terms.

Supervisor Smyth seconded the motion.

Following discussion, Supervisor Gross amended the motion to include one additional appointee for the industry (total of 11), and this was accepted.

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

Immediately following the vote, Chairman Connolly was presented with a certificate of appreciation by the Fairfax County Convention and Visitors Corporation.

21. **A-9 – AUTHORIZATION TO ENTER INTO A REVISED WORKFORCE INVESTMENT BOARD CONSORTIUM AGREEMENT TRANSFERRING CERTAIN RESPONSIBILITIES FROM FAIRFAX COUNTY TO THE SKILLSOURCE GROUP, INCORPORATED** (12:01 p.m.)

On motion of Supervisor Hudgins, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a revision to the Northern Virginia Workforce Investment Board Area XI Consortium Agreement.

22. **I-1 – CONTRACT AMENDMENT NUMBER TWO FOR ARCHITECTURAL/ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATIVE SERVICES FOR THE WEST OX BUS OPERATIONS CENTER AND THE WEST OX COMPLEX SITE INFRASTRUCTURE (SPRINGFIELD DISTRICT)** (12:01 p.m.)

The Board next considered an item contained in the Board Agenda dated June 21, 2004, requesting authorization for staff to award a contract amendment to Baker and Associates in the amount of \$2,529,881. Of this total, \$1,999,857 is for the complete design and construction administration for the West Ox Bus Operations Center and the remaining \$530,024 is for the design and construction administration for the West Ox Complex Site Infrastructure.

The staff was directed administratively to proceed as proposed.

23. **I-2 – AUTHORITY FOR THE COUNTY EXECUTIVE TO SIGN REAL ESTATE DATA EXCHANGE AGREEMENTS** (12:01 p.m.)

The Board next considered an item contained in the Board Agenda dated June 21, 2004, requesting authorization for staff to sign on behalf of the Board:

- The addendum.
- With the concurrence of the County Attorney, future agreements with commercial entities whereby there is mutual benefit to exchange publicly accessible real estate data.

The staff was directed administratively to proceed as proposed.

24. **I-3 – DEPARTMENT OF VEHICLE SERVICES TO RECEIVE FUNDING AS A RESULT OF THE VIRGINIA ELECTRIC POWER COMPANY (VEPCO) SETTLEMENT TO INSTALL DIESEL RETROFITS ON SCHOOL BUSES** (12:02 p.m.)

The Board next considered an item contained in the Board Agenda dated June 21, 2004, requesting authorization for staff to sign the settlement contract between the

County and the State Department of Environmental Quality for the purchase and installation of diesel retrofits on school buses. No local cash match is required.

The staff was directed administratively to proceed as proposed.

25. **I-4 – CONSOLIDATED PLAN CERTIFICATION FOR CHESTERBROOK RESIDENCES, INCORPORATED (CRI)** (12:02 p.m.)

The Board next considered an item contained in the Board Agenda dated June 21, 2004, requesting authorization for staff to sign the Consolidated Plan certification and provide it to the nonprofit organization known as CRI for inclusion with its application to the US Department of Housing and Urban Development.

The staff was directed administratively to proceed as proposed.

26. **I-5 – LETTER TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) CONVEYING STAFF COMMENTS ON PROPOSED REVISIONS TO THE STATE'S SUBDIVISION STREET REQUIREMENTS AND DRAFT SUBDIVISION STREET DESIGN GUIDE** (12:02 p.m.)

The Board next considered an item contained in the Board Agenda dated June 21, 2004, requesting authorization for staff to sign and forward a letter to VDOT conveying staff's comments on the proposed changes to the *Subdivision Street Requirements* and the draft *Subdivision Street Design Guide*.

Supervisor Smyth referred to the proposed letter to VDOT conveying staff comments and asked unanimous consent that the Board direct staff to review the following concerns:

- Number 1 – “Consider revising the standards to eliminate the service drive requirement.” Change to read: “Consider eliminating the service requirement for service drives.”
- Number 18 – request VDOT to review the last sentence regarding Low Impact Developments.
- Draft Subdivision Street Design Guide – Numbers 9 and 10, regarding the minimum radius required for turnarounds or cul-de-sacs.

Following discussion, with input from Jan Leavitt, Engineer, Code Analysis Division, Office of Site Development Services, Department of Public Works and Environmental Services, without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

27. **I-6 – CONTRACT AWARD – HIDDEN POND STREAM VALLEY STABILIZATION AND DREDGING PROJECT (SPRINGFIELD DISTRICT)** (12:06 p.m.)

The Board next considered an item contained in the Board Agenda dated June 21, 2004, requesting authorization for staff to award a contract to Sagres Construction Corporation in the amount of \$121,450 for stream valley stabilization and dredging work at Hidden Pond Park.

The staff was directed administratively to proceed as proposed.

28. **RECESS/CLOSED SESSION/DEFERRALS** (12:06 p.m.)

At 12:06 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 2.1-344 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. *William E. Shoup, Fairfax County Zoning Administrator v. Ira and Virginia Cox, Limited Partnership, LLP*, At Law No. 210690, In Chancery No. 183107 (Fx. Co. Cir. Ct.) (Sully District)
 - 2. *Fairfax County Park Authority v. The Milton Company, et al.*, At Law No. 220985 (Fx. Co. Cir. Ct.) (Mason and Springfield Districts)
 - 3. *D. Joseph Luce and Susan Luce v. Capital Structures, Inc., Jeffrey Gunther, Joan Gunther, and Fairfax County, Virginia*, In Chancery No. 189146 (Fx. Co. Cir. Ct.) (Dranesville District)

4. *William E. Shoup, Zoning Administrator of Fairfax County v. Timothy C. Magalis and Joanne M. Berger Magalis*, In Chancery No. 189606 (Fx. Co. Cir. Ct.) (Lee District)
5. *William E. Shoup, Fairfax County Zoning Administrator v. Joaquin Gamaliel Garcia, Sr., and Ann Garcia*, In Chancery No. 189057 (Fx. Co. Cir. Ct.) (Providence District)
6. *William E. Shoup, Fairfax County Zoning Administrator v. Joseph B. Long and Alma J. Long*, In Chancery No. 190363 (Fx. Co. Cir. Ct.) (Springfield District)

And in addition:

1. The Williamsburg Commons Developer Default, Plan Number 7758-SD-02
2. Patrick S. Herrity, et al. v. Commonwealth of Virginia, et al., In Chancery Number 187331
3. Board of Zoning Appeals Application A 2004-MA-007

Supervisor Hyland seconded the motion.

Supervisor Hyland announced his intent to defer the public hearing, at the appropriate time later in the meeting, on Rezoning Application RZ 2003-MV-036 until July 12, 2004, at 3 p.m.

Supervisor Smyth announced her intent to defer the public hearing, at the appropriate time later in the meeting, on Rezoning Application RZ 2003-PR-043.

Supervisor McConnell announced her intent to defer the public hearing, at the appropriate time later in the meeting, on Agricultural Renewal Application AR 95-S-001 until July 26, 2004, at 3:30 p.m.

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

(NOTE: Later in meeting, the public hearings were deferred. See Clerk's Summary Items CL#37, CL#38, and CL#47.)

29. **SPOT BLIGHT ABATEMENT ORDINANCE FOR 16001 LEE HIGHWAY (SULLY DISTRICT)** (12:09 p.m.)

Supervisor Frey moved to withdraw the decision on Spot Blight Abatement Ordinance for 16001 Lee Highway. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

DMB:dmb

At 4:08 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Connolly presiding.

ACTIONS FROM CLOSED SESSION

30. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:08 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."

31. **AUTHORIZATION FOR THE COUNTY ATTORNEY TO FILE SUIT ON BEHALF OF THE BOARD TO APPEAL THE DECISION OF THE FAIRFAX COUNTY BOARD OF ZONING APPEALS IN APPEAL APPLICATION NUMBER A 2004-MA-007 (MASON DISTRICT)** (4:09 p.m.)

Supervisor Gross moved that the Board authorize the County Attorney to file suit on its behalf to appeal the decision of the Fairfax County Board of Zoning Appeals in Appeal Application Number A 2004-MA-007 regarding property located at 3915 Glenbrook Road in accordance with the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

32. **AUTHORIZATION FOR THE COUNTY EXECUTIVE TO SIGN THE SETTLEMENT AGREEMENT IN THE DEVELOPER DEFAULT ON WILLIAMSBURG COMMONS, PLAN NUMBER 7758-SD-02 (PROVIDENCE DISTRICT)** (4:09 p.m.)

Supervisor Smyth moved that the Board authorize the County Executive to sign the settlement agreement in the developer default on Williamsburg Commons, Plan Number 7758-SD-02, according to the terms and conditions outlined by the

County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

AGENDA ITEM

33. **A-2 – PUBLIC FACILITIES MANUAL (PFM) WAIVER REQUEST TO PERMIT USE OF UNDERGROUND DETENTION IN A RESIDENTIAL AREA FOR MONUMENT PLACE (PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-101-3) (SPRINGFIELD DISTRICT)** (4:10 p.m.)

[NOTE: Earlier in the meeting, Supervisor McConnell moved that the Board concur in the recommendation of staff and approve a waiver of Section 6-0303.8 of the PFM to permit use of underground detention in a residential area for Monument Place (Proffered Condition Amendment Application PCA 84-P-101-3) in the name of Camden USA, Incorporated, subject to the conditions outlined in Attachment A of the Board Agenda Item dated June 21, 2004, and the approved proffer conditions for Rezoning Application RZ 84-P-101, as amended by Proffered Condition Amendment Application PCA 84-P-101-3. Supervisor Hyland seconded the motion. However, no vote was taken. See Clerk's Summary Item CL#12.]

Chairman Connolly called the question on the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

34. **DAVID P. BOBZIEN, COUNTY ATTORNEY, SWORN IN AS PRESIDENT OF STATE BAR** (4:11 p.m.)

On behalf of the Board, Chairman Connolly formally congratulated County Attorney David P. Bobzien on his election as the sixty-sixth president of the Virginia State Bar. Mr. Bobzien made history by becoming the first local government attorney to hold this prestigious office.

A brief discussion ensued with input from Mr. Bobzien.

AGENDA ITEMS

35. **3 P.M. – BOARD DECISION ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 16001 LEE HIGHWAY (SULLY DISTRICT)**
(No Time)

(NOTE: Earlier in the meeting, this Board decision was withdrawn. See Clerk's Summary Item CL#29.)

36. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2002-DR-036 (DALEVIEW NURSERY LLC AND MAISON ET JARDIN, LTD) (DRANESVILLE DISTRICT)** (No Time)

This item was withdrawn by staff.

37. **3 P.M. – PH ON REZONING APPLICATION RZ 2003-MV-036 (ROUBIN ASSOCIATES, LLC AND MARY ANNE PEARSON SANKO REVOCABLE TRUST) (MOUNT VERNON DISTRICT)** (4:12 p.m.)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 2003-MV-036 until **July 12, 2004, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor Smyth being out of the room.

38. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F (DISTRICT ORDINANCES FOR LOCAL AGRICULTURAL AND FORESTAL DISTRICTS), AGRICULTURAL RENEWAL APPLICATION AR 95-S-001 (JOHN T. KINCHELOE)** (No Time)

(NOTE: Earlier in the meeting, the Board announced its intent to defer this public hearing. See Clerk's Summary Item CL#28.)

This public hearing was deferred until **July 26, 2004, at 3:30 p.m.**

39. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2004-MV-010 (JERRY L. WINCHESTER AND FAIRFAX COUNTY BOARD OF SUPERVISORS) (MOUNT VERNON DISTRICT)** (4:13 p.m.)

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

Catherine Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

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

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.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor DuBois being out of the room.

Supervisor Hyland moved approval of Special Exception Application SE 2004-MV-010, subject to the development conditions contained in Appendix 1A of the staff report dated June 3, 2004. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor DuBois being out of the room.

40. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2003-LE-036 (DIANE COX BASHEER, TRUSTEE AND KENNETH O. THOMPSON, TRUSTEE) (LEE DISTRICT)** (4:16 p.m.)

(NOTE: At its June 7, 2004, meeting, the Board deferred the public hearing on this item until June 21, 2004.)

The application property is located at 6412–6429 Wayside Place, 4711–4739, 4801–4812 and 4900 Split Rock Road and 6408–6414 Raven Place, Tax Map 82-3 ((18)) 46, 47, 48, 53 and 54; 92-1 ((7)) 1–8, 27–45, 55–63; 92-1 ((8)) 1–18 and a portion Split Rock Drive, Wayside Place, and Raven Place public right-of-way to be vacated and/or abandoned.

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh 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.

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

- In excess of \$200 from Ms. Diane Cox Basheer

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

Chairman Connolly submitted an item for the record.

Following discussion, with input from Ms. Lewis, Supervisor Kauffman moved approval of Special Exception Application SE 2003-LE-036, subject to the proposed development conditions dated June 17, 2004, with an amendment to page three, number 33, line three, to read ". . . and from 8 a.m. to 5 p.m. on Saturdays." Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Gross, and Supervisor Smyth being out of the room.

41. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW** (4:27 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 June 3 and 10, 2004.

Robert M. Ross, Assistant County Attorney, presented the staff report.

Discussion ensued with input from Mr. Ross.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey being out of the room.

42. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, ADOPTING A NEW CHAPTER NUMBERED 41.1 (ANIMAL CONTROL AND CARE), AND REPEALING CHAPTER 41 (ANIMALS AND FOWL)** (4:28 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 June 10 and June 17, 2004.

Michael Lucas, Chief Animal Control Officer, Fairfax County Police Department, Animal Services, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, adopting a new Chapter 41.1 (Animal Control and Care), and repealing Chapter 41 (Animals and Fowl). Supervisor Hudgins 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."

43. **4 P.M. – PH ON REZONING APPLICATION RZ 2002-PR-038 (CLOVER TYSONS LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-D-045-4 (GREENSBORO CENTER LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-D-038-4 (GREENSBORO CENTER LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT) (4:31 p.m.)

Supervisor Smyth moved to defer indefinitely the public hearing on:

- Rezoning Application RZ 2002-PR-038
- Proffered Condition Amendment Application PCA 81-D-045-4
- Special Exception Amendment Application SEA 82-D-038-4

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

44. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR ROAD IMPROVEMENTS UNDER THE PRIVATE DEVELOPER ASSISTANCE PROGRAM FOR THE ESTATES AT FAIRFAX (SPRINGFIELD DISTRICT) (No Time)**

This public hearing was CANCELLED.

45. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), REGARDING SHARED UTILITY EASEMENTS AND REVIEW TIMES FOR SUBDIVISION PLATS AND PLANS (4:33 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 June 3 and June 10, 2004.

John Friedman, Engineer IV, Office of Site Development Services, Code Analysis Division, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, which included testimony by one speaker, discussion ensued with input from Mr. Friedman.

Supervisor Frey moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), as set forth in Attachment B of the Board Agenda Item dated June 21, 2004, as recommended by the Planning Commission on June 16, 2004.
- The proposed amendments become effective at 12:01 a.m. on July 1, 2004.
- The final subdivision plats submitted for review prior to July 1, 2004, be grandfathered from the requirement to provide a shared utility easement as set forth in Section 101-2-2(24) of the proposed subdivision ordinance amendments.

Supervisor Bulova seconded the motion.

Following discussion, 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."

DS:ds

46. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2001-MV-011 (STARR MANAGEMENT CORPORATION) (MOUNT VERNON DISTRICT)** (4:51 p.m.)

The application property is located in the northeast quadrant of Metroview Parkway and Huntington Avenue, Tax Map 83-1 ((1)) 53A.

Catherine Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

Mr. John W. Farrell reaffirmed the validity of the affidavit for the record.

Mr. Farrell 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 unanimous vote.

Supervisor Hyland moved approval of Proffered Condition Amendment Application PCA 2001-MV-011, subject to proffers dated April 29, 2004. Supervisor Frey seconded the motion and it carried by unanimous vote.

47. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2003-PR-043 (VAN METRE LAND LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)** (4:54 p.m.)

Supervisor Smyth moved to defer the public hearing on Rezoning Application RZ 2003-PR-043 until **July 12, 2004, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by unanimous vote.

48. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2003-PR-026 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 76-P-118 (ELM STREET DEVELOPMENT) (PROVIDENCE DISTRICT)** (4:54 p.m.)

Chairman Connolly announced that the public hearing on Rezoning Application RZ 2003-PR-026 and Proffered Condition Amendment Application PCA 76-P-118 has been deferred indefinitely.

49. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2003-PR-013 (JCE, INCORPORATED) (PROVIDENCE DISTRICT)** (4:54 p.m.)

Chairman Connolly announced that the public hearing on Rezoning Application RZ 2003-PR-013 has been deferred indefinitely.

50. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS)** (4:55 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 June 10 and June 17, 2004.

Margaret Luca, Electoral Board Secretary, presented the staff report.

Following the public hearing, Supervisor Hudgins moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections) to:

- Rename the polling place for Chapel precinct.
- Relocate the polling place for Vienna Number 4 precinct.
- Relocate the polling place for Lorton Center precinct.

Supervisor Bulova and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor DuBois, Supervisor

Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey being out of the room.

51. **4:30 P.M. – PH AND BOARD DECISION ON FALL REFERENDUMS AUTHORIZING COUNTY GENERAL OBLIGATION BONDS** (4:56 p.m.)

(BONDS) A Certificate of Publication was filed from the editor of the *Washington Times*
(BACs) (Rs) showing that notice of said public hearing was duly advertised in that newspaper
(APPTS) in the issues of June 3 and June 10, 2004.

Michael H. Long, Senior Assistant County Attorney, presented the staff report.

Discussion ensued with input from Edward L. Long, Jr., Chief Financial Officer and Thomas Biesiadny, Chief, Coordination and Funding Section, Department of Transportation.

The public hearing was held and included testimony by 13 speakers.

Following the testimony of Winifred Shapiro, Chairman, Fairfax County Park Authority Board, (Speaker One), discussion ensued with input from Mr. Edward Long.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to explore all potential mechanisms of funding for land acquisition and return with recommendations of what might be feasible. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Following the public hearing, Supervisor DuBois submitted items for the record.

Supervisor DuBois moved:

- Adoption of the proposed Resolutions petitioning the Circuit Court to schedule four bond referendums at the general election to be held November 2, 2004.
- Establishment of a Citizen's Committee to provide information to all County citizens about the referendums.
- Authorization for staff to prepare and distribute a brief plain language explanation of each bond question
- Authorization for the Office of Public Affairs to prepare an informational pamphlet to be mailed to all County households.

- Modification of the Park Bond referendum to increased its total amount by \$15 million.

Supervisor Bulova seconded the motion.

The total for each referendum is as follows:

- Human Services: \$32.5 million
- Libraries: \$52.5 million
- Parks and Park Facilities: \$75 million (increased from \$60 million)
- Transportation: \$165 million

Supervisor Bulova asked to amend the motion that the Park Bond Referendum be increased by \$15 million with the proviso that there is flexibility to manage the additional Park Bond Referendum amount as long as it does not affect the sale of the Transportation, Human Services, and Library Bond referendums that are also being approved. This was accepted.

Following discussion, with input from Mr. Edward Long, Supervisor McConnell asked unanimous consent that the Board direct the Park Authority to provide a long range projection of:

- What it owns.
- What it intends to develop, and in what manner, whether it is passive or active recreation, or ballfields.
- The amount of land it has for ball fields.
- The priorities of its needs.

Without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Board direct the Park Authority to report with what the additional funds would be used for, if the Park Bond Referendum amount is increased. Without objection, it was so ordered.

Following additional discussion, the question was called on the motion, as amended, and it **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey voting "NAY," Supervisor Hyland being out of the room.

Appointments to the 2004 Bond Referendum Citizen Committee

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved the following appointments to the 2004 Bond Referendum Citizen Committee:

- Ms. Anne Kanter as the League of Women Voters Representative
- Mr. Arthur D. Wells as the Federation of Citizens Association Representative

Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Bulova moved the following appointments to the 2004 Bond Referendum Citizen Committee:

- Ms. Janyce Hedetniemi as the Braddock District Representative for all of the referendums.
- Mr. Craig Musick as the Braddock District Library Referendum Representative.

Supervisor Frey seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Frey moved the appointment of Ms. Carol Ann Hawn as the Sully District Representative to the 2004 Bond Referendum Citizens Committee. Chairman Connolly seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

52. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 110 (INOPERATIVE MOTOR VEHICLES, TRAILERS, AND SEMITRAILERS)** (6:11 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 June 10 and June 17, 2004.

Orders of the Day

Chairman Connolly announced that Board Matters would be presented after the completion of all the public hearings.

Sergeant Pat Wimberly, Operations Support Bureau, Fairfax County Police Department, presented the staff report.

Following the public hearing, discussion ensued with input from Mr. Wimberly.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 110 (Inoperative Motor Vehicles, Trailers, and Semitrailers). Supervisor Smyth seconded the motion.

Following discussion, the question was called on the motion and it carried by a vote of eight, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Vice-Chairman Bulova voting "AYE," Supervisor Hyland and Chairman Connolly being out of the room.

53. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS)** (6:14 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 June 10 and June 17, 2004.

Frank Wernlein, Commander, Patrol Bureau Division Two, Fairfax County Police Department, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 6 (Weapons). Supervisor DuBois seconded the motion and it carried by a vote of nine, Supervisor DuBois, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, *Chairman Connolly, and Vice-Chairman Bulova voting "AYE," Supervisor Hyland being out of the room.

(*NOTE: Chairman Connolly returned to the dais as the question was being called on the motion.)

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

54. **5 P.M. – PH ON LEVYING A SPECIAL IMPROVEMENTS TAX ON COMMERCIAL AND INDUSTRIAL REAL PROPERTY IN THE PHASE I DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT (DRANESVILLE, PROVIDENCE, AND HUNTER MILL DISTRICTS)** (6:16 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 3 and June 10, 2004.

James V. McGettrick, Assistant County Attorney presented the staff report.

Following the public hearing, which included testimony by three speakers, Supervisor Hudgins moved adoption of the Resolution levying a Special Improvements Tax District at a rate of 22 cents per \$100 of assessed value, effective July 1, 2004. Supervisor DuBois seconded the motion.

Following discussion, with input from Young Ho Chang, Director, Department of Transportation, the question was called on the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor DuBois, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Smyth, and Chairman Connolly voting "AYE," Supervisor Frey and Supervisor Hyland being out of the room.

55. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:34 p.m.)

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:

- Mr. Stephen Kitchen regarding Williamsburg Commons
- Mr. Jonathan Futrell regarding Williamsburg Commons
- Ms. Ellen Layman regarding Williamsburg Commons
- Mr. Kevin Reardon regarding Williamsburg Commons
- Ms. Gail Kozak regarding Williamsburg Commons
- Mr. Earl Layman regarding Williamsburg Commons
- Mr. Leo Schefer regarding the status of Dulles Airport
- Dr. Margaret Phanstiehl regarding funding for the Washington Ear, which provides services to the blind.

Following the testimony of Dr. Phanstiehl, Chairman Connolly stated that this issue would be referred to the County Executive for further comment and/or action.

ADDITIONAL BOARD MATTERS

NV:nv

56. **APPOINTMENT TO THE AGRICULTURAL AND FORESTAL DISTRICT COMMITTEE** (6:58 p.m.)

(APPT) With reference to his written Board Matters, Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and moved the appointment of Supervisor Joan DuBois as the Board of Supervisors' appointee to the Agricultural and Forestal District Committee. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

57. **PROTECTING THE WASHINGTON AND OLD DOMINION TRAIL** (6:59 p.m.)

Chairman Connolly said that the Northern Virginia Regional Park Authority's Washington and Old Dominion Railroad Regional Park (W&OD Trail) extends 45 miles through Arlington, Fairfax and Loudoun Counties, and the City of Falls Church and the Towns of Vienna, Herndon, Leesburg, Hamilton, and Purcellville and is considered the backbone of Northern Virginia's trail system. The park is a popular recreational and environmental resource with citizens. Recently Dominion Virginia Power proposed construction of a new, 230kv transmission line along the W&OD Trail right-of-way from east of Leesburg to east of Purcellville. The construction of this transmission line would require the clearing of a 100-foot wide swath underneath the proposed power line. It is estimated that along the 11-mile length of the proposed transmission line, 26,000 trees would have to be removed. The construction would also eliminate the heavily used bridle path that parallels the main W&OD Trail in this location. Additionally, the W&OD Trail in this area would be closed for nine months during construction. Because of the significant nature of this project, it must receive approval from the Loudoun County Board of Supervisors in the form of a Special Exception and must also be approved by the State Corporation Commission (SCC).

Therefore, Chairman Connolly moved that the Board direct staff to contact both the Loudoun County Board of Supervisors and the SCC to express its deep concern about the ramifications of this project and to encourage Dominion Virginia Power to try alternative methods with less environmental impacts. Supervisor McConnell and Supervisor Smyth jointly seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

Chairman Connolly clarified that staff should provide letters for review to send to Loudoun County, the SCC, and Virginia Power.

(NOTE: Later in the meeting, there was additional discussion regarding the W&OD Trail. See Clerk's Summary Item CL#76.)

58. **NATURAL LANDSCAPING** (7:01 p.m.)

Chairman Connolly said that at the Board's Environmental Committee meeting on Monday, June 14, 2004, the Committee discussed the County's air quality implementation plan. However, the aggressive and widespread use of natural landscaping was not included in staff's suggested implementation steps for the air quality protection strategy. Employing this practice will not only help improve the air quality, but will also reduce the need and expense of mowing, pruning, edging, and using fertilizers, pesticides, and herbicides.

Therefore, Chairman Connolly moved that the Board direct staff to prepare a specific plan to identify all County properties where natural landscaping could be used, where lawns could be reduced, to work with the Schools' staff to do the same, and report with a Countywide implementation plan. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

59. **GUM SPRINGS GLEN WINS AWARD** (7:02 p.m.)

Chairman Connolly announced that the Fairfax County Redevelopment and Housing Authority (FCRHA) received the National Association of Counties' (NACo) 2004 Achievement Award for Gum Springs Glen, a 60-unit independent senior living facility that offers seniors of moderate income the opportunity to live in an affordable retirement community. Awarded annually since 1970 as part of NACo's *New County, USA* campaign, the Achievement Award recognizes innovative county government programs called County Model Programs.

On behalf of the Board, Chairman Connolly congratulated the FCRHA for another job well done and asked unanimous consent that the Board direct staff to issue the appropriate communication from the Board to Gum Springs Glen and the FCRHA congratulating them on this achievement. Without objection, it was so ordered.

60. **ALL FAIRFAX READS** (7:03 p.m.)

Chairman Connolly said that in 1998 a Seattle librarian launched a national initiative called "One Book, One City," which invited citizens from across the nation to read the same book, in an effort to encourage community engagement. The initiative was a huge success; hundreds of jurisdictions since then emulated the activity. In a similar effort, this summer the Fairfax County Library, along with George Mason University and the Friends of the Reston Regional Library, will launch "All Fairfax Reads." The library selected Harper Lee's *To Kill a Mockingbird* for the inaugural venture of this event because it revolves around a community that learns to accept great diversity – such as Fairfax County.

Therefore, Chairman Connolly moved that the Board direct the Office of Public Affairs to publicize this initiative, and invite representatives from the County Public Library, George Mason University, and the Friends of the Reston Regional Library to appear before the Board to receive a resolution recognizing this effort at the July 12, 2004, Board meeting. Supervisor Gross and Supervisor McConnell jointly seconded the motion.

Following a brief discussion, the question was called on the motion, and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

61. **FAMILY DAY – A DAY TO EAT WITH YOUR CHILDREN** (7:04 p.m.)

Chairman Connolly stated that the National Center on Addiction and Substance Abuse (CASA) has consistently reported that children in families that eat together regularly are far less likely to succumb to pressure to use alcohol and drugs. Since 2001 CASA has hosted an annual event, "Family Day," to encourage families to eat with their children. This year CASA invited the County to participate in this event.

Therefore, Chairman Connolly moved that the Board proclaim September 27, 2004, as "*Family Day – A Day to Eat Dinner With Your Children*" in Fairfax County and direct the Office of Public Affairs to prepare and send a proclamation to the appropriate representative from CASA before September 27, 2004.

Following brief comments, Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

62. **FEE WAIVER FOR CLEMYJONTRI PARK (DRANESVILLE DISTRICT)** (7:05 p.m.)

Jointly with Supervisor DuBois, Chairman Connolly presented a Board Matter regarding Clemyjontri Park, the gift of Mrs. Adele Lebowitz who donated her 18-acre estate in McLean to the Park Authority in 2000. Her only request was that development of the park would include a playground where children with disabilities could enjoy a play experience that is truly without barriers. Many persons in the private sector are working to attract private donations and in-kind private donations to make this happen.

Therefore, jointly with Supervisor DuBois, Chairman Connolly moved that the Board waive the requirement for the payment of review fees set forth in Section IV(C) of the procedures adopted by the Board on February 24, 2003, regarding proposals made pursuant to the Public-Private Educational Facilities and Infrastructure Act of 2002, for a proposal submitted to the County for the development of Clemyjontri Park in McLean for use by disabled children, provided that any such proposal include a donation by the party making the proposal of substantial materials or services, or both. Supervisor DuBois

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

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

63. **CERTIFICATE HONORING THE TWENTIETH ANNIVERSARY OF THE ANNANDALE CENTRAL BUSINESS DISTRICT PLANNING COMMITTEE, INCORPORATED (MASON DISTRICT)** (7:06 p.m.)

Supervisor Gross announced that next month will mark the twentieth anniversary of the Annandale Central Business District Planning Committee. Starting under the name Annandale Beautification Committee, the group met for the first time in July of 1984. Initially the citizen committee focused on the clean up and beautification of the Annandale business district. Three years later, the group changed its name to the Annandale Central Business District Planning Committee and began envisioning a larger mission for the organization. Today, the committee works closely with the Office of Revitalization and other County agencies on the revitalization of the Annandale Commercial Revitalization District.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to prepare an appropriate certificate for presentation to the Annandale Central Business District Planning Committee, Incorporated at the July 12, 2004, Board meeting. Without objection, it was so ordered.

64. **APPOINTMENT TO THE POTOMAC WATERSHED ROUNDTABLE** (7:07 p.m.)

(APPT) Supervisor Gross said that currently there is a vacant Alternate position for the County to be filled on the Potomac Watershed Roundtable, which she chairs. Until recently, this alternate position was held by John Wesley White, former Director of the Department of Public Works and Environmental Services.

Supervisor Gross asked unanimous consent that the Acting Director of the Department of Public Works and Environmental Services, Jimmie D. Jenkins, be appointed to fill the Alternate position for the County. Without objection, it was so ordered.

65. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 2004-MA-003 (MASON DISTRICT)** (7:08 p.m.)

Supervisor Gross said that Loehmann's Plaza Limited Partnership has filed a special exception application on the property identified as Tax Map Parcel 50-3-((1))-5 and 5A. This application includes a waiver of the open space requirement to implement improvements throughout the site.

Therefore, Supervisor Gross moved that the Board direct the Department of Public Works and Environmental Services to permit processing of the site plan associated with this pending application concurrently. This motion should not be construed as a favorable recommendation on the special exception application by the Board, and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Smyth seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

66. **AUTHORIZATION FOR AN OUT-OF-TURN PLAN AMENDMENT ON CHESAPEAKE BAY PLAN REQUIREMENTS** (7:09 p.m.)

(BACs) Supervisor Gross said that on June 14, 2004, the Board's Environmental Committee received a briefing from staff regarding the development of the proposed amendments to the County's Comprehensive Plan and a related Comprehensive Plan supplement to satisfy the requirements of the Chesapeake Bay Preservation Area Designation and Management Regulations. Staff noted that the public hearing dates before the Planning Commission and Board have been tentatively scheduled for this fall, but that the Board's authorization is needed for this proposed plan amendment to be forwarded for consideration.

Therefore, as Chair of the Environmental Committee, Supervisor Gross moved that the Board authorize consideration of an Out-of-Turn Plan Amendment that would satisfy the Comprehensive Plan requirements of the Chesapeake Bay Preservation Area Designation and Management Regulations. Chairman Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

67. **ENDORSEMENT AND ADOPTION OF ENVIRONMENTAL EXCELLENCE 20-YEAR VISION PLAN FOR FAIRFAX COUNTY** (7:10 p.m.)

(BACs) Supervisor Gross said that last week the Board's Environmental Committee reviewed the "Environmental Excellence" 20-year vision plan, copies of which were attached to her written Board Matter. The plan is organized into six areas, including growth and land use, air quality and transportation, water quality, solid waste, parks/trails/open space, and environmental stewardship, and centers on two principles:

- Conservation of the limited natural resources must be interwoven into all government decisions.
- The County must be committed to provide the necessary resources to protect the environment.

Supervisor Gross said that the County already is a leader on environmental issues, both regionally and nationally, and the proposed 20-year vision plan will provide

more guidance for Board Members, County staff, and the community when making decisions that have environmental impacts. She noted that Chairman Connolly is one of the original drafters, along with a group of County residents. The Environment Committee agreed to recommend that the plan be presented to the Board for consideration and ratification.

Therefore, as chairman of the Environmental Committee, Supervisor Gross moved that the Board endorse and adopt the Environmental Excellence 20-year vision plan for the County. The County Executive will be directed to disseminate the plan to staff and the Environmental Coordinating Committee for follow-up action. Chairman Connolly seconded the motion.

Supervisor Gross said that none of the recommendations in the vision plan will happen overnight. Some legislative changes may be necessary to accomplish the vision goals. It may mean changing the way staff decisions are made or implemented, and some of the plan will need strong community support to succeed. If these important steps are taken now, the County's children will be able to look back and see that the Fairfax County of 2024 was the beneficiary of some very important Board actions taken in 2004.

Following brief comments, the question was called on the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

68. **KIDSAVE INTERNATIONAL** (7:13 p.m.)

Supervisor Hudgins said that the Board was notified last fall that the Department of Family Services (DFS) planned to enter into a partnership with Kidsave International (Kidsave) to find adoptive homes for hard-to-place children who are in the foster care system. The local program, Kidsave Fairfax Weekend Miracles, will provide children who have adoption plans with the opportunity to spend weekends with host families who will advocate to find families to adopt them. The goal of the program is to enable families to meet foster care children through weekend visits, to introduce children to families who might be interested in adopting them, and to find each child who desires to participate in the program a permanent family or a connected relationship with at least one adult.

A partnership agreement was entered into by DFS and Kidsave on October 30, 2003. On February 24, 2004, the Board co-hosted a breakfast with Kidsave International to celebrate the unveiling of Kidsave Fairfax Weekend Miracles. DFS and Kidsave have been developing program protocols for staff and a curriculum for training host families and other volunteers. The first children participating in the program will attend Kidsave adoptive home recruitment events in the community over the summer and will begin weekend visitation in the homes of host families in the fall.

Kidsave brought the County initiative to the attention of US Representatives Tom Davis, Jim Moran, and Frank Wolf in January 2004. Representatives Davis

and Moran submitted the Kidsave Fairfax Weekend Miracles initiative to the Labor, Health, and Human Services (HHS) Appropriations Subcommittee for funds in the amount of \$269,995. The funds will be used to support Kidsave International's costs for Fiscal Year 2005 for the program. The subcommittee will mark up the bill later this summer. It is Kidsave's goal to preserve the language in the Labor HHS appropriations request in the final appropriations legislation. It is anticipated that the Congress will vote on the bill in the fall. Kidsave will be visiting the two congressmen in early July to remind them of the need for the funding. Meetings will also be requested with the other members of the Virginia Congressional Delegation to inform them about the initiative.

Therefore, Supervisor Hudgins moved that the Board support this appropriation to fund Kidsave Fairfax Weekend Miracles and to authorize appropriate action in support of such appropriation, including a letter to the Congressional Delegation. The second to this motion was inaudible.

Chairman Connolly stated that, if passed, this motion would direct staff to draft a letter for his signature in support of the appropriation.

Following a brief discussion, the question was called on the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

69. **CERTIFICATE OF RECOGNITION FOR FAIRFAX WATER STAFF**
(7:17 p.m.)

Supervisor Hudgins shared the experience of one of her constituents with the Fairfax County Water Authority, now known as Fairfax Water, its newly adopted trade name. She noted that Fairfax Water is a large and complex agency.

Supervisor Hudgins said that on the evening of Sunday, May 30, 2004, Mr. John Schilling of Reston was notified by a neighbor that his water meter was leaking. Mr. Schilling quickly contacted Fairfax Water at approximately 5 p.m. to alert them of the problem. In less than one hour's time, Mr. Steve Daniels of the Customer Service Field Division responded to the site. To the great pleasure of Mr. Schilling, the problem was identified, a new water meter installed, and the issue resolved, saving costly expenses and aggravation. Mr. Schilling contacted her office to convey his gratitude.

Therefore, Supervisor Hudgins said that considering that all utility services and their workers are often underappreciated and criticized, she asked unanimous consent that the Board direct staff to prepare and send a certificate of recognition to Charlie C. Crowder, Jr. General Manager; Dave Rasmussen, Director of Support Services Division; and Mr. Steve Daniels for Fairfax Water's quality and dependable service. Without objection, it was so ordered.

70. **TRANSIT SHELTERS** (7:18 p.m.)

Supervisor Hudgins said that she received a letter about a program that provides state-of-the-art transit shelters to cities such as New York; Los Angeles; Philadelphia; Washington, DC; and Toronto. Smart Street Solutions offers bus shelters that display advertisements and provides what they claim is cost effectiveness and cost savings. The benefits they list include revenue sharing and the display of government sponsored service messages. Smart Street Solutions replaces and expands the existing bus shelter program. This program also offers on-the-spot maintenance providing emergency service, glass replacement, graffiti removal, illumination, structural integrity, and cleanliness by an in-house program.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to gain additional information about Smart Street Solutions and provide the Board with feedback. Without objection, it was so ordered.

71. **CONSTITUTIONAL RIGHTS OF CITIZENS** (7:19 p.m.)

Supervisor Hudgins said that more than 291 American governments have passed resolutions to ensure the constitutional rights of citizens. Across the continent, from the state of Alaska to the state of Maine, elected officials have expressed their support for basic freedoms. Locally, Montgomery County, Alexandria, and Arlington have petitioned State and federal officials to maintain national security while preserving individual liberty.

Supervisor Hudgins stated that numerous church groups, citizen activists, and individual citizens contacted her to bring their concerns to the attention of the greater community as well as before the Board. She said that the document attached to her written Board Matter addresses many of their expressed concerns, issues that may have an adverse effect on County residents as well as County employees. Therefore, she moved adoption of the Resolution as presented and requested wide dissemination. Supervisor Gross seconded the motion.

Discussion ensued, with input from David P. Bobzien, County Attorney.

Supervisor Kauffman pointed out that there is a lot of information and misinformation about the Patriot Act. He found *Slate's* online four-part series, a *Guide to the Patriot Act*, to be the most informative and commended it to the Board and interested parties at <http://slate.msn.com>. He distributed copies of the article, and pointed out some positive aspects of the Act and Fairfax County's involvement with terrorists.

Therefore, Supervisor Kauffman moved a substitute motion that the Board direct the County Executive to have every County agency potentially impacted by provisions of the Patriot Act report how they have been directly benefited or harmed by this Act. This would include County law enforcement agencies and

libraries. Supervisor Bulova seconded the motion.

Supervisor Bulova distributed an alternative resolution for Board Members to consider at an upcoming meeting.

Following further discussion, with input from Anthony H. Griffin, County Executive, the question was called on the substitute motion (Supervisor Kauffman's), and it **CARRIED** by a recorded vote of five, Supervisor Gross, Supervisor Hudgins, and Supervisor McConnell voting "NAY," Supervisor Frey and Supervisor Hyland being out of the room.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to expedite the requested report. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

72. **RESEARCH AND GATHERING OF INFORMATION REGARDING BUS RIDERSHIP (MOUNT VERNON DISTRICT) (7:42 p.m.)**

(NOTE: Earlier in the meeting, the Board took action regarding Fairfax Connector Route 105. See Clerk's Summary Item CL#16.)

On behalf of Supervisor Hyland, Supervisor Kauffman said that questions have been raised about the advisability of continuing the Fairfax Connector 105 Service along Tis Well Drive. This was the site of the tragic accident last week. Questions remain about the quantity and points of origin for the ridership of that Fairfax Connector bus. To make the best recommendation regarding the future of this route, the community, the staff, and the Board need to have accurate and up-to-date information regarding the ridership of the route by individuals who reside in the Mount Vernon House, the Mount Vernon Nursing Home, or utilize the mental health center.

Therefore, on behalf of Supervisor Hyland, Supervisor Kauffman asked unanimous consent that the Board direct staff to compile the relevant statistics on this route so that an informed decision may be made as to how to balance the needs of the community and the needs of the individuals who live in Mount Vernon House, the Mount Vernon Nursing Home, and the mental health center and that this information be provided no later than two weeks from today because of the urgency of this matter. Without objection, it was so ordered.

73. **REQUEST FOR EXPEDITED SCHEDULING OF REZONING APPLICATION RZ 2003-MV-045 (MOUNT VERNON DISTRICT) (7:43 p.m.)**

On behalf of Supervisor Hyland, Supervisor Kauffman said that Rezoning Application RZ 2003-MV-045 involves a six-acre tract in the Mount Vernon

District which is the last piece of an estate belonging to Mary Plaskett Evans, a descendant of the early settlers of Lorton. There is a strong desire by Ms. Evans to conclude the consideration of the rezoning of this property before the end of the summer. To accomplish that goal, the Board must consider this matter on August 2, 2004.

Supervisor Kauffman noted that the Planning Commission held a public hearing on May 27, 2004, and deferred its decision. Due to limited Planning Commission meetings in June and July, it may not be possible to have a decision made by the Planning Commission in time to advertise and schedule the public hearing before the Board on August 2, 2004. He added that the Board can agree to an expedited scheduling process and allow this to happen.

Therefore, on behalf of Supervisor Hyland, Supervisor Kauffman moved that the Board grant expedited scheduling for Rezoning Application RZ 2003-MV-045, National Capital Land and Development, Incorporated to allow scheduling of a public hearing to be held before the Board on August 2, 2004. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

74. **REQUEST FOR EXPEDITED SCHEDULING OF REZONING APPLICATION RZ 2004-MV-020 (MOUNT VERNON DISTRICT)**
(7:44 p.m.)

On behalf of Supervisor Hyland, Supervisor Kauffman said that Gunston Center, LLC, the applicant for Rezoning Application RZ 2004-MV-020, requested expedited processing. Accordingly, on behalf of Supervisor Hyland, Supervisor Kauffman moved expedited processing for Rezoning Application RZ 2004-MV-020. He noted that this does not prejudice the consideration of the application in any way. Supervisor Bulova seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

DT:dt

75. **BRIARWOOD TRACE DEVELOPMENT RECOGNITION (PROVIDENCE DISTRICT)** (7:45 p.m.)

Supervisor Smyth recognized the Briarwood Trace Development as another example of the future of affordable housing in the County which has come about because of the commitments of the citizens of Briarwood, the Christopher Companies, Habitat for Humanity, and Fairfax County Housing and Community Development.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and, along with Supervisor Smyth, asked unanimous consent that the Board direct staff to invite representatives from the Christopher Companies, Habitat for Humanity, the Briarwood Citizens' Association, and the Department of Housing and Community

Development to appear before the Board at its July 12, 2004, meeting for a brief presentation and to thank them for their hard work regarding affordable housing in the County. Without objection, it was so ordered.

Vice-Chairman Bulova returned the gavel to Chairman Connolly.

Supervisor Smyth invited Board Members and the public to the official groundbreaking ceremony on Thursday, June 24, 2004, at 4 p.m. at Briarwood Trace.

76. **PROTECTING THE WASHINGTON AND OLD DOMINION (W&OD) TRAIL** (7:46 p.m.)

(NOTE: Earlier in the meeting, action was taken on this issue. See Clerk's Summary Item CL#57.)

Supervisor Smyth referred to the issue of clearing trees along the W&OD Trail in the County and she moved that the Board direct staff to report with information:

- Regarding clear-cutting and replanting of trees.
- So that the information can be provided to constituents.

Chairman Connolly relinquished the Chair to Vice-Chairman Bulova and asked unanimous consent that the Board direct staff to address the issue of maintaining trees for their aesthetic value versus the clear-cutting of trees necessary to protect power lines. 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 eight, Supervisor Frey and Supervisor Hyland being out of the room.

77. **RETIREMENT OF JEAN V. WHITE, DIRECTOR, FAIRFAX COUNTY PARK FOUNDATION** (7:48 p.m.)

On behalf of Supervisor Frey, Supervisor McConnell said that Jean White will be retiring from the County on June 30, 2004, after 25 years of service. Ms. White spent almost 20 years as Director of the Office of Public Affairs, during which time she worked with five different boards. When she left the Office of Public Affairs, she was the longest tenured county public affairs director in the US.

She was a founder of the Virginia Communicators Association and President of the National Association of County Information Officers. For the past three years Ms. White served the County as Executive Director of the Fairfax County Park Foundation.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to invite Ms. White to appear before the Board on July 12, 2004, to be honored for her many years of excellent work and commitment to Fairfax County. Without objection it was so ordered.

PMH:pmh

78. **BOARD POLICY REGARDING DEMOTED EMPLOYEES** (7:50 p.m.)

Supervisor Kauffman referred to an article in the *Washington Post* on June 20, 2004, regarding the recent problems within the Department of Telecommunications and Consumer Services, which indicated that the Board has a Policy whereby demoted employees do not see a concurrent demotion in their salaries.

Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct the County Executive to report to the Board's Personnel Committee on options for changing this Policy. Without objection, it was so ordered.

79. **REQUEST FOR AN OUT-OF-TURN PLAN AMENDMENT (LEE DISTRICT)** (7:51 p.m.)

Supervisor Kauffman said that as part of the Woodrow Wilson Bridge improvement, the exit ramps from the Beltway to Telegraph Road will be altered. Several businesses on the west side of Telegraph Road between Huntington Avenue and Lenore Lane have been acquired to accommodate the new ramp system.

Supervisor Kauffman explained that the new system will realign and extend what is now East Drive across Telegraph Road to Lenore Lane. The road connection will change the orientation of tax map parcel 83-1 ((01)) 009, a vacant property located on Burgundy Road. The parcel is planned and zoned for office use, but adjacent properties are planned for retail use due to their orientation and proximity to Telegraph Road. There is a need to examine whether this parcel also may be appropriate for retail use as the result of this change in circumstances.

Therefore, Supervisor Kauffman moved that the Board authorize an Out-of-Turn Plan Amendment to consider retail use at an intensity up to .25 floor area ratio for tax map parcel 83-1 ((01)) 9. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

80. **REQUEST FOR AN OUT-OF-TURN PLAN AMENDMENT (BEACON GROVETON CORE AREA) (LEE DISTRICT)** (7:52 p.m.)

Supervisor Kauffman said that parcel 92-2 ((1)) 13 is located south of Memorial Street on Richmond Highway in Land Unit D in the Beacon Groveton area. The

parcel is currently planned for office use at .70 floor area ratio (FAR). Given its proximity to the Beacon Groveton core area, the Groveton Community believes it would be worthwhile to consider this area for high density residential mixed use. The Beacon Groveton CBC core is planned for the highest intensities in the Richmond Corridor, and residential use may be an appropriate extension of the envisioned activity center.

Therefore, Supervisor Kauffman moved that the Board authorize an Out-of-Turn Plan Amendment to consider high density residential with support retail and office use at an FAR of 1.8. Supervisor DuBois seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

81. **APPOINTMENTS TO THE BURGUNDY VILLAGE COMMUNITY CENTER BOARD (LEE DISTRICT)** (7:53 p.m.)

(APPTS) Supervisor Kauffman said that the Burgundy Village Community Center recently conducted a preference poll to select two members to serve on its Operations Board. The poll was conducted by the League of Women Voters.

Supervisor Kauffman moved the confirmation of the following appointments to the Burgundy Village Community Center Board:

- Ms. Shirley Magalis - three year term
- Ms. Eleanor "Joyce" Hearst - three year term

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

82. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR TOM FARLEY, DISTRICT ADMINISTRATOR FOR THE NORTHERN VIRGINIA DISTRICT, VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (7:54 p.m.)

Supervisor Kauffman said that on August 1, 2004, Tom Farley is retiring following a distinguished career as VDOT's District Administrator for the Northern Virginia District where he managed a transportation program comparable in size to several states, oversaw an annual budget of more than \$600 million and managed 1,300 employees in Fairfax, Prince William, and Loudoun Counties.

Supervisor Kauffman referred to his written Board Matter and outlined Mr. Farley's service to Northern Virginia.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct the Office of Public Affairs to invite Mr. Farley to appear before the Board at a

future meeting for formal recognition and that a certificate be prepared to present to Mr. Farley. Without objection, it was so ordered.

83. **METRO PARKING** (7:54 p.m.)

Supervisor Kauffman distributed to Board Members a fact sheet prepared by Metro staff which explains how the new cashierless system will operate.

84. **TRANSPORTATION COMMITTEE MEETING** (7:55 p.m.)

(BACs) Following a query from Chairman Connolly, Catherine Chianese, Assistant to the County Executive, stated that the Transportation Committee meeting is scheduled for July 19, 2004.

85. **BOARD MEETING SCHEDULE** (7:55 a.m.)

Chairman Connolly noted that there may be conflicts for meetings this summer due to two national conventions.

86. **NOVA UNITED SENIOR TEAMS** (7:56 p.m.)

Supervisor McConnell said that this year the NOVA United Senior Women's and Men's Basketball Teams were victorious in their first competition at the 2004 Virginia Senior Games held May 15 at Virginia Beach.

Supervisor McConnell referred to her written Board Matter and outlined the accomplishments of the teams and the schedule for upcoming games.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to invite team members and their coaches to appear before the Board on July 12, 2004, to be recognized for their inspiring accomplishments and the superb recognition bestowed upon the County as a result of their achievements. Without objection, it was so ordered.

87. **CONGRATULATIONS TO THE W.T. WOODSON GIRLS' SOCCER TEAM (BRADDOCK DISTRICT)** (7:57 p.m.)

Supervisor Bulova congratulated the W.T. Woodson girls' soccer team on winning the State championship. W.T. Woodson's team capped its undefeated season with a 2-1 win over Centreville in the Virginia AAA final, claiming its fourth State title since 1997.

Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to prepare a certificate of recognition for her signature as well as the Chairman's. Without objection, it was so ordered.

88. **CONGRATULATIONS TO THE W.T. WOODSON GIRLS' LACROSSE TEAM (BRADDOCK DISTRICT)** (7:58 p.m.)

Supervisor Bulova congratulated the W. T. Woodson girls' lacrosse team on winning the State championship. W.T. Woodson's team finished with a 20-4 victory over Albemarle in the Virginia AAA championship.

Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to prepare a certificate of recognition for her signature as well as the Chairman's. Without objection, it was so ordered.

89. **DISABILITY SERVICES BOARD RAISES CONCERNS REGARDING ACCESS TO PEDESTALS** (7:58 p.m.)

(BACs) Supervisor Bulova referred to a letter that she had received from the Disability Services Board raising concerns regarding access to the information technology pedestals ("CRIS").

Supervisor Bulova asked unanimous consent that the Board refer the issue to staff for review. Without objection, it was so ordered.

90. **NO BOARD MATTERS FOR SUPERVISOR DUBOIS (DRANESVILLE DISTRICT)** (7:59 p.m.)

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

91. **BOARD ADJOURNMENT** (8 p.m.)

At 8 p.m., the Board adjourned.

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