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Fairfax County Board of Supervisors Meeting, Tuesday, January 24, 2023

Date	Tuesday, January 24, 2023
Place	Fairfax County Board of Supervisors, Virginia
Length	5h 48m (video)

- Official meeting video (Fairfax County): https://video.fairfaxcounty.gov/player/clip/2706
- Official Board of Supervisors page (Fairfax County): https://www.fairfaxcounty.gov/boardofsupervisors/

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-11-04. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:08] Good morning, everyone, and welcome to our board meeting of January 24th, 2023, and our agenda today is a very full one, especially this morning, so if we can keep that in mind as we make our comments this morning, that would be appreciated. We do have a closed session this afternoon before our afternoon public hearings begin, and before we formally get moving here as a preliminary matter, I will note that Supervisor Palchik will be participating remotely in this meeting for a medical reason. And I'll ask Supervisor Palchik to identify herself for the record at this time and provide her general

[00:00:47] locations such as my home in the Providence District or the like. Supervisor Palchik. Thank you, Mr. Chairman. Yes, Supervisor Dahlia Palchik here participating remotely from my home in the Providence District. Thank you very much. And at this time, I move that the Board of supervisors certify that the voice of the remotely participating member, Supervisor Palchik, can be heard by all persons assembled here in the Government Center, and I further move that the Board confirm that such remote participation by Supervisor Palchik fully conforms with the Board's policy for remote participation in meetings.

[00:01:20] I'd be happy to second that motion. Is there any discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed, say nay. Any abstentions? That motion carries, Mr. Chairman. Thank you very much, Supervisor Gross, Vice Chair Gross, and we are

going to begin today's meeting in a moment with a moment of silence to be followed by the Pledge of Allegiance.

[00:01:43] And before we pause for a moment of silence, I'm going to share a few folks that we'd like to keep in our thoughts and prayers and open it up, of course, for the rest of the board to do the like. And I'm going to start with recognizing Thomas Ross Cook, Jr.

[00:01:59] Mr. Cook was a lifelong resident of the town of Vienna. He photographed businesses and community events recording the town's history and made the town a better place as a strong advocate for young people. He helped create the Vienna Club's annual Youth Awards of Excellence, where the club awards high school seniors in six areas of excellence, academics, citizenship, fine arts, science, sports, and technology.

[00:02:24] If we could please keep Mr. Cook and his family in our thoughts and prayers. Secondly, I think the board's well aware of the fact that we lost Bruce Nielsen. And Bruce had a fulfilling 31-year career at the U.S. Department of Justice and retired in 2008.

[00:02:42] He did great work with social action linking together SALT, realizing legislative achievements in prison reform, increases in the minimum wage, temporary assistance for needy families, grants, and homelessness prevention.

[00:02:59] He served on several boards and was appointed to the board of the Northern Virginia Community College by former Chairman Bulova, where he chaired the Finance Committee for several years. Of course, we all know Bruce and his wife, Kathy, well for their involvement in local political affairs and political life in service to our county and commonwealth in so many ways.

[00:03:23] So if we could please keep Bruce and his wife, Kathy, and their whole family in our thoughts and prayers. Next, we all know, and I know there's a board matter later about this, and we'll be more discussion about this later, but I think we all were shocked when we learned that two teen girls tragically lost their lives, and one was seriously injured in a heart-wrenching car accident on Lee Chapel Road.

[00:03:53] And that accident, of course, occurred on January 10th and has shocked the entire South County high school community, but really all of our young people in the county who heard about the horrific news. And so if we could keep the families of those children in our thoughts and prayers, as well as the school and the community where this incident occurred.

[00:04:16] And as I said earlier, I know there'll be more discussion later today about this incident. And right now, though, I think is a time to pray for the families and the community that was affected. And then lastly, I know while it seems far from Fairfax County, we know that there were several mass shooting incidents that occurred in California very recently, including a mass shooting in Monterey Park on a day where the Asian-American community was celebrating Lunar New Year.

[00:04:51] And I say it was far away from Fairfax, but it was very close because I had just left a massive Lunar New Year celebration in Northern Virginia the day before. Where the Asian American community and really the entire community came together to celebrate multiculturalism, to celebrate the Asian American community, and to focus on the Year of the Rabbit and family, togetherness, and culture.

[00:05:18] And so while all of those shootings in California are a tragedy, any shooting that has a tie to any level of hate or discrimination will be called out by me and this county board as unacceptable. And so if

we could keep all of the California victims in our thoughts and prayers, as well as all of the folks who were celebrating Lunar New Year and our Asian-American Pacific Islanders and family here and across northern Virginia in our thoughts and prayers today would be appreciated.

[00:05:53] And with that, I would recognize any other board members who would like to say a few words. Supervisor Alcorn. Thank you, Mr. Chairman, and thank you for your announcement about Bruce Nielsen. I share in those comments as well. I am sad to pass along that Mary Jablonski, who was a Vienna resident, passed away this last month.

[00:06:14] Many of you have met her new Mary. She was the front desk volunteer for the Fairfax County Democratic Committee for several years. She was born in November of 1940 in Sunbury, Pennsylvania, and graduated from Susquehanna University, where she received a bachelor's degree, and then she worked as a part-time student, got her MBA from George Mason.

[00:06:35] She worked to the federal government in contracting for 27 years, mostly in various Navy commands and Department of Agriculture, before retiring in 2008. In addition to her work at FCDC, she was also very active in retirement, including volunteering at the Shepherd Center in Vienna and Oakton, and did a lot of work providing transportation services to older adults.

[00:06:56] So if you knew Mary, you knew her passion about politics, and during the election season, she never forgot to remind you to vote. So with that in mind, our deepest condolences to her family and friends. Thank you, Mr. Chairman. Thank you, Supervisor Alcorn, Supervisor Walkinshaw.

[00:07:14] Thank you, Mr. Chairman, and just want to also share my thoughts and appreciation for your mentioning Bruce Nielsen. And Bruce was, of course, my constituent in the Braddock District and a good friend. Bruce represented the county on the Northern Virginia Community College Board for many years.

[00:07:35] Key role in our county and our region and in the Braddock District because they're our neighbors. And he did just a wonderful job balancing the needs of the college and the community. And I'll also say about Bruce, you know, Bruce was a man of deep faith and somebody who really lived the social justice values of the Gospels and everything he did and his commitment to our community and to making sure that all of us kept at the front of our mind policies that helped and supported the least among us.

[00:08:14] That was really his passion and his mission in life. And I know as we all continue to go about our work, We'll keep his legacy in mind, especially in that regard. Thank you, Mr. Chairman. Thank you, Supervisor Walkinshaw. Supervisor Stork. Thank you, Mr. Chairman. And I want to echo the deep empathy and understanding and tragedy that is teenagers in a car going down a highway and losing their lives.

[00:08:43] It happens in an instant, and it happens when I think none of them expected it, but now two of them are tragically gone. And the community itself is just heartbroken, and it's the outpouring of love and really just unspeakable kinds of fear of could this happen to my son or daughter.

[00:09:08] And really the reality of we have to take care of all of us, and we have to make a difference where we can, and fixing roads that we know have taken lives before this. So I'm very much supportive and very focused on making a difference there, but at the same time honoring the two individuals that specifically lived in Mount Vernon District as well as the third who's fighting for her life.

[00:09:34] So thank you. Thank you, Supervisor Stork. Supervisor Lusk. Thank you, Mr. Chairman. The Virginia basketball family has lost a key member of the Cavaliers' magical run to the NCAA Final Four in

1984.

[00:09:50] Kenton Elderland, 60, passed away on Christmas Eve. He was a key factor in Virginia's upset win over Bob Knight's Indiana team in the NCAA tournament in 1984. He was in hospital care at the time of his death.

[00:10:07] In March, he suffered a stroke, causing significant brain damage, leading to paralysis to the left side of his body. And after months of work, he managed to regain some function and some mobility. He came to UVA as a walk-on out of Hayfield High School in Alexandria.

[00:10:28] At 6'8", 204 pounds, he played for the now-defunct junior varsity team and was encouraged to try out for the varsity team his sophomore season and made the team. He played in 97 games his final three seasons and averaged 3.3 points and 4.6 rebounds per game for his career.

[00:10:49] Leading the Cavaliers and rebounding his senior season, 1983-1984, when he started in 14 games. He was backup center to Ralph Sampson for his sophomore and junior seasons and posted 62 career blocks, 318 points, and 444 rebounds.

[00:11:08] His most glorious moment on the basketball court came against the Hoosiers in a 50-48 Elite 8 win that put Virginia in the Final Four. He scored five crucial points in the final 90 seconds to spur the stunning upset.

[00:11:27] After his UVA career, he was surprised to be drafted in the seventh round by the NBA Indiana Pacers. He played one season, appearing in 10 games, and returned to Charlottesville to earn his law degree. He practiced law and was a registered players agent, residing in Northern Virginia until his passing.

[00:11:48] So I hope that we can keep his family in our thoughts and prayers. Thank you, Mr. Chairman. Thank you, Supervisor Luss, Supervisor Faust. Thank you, Mr. Chairman. I just want to say, Bruce Nilsson, to fully know Bruce Nilsson, I appreciate the fact that he was a passionate Pittsburgh Steelers fan.

[00:12:11] So we had that in common as well as many other things. He's such a great guy. I want to note that the McLean community lost a great friend and one of its most accomplished members with the recent passing of Dingwall Fleury.

[00:12:31] At our April 12, 2022 board meeting at Fairfax, we honored Maestro Fleury and members of the McLean Symphony for 50 years of bringing beautiful music to our community. And if you remember, Mr. Fleury, he didn't look like he had done anything for 50 years.

[00:12:52] He just looked so young and vibrant. But for 50 years, he brought his passion for music to his role as maestro of the McLean Symphony. He was chosen to lead the McLean Symphony, first known as the McLean Chamber Orchestra, at its inception in 1971.

[00:13:10] Continued to do so through his death. He then spent 50 years doing something he loved. What an accomplishment. He was a pianist, harpsichordist, organist, conductor, teacher, lecturer, and orchestra builder. So McLean, the McLean community is a much better community because of Dingwall's many contributions.

[00:13:32] I am confident that his mark on McLean, especially the wonderful art community in McLean, will be felt for generations to come. Thank you, Mr. Chairman. Thank you, Supervisor Faust. Supervisor Herity.

[00:13:47] Yeah, real briefly, I want to thank you, Mr. Chairman, for recognizing T.R. Cook because he was quite a guy. I get many fond memories of photos he took of my dad and then later me and always look forward to his Christmas cards. But he will truly be truly be missed.

[00:14:04] And the tragic loss of the two 16-year-old girls and the one that is recovering. One was from my district. The accident happened in my district, and we'll have a board matter to discuss that further later. The impact is indeed felt across the county.

[00:14:21] They were involved in regional sports, and it's truly a tragic loss, and we need to keep the families and the community in our thoughts and prayers. So thank you. Thank you very much, Supervisor Herity. And seeing no other board members looking for recognition at this time, if we could all stand for a moment of silence to be followed by the Pledge of Allegiance.

[00:14:51] Face the flag. I pledge allegiance to the flag of the United States of America.

[00:15:11] And if Bruce Nielsen were here right now, he would say, Chairman, get this meeting back on schedule.

[00:15:36] So we're going to try to move as rapidly as we can this morning. We do have a full agenda, as I mentioned, and a lot of people here who want to make sure they can get on their way to their next event as well. We do have five presentations, and as I've done in the past, I will announce the proclamation, invite our speaker down to the podium.

[00:15:56] We will then read the proclamation, and after our speaker's remarks, we'll pose for a picture from the dais, as we always do. And first up today, we have a resolution to recognize the Langley High School golf team for its accomplishments, and this was requested by Supervisor Faust.

[00:16:13] Our speaker today, I'm told, is Al Berg, who is the coach of the Langley High School golf team. If you could come on down, as well as anyone who is here with you, of course, is welcome to join you at the podium at this time. And I will recognize Supervisor Faust.

[00:16:29] Thank you, Mr. Chairman. Mr. Chairman, whereas in October 2022, the Langley High School Saxons golf team brought home the Virginia High School League's Class 6 co-ed championship after a hard-fought battle on the links at the Heritage Oaks Golf Course in Harrisonburg, and whereas this victory marks a record-breaking seventh straight championship for the Saxons, and whereas Langley Jr., Alina Ho, led the team to victory, earning the individual state title in the process with a three-under par 67,

[00:17:07] including four birdies on the last seven holes, And whereas in the program's history, Langley has taken home 11 state titles, a Virginia High School League Class 6 record. And whereas Coach L. Berg has led the Langley-Saxons golf team to remarkable success for more than two decades.

[00:17:28] And whereas the Langley High School Saxons' impressive dedication, skill, and enthusiasm are to be commended. Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby congratulate the Langley High School Saxons golf team and Coach Alberg on their seventh straight state championship.

[00:17:52] Happy to second that motion. Discussion on the motion, Supervisor Faust. Thank you, Mr. Chairman. Some notes here. I just want to congratulate you, Coach.

[00:18:10] Thank you. You know, the players have been awesome. You've been, we're so proud of you. Year after year, you stand up and you bring home the championship. But the one constant, of course, is the

coach over all these years.

[00:18:26] The one thing Langley has had that no other team in the state has had is you, coach. And we're so grateful. Every year that you coach, you help contribute to creating great members of our community.

[00:18:44] I mean, they're good athletes, but we also know you guys are great students. And you contributed in so many other ways to our community. So I do want to thank you. I want to, Alina, I want to say, you know, special congratulations to her.

[00:19:01] That just to be the individual state champ. That's great. I don't know if you know this, Coach, but I announced I'm not running for re-election. And for Christmas, I got a set of golf clubs.

[00:19:18] uh i will see you on the course absolutely maybe you could give me some pointers sure we'll be glad to yeah thank you so congratulations thank you guys uh we're really proud of you thank you thank you uh supervisor faust any other discussion uh let me also uh congratulate you and uh particularly uh you coach berg um i think we need to have a reserved seat for you in the auditorium and expect you to come every year for this recognition because you've done an amazing job. And as someone who has struggled

[00:19:55] to golf myself, I am praying for Supervisor Faust because it is something that takes amazing dedication and discipline. And so I want to congratulate all the young people, of course, for this as well, but also their families and parents who play a major role in helping you get acclimated to the game I'll never forget my dad telling me son you will never get good at this unless you can play every single day and I can't play every single day so I've never been good at it but I know that to get good that's the kind of discipline that it takes and so

[00:20:30] congratulations to all of you to your families to Langley High School and as Supervisor Faust said really to you coach and you've got a reserve seat here we'll see you again at this time next year i hope so and so uh with that um i think we're ready to vote all those in favor of the motion please say aye aye any opposed any abstentions that motion carries coach welcome the floor is yours thank you very much i really appreciate it um i taught in fairfax county and retired in year 2010 and moved down to richmond and i knew we had a great team coming back and i didn't want to miss the chance of winning a state championship so i commuted from richmond

[00:21:10] to here in Northern Virginia, and we did win the state championship that year, I've been able to get out of there since. So I've been going on 95 during golf season to coach this team. And a lot of the other coaches ask, how can you do that? And I said, well, as long as the kids show a level of commitment that equals mine driving up 95 a couple times every week, I'll keep doing it.

[00:21:33] And they've exceeded my expectations. They've been just the commitment from all the kids and the parents, have been off the charts. Right now I'm in a really pretty good position because nobody wants to be there when the streak gets broken. So we've got seven in a row.

[00:21:49] And I've got three of my outstanding players here. We've got Andrew and Jake. And a special note for Pierce, who's graduating this year, he has an honor that cannot be exceeded. He's been on four straight state championship teams. So hopefully we will keep it going.

[00:22:06] But I appreciate the board. And I also want to thank Fairfax County for helping getting us through COVID and having our seasons during COVID, which I was very fearful that we wouldn't be able to do that. But we managed to do it, and we won two state championships during those two years.

[00:22:24] And it was difficult. It was difficult going. But I really commend everybody in Fairfax County who was part of that process. Thank you very much. Appreciate everything. Thank you very much, Coach. We appreciate that. And I think we're ready for a photo. So if you gentlemen could come forward and face the audience, Supervisor Faust and I will join you.

[00:22:51] All right.

[00:24:01] Next up, we have a resolution to recognize Shelly Murphy of Wesley Housing and Michelle Crocker of Northern Virginia Housing Alliance for their accomplishments. And this was requested by myself and Supervisor Faust. And I understand we have both Shelly.

[00:24:16] I know we have both Shelly and Michelle because I can see them here with us today. If you could come on down to the podium, if there's anyone with you, certainly we would welcome them to come down as well. And I am going to turn the gavel over to Supervisor Gross so that I can read this resolution.

[00:24:34] Whereas the Northern Virginia Affordable Housing Alliance has broad-based regional organization dedicated to the creation of successful communities through affordable housing, education, and advocacy. And whereas Navaha supports public policies that promote the preservation and new construction of affordable housing choices throughout Northern Virginia for households of all incomes.

[00:24:58] And whereas Michelle Crocker, a founding member and executive director of Navaha, ended her outstanding 17-year tenure with the organization at the beginning of this year. And whereas under Michelle Crocker's leadership, Navaha has led advocacy initiatives, created local housing trusts, adopted policies to locate people and affordable housing near transit and amenities, developed comprehensive reports on housing supply and affordability, and created a website providing important affordable housing resources,

[00:25:32] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby congratulate and thank Michelle Crocker for her outstanding contributions to our community and wishes her well in the future.

[00:25:49] Moved by the chairman and seconded by Supervisor Faust. Is there discussion on the motion? Madam Chair, I think we probably want to hold discussion for both of these once we get them on the floor. Supervisor Faust has the other one. So we have a motion and a second.

[00:26:06] We'll do the second one with a motion and a second. Then we'll take them in the back. Okay. All right. Madam Chairman, I would like to make the following motion. Whereas Wesley Housing provides safe, quality, and affordable housing to residents across the Washington, D.C. metropolitan area and has been named one of the top 50 affordable housing developers in the country,

[00:26:32] And whereas Wesley Housing's mission is to build up the lives of our most vulnerable community members by creating and operating healthy, inclusive, stable, affordable housing communities and providing supportive resident services.

[00:26:48] And whereas longtime Wesley Housing President and CEO Shelly Murphy ended her remarkable 15-year tenure with the organization at the close of the 2022 end, whereas under Shelly Murphy's leadership, the organization's total assets have more than doubled.

[00:27:11] Its own unit count has increased from 1,139 to 1,834, and staff size has increased nearly 100 employees. And whereas, during Shelley Murphy's tenure, Wesley Housing has received numerous

accolades for its important work.

[00:27:33] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby congratulate and thank Shelly Murphy for her outstanding contributions to our community and wishes her well in her future endeavors. So moved.

[00:27:53] And I'd be happy to second that, along with others. We now have both. Would we like to go to discussion, Mr. Chairman? Yes, I would like to have discussion. We rarely do two at the same time like this. So let's go ahead and have discussion on either one of the.

[00:28:11] Thank you, Madam Vice Chair. First, it is unusual, but it's important. And we thought it was appropriate to have both of you here together because what you have in front of you is decades of dedication to affordable housing in Fairfax County.

[00:28:28] And wanted to congratulate both of you, both Navaha, Wesley Housing, Um, and all the work that you've done over many decades, because as I recently said at a ribbon cutting, you know, this is about the people, uh, the people that affordable housing, uh, can serve and the lives that can be changed. And there's no way for us to really say thank you enough on behalf of all the folks who you've made a difference for. Um, I can tell you in all my years on this board, I don't think there's been an affordable housing discussion or event that I've been to that one or the two of you or both of you haven't been at.

[00:29:07] And because of that doggedness and because of your tenacity, we've moved the needle significantly on affordable housing, particularly in the last couple of years. And without partnerships with our faith-based organizations, with our nonprofits, with our for-profit and not-for-profit affordable housing developers and the community, we wouldn't have that success.

[00:29:33] And so I know it's a team effort, but all good teams need outstanding leaders, and the two of you have been that for really as long as I can remember as we've been dealing with affordable housing. And so I hope that, first of all, I know both of you will continue to still be heavily involved.

[00:29:51] I'm counting on that. But I hope as you also think back to your long careers and advocacy that at this point in time, transitioning into another life, I hope that you realize that the last couple of years in particular has been remarkable.

[00:30:09] And certainly leaving on a high note and a reminder to this board and our community that when it comes to affordable housing, we literally have to keep our foot on the gas pedal because we are behind still, even though we've made major strides. but this has become a core not just moral issue it's always been that but it has become a core economic development issue and what i'm most proud of is we're finally starting to see affordable housing being built throughout this county near transit in areas where traditionally there's been no affordable housing giving people opportunities not just to have a roof over their head but to

[00:30:47] utilize that roof into something else, maybe a better job, maybe a better situation for them and their family. But congratulations to both of you, to your organizations. And as I said earlier, we know you'll continue to be involved. We're counting on it. But we really wanted to take this opportunity to formally say thank you to both of you. Congratulations. All right. Other discussion? Let's just go ahead and we'll go around the dais. Supervisor Alcorn. All right.

[00:31:17] Thank you very much, Madam Chair. Michelle, I want to echo those comments and also just note that, in particular, in the various roles that I've had over the last couple of decades or so, you really were the go-to person in so many situations, you know, where we had something, an idea, we had something we needed to figure out, something we needed a strong advocate.

[00:31:43] You were number one, and you always were. And I really appreciate that. And the service to the community and, frankly, to our future is amazing. So thank you so much for all your service. Thank you, Supervisor Alcorn.

[00:32:00] I thought I saw another hand on this side. Maybe not. Supervisor Lusk and then Supervisor Faust. Thank you, Madam Vice Chairman. I'll start by saying thank you as well to both of you and specifically to Ms. Crocker. I've appreciated having the opportunity to work with you over the years.

[00:32:17] And thinking back to the service on the community to prevent homelessness, your dedication, your passion, your just commitment to that effort was amazing. And I can see so many things that have your fingerprints on them.

[00:32:32] And when I think about my own district, I appreciate your assistance with some of the manufactured housing issues that we've started to uncover and work on. And you've been a great advocate, a great advocate for so many people. So thank you for your outstanding contributions.

[00:32:48] Thank you for your commitment to the residents here in Fairfax County. Thank you. Supervisor Faust. Thank you. Congratulations to both of you. Michelle, I've known you for a very long time, and it's wonderful to see how you've just taken over.

[00:33:10] I was trying to decide whether I was going to refer to you as the voice of affordable housing or the conscience of affordable housing, But I couldn't decide, so I'm going to call you both. I mean, yeah, you've done an amazing job of keeping the issue out front. And not just our board, but across the region, the focus on affordable housing is where I think where it should be now, finally.

[00:33:36] And that is due in large part to efforts you've made over the years. And so, you know, I know I look forward to your continued contributions, and hopefully we'll have opportunities to work together going forward.

[00:33:53] Shelly, you know, there's lots of things I can say about you, but I'm going to start out by saying you're very patient. Because, you know, we pretty much were the first to go forward with this public-private partnership thing where the county had the land and you had everything else we needed to create an affordable housing project.

[00:34:20] And it took us a very long time to figure out how to do that. Now it seems simple and almost cookie cutter. But back then, when we were working on Lewinsville, it was a challenge. And you stayed focused and the consequence is that we have at least 82 seniors, low-income seniors, who are living in a beautiful residence and, you know, having a quality of life that they would not otherwise have.

[00:34:49] That's because of you and the many other projects that you did while you were leading Wesley. So thank you so much. And, you know, I know both of you will continue to be consciences and voices and contributors to solving the affordable housing problems we have. Thank you.

[00:35:09] Thank you, Supervisor Faustin. I think I saw Supervisor Stork's hand. Yes. Thank you, Madam Vice Chair. And I couldn't miss this opportunity to share my thanks and deepest appreciation for both of

your work. And with me, I've worked with both of you a little bit differently.

[00:35:27] Michelle, clearly on a broader county basis, you've been, as I think Supervisor Fowl said, you know, the voice and the conscience. And clearly the nudge and the advocate and the things that we need, we all need, because we get so many things coming at us on a daily basis and monthly and weekly.

[00:35:46] But the core of what we all recognize is that this county cannot continue to grow and develop and help people realize their full potential unless we have more housing that's affordable. And we, the county, plays a crucial role in that.

[00:36:02] Clearly, the not-for-profits are an essential part of that relationship. But ultimately, the private sector is the core way that we're going to move this along. And I thank you for bringing the different parties together and making a big difference with that. Thank you. Shelley, you and I have worked together for our, mostly got to know you with one project, the ARD, in which we had, frankly, the great joy of celebrating about a month ago, or maybe a little bit less than a month ago, two weeks ago.

[00:36:29] And for me, it's a combination of things. I was chair of the board of Good Shepherd Housing 20 years ago and worked with, at that time, Wesley Housing, and Good Shepherd was trying to figure out what do we want to become, if you will, when we grow up. and wesley was one as the board chair one of the things that we did was to look at the model that wesley had and how they were doing it and and that i know is informed and and really helped a good shepherd to become frankly a significant calcium organization in the mostly the mount vernon and franconia districts but the model that wesley had then you took that model

[00:37:06] for the last 15 years and you more than doubled the number of homes and housing and and frankly the ability for people to find a place to live and the Arden is a great example of that taking property and kind of assembling the parcels and and really putting it all together getting obviously funds from the county as well as state and federal tax credits etc and in the end the thing that I'm obviously maybe most proudest of proudest of is the fact that not only is there affordable housing at the Arden which is right next to the Huntington metro station but Wesley made the long-term commitment to have their their organizational offices there and i know you're not

[00:37:44] well maybe you are there now but at least two weeks ago you weren't quite there and i know it's your predecessor that now has to carry that burden of brain all together but but the offices the new offices look wonderful and and the new homes and houses that are there are fantastic so for both of you it's our deepest appreciation for your lifetime of advocacy for folks who need need that extra hand up. So thank you. Thank you, Supervisor Stork. I'm just a little bit annoyed that Wesley has moved out of Mason District or is moving out of Mason District

[00:38:18] after decades of being not only in Mason District, but in my neighborhood. And so it's a little bittersweet to have him being moved right now. But I recognize that the ability to be right near metro station is really important for our affordable housing. And Supervisor Faust, you mentioned patience, and that's one of the things I had written down about, Shelley, also.

[00:38:43] Very patient and always positive. Now, maybe in her, you know, when she closes the door, she's not so positive. But in public, she is always very positive. And any interactions that I've had with her, it's been very positive. My husband actually was on the Strawbridge Square board of directors back in the late

80s. And that's when Virginia Peters was the head of Wesley Housing and huge, huge shoes to fill, but they were filled. And it's been a wonderful

[00:39:19] opportunity for me as an elected official now to work with Wesley Housing and with Shelly, especially on a number of opportunities and I would say opportunities because not all of them came to fruition. One of them has been 10 years in the making. The Mason District Land Use Committee is going to make their recommendation tonight on that and so I am very hopeful that it will be coming to the board for approval while I am still here and while you are still around so that when

[00:39:53] we actually do a groundbreaking, Shelley. We both may be retired at that point, but we can both be there. It's a long effort trying to build senior housing, affordable housing on properties owned by the faith community. We talk a lot about it. We haven't been able to put it into fruition too often. We need to be able to do a better job of that. But I think that what Wesley Housing has done over time is provides a template for that. And for Michelle Crocker, of course, we all get her

[00:40:32] almost daily emails, it seems like. But we will have to be looking for emails from someone else now to keep us on track. But thank you very much to both of you for your leadership and your inspiration to those of us who are at the dais and a lot of people in the community. Thank you very much. And with that, I think we're ready for a vote. All those in favor of the motions, please say aye.

[00:40:58] Aye. Any opposed, say nay. Any abstentions? That motion carries, Mr. Chairman. Thank you very much, Vice Chair Gross. And at this time, I will turn the microphone over to both our honorees, and I'll let you decide in what order. But welcome. We're a good team.

[00:41:15] We've got that figured out. Uh, Shelly Murphy with Wesley housing. I want to thank you for the honor. Uh, you know, we, as I said at our groundbreaking last week or the week before, which was so much fun. We were, we are born in Brighton Fairfax County. And while we are a regional organization with an impact that goes from Winchester to now, uh, Prince George's County, our roots remain here. Uh, we grew up in the Mason district and now we're going to be teenagers in the Mount Vernon district our first project was strawberry square our most recent project is the arden and we've got

[00:41:54] another bun in the oven and a couple of more ideas in the back of our head that will be coming forward to continue our work in fairfax county i want to thank the county for its support over the years you know we're almost 50 years old and we've been working with you all that time and i agree with Chairman McKay that the changes we've seen in the last couple of years are close to breathtaking and make working in Fairfax County a joy. Michelle Crocker, formerly the Executive Director of the

[00:42:32] Northern Virginia Affordable Housing Alliance, and I want to thank Chairman McKay and the Board of Supervisors for this recognition. When we started the organization in 2004, the idea that affordable housing would be needed in the wealthy northern Virginia suburbs was just not on anyone's radar screen. But we knew that the need existed. And working as an organization of one for the last 15 years, we knew that to have impact, we needed to partner. So we built coalitions in the community.

[00:43:08] Many of these things you all have mentioned, you kind of took my talking points. But coalitions of faith communities, nonprofits, business leaders, financial institutions, everyone began to realize the value and the importance of housing affordability, not only for individuals and families, but for the health of our community.

[00:43:30] So here we are, fast forward today. I want to echo Shelley's comments and the chairman's recognition that much has changed in the last two to three to four years. And I credit that in the work that we do across jurisdictions in Northern Virginia with political leadership, certainly led in part by you all here in Fairfax County.

[00:43:57] The advocacy that we have heard from you in public places on this issue is so critical to ground the region in housing as a key infrastructure element for us to be successful.

[00:44:14] So thank you so much for the recognition of the work. Affordable housing, education, and advocacy is a team sport, and I couldn't do it without organizations like Shelly and Wesley, who sit on our leadership council and our board.

[00:44:31] I'm excited about the future for our organization. We have a lot of challenges before us, as you all well know and are well aware of. And I'm also very excited that we will be led by Jill Norcross, our new executive director, who I know many of you know.

[00:44:48] So the future of the organization is bright, and I look forward to seeing you soon. Thank you. Outstanding. Thank you both so very much. And at this time, I think we're ready for a photo. And if you could come forward, Supervisor Faust, and I will join you.

[00:45:05] Okay. Next up, we have a proclamation to designate January 2023 as Human Trafficking Awareness Month in Fairfax County, and this was requested by myself and Supervisor Herity, and I understand we have Kim Luckabal, the Executive Director of Reset 180, with us today, and if there's anyone here, of course, from the police department, they're welcome to join us if you could come on down to the podium.

[00:46:38] And Supervisor Herity has the proclamation. I recognize Supervisor Herity at this time. Yes, Mr. Chairman, I have a proclamation to move. Whereas human trafficking is the fastest-growing criminal enterprise in the world and can take many forms, including sexual exploitation, domestic servitude, and forced labor.

[00:47:02] And whereas in the past year, Fairfax County has served 110 victims of human trafficking, many of whom were seeking county assistance for immediate needs and were later identified as being trafficked. And whereas Fairfax County is dedicated to partnering with organizations throughout the region, working to assist victims and prevent human trafficking, including nonprofit organizations, civic groups, medical professionals, businesses, county agencies, and faith community and young people.

[00:47:31] And whereas Reset 180 as a local nonprofit has been instrumental in raising awareness, providing resources to traffic survivors and working to root out illicit massage businesses throughout Northern Virginia. And whereas, while pandemic has exuberated conditions that increase the vulnerability to human trafficking, Fairfax County and its partners continue to work tirelessly to raise awareness, aid survivors, and bring traffickers to justice.

[00:47:57] Now, therefore, be it resolved, the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby declare January 2023 as Human Trafficking Awareness Month in Fairfax County and urges all residents to recognize the critical role they play to fight and end human trafficking, including being aware of the indicators of trafficking and who to call to help.

[00:48:22] So moved. I'm happy to second that motion. Discussion on the motion, Supervisor Herity. Yeah, welcome, Kim and our county staff that does such great work in this area. I actually saw you on Fox News last night talking about the prevalence of this heinous crime in our community and the significant increases we've seen since 2019.

[00:48:44] It's kind of each year it's sobering to recognize Human Trafficking Awareness Month and take inventory of where we've taken steps forward and what we could be doing better to end trafficking and assist victims. I'm grateful to recognize Reset 180, which is fiercely advocated for addressing IMBs in Fairfax County that operate in plain sight, basically.

[00:49:10] Going back to 2019, they brought this issue to me. And after discussion with multiple county agencies, the board directed staff to form an interagency group to address IMBs. The pandemic kind of delayed those efforts, but I'm more than a little disappointed that the county hasn't been able to duplicate the simple steps that other jurisdictions have taken to create a non-permissive environment for IMBs.

[00:49:37] I know we're still working on it, and I hope we get there. That said, illicit massage businesses aren't the only form of trafficking in our community. For all community members, the most important thing we can do is to educate ourselves and learn to recognize vulnerabilities.

[00:49:53] Traffickers don't just target people, they target vulnerabilities, and many of our youth are much more vulnerable today than they were before the pandemic. We can all help prevent human trafficking by helping others who have recently been displaced or experiencing family turmoil or have financial insecurity.

[00:50:14] A big thank you to our county staff, DSVS, the police department, the office of the farm marshal for all you do to enforce our laws, bring them to justice, and groups like Reset 180 and Youth for Tomorrow working to promote awareness and education to help victims.

[00:50:33] So thank you, and one of these days, hopefully we won't be here celebrating or not celebrating, proclaiming January is Human Trafficking Awareness Month, but until then, we've got work to do. Thank you. Thank you, Supervisor Herity. Other discussion?

[00:50:49] Let me just add my congratulations, not just to Reset 180, but particularly to our county staff who work this issue all the time and was acknowledged the multifaceted approach that we now take to dealing with this issue and, frankly, the strong partnership that we have with other layers of law enforcement that many times are necessary in some of these cases, particularly some of the international cases that we've seen and dealt with.

[00:51:17] And so that approach is having success. And I want to recognize that because a lot of people work hard in this county on this issue every single day from some of the agencies that were mentioned, but certainly as a lead, our law enforcement agencies.

[00:51:35] And so, you know, this multifaceted approach that began in 2018 is having success. It may not be perfect, but it is having success. And, you know, when I asked our county staff for some statistics, they did remind me that the number of confirmed human trafficking offenses in Fairfax County has reduced from 21 in 2018 to 9 in 2022.

[00:52:00] And that is because of the efforts of the people before us. And obviously, we know this is prevalent in our community. We know that kids are vulnerable. We know that keeping up with things like

social media in and of itself can be exhausting at times.

[00:52:15] And so it takes all of us a concerted effort to protect particularly our most vulnerable younger people from getting in these trafficking networks. But this is an opportunity to thank the people who work on this, to show that we're having some success, and to forge forward towards this being eliminated in our community.

[00:52:35] So thank you all for being here and recognizing that today. With that, I think we're ready for a vote. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. And Kim, the floor is yours.

[00:52:52] Welcome. Thank you so much. It is an honor to be with you all this morning. We are so grateful for the blessing that you have afforded to us right now with this opportunity to come before you and speak. So understanding the magnitude of human trafficking is important everywhere, especially here in Fairfax County because human trafficking, as you've just identified, is very much a local issue.

[00:53:16] Reset 180 exists to fight local human trafficking. We work tirelessly to prevent and disrupt the networks that create the demand for trafficking and restore the lives of those who have been impacted by it. It is present here primarily in four forms.

[00:53:34] familial trafficking, gang trafficking, pimp-controlled trafficking, and illicit massage business and labor trafficking. We see the impact of this issue every day. We see it in the survivors for whom we provide wraparound case management care.

[00:53:50] We see it in the questions we receive from community members as they realize they have encountered it in their families and in their communities. We see it in the over 120 illicit massage businesses present in Fairfax County today. Specific data from cutting-edge technology that was featured on the news last night, this scrapes illicit websites and identifies the ads of people being sold online for sexual purposes.

[00:54:18] In 2019, there were 19,873 online listings for sexual services in a 50-mile radius of our office in Ruston. In 2020, that number rose to 92,883.

[00:54:35] In 2021, the number increased to 121,783. And just last night, I received data from this technology that we utilize that there were 148,206 listing online sales for sexual services in a 50-mile radius of our office in Reston.

[00:54:59] Ads for women in illicit massage businesses account for a portion of those numbers. This is a real problem in Fairfax County. As we have learned, there are over 120 of these illicit massage businesses, or IMBs, in Fairfax. These places are locations where women cannot leave.

[00:55:16] Their passports and visas are withheld, and they are trapped in those situations. According to our own 2019 IMB study, we can estimate that each victim worker will have approximately 1,200 customer visits each year.

[00:55:32] There are conservatively 240 women exploited in the 120-plus IMBs. 240 women multiplied by 1,200 is 288,000 occurrences of exploitation every year in Fairfax County.

[00:55:52] And that number, when I realized that last night, it just ripped my heart out. It was just a horrendous moment to realize the magnitude of that issue. And this is just one kind of trafficking in Fairfax County, just one. That's just the tip of the iceberg.

[00:56:07] We see the traumatic impact of this issue every day and need your help in this fight against trafficking and the commercial sexual exploitation happening here. Please know that we will always be your partner. we have a phenomenal relationship with our law enforcement community and we are so grateful for your support of us as we work in this area and we look forward to working with you more to address this issue thank you so much for this opportunity to come before you for this honor of recognition thank you thank you very much kim and thank you for your work and at this time i think we're ready

[00:56:44] for a photo if you all want to come forward and face the audience and supervisor harry and i will

[00:56:48] will join you. And finally, we have a proclamation to designate January 16th through the 22nd, 2023

[00:58:28] as Community Risk Reduction Week. And this was requested by myself. And I understand we have Deputy Chief of Fairfax County Fire and Rescue Department, Tracy Reed, with us today. If you could come on down and anyone else who is here with you for this proclamation, of course, is invited to join us as well. And I am going to turn the gavel for a moment over to Vice Chair Gross so that I can read this proclamation.

[00:58:57] Whereas every 23 seconds, a fire department in the United States responds to a fire somewhere in the nation. And whereas Fairfax County Fire and Rescue responded to 99,527 incidents in 2021, including tragically five fire fatalities. And whereas 19.4 million in property loss occurred from these incidents, and Fairfax County Fire and Rescue prevented 73.65 billion more in potential property loss that same year. And whereas the number of medical calls for service continues

[00:59:35] to increase, comprising the majority of Fairfax County Fire and Rescue Department requests, including 68,420 patients in 2021, with Fire and Rescue EMS administering 673 doses of Narcan to patients to treat opioid overdoses. And whereas the goal of community risk reduction is to reduce the occurrence and impact of emergency events for both community members and emergency responders through deliberate action in the areas of the six E's, education, engineering, enforcement,

[01:00:13] emergency response, economic incentive, and equity. Whereas community risk reduction installed 353 temperature control limiting burners in the homes of seniors and people with lower incomes to prevent the occurrence of cooking fires, and whereas most fire-related and many medical calls for service are preventable, with the six E's performed as part of an integrated community risk reduction program.

[01:00:42] Now, therefore, be it resolved that the Fairfax County Board of Supervisors on behalf of all residents of Fairfax County does hereby proclaim the week of January 16th through the 22nd, 2023 as Community Risk Reduction Week in Fairfax County to raise public awareness of the importance of preventing loss of life and property and taking opportunities to make communities safer.

[01:01:07] It's been moved and seconded by Supervisor Lusk. Is there discussion on the motion? Very briefly, Madam Chair, I think the statistics in this proclamation speak for themselves and are, I believe, very eye-opening for us, but for the entire community.

[01:01:24] And I think the main takeaway, for me at least, is two things. One, there is no better fire and rescue department in this country than ours. And if you look at the volume of response, the sophistication, the resources that we have, we have prevented a lot of loss of life and saved a lot of property.

[01:01:44] But the second piece is that, and this is really the gist of why we're doing this proclamation today, is that the community has to play a significant role. And the last resort should be a 911 call.

[01:02:00] There's many things we can do in the community to prevent that from having to happen. Many times there is nothing we can do to prevent that, but there are many, many more times where that can be prevented. And awareness not only of our own activities and our own homes and in a lot of cases even our own driving habits and other things, certainly our own medical issues and attentiveness to those are all contributors.

[01:02:29] But as a community, our number one goal should be preventing the 911 call so that the people who need it can get it. And so I think, you know, our fire and rescue department is going to be there. They're going to respond. They're going to save lives and they're going to protect property no matter what.

[01:02:47] But we owe it to them to do everything we can to prevent that from happening. And really, this proclamation is really to get the community's attention about the volume of incidents, but also for them to be thinking about things that they can do to reduce their own risk and that of their individual families and businesses.

[01:03:07] And so I want to thank our outstanding fire and rescue department for all the work that they do. Preventing the 911 call is a daily operation for them in the community, and it's making a difference, and we really salute you and recognize you for that today as well.

[01:03:22] So thank you. Thank you, Mr. Chairman. I'm going to go to Supervisor Stork and then Supervisor Lusk. Well, thank you, Madam Vice Chair, and I want to echo the chairman's remarks as well as to identify the, frankly, the deliberate efforts that are made.

[01:03:41] mean very specific efforts that are made to reduce these risks if you reduce the household risks as well as to address the frequent callers the super users if you will 9-1-1 and I had the really the opportunity about a week ago to visit the Boulevard Center and really see the different parts of the effort that not only the FRD but the police but also the specific groups that are stood up like our crisis response our community response team that explicitly go out and address and and frankly

[01:04:16] do what i know on a on an emergency call uh our our firefighters can often cannot often do which is they need to respond even if it seems like it's excessive or not really getting to the root of the problem and and i had the opportunity to go on right along to see frankly see that team in action and thank you very much for the opportunity and and i it does make a difference in that kind of investment makes a difference in safety security and only solving the problems of the challenges that individual might be having which is causing them to repeatedly call 9-1-1 or

[01:04:50] otherwise create challenges and obviously having those units out of service because of responding to something that's not truly emergency is also a huge risk factor and an opportunity for us to We can reduce those and obviously our responses to true emergencies are going to be much faster and more effective.

[01:05:11] So, again, thank you all very much. Supervisor Lesk. Thank you, Madam Vice Chairman. I'll say also thank you very much to Captain Reed in particular for the work that's being done here. It's so important and vital to ensuring the safety of our residents.

[01:05:27] I just want to acknowledge I had a conversation with Captain Reed, I guess, about a year ago and asked if we might be able to do something a little different as it relates to our mobile home parks and to consider doing some targeted work with them.

[01:05:43] And I just want to commend her for being able to have us get this underway. So we're in the process right now of doing some smoke detectors and determining some evacuation plans for those who are in mobile home parks, which I think is a unique circumstance. And I want to also acknowledge something here that I had not thought about before.

[01:06:03] And that is one of our mobile homes caught on fire because an electrical wire had fallen on top of the unit and the leaves that were on the top of it caught on fire. But you can't touch an aluminum mobile home if you have an electrical wire on it because you could get electrocuted.

[01:06:25] So this is something that you don't normally think about in a regular home. And I think we've got to make sure we're providing that information to the residents who live in these units in particular. So I am delighted that we're able to start this effort. And I also want to thank the American Red Cross for being a partner with us.

[01:06:44] And I look forward to joining you guys tomorrow on a ride-along as well. So thank you. Thank you. Before we vote, Supervisor Sturck, you mentioned going on a ride-along with the fire department now. When we go on ride-alongs, we don't suit up.

[01:07:01] We're not on the fire truck. But I've done that myself. Sometimes we've suited up. Some of us have suited up. Well, maybe some of you have. I didn't. I did a more relaxed approach when we're the battalion chief. But the interesting thing is that you see, and these were not fire-related calls.

[01:07:22] These were rescue calls. And you get to see also not only how our firefighters and EMTs deal with the actual physical medical issue, but with the other people in the household.

[01:07:39] Because quite often we don't recognize how critical that part is to either folks wanting to get in the way or being extremely emotional. I know that's my situation.

[01:07:55] because I've had to call rescue and 9-1-1 three times in the last four months for my husband. And so there are things that the firefighters and EMTs have to do to address the on-the-ground situation with people who are not actually being rescued.

[01:08:18] And that, to me, was really interesting to see how psychologically and just a lot of TLC was having to be done While some members were working on the patient, the others were trying to address the family and the onlookers.

[01:08:35] That makes it even more difficult. So community risk reduction is something that we have talked about a lot. It's not just one week. It should be the entire year. It's every day. It's 24-7, just like our Fairfax Fire and Rescue Department.

[01:08:51] So with that, all those in favor of the motion, please say aye. Aye. Any opposed, say nay. Any abstentions? That motion carries. Thank you, Vice Chair Gross and Supervisor Lusk had Captain Reed in his notes. I have Deputy Chief Tracy Reed in my notes, so Deputy Chief, welcome.

[01:09:12] Thank you. Thank you. Good morning. I'm honored to represent the Community Risk Reduction section of the Fire and Rescue Department. Community risk reduction is a process to identify

and prioritize local risks, followed by the integrated and strategic investment of resources to efficiently reduce their occurrence and impact.

[01:09:29] In other words, it's a way to help vulnerable communities identify their risks and develop a plan to reduce the occurrence of preventable fire, injury, and medical emergencies. The community risk reduction embodies the spirit of one Fairfax and the countywide strategic plan. We use data to identify challenges and an inclusive community outreach approach which empowers all Fairfax County residents to save lives and property.

[01:09:52] We also use data to measure program efficiency, identify gaps, and foster organizational improvement. Our definition of community is collaborative as it is extensive, including multiple county agencies, some of which are represented here, nonprofit organizations, trusted partners, faith-based organizations, community leaders, and the community members themselves working together to keep Fairfax County a great place to work, live, learn, and play.

[01:10:18] Thank you. Thank you very much. We appreciate the work that all of you are doing on this front. And with that, I think we're ready for a photo. If you could come forward, and Supervisor Lusk is chair of the Public Safety Committee, if you could join me.

[01:11:14] And next we have a presentation of the Don Smith Award.

[01:11:47] And I will now turn over the podium to Sean Corcoran, who is the chairman of the Employee Advisory Council, for the presentation. Sean, welcome. The floor is yours. This is Sean's first year doing this, so we're going to cut him some slack.

[01:12:13] I'm just surprised not to have the timer on. So thank you, Chairman McKay, and good morning to you, the members of the Board of Supervisors and County Executive of Brian Hill. My name is Sean Corcoran, and I am the chairman of the Fairfax County Employee Advisory Council.

[01:12:31] The ACA is comprised of an 11-member board that represents all Fairfax County government employees, including fire and police. The Don Smith Award recognizes county employees that go beyond their regular job duties and have made outstanding contributions in support of their fellow employees and workplace.

[01:12:49] The award was established in 1991 and is named in honor of Don Smith, a longtime county employee and one who served 16 years on the EAC. Each year, nominations are made by county employees. We thank everyone who took the time to nominate and recognize the superb service by their fellow team members, And we thank all nominees for their amazing service that fell outside their regular job duties.

[01:13:12] This year, the EAC is recognizing four honorable mention recipients along with the Don Smith Award. If I could have our honorable mention recipients come down to the floor, Lori Bell, Colleen Call, Zachary Cross, and Stephanie Ryan. And while they're making their way down, I just want to say my deepest appreciation to the council itself, especially Scott Meyer, in organizing this and leading the effort to the process for the Don Smith Award.

[01:13:37] Thank you all. So, Lori Bell of the Fairfax Falls Church Community Service Board has pioneered and expanded the client employment support, resulting in more rewarding jobs for CSB

employees and people receiving CSB services who win employment as a result of her team's employment support.

[01:13:57] Her contributions are improving employee benefits and morale, as well as supporting new employee success at work and in life, strengthening work relationships across departments. We are proud to recognize Lori Bell with honorable mention. As a dedicated member of the Department of Public Safety Communications for nine years, Colleen Call has taken it upon herself to lift morale and take care of her work family.

[01:14:33] She often gives up her own break time to spend time preparing retreats to hand out and will often spend her own days off in planning celebrations for any birthday, baby, or bridal shower. She'll plan fun events that take into account the dynamic nature of a 911 call center. In all these efforts, she never asks for anything in return.

[01:14:51] While she shuns any sort of recognition, we felt her genuine acts of kindness and sacrifice more than deserve recognition.

[01:15:07] Enforcement, recruitment, and retention have become major issues as agencies throughout the country work to not only recruit qualified candidates to the profession, but to also retain current employees.

[01:15:26] Recruiting Detective Zachary Cross of the Fairfax County Police Department, in addition to his general duties, took the initiative to outline a retention plan that identified significant gaps in internal communication and has led to positive solutions that have been implemented throughout the department. In addition, he has provided a periodic newsletter authored by himself to increase internal communication.

[01:15:47] We are proud to award Detective Cross with this honorable mention.

[01:16:02] Stephanie Ryan of the Juvenile Domestic Relations Court Court Services Unit provides counseling service to juveniles, families, couples, and adult clients. In addition, she has taken the initiative to be a leader in the Court Services Unit as it has transitioned to become a trauma-informed agency.

[01:16:18] In so doing, she has become an invaluable resource, not just externally, but internally, providing counseling services to peers to assist in resiliency, self-care, and support so they can continue to provide critical services to members of the community. She has also facilitated trainings locally, regionally, and nationally.

[01:16:35] Thank you, Stephanie, and our congratulations and appreciation as you receive this honorable mention. And finally, the recipient of this year's Don Smith Award is Fire Technician Richard Beats Beatty.

[01:16:55] As a member of the community he serves, he joined the Fairfax County Fire and Rescue Department after a family emergency caused him to call 911.

[01:17:17] Drawn by the professionalism he observed, he joined the department and is currently stationed at Station 41, Crosspoint. While working in the field, he observed the disturbing trend of a spike in fire service personnel being diagnosed with some form of cancer. He began visiting members who were ill while off duty.

[01:17:33] Over the past year, he has been developing a program in conjunction with IAFF Local 2068 that has included interviews with diagnosed members and their families, creating a YouTube channel

byproduct dedicated to bringing health, safety, and wellness information to employees and families, and has advocated for more support and more aid.

[01:17:52] He is currently working on education programs, serving on the Cancer Awareness Committee, and creating care packages for those newly diagnosed. Thank you for all you are doing, and congratulations for winning this year's Don Smith Award. Mr. Chairman and the board, thank you again for your time this morning.

[01:18:31] We again congratulate all of our recipients as well as all nominees. Our deliberations were not easy, and it truly is inspiring to see our peers striving, often on their own time and with their own resources, to make the Fairfax County workplace truly special. Thank you. Thank you very much, Sean, and thank you for the work of the EAC and the time and effort it took to recognize these county employees.

[01:18:54] We celebrate all of our county employees, but the exceptional work of those that has been read today is outstanding. And so I think before you leave, we can certainly do a picture. If you all want to come on forward, we'll take a picture with the board. But thank you again, and congratulations to all of you.

[01:19:11] And next up, we will hear a report on general assembly activities.

[01:21:01] So at this time, I will turn to the chairman of our board's legislative committee, Supervisor Walkinshaw. Thank you, Mr. Chairman. the legislative committee met on Friday, January 20th. This was the committee's first meeting during the 2023 General Assembly session, and I'll note that the meeting clocked in at exactly one hour and 59 minutes, I think.

[01:21:23] We had a time limit. Well done. As of Monday, January 23rd, 2,118 bills and resolutions had been introduced in the session, many of which we discussed at our meeting. The committee's positions on specific bills are outlined in the memo and the tracking chart that's included in the committee's report.

[01:21:43] A key area of focus this session will be amendments to the 2022-24 biennium budget. The county continues to advocate for increased K-12 funding, as well as increased funding for a variety of human services programs and services, especially behavioral and mental health, public safety, environmental initiatives, and transportation, among others.

[01:22:10] The board will get additional updates from legislative staff as the process progresses. A wide variety of bills have been introduced this session, including a number of bills that would reduce county revenue, change county services and operations, or restrict the county's land use authority.

[01:22:27] In particular, legislation was introduced that would essentially undo Fairfax County's short-term lodging ordinance by allowing properties managed by Virginia realtors to circumvent important provisions of the ordinance. The committee also received a status update on our county initiatives.

[01:22:47] The first, which would allow Fairfax County to use contractors to remove illegal signs from the right-of-way, was heard in a House Transportation Subcommittee last week where the subcommittee recommended reporting the bill unanimously. That legislation now awaits consideration by the full Transportation Committee in the House.

[01:23:07] The second would clarify that localities in Northern Virginia are authorized to post appropriate and clear signage requiring motorists to stop for pedestrians in crosswalks at unsignalized intersections was reported from the Senate Transportation Committee last week and now awaits consideration by the full Senate.

[01:23:27] The third, which would clarify that counties that do not maintain their own roads are authorized to reduce speed limits to less than 25 miles per hour, but not less than 15 miles per hour, on highways within their boundaries, within business or residential districts, awaits consideration by the House Transportation Committee.

[01:23:49] Additionally, the committee reviewed a number of other transportation bills, as well as bills relating to elections, taxation, land use, and health and human services. Legislative staff will continue to provide updates to the board as they work on these issues in Richmond. The next legislative committee meeting is Friday, January 27th at 4 p.m. in Conference Room 11.

[01:24:11] And as a reminder, we're holding our annual reception in Richmond again this year, which will provide an opportunity for productive conversations with our delegation. That reception will be held on Wednesday, February 8th, 2023 at the Credit Union House of Virginia.

[01:24:27] With that, Mr. Chairman, I move that the board adopt legislative committee report number one. And I'm happy to second that motion. Discussion on the motion? Any discussion on the motion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed?

[01:24:44] Any abstentions? And that motion passes. Eight to one. Supervisor Alcorn being out of the room at the time. Supervisor Walkinshaw. That's it, Mr. Chairman. Okay. Thank you very much. And let me also thank my colleagues who made it down to Richmond last week for VACO, Virginia Association of Counties Local Government Day.

[01:25:08] A lot was discussed, and I appreciate everyone for taking the time out of their schedules to do that. Next up on our agenda is board organization and appointments of board members to various regional internal boards and committees and selection of vice chair.

[01:25:23] And just as a reminder, my general practice has been to make no changes to those committees in a four-year term. And so you will notice that all of those are very consistent with appointments and positions that have been done in the past.

[01:25:40] And we do not vote on this list, but it will be posted on the county website by way of update. However, we do vote to select a vice chair for the Board of Supervisors. And at this time, I'm happy to turn to Supervisor Smith for a motion.

[01:25:57] I would like to nominate Supervisor Gross as vice chairman of the board. I have been multiply seconded. Any discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed?

[01:26:12] Any abstentions? And that motion carries. And that brings us to appointments to boards, authorities, commissions, and advisory groups. Supervisor Gross, do you have a motion? Move approval of the list that has been provided to us entitled Final Copy.

[01:26:29] We've heard the motion and a second by Supervisor Lusk. Any discussion on the motion? Any discussion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Thank you very much.

[01:26:45] And that brings us to board matters. And before I begin, my board matters, and I am turning the gavel over to Supervisor Gross, I do want to recognize a new member of my staff, Andy Mensah, and Andy is here, a graduate of, at that time, Lee High School, now John Lewis High School, an outstanding

soccer player in high school and soccer player at Virginia Commonwealth University, originally from Ghana, and is pursuing an MBA and working in my office, so please help welcome Andy Mensah to the county.

[01:27:19] Thank you, Andy. And I have just a few board matters, not very time consuming, but first, I would have moved to approve without objection the proclamation listed, proclamation requests listed in this document, and those are Community Risk Reduction Week, Health for Humanity Yogathon, a recognition for the beginning of Lunar New Year, proclamation for Multiple Sclerosis Awareness Month, proclamation jointly with Supervisor Walkinshaw to celebrate the retirement of Jack Wyant.

[01:27:56] Proclamation as well to celebrate the retirement, although it's not a celebration. We are all upset over this, but the retirement of Tom Bishadney, Director of the Department of Transportation, and a resolution jointly with Supervisor Stork to thank Good Shepherd Housing Executive Director David Levine for 14 years of service to our region in affordable housing.

[01:28:20] And those would move to approve without objection. Without objection, so ordered. My next board matter is a letter to Governor Yunkin regarding personal property tax relief. As the board is aware, Fairfax County taxpayers were faced with an unprecedented rise in personal property taxes last year caused by a dramatic spike in used car values, mostly related to COVID-19.

[01:28:45] To offset the financial impact of these high assessments, our board took the unprecedented action of immediately reducing by 15% the valuation of cars and therefore reducing bills to provide relief as part of our FY 2023 budget process.

[01:29:00] We also sent a letter to Governor Glenn Youngkin on March 21st of 2022 asking him to increase funding for personal property tax relief. Unfortunately, no new car tax relief was funded in the governor's budget he introduced in December.

[01:29:18] While I support elimination of the car tax, it is essential that localities are made whole, just as they are under the current car tax relief program provided by the state that's been in place for many years. Car tax relief in Virginia is provided for under the Personal Property Tax Relief Act PPTRA of 1998.

[01:29:40] At that time, the PPTRA provided meaningful tax relief to Virginians, and the state funded the relief through an allocation to localities so that local governments did not lose funding for essential services. In a Dillon Rule state like Virginia, localities have only the taxing authority specifically granted to them by the state and therefore have very limited ability to diversify our tax base.

[01:30:07] Unilaterally eliminating the local vehicle tax, as Governor Youngkin has called for, will inhibit our ability to grow our economy and provide critical services to residents unless the state provides funding to make up for the loss in revenue caused.

[01:30:23] I believe this is possible now, considering the state is currently experiencing an unprecedented significant budget surplus. The amount of funding the state provides for car tax relief has not changed since 2007.

[01:30:38] With the substantially higher vehicle values we saw in 2022, the PPTRA only provided 42 percent relief in FY 2023, down from 70 percent in 2007, the last time new state funding was provided for car tax relief.

[01:30:57] The state should honor its pledge of 1998 to eliminate the car tax while reimbursing local governments for lost revenue. Therefore, I move the board send the attached letter to Governor Glenn Youngkin dated January 24th, 2023, expressing support for the state funding of the elimination of Virginia's tax on vehicles.

[01:31:19] It's been moved and seconded by Supervisor Waconshaw. Is there discussion on motion? Very briefly, Madam Chair. I think this is a critically important letter to send. And I think, you know, frankly, while the state is sitting on a massive surplus thinking about tax relief for residents, I can think of few places that can make a larger difference than providing additional tax relief on vehicles.

[01:31:46] We all heard last year the complaints that came in. I think people don't understand that we don't set the value of cars. They're set by others. So the tool that we had in our toolbox was to automatically put in a reduction in value on all of those vehicles in the county.

[01:32:04] And when we did that, even with that, most people's vehicle personal property tax bills went up at a time when many people couldn't afford it. Virginia pledged to do this. They made a campaign promise. A governor of many years ago made a campaign promise that was never fulfilled.

[01:32:23] It's been partly fulfilled. And as a result of the General Assembly never putting more money into the pot, except for that one time, we are stuck with a flat amount of money with value of cars going up dramatically. And so the percent of relief that is provided has gone down dramatically over the years, as this board matter points out.

[01:32:46] And so certainly support the governor's effort to eliminate this tax, but it only makes sense if we honor the commitment that was originally made, negotiated over a long period of time with the General Assembly, with localities, with a lot of folks to make sure that local governments are made whole if this happens.

[01:33:07] And so I think it's a very important time for this board to weigh in on this to provide tax relief for our homeowners, but also to protect them and make sure we get our revenue back from the state that otherwise we would be entitled to. Thank you. Any other discussion? Yes, Supervisor Stork.

[01:33:25] I just want to kind of, I definitely want to echo those comments and support the letter to the governor. I don't think most of our constituents understand that part of the increase that they got in their personal property tax, The dramatic increase was a function of the state funding and really supporting less than what they have in the past.

[01:33:49] So when you go from 70 percent funding to 42 percent, and that's obviously changed a lot over the last few years, then that's going to have a significant impact on what we each of us pay out of pocket because the state is no longer paying to the county.

[01:34:05] And in turn, the county reducing what the individual has to pay. So this is directly one of those situations where the state, you know, can pay their bills. They could follow through and do what they committed to do back in around the turn of the century to fix this.

[01:34:21] So I'm very much part of this. I think it's an opportunity to provide tax relief that would make a huge difference for our constituents. Strongly support it. Thank you, Mr. Chairman. Supervisor Walkinshaw. Thank you, Madam Chairman. I thank Chairman McKay for bringing this forward.

[01:34:39] And I think it's, you know, it's in the category, to quote our Baco colleague, Billy Kyger, there's a lot of talk in Richmond right now from the governor and others about a surplus, and there's kind of a spending and tax cutting spree going on there.

[01:34:55] But the reality is there isn't a surplus in Richmond until the Commonwealth pays its bills. It's bills that are due to local taxpayers. And this is an example, and there's a long laundry list of items that in the Great Recession, 2007, 2008, 2009, commitments to local schools, local governments, local taxpayers that the Commonwealth walked away from.

[01:35:23] And since then, they have been balancing their budget on the backs of local taxpayers, especially in Fairfax County. You can talk about the support cap in schools and passing that cost on to local taxpayers. This is an example of it, walking away from a commitment that was made to fund car tax relief and a dramatic reduction in the Commonwealth's commitment to it.

[01:35:47] And if it doesn't happen this year with a surplus that exists, it ain't going to happen next year or the year after that. So I'm hopeful that the governor will take this seriously. And unfortunately, he's already prepared his budget amendments, but I'm hopeful he'll go to the General Assembly and ask them to seriously consider this because I think there will be budget amendments to this effect, and it would be great for the governor to get behind them.

[01:36:12] Thank you, Mr. Chairman. Any other discussions? Well, as the only member of the board who was here during that turn of the century, we could have told them. In fact, we tried to tell them over and over and over again when the promise was made with no car tax And the General Assembly was wrestling with how they were going to do it.

[01:36:38] We knew that it was going to be extraordinarily expensive for the Commonwealth of Virginia. But they went ahead and did it anyway. And what we have seen is that decline by almost, what, almost 30% what they were willing to do at the beginning.

[01:37:00] So this is another example of localities got it, but we also got it in the back. And so I fully support sending this letter. I'm not sure what kind of effect it will have, but it may be something that other folks in the Commonwealth can also jump on board because we need to make a lot of noise and let our General Assembly members and the administration know that there is a long history here and none of it is good.

[01:37:33] It keeps going down. All those in favor of the motion, please say aye. aye any opposed say nay any abstentions that motion carries uh madam chairman and it obviously doesn't change the letter i didn't bring it up ahead of time but you'll see on the cc list some strategic budget players in richmond i would just suggest we carbon copy also our entire uh fairfax county delegation just for awareness of our position on this as well before the letter gets sent and i also uh want to announce i've been told that supervisor palchek has left the the meeting for the rest of the day due to illness, and so I just want the record to reflect

[01:38:12] that at this point in time. And so with that being said, next up for board matters is Supervisor Gross. Thank you, Mr. Chairman. It was my pleasure to represent Fairfax County at the presentation of the Carrington-Williams Trophy by the Washington Airports Task Force this past Friday, and Supervisor Smith was there also. The trophy is named for the late Virginia Delegate Carrington-Williams, who was a key figure in the implementation of the Dulles Rail Vision.

[01:38:40] In 1982, he founded what became the Washington Airport's task force to, quote, do something about Dulles, unquote. Forty years later, the Williams Trophy was presented to the Silver Line and its partners, Fairfax County, Loudoun County, the town of Herndon, Amois, and WMATA, for their regional cooperation and leadership in fulfilling the vision of rail to Dulles.

[01:39:06] Well, the fully connected transit infrastructure, the economic engine that is Fairfax County and Northern Virginia will be even more robust as we move together into the future, a future that once was just a dream of planners and previous boards of supervisors.

[01:39:22] The Williams Trophy is huge and is displayed at the WATF offices, so I don't have anything here to present today. It's really quite a remarkable trophy. But the Silver Line and Fairfax County joined previous awardees, including former Senator John Glenn, Elizabeth Dole, Rodney Slater, Norm Minetta, and Ray LaHood, all former Secretaries of Transportation, Till Hazel, and former Governor Terry McAuliffe, whose names are listed on the award.

[01:39:55] Friday's ceremony was especially poignant for me since the first awardee was Carrington Williams himself, a longtime Mason District constituent. And I attended that first award presentation in 1996 as a brand new supervisor.

[01:40:12] So thank you, Mr. Chairman, for giving me the opportunity to represent the county. Thank you very much, Supervisor Gross, for doing that. There were pictures taken. We're hoping that we'll be able to see some of those pictures soon. Excellent. Thank you very much. Supervisor Gross, was that your only?

[01:40:30] I have a second one, a little longer. Mr. Chairman, the applicant, Versar Property Owner, LLC, is the owner of the Versar Center. This office center is located between the Virginia Railway Express Railroad tracks and the I-495, I-95, I-395 interchange in Springfield and is identified as Fairfax County Tax Map Parcels 80-2, double circle 1, 22A and 22B.

[01:40:59] I will tell you as an aside, you can see it from the interchange. You just can't get to it from the interchange. The property is improved with two office buildings constructed more than 40 years ago and a bridge that crosses the floodplain.

[01:41:18] The owner has invested significant capital and resources in the property, such as major interior improvements, the construction of specs, suites, and launching intensive marketing campaigns. Despite the owner's efforts, there has been minimal leasing activity on this site in years, and it is almost entirely vacant.

[01:41:38] The property is located within the Beltway South Industrial Area and is zoned I-5, subject to RZ81-A-001 and PCA78-A-094. The property is also subject to special exception SE80-A-072, which was approved by the Board of Supervisors to permit fill in the floodplain to allow the bridge connecting the two parcels.

[01:42:07] The applicant has filed Special Exception Amendment SEA 80-A072 to modify the conditions to allow for use and site modifications outside the floodplain boundaries. The applicant does not propose any changes within the floodplain.

[01:42:26] Given this narrow amendment and that the applicant is not proposing any changes within the floodplain with this Special Exception Amendment, the applicant has asked for consideration to expedite the scheduling of public hearings. Therefore, I move that the Board of Supervisors direct the clerk to the

Board of Supervisors and the Director of the Department of Planning and Development to expedite the scheduling of the public hearings for this special exception amendment.

[01:42:48] This motion should not be construed as a favorable recommendation by the Board of Supervisors and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. And the Chair is happy to second that, along with Supervisor Lusk.

[01:43:05] Any discussion on the motion? Seeing and hearing none. all those in favor, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Thank you, Supervisor Gross. And next up is Supervisor Walkinshaw. Thank you, Mr. Chairman. I have two board matters, but before that, I want to introduce a new member of the Braddock District staff. And I've been somewhat negligent in not introducing new members of my staff. So over the next couple of meetings, I'm going to be introducing some new and not so new members.

[01:43:39] But with us today is Milena Llanos, who is new, started last week. Milena is our new communications aide. She attended Virginia Commonwealth University. She's worked in the General Assembly for Delegate Tran, Senator Jeremy McPike, where she was the youngest chief of staff in the Virginia State Senate, quite an accomplishment, and more recently for Delegate Shen.

[01:44:03] So she'll be leading up our communications efforts, the Braddock Beacon and social media. I'll note that the Braddock Beacon, we just celebrated the 15th anniversary of the Braddock Beacon, formerly known as the Bull of a Byline. You might remember that, but so Melana has a good, great legacy to uphold and has a difficult job of making it look and sound like I know what I'm talking about.

[01:44:27] She's going to do a great job of that, so please welcome Melana to the county. And Mr. Chairman, my first board matter is a motion to expedite PCA 86-W-001-14 and CDPA 86-W-001-005 LACMVALLC to develop affordable housing on the Fairfax County Government Center property.

[01:44:58] Mr. Chairman, LACMVA LLC has filed three concurrent zoning applications in PCA 86-W-001-14, CDPA 86-W-001-05, and FDPA 86-W-001-09 on tax map parcels.

[01:45:21] 56-1-15-14-B, 56-1-15-14-A, and 56-1-15-5-B to permit an affordable residential development on the Fairfax County Government Center property.

[01:45:38] The proposal consists of two multifamily buildings with 279 dwelling units at an FAR 1.56, excluding bonus density, and is being implemented through a public-private partnership with the FCRHA through the Public-Private Educational Facilities and Infrastructure Act.

[01:45:57] The Planning Commission public hearing is scheduled for February 1, 2023. Therefore, Mr. Chairman, I move that the Board of Supervisors direct staff to expedite the scheduling of the Board of Supervisors public hearing for PCA 86-W-001-14 and CDPA 86-W-001-05 to a date certain of February 21st, 2023. This motion should not be construed as a favorable recommendation by the Board of Supervisors on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted

[01:46:37] standards in any way, nor does it prejudice in any way the Board's consideration of these pending applications. Mr. Chairman, I so move. You've heard the motion. The chair will second uh that motion along with supervisor alcorn uh any discussion on the motion seeing in discussion supervisor just

briefly you know it's the board knows we're understanding a comprehensive look at what we're going to do with the government center property i think this has put the cart before the horse so i know we're in a rush to do this but i won't be supporting this motion further discussion no i'll just note that yeah i'll just note that uh we're going on two

[01:47:16] plus years now we're working on this um so certainly not a rush by by my standards maybe by supervisor herity's but we're not in any rush thank you we haven't been in any rush thank you very much uh no further discussion all those in favor of the motion please say aye aye any opposed herity nay any abstentions and that motion passes nine to one supervisor here i'm sorry eight to one 8 to 1. Supervisor Herity voting nay. Supervisor Walkinshaw. Thank you, Mr. Chairman. My next board matter is a special exception application fee waiver for Bethany House. Mr. Chairman, Bethany

[01:47:54] House is a private nonprofit organization that has served residents of Fairfax County since 1979. Its main mission is to provide safe short-term housing, life advancement services, and restorative care to women and children who are the victims of domestic violence. In January 2022, the previous owner bequeathed an approximately 12,133 square foot residential lot in the Braddock Magisterial District and identified as Tax Map 68-4, Double Circle 9, 1543 to Bethany House for the single

[01:48:31] purpose of converting the existing dwelling on the lot into a new safe house for women. The property is zoned to the R3 district, pursuant to zoning ordinance definitions, a safe house is classified as a congregate living facility, which is permitted by special exception in the R3 district.

[01:48:50] Bethany House, like other nonprofit organizations, has limited funds and relies on donations and grants in order to offer their services and care. The property that was donated still carries a sizable mortgage, which has added an unexpected expense to the organization. In addition, because this donation was received unexpectedly during the middle of their fiscal year, Bethany House was not able to budget for the mortgage nor for the fees to go through the entitlement process to allow use of the property. In order to get ahead of the PLUS database transition and avoid any

[01:49:25] processing delays, Bethany House filed their application in mid-October and paid the filing fee. However, the application was just recently accepted. I believe that the public benefits provided by Bethany House demonstrate that there is good cause shown for granting this request for a fee waiver. Therefore, Mr. Chairman, I move that the Board of Supervisors waive the application fees for Bethany House's special exception application for tax map number 68-4, double circle 9, 1543, to permit a congregate living facility and direct staff to process a

[01:50:03] refund of the special exception fee. This motion should not be construed as a favorable recommendation by the board of supervisors on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances regulations or adopted standards in any way nor does it prejudice in any way the board's consideration of these pending applications mr chairman i so move for the motion it's been seconded with by supervisor lusk any discussion on the motion seeing and hearing none all those in favor of the motion please say aye. Aye. Aye. Any opposed? Any abstentions? And that motion carries. Supervisor

[01:50:42] Walkinshaw. That's it. Thank you, Mr. Chairman. Thank you very much. Supervisor Faust. Thank you, Mr. Chairman. Mr. Chairman, 2022 marks the 75th anniversary of the Freedom Hill Chapter of the National Society of the Daughters of the American Revolution. NSDAR was founded in October 1890

during a time that was marked by a revival in patriotism and intense interest in the beginnings of the United States of America.

[01:51:08] Women felt their desire to express their patriotic feelings and were frustrated by their exclusion from men's organizations formed to perpetuate the memory of ancestors who fought to make this country free and independent. As a result, a group of pioneering women in the nation's capital formed their own organization, and the Daughters of the American Revolution has carried the torch of patriotism ever since.

[01:51:29] Today, there are over 185,000 current members and just over 1 million women have joined DAR since it was founded. The Freedom Hill chapter of DAR was founded on December 6, 1947. Its members have served and are active in the chapter, state, and national levels of DAR.

[01:51:48] It is named after the location of the first Fairfax County Courthouse, which was built on Freedom Hill in 1742. In 1752, the courthouse was abandoned due to Indian hostilities in the area. The courthouse was moved to Alexandria and later Providence, now Fairfax.

[01:52:06] Mr. Chairman, now there's a list of contributions the chapter has made to our community, which is long and very impressive. And I would simply say we're very fortunate to have them working on behalf of our community for the past 75 years.

[01:52:23] Therefore, Mr. Chairman, without objection, I ask that the Board of Supervisors direct staff to prepare a proclamation in recognition of Freedom Hill Chapter 75th anniversary that I will present to the group on February 4th, 2023. three. And without objection, that is so ordered. Supervisor Faust. Mr. Chairman, this is a joint board matter, yourself and I, me, proclaiming February 7th through 14th as Congenital Heart Disease Awareness Week in Fairfax County. Mr. Chairman, congenital heart disease is the most prevalent birth defect in the United States, affecting one in every 100 births. More than

[01:52:57] 40,000 babies are born each year in the United States with CHD. There is no known cure for CHD as it is a lifelong disease that requires ongoing specialized care. Fortunately, thanks to the advancement of science and medicine, 85% of individuals born with a disease live past the age of 18.

[01:53:16] It's critical that individuals playing a family, fetal clinicians, obstetricians, pediatricians, and those in the medical field have a greater understanding of CHD. Conquering CHD Virginia is an organization dedicated to improving quality of life for CHD.

[01:53:34] sufferers and increasing awareness of the disease. Congenital Heart Disease Awareness Week nationally provides for an opportunity for patients and families affected by CHD to share their experiences and knowledge so that the public may be aware of how this defect affects their lives.

[01:53:51] Mr. Chairman, we, you and I, ask without objection that the Board of Supervisors approve the attached proclamation declaring february 7th through 14th 2023 as general congenital heart disease awareness week in fairfax county the proclamation will be presented that to members of the conquering chd virginia at an event to be held on february 5th 2022. you've heard the motion i'm happy to second that along with supervisor lusk any discussion on the motion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions and that

[01:54:30] motion carries and was that all supervisor faust yes thank you mr chairman thank you supervisor lusk right there's a change in the order alphabetical by district i got it i'm so used to following

mr supervisor alporn that now i have to be ready things have changed they certainly have sir thank you very much so mr sherman i have one board matter it is a joint board matter with yourself and Dahlia and myself. Mr. Chairman, one in six people will have a stroke in their lifetime.

[01:55:04] Strokes are the leading cause of long-term disability, putting a tremendous emotional and financial burden on individuals, families, and communities. There are life-saving treatments that must be administered within three to four hours once stroke symptoms begin, and only a small percentage of patients get to the hospital within the window because the majority of people do not know how to spot a stroke or understand the importance of calling 911 immediately. Additionally, the stroke onset to 911 call has not significantly changed for the past 25 years. In 2021, Stroke

[01:55:44] Smart launched a public health initiative to improve stroke knowledge and response to strokes in the Commonwealth. They provide educational videos, marketing materials, and classes to increase stroke symptom awareness. This outreach to, excuse me, their outreach to my office significantly increased my awareness around this issue and has convinced me of the value of targeted public outreach campaigns aimed at stroke response. Increasing stroke awareness is vital to creating healthier communities and reducing long-term disabilities. Implementing stroke

[01:56:21] education outreach to business civic organizations senior communities faith-based organizations as well as health and safety focus entities such as hospitals health departments fire ems public safety social services and the area agency on aging will help ensure that fairfax county residents have access to the knowledge and resources necessary to effectively respond to a stroke incident therefore with this goal in mind mr chairman i move that the board direct the county executive to assign the Office of Public Affairs to prepare a proclamation to

[01:56:55] establish May as official Stroke Smart Month in Fairfax County to coincide with the already established National Stroke Awareness Month. This proclamation should be supplemented by a county-sponsored public awareness campaign with marking materials developed prior to May with the goal of educating Fairfax County residents on recognizing stroke symptoms and the importance of dialing 9-1-1 immediately in order to reduce the cost and staff time necessary to meet this goal staff should coordinate with existing stroke smart programs utilize existing marking materials that have already been developed and conduct

[01:57:33] outreach to other stroke awareness organizations that may be doing similar work so that's Jim chair is happy to second that along with supervisor Herity any discussion on the motion the only point I'll make Supervisor Lusk. Thank you, Mr. Chairman. The only point I'll make is that in watching some of their promotional videos, it became pretty clear that the person who's having the stroke symptoms cannot call 911.

[01:57:58] They can't take that action on their own, and that in many cases it's others who see, and they're the ones who have to call 911 on behalf of that person. In many cases, the individual thinks they should just lay down and probably get themselves together, And those minutes and hours are critical to ensuring that they don't get more debilitated.

[01:58:19] So I think this is an area that we certainly want to promote and get greater awareness around so that people, individuals can spot the symptoms and then make that call on behalf of others. So with that, thank you, Mr. Schumann. Thank you, Supervisor Lusk.

[01:58:35] All those, I'm sorry, Supervisor Herdy. Just two seconds. And strokes can happen to anybody at any age, but it is very important to the older adult community. So thank you. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries.

[01:58:52] Supervisor Alcorn. Thank you very much, Mr. Chairman. I have two board matters. The first one is relating to the use of Block J in Reston Town Center for an art center in Reston. So as some background, in July of 2018, the Board of Supervisors approved a profit condition amendment

[01:59:10] And Development Plan Amendment is specifically PCA 86C-119-07 and DPA 86C-119-03 and 86C-121-08 and DPA 86C-121-05 and Plan Residential Community Application PCA 86-119-02.

[01:59:33] Approval of the Proffered Condition Amendment and Development Plan Amendments identified Block J, located near the intersection of Sunset Hills Road and Town Center Parkway in Reston, as the potential location for a community-based arts center. The county, through the Department of Public Works and Environmental Services and the Reston Community Center, has determined that an arts center is feasible and that Block J of the property is a most appropriate location.

[01:59:59] Two town hall meetings were conducted last fall, which followed several public meetings sponsored by the Reston Community Center on the art center's needs, possible facility functions, and designs, including an initial feasibility analysis. This process clearly established that the art center option is not only feasible, but it is clearly superior to the alternatives offered in the proffer.

[02:00:23] An arts center located across the street from the new Reston Town Center Metro Station not only fulfills land use and transportation goals, but it is another step towards making the Dulles Corridor a performing arts corridor. I would add that this motion will get the land, but the financing and the details of what we do on that property are both TBD.

[02:00:47] So, Mr. Chairman, with that, I would move that the Board of Supervisors accept Block J as a location for a future arts center consistent with the proffers approved by the Board of Supervisors on July 31st, 2018. I'm happy to second that motion along with Supervisor Lusk discussion on the motion.

[02:01:08] I appreciate the comment that what we're not approving here is the financial plan, but rather taking the, you know, accepting the property. And we certainly hope it becomes an art center. I guess in the event it doesn't, if that were to happen, hypothetically, we would have to go back and do a PCA at that point.

[02:01:28] So accepting this land is accepting it under the provision that it become an art center should financing be worked out. If for some reason that changes, there are other avenues that we could pursue in the future if that eventuality happened. not suggesting that it would but just making sure we we know what our options are moving forward and so i'm happy to support that uh with that uh all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries supervisor alcorn thank you and before i go to my next board matter i do just want to thank a few folks this has been a long time coming to get to this point even though we have a lot more to do uh i do want to thank the the folks

[02:02:08] at dpd dpwes the county attorney's office and all the residents participating in those town halls but i especially want to give a special shout out to joe lahate and joan beecham and lila gordon for really carrying this thing through so thank you all very much for helping make this happen all right thank you mr chairman i have one more board matter and this also will take a little bit to read. This is relating to the

Reston comprehensive plan update process and as some background on January 14, 2020, which seems like an awful long time ago at

[02:02:47] this point, the Board of Supervisors authorized a comprehensive plan amendment for Reston to review how the plan in Reston has been evolving since the adoption of plan amendments for the Reston transit station areas in 2014 and for the remainder of the Reston area in 2015. For the study I appointed and convened a 31-member task force comprised of community members, representatives of community groups, and members of the development industry. The task force met frequently and virtually through the heart of the COVID-19 pandemic from May 2020 through August of 2022 and discussed a variety of topics relating to Reston's future growth. In addition to full meetings of the task

[02:03:25] force, several topic subgroups held meetings and worked collaboratively with county staff from the Department of Planning and Development, DOT, Park Authority, Housing and Community Development, the Health Department, and others. In all, 58 full task force meetings were held.

[02:03:43] There is, and you can refer to attachment A for the current working project timeline on this overall effort. The results of these conversations and collaborative efforts was a new draft comprehensive plan guidance for Reston. The draft was shared with the board at the October 4, 2022 land use policy committee meeting with the planning commission for their workshop on this topic on which was held on september 29th 2022 and with the public beginning on september 7th 2022 to solicit community feedback the task force's recommendations addressed issues such as equity community health economic development and heritage resources that were not included

[02:04:21] in the scope of the original authorization additionally in the course of their work the the task force considered changes to the adopted land use and intensity recommendations of the plan for specific areas such as the Reston Village Centers and Reston Town Center North and for parcels where development interests advocated changes. Note that input from board members articulated at last October's committee meeting is incorporated into this motion, particularly in light of the board's support for addressing equity and community health policies and putting those into the county-wide Comprehensive Policy Plan.

[02:04:58] Staff from the Department of Planning and Development is also preparing their recommendations for updated Comprehensive Plan text for Reston, and in order for the range of recommendations to be considered, the goal is now to formally expand the scope of the plan amendment to include these topic areas for consideration as part of the proposed Comprehensive Plan amendment process.

[02:05:20] And I would just add something, that on several of these scoping elements, continues amongst staff task force leads development industry representatives planning commissioners folks interested in the community and that includes on two site-specific changes that are referenced in the motion that I'm about to make and I would note that those two are also the subject of SSPA nominations and it could be that after those meetings that one or both of those could be addressed through this process but they may also come back and be considered as

[02:05:56] part of SSPA that's just a TBD so therefore mr. chairman I would move that the board add the following topics for consideration for the amendment to the comprehensive plan for rest in in addition to those included in the January 14 2020 authorization which is included as attachment B specifically the proposed plan amendment should also consider the application of equity elements consistent with the

One Fairfax policy for Reston's future planning and development, the application of community health strategies specific to the future growth of Reston, workforce development and the application of workforce development strategies critical to

[02:06:34] Reston's future, revised guidance as appropriate related to heritage resources, revised guidance as appropriate related to the application of economic development strategies in Reston, the appropriate land use and density of the village centers, the appropriate land use and intensity of the redevelopment of Reston Town Center North, the appropriate land use and intensity of parcels associated with 1810, 1825, and 1850 Samuel Morris Drive and 11111 Sunset Hills Road, and finally the appropriate land use mix for the Roland Clark Place residential mixed

[02:07:10] use section within the Wheely Station Transit Orient Development District's South Sub-District and I would so move. You've heard the motion. It's been seconded by Supervisor Luss. Discussion on the motion? Supervisor Alcorn. Yeah, thank you very much, Mr. Chairman.

[02:07:25] I know this sounds like a lot. What we're really trying to do here or what I have been told that we need to do is make sure that these items are within the authority of possibly being included in a plan amendment.

[02:07:42] This is still going very much to the Planning Commission and there's still community meetings. On Thursday, the Planning Commission is holding a workshop on this. Discussions, active discussions between staff and the development industry, the task force leads continues, and I expect we are going to be having a lot more discussion at the board and happy to either talk more about this now or if Supervisor Smith is so inclined to also bring it back to that committee at any point in the future.

[02:08:17] So thank you very much, Mr. Chairman. Thank you, Supervisor Alcorn. Supervisor Smith. Thank you, Mr. Chairman. I spoke with Supervisor Alcorn. I still have some concerns about expanding the authorization.

[02:08:33] We had a very robust discussion at the land use policy meeting in October. And, you know, my feeling, and I think a lot of my colleagues, that the policy issues like equity and community health belong in policy plan. We authorize that to happen, and I have a concern, and I want to make sure I say it publicly, that by authorizing those two areas, I don't want to create a situation where we are in conflict with the policy plans that we're going to develop.

[02:09:03] And, you know, I think that succinctness and putting things in the right place is important in the comprehensive plan, and so redundancies of policies into the area plans could be difficult. So I still retain that concern of how that goes.

[02:09:21] I guess the devil will be in the details, but I wanted to make sure that I talked about that now, and I am very open as this moves forward if we need to have a discussion at the land use policy meeting. Thank you. Thank you, Supervisor Smith. Supervisor Herity. Yeah, and I'll echo those concerns.

[02:09:38] Well said, so I won't say it again. It's with those first five bullets, And I think I can support this because it says the word to consider and you use the word to possibly be included. It won't be supported probably here if it comes back with those first five elements that conflict with the countywide plan.

[02:09:57] But I know some kind of motion like this needs to get done. I'd prefer to see it without the first five bullets, but I'll support the consider and possibility or non-possibility. Thank you, Supervisor Herity.

Supervisor Gross.

[02:10:13] Thank you. and I share the concerns that have been identified. I recognize that there is a uniqueness perhaps to Reston that is not shared by some of the other areas in the county.

[02:10:32] But I'm also very concerned that I would not want to see this particular list as a template for doing comprehensive plans in other parts of the county because I think it will strangle opportunity.

[02:10:49] And I think it will give our staff just an overload of work. So I will support this because it's, you know, looking forward to seeing what can be done. But as I think you said, Supervisor Smith, the devil is in the details.

[02:11:08] And so I am reluctant to support this, but I will do that so that we can have the, you know, If we don't ask the questions, we don't know what the answers are. I think we have to be very, very careful. This reminds me a little bit, of course, there's more to it here with more recent things with equity and so forth.

[02:11:25] But it reminds me of some of the work we were doing on Tyson's years ago. You know, it was huge. And so let's not make it so huge that it becomes overly heavy and we aren't able to move forward on anything. Thank you.

[02:11:41] Thank you, Supervisor Gross. Supervisor Walkinshaw. Thank you, Mr. Chairman, and I'll support the motion. I'll just note, you know, on the first bullet point on the equity elements, application of equity elements, just, and Supervisor Alcorn knows this as well as anyone or better, every comprehensive plan amendment that we consider, we apply equity elements and one Fairfax to it.

[02:12:07] And you can see in all the comprehensive plan amendments that we're considering today, including here at the Government Center, the equity statement that's in there and the consideration of one Fairfax and equity elements there. So it's just important for folks to know that that's not unique to this, a really valuable consideration.

[02:12:25] The other thing I'll note is I'm impressed by the timeline that you have here that this will get done in five months. I mean, it sounds like two years. Some people think two years is a rush, but five months in Reston is going to be, y'all are going to be meeting every day.

[02:12:43] But I appreciate the great work that a lot of folks in the community have been doing already on this, and I look forward to seeing it on May 9th or May 23rd. Thank you, Mr. Chairman. Supervisor Lusk. Thank you, Mr. Chairman. I will probably echo a couple of remarks I made at the committee meeting, and I think to the point that Supervisor Gross just made, and that is Reston is unique, and there are some things that make sense to me to be differentiated.

[02:13:14] And as we think about this issue of diversifying our commercial tax base, as we think about really positioning the county in a different way, this could be a template for that as well. And I'll say that ultimately I think the work that's been done by this committee can be instructive and informative on the policy plan as a whole.

[02:13:39] I don't look at it as the opposite. I look at it as it's accretive, and it's going to be a way for us to, you know, maybe source and consider for the future policy plan for the county. So I'm supportive and look forward to seeing the recommendations as they come back and just, again, want to thank Supervisor Alcorn for his efforts.

[02:14:00] I know this has been a pretty Herculean lift, and to Supervisor Walkinshaw's .5 more months, pretty amazing. Thank you, Mr. Chairman. Supervisor Stork. And I appreciate comments, Mayor.

[02:14:16] I think they have some excellent points. I'm, I think, concerned about the details of this, but I strongly support the integration of the issues here into the land use process and keeping it very proximate to the plan that's being put together.

[02:14:36] Embark really was a way of looking more comprehensively at the Richmond Highway Corridor. I think that really brought some of these elements. I think this goes a step further. Now, you can argue whether or not that's a step too far, or you can say, no, this is really just really connecting the things that are crucial to the redevelopment and the development of community.

[02:14:56] You know, health care services, economic development, you know, placemaking, you know, town centers, those all have some uniqueness to it. And I think to try to make sure that that's a key part of the conversation and that's integrated, you know, very much into the ultimate land use recommendations, I think, is essential.

[02:15:14] So I'm looking forward to seeing what the process will, how it'll evolve and what it produces. So thank you. Supervisor Faust. Thank you, Mr. Chairman. Yeah, I mean, I think this has potential of being a positive exercise, but I'm cautious.

[02:15:34] I don't, you know, I don't want to balkanize Fairfax County to the point where you got, you know, staff trying to figure out what objectives they're supposed to be pursuing if they happen to be in Reston versus if they happen to be someplace else.

[02:15:50] And in some of these areas that I could see that happening. So hopefully, you know, when it comes back, there will be some way of resolving those types of inconsistencies. If the county, if we as a board say we want to do this and the Reston Company as a plan says we want to do that, this is what we're going to do.

[02:16:11] One way to the other, we have to. We can't because we'll start with Reston and then we'll move across the county. It won't end there. It won't end here, I don't think. And I know everybody on this board is aware of the issue that I'm mentioning.

[02:16:27] And so I feel very confident that we'll be able to address it. make this work very well for everybody but the issue is there and it has to be considered thank you uh supervisor faust and i i will agree with everything that was just said um you know as as was said the devil's in the details we don't have comp plan language here uh to look at and and i think the fact that we're considering these things uh you know makes sense for rest and i will say that you know we're going to have some hard work to do to try to reconcile uh that with you know

[02:17:02] our county-wide policy plan and certainly one fairfax is a county-wide policy certainly can be maybe perhaps interpreted differently in some areas but the policy remains the same county-wide regardless of how it's described in particular comp plan language and so i think you know obviously considering these things make sense they may foreshadow um you know work on the policy plan I don't know but we will have to do the work of somehow either recognizing that there's a reconciliation that has to happen at some point between these two to make sure that at a minimum

[02:17:40] they're not contradicting each other but hopefully have the potential to complement each other and so I think that's something you know we'll all be looking at I mean I do appreciate the way you brought this forward in the outreach to us on the board about this I'm certainly comfortable with the process and we'll wait and see you know what the final product looks like and I think most of the goals in here are ones that a majority of this board has strongly embraced it's just really comes down to what is the language in the comp plan say and as someone else mentioned earlier the difficult job the staff is going to have to do to interpret that so we want to make sure we have something

[02:18:17] that's clear understandable flexible as the comprehensive plan as a guide and also something that potentially works from a county-wide standpoint without necessarily setting county-wide policy just in the Reston Comprehensive Plan.

[02:18:34] And so that'll be something we'll all have to work on together as this moves forward. I laughed at Supervisor Walkinshaw's comments on the timeline because I'm trying to think what I will do if it gets met. I almost want to have a bed, but I'm a little worried about it too. So I'm going to think that through a little bit, but ambitious to say the least.

[02:18:53] So I will support the motion as well. Having said that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Supervisor Alcorn. Yeah, thank you. I just want to thank my colleagues for helping move this forward.

[02:19:11] I actually am very optimistic when the language does ultimately come to us. I think most of us, maybe not all, but most of us are going to be very pleased. with what comes back, and I know the Planning Commission has heard loud and clear that they don't want to see policy plan text in an area plan, so it is going to be more rest in specific things, but frankly, these are things I know we're trying to do everywhere, so this is, I think most of what comes back will not be particularly controversial, but let's see

[02:19:51] what the planning commission can do, uh, instead. So I do want to thank, uh, everyone who's been a part of that process and continues to be, um, because there is still a fair amount of work, um, to be done, uh, to, to basically get this ready, uh, ultimately for the board to, uh, consider it. So, um, and again, thank you to my colleagues for, uh, allowing this process to go forward. Thank you, supervisor Alcorn. And next up is supervisor Stork. Thank you, Mr. Chairman.

[02:20:23] I have a non-unique board matter to bring forward since this is the 36th annual town meeting. Once again this year, I am fortunate to have the opportunity to continue a Mount Vernon tradition established by my predecessor in 1988, the annual Mount Vernon town meeting.

[02:20:45] Town meeting will be at Mount Vernon High School and residents can also join us from their homes by streaming on Channel 16 and Facebook. The morning will begin with an exhibit hall of county and community services providers, followed by a Q&A with local leaders and special recognitions.

[02:21:01] I am pleased that Congressman Beyer and Connolly, Chairman Jeff McKay, County Executive Brian Hill, Colonel Joseph Messina, Mount Vernon School Board Representative Karen Corbett-Sanders, and Fairfax County Public School Superintendent Dr. Michelle Reed will be presenting and answering questions from residents.

[02:21:18] I invite all my colleagues and county residents to join me for this annual event the Saturday before the Super Bowl, February 11th, with the exhibit hall opening at 7.45 a.m. and the program from

9.30 a.m. to noon. And one of the highlights typically is the virtual tour, which is a flying tour of really the district and all the changes in it.

[02:21:39] And I think that particularly is one thing that I think people still very much enjoy. Therefore, Chairman McKay, I ask with unanimous consent that the Board of Supervisors direct the Office of Public Affairs to advertise the town meeting on its various communications platforms.

[02:21:55] And without objection, that is so ordered. Supervisor Stork. That's it, Mr. Chairman. Thank you. Thank you very much, Supervisor Stork. Next up is Supervisor Dalia Palchuk, who's not with us, so I'll recognize Supervisor Kathy Smith. So this is a joint board matter with Supervisor Gross for Women's History Month 2023.

[02:22:27] Women's History Month originated as Women's History Week in 1982. Since the National Women's History Project petitioned the designation of March as Women's History Month in 1987, we have continued to honor and celebrate all the aspects of women's identity that are intersectional, enriching, and sometimes complicating their lived experiences.

[02:22:49] This year, the National Women's History Alliance's theme is celebrating women who tell our stories. Historically, women have led the charge to secure their right to vote, fight for equal opportunity, uphold civil rights, and join many other critical movements whose goals have been to create a more fair and just society for all.

[02:23:09] Throughout these notable and pivotal moments in history, women storytellers in all forms of media have led the charge to boldly express the progress, pain, hope, and courage of women seeking change. Women storytellers represent a powerful, diverse group of people who use their various platforms to transform culture and communities. Established in 1971, the Commission for Women has been an active voice for women to combat domestic violence and promote educational equality and progress in the workplace. CFW recognizes and honors the unique contributions of the many women journalists, writers, authors, broadcasters, producers, scholars, and poets

[02:23:49] who have devoted their lives, careers, and talents to producing art and news, pursuing truth, and reflecting on the progress and growth of society decade after decade. CFW also honors the women in communications in Fairfax County and is grateful for their work to keep the narrative of women at the forefront of discussion in being an authentic and vulnerable voice telling women's stories while devoting attention to improving female unity through storytelling.

[02:24:17] Therefore, we move that the Office of Public Affairs prepare a proclamation to be presented to the commission for women in the boardroom on march 7 2023 to proclaim march 2023 and as women's history month in fairfax county to recognize and celebrate the vital role women play in fairfax county's history and across the nation heard the motion a second by supervisor gross any discussion i was just going to say briefly i'm sorry supervisor palchek isn't here I know this meant a lot to her.

[02:24:48] Well, I'm hoping she's with us on March 7th when we actually present this. Any other discussions? Supervisor Lusk. Thank you, Mr. Chairman. I just want to note a couple of things which I think are great. So I want to say thank you to Supervisor Smith and Palchuk and Gross for bringing this forward.

[02:25:05] I'll just note this Friday, January 27th, will mark the third anniversary of the Virginia General Assembly's ratification of the ERA. So that's a really important thing. And I just want to make a couple

points here that, you know, Virginia is the 38th state that, you know, made this crucial vote necessary and important.

[02:25:26] And the ERA is still not officially recognized as law. And this is a remarkable achievement, which came after decades of relentless efforts by generations of activists to permanently codify equal rights for women. And I think that's just so, so important.

[02:25:43] And then the last point I'll make is that this past Sunday was the anniversary of Roe v. Wade. So, again, a very pivotal decision for women as well. And I just want to acknowledge how important it is for us to make sure that we're expressing and sharing and doing the things that we're proposing here with this resolution.

[02:26:06] So thank you very much. Okay. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Smith, was that all? Just want to make an announcement that the land use case in Providence with the schools, I'm going to make a motion this afternoon to defer that to February 7 at 1.30.

[02:26:27] Okay. And we will make note of that and appreciate the advance announcement. Next up, Springfield District Supervisor Herity. Yes, Mr. Chairman, I have four written and one unwritten, so I will try to move through those. The first is Old Key Mill PNC Bank expedited processing.

[02:26:48] PNC Bank is requesting reinstatement of a special exception for an existing drive-thru bank at the Old Key Mill Shopping Center. The site is currently developed with a drive-thru financial institution. However, the bank pad was vacant for more than two years, and a new special exception approval is required.

[02:27:05] Other than interior renovations and minor exterior building improvements, no new construction is proposed for the application. Currently, no significant issues have been raised by staff nor the community. The renovations are nearly complete, and the bank hopes to open the branch by April of this year.

[02:27:23] Planning Commission has a public hearing scheduled on March 15, 2023. Accordingly, Mr. Chairman, I ask without objection that the Board authorize expedited processing a special exception 2022-SP-00043 for a scheduled Board of Supervisors hearing date of March 21, 2023. The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances regulations and or adopted

[02:27:59] standards nor does it prejudice in any way the board's consideration of this pending application so moved uh you've heard the motion we can't do this without objection we have to have a vote on it um all is there uh it was seconded by supervisor lusk um is there any discussion on the motion seeing hearing none all those in favor of the motion please say aye aye any opposed say nay Any abstentions?

[02:28:25] That motion carries by a vote of seven. Supervisor Palachuk not in the meeting and Supervisors Smith and Chairman McKay out of the room. And next. So I'm going to move to the John Autry community room at West Springfield Government Center.

[02:28:43] The West Springfield police community has requested that the community room in the West Springfield Government Center be named after John Autry, a longtime member and chairman of West

Springfield CAC and chairman of the chief CAC. I wholeheartedly endorse and support their recommendation.

[02:28:59] John Autry was known and loved by many at the West Springfield Station, volunteering to serve holiday meals, supporting officers, and advocating for changes to support police and our community, also serving as chairman of the chief's CAC. In addition to his advocacy for the police throughout his life, Autry was a devoted advocate to fighting domestic violence and human trafficking as it touched the military.

[02:29:21] He was a dedicated public service whose impact continues to be felt, especially at West Springfield Station. Mr. Chairman, I ask that we recognize John Autry's service to our community by renaming the West Springfield Government Center Community Room as the John Autry Community Room in his honor. Approval this matter is subject to the approval of and compliance with the board's renaming policy. As per the renaming policy, I ask that this request be looked at by the History Commission and follow the outline processes for renaming a facility. You've heard the motion. Is there a second? Seconded by Supervisor Lust. Discussion on the motion? Seeing and hearing none. All those in favor, please say

[02:30:01] aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Herity. Yes, the next one is addressing safety concerns on Lee Chapel Road. As the board is aware and we talked about this morning, the community recently lost two young lives and one remained seriously injured after a crash on Lee Chapel Road. In the weeks following the crash, I have, and no doubt you have as well, received a significant number of calls and emails and social media messages from people asking for us to do something to prevent this from happening again, including a petition signed by over 14,000 residents asking for improvements.

[02:30:37] This half-mile stretch of Lee Chapel Road has seen significant accidents as well as injuries over the past several years. After a previous fatal crash occurred on this road in 2015, I recommended a project that would fix the hills, curves, and alignment be added to our district's priority list of unfunded transportation projects.

[02:30:56] I attempted to have it move forward again during the 2017 transportation priority plan process, but funding was not sufficient at the time and it remains on our unfunded priority list. After learning in the news, I asked leadership at VDOT and FCDOT to meet to discuss short-term safety-related options that we can take while we continue to work to obtain funding for the full improvements of this section of Lee Chapel Road.

[02:31:22] On January 18th, I hosted a meeting with Supervisor Stork, Delegate Kathy Tran, and VDOT and FCDOT leadership to discuss short and mid-term improvements that we can undertake while we work to fund the full four-lane improvement project as shown on the comprehensive plan.

[02:31:38] VDOT has already installed optical speed bars on the roadway as a timely first step. FCDOT has also asked Public Works to look at the feasibility of and the costs associated with installation of street lights in the vicinity of the hills.

[02:31:58] I'm engaging with the park authorities recommended by VDOT and FCDOT. We, as well as FC DOT and VDOT, are clearly committed to improving safety on this short section of roadway, and details on these proposals will be forthcoming in the next few weeks.

[02:32:14] While FC DOT is already looking at midterm solutions to eliminate the hill that has been the primary source of accidents and fatalities on this road, we thought it was prudent to bring this action to

the board for direction and approval, and I'm making this motion jointly with Supervisor Stork and Chairman McKay.

[02:32:33] While we continue to address short-term solution, I move that FCDOT be directed to research and provide a preliminary cost estimate for the project to eliminate the hills on Lee Chapel Road between Ox Road and Fairfax County Parkway and provide the board with potential sources of funding for the solution.

[02:32:55] These interim changes should be designed with the ultimate goal of the four-lane widening currently envisioned in the comprehensive plan. Also direct the county executive to coordinate with the Fairfax County Park Authority, FC. and VDOT, to look at safety improvements along the FCPA-owned frontage on Lee Chapel Road.

[02:33:13] And I neglected to add the section in here about having Public Works look at the feasibility and cost of lighting. So I would add that as well. So moved. You've heard the motion. It's been seconded by myself and Supervisor Stork.

[02:33:29] Discussion on the motion? I think the motion kind of says it all. Not the motion that the board matter kind of says it all. I did meet with the two 14-year-olds that did the petition yesterday. I know there's a lot of community support for doing something, and unfortunately it takes a tragedy.

[02:33:46] I will also add that it's not lost on me that there are other hills like this in the county, and I think once we look at this, I will be reaching out to some of you that may have some in your districts to see what we can do perhaps countywide because I think we've got more work to do than just this one hill.

[02:34:05] But for now, I think we need to focus here. Further discussion? Supervisor Stork. I would just echo that for a location that's been so tragic for multiple times over its history, I think the urgency now is very clear.

[02:34:30] We know that we have an opportunity here to do some things. Maybe we can't do everything, but we can do some things that maybe reduce the potential or the likelihood that particularly a younger driver will make some fatal mistakes.

[02:34:47] And I think that's all we can do at this point, even while we're recognizing that it's inadequate for the grief and the tragedy that's occurred. So I look forward to moving this forward and making a difference. Thank you. Thank you, Supervisor Stork, and I'm supporting this as well.

[02:35:04] I don't necessarily agree with all the language in the background, but I absolutely agree with the need to look at this and do something. And I want to thank Tom Vajodny, our Department of Transportation, who's already been looking at this, working with VDOT, as well as Delegate Tran, who's organized a community meeting that will be participating on Monday night.

[02:35:28] You know, clearly this is an unsafe stretch of roadway, and we need to be looking at every element of this roadway for improvements. But the one thing that's not in here that I think we need to be really up front and talk about, too, and that is the education and the conversations with our young people in particular.

[02:35:50] This is a dangerous stretch of roadway. We talked about it this morning. We've lost lives here now as a result of many confluence of many things, not the least of which is one of them is, you know, what conversations we want to have and what education we want to do with our young people to prepare

them to be good drivers and prepare them with some of the challenges that navigating through various geographic areas of the county present.

[02:36:20] And one thing about Fairfax County is our roads in all different parts of the county are very different. The driving habits, the attributions of those roads, the attributes of those roads are very different. And, you know, here we had tragedy involving 16-year-olds who, you know, are new drivers.

[02:36:40] And, you know, I think we need to be having a conversation also with our school partners about what type of education and what type of collaboration is happening at the school level to try to help us through education standpoint to prevent loss of lives.

[02:36:56] And this is going to be a team effort. It's going to be looking at our roads, looking at safety features, but also having those real conversations with, in particular, our young people as a result of what happened here, really, but with all drivers. And that's one of the reasons why we have our public information campaign already about trying to protect pedestrians and trying to get people to slow down and pay attention, pay more attention to your own driving habits, and that can also save lives.

[02:37:25] And so this is a really important thing, and again, look forward to the conversation and our Department of Transportation continuing to work with VDOT on solutions that will make our roadways in the county and particularly this stretch of this roadway safer.

[02:37:41] So thank you. Supervisor Faust. Thank you. I'm going to definitely support the motion, but I would say, you know, one of our problems is the prioritization of the transportation projects for funding. You know, we did a very comprehensive look in 2014, and that's when we prepared the prioritization list.

[02:38:06] And then we reviewed it in 2019 in order to remove things because the state decided to give us less money. But, you know, it's great to look at one piece of roadway, but we've had accidents all across the county, deaths.

[02:38:27] I would love to take a comprehensive look at where are we. In 2019, we did a six-year plan, reduced the amount of money that we had in the plan. But now we're in the fourth year of that plan, and we should, you know, be taking that comprehensive view.

[02:38:47] you know definitely go after this as a serious obvious 14,000 residents signing a petition I don't know the intersection but that that puts me on alert but the county at large we need to look again at our prioritization Mr. Chairman yes Supervisor Alcorn yeah just real quick on that point I did actually Mr. Bishadny and I spoke about this two days ago and you know as we're looking at the agenda for the transportation committee um it is going to be coming up early uh next year to get that kicked off um there there are a couple things that are we're waiting

[02:39:26] on externally but uh yeah it's it's starting so thank you thank you supervisor alcorn uh supervisor herity yeah and i would just add one one thing that i've said that wasn't in the board matter that you know i've reflected that i've reflected on uh in terms of yes so supervisor faust will still be here for that next year I meant sorry but you know many many of our roads in in in both supervisors Faust and Supervisor Smith and my section of the the county really were developed

[02:40:03] when we were largely rural and and even not even suburban in many cases so and since then the volumes on those roads, and the power of the automobiles have significantly increased.

[02:40:18] So, you know, this is one of those roads that clearly isn't designed for today's cars or today's volumes. So as we look at that, that's something else to consider. Okay. Any other discussion? Seeing and hearing none, all those in favor of the motion, please say aye.

[02:40:36] Aye. Any opposed? Any abstentions? And that motion carries. Supervisor Herity. Yes, Mr. Chairman, the next one is on the Fairfax County Teen Job Fairs. My office, Fairfax County Public Schools and Connection Newspapers, along with businesses and community organizations, including our local chambers, have hosted very successful teen job fairs and career building workshops for the past six years.

[02:41:00] These events focused on students and young job seekers looking for a variety of employment opportunities, full-time after-school, seasonal positions, internship opportunities, and volunteer positions. The fairs have provided thousands of teenagers the opportunity to get in front of employers and for our employers to find talented Fairfax County students to fill their positions.

[02:41:23] Even during the pandemic, we were able to host two virtual fairs that were very successful. Last year, with the return to in-person fairs, we had over 2,000 students and roughly 100 businesses participate. This year, we will be hosting the fairs again in person. I am once again teaming up with Connection Newspapers, Fairfax County Public Schools, as well as local chambers and organizations to bring our community three Fairfax County teen job fairs and career building workshops.

[02:41:49] The fairs will run on three Saturdays in March. The fairs will be open to all teens in Fairfax County looking for employment, volunteer opportunities, or tips on building their resume. Free table space will be provided to registered businesses and organizations to advertise their available positions.

[02:42:07] We will also host resume and career-building sessions with our Chamber of Commerce partners. Beginning today, January 24th, both students as well as employers may register at 10 by visiting the link that's listed in here, which is fairfaxcounty.gov backslash springfield backslash teen job fairs.

[02:42:25] First jobs are important, and these events help connect teens, employers, and prepare our youth for the workforce. this year, especially our students and employers are eager for the opportunities provided by the fair. Therefore, Mr. Chairman, I ask without objection that the Office of Public Affairs help publicize the 2023 Fairfax County Teen Job and Opportunity Fair. Without objection, it is so ordered. And I might suggest, Supervisor Herity, that these might also be excellent opportunities following up on what we just talked about to work with the police and FCPS about maybe

[02:43:02] having some informational educational opportunities around teen driving as well since it's a good captive audience okay and the police are regular participants so i will uh pass that pass that along okay uh supervisor harry so one last unwritten one i never miss an opportunity to uh to give shout outs to burke lake park and since we were talking golf earlier i've got a recommendation for supervisor faust um now that burke lake park uh has been uh recognized uh by golf range

[02:43:36] association of america and in the professional golf association is is one of the top 50 golf ranges in the in the country so a shout out to our park authority on that in all seriousness and oakmar also made the list so we have two of the top 50 golf public golf ranges in the uh in the country here in Fairfax County.

[02:43:58] So with that, that concludes my board matters, Mr. Chairman. Thank you, Supervisor Herity, and with that we are going to move, I'm sorry, Supervisor Smith, and Supervisor Smith has no board matters, and so with that we are going to move on to the county executive's items, including our

administrative items, and let me ask Supervisor Gross if there is a motion to approve admin items 1 through 9.

[02:44:20] So moved, Mr. Chairman. You've heard the motion, I'm happy to second that. With Supervisor lusk are there any uh items that board members would like pulled for a separate conversation questions or vote supervisor alcorn just very quickly on admin two a separate vote or just conversation conversation okay uh conversation on admin two any others okay admin two supervisor alcorn okay thank you uh this is the charge up fairfax grant applications which i'm very excited about this is a big step uh we have about half of our population in fairfax county that lives somewhere where there's not a garage for them to to charge up their electric vehicle and this is

[02:45:00] looking to pull the information together and help do that i did just want to flag for the board there there's a little bit of tension here with the federal money the idea should be that the charging should be open to anybody who wants to do it on the other hand our zoning ordinance for our common area common interest communities the parking is not just for anybody these aren't parking lots in general they're for the residents and guests so I just want to thank Combees you and your team for working through these issues this this is going to take a while and it's I'm

[02:45:35] not saying it's a county responsibility to figure this all out but this is going to be something that we're going to be working with our communities on for a long time so thank you very much Combees Thank you, Supervisor Alcorn. Any other discussions? Seeing and hearing none. All those in favor of admin items one through nine, please say aye. Aye. Any opposed? Any abstentions? Those carry. And we will move on to action items. Action item number one is approval of the Board of Supervisors regular meeting schedule for calendar year 2023 and authorization for the chairman to postpone a scheduled meeting in the event of weather or other hazardous conditions.

[02:46:12] Supervisor Gross. Move the county executive's recommendation. Supervisor Gross moves approval, seconded by Supervisor Lusk. Any discussion on the motion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries.

[02:46:29] Action item number two, approval of a parking reduction for Vista Apartments Multifamily Development in the Braddock District. Supervisor Walkinshaw. Thank you, Mr. Chairman. I move approval of the county executive's recommendation on action item number two. I'm happy to second that along with Supervisor Smith. Any discussion on the motion? Seeing and hearing none. All those in favor of Action Item 2, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Action Item 3 is designation of the residences at the Government Center 2 site as a revitalization area in the Braddock District. Supervisor Walkinshaw. I thank you, Mr. Chairman.

[02:47:07] I move approval of the county executive's recommendation on Action Item 3. I'm happy to second that along with Supervisor Smith. Discussion on the motion? Let me start with Supervisor Walkinshaw. Yeah, just as a reminder, we've had a number of these over the last year. It's a requirement of the Code of Virginia to be eligible for the low-income housing tax credits, completely separate from our revitalization districts. Very good. Thank you, Supervisor Walkinshaw. Supervisor Gross. And I just wanted to make sure that that was very clear to everyone because we've spent a lot of time working on our revitalization districts to have new ones come in.

[02:47:45] Some of our folks will say, hey, wait a second, what's going on? So thank you. Yes, and this is a temporary thing, instrument for this particular instance. Supervisor Herdy. Yeah, and I've voted for

several of these in the past, but this is one area that I'm familiar with and staff usually makes this determination.

[02:48:04] But in this resolution, it states that we are determining the following as the board. We have determined that little I, the commercial and or other economic development of the revitalization area will benefit Fairfax County, which is simple, but that the area lacks the housing needed to induce, among other things, the commercial, governmental, educational, entertainment, community development, health care, or nonprofit enterprise or undertakings to locate or remain in this area.

[02:48:37] And there's an and. But I'm very familiar with this area, and it is a largely residential area, and it clearly has commercial, governmental, educational, entertainment, community development, health care, and nonprofit enterprises that, as far as I know, are going to continue to be in this area and will be locating in this area based on the land use that I've got right around the corner from me.

[02:49:06] And that we don't expect private enterprise or investment, I'll just read it, NII, private enterprise and investment are not reasonably expected without assistance to produce the construction or rehabilitation of decent, safe, sanitary housing and supporting facilities that will meet the needs of low- and moderate-income persons and families in this area and will induce other persons and families to live within this area and thereby create a desirable economic mix of residents in such a way.

[02:49:40] area and i have a hard time getting there in fairfax corner because i'm very in this area because i'm very familiar with it we've got low to moderate income housing here we do have all those things that are listed i'm just i'm just struggling to get there with that okay uh let me recognize supervisor alcorn first yeah uh i want to thank supervisor herity for flagging that language, it looks pretty clear to me that this does qualify. I mean, we do lack, not just in this

[02:50:15] area, I think countywide, you know, we lack this type of housing, and it does slow down our ability on economic development for commercial, all sorts of different activities. I mean, folks are driving in from Prince William and West Virginia, you know, to come to jobs here. And certainly all the employers that I talk to, the number one thing that I hear is workforce over and over and over again. So yeah, I think this fits just fine. And it's not just here, it's pretty much all over

[02:50:53] Fairfax County. So I don't know, maybe I'm reading it differently, but it looks pretty clear to me. Supervisor Walkinshaw. Yeah, and I'm sure Mr. Fleetwood, our staff can speak to the legal requirements and are meeting the legal requirements here. I just reiterate what Supervisor Alcorn said we've heard time and time again from the business community we've heard it from the EAC that the biggest threat short medium and long term to our continued economic success is the lack of affordable housing and that's true across the county that's true in the Fairfax Center area right here in the middle of the of the county but I'm sure staff can speak to this specific again

[02:51:31] And I'll note, this is the exact same motion that we have made for most every similar affordable housing project in Fairfax County. And I suppose you could look at the location of each and say, I know it well, and I don't think it applies.

[02:51:50] But the reality is, what's in the resolution applies across the county. And actually, before Mr. Fleetwood answers that, Supervisor Walkinshaw, I couldn't agree more. You know, if you read the item, the equity impact statement talks about, you know, that need for affordable housing and that that's been obviously reviewed by county staff and that extra layer of equity impact.

[02:52:12] But I think equally important in this case is if it didn't meet the legal definition, it wouldn't be in our package, number one. And number two, the point of this is to receive 15 extra points in the review for getting funding to make this project happen.

[02:52:28] And so if we don't get the extra 15 points, we literally would not be getting taxpayer, additional taxpayer support for this other than, you know, what's already in the project. And so the point of this is to get additional money to make this project happen.

[02:52:45] We qualify legally, and if we weren't doing this, we would be shooting ourselves in the foot and saying we don't want the extra 15 points to qualify for the financial support. But let me ask staff if they would like to address the issues that have been raised here.

[02:53:03] Mr. Chairman, good afternoon. Tom Fleetwood with the Department of Housing and Community Development. I would say that the points that have been raised by your colleagues with respect to the need countywide and the need for workforce housing certainly underlines the appropriateness of this resolution for this purpose.

[02:53:26] Again, this is for a very narrow purpose, a very narrow action for a specific purpose related to the tax credits. Thank you, Mr. Chairman. It is just that, and equally important, helps us be eligible for the additional 15 points in the scoring to make this project actually happen.

[02:53:48] Supervisor Herity. Just a follow-up. So I heard that anywhere in the county, then, we can make this claim? Is that what I just heard? Because you said countywide was the basis for this, not an area around the particular development.

[02:54:04] It's countywide. Supervisor Herity, what I would say in that respect is that while we've identified needs countywide, certainly the presence of employment opportunities, the need for workforce in this area absolutely underscores the appropriateness of this resolution.

[02:54:29] The fact that we have come to this conclusion on a variety of other projects over the last 24 months, I would say, underlines both the localized and the county-wide nature of the need that we have.

[02:54:47] Thank you for that. And I certainly have heard from the business community. I'm a member of the business community, and workforce is a challenge. It's also clear that I disagree on how to solve that with the majority of the board. but it's not that I don't care about it as an issue.

[02:55:02] And you'll be hearing more from me later on affordable housing, but thank you for the clarification. Supervisor Faust. Yeah, and I mean, I think it's clear that you don't agree with the approach we're taking, but that doesn't justify the objection to this particular matter.

[02:55:22] I mean, you say you know this economy around here. I suspect there are people in this very building who work here who would qualify to live in this housing when it's done. Across the road, you know, probably many people.

[02:55:38] The retail sector in and around this particular site is significant, and many of those people are going to qualify. They may not make the cut, but they're going to qualify to live in this project.

[02:55:55] So there's no, I don't think there's any question, but that the language of this item is correct. And I wish it wasn't almost, but it is absolutely correct.

[02:56:11] Thank you, Supervisor Faust. And as we acknowledged this morning, some real renegades in affordable housing. But one of the things that, you know, I pointed out is how happy I am that we're building affordable housing all over the county. This property was in Springfield District for a long time.

[02:56:30] and nothing was done with it, and I think that's in part because there's a desire to make sure affordable housing only gets built in certain parts of the county, and that is a planning mistake that's been made in this county for far too long. People who need affordable housing need access to jobs. They need access to transit. They need access to the amenities that other people who live around this complex already take advantage of, and we certainly have a very successful affordable housing community already built on the government center grounds as a model for how we can do this and how we do it right. And I want to thank staff for their work on this

[02:57:09] to get this to this point, because anyone who's been in our affordable housing lately and has cut ribbons at some of the projects across the county that are bringing us towards that 10,000 goal can see the enormous amount of quality and opportunity and partnership like this particular property with the private sector to do this in an affordable way in the county and that's exactly what this program here in this particular item is professing to do and so those projects are

[02:57:43] complicated they take a lot of work this project qualifies and it would be ludicrous for us to not do this and say we're not interested in the 15 extra points to obtain the state tax credits that will help them make the financing work to make this project happen. And that's ultimately what we're being asked here to do today. So with that, all those in favor of the motion, please say aye.

[02:58:06] Aye. Any opposed? Any abstention? Herity abstained. And that motion is approved with Supervisor Palczyk being absent and Supervisor Herity abstaining. And that brings us to action Item number four, resolution to support the abandonment of a portion of Lincolnia School Road, School Route 9610 in the Mason District, Supervisor Gross.

[02:58:33] Mr. Chairman, this is a housekeeping effort. This particular location was removed as a route decades ago, but it never got pulled from the state system.

[02:58:49] And so this is a proposal to remove this from, completely remove it, abandon it from the VDOT inventory. And just, I have to talk a little bit about some of the attachments.

[02:59:05] If you look on page 127 of our board package attachment to, is a 1960 aerial view of the Lincolnia School and the area that we're removing. Until I saw this, and I had not seen this particular photo before, I had not realized that the entire area across the street from the school, which is now a very vibrant commercial area, was all single-family detached houses.

[02:59:37] And there was almost nothing else around. I mean, even Beauregard Street didn't come around. You can see that it was a very rural area. Ten years later, it looked a whole lot different, but I thought this was an interesting little walk down historical lane because this is what much of Fairfax County looked like in 1960, and this is inside the Beltway.

[03:00:07] Even the Shirley Highway was only the Shirley Highway. It was not 395 or anything else. It was just a roadway between essentially south and D.C. So I am happy to move the county executive's recommendation that this school route be abandoned.

[03:00:29] You've heard the motion. A second from Supervisor Lusk. Any further discussion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Action 5 is approval of a resolution endorsing projects for submission to the Northern Virginia Transportation Commission for fiscal years 2024 to 2025 for the I-95, I-395 commuter choice program in the Franconia, Mason, Mount Vernon, and Springfield districts.

[03:00:58] Supervisor Alcorn. Thank you, Mr. Chairman. I move approval of the county executive's recommendation for action item number 5. Happy to second those, along with, I think, most affected parties here, Supervisor Lusk, Supervisor Gross. Any further discussion on the motion?

[03:01:15] Seeing and hearing none, all those in favor of Action 5, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Action Item No. 6 is approval of revisions to Chapters 2, 4, and 8 of the personnel regulations. Supervisor Gross. Mr. Chairman, I will move approval of the county executive's recommendation.

[03:01:35] These items were discussed in the personnel committee meeting last fall and have also been approved by the Civil Service Commission. You've heard the motion and a second by Supervisor Lusk. Any discussion on the motion? Seeing and hearing none, all those in favor of Action 6, please say aye.

[03:01:55] Aye. Aye. Any opposed? Any abstentions? And that motion carries, and that brings us to our consideration items. We have two. Consideration item number one is election year policies, and let me turn to Supervisor Gross.

[03:02:12] She would like to make a motion on consideration item number, actually, yes, I am told we do need to vote on consideration item number one. We typically don't vote on consideration items today. We're going to. Supervisor Gross. I would move approval of the election year policies as outlined in the item.

[03:02:30] I'm happy to second that. Is there any discussion? Any discussion? And for those watching at home, this is an important thing this board does every four years to make sure that we're giving people an opportunity who are running for this office to obtain the same information we get.

[03:02:48] But important as well is making sure that prohibition on links from a magisterial district's webpage on fairfaxcounty.gov to board incumbents' personal or campaign websites or non-official social media sites at any time continues in effect, as well as the guidance on our use of social media sites that we're all well aware of here, making sure as we enter an election year.

[03:03:16] And equally important that land use public hearings will not be scheduled for a period from November 7th, 2023, until the new board takes office on January 1, 2024, among other things that are in this item. So for public information.

[03:03:31] A lot of things have changed since I first ran for this office. Much has changed. In those days, you know, you would go to the supervisor's office and pick up a big package in paper to read the board package if you were so inclined and if it didn't deter you from wanting to run for office.

[03:03:54] Very good. So, with all that being said, all those in favor of consideration item one, please say aye. Aye. Aye. Any opposed? Any abstentions? And that motion carries. consideration item number two is appeal of john zeka and lindsey noble for a decision of the exception review committee pursuant to the chesapeake bay preservation ordinance code of the county of fairfax virginia for langley forest lot 13a

section one to be found on tax map number 21-4 double circle 6 lot 13a in the drainsville district and we do not do very many of these

[03:04:33] So for this item, I am going to ask staff, just out of courtesy, I'm going to ask staff to provide a brief presentation. And following the staff presentation, I will, of course, ask the appellant to have an opportunity to provide a presentation as well.

[03:04:49] And at this time, I will recognize Ms. Lewis of the Land Development Services. Welcome. Good afternoon, Mr. Chairman and members of the board. I am Cameron Lewis from the Department of Land Development Services.

[03:05:04] Our department processes applications for exceptions to the Chesapeake Bay Preservation Ordinance which are heard by the Exception Review Committee or the ERC. This consideration item is for an appeal to a decision of the ERC disapproving the appellant's request for an exception.

[03:05:26] The exception request was for a pool in the seaward 50 feet of the RPA at 917 1 Avenue in McLean. The Exception Review Committee reviews all applications for accessory structures as is required by the Chesapeake Bay Preservation Ordinance Section 118.6-8.

[03:05:48] Exceptions may be granted only upon a finding that all criteria of 118.66 are met. The appellant's application was denied by the ERC as not meeting findings 118.66-B and 118.66-D.

[03:06:04] The subject lot was created in 1947 and the current house on the property was built in 1998. The resource protection area was designated on the lot in 2003 and the Appellants purchased the house in 2020.

[03:06:25] This aerial image shows the extent of the resource protection area on the property. It also shows the location of the tributary in the rear yard, a very faint blue line. The appellants propose to build the pool in the rear yard between the house and the existing retaining wall.

[03:06:46] As you can see, the stream is quite close to the existing retaining wall. The proposed location for the pool in the grassed area to the rear of the house is entirely in the seward 50 feet of the RPA. The southern corner of the pool would be approximately 10 feet from the stream.

[03:07:08] The appellants propose to build the pool in the rear yard pictured here. The stream is not visible, but is just on one side of the existing retaining wall, which is shown. The ERC denied the application after determining that it failed to meet two of the required findings.

[03:07:29] This side sets out the ERC position and the staff report. The position of the ERC. Under Chesapeake Bay Preservation Ordnance Section 1866B, the ERC must find that granting the exception will not confer upon the applicant any special privileges that are denied to other property owners who are subject to its provisions and who are similarly situated.

[03:07:56] It will be the first ERC approval to build a pool in the Seawood 50 feet. The recent exception request Woody Glen for a swimming pool within the Seawood 50 feet was denied.

[03:08:12] Although the circumstances for every exception request are different, approving an exception in the Seawood 50 feet for the purpose of building a swimming pool may confer a special privilege on this applicant and may establish a precedent for approving similar applications.

[03:08:32] Under Chesapeake Bay Preservation Ordinance Section 1866D, the ERC must find that the exception request is not based on conditions or circumstances that are self-created or self-imposed. The ERC found that the applicant's request to place a swimming pool approximately 10 feet from the stream is a self-created condition.

[03:08:55] They found that the applicant had no reasonable expectation that a pool would be approved, and approval would depend on the appropriateness of the project. The appellant is requesting that the Board overturn the September 7, 2022 decision of the ERC and approve the exception request.

[03:09:24] Thank you very much. That's the end of the staff presentation? Okay. At this time, we'd welcome a presentation by the appellant. Mr. Haynes, welcome.

[03:09:37] Thank you, Mr. Chairman, for the record. I'm Gray Haynes with the firm of Reed Smith. And with me today is one of the owners of the property, John Zegger, and J.T. Kelly, who is the engineer on the project. Also on the project as an engineer was Ted Britt and a gentleman by the name of Clevenger.

[03:10:05] Let me make these part of the record. I'll hand them to Jill. What I've handed her are a number of things.

[03:10:31] Number one, photographs from your archives showing that a pool was located in this location six decades ago, going back to 1960.

[03:10:48] Since that time, that pool that went with the houses that were on this property were demolished, and the pool was not in effect at the time that the Bay Bill was adopted in 1990, nor was it in effect at the time of the RPA being adopted in 1993.

[03:11:12] Had it been, some of its elements were, it would be grandfathered or vested, as you say. So my clients bought this property in 2020.

[03:11:30] They determined that they would attempt to locate a pool on the property. And they were told that they had to abide by the act and by applying to the ERC committee, which they did.

[03:11:47] I did not handle the hearings, but there were several hearings. And my client and his wife attended, as did Mr. Kelly. Let me go back a bit in time, and that is going back to what I think may have been the first case before this ERC committee.

[03:12:13] I had a client on Mason's neck who had an existing pool. The RPA had just been adopted, and he had a neighbor named Senator Joe Gardland.

[03:12:30] Senator Garland was sort of the father of this Bay Bill legislation, along with the gentleman from Montrose, Virginia, in the House. He testified before the committee, but provided them the background.

[03:12:50] It was not the intent, nor the wording of the Act, to prevent all structures within this area of the Bay Bill and the RPA.

[03:13:06] The RPA has two areas. One is a buffer area of 50 feet. The other deals with the rest of the RPA. If you meet the requirements of the Act and the code, then you should be entitled to build structures within that Act.

[03:13:34] The purpose of the Act is to provide clean water and meet the requirements of what qualifies as clean water. In order to do that, my client retained soil consultants, wetland studies and solutions, and

Mr. Kelly, and provided several reports to the county staff, which is the staff of the ERC committee.

[03:14:09] Those reports established the fact that the purpose and the requirements of the ERC code were met. The core purpose of the act is to have water that meets the requirements of the Bay Bill.

[03:14:36] If you satisfy that, then you should be allowed to have a pool, especially in this case, in this location. This location is the same location that was used for the prior pools.

[03:14:53] In the handout that I've made part of the record, I have aerials from the county going back to 1960, and each 10 years shows a pool in this location. As a matter of fact, there are eight swimming pools within walking distance of this property.

[03:15:15] In the RPA, there are four of them. The only distinction is that this particular pool is within the 50 feet, but it meets the requirements of the ordinance.

[03:15:37] And that is why the client reached out to me to attempt to handle this appeal. One of the issues relating to the appeal was whether or not the retaining wall was adequate to accept the pool.

[03:15:55] The property itself is about 40,000 square feet, and both the county staff and my clients, engineers, agreed that this was the only place, the only place on this property, where this pool could be located.

[03:16:20] They were in agreement with that. The staff was also in agreement. This satisfied the requirements of the code and the act. There were several hearings held before the ERC committee.

[03:16:35] They studied it closely. The vote was 9-2 to deny it on the basis that this would establish a precedent. Now, the first case that I was involved in on Mason's Neck also established a precedent.

[03:16:58] And that precedent was that if you met the requirements of the act, you should be allowed to build your pool. Again, this pool is in the exact location of the other pools that have gone back for six decades, the same period of time that I've been practicing law, a long time.

[03:17:25] So the appeal is fairly simple. We got into some questions as to how to handle the pool water in the event you needed to drain the pool. In the handout, there is a procedure, various options available.

[03:17:47] You can connect it by a line to the existing sanitary sewer line that's in this tributary of dead run. Or you can truck it off-site. My client, and those are in the record, my client's willing to truck it off-site or connect.

[03:18:10] The two issues that were basically up for grabs, if you will, when I got into the case related to the structural integrity of the walls.

[03:18:26] We have an engineering report that says they are adequate. The second related to how you handle the runoff or the ability to drain the pool. It was turned down because this would be, and it's stated in the motion, This would be a precedent that would be within the 50 feet of the RPA area.

[03:18:59] Again, precedents can be distinguished. This property is, there was no other place to put it on the site, and the pool existed there before.

[03:19:16] The staff agreed with that. So as a result of that, we believe that the, and you have the record before you, is that position that the ERC committee made at least a mistake, and the mistake can be remedied by you, this committee, as you have, can appeal that to you, which is why we're here today.

[03:19:51] We've been denied, I think, equal protection and equity. As a result of that, the record supports a reversal and an entry of an approval with conditions.

[03:20:11] And those conditions are contained in the handout. We agreed with all of the conditions except for condition 7. And that related to the fact that they wanted my client to remove access to a third of his property and take out the bridges to that part of the property that has been improved to an extent that they have low-covered lights for protection of their family.

[03:20:47] and also they have benches, and so I provided a resolution in the handout that deletes the original condition 7. So with the conditions and with the belief that this case is certainly presidential, there's nothing in the act that says, and there's no evidence, there's no scientific evidence that this should not be approved. As a matter of fact, the scientific evidence is that

[03:21:25] should be approved i'll be pleased to answer any questions or have john zeka or jt answer any engineering questions thank you mitch thank you very much mr haynes and at this time i'd be happy to enter entertain any questions from the board of either staff or the appellant supervisor faust okay uh thank you mr chairman uh mr haynes the uh i want to highlight the fact that

[03:21:57] um so it's not overlooked because the board has had a set of uh conditions that uh in that package that were part of the original proceeding uh the handouts you just gave us include that original set but also include a copy that deletes the original paragraph seven correct correct and you're suggesting that your client the applicant will agree to the conditions without the original

[03:22:34] seven included yes sir that's what we're at okay okay and i would just say you know the original seven reads the applicant shall show all existing features in the grading plan all unauthorized encroachments not shown on the approved grading plan dated december 28 1994 including but not limited to the footbridges, bench, paving, electrical lighting into the RPA shall be removed.

[03:22:58] The applicant shall provide an impervious area analysis and demonstrate that the maximum increase in impervious area permitted in accordance with 118.68 of 1,000 square feet is not exceeded. I would ask that, I assume you drafted or included that condition in these conditions that were presented originally and I would ask why yes Supervisor Faust I'm Matthew Hanson of the Department of Land Development Services I work with Ms. Lewis condition 7 was added to staff's

[03:23:35] approval conditions our recommendation the staff report was predicated on the applicants agreeing to condition 7 condition 7 and reference to the 1,000 square feet is critical to this application being allowed under section 118 6/8 which has a cumulative cap on impervious area of 1,000 square feet this application requests 998 square feet and so it is critical that other impervious area be accounted for And that was the point of number seven here was to do that accounting and ensure any other Impervious areas that had been added since the Bay Act

[03:24:14] RPA was adopted on the site in 2003 was appropriate to account for with this application thank you as my engineer points out where the main problem was the bridges uh the bridges provide access to about one-third of his property and that was the objection we could certainly live with the

[03:24:53] benches being there and certainly live with the low lighting but it was the fact that we could not access a third of his property which was in the floodplain if you will and that has been used for before the RPA was established in 1993.

[03:25:16] And so it was vested or grandfathered of whatever you would. The conditions were not the type of conditions, as I understand it, that I normally deal with when I deal with the board here on site plans and things of that type.

[03:25:33] They were imposed by the staff. And so we could live with the rest of those conditions in original number seven, the bridge is a problem. How are we going to maintain the property with taking out the bridge?

[03:25:50] So that was the reason, Supervisor Fires, that we changed number seven. Thank you. Any other questions of staff or the appellant from the board? Yes, Supervisor Gross.

[03:26:08] I heard you say, okay, the information we have from the ERC is that the house was built in 1998. And that was after the 1993 restrictions were imposed.

[03:26:31] Is that correct? Supervisor Gross, Matthew Hanson. Again, the RPA on this particular section was adopted in 2003. In 2003, okay. But there is a house that was built in 1990.

[03:26:48] This house was built in 1998. But you had mentioned, I thought, Mr. Haynes, that there was a pool on this property prior to that. So are you saying that there was a house that was demolished, that all of the, everything was, you know, taken away and you started new?

[03:27:11] Is that what the 1998 house was? How long had the pool been there and when was the previous house built? I'm just trying to figure out the history of the law and the history of the development. I looked at the same thing and looked at the demolition permit, and it was in 1998.

[03:27:30] So it was demolished then, and then the present house was reconstructed, if you will. But it's all built on levels, and the topography is such that you cannot locate, and the staff agrees with this.

[03:27:48] So the current house, I presume, when looking at the size of this lot, the previous structure was smaller than the structure today that's there.

[03:28:06] And so it sounds to me like there may have been room for a pool in the previous iteration, but when the house was rebuilt, it creates more impervious surface, so there is not the same area available for a pool that there had been previously.

[03:28:31] That's true. The footprint of the house in 1998 is very similar to the one that was built afterwards. The size of the pool is the exact size of the pool that was there at that time in 1998, and it's in the spot-on same location.

[03:28:54] So what has changed is the imposition of the restrictions in 2003 rather than the physicality of the lot or the structures. Is that an accurate?

[03:29:10] I think that's correct. Okay. All right. Supervisor, I'm happy to speak to it as best I know it. This is John Zuckerberg. It was nice to speak to you all. The lots as we see it, the house was slightly moved in direction, the area with the retaining wall where we would propose to build behind was the same that was existing then and so the pool uh was in that same area where we would be building we can tell now that i don't know if there's something underneath or whatever but it doesn't drain very well to the point where you start to worry about the foundation of the house being impacted by the water and i assume it's because there's things underneath but just to be clear we would be abiding by the

[03:29:49] impervious addition space that we're allowed to under the rpa rules so we're not contesting thank you i i do have one more question for mr haynes um and maybe you know the answer to this and maybe you don't but if there was a previous pool on the site uh i would imagine the pool was whatever the structure was was pulled out and every and the hole was filled yes so there is a lot of fill on the site correct and a lot of walls that support the support the foundations and such

[03:30:28] do you know what that fill is made of has anybody done any core samples to see what the fill was sometimes it's not very good stuff it's been there a long time and so the retaining walls that that was an issue that the erc had and so when i got into the case that appeared to be an issue that we needed to resolve and so i got a structural engineer to look at the walls and the retaining walls and uh that report is in the we do have that report but i'm not sure i noticed um how

[03:31:04] long those retaining walls when were they installed do you know do you know when the retaining walls were installed on the property when when were they part of the uh previous house or were they installed after the house had in the 1998 house was was built uh in other words did they did they any sort of inherit the retaining walls or were they put in uh with the with the uh construction in the 1998 construction my recollection and looking at the uh i look at all looked at all

[03:31:42] of the permits they received from the county and it was the they had a retaining wall before and this This is an enlarged retaining wall, and I wanted to make sure it met the standards and would support the pool and the house.

[03:32:02] All right. Thank you very much. Yes, ma'am. Other questions? Supervisor Herity. Yeah, it seems from everything I've heard that the real concern here is not whether it qualifies as being acceptable or not, but the concern over setting a precedent.

[03:32:20] At least that's what I heard from staff. But precedent can be limited by facts and circumstances. In this case, we've got a prior pool. We've got no water quality impact. We've got no other options.

[03:32:37] Have we had any other cases where all three of those have happened and we've led to denial that you're aware of? The similar case referenced here is a case called Wooded Glen, in which a swimming pool was not permitted within 50 feet of a stream.

[03:33:00] They have a prior pool? In that case, there was a requested pool to be expanded. In that case, the ERC references in their resolution and staff references in our report as the only similar case.

[03:33:19] And that case was in actually your district and was on a very, very large lot. There was another place that they could place the pool. So in this case, there's no other similar case where we've said no, where there's a prior pool, no other options, and no water quality impact.

[03:33:42] That is true, and the existence of no other options is not what the ERC's resolution is about. Having no other options is an interesting circumstance, but it is not the finding here that it is self-created or self-imposed condition.

[03:34:00] want for a pool is what's discussed in the erc's resolution thank you so mr kelly wants to talk a bit about that other application yeah just just one second on clarification i'm jt kelly with wetland studies and solutions that prior case that was referenced as precedent for the erc that they that they referenced in their denial was for the expansion of the pool deck of a pool in other words, he wanted to add more patio

and a barbecue to an existing pool. That pool is there today, has been forever, and is sitting right on the inner 50-foot line. I guess it splits a little

[03:34:37] bit. The other reason for the denial in that application was because it was basically incomplete. Their plantings were not there, and they hadn't justified or rationalized really what was going on. So there were a lot of problems with that precedent that was referenced, not the least of which was the fact that it doesn't apply to the same type of project.

[03:34:58] New pool versus I want my pool bigger. Thank you. Any other questions or comments? Any follow-up questions of staff or the appellant? Supervisor Walkinshaw.

[03:35:14] Yeah, just a question for staff on the fact that a pool existed at some point in the past. The ordinance, because there are elements to allow for grandfathering of existing structures or even repair or replacement of existing structures in the ordinance, but they have to exist as of today, if I'm understanding it correctly.

[03:35:42] So the fact that a pool existed some decades in the past and was subsequently filled in or demolished doesn't grant it any bearing on the application of the ordinance.

[03:35:59] Is that the correct understanding? Yes, I agree with the understanding. The supervisor Herity is saying there was a pool that existed in the past. If we were to apply that standard, then every property within the RPA that had a pool or patio or gazebo or any structure 10, 20, 50, or 100 years ago, we would somehow have to allow.

[03:36:21] And I think it's important to point out that's not how the ordinance is written, not a statement on the other arguments made, but you're not grandfathered if it no longer exists. We agree with that, but we also agree that the core issue is water quality.

[03:36:37] that's the purpose and we meet it other questions okay i'm not seeing or hearing any so thank you very much and at this time uh this is in the drainsville district i will turn to supervisor faust thank you mr chairman uh yeah no that clearly the the issue is water quality i'm protecting uh the streams and just big bay uh if it came down to you know would i like to approve a swimming pool

[03:37:13] for this family i would uh but let me explain to you why i i don't think i can do that first of all uh i have to ask staff there were uh in your analysis of the original application which was considered by the erc uh there were multiple or at least two places where you seem to think it was critical that the that condition number seven was included in the conditions that you were

[03:37:46] asking the applicant to agree to in particular uh how the exception request is in harmony with the purpose intent of the uh chesapeake bay act has not substantial detriment to water quality you specifically address the conditions that would that would have affected the other side of the stream and then again proposed conditions mitigation prevented degradation of water quality these are two two exceptions that would have qualified for approval to pull both of which

[03:38:20] you found they were okay uh because they had you had a plan to address the other side of the stream if if condition number seven was not included in the original conditions that you were evaluating when you made your recommendation?

[03:38:38] Would it have affected your recommendation? Yes, sir, absolutely. The application is submitted under Section 118.6.8 for accessory structures, which has that hard limit of 1,000 square feet of

cumulative, that's this application, and things placed by property honors passed.

[03:38:58] This application would not be approvable if they were not committing by Condition 7 to limit their impervious area to that 1,000-square-foot limit of 118.68 it would be a different application entirely if they wished to keep other things on the property okay so i mean that this is all coming out as of yesterday afternoon but i mean it's a cumulative reason why i think i've reached the right painfully reached the right conclusion with respect to this application so let me uh mr chairman uh in this appeal the appellants john

[03:39:35] Zecca and Lindsay Noble, owners of the property located at 9171 Avenue McLean requested the board reverse the Chesapeake Bay Preservation Exception Review Committee's denial of their application to build a pool in the rear yard of their property. Property as a single family home was built in 1998. The RPA was designated on the property in 2003 and the appellants bought the property in 2020 the rpa encounters approximately encumbers approximately 75 percent of the lot nearly 7000 square feet of impervious areas located in the rpa of which 1135 square feet

[03:40:12] is in the seaward 50 feet the proposed pool which is considered an accessory structure would be located entirely within the rpa and would add nearly a thousand square feet of impervious area purpose and intent of the chesapeake bay preservation ordinance is to promote protection of existing high-quality state waters, safeguard clean waters of the Commonwealth from pollution, and prevent increases in pollution, and accomplishes these goals by generally prohibiting the establishment of uses in the RPA.

[03:40:44] There are, however, the ordinance provides for accessory uses such as poles to be constructed in RPAs if the applicant demonstrates entitlement to an exception. An exception to build a pull on this lot is approvable if it meets all the exception criteria in CBO 118.66 and application effects of each exception requests these criteria as a subjective exercise, which reasonable people will and can and will disagree.

[03:41:15] On September 7th, the exception review committee voted 9 to 2 to deny the appellant's application for an exception to build the proposed pull. The ERC determined that, one, granting the exception would confer upon the applicants, now the appellants, a special privilege that was denied to other property owners who are subject to the provisions and who are similarly situated.

[03:41:38] And two, the exception is based upon conditions or circumstances that are self-created or self-imposed. And again, I know that there are other conditions which I think the applicants failed to satisfy based on the decision with respect to condition number seven in the attachments.

[03:42:01] But for now, let me say that I'm not convinced that granting the exception would have conferred a special privilege on the appellants that had been denied to others.

[03:42:18] Because there is no evidence in the record that the ERC has ever denied or approved an exception for a new poll to be constructed entirely within the seaward 50 feet of the RPA. Therefore, no special privilege could have been conferred upon the appellants. I do note, and this is not determining my decision, but it would not be a good precedent to advance the policy of the Just Big Bay Act, but that is not determinative.

[03:42:49] So, with respect to the ERC's second grounds for denying the exception, specifically, I believe that I agree with the ERC that the requested exception for a pool on this lot is based on a self-imposed or self-created condition.

[03:43:16] The appellants purchased this property in 2020 that they did so with actual or constructive knowledge of the restrictions in the CBPO. They knew or they should have known that adding any additional impervious area to a lot would be problematic.

[03:43:36] Indeed, the existing principal residence and patio already created a substantial amount of impervious area in the RPA and far more than would be permitted had the lot been developed today. Given the actual or constructive knowledge of these restrictions, when they purchase this lot, the extent of existing uses in the RPA, and the fact that this lot is not suitable for the additional impervious area that would result from the proposed swimming pool, the request for an exception to build a swimming pool is a self-created or self-imposed condition and should be denied.

[03:44:07] For all these reasons, Mr. Chairman, including the recently evolving concerns with the, what I would call, last-minute revision to the proposed exception conditions, Mr. Chairman, I move that we deny the appeal of the ERC's decision on encroachment exception number 1996 WRPA 016-1.

[03:44:40] You've heard the motion. It's been seconded by Supervisor Lusk and Supervisor Alcorn. Discussion on the motion? Supervisor Gross. Thank you, Mr. Chairman. I'm at sixes and sevens on this one. My appointee to the ERC actually was one of the two votes in favor of the application, and I'm seeing both sides of this.

[03:45:05] But my question actually is for staff. Should the board deny this appeal? Does the applicant have an opportunity, would they have an opportunity to come back through the process with some amended, you know, sort of start a new process, start a new application that would build into, I'm sorry, that's a bad pun,

[03:45:33] that would perhaps address some of the issues that were raised that they would be able to get through the process to accommodate, to achieve their goal of a pool. I'm trying to figure out, is there a door open somewhere where they could come back, even though the board would deny their appeal?

[03:45:57] What would the next step be? the Chesapeake Bay Preservation Ordinance holds that the applicant may not return with the same application within a year I believe the meat of your question was though a subjective one is there a door open for approval and that's a question that the ERC would answer first I don't believe staff can suppose to have their opinion about would a new or changed application meet these requirements Alright well then Matthew thank you so while the

[03:46:33] An identical or even very similar proposal would not be appropriate, perhaps. But if they went back and reworked everything and tried again, the denial of their appeal would not factor into something new that they wanted to put forward.

[03:46:58] No, the denial today remains part of the record. There is not going to be a forgetting of this request. But every application is evaluated on its merits. And if the applicant put forward a different application to the exception review committee, it would be considered.

[03:47:17] This board may also waive the 12-month requirements that I mentioned in my last statement that the applicant need not waive it if you permit it. All right. Thank you for that clarification. Mr. Chairman, I had a situation in my own district with ERC with a pool situation.

[03:47:35] And what actually ended up happening was the resident actually purchased additional land from a neighbor to be able to accommodate what he needed to do. So I know that there are things that can

be worked out, but you have to come back through the process with an amended or new application.

[03:47:54] And that's what I was sort of trying to get to here, is that a denial of the appeal would not slam the door completely on any future proposal. They would still have the opportunity to bring forward something that is different, a little different, maybe a lot different.

[03:48:15] Okay, thank you. Okay, other discussion? Other discussion? Seeing and hearing none. You've heard the motion. It's been multiply seconded. all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries nine to zero thank you very much and I this next brings us to a closed session let me ask if Supervisor Gross has a motion but before I ask that let me ask the county attorney how long

[03:48:50] we need for closed session Mr. Chairman I believe we'll need approximately 75 minutes okay so let's call that an hour and a half. 3.30 is the exciting annual meeting of the Solid Waste Authority, which means we would need to be back by 2 o'clock. It is now 1.20. So should this motion pass, we need to return to closed session at 2 p.m. for closed session and to make sure that we can begin our 3.30 public hearings on time. Supervisor Gross. Mr. Chairman, I move that the Board of supervisors recess and go into closed session for discussion and consideration of matters

[03:49:30] enumerated in Virginia code section 2.2-3711 and listed in the attached agenda for this meeting and in addition as one is permitted by Virginia code section 2.2-3711A7 and 8 legal briefing regarding Kathleen Stanley v. Fairfax County EEOC charge number 570-2018-02249 2 as permitted by Virginia Code Section 2.2-3711A1, consideration of prospective candidates for appointment, as well as annual evaluations for the county executive and the county attorney.

[03:50:09] For the motion, I'm happy to second that motion. Any discussion on the motion? Seeing and hearing none, all those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries, and if the board will report back to closed session at 2 p.m., That would be appreciated.

[03:52:42] We are back from closed session. And in order to bring us out of closed session, I am going to turn to Supervisor Gross. Mr. Chairman, I move that the Board of Supervisors certify that to the best of each member's knowledge, only public business matters lawfully exempted from the open meeting requirements by virtue of Virginia Code Section 2.2-3711, 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 of supervisors during closed session and i'm happy to second that motion discussion on

[03:53:16] the motion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions that motion carries and there were no items coming out of closed session so at this point we are ready to begin our afternoon public hearings and just a few reminders individual wishing to provide testimony have a number of options they can testify here in person at the podium, or they can provide testimony by phone or by YouTube video. At the designated point in the public hearing, I will call for any speakers from the speakers list, and they will

[03:53:51] either come forward or their video will be shown or they will be connected by telephone. There will be an opportunity for anyone else who would like to speak to the application to come down to the podium or to call in on a number that will be provided on the screen. Speakers testifying via a video, must sign up and submit their video no later than 9 a.m. on the day prior to the hearing.

[03:54:14] For all testimony, you are given three minutes to speak as an individual. If you're a spokesperson for a group, you are given five minutes. That being said, I am going to call our first, let's see, I actually don't have, let me make sure I have, Penny, do you have the solid waste?

[03:54:32] No, I don't have the solid waste. Oh, the solid waste. Annual solid waste material. That's right.

[03:54:49] We do this once a year, and I don't have the annual solid waste material in front of me.

[03:55:04] Do you need this? I usually had something better from staff. Let me see here. I didn't print out the... Okay, well, we can move on without it. We have the annual meeting of the Fairfax County Solid Waste Authority, and there is an item.

[03:55:26] This is the first 3.30 item in our board package, and I have an appointment of officers, I think, is the first item on the agenda. Is that the same agenda you're seeing, Supervisor Gross? Okay, so we have the appointment of officers.

[03:55:41] You see the slate that is listed before you. Do we have a motion? Mr. Chairman, yes. Yeah, I think we have to call it to order. have to call it to order ah here we go this is what i was looking for earlier all right we now have the annual meeting of the fairfax county solid waste authority and i will call the meeting to order and entertain a motion to appoint the slate as i just mentioned as it appears in our board package is there a motion i move approval of the appointment of officers and perhaps for the folks who don't see this in front of us we'll do it very quickly uh jeff mckay chairman myself as

[03:56:17] vice chairman jill cooper the clerk to the board of secretary chris peach director of department finances treasurer beth tier is the attorney uh brian hill is the executive director and eric forbes is the authority representative for the solid waste authority you've heard the motion is there a second it's seconded by supervisor lusk any discussion on the motion seeing and hearing none all those in favor of the motion please say aye aye aye any opposed any abstentions And that motion carries, and hopefully everyone had a chance to review the meeting minutes from the last time this authority met, which was January 25th of 2022.

[03:56:57] Is there a motion to approve of the minutes of the January 25th, 2022 meeting? You've heard the motion, a second by Supervisor Lusk. Any discussion on the minutes? Seeing and hearing none, all those in favor of the motion, please say aye. Aye.

[03:57:12] Aye. Any opposed? Any abstentions? That motion carries. Next up on the agenda is moving to approve the financial statement of the authority. Is there a motion for approval? No move, Mr. Chairman. You've heard the motion and the second by Supervisor Lusk. Any discussion on the motion?

[03:57:31] Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries. And this takes us to the end of our agenda, and I will entertain a motion to adjourn. move we adjourn the meeting of the solid waste authority moved by supervisor gross seconded by supervisor lusk again any discussion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries thank you very much mr chairman yes uh just that although we do this very quickly this is a required

[03:58:07] meeting of the annual meeting of the solid waste authority all of the detail that we have approved has been vetted thoroughly and is available for review. Indeed, and we meet once a year as that Solid Waste Authority.

[03:58:23] We changed from the board for a few minutes into the Solid Waste Authority, and now we are back to the board ready for our public hearings. And our first public hearing is a public hearing on RZ2021-PR-00030 Fairfax County School Board, a body corporate in the Providence District, and I understand this case will be deferred.

[03:58:44] Supervisor Smith. Thank you, Mr. Chairman. A rezoning application RZ2021-PR-00030 filed by the Fairfax County School Board with regard to Mosaic Elementary School is on our agenda for a public hearing this afternoon.

[03:59:02] It has come to my attention that the hearing needs to be deferred to allow the applicant to make some corrections to the affidavit. In light of this information, I move that the Board defer the public hearing on RZ2021-PR-00030 from today to February 7, 2023 at 1.30 p.m.

[03:59:21] You've heard the motion. The Chair is happy to second that motion. Any discussion on the motion? Any discussion on the motion? Seeing and hearing none. All those in favor of the deferral, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Next, we have a public hearing on SE 2022-HM-00022, Maria G. Jimenez, Hunter Mill District.

[03:59:48] And could we please have the applicant please reaffirm the affidavit and the date of that affidavit? Hi. Good afternoon to everyone. I reaffirmed the affidavit.

[04:00:05] Can you please state your name and the date of the affidavit? My name is Maria G. Jimenez, and the date of the affidavit, I think it's October 4th. October 4th, 2022. Excellent. Thank you very much. Any disclosures from board members?

[04:00:23] Any disclosures? Seeing and hearing none, I will now recognize county staff for a staff presentation. Mr. Chairman, before we get to the staff presentation, Tracy Strunk with the Department of Planning and Development. And as you all know, I moved from my role as Director of Zoning Evaluation Division to Director of the Department last summer.

[04:00:40] And I'm very pleased to announce a familiar face. Suzanne Wright has been promoted to the position of Director of Zoning Evaluation. So even though you all certainly know her, I wanted to take this opportunity to welcome her and introduce you to her in her new role.

[04:00:57] Excellent. Congratulations. Thank you, Mr. Chairman. I'm Brandon McCadden from the Department of Planning and Development. The 5,700-square-foot application property is on Sanibel Drive west of the intersection of Ruston Parkway and South Lakes Drive in Ruston.

[04:01:18] The property and surrounding properties are zoned PRC and developed with single-family dwellings. Open space owned by the Ruston Association abuts the property to the rear. The roughly 2,900-square-foot dwelling has two stories and a full basement. An open deck which encroaches into the southwest side setback was approved to remain by special permit by the Board of Zoning Appeals on November 16, 2022.

[04:01:39] As mentioned, the property is on PRC, and therefore it can have no more than seven children without special exception approval. Therefore, the applicant requests special exception approval to permit a home daycare facility in this single-family detached dwelling for up to 12 children at any one time.

[04:01:55] The applicant has operated a home daycare facility with 12 children at the property since March of 2022. The applicant's state license permits children ages one month through five years during

business hours of 7.30 a.m. to 6 p.m. Monday to Friday. The applicant does not propose any changes to the existing ages of the children or the operating hours.

[04:02:14] The home daycare operates in the basement of the dwelling and includes two playrooms and a living room that contain approximately 1,175 square feet. The rear yard includes an 800-square-foot play area screened by a six-foot-tall wood frame fence. The morning drop-off schedule will be staggered during the mornings and the evenings, and there is a 35-foot-long and 16-foot-wide driveway that can accommodate up to four vehicles parked in tandem.

[04:02:34] The driveway access is Sanibel Drive, which is a low-volume, dead-end street. And this concludes my presentation, Mr. Chairman. Thank you very much. At this time, although it's not required, if the applicant would like to present anything, we would welcome that. If not, it's not required.

[04:02:52] Okay, very good. Any questions of staff or the applicant? Seeing and hearing none, this is a public hearing, and I have no speakers who have signed up in advance. Is there anyone here in the auditorium who would like to testify on this matter? Anyone present who would like to testify?

[04:03:08] This is a public hearing. I'm not seeing or hearing anyone. Let me ask the clerk if anyone has called in. No one has called in. Assume the applicant waives rebuttal. Closing comments and a recommendation from county staff. Thank you, Mr. Chairman.

[04:03:24] On November 30, 2022, the Planning Commission recommended approval of SE 2022-HM-00022, subject to the development conditions dated November 9, 2022. Staff concurs with that recommendation. Staff also finds that the application is in conformance with the comprehensive plan and the applicable zoning ordinance provisions.

[04:03:42] Thank you. Thank you very much. Last call. Any questions from board members? Seeing and hearing none, let me now close the public hearing. This is in the Hunter Mill District and recognize Supervisor Alcorn for a motion. Thank you very much, Mr. Chairman. I do need to ask if the applicant could come forward and confirm for the record agreement to the development conditions dated January 10, 2023.

[04:04:04] Do you agree to those? Yes, sir. All right. Thank you very much. This is a straightforward case. I would move, Mr. Chairman, that the Board of Supervisors approve SE 2022-HM-22. Subject to the development conditions dated January 10th, 2023.

[04:04:21] Heard the motion and a second from Supervisor Lusk. Any discussion on the motion? Any discussion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries.

[04:04:38] Thank you very much. Thank you. I know a long process, so congratulations. This is the end. We next have a public hearing. A public hearing to consider an ordinance establishing a property classification and tax rate for real property owned by certain surviving spouses, spouses of members of the armed services who have died in the line of duty.

[04:05:07] And at this time, as the board knows, there is no affidavit on this case, so I will recognize county staff for a staff presentation. Welcome. Good afternoon, Mr. Chairman, members of the board. My name is Greg Brook with the Department of Tax Administration. HB 957 of the 2022 session of the General

Assembly provided a local option to establish a separate property classification and tax rate for real property owned by certain surviving spouses of members of the armed forces who died in the line of duty.

[04:05:38] The proposed ordinance establishes a real estate tax rate of one cent per 100 of assessed value, the lowest rate allowable, and makes this relief retroactive to January 1st, 2022. DTA has worked extensively with Supervisor Walkinshaw's office and some of the surviving spouses and their advocates on these changes.

[04:05:58] If the Board approves this rate, I believe it will be the second locality in Virginia to adopt the rate. I would note that the Virginia Code specifies that to be eligible for this reduced rate, the surviving spouse must occupy the real property as their principal residence. They cannot remarry, and the late service member's death cannot be the result of criminal conduct.

[04:06:17] Additionally, this option does not permit a locality to alter in any way its valuation of real property. Thank you. Thank you very much. Are there any questions of county staff? Any questions of county staff? Okay. Seeing and hearing none, this is a public hearing, and I do have seven speakers who have signed up in advance to testify on this matter.

[04:06:42] And our first speaker, and these are all in person, our first speaker is Marilyn Baird. Is Marilyn here? Marilyn, if you could come on down to the podium to be followed by Leanne McSween. It's Leanne McSween here, to be followed by David McSween. Okay, at this time, Ms. Baird, welcome.

[04:06:59] The floor is yours. Thank you, Chairman McKay and Supervisor Walkinshaw and all of our Florida supervisors just for hearing us today. We are touched by that. My name is Marilyn Baird, and I'm here to speak in favor of the tax exemption to include the line of duty deaths for surviving spouses of a member of the Armed Forces.

[04:07:19] My husband was Colonel James Thomas Barrett. He served in the United States Army for 27 years. He was a West Point graduate, Airborne Ranger, recipient of the Bronze Star and the Silver Star. And five years after his death, the Center for Army Analysis dedicated a conference room in his name at Fort Belvoir.

[04:07:39] Chairman McKay and Board of Supervisors, I thank you for bringing this proposed ordinance to a public hearing. And I ask that each of you vote in favor of your proposed ordinance to end the inequity of the surviving spouse tax exemption. Currently, 100% disabled receive the tax exemption from the state of Virginia.

[04:08:00] If the disabled dies, their spouse continues to have the tax exemption. And first responders who died in the line of duty spouses also receive the tax exemption. The Department of Defense does not differentiate between KIA and line of duty. I ask you to honor all who have served by extending the real estate tax exemption for surviving spouses of a member of the Armed Forces of the United States who died in the line of duty.

[04:08:25] And thank you for hearing me. Thank you. Thank you very much. Speaker number two is Leanne McSween, to be followed by David McSween. Good afternoon.

[04:08:42] My name is Leanne McSween, and I am here speaking to you as a surviving spouse and mother of four young children. My husband, Greg, was lieutenant colonel in the Marine Corps when he passed

away in November of 2021 from cardiac arrhythmia while running the Marine Corps Marathon to honor his fallen Marines. He was only 41, healthy, and this was his sixth marathon.

[04:09:02] During his 19 years of service, he deployed five times in total, which included multiple tours to Iraq and Afghanistan. He was lucky to come home to us after each of those five deployments, only to tragically fall for the fallen in the line of duty. I was born and raised in Fairfax County.

[04:09:18] After 16 years living at various duty stations elsewhere, my husband and I moved here in 2019. We purchased a home after renting our first two years here. We became excited about putting down roots here in Fairfax County. Both of our parents, most of our siblings, and their children live here.

[04:09:34] The decision seemed right for so many reasons. We purchased our house based on my husband's active duty pay at the time, knowing that he would soon retire and receive a reliable pension in addition to his anticipated future pay and his chosen civilian career path. Greg passed away just four months later.

[04:09:52] He would have retired this summer. While he wasn't killed in action by hostile attack, I do receive dependent indemnity compensation from the VA, as the VA deemed my husband's death service-connected, and his military death certificate states that he died in the line of duty.

[04:10:09] The state of Virginia and Fairfax County pride themselves in being equitable, yet surviving spouses of service members who die in the line of duty are not granted a tax reduction, but are surviving spouses of first responders are, as they should be. Whether our service members are killed in action by hostile attack or pass away tragically here on U.S. soil, it does not discount their bravery, their heroism, their love for our country, and it does not discount the grief and financial hardships that their families have to go through in the aftermath of their passing.

[04:10:40] Our service member paid the ultimate sacrifice, and as a surviving spouse, I would be grateful for this tax exemption as a recognition of Greg's service and sacrifice. Since the death of my husband, I struggle daily with the question of how our finances will change without the same income we were planning for.

[04:10:58] Many things remain unclear, though one essential item I find crucially important to my children's well-being is consistency of remaining in our home that Greg and I deemed our forever home. It is where our support system is, and it is the place I intend to remain with our four children for many years ahead.

[04:11:13] I'm here today to ask that you support us and provide us with the same benefits that disabled veterans and surviving spouses of first responders receive. Please vote to pass the ordinance to reduce property taxes for all surviving spouses who lost their service members in the line of duty. Thank you for your time and consideration.

[04:11:30] Thank you very much. Our next speaker is David McSween. He will be followed by Tracy Volke. Is Tracy here? Tracy, who will be followed by Shane Thomas. Is Shane Thomas here? Okay, excellent. Thank you. Mr. McSween, welcome. Thank you. Well, members of the Fairfax County Board of Supervisors, thank you for the opportunity to address you on this proposal.

[04:11:52] My name is David McSween, resident of Fairfax County for over 30 years. My son, Gregory McSween, Lieutenant Colonel, U.S. Marine Corps, grew up here. He died in the line of duty on November

9th, 2021, changing our lives, and especially those of Leanne, who just spoke, his wife, and their children.

[04:12:11] Connor, 12, Tech Level 10, Owen, 8, and Fiona, 5, who live in Fairfax County. I strongly urge you to adopt this measure for several reasons. First, these families are struggling financially, emotionally, and in a deep personal sense beyond my ability to relate.

[04:12:31] Approving this proposal reduces one item, concern, worry, and stress for them. Second, these service members volunteer to defend all of us in a time of war, knowing the risks, but serving us anyway. How else can we honor their service?

[04:12:50] Third, many of these families have endured long separations from their service members in the years of the wars with a huge operational tempo. Now they're gone forever. Fourth, these families epitomize the best values of our nation of honor, service, and devotion.

[04:13:10] And this measure encourages the families to stay here in Fairfax County, continuing their contributions to our community. What finer group of Americans could we reach out to in their time of need? Fifth, what is our duty as a county to these families, given all they have endured and continue to endure?

[04:13:29] Thank you for your time and appreciate your support and approval of this measure. Thank you very much, Mr. McSween. Speaker number four is Tracy Volke, if you could come on down. Good afternoon. My name is Tracy Volke, and I'm the surviving spouse of Major Paul Volke.

[04:13:57] You may have remembered that I spoke to this board last fall. My husband, Paul, was killed by an MRAP, that's a mine-resistant ambush-protected vehicle, in 2012 in Masary, Sharif, Afghanistan, during his fifth combat deployment. He was sporting special forces in a combat zone during Operation Enduring Freedom.

[04:14:15] Paul had earned three Bronze Stars, the Combat Infantryman's Badge, and several other accolades during his 14 years of service. I became a widow when I was 37 years old. Paul and I had two young children, and we owned a home in Virginia. I had applied for the Killed Inaction Property Tax Relief under Virginia law in Fairfax County, and I was granted the relief, but in May of 2021, I was told that I didn't qualify.

[04:14:38] Last year, I helped pass the local option bill in Richmond with the support of this board, and I want to take the moment to recognize my delegate, Kathy Tran, for her tireless efforts in passing the local option legislation that leads us to be here today. Also, thank you, Supervisor Walkinshaw, for assisting us for meeting with Edith and I, she regrets that she can't be here today and thank you for pushing this issue to the forefront i'd also like to thank my former supervisor supervisor herity as you have been unwavering support from day one with this issue thank you so much sir we appreciate it and i also want to

[04:15:14] thank the tax department who really took the time to listen and meet with us and really seemed to care about this issue you know we work diligently with the department of defense to get the real cost of this bill, which I feel is somewhat de minimis based on the sacrifice. When Paul was a company commander in Iraq in 2004 on one of his previous deployments, he worked for a man named Colonel Milley. When General Milley became the Chief of Staff of the Army, he handpicked me to advise him and senior military leaders on the inequities impacting survivors. I've served for

[04:15:48] five years now and volunteer regularly to advise General Milley and General Conville on issues affecting survivors. The Department of Defense benefits apply to all those who die in a line of duty equally. Freedom is not free and we're here today because of strong Americans who took the oath to defend our country. The valor is in the service. As a military spouse I moved five times. I raised my children without my family around to support them. I found a new job every two to three years. I was not able to build my own retirement plan. My children had switched schools several times and then the unthinkable happened. Please support this

[04:16:25] injustice to those who've paid the ultimate sacrifice. And please support all those who died in the line of duty, all military widows. Thank you. Thank you very much, Ms. Volke. Speaker number five is Shane Thomas, and Shane will be followed by Jeffrey Gould, and following that will be Sharon Dietz. Mr. Thomas, welcome. Good afternoon. So like a few of the others, I'm here to speak on behalf of this bill, hoping you guys will end up approving it.

[04:16:57] I've got a little bit of a different perspective. My wife passed away April 5th, 2022. It was metastatic breast cancer. I think you may have heard of her. Dr. Kate Hendricks-Thomas. June 7th, President Biden actually signed into law the Dr. Kate Hendricks-Thomas Service Act, recognizing and changing the way that the VA was handling breast cancer mammograms.

[04:17:27] At the time, they were doing it through CDC guidance, which was 45, and when she was first diagnosed, she was 38. So, simple change. But that same day, they signed into law the MAMO Act. A few months later, they signed into law the PACT Act.

[04:17:43] So Congress and others just kind of recognized that the shift of the cost of war has been moving from the theater to the home front pretty regularly. It was one time where Kate had come downstairs, and this was unusual because she was in a good mood.

[04:18:05] She had quite a time going through chemo and everything, but she had said that she called up here, and since the VA had designated her illness to be 100% service-connected and designated her disabled in that front, she got off the phone with someone who worked up here, and she was able to get the forms and the paperwork started for being able to receive this benefit that we're talking about because she was disabled.

[04:18:33] Having that kind of burden lifted when we knew in a few months that she wasn't going to be here anymore was immensely powerful and helpful. I'm sure that many of you who are sitting on this panel right now have had somebody that you knew, family, friend, whoever, go through this.

[04:18:53] We had the luxury. I can't really even call it a luxury, but we had a heads up and not everybody does. The Hendrix's and the next tweens actually go back a ways, years. So to not have a heads up with Greg hit home for those of us.

[04:19:09] So I hope that you all will consider the fact that some of this stuff has shifted home front, whether it be training accidents, whether it be medical procedures or any other kind of circumstance that doesn't equate to a KIA and end up passing this ordinance.

[04:19:27] Thank you. Thank you very much, Mr. Thomas. Appreciate your testimony. Uh, next we have speaker number six, Jeffrey Gould. Mr. Gould, welcome. Thank you. Uh, good afternoon. My name is Jeff Gould and I thank you for the opportunity to speak in support of the proposal regarding property tax exemptions for the spouses of active duty service members who died in the line of duty, even if it wasn't at

the hands of an enemy combatant. I live in Burke with my son, which is in the Braddock district under a supervised walking shop. My night, my

[04:20:04] wife's name is Sandra. She was on active duty when she died in June, 2022. So just seven months ago. She was a lieutenant commander in the Navy, 19 years of service, and she was stationed at Walter Reed. On March 10th, 2022, I took her to the Fort Belvoir ER because she was having unusual symptoms. After a CT scan, we found out she had a brain tumor. She was transported by ambulance to

[04:20:40] Walter Reed for further testing. A biopsy revealed it was a stage four glioblastoma, the worst kind of brain tumor there is, and hers was a very aggressive small cell variant, which is the worst kind of the worst kind of brain tumor. She underwent three brain surgeries in a short span, but that's a pretty short span of time. But despite everything, she passed away on June 10th, exactly three months to the day from when I took her to the ER. Those were the worst three months

[04:21:11] of my life. In the weeks before she passed away, she lost the ability to move her arms and legs, and then the ability to speak or communicate in any way. So she was completely and permanently disabled, but she was still alive and still on active duty. Obviously, at this time, learning about tax laws and exemptions was the furthest thing from my mind, but if I had looked into it and she had lived longer, she would have qualified for the exemption, which would have then carried

[04:21:48] over to me and my son when she passed. However, since she passed away quickly, we didn't qualify for the exemption. Clearly, this makes no sense and should be fixed not only for us, but for others in this situation. If the tax exemption is going to exist, then it should be managed fairly.

[04:22:05] Despite my wife working at Walter Reed, we chose to live in Fairfax County because of its highly regarded school system and its support for the military community here. I hope that support continues with the consideration of this tax exemption for people like myself and the others here on behalf of our law service members. Thank you for your time and for all that you do.

[04:22:24] Thank you very much, Mr. Gould. Speaker number eight is Sharon Dietz, and then I have an added speaker number eight, Sergio de la Pena. Is he here? Okay, excellent. Ms. Dietz, welcome. The floor is yours. Thank you. Good afternoon. My name is Sharon Dietz, and I have lived in Springfield under Pat Heritage District since June of 2015, when my husband received orders to work at the Pentagon. Our children went to Sankstra Elementary and are now at Lake Braddock. In June of 2017,

[04:22:58] we purchased a home, and on January 1st, 2021, we became residents of Fairfax County in the state of Virginia when my husband retired from the U.S. Army after 22 years and seven months of active duty service. We decided to call Springfield home along with our children and my mother-in-law.

[04:23:20] My spouse, Lieutenant Colonel Retired Jeff Dietz, was a JAG officer and upon retirement began to work for a local defense contractor and is now working at Capital One headquarters. His work-life balance is great, and he is home every night for dinner. We are thankful and blessed. He has a nice monthly retirement pension, his current salary, and his VA compensation. My spouse, while he did have two overseas deployments, did not sustain any grave injuries that were directly related to

[04:23:59] combat while deployed. Does he have injuries and issues that will go away? Absolutely. They impact his life every day, but by the grace of God, so far he has a full life, able to work, and do things he enjoys. We know this could change at any moment. Due to these medical issues, he was given a rating of

100% permanent in total from the Veterans Administration. This is something we are very grateful for and do not take lightly. The federal and state benefits are truly life-changing for us

[04:24:38] and we do not take it for granted. The peace of mind for me as a stay-at-home mother, knowing if something were to happen to him tomorrow and that I would have still have those benefits like the Virginia military spouse's independent education benefits and property tax relief helps me sleep at night. Jeff is a 1998 West Point graduate. He had just under 900 classmates that he graduated with on May 30th, 1998. One of those classmates was Paul Volke. Major Paul Volke passed away on

[04:25:14] June 22nd, 2012, while in Afghanistan on deployment due to an accident. While working to defend our nation, Paul was a hero. Unfortunately, due to Paul receiving a line of duty designation, not a killed in action designation, Tracy Voelke, Paul's widow, mother to his two sons, does not receive the relief for property taxes. He was actively working to defend our nation. He just wasn't killed by the enemy. There is absolutely no

[04:25:52] rationale that can explain how and why a family that has their soldier home every night, able to continue to work, build wealth, support a family, somehow qualifies for this property tax relief exemption. However, a widow who has no option than to continue to work and make huge sacrifices to stay in Fairfax County in order to provide stability for her sons and have support from friends and a strong community doesn't have the exemption. This is simply something that must be

[04:26:25] fixed now. To my understanding, there are thankfully only a handful of families in Fairfax County with this issue at this moment compared to the hundreds or thousands that received 100% permanent in total. I'm pleading with you. Do the right thing and fix this oversight today. Support my friend Tracy, honor her husband Paul and the other deceased service member families in the same position. Be their champion. Do the right thing now. Vote in favor for this ordinance. Thank you

[04:26:59] for your time. Thank you very much. And speaker number eight is Sergio de la Pena. Welcome. And is there anyone after speaker number eight that would like to testify that has not signed up? Anyone else who would like to testify? Okay. Welcome. The floor is yours. Thank you very much.

[04:27:18] I want to appreciate the opportunity to speak to the Fairfax County Board of Supervisors. My name is Sergio de la Peña. I'm a 30-year Army veteran. I retired in 2008. I was blessed to serve, and I was blessed to have a family follow me around.

[04:27:36] My family consists of my wife and my five children, born in five different locations in four different countries, which is not atypical of a military family. The sacrifice that service members make is one that we do willingly. service is a calling. Service is something that we do because we feel it right to defend this country. Spouses come along for the ride. They're not given that vote. They come along whether they like it or not. Now, most of the time, they do it willingly and cheerfully. But children are a

[04:28:12] little different. Some adjust, some don't. And so children have to sacrifice. Spouses have to sacrifice. And what we're talking about here is something that is an inequity. And I know that Fairfax County is very concerned about making sure that we deal with inequities.

[04:28:30] Fairfax County has been very generous because also you have a huge population of military personnel. And I'm very proud and very happy to call Fairfax home. I'm an immigrant from Mexico. I came here with nothing. And in one generation, I've been able to serve my country and do some other things that have been pretty interesting.

[04:28:50] So I ask you to follow the lead that the military has in not differentiating between killed in action and line of duty. If there is no war, if there are no conflicts, it's line of duty.

[04:29:07] Sometimes accidents happen. Sometimes health issues arise. And we have to remember that those spouses and those families don't have the same level of advocacy and often are not in a position to really defend themselves.

[04:29:22] What we're talking about here is a very small number of people, as you've already heard. And you see the human impact that this issue causes many people because it's about livelihood. And given that these families just come along because they're there to support their spouses in military service.

[04:29:43] So I ask you very forcefully, kindly, gently, any way you want to take it, to please consider this ordinance in favor of the spouses, the widows, and families of military service members.

[04:30:01] Thank you very much for your attention. Thank you very much, Mr. De La Pena. And is there anyone else here present who would like to testify on this matter? Anyone else in the auditorium that would like to speak on this matter? Seeing and hearing none, let me ask the county staff if we have anyone who has called in.

[04:30:20] No one has called in. Closing comments and a recommendation from county staff. Thank you, Mr. Chairman. DTA staff recommends that the board adopt the proposed ordinance establishing a property classification and tax rate for real property owned by certain surviving spouses of members of the armed forces who died in the line of duty.

[04:30:39] Thank you. Thank you very much. Any questions from board members? Any questions? I know we've been at this for a long time, so I'm not surprised there aren't any questions. I will now close the public hearing. I'm going to turn to Supervisor Walkinshaw, the chair of our legislative committee, for a motion.

[04:30:56] Thank you, Mr. Chairman. And let me just start just by saying I think, like all of us, I am in awe of the courage that these families have shown in their advocacy. But I'm most in awe of what I've been able to witness a little bit of, and that's the way that they have come together to support one another through the tragedies that they've experienced.

[04:31:27] And I had the opportunity to spend some time yesterday with Ms. Beard and hear about her story and her family's story and her heroic husband. But I also heard about the way that she's taking her experience and using it to support others who are going through the same thing.

[04:31:51] And it's just been a really incredible thing to see. This has been a long time coming, and I think it is important to note that the genesis of this inequity, I think it was accurately described, was a 2014 constitutional amendment that the General Assembly passed and put to the voters that created the killed in action tax exemption but did not include those who died in the line of duty.

[04:32:22] And it's been a long and winding road and path to correct that, and I know folks up here have been on that path for what feels like a long time. And it came to this board's attention in 2021, and several of us, Supervisor Stork and Chairman McKay and Harity, had a board matter referring it to the legislative committee.

[04:32:45] And sometimes people ask me, why does a legislative committee meet every Friday afternoon for hours and hours and hours during the General Assembly session? Well, it's so we can work on issues

like this. And in 2022, early 2022, this is one of those issues that we were working on every Friday afternoon and worked with Delegate Tran to craft the legislation.

[04:33:08] Ms. Voelke, I know, especially helped her with. That legislation passed, thankfully, in March of 2022, and we went to work right away with another board matter directing the county executive to come back to us with options for implementation and an analysis of the financial impact.

[04:33:27] Over the course of 2022, and I know the advocates up here will know, we had a lot of meetings and a lot of conversations about how to do this, how to do it right, how to make it work and be equitable for everyone. It's one of those things that should be simple and seem simple, but the implementation, as Jay and his team knows, is more complex than it would seem.

[04:33:51] So we wanted to make sure that we got it right, and thankfully we were able to figure it out and move forward, and we're leading the Commonwealth. I think there's only one other jurisdiction that has acted on this. I can guarantee you that it's not a jurisdiction as large as Fairfax County.

[04:34:06] I know that. I can say that for sure. So I'm very proud that we're leading the way, and I hope that other jurisdictions in the Commonwealth will follow. And I really want to thank especially DTA staff, Jay Doshi, Justin Ajad, Craig Brook, Tim Tank, and hopefully I'm not forgetting anyone, but they really have put dozens, maybe hundreds of hours into this.

[04:34:33] And I think it's really important because, you know, this is a county of 1.1 million people. And what we're talking about here, as has been noted, is going to help a small number of families. But what I am really heartened by is the degree to which our staff cares about those people and their stories as individual human beings and the work they put in to help them and make their lives better.

[04:35:01] It would be easy maybe for some to say, well, we've got 1.1 million people. We have much bigger fish to fry. But they took very seriously what these families are dealing with, and I'm deeply appreciative of that. As has been noted, Delegate Tran, our legislative director and legislative team, Claudia Arco, did a lot of work on this.

[04:35:20] Frank Anderson and my staff work very closely with all of the advocates, so a really important effort. But really, the folks up here deserve the credit, not just for the sacrifices that their family members and spouses have made, but for their advocacy that's going to improve things for people now and in the future.

[04:35:44] families who lose spouses and loved ones who none of us will ever know will be able to take advantage of this and benefit from this and experience this tax reduction. So I want to thank my colleagues also for your support throughout this process. And with that, Mr.

[04:36:03] Chairman, I'll move that the Board of Supervisors adopt the proposed ordinance establishing a property classification and tax rate for real property owned by certain surviving spouses of members of the armed forces who died in the line of duty i'm happy to second that motion along with supervisor stork uh discussion any further discussion on the motion further discussion for me start with supervisor harry yeah and i'll keep this quick i want to thank each of you for for being here and speaking today and and for sharing your stories and and for your sacrifices because uh you're you've experienced uh extreme loss certainly want to uh certainly want to thank

[04:36:42] Edie and Tracy for all your activism all the way through. I know we worked together quite a bit. Thanks, Delegate Tran, for carrying the bill and staff for their advocacy. In short, it's the right thing to do to honor the sacrifice of our fallen service members and their families, and I support this without reservation. Thank you, Supervisor Herity, and I too support this, and we've really supported it every step of the way when we found out about this nuance that was outlined a few moments ago and the journey that we've all been on to get to this point. And I want to thank the

[04:37:20] folks who testified as well. It's not an easy thing to do, especially in light of the personal circumstances that have affected each and every one of you individually and your families. It takes a lot of courage to come up here and tell your personal story. And we get that, and we've always gotten that from the beginning. And as our last speaker mentioned, this is proudly a county that houses so many military families. And, you know, we have our largest employer is Fort Belvoir.

[04:37:50] Most people don't realize that in the county. And we're very proud of our very strong support for our military families. And to be able to have this as another show of that from our board, I think is spectacular, especially in light of the fact that I think many more in Virginia will follow our model. But thank you all for your sacrifice, for your time testifying here today. And I know it'll make a difference for you. And as much as I hate to think of how this will affect others in the future, it's just one more thing that folks who are going through trauma won't have to deal with as a result of what we're getting ready to do here today.

[04:38:28] So thank you very much. With that, I think we're ready for a vote. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries nine to zero. Thank you very much. Our next public hearing is a public hearing on proposed amendments to Fairfax County Code section 84.1-8-3 vehicle requirements and for this there is no affidavit so let me as soon as staff comes down we'll give them a moment to come down as soon as they're ready they can present

[04:39:06] for us a staff presentation. Good afternoon I'm Rebecca Makeley Director for the Department of Cable and Consumer Services. Today we are holding a public hearing on proposed amendments to Fairfax County Code Section 84.1-8-3 vehicle requirements to increase the current 10-year taxicab vehicle model age to 12 or 15 years and to eliminate the 500,000 mile limit for taxicab vehicles.

[04:39:44] Staff recommends a two-tier approach to model year age requirements with the 10-year model age requirements increased to 12 years for gasoline-only powered, non-wheelchair accessible vehicles, and 15 years for hybrid, plug-in hybrid, electric, and wheelchair accessible vehicles.

[04:40:03] Staff also recommends that the mileage requirement for all vehicles be eliminated because vehicles over seven years of age are inspected twice by the county and once by Virginia on an annual basis. Staff's recommendation balances the challenges of the taxicab operators, considers the practices of local jurisdictions, ensures the safety of the riding public, and helps protect the environment. The Consumer Protection Commission held a public hearing on December 20, 2022, after which they voted unanimously to recommend that the board approve the proposed amendments.

[04:40:37] The county executive recommends approval of the proposed amendments to Fairfax County Code Section 84.1-8-3 vehicle requirements. Thank you. Thank you, Ms. Makeley. And are there any questions of staff. Any questions of staff? Seeing and hearing none. This is a public hearing. We have one speaker who has signed up in advance by telephone. Is Mr. Summers on the line? Mr. Summers, can you

hear me okay? Yes, I can. Okay, welcome. The floor is yours. Thank you very much. I'm the Chief Operating

[04:41:10] Officer of Old Dominion Transportation Group, and I wanted to thank the Board of Commissioners and the staff for all the work they're putting into this. We are committed to serve the county. We are working to get new and additional cars on the road, but with COVID supply issues and the cost to buy cars, it's taking longer than expected. We have acquired seven brand new wheelchair vans, and we're in the process of acquiring some electric vehicles. But we

[04:41:47] just we support the staff recommendation and just want to make sure that we thank you for everything you're doing. Thank you. Thank you very much Mr. Summers and he is the only speaker who has signed up in advance to testify. This is a public hearing. Is there anyone present in the auditorium who would like to speak on this matter? Anyone present who would like to speak? Seeing and hearing no one let me confirm that there's nobody else on the line. Nobody else is on the line. Any other closing comments or recommendations from staff staff recommends approval thank you thank you uh last

[04:42:23] call questions for board members seeing and hearing none i will now close uh the public hearing and i will turn to supervisor alcorn for a motion all right thank you mr chairman i move the board of supervisors approve proposed amendments to fairfax county code section 84.1-8-3 relating to vehicle requirements regarding model year age and miles heard the motion it's been seconded by supervisor lusk any discussion on the motion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions and that motion carries and that brings us to

[04:43:01] our next public hearing which is a public hearing on proposed plan amendment 2022-4-mv1 beacon of grovedon located at the northwest quadrant of the intersection of richmond highway and grovedon street in the franconia district and as soon as uh mr viani is ready if you could please reaffirm the affidavit for us ah this is a plan amendment we have no affidavit never mind just making sure

[04:43:28] you're paying attention uh let me now recognize county staff for a staff presentation hi good evening supervisors my name is aaron klybanner with the department of planning and development and i'm accompanied with by leanna o'donnell also with the department of planning and development and Zach Cromall from the Department of Transportation.

[04:44:01] Plan Amendment 2022-4-MV1 was authorized by the Board of Supervisors on January 25, 2022. The Board authorized SAP to evaluate a plan amendment that proposes an affordable independent living facility with alternative community-serving ground floor uses on tax map parcel 93-1, double circle 1, 98A, And an accompanying rezoning application is to be concurrently reviewed with the plan amendment.

[04:44:34] The subject area is 0.63 acres in size, and the site is developed as an interim urban park, but approved for non-residential uses. The existing beacon of Groveton Apartments abut the subject area on the north and west, and it is located a half a block south of the Beacon Center Shopping Center.

[04:44:54] To the east, across Richmond Highway, are single-family detached homes and a grocery store. To the south is a self-storage facility and office uses. And there is a previously approved rezoning application for 50,000 square feet of office and 20,000 square feet of retail uses, which were never constructed.

[04:45:15] The subject area is located within the Beacon-Groveton Community Business Center and Land Unit D. And it is planned for, again, up to 70,000 square feet of non-residential use.

[04:45:32] And the proposed plan amendment is for a 70,000 square foot affordable independent living facility. Sorry. Okay.

[04:45:49] The proposed amendment supports county goals to provide housing for persons of a range of incomes and abilities, meets policy plan guidance for housing for the elderly by being within walking distance to public transit and community services. and there would be no change in the planned density.

[04:46:07] The subject area is located within a half-mile walk to a planned bus rapid transit station at the intersection of Richmond Highway and Beacon Road. And the Richmond Highway Corridor area-wide guidance includes recommendations for urban design, parks, and stormwater management, among other topics that apply to the site.

[04:46:28] Thank you, Mr. Chairman. Thank you very much for that presentation. Let me now ask the agent for the application if he would like to give us a presentation as well. Mr. Chairman, member of the board, Mark Vianney with Bean, Ken, and Corman on behalf of HCA, which is the applicant in the companion of rezoning and proper condition amendment.

[04:46:50] I had a presentation, but really staff's done a very good job, so I'll spare you that, and I just would just offer that this is really an exercise in common sense. You have an approved but unbuilt 70,000-square-foot office and retail building. I mean, we know the condition of the office and retail market, particularly in this area.

[04:47:06] That's not going to happen. And it provides us an opportunity to put a meaningful slug of good, high-quality, senior-aged, affordable housing right in this area. And I would note, you know, if you're familiar with the Embark plan, you're familiar with the plans you have on Richmond Highway, this is going to be not only a half-mile from the metro for BRT station, but it's a quarter-mile from the grocery store.

[04:47:31] You have all these access to all these retail services and everything right in the area. And it's a great place for folks to be able to live and kind of age in the community. To that end, we began this process. One of the first groups we reached out to were our immediate neighbors, the Grove and Civic Association. And we involved them early.

[04:47:47] We've had positive commentary with them throughout this process. I'm pleased to report they spoke in favor of us at the Franconia District Land Use Committee. We got a unanimous vote of support from there. We got a unanimous vote of support at the Planning Commission. We'd ask for your continued support to allow us to move forward.

[04:48:04] We hope to come back before this board in a few months with the companion proffer condition amendment. And as we move forward from this process, again, continue to work with the community to make this a better place for everybody. Thank you very much. Thank you very much, Mr. Vianney. And at this time, let me ask if there are any questions of staff or the applicant.

[04:48:23] I'm seeing none. This is a public hearing, and I have no speakers who have signed up in advance to testify. On this matter, is there anyone present in the auditorium that would like to speak on this matter? This is a public hearing. Is there anyone present who would like to testify? Seeing and hearing no one, let me ask if anyone has called in.

[04:48:43] No one has called in. Any closing comments or recommendations from staff?

[04:49:01] No, Mr. Chairman. Should we give the Planning Commission recommendations? Yes, please. On December 8, 2022, the Planning Commission recommended adding a second option for a 70,000-square-foot, 100% affordable independent living facility with ground floor non-residential uses, additional bonus density for the housing beyond the 70 000 square feet is not appropriate and staff concurs with the planning commission recommendation thank you very much any questions of staff any questions last call for board members seeing and hearing none i will now close the public hearing and recognize supervisor lusk for a motion thank you very much mr chairman

[04:49:40] as we heard from the applicant this area unfortunately will not be executed in the form of office. And acknowledging that the market just isn't there, we've had a lot of time to basically put office at this location. And as a person who worked on this as a planning commissioner and working with you when you were the chief of staff for Dana Kaufman, we thought there was the feasibility and possibility of office. But we've had to acknowledge, even through some additional research that's been done through a couple studies, one on Richmond Highway, and then looking at

[04:50:17] really the plan for embark. This is not a defined office location. So it makes sense for us to convert this to something that's going to be certainly needed in the community and clearly affordable housing and really housing for seniors is something that we will acknowledge will have benefit. So I am delighted to make the motion. As we heard earlier, the Planning Commission has recommended approval. We've got approval from the Franconia Land Use Committee and the staff have also recommended approval and with that i will now make my motion mr chairman

[04:50:53] i move the board of supervisors adopt the planning commission recommendation for plan amendment 2022 dash roman numeral 4 dash mv1 as shown in the board item the amendment would add an option for a hundred percent affordable independent living facility with alternative ground floor non-residential uses. So moved Mr. Chairman. I'm happy to second that along with Supervisor Stork discussion on the motion. Let me just let me just first let me recognize Supervisor Stork. I just want to echo

[04:51:31] my support and I obviously there's a little bit of green space we're losing but frankly it's been planned long term to be something more than that and I share the regret that we don't have office options but i equally say that i'm very pleased that we can do senior and more affordable housing it's a definitely a demand that will far exceeds the supply and this is i think another opportunity to do that particularly near everything that a senior might want you know from shopping to transportation to even some beautiful parks nearby huntley meadows etc so

[04:52:12] strongly support this and and hopefully we'll be able to move it forward thank you thank you uh supervisor stork and i too support this i think we all would have ideally had office here but obviously reality is very different today and this has been around for a long time so it's time to do something and as supervisor stork said i think absolutely the the appropriate use for this site and i also want to acknowledge the support of the grovedon civic association a civic association I was once a member of, so it's good to see that they're supporting this too as they're immediately impacted by it as well.

[04:52:49] And so I want to thank Supervisor Lust for getting it to this point. He's seen it go full circle, so it's good that we're here and look forward to seeing the details of the actual rezoning application when it comes forward. So with that, all those in favor of the motion, please say aye.

[04:53:07] Aye. Any opposed? Any abstentions? And that motion carries. Thank you very much. Our next public hearing is a public hearing on a proposed plan amendment 2022-3-FC2 for affordable housing on

the Government Center campus at the intersection of Government Center Parkway and Post Forest Drive in the Braddock District. And there is no affidavit for this item. So let's go ahead and ask staff for a county staff presentation. Welcome.

[04:53:39] Good afternoon, Mr. Chairman and Supervisors. My name is Ryan Stewart with the County's Department of Planning and Development.

[04:53:58] With me is Leanna O'Donnell, also with DPD. This plan amendment concerns the main part of the Fairfax County Government Center campus, designated as parcels 14A and 14B. The total site area is 86.4 acres, which are planned and developed for the Government Center's headquarter building and its associated service parking, the residents at the Government Center, and open space, natural areas, and recreational trails.

[04:54:22] This amendment considers affordable housing on Parcel 14B, that's Parking Lots G and H. Development elsewhere on the campus is not proposed. The site is bordered by the Fairfax Corner mixed-use development to the north, residential development to the east and south, and the Haratee, Panino, and Public Safety Headquarters buildings to the west.

[04:54:44] The Government Center is part of the Fairfax Center Area Suburban Center. The area's concept for future development describes the suburban center as a premier place to live, work, and play with the greatest intensity of development focused around a core area, the dark pink area designated land units A and B near the Fair Oaks Mall, Fairfax Corner, and the government center where future transit opportunities are planned.

[04:55:07] As such, the adopted area-wide guidance envisions that the core area will transition from an automobile-dependent environment to one that fosters pedestrian and bicycle connectivity, a mix of uses, activity extending beyond the workday hours, and a more compact urban style of development.

[04:55:25] On April 12, 2022, the Board of Supervisors authorized staff to evaluate a plan amendment considering an increase in the Florida area ratio to 0.4 to facilitate development of parking lots G&H as affordable and workforce housing.

[04:55:42] Land unit F and subunits B2 and I3 have historically been planned together along with the government center campus due to a common ownership. This amendment also proposes editorial amendments to reflect the now private development in these areas. There is also a concurrent rezoning. The Fairfax County Redevelopment and Housing Authority has partnered with a subsidiary of Lincoln Avenue Capital. Proposed is a multifamily development with up to 279 units and an on-site daycare. It is currently under review with public hearings scheduled for February. In addition to the analysis which we've summarized in the staff

[04:56:21] report, I want to highlight some of the considerations for this amendment. First of all, quality affordable housing is a goal of the board. This proposed amendment fulfills the objectives of the countywide strategic plan, the communitywide housing strategic plan, one Fairfax, and similar policy goals. Second, residential use is appropriate for the government center. It is planned for office mixed use, of which residential is a defined component of that. Third, much of the capacity needed to accommodate the new development already exists through adopted plans and entitlements.

[04:56:54] Considering the editorial adjustments, there is enough capacity on site to accommodate the new development once the editorial adjustments are made. And fourth, the adopted area-wide guidance is

robust and details how the core area should transform into a mixed-use, transit-oriented development. However, there's an opportunity to modify the site-specific language to address the unique role the government center and its new development is considered. That is, urban design, stormwater management, and implementing the county's sustainability goals. Thank you.

[04:57:27] Thank you very much. And I'm not seeing a representative from the applicant here. Is there a representative from the applicant here on this? I don't know if you would like to say anything or not. If you're not, okay. Very good. I just wanted to verify. Are there any questions of staff? Any questions of staff? Supervisor Walkinshaw.

[04:57:49] Thank you, Mr. Chairman, and you touched on it in the presentation, but can you just explain in a little bit more detail the existing plan language for this area and what's allowed today? If we weren't going to move with a comprehensive plan amendment today, what could be built on the parking lot today consistent with the existing comprehensive plan?

[04:58:10] Sure. Really the scope of this particular plan amendment is really only concerning the intensity on the site itself going from a, you know, a development. The actual development as proposed is about 70,000 square feet more than what is currently planned and entitled. And so, you know, for most intents and purposes, you could build a smaller scale development on this site under the same general criteria as would be, you know, a mixed use style development here on site would be perfectly, you know, acceptable.

[04:58:39] Right. So we're really looking at intensity. Right. So I think that's important. We're not changing the use in the plan here. It's a small increase in density and cleaning up kind of an oddity of the existing plan. Could you also describe how this is or isn't consistent with the larger Fairfax Center area plan last approved by the board in 2016?

[04:59:03] So in looking at the area-wide guidance, the Fairfax Center area was replanned as an area that focuses the highest intensities around the core area where planned transportation would be introduced in the future.

[04:59:22] You would have a much tighter, compact style of development. You'd have mixed uses. You'd have a day-to-night activity cycle that may or may not be present in all areas of the suburban center now. But the idea is that this would be a transition away from the traditional automobile-centric development to one that is more of a live-work-play environment where you've got multiple uses going on throughout the day.

[04:59:50] Got it. And then could you just give us a little bit more detail on subunit I-3? Because I think there's been some confusion about that. Yes, sir. Subunit I-3 is currently a residential development. Historically, it's been planned as that office mixed use, as we described along with subunit B-2.

[05:00:12] Currently, the land unit boundary between subunit B-2 and I-3 bisects the government center campus. The staff recommendation is that the government center campus be consolidated into a single land unit to streamline the planning of the unit, but also to replan subunit I-3 to reflect the current development conditions for residential use rather than the office mixed use.

[05:00:40] Is there anything in this plan amendment that would allow an increase in the density on subunit I-3 that's currently residential? No, not at all. This is just an update to reflect current development

conditions. It neither takes away development potential or increases it. Okay. Thank you, Mr. Chairman. Thank you, Supervisor Walkinshaw. Are there any other questions from the Board?

[05:00:59] Seeing and hearing none, this is a public hearing, and I have three speakers who have signed up in advance. Our first speaker testifying in person, I hope I pronounced this right, Preeti Dara Mahanti. Is Ms. Mahanti here? If you could come on down to the podium, I hope that was close.

[05:01:19] And we have two other speakers signed up who are calling in to follow Ms. Mahante. Welcome. The floor is yours. Thanks. And I'm Prithidhara Mahante from down the road in Carriage Park.

[05:01:37] Supervisor Walkinshaw also knows me as Ginny. Thank you to the board for this time to speak. I request the board to reconsider accepting the amendment. I support affordable housing. I'm supportive of One Fairfax.

[05:01:53] My request is not about that per se, rather about citing any residences on the proposed plot or any more in the area. I ask you to consider other values to which Comprehensive Plan Phase 2 and 3 make passing reference.

[05:02:09] When you make your decision today, I ask you to contemplate the open space around the front of Government Center that allows you to look at the sky when you walk down the corridor of tall trees along Government Center Parkway that gives the Government Center its majesty in such a lovely clearing, reminiscent of the beauty of the University of Virginia or even the National Mall. That makes for a rare oasis and sanctuary in the middle of urbanization that allows for a dark open place at night from where

[05:02:46] you can see stars a little bit better. That allows you to hear the breeze and birds in the quiet. That is a place for calm for those who live right here on Government Center Parkway and around the area. Please reflect on it. Reflect on the loss if you accept the amendment. Think of the Government Center and its surrounding plot as sort of a historical preservation site. Comprehensive Plan phases 2 and 3 do reference high quality of life, recreation, and considering auditory

[05:03:21] impact as quoted in the staff report. I ask you to consider those values and what happens if you increase density in this special spot in the county, especially with housing units being built across the way from there on Monument Drive.

[05:03:36] There will be increasing congestion, noise, and a diminishing quality of life that includes aesthetics, quiet, recreation, and openness that contributes to well-being. My neighbors and I question the traffic survey, timing, results, and forecasting as well.

[05:03:52] I'm saying all this after accepting 23 years of development in this area, including affordable housing next to my community. I understood others should enjoy this place too. Now I urge you to weigh other values, like the quality of life for the economically and ethnically diverse residents right here and those who visit government center what the the magnificence of government center um on this open lot um odd me so many years ago i understand many

[05:04:27] of my neighbors appreciate that openness around the government center it does have special value enhance the recreational aesthetic open low auditory impact qualities of this space in front government center with more green and a fountain or a memorial structure representing the indigenous people who lived here instead of building residences it's something all county residents can enjoy thank

you to supervisor walkinshaw for engaging my community recently thank you to the board thanks thank you miss mahanti for your testimony and speaker number two is gregory

[05:05:04] grama topu is gregory on the line gregory can you hear me okay uh yes yes can you guys hear me okay Yes, we can. Welcome. The floor is yours. Sure. I've been hearing about, I should start off mentioning that I'm a resident also of a carriage park residence, really close to exactly where the site is.

[05:05:30] I know a lot of people have concerns about, you know, diminishing the value of the properties, the surrounding properties, and the concerns you just heard just briefly, just a minute ago. but to me personally you know i see that that parking lot is an eyesore so any kind of uh development that would enhance uh um the community bring in some activity uh in the area i'm all for that and i i think i don't say i don't see anyone being opposed to that but what opposition i guess

[05:06:06] would be would would have at least personally me would be um if say the developer of the uh of the mixed-use development uses the affordable housing clause as a means to make a profit, basically selling the units at the market rate.

[05:06:31] I don't know what regulations there are that Fairfax County has and what authority they have over regulating how the developer sells the units. I don't know if that's something you could answer now, or is it something that we could find out somehow?

[05:06:54] I guess that's one of my concerns. Okay. Thank you very much. Gregory, was that the end of your testimony? Yeah, it was brief. I wasn't very prepared for it, so apologies for me.

[05:07:12] not being too prepared. I had a busy work day and I had to come out of a meeting. No problem at all. No problem at all. We heard your testimony just fine. I just wanted to confirm and thank you for that. Our next speaker is speaker number three, Andrea Serio. Do we have Andrea on the line? Hi, I'm on the line. Hey, welcome, Andrea. We can hear you fine and the floor is yours. Great. Thank you so much. I am the president of Carriage Park HOA, which is just behind the government center property, I-3, I believe, as you guys were chatting about it.

[05:07:49] Our community contains 192 affordable townhomes. And as a community, we have a number of concerns about the plan amendment and the affordable housing unit that has been proposed. As you mentioned earlier, you already do have affordable housing on this property. It's something that when And that was proposed many, many years ago.

[05:08:12] We did not raise a concern with and were fine to have bills. As you kept mentioning earlier in your testimony, one of the things that causes us some concern is your focus on the tax credit, the 15 points, and calling it ludicrous not to continue on with this bill just because of the tax credit, And rushing this project through all under the guise of helping people who work in the government center building as an example of the people that could live there.

[05:08:45] It just seems a bit rushed, a little bit selfish, and also that you've excluded the community feedback, excluded community from gathering their feedback, not just our community, but the surrounding community.

[05:09:06] We had met with Supervisor Walthenshaw, who came to one of our meetings in January, but it was all very rushed as the mailing for it went out in November. And it just seemed very rushed for the tax credits versus having been thought of and contemplated with care and concern.

[05:09:29] So when Supervisor Rockenshaw had came to the meeting, in January, we heard a great deal of concerns and complaints about the nearly 300-unit, five-story complex. The neighbors have a great deal of concern about the impact of traffic.

[05:09:45] The traffic study was not done with the bus depot in place or with the 240-unit apartments that were being built at Fairfax Corner. The planning committee also has not done a thorough job of estimating the number of children in these units, the cars and parking for this unit, nor the one-time kickback to Fairfax County Public Schools because of the number of children in this unit.

[05:10:08] I think overall, the lack of community outreach is apparent in that no one from Parkside HOA or Glen Allen HOA was included in any of these communications. You know, the zoning for I-3 is supposed to affect us, yet we don't even have a placard out in front of our community to announce that.

[05:10:27] And while Supervisor Walkinshaw, you know, had included some of this in his newsletter, it was, of course, buried on, you know, past page 10 where people are not really reading, almost feeling as if, you know, the sentiment from the community is that you're just pushing it through and that you don't want community feedback.

[05:10:45] So many of our community members, because of that, have not voiced their concern because they can quite clearly see that there's an agenda and that there's not a lot of community feedback that's being taken into account. And I'm speaking here because I hope that's wrong.

[05:11:02] I'm disappointed in how this has come about and the Planning Commission and Board of Supervisors are allowing it to get this far without that involvement. And I agree with Supervisor Herity that I don't believe all of the reasons listed for A3 are accurate and true.

[05:11:18] And personally, while I grew up here, I moved back to Fairfax County from New Jersey and New York City area because of the lack of affordable housing and purchasing my own house, the high taxes, the poor schools. And it seems that in your race to urbanization, you're becoming New Jersey without care for all income levels, losing out those in that lower to middle income bracket who can't afford $800,000 homes, which are now sort of the base spilling rate for homes in Sarfax County.

[05:11:46] Sarfax County was a special place because it was an oasis for those seeking a quality of life who didn't want to live in a concrete jungle. The thing is, we already have affordable housing on this exact spot of land. The homes around Government Center would like to see this area developed into an area that can be enjoyed by all.

[05:12:04] A courtyard between two massive structures is not that, and you don't see affordable housing being built at the U.S. Capitol blocking its majestic architecture. This is not the right place for this unit. And if you're interested in using parking lots, there are many just across the street if they're small, which are unused, although you may not get those tax credits that you are so pushing for.

[05:12:25] I don't believe that due diligence has been done to reassure those living in this community that the impact, not just this community, but those around this community, that the impact from this unit is not burdensome. The traffic impact, the parking study, the family estimate math is all a bit fuzzy and seem to be relying on some very pretty drawings of what the unit will look like and more concerned about the tax break than the impact to the community.

[05:12:51] I understand the need for affordable housing. Many people from the government center rent in this community. I live in this community because it's affordable. I had roommates when I couldn't make ends meet on my own. This affordable housing unit creates undue density within the area and burdens all of us within the Fairfax government-owned region.

[05:13:11] So Carriage Park would like to see the visioning study completed before any additional units are built and would like to see unused lots. Andrea, if you could wrap up, please. Your time expired quite a while ago. If you could just quickly wrap up, we would appreciate that. Yep. The last sentence was just that we would like to see something built that serves all considering we already have one affordable housing unit on this plot of land.

[05:13:37] Thank you. Excellent. Thank you very much. And that completes our speakers who have signed up in advance. Is there anyone here present who would like to testify on this matter? This is a public hearing. Is there anyone here present who would like to testify? If you could please come down and state your name and address for the record and then sign in with the clerk when you're finished, we would appreciate that.

[05:13:59] Welcome. Sure. My name is Sherry Zamera. I live at 5218 Gainesboro Drive, Fairfax. I live in Brodick District. I'm here to urge that you support this change in the comprehensive plan. Why? People need a place to live.

[05:14:16] And for some, it's really difficult to afford it. These are people that work for the county. These are police. These are firefighters. These are teachers. These are people that serve us. Sometimes it's even difficult for our own children to afford to live in the county.

[05:14:32] You have committed to providing more units for Fairfax because it's a value that we share. It will happen all over the county in lots of neighborhoods. We as citizens don't always like this. The objections are all the same. You've heard them.

[05:14:51] Quote, I support affordable housing, but this is just not a good idea here. Fairfax County is a great place to live. We choose to live and work here. We could choose to live other places, and many do. But this great place to live comes at a price.

[05:15:09] The price is the common good. You try to make this a great place for everyone to live, and that makes a better community for all of us. But you know what? It's hard to think beyond our own basic needs and our property values. It's really a sacrifice.

[05:15:25] I have followed this project from the beginning as a member of the Braddock Land Use Committee. I commend Supervisor Walkinshaw for initiating it. When he came to my door and he was running for office, I said, I'll vote for you if you support affordable housing.

[05:15:40] And you know what? He kept his promise. So I've lived here 54 years. I've addressed, I've had the honor of addressing you many, many times. And you know what? I think I've almost always said the same thing. My faith tradition calls me to care for the weakest among us and to be a good neighbor.

[05:15:58] I urge you to do the same thing. Thank you. thank you very much uh sherry and um miss cooper there will help make sure we get you signed in uh thank you for your testimony is there anyone else present who would we do have another speaker uh this will be speaker number five and if you again could share with us your name uh and we'll make sure we get you signed up after welcome thank you my

name is carrie wilson and i'm the ceo of cornerstones i first just want to say thank you for the action you took earlier my family moved every two years my dad was a submariner and we moved here in 1976 when he had his first desk

[05:16:35] job and so that meant so much i'm so proud of this county and what you do for military families i'm also here to speak as co-chair of the county's affordable housing committee council and also as a member of the equitable school readiness plan that looks at the needs that all families need I am proud to speak in support of this proposal and this development and what it will bring to this neighborhood.

[05:17:04] Am I done? There's no way that was the right timing. No, you can continue. I take back everything I said about the first. This proposal will bring so much needed affordable housing.

[05:17:20] We know this so well in our work. more than 50 years we've worked with fairfax county to provide the kind of supports that every family need and we are very proud in seeing the proposal that lincoln avenue capital brought forward to work with them to work with you and the community to kind of imagine what this space will look like i can tell you the child care is needed the kinds of services that residents we've already been part of some community and heard what they needed and i really look forward to working with you all if this is approved we i've spent a lot of time out here and in this parking lot

[05:17:59] and i know the landscape is going to change but i think how great is it that our government center would be the entrance as part of a thriving residential community and for new families who work here and who could be close to the center of work and i think that would be the most fitting tribute for the commitments that we've made as a county so thank you very much thank you very much ms wilson and is there anyone else present in the auditorium who would like to testify this is a public hearing anyone else who would like to speak seeing and hearing none let me verify we have no

[05:18:34] one on the line who's called in no one has called in closing comments or recommendation from staff thank you mr chairman the planning commission recommended adoption of the staff recommendation on january 11 2023 with several modifications to the site specific language for those considerations i mentioned earlier the full text is detailed in the commission's memo dated january 13th which you should have a hard copy in front of you it's also referenced in this afternoon's board packet and published on the commission's website um staff cons i'm sorry staff concurs with these changes by the planning commission and the county executive recommends adoption of the

[05:19:11] planning commission's recommendation thank you thank you very much any questions from board members at this time any questions from board members seeing and hearing none i will now close Close the public hearing and recognize Supervisor Walkinshaw for a motion. Thank you, Mr. Chairman.

[05:19:29] I think by now the board is very familiar with this project. As I noted, the comprehensive plan amendment that we're considering today is really a minor change to the density.

[05:19:45] It's not a change in the approved use for the site, and it's a change that's consistent with the Fairfax Center area plan last updated by the board in 2016. It has the support of the Braddock District Land Use Environment Committee and the Planning Commission.

[05:20:07] And I really appreciate the dialogue that I've been able to have with some of the folks in the community in Carriage Park. Specifically, I can tell you that questions they have asked and issues that they

have raised have helped us to really sharpen our pencils as we move toward the consideration of the rezoning.

[05:20:31] Areas like traffic that were raised, impact on schools, some of which are covered in the staff report here. But all of those items have been considered and will be considered. And just to speak to, and Ms. Mohanty, Jeannie, I think quite eloquently described what all of us, especially those who live here, love about the government center area.

[05:20:57] And that's the beautiful open space and natural space and natural environment that we have. And throughout this process, just to remind the board, and I'll respectfully disagree that this has been rushed, This started in October of 2020 with a motion I made at this dais.

[05:21:19] So I misspoke earlier when I said two years. It's been more than two years. But what we all love about this part of the county is its public serving function, but also the fact that we have public serving function in a beautiful environment.

[05:21:37] And I can tell you that my priority from the beginning is that we do nothing to disturb the open space. We do nothing to disturb the mature forest, the streams, the trail network that are here.

[05:21:53] And the good news is, with this plan amendment, we're not. What we're talking about here is, right now, a parking lot that most days is filled with fast-train buses. Important fast-train buses, but it's not a beautiful oasis.

[05:22:13] It's a parking lot. And from an environmental perspective, it's bad news. The amount of impervious surface that we have in front of this building is bad news environmentally. And almost anything we could do from a development perspective will improve the natural environment in this part of the county.

[05:22:32] And like I said, I appreciate the meetings that we've had with folks in the community, including Carriage Park. I will, again, just respectfully disagree that there hasn't been a lot of engagement or this has been rushed.

[05:22:48] As I noted, it started with a motion here at this dais in October of 2020. It's been in my newsletters every month, mostly every month since then, with detailed updates on it for the community.

[05:23:06] We had a public hearing to authorize the conveyance of the land. That was also communicated in the newsletters. We had a community information meeting September 28, 2022. And just to make sure, in case there's anyone out there that's not a subscriber to the Braddock Beacon, hard to believe, but if you're not, we actually mailed notices to 1,200 of the surrounding residents, renters, and homeowners to make sure they had the opportunity to participate.

[05:23:38] When there was additional interest, we held a small group meeting with members of the community. We held a larger meeting with folks in Carriage Park to answer questions and hear concerns. And the truth is, the reality is, we don't all agree.

[05:23:55] We don't agree on every aspect of this, but we have engaged. We have listened. Listening doesn't always mean that we're all going to agree, but we have listened, and we will continue to do that throughout this process. As I noted, the Braddock Land Use Committee is supportive of this plan amendment.

[05:24:15] They have held one, two, three, four, five meetings to discuss it, all of which are open to the community, and some folks have participated in that. So there have been opportunities. There will continue to be opportunities. We're very committed to making sure that we continue to engage and talk to the community about this.

[05:24:38] And with that, Mr. Chairman, I will move that the Board of Supervisors adopt the Planning Commission recommendation for Plan Amendment 2022-3-FC2, as shown in the board item, to facilitate the development of needed affordable housing at the corner of Government Center Parkway and Post Forest Drive.

[05:24:57] You've heard the motion and the second by Supervisor Alcorn. Any discussion on the motion? Any discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Herity, nay. Any abstentions?

[05:25:15] And that motion passes 8 to 1. Our next public hearing is a public hearing on proposed zoning ordinance amendment to Chapter 112.1 regarding minor and editorial revisions. And again, there is no affidavit for this item.

[05:25:32] So at this time, as soon as staff is ready, we would welcome a staff presentation.

[05:26:03] Thank you, Mr. Chairman. I'm Carmen Bishop in the Zoning Administration Division. and this is the second set of minor and editorial revisions to the zoning ordinance since the new zoning ordinance went into effect on July 1, 2021. So like the last set, most of these revisions are hypergraphical or editorial in nature, and they do not result in any substantive changes.

[05:26:28] Others correct provisions to restore inadvertent omissions from the previous ordinance or to align with the way the ordinance is currently interpreted and applied. So, for instance, a standard that had been inadvertently omitted from the previous ordinance would allow the board or BZA to approve more than one residence for a manager or employee in conjunction with the approval of another special exception or special permit use.

[05:26:54] Also, the definition of a lot is proposed to be clarified, that it is a contiguous parcel of land. Another change would codify previous interpretations for the kennel use, that it includes recreation and exercise areas provided for a fee.

[05:27:12] So this would not apply to accessory amenities, such as an HOA dog park. And the amendment also clarifies that short-term lodging is not allowed on the property with an ALU, so not in the ALU, but also not in the principal unit.

[05:27:29] The amendment updates the maximum allowed foot candles for a recreational tennis court that's approved with the sports illumination plan from 40 to 50 foot candles. And this is consistent with the existing Fairfax County Park Authority guidelines as well as national standards.

[05:27:51] The amendment also proposes to reduce the special permit application fee for a special event from the general fee of $16,375 down to 25% of that, or $4,090. The special event, I mean the special permit is needed when the special event, lots of special here, extends longer than 21 days, and that's consecutive or non-consecutive days.

[05:28:18] And the review does involve extensive coordination with other agencies, but it does not include the review of any permanent structures. We've only received three applications of this type in the past five

years, and those include the Cirque du Soleil at Tyson's and the skating rinks at Mosaic.

[05:28:35] And earlier this year, the board did, well, last year, rather, the board did reduce the fee for an application of this type to the recommended fee of $4,090. but we have advertised a range from 910 to the 16,375 for your consideration and last year the state code was amended to include the housing of livestock in the definition of an agricultural operation and then the definition of livestock includes horses or ponies because the zoning

[05:29:12] ordinance does have separate uses for a riding or boarding stable and the accessory version limited riding or boarding stable the zoning ordinance needs to be amended for consistency with the state code the zoning ordinance does require a minimum of seven acres to be in the agricultural activity for it to be an agricultural operation and that is not proposed to be changed so the amendment would provide where there's a minimum of seven acres in the housing of livestock or in specifically horses or ponies then it would not be a riding or boarding stable and it would be

[05:29:50] an agricultural operation instead thank you all right thank you are there any questions of staff any questions of staff this is a public hearing we don't have anyone signed up is there anyone here wishing to speak on this item during the public hearing anyone wishing to speak do we have any calls no calls therefore i will close the public hearing and turn to staff for a recommendation thank you overall this amendment corrects errors resolves inconsistencies and provides

[05:30:28] for additional clarification the planning commission held a public hearing on this amendment on december 8th and voted to recommend approval including the proposed special permit fee of four thousand ninety dollars for a special event and staff concurs with the planning commission recommendation thank you thank you very much um any other questions seen and hearing none um is there a motion to approve supervisor smith yes madam chairman um i move that the board of supervisors adopt the proposed zoning ordinance amendment to chapter 112.1 for minor and

[05:31:04] editorial revisions as set forth in the staff report dated november 1st 2022. i further move that the amendment become effective at 12:01 a.m. the day following the adoption. I've heard the motion. I'm happy to second that motion. Any discussion on the motion?

[05:31:22] Seeing and hearing none. All those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries. And that brings us to our next public hearing, which is a public hearing on proposed county code amendments regarding county code amendments for consistency with new chapter 112.1. And there is no affidavit for this item,

[05:31:46] so we would welcome a staff presentation. New zoning ordinance went into effect on July 1st, 2021. As a result, there are inconsistencies between the new chapter 112.1 and other chapters of the county code. This proposed amendment intends to resolve those inconsistencies.

[05:32:20] This amendment proposes revisions throughout the county code. They do not result in substantive changes and are intended for the county code to align with the new zoning ordinance. The proposed changes were coordinated with staff from the corresponding departments.

[05:32:37] These changes include replacing references to Chapter 112 with Chapter 112.1, updating use names to reflect the use names used in the new zoning ordinance, and updating references to provisions in the old zoning ordinance with the applicable provisions in the new zoning ordinance.

[05:32:52] Also, in the affected provisions, minor editorial revisions are also made. These include replacing shall with will, must, or other similar language. Also proposed to resolve inconsistency with the new zoning ordinance is repealing Chapter 27, Establishments Permitting Dancing, because the dance hall use was replaced with public entertainment.

[05:33:17] This was coordinated with the Department of Tax Administration. Public entertainment requires approval by the board via a special exception in the C5 through C8 and I2 through I6 districts or in certain plan districts if shown on an approved development plan or approved by special exception.

[05:33:34] Accessory entertainment is also allowed in conjunction with a restaurant if it meets the applicable use standards. Repealing Chapter 27 would eliminate the $100 license fee associated with dance halls. The revenues from this license fee have averaged approximately $2,800 over the past five years.

[05:33:53] As a result, negligible revenue impacts are expected with this repeal. Thank you. Thank you very much. Are there any questions of staff? Any questions of staff? Seeing and hearing none, this is a public hearing, and I have no one who has signed up in advance to testify on this matter.

[05:34:13] Is there anyone here present in the auditorium that would like to speak? Anyone present who would like to testify, this is a public hearing. Seeing and hearing no one, let me ask the clerk if anyone has called in. No one has called in. Any final comments or recommendation from staff?

[05:34:28] Overall, the proposed amendment resolves inconsistencies and allows all chapters of the county code to align. The Planning Commission held a public hearing on December 8th and recommended approval of the amendment. Staff concurs with the Planning Commission recommendation. Thank you very much. Any questions?

[05:34:45] Seeing and hearing none, I will now close the public hearing and recognize Supervisor Smith for a motion. Thank you, Mr. Chairman. I move that the Board of Supervisors adopt the proposed County Code amendments for consistency with new Chapter 112.1 as set forth in the staff report dated November 1, 2022.

[05:35:03] I further move that the amendment become effective at 12.01 a.m. the day following adoption. You've heard the motion and a second from Supervisor Gross. Any discussion on the motion? Seeing and hearing none, all those in favor, please say aye. Aye. Any opposed? Any abstentions?

[05:35:20] And that motion carries. Thank you very much. We next have a public hearing to consider amendments to the Code of the County of Fairfax, Virginia, Chapter 3, County Employees, Article 1, Personnel Administration, Sections 3-1-1, Purposes of Article, Definitions, and 3-1-2, County Service and Divisions Thereof, and Article 5, Financial Disclosures, Section 3-5-2.1, Disclosures of Financial Interest.

[05:35:50] Obviously, no affidavits, so I will recognize staff when they are ready for a staff presentation. Good afternoon, Mr. Chairman and members of the Board of Supervisors. My name is Kathy Shafrick with the Department of Human Resources.

[05:36:06] I'm joined by Karen Gibbons and Dan Robinson from the County Attorney's Office. The public hearing is to consider amendments to the Code of the County of Fairfax, Chapter 3, Article 1, Sections 3-1-1 and 3-1-2, and article 5 section 3-5-2.1 so we've made these changes to the personnel regulations already so they're going to sound familiar but we need to mend this part of the code of the county to stay consistent the first change is necessitated due to the passage of a new law which prohibits

[05:36:42] employment discrimination by local governments against protected classes by adding a definition of religion to include any outward expression of religious faith including adherence to religious dressing and grooming practices and carrying or displaying of religious items or symbols so as a result fairfax county code 3-1-1 purpose of articles definitions is being amended to include this definition also amendments to the count oh and in this section 3-1-2 county services and divisions

[05:37:20] thereof we're amending it to remove assistant county executive because that position no longer exists and also to correct a typographical error in subsection b4 in addition amendments to the county's classification and compensation plans including implementation of pay plan a for appointed positions and m for management were approved by the board of supervisors on december 6 2022 and based on those amendments we need to ensure that we'll continue to those

[05:37:55] that were required to file financial disclosures based on their pay grade are going to continue to do so even though they're now in different pay grades i.e. at or above a-01 or m1 and above so staff recommends amending section 3-5 2.1 to require employees at the pay grade of s-33 or higher to file which is also in line with the current practice of requiring employees with substance substantive decision-making responsibilities

[05:38:30] to file financial disclosure forms thank you miss schafferick uh for that are there any questions of staff. Any questions of staff? Seeing and hearing none. This is a public hearing and I have no speakers who have signed up in advance to testify on this matter. Is there anyone here present in the auditorium that would like to speak on this matter? Anyone present who would like to speak? This is a public hearing. Seeing and hearing no one. Let me verify no one has called in. No, there are no callers. No one has called in. Any closing comments or recommendation

[05:39:04] from staff? No. Staff approves recommendation. Thank you very much. Final call. Questions from board members. Seeing and hearing none, I will now close the public hearing and turn to Supervisor Gross for a motion. Mr. Chairman, I'm going to wing this one because I don't have a written motion in front of me. So I will move approval of the amendments, Chapter 3, Article 1, Sections 3-1-1 and 3-1-2, and Article 5, Section 3-5-2.1 as outlined by staff in the

[05:39:42] public hearing. You've heard the motion and a second by Supervisor Lusk. Are there any discussion? Any discussion? Mr. Chair, let me add to that. Yes, Supervisor Gross to be followed by Supervisor Elphorn. Should this pass, my motion should have included the amendments would be, amendment to County Code 3-1-1 would be retroactive to July 1st, 2022, and the other amendments would be effective upon adoption.

[05:40:15] Okay. Thank you for that clarification, and staff is nodding that that's the right clarification. Very good. Supervisor Alcorn. Mr. Chairman, I was just going to say, to get these things written out, maybe we need to keep that assistant county executive position. No.

[05:40:31] We could always bring it back. That's right. Thank you. All right. Any other discussion? Any other discussion? Worthwhile or not? Seeing and hearing none, I will now turn to, well, Supervisor Gross has made her motion.

[05:40:47] At this point, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. And that brings us to our next public hearing, which is a public hearing on a proposal to vacate and abandon portions of Scott's Crossing Road in the Providence District.

[05:41:05] And again, this is a public hearing that has no affidavit associated with it. So as soon as our county staff is ready, we would welcome a county staff presentation.

[05:41:36] Good evening, Mr. Chairman and members of the board.

[05:41:57] My name is Jeffrey Edmondson, Site Analysis Section, Fairfax County Department of Transportation. I'm here to present a proposal to vacate and abandon portions of Scott's Crossing Road in the Providence District. As you can see on this aerial, the portions of Scott's Crossing Road are on the north side, north of the intersection with Dolly Madison Boulevard.

[05:42:24] It's two large sections that are currently outside the vehicular travel lanes as part of the Capital One campus. The applicant, McGuire Woods LLP, on behalf of their client, 1820 Dolly Madison LLC, requesting that portions of scott's crossing road be vacated under 15 2272 of the virginia code and abandoned under 33 2909 of the virginia code as a result of the board's approval of rz 2011 pr09 the applicant is seeking this request to complete the redevelopment plans associated with the

[05:43:00] approved rezoning the subject area of scott's crossing road would be incorporated into the redevelopment consistent with the approved zoning case and pending site plan the subject portions of scotts crossing road as i said are located along the northern side of scotts crossing road north of the intersection with dolly madison boulevard and that's all i have for a presentation thank you very much any questions of staff any questions of staff seeing and hearing none i will now uh well this is a public hearing i have no speakers who have signed up in advance to testify is there anyone in the auditorium who would like to speak anyone here who would like to testify on this matter this is a

[05:43:40] public hearing seeing and hearing no one let me verify no one has called in okay thank you very much any closing comments or recommendations from county staff staff recommends the board adopt the attached order of abandonment and ordinance of vacation thank you mr edmondson and let me ask if there are any questions of county board members before we close the public hearing seeing and And hearing none, I will now close the public hearing.

[05:44:08] Supervisor Powcek is not with us due to medical reasons, but I understand Supervisor Smith has a motion. Thank you, Mr. Chairman. The applicant, McGuire Woods, LLP, on behalf of Dolly Madison, LLC, is requesting the vacation and abandonment of portions of Scott's Crossing Road.

[05:44:26] The applicant is seeking this request to complete the plans associated with the approved rezoning RZ 2011-PR-009. Therefore, I move that the Board of Supervisors adopt Attachment 3, the Ordinance of Vacation, and Attachment 4, the Order for Abandonment of the Subject Right-of-Way.

[05:44:45] I'm happy to second that motion. Discussion on the motion? Discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Thank you very much. Our final public hearing of the day is a public hearing on approval of the Upper Occoquan Sewage Authority 2022 restated and amended service agreement.

[05:45:11] And as soon as staff is prepared, we would welcome a staff presentation. Good evening, Mr. Chairman.

[05:45:29] My name is Shoran Mohsen and Director of Waste Water Planning and Monitoring Division. The proposed amendments to the existing service agreement establish funding obligations for expansion of the treatment plan capacity from 54 million gallons per day to 60 million gallons per day.

[05:45:48] This expansion is requested by the City of Manassas and Prince William County and will be paid for by those jurisdictions. The amendments also modify the compliance determination of jurisdictional hydraulic and load capacity allocations.

[05:46:04] The existing conditions are very restrictive and prevent the full use of allocated capacity at the treatment plans. The new determination is in compliance with the Virginia Department of Environmental Quality requirements and is still very restrictive.

[05:46:27] And also the agreement is being restated to include the 2014 amendments, which have already been approved by this board. Those amendments provide for cash funding of UOSA bonds that are issued for their capital improvement program.

[05:46:46] And by cash funding, there is savings to be had for not paying the interest on the bonds. Okay. Thank you very much for that presentation.

[05:47:02] Any questions of staff? Any questions of staff? Again, this is kind of a procedural formality in a lot of ways, but appreciate the work that staff put into this. This is a public hearing, and I have no one who has signed up in advance to testify.

[05:47:20] Is there anyone present in the auditorium who would like to speak on this matter? This is a public hearing. Is there anyone who would like to testify? I thought Mr. Castrilli was raising his hand there for a moment. Let me verify with the clerk that there is no one on the line.

[05:47:36] No one on the line. Any closing comments or further recommendations from staff? Staff recommends that the Board of Supervisors approve the restated and amended service agreement and authorize the chairman to execute the agreement on behalf of the county. Thank you very much.

[05:47:51] Any questions from board members? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Gross. Would you like to make this motion? Yes, of course. I'd be delighted to. I move approval of the county executive's recommendation.

[05:48:09] Heard the motion. It's been seconded by Supervisor Lusk. any discussion on the motion? Any discussion on the motion? Seeing and hearing none, all those in favor of the motion please say aye. Aye. Any opposed? Any abstentions? And that motion carries and that also brings us to the end of our meeting today on January 24th, 2023 and with that our board is adjourned.

