

MEMORANDUM
COUNTY OF LOUDOUN

DATE: September 16, 2009

TO: Department and Agency Heads

FROM: Linda Neri, Interim County Administrator

SUBJECT: Action Report of the September 15, 2009 Board of Supervisors' Business Meeting

Listed below is a summary report of the Board's action taken at its September 15, 2009 Business Meeting. On items requiring follow up, the staff person responsible is noted. Please work with your staff to follow through on the Board action as noted.

1. JUVENILE COURT SERVICE UNIT (JCSU) DEMONSTRATION OF GPS BY MARK CROWLEY
Mark Crowley and staff from the Juvenile Court Service Unit demonstrated the Global Positioning System (GPS) which is used to supervise youth before their court hearing. It was noted that the Loudoun JCSU was one of the first jurisdictions on the east coast to use GPS technology which has now become a workable standard throughout the nation.
Staff Contact: Mark Crowley, Director, Juvenile Court Service Unit

2. VIRGINIA ASSOCIATION OF COUNTIES 2009 ACHIEVEMENT AWARDS PROGRAM / PRESENTATION TO LOUDOUN COUNTY ASSESSOR'S OFFICE AWARD FOR AUTOMATED REAL ESTATE ASSESSMENT APPEAL PROGRAM
Supervisor Burk congratulated Todd Kaufman of the County Assessor's Office for receiving the Virginia Association of Counties (VACo) 2009 Achievement Award for Automated Real Estate Assessment Appeal Program. Gage Harter from the VACo Legislative Team presented the award.
Staff Contacts: Juanita Tool, Staff Aide to Supervisor Burk

3. PROCLAMATION DECLARING FIRE PREVENTION WEEK OCTOBER 4-10
Supervisor McGimsey moved that the Board of Supervisors adopt a Proclamation Declaring the Week of October 4 to October 10, 2009, as "National Fire Prevention Week," and urged all citizens to be especially aware of fire danger and take necessary steps to prevent fires and ensure they have working smoke alarms in their homes. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)
Staff Contact: Keith Nusbaum, Staff Aide to Chairman York

4. RESOLUTION OF COMMENDATION FOR THE LOUDOUN COUNTY ENERGY CONSERVATION COMMITTEE FOR EXCEEDING THE GOALS OF THE METROPOLITAN REGIONAL COUNCIL OF GOVERNMENT COOL CAPITAL CHALLENGE

Supervisor McGimsey moved that the Board of Supervisors adopt the Resolution of Commendation for the members of the Energy Conservation Committee for their success in the Metropolitan Regional Council of Government Cool Capital Challenge. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Debbie Hawk, Staff Aide to Supervisor McGimsey

5. RESOLUTION OF COMMENDATION FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY OFFICE FOR 2009 DIGITAL COUNTIES SURVEY FIRST PLACE AWARD

Supervisor McGimsey moved that the Board of Supervisors adopt the Resolution of Commendation for the Loudoun County Department of Information Technology and the other county departments and agencies that effectively use technology for achieving top ranking in the Digital Counties Survey. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Debbie Hawk, Staff Aide to Supervisor McGimsey

6. BOARD MEMBER INITIATIVE: RESOLUTION AND PROCLAMATION/HONORING THE SIGNING OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA

Supervisor McGimsey moved that the Board of Supervisors adopt the Resolution and Proclamation Honoring the Signing of the Constitution of the United States of America. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Juanita Tool, Staff Aide to Supervisor Burk

7. RESOLUTION OF APPRECIATION FOR ANN GALLUS

Supervisor McGimsey moved that the Board of Supervisors adopt the Resolution of Appreciation in recognition of Ann Gallus and her contributions to Loudoun County. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Naomi Lithgow-Foidl, Staff Aide to Supervisor Kurtz

8. ROUTE 28 MARKET STUDY ANALYSIS PRESENTATION BY FULTON RESEARCH

Dave Fulton and Marguerite Foster of Fulton Research, Inc., of Fairfax presented the main findings and recommendations regarding the potential for "Keynote Employment" in Class A office space in the Route 28 Corridor.

The Board of Supervisors concurred to forward this item to a Committee of the Whole Discussion at the Board of Supervisors' Business Meeting on October 6, 2009.

Chairman York asked Board members to forward any questions to staff in regard to the Route 28 Market Study.

Staff Contact: Cindy Keegan, Department of Planning

9. APPOINTMENTS

a. CONFIRMATIONS

Chairman York moved that the Board of Supervisors to confirm the following nominations. (Seconded by Supervisor Burk.) Supervisor Miller separated the motion for Stephanie Cross for the Loudoun Health Council.

Voting on Chairman York's motion to confirm the following nominations passed 9-0.

1. Animal Advisory Committee
Joanne Dekker Donohue
2. Courthouse Grounds Facility Task Force
Jerome Payne
Roy Liggett
3. Disability Services Board
Angela Shirazi
4. Transportation Safety Commission
Robert E. Simanski
5. Loudoun Health Council
Teresa Kreider

The motion to approve confirmation of Stephanie Cross to the Loudoun Health Council passed 8-0-1, Supervisor Miller abstained.

b. NOMINATIONS

6. Advisory Commission on Youth

Supervisor Kurtz nominated Michael Chapman.

Staff Contact: Rosey Rai, Office of the County Administrator

10. ADMINISTRATIVE ITEMS REPORT /SEPTEMBER 15, 2009

Supervisor McGimsey moved that the Board of Supervisors approve the Administrative Items Report of September 15, 2009. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

a. BUDGET ADJUSTMENTS

The Board of Supervisors moved to approve the following budget adjustments: BA-103322, BA-103323, BA-103516, BA-103535, BA-103562, BA-103565, BA-103568, BA-103574, BA-103575, BA-103630, BA-103638, BA-103657, BA-103688, and BA-103689.
Staff Contact: Luz Cofresi-Howe, Budget Officer, Department of Management and Financial Services

b. BOARD OF SUPERVISORS' MINUTES

The Board of Supervisors moved to approve the June 16, 2009 and July 7, 2009 Board of Supervisors' Business Meeting Minutes; and the September 2, 2009 Special Meeting Minutes.

The following Committee Summary is included in the Board's Packet:

Transportation/Land Use Committee Meeting July 27, 2009

Staff Contact: Jeanette Gilbert, Office of the County Administrator

c. DEEDS FOR APPROVAL

The Board of Supervisors moved to approve the following Deed for Approval:

a) ESMT-2009-0038 – CFC Corporate Headquarters.

Staff Contacts: William M. Himel, Department of Building and Development; and Ronald J. Brown, Assistant County Attorney

d. TRANSFER OF VDOT FUNDS FROM VARIOUS PROJECTS TO PACIFIC BOULEVARD

The Board of Supervisors moved to approve the resolution as follows:

WHEREAS, project 0015-053-R26,C502 (UPC 72593) will receive a transfer of \$1,000,817 of State Primary funds from project 0287-053-937-M501 (UPC 87871) which will allow for reallocation of \$1,000,817 of previous revenue sharing funds (\$500,408.48 county share and \$500,408.52 VDOT share); and

WHEREAS, the Loudoun County Board of Supervisors would like to adopt the following Secondary Six Year Plan Project # 1036-053-959,P101,R201,C501 (UPC 93144) as a revenue sharing project; Route

1036, known as Pacific Boulevard, to be constructed from Int. Rte. 775 Relocation Drive to Int. Dresden Street; and

WHEREAS, project 1036-053-959,P101,R201,C501 (UPC 93144) has an established ad date of March 8, 2011 and to ensure this ad date is met, the County of Loudoun requests the reallocation of funds to this project from 0015-053-R26,C502 (UPC 72593), totaling \$1,000,817.

BE IT RESOLVED, that the Loudoun County Board of Supervisors requests that the revenue sharing funds in the amount of \$1,000,817 (total) be reallocated from project 0015-053-R26,C502 (UPC 72593) to the new project described above.
Staff Contact: Terrie Laycock, Director, Office of Transportation Services

- e. CERTIFICATION OF DESIGNATED PLANS EXAMINER
The Board of Supervisors moved to approve the recommendation of George Lu as a Designated Plans Examiner.
Staff Contact: Gary R. Clare, Department of Building and Development
- f. TRAFFIC SAFETY MEASURES – HUGHES STREET, HAMILTON
The Board of Supervisors moved to request VDOT to install additional speed limit signs, “\$200 Additional Fine for Speeding” signs, and “Watch for Children” signs on Hughes Street (Route 709) between Colonial Highway (Business Route 7) and Saint Paul Street (Route 710).
Staff Contact: Charles Acker, Office of Transportation Services
- g. TRAFFIC CALMING MEASURES – INTERSECTION OF SHAW ROAD AND CEDAR GREEN
The Board of Supervisors moved to request VDOT to approve and install an all-way stop condition at the intersection of Shaw Road (formerly Tippet Hill Road) and Shaw Road/Cedar Green Road.
Staff Contacts: Terrie Laycock, Director, Office of Transportation Services
- h. REQUEST FOR TRAFFIC CALMING MEASURES BY THE SOUTH RIDING PROPRIETARY
The Board of Supervisors moved to request VDOT to install “\$200 Additional Fine For Speeding” signs along the residential streets of Tall Cedars Parkway, Loudoun County Parkway, South Riding Boulevard, Edgewater Street, Elk Lick Road and Planting Field Drive that have been accepted into the State System for maintenance.
Staff Contact: Terrie Laycock, Director, Office of Transportation Services
- i. TRAFFIC SAFETY MEASURES – LOWE’S ISLAND BOULEVARD, CASCADES

The Board of Supervisors moved to request that VDOT install “\$200 Additional Fine for Speeding” signs on Lowe’s Island Boulevard (Route 1652).

Staff Contact: Charles Acker, Office of Transportation Services

j. AUTHORIZE THE INTERIM AND/OR COUNTY ADMINISTRATOR TO SIGN SAFETEA-LU AND VIRGINIA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENTS

The Board of Supervisors moved to approve the Resolution Authorizing the Interim and/or County Administrator to Sign SAFETEA-LU and Virginia Department of Virginia Transportation Grant Agreements.

Staff Contact: Diane Ryburn, Director, Department of Parks, Recreation and Community Services

k. MOOREFIELD STATION DEED OF CONVEYANCE, DEDICATION, RESERVATION AND EASEMENT – PUBLIC SAFETY CENTER

The Board of Supervisors moved to approve the Deed of Conveyance, Dedication, Reservation and Easement.

Staff Contacts: Charles Yudd, Assistant County Administrator; Melissa Poole, Department of Construction and Waste Management; and Tamara Dunlap, Assistant County Attorney

l. TIMELINE EXTENSION FOR CMPT 2009-0006, LOUDOUN WATER – WATER STORAGE FACILITY

The Board of Supervisors moved to approve a timeline extension to January 14, 2010, for Planning Commission action on CMPT 2009-0006, Loudoun Water – Water Storage Facility.

Staff Contact: Marchant Schneider, Department of Planning

11. INITIAL LEGISLATIVE PACKAGE FOR 2010 GENERAL ASSEMBLY

SECTION A – NEW POSITIONS

Supervisor Delgaudio requested separation of Item #5- Changes to Urban Development Area Statute:

1. Transportation Funding

Chairman York moved that the Board of Supervisors oppose diverting existing General Fund revenue streams to transportation. These General Funds are used for other important priorities of the Commonwealth such as K-12 education, higher education and public safety. (Seconded by Supervisor Burton. The motion passed 9-0.)

2. Restricting or Narrowing Proffer Authority

Chairman York moved that the Board of Supervisors support existing local authority to accept cash and in-kind proffers from developers to assist localities in financing capital facilities and infrastructure needed to serve new development and oppose legislation to eliminate or restrict that authority. (Seconded by Supervisor Burton. The motion passed 9-0.)

3. Replacing Proffer Payments with Impact Fees that Diminish Level of Capital Assistance

Chairman York moved that the Board of Supervisors oppose any proposal for replacing such proffer payments with development impact fees that would diminish the amount of such capital assistance received by localities. (Seconded by Supervisor Burton. The motion passed 9-0.)

4. Increasing Local Authority for Regulating AOSS

Chairman York moved that the Board of Supervisors support legislation and state regulatory actions that increase local authority to regulate the installation and operation of alternative on-site sewage systems, and support measure that protect the environment with more stringent performance standards and maintenance requirements and oppose legislation that further restricts local authority in this area. (Seconded by Supervisor Burton. The motion passed 9-0.)

5. Changes to Urban Development Area Statute

Chairman York moved that the Board of Supervisors support changes to the Urban Development Area statute that encourage “smarter” growth planning, while preserving local flexibility to implement this mandate; and oppose amendments that limit flexibility, including any establishment of unrealistic minimum density thresholds for residential and commercial development within the UDA. (Seconded by Supervisor Burton. The motion passed 8-0-1, Supervisor Delgaudio voted no.)

6. Water, Wastewater and Stormwater Utilities

Chairman York moved that the Board of Supervisors support the existing authority of localities or locally created authorities to impose connection fees and rates adequate to support the full cost of water, wastewater and stormwater utility systems, and oppose any legislation that would limit that authority. (Seconded by Supervisor Burton. The motion passed 9-0.)

Amendments:

7. Education (Relaxing Mandates/Local Autonomy)

Chairman York moved that in the event of reductions to State general funding for education, the Board of Supervisors supports the State relaxing mandates and increasing local autonomy in order to give local school divisions the flexibility to efficiently target resources where they

are most needed. (Seconded by Supervisor Burton. The motion passed 9-0.)

8. Land Use & Property Maintenance (Foreclosed Properties)

Chairman York moved that the Board of Supervisors support legislation that gives localities greater authority to require proper maintenance of properties particularly unoccupied properties that are in foreclosure. (Seconded by Supervisor Burton. The motion passed 9-0.)

The Board requested staff follow-up on a number of legislative related issues for its October 6th Business Meeting. These include bringing forward two public procurement issues for Board consideration—mandatory e-verification of contractors and subcontractors (i.e., HB 2121 (Nichols)/SB 1499 (Barker) from the 2009 General Assembly Session) and mandatory preference for local businesses/vendors for all public procurements. The Board also requested information with regard to the recent General Assembly Special Session and its work on the evidentiary rule. Staff was directed to provide the Board an update on prior and/or pending legislation pertaining to charter schools and a proposed position statement seeking the ability for counties to have the same taxing authority as cities and towns. Finally, the Board directed staff to research and/or develop enabling language which would give a local governing body the ability at its option to use a Board appointed zoning ordinance review type committee to review key amendments to its zoning ordinance in an effort to expedite reviews.

Staff Contacts: John Sandy, Assistant County Administrator

12. BOARD MEMBER INITIATIVE: AMEND THE ZONING ORDINANCE/ RECREATIONAL FACILITIES IN THE AG POLICY AREA

Supervisor Burton moved that the Board of Supervisors direct staff to undertake a review of the ordinances associated with the Rural Recreation Establishment, Outdoors use type and return to the Board with a recommendation as to what amendments to the zoning ordinances, if any, might provide the County with better mitigation of impacts, protection of the environment, and control over the facility as constructed. (Seconded by Chairman York. The motion passed 8-0-1, Supervisor Delgaudio voted no.)

Staff Contact: Mary Bathory Vidaver, Staff Aide to Supervisor Burton

13. BOARD MEMBER INITIATIVE: AMEND ARTICLE VI OF THE COUNTY ORDINANCES TO PLACE LIMIT ON APPLICATION LIFESPANS

Supervisor Burton moved that the Board of Supervisors direct staff to develop language amending Article VI of the Loudoun County Zoning Ordinances that limits the time within which an application can remain open (whether active or inactive) and shortens or eliminates the Inactive option. (Seconded by Chairman York.)

Supervisor Burton accepted Chairman York's friendly amendment that the Board of Supervisors forward this item to the Transportation/Land Use Committee for further discussion. The motion passed 9-0.

Staff Contact: Mary Bathory Vidaver, Staff Aide to Supervisor Burton

14. RESOLUTION OF COMMENDATION FOR EAGLE SCOUT STEVEN SHERBA

Supervisor McGimsey moved that the Board of Supervisors approve the Resolution of Commendation for Steven Sherba, Troop 997, Ashburn, Virginia, recognizing his attainment of the rank of Eagle Scout and that this resolution be made a part of the permanent record of Loudoun County. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Jessica Echard, Staff Aide to Supervisor Waters

15. RESOLUTION OF COMMENDATION FOR EAGLE SCOUT GRIFFIN MURPHY

Supervisor McGimsey moved that the Board of Supervisors approve the Resolution of Commendation for Griffin Murphy, Troop 997, Ashburn, Virginia, recognizing his attainment of the rank of Eagle Scout and that this resolution be made a part of the permanent record of Loudoun County. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Jessica Echard, Staff Aide to Supervisor Waters

16. RESOLUTION HONORING BROAD RUN HIGH SCHOOL STATE SOFTBALL CHAMPIONSHIP TEAM

Supervisor McGimsey moved that the Board of Supervisors adopt the Resolution Honoring the Broad Run High School Virginia AA State Softball Championship Team. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contacts: Jessica Echard, Staff Aide to Supervisor Waters; and Val Suzdak, Staff Aide to Supervisor Miller

17. RESOLUTION HONORING BROAD RUN HIGH SCHOOL STATE GIRLS SOCCER CHAMPIONSHIP TEAM

Supervisor McGimsey moved that the Board of Supervisors adopt the Resolution Honoring the Broad Run High School Virginia AA State Girls Soccer Championship Team. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contacts: Jessica Echard, Staff Aide to Supervisor Waters; and Val Suzdak, Staff Aide to Supervisor Miller

18. PROCLAMATION DECLARING SEPTEMBER 28, 2009 AS FAMILY

DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN

Supervisor McGimsey moved that the Board of Supervisors proclaim Monday, September 28, 2009 and the fourth Monday of September each subsequent year as “*Family Day in Loudoun County – A Day to Eat Dinner with your Children*” and urge all families of Loudoun County to make an effort to sit down to dinner on this day with their children. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)
Staff Contact: Keith Nusbaum, Staff Aide to Chairman York

19. COURTS GROUNDS AND FACILITY TASK FORCE

Supervisor McGimsey moved that the Board of Supervisors rename the Courts Grounds and Facilities Task Force to Courts Grounds and Facilities Committee.

Supervisor McGimsey further moved that the Committee’s purpose be expanded to include:

- a. Make recommendations to the Court and the Board of Supervisors concerning the maintenance and improvement of the courthouse grounds and use of buildings for other than the administration of justice; and
- b. Administer the day-to-day use of the grounds in response to requests for use by the general public. The Committee is charged with establishing the rules for the use of the grounds when requested by the public, as well as the review and resolution of requests for usage. Accordingly, these rules are established as a guide to the public of the permitted uses on the courthouse grounds.(Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Paul Brown, Department of Construction and Waste Management

20. INTERJURISDICTIONAL ITEM ON TRANSPORTATION NETWORK IN VICINITY OF ROUTE 28 DULLES RAIL STATION

Supervisor Burton asked for separation of following motion:

Supervisor Miller moved that the Board of Supervisors endorse the interjurisdictional initiative with the Town of Herndon and Fairfax County to address concerns about future developments in Loudoun and Fairfax Counties; to discuss cross-jurisdictional transportation improvements and to plan for access to the Route 28 metro rail station, provided however, that any options or alternatives are evaluated as to:

- 1) economic impact and the generation of local tax revenue;
- 2) cost of constructing any recommended improvements;

- 3) existence of any current entitlements and improvements, such as approved and existing buildings and parking; and
- 4) impact on the quality, size and character of any mixed-use, transit-oriented development at Loudoun's Southern Gateway.

(Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Chairman York absent for the vote.)

Supervisor Miller agreed to defer the following motion to the October 6, 2009 Board Meeting:

“Supervisor Miller further moved that as part of this regional transportation analysis the Board of Supervisors endorse the approach by staff to recognize that Loudoun County has a unique opportunity to leverage the proximity of the Route 28 metro station to Loudoun and to create a fiscally-positive, mixed-use, transit-oriented development at our “Southern Gateway” to Loudoun, as identified in the Fulton Research market study.

Supervisor Miller further moved that Loudoun staff should, as Fairfax County staff has done for the past year, ensure that Loudoun County is realizing the full potential and benefit of a multi-modal approach to transportation, mass transit opportunities, and the transportation impact reductions that are concurrent with a mixed-use environment.”

Staff Contact: Terrie Laycock, Director, Office of Transportation Service

21a. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT / CONTRACT AWARD / SHERIFF CRUISERS

Supervisor McGimsey moved that the Board of Supervisors authorize the Purchasing Agent to award a contract to purchase 21 cruisers for the Sheriff's Office from Crossroads Ford Motor of Virginia, Inc., in the estimated amount of \$555,982. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contacts: Roy Trammel, Department of General Services; and Philip Butterfass, Department of Management and Financial Services

21b. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT / CONTRACT AWARD AUTHORITY / XEROX MULTI-FUNCTIONAL DEVICES (COPIERS)

Supervisor McGimsey moved that the Board of Supervisors authorize the Purchasing Agent to use the Arlington County contract for the continued lease and maintenance of existing, replacement, and new Xerox Multi-Function Devices through FY10 in the estimated amount of \$1,056,700. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contacts: Gene Troxell, Director, Department of Information Technology; and Sandra Lineberry, Department of Management and Financial Services

21c. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT / CONTRACT RENEWAL / JOB ORDER CONTRACT (JOC) FOR MAINTENANCE AND REPAIR OF STORMWATER INFRASTRUCTURE, PAVING AND OTHER SITE WORK

Supervisor McGimsey moved that the Board of Supervisors authorize the Purchasing Agent to exercise the second one-year renewal option for the Job Order Contracts for Maintenance and Repair of Stormwater Infrastructure, Paving and Other Site Work at various County locations with the Matthews Group dba TMG Construction Corporation, Leo Construction Company and A.N.D. Contractors, Inc., in the estimated amount of \$2,500,000. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contacts: Richard Puzzullo, Department of General Services; and Cheryl L. Middleton, Department of Management and Financial Services

21d. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT / CONTRACT AWARD / OPERATION OF THE EMERGENCY HOMELESS SHELTER AND TRANSITIONAL HOUSING/TRANSITIONAL OPPORTUNITIES PROGRAM/DROP-IN CENTER/COLD WEATHER SHELTER

Supervisor McGimsey moved that the Board of Supervisors authorize the Purchasing Agent to award a contract for the Operation of the Emergency Homeless Shelter and Transitional Housing/Transitional Opportunities Program, Drop-In Center and the Cold Weather Shelter with Volunteers of America, Chesapeake in the amount of \$1,015,768. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contacts: Hope Stonerook, Department of Family Services; and Courtney Shihadeh, Department of Management and Financial Services

21e. FINANCE/GOVERNMENT SERVICES AND OPERATIONS COMMITTEE REPORT / DEBT CAPACITY – FUNDING LAND ACQUISITIONS

Supervisor McGimsey moved that the Board of Supervisors change its current practice of debt financing land acquisitions and direct staff to prepare revisions to the Fiscal Policy for review by the Finance/Government Services and Operations Committee. The Fiscal Policy revisions should state that the Board will prioritize the existing required minimum 10% cash funding of the Capital Improvement Program to fund land acquisition costs, and projects not suitable for debt financing. However, the Board may continue to seek other financing sources for land acquisitions that exceed the minimum 10% cash funding of the CIP. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Suzanne Lane, Department of Management and Financial Services

22. ENERGY AND ENVIRONMENT COMMITTEE REPORT / LOUDOUN COUNTY GREEN BUSINESS CHALLENGE

Supervisor McGimsey moved that the Board of Supervisors endorse the "Loudoun County Green Business Challenge" and support working with the Loudoun County Chamber of Commerce to announce the program in October. (Consent Item) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contacts: Najib Salehi, Office of Construction and Waste Management; and Diane O'Grady, Office of the County Administrator

23. LETTER OF BOARD SUPPORT FOR METROPOLITAN WASHINGTON AIRPORTS AUTHORITY'S FEDERAL TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) GRANT APPLICATIONS

Supervisor McGimsey moved that the Board of Supervisors approve a Letter of Support for Metropolitan Washington Airport Authority's application for Transportation Investment Generating Economic Recovery (TIGER) discretionary grants available for distribution by the U.S. Secretary of Transportation under the American Recovery and Reinvestment Act of 2009 (ARRA) and applaud the Airports Authority for their commitment to improving the safety and state of good repair of the Dulles Corridor transportation infrastructure, while promoting the region's economic competitiveness and livability. (Consent Item.) (Seconded by Vice Chairman Buckley. The motion passed 8-0-1, Supervisor Waters absent for the vote.)

Staff Contact: Keith Nusbaum, Staff Aide to Chairman York

- CLOSED SESSION I

Vice Chairman Buckley moved that the Board of Supervisors recess the regular meeting and enter into closed session. The authority for this closed session is Section 2.2-3711(A), Subsection (1) and it is for the purpose of discussion and consideration of prospective candidates for employment. The subject of the closed session is the recruitment of the County Administrator.

In addition, the authority for this closed session is Section 2.2-3711(A), Subsection (5), and it is for the purpose of discussion concerning the two prospective businesses in the County where no previous announcement has been made of the business' interest.

In addition, the authority for this closed session is Section 2.2-3711(A), Subsection (7), and it is for the purpose of consulting with counsel on specific legal matters requiring the provision of legal advice. The subjects of the closed session are:

1. PATH powerline proceedings at the SCC;
2. Interpretation and enforcement of the Purcellville Annexation Agreement, and;
3. Legal matters related to implementation of the Chesapeake Bay Act.

(Seconded by Supervisor McGimsey. The motion passed 9-0.)

Vice Chairman Buckley moved that the Board of Supervisors adjourn the Closed Session and reconvene its public meeting and that the minutes of the public meeting should reflect that no formal action was taken in the closed session. (Seconded by Supervisor Miller. The motion passed 9-0.)

Vice Chairman Buckley moved that the Board of Supervisors adopt the Resolution Certifying the Closed Session and reflected in the minutes of this public meeting. (Seconded by Supervisor Miller. The motion passed 9-0.)

Resolution Certifying Closed Session

Whereas, the Loudoun County Board of Supervisors this 15th day of September, 2009, convened in closed session by an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act:

Now, therefore, be it resolved that the Board of Supervisors does hereby certify that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed session to which this certification applies; and (2) only such public business matters as were identified in the motion by which the said closed session was convened were heard, discussed or considered by the Board of Supervisors.

Staff Contact: Jack Roberts, County Attorney

CLOSED SESSION II

Vice Chairman Buckley moved that the Board of Supervisors recess the regular meeting and enter into closed session. The authority for this closed session is Section 2.2-3711(A), Subsection (1) and it is for the purpose of discussion and consideration of prospective candidates for employment. The subject of the closed session is the recruitment of the County Administrator.

In addition, the authority for this closed session is Section 2.2-3711(A), Subsection (5), and it is for the purpose of discussion concerning the two prospective businesses in the County where no previous announcement has been made of the business' interest.

In addition, the authority for this closed session is Section 2.2-3711(A), Subsection (7), and it is for the purpose of consulting with counsel on specific legal matters requiring the provision of legal advice. The subjects of the closed session are:

1. PATH powerline proceedings at the SCC;

2. Interpretation and enforcement of the Purcellville Annexation Agreement, and;
3. Legal matters related to implementation of the Chesapeake Bay Act. (Seconded by Supervisor Waters. The motion passed 9-0.)

Supervisor Miller moved that the Board of Supervisors adjourn the Closed Session and reconvene its public meeting and that the minutes of the public meeting should reflect that no formal action was taken in the closed session. (Seconded by Vice Chairman Buckley. The motion passed 7-0-2, Supervisors Kurtz and York absent for the vote.)

Supervisor Miller moved that the Board of Supervisors adopt the Resolution Certifying the Closed Session and reflected in the minutes of this public meeting. (Seconded by Vice Chairman Buckley. The motion passed 7-0-2, Supervisors Kurtz and York absent for the vote.)

Resolution Certifying Closed Session

Whereas, the Loudoun County Board of Supervisors this 15th day of September, 2009, convened in closed session by an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act:

Now, therefore, be it resolved that the Board of Supervisors does hereby certify that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed session to which this certification applies; and (2) only such public business matters as were identified in the motion by which the said closed session was convened were heard, discussed or considered by the Board of Supervisors.

Staff Contact: Jack Roberts, County Attorney

