

MEMORANDUM

COUNTY OF LOUDOUN

DATE: April 18, 2007

TO: Department and Agency Heads 

FROM: Kirby M. Bowers, County Administrator

SUBJECT: Action Report of the April 17, 2007 Business Meeting

Listed below is a summary report of the Board's action taken at its April 17, 2007 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.

- APPOINTMENTS

Supervisor Clem moved that the Board of Supervisors confirm the following appointments:

1. Building and Codes & Appeals Board – Confirmed the appointment of Daniel Sweeney, Jr.
2. Historic District Review Committee – Confirmed the appointment of Matt Tolley. (Seconded by Supervisor Snow. The motion passed 8-0-1, Supervisor Kurtz absent for the vote).
3. Library Board of Trustee – Supervisor Snow nominated Karen Montgomery and Chairman York nominated Scott Stewart (both nominations are for re-appointment).
4. Housing Advisory Board- Supervisor Snow nominated Joann Chase.
5. Social Services Board – Supervisor Snow withdrew his nomination for Joann Chase.

Supervisor Waters requested that staff check the vacancy on the Youth Advisory Committee for the Board Run District. She said that her district representative to this committee had resigned.

Supervisor Delgaudio asked if his representative to the Commission on Women had been notified of her appointment.

Staff Contact: Cherie Giles, Office of the Board of Supervisors.

1. VOLUNTEER SERVICES AWARDS CEREMONY

Wendall Fisher of Loudoun County YMCA emceed the 2007 Loudoun Volunteer Services Awards Ceremony. The following recipients received

their awards:

Bill Lyden – Outstanding Adult Public Safety Volunteer
Aggie Sterrett – Outstanding Adult Volunteer
Middleburg Fish – Outstanding Adult Volunteer Team
The Ladies Board of Inova Loudoun Hospital – Outstanding Volunteer Organization
George Lengauer – Outstanding Older Adult Volunteer
Leesburg Senior Center Advisory Board Relocation Committee – Outstanding Older Adult Volunteer Team
The Andrus Family – Outstanding Volunteer Family
Discovery Park Volunteers – Outstanding Volunteer Project
Peter Kronenberg and Valerie Petrey, Discovery Park – Outstanding Volunteer Project Leaders
Shannon Walker – Outstanding Youth Volunteer
Andrew Coston – Outstanding Youth Public Safety Volunteer
Nancy Maniere – Outstanding Volunteer of the Year
Staff Contact: Lisa Rose, Public Information Office.

2. ADMINISTRATIVE ITEMS REPORT

Vice Chairman Tulloch moved that the Board of Supervisors approve the April 17th Administrative Items Report . (Seconded by Supervisor Snow. Consent Item. The motion passed 9-0).

2a. BUDGET ADJUSTMENTS

The Board of Supervisors moved to approve the following BAs: BA-702529, BA-702608, BA-702609, BA-702613, BA-702623, BA-702704, BA-702750, BA-702756, BA-702761, and BA-702762.

Staff Contact: Ari J. Sky, Budget Manager, Management and Financial Services

2b. BOARD OF SUPERVISORS MINUTES

No minutes or action summaries were submitted for approval.

Staff Contact: Denise Reyes, County Administration

2c. DEEDS OF APPROVAL

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

- a) ESMT-2007-0002 - Windermere (easements on Quail Pond Estates);
- b) CPAP 2000-0177 - Raspberry Falls, Section E-1 (Limestone Court, station 10+25) and CPAP 2002-0145, The Moorlands, Phase C-2 (Swiftwater Drive, station 24+50);

- c) CPAP 1998-0044 - The Villages at Round Hill (Evening Star Drive, stations 10+44.97 to 11+05.25, 14+93.97 to 15+31.58, 32+87.42 to 33+50.04, 38+70.20 to 39+01.59, 43+88.96 to 44+73.08 and 55+66.85 to 59+79.73);
- d) CPAP 2001-0129 - Greenwood Commons (Greenwood Drive, stations 10+50 to 27+10, 19+69.08 to 19+73.08, 22+59.53 to 22+63.53, and 24+23.59 to 24.27.59); and
- e) CPAP 1996-0028 - The Villages at Round Hill (Carriage Hill Drive, stations 10+07.77 to 12+05.03, 12+61.78 to 15+98.97, and 16+56.03 to 19+52.50).

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

- 2d. TIMELINE EXTENSION FOR CMPT 2007-0009, CWS SITE #114 ROUND HILL; CMPT 2007-0005, CWS SITE #102 TAYLORSTOWN; CMPT 2007-0007, CWS SITE #108 ARLINGTON CORNER; CMPT 2007-0008, CWS Site #109 BRITAIN; CMPT 2007-0001, CWS #101 WHITE'S FERRY; AND CMPT 2007-0006, CWS SITE #106 WHEATLAND

The Board of Supervisors moved to approve timeline extensions to August 17, 2007 for Planning Commission action on CMPT 2007-0009, CWS Site #114 Round Hill; CMPT 2007-0005, CWS Site #102 Taylorstown; CMPT 2007-0007, CWS Site #108 Arlington Corner; CMPT 2007-0008, CWS Site #109 Britain; CMPT 2007-0001, CWS Site #101 White's Ferry; and CMPT 2007-0006, CWS Site #106 Wheatland.

Staff Contact: Van Armstrong, Department of Planning

- 2e. GRANT OF EASEMENT OVER COUNTY PROPERTY (LANDFILL)

The Board of Supervisors moved to approve the requested grant of easement to the Northern Virginia Electric Cooperative, and that the Chairman and Vice-Chairman be authorized to execute an Easement and Right of Way Agreement or other form of Deed of Easement acceptable in form to the County Attorney.

Staff Contacts: Sharon Hodges, Project Manager, Office of Capital Construction; and Mary Confroy Valenta, Assistant County Attorney

- 2f. GRANT OF EASEMENT OVER COUNTY PROPERTY (MIRROR RIDGE GROUP HOME)

The Board of Supervisors moved to approve the requested grant of easement to Verizon Virginia, Inc., and that the Chairman and Vice-Chairman be authorized to execute a Deed of Easement acceptable in form to the County Attorney.

Staff Contacts: Bill Clark, Project Manager, Office of Capital Construction; and Mary Confroy Valenta, Assistant County Attorney

- 2g. GRANT APPLICATION/HOUSING SERVICES FEDERAL SHELTER GRANT, STATE SHELTER GRANT AND CHILD SERVICES COORDINATOR GRANT
The Board of Supervisors moved to adopt the following Local Government Resolution, and authorize the County Administrator to execute the certifications/assurances/grant contract:

Governing Body Resolution for Local Governments

WHEREAS, the Commonwealth of Virginia, Department of Housing and Community Development, has issued a Notice of Funding Availability and requested applications under the Application for Fiscal Year 2008 Funding; and

WHEREAS, assistance is needed to effectively and adequately address the needs of homeless persons, including families, individuals, and/or children in County of Loudoun (enter name of locality); and

WHEREAS, an application for a grant(s) under the Application for fiscal year 2008 funding has been prepared; and

WHEREAS, County of Loudoun Department of Family Services (enter name of unit of local government) agrees, if an award is received, to provide coordination of safe and sanitary shelter and/or supportive services to homeless persons in conformance with the regulations and guidelines of any program(s) funded; and

WHEREAS, Kirby M. Bowers, County Administrator (enter name and title) may act on behalf of County of Loudoun Department of Family Services (enter name of unit of local government) and will sign all necessary documents required to complete the grant transaction; and

WHEREAS, any required match under the program guidelines will be provided.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors, City Council, or other authorizing governmental body of County of Loudoun (enter name of locality) hereby authorizes Kirby M. Bowers (enter name) to apply for and accept a grant award under the programs indicated above (see IV.) and enter into a Grant Agreement with the Department of Housing and Community Development and perform any and all actions and responsibilities in relation to such Agreement.
Staff Contact: Hope Stonerook, Assistant Director, Department of Family Services

3. FY 2008 APPROPRIATIONS RESOLUTION
Vice Chairman Tulloch moved that the Board of Supervisors adopt the FY 2008

Appropriations Resolution, as found on Attachment B (Seconded by Supervisor Burton. The motion passed 5-4, Supervisors Clem, Delgaudio, Waters, and Staton voted no).

Staff Contacts: Ari Sky and Jo Ellen Kerns, Management and Financial Services

4. COMPLETION OF THE CAPITAL IMPROVEMENTS PROGRAM

Chairman York moved that the Board of Supervisors designate \$89 million for the Advanced Tech Academy for FY09**10**. (Seconded by Supervisor Snow. Chairman York accepted Supervisor Burton's friendly amendment to move the project to FY10 instead of FY09. The amended motion passed 8-0-1, Supervisor Waters abstained).

Several members of the Board expressed the need to have further discussion regarding technology academy, its cost, etc.

Supervisor Snow moved that the Board of Supervisors designate \$8685 million for the HS6-Dulles for FY09 (Seconded by Supervisor Burton. The motion passed 9-0).

Supervisor Snow moved that the Board of Supervisors allocate \$27 million for the Dulles Multi Center Facility Phase 2 for FY09 (Seconded by Supervisor Clem. Vice Chairman Tulloch added as a friendly amendment to include appropriating for engineering cost. Supervisor Snow withdrew his motion until the next meeting).

Vice Chairman Tulloch moved that the Board of Supervisors appropriate engineering money for projects two years in advance (Seconded by Supervisor Clem. He amended his motion to send this to the Finance/Government Services Committee for further discussion and to bring it back to the Board within 45 days. He also accepted Supervisor Waters' friendly amendment to add to the discussion at the FGSC meeting that school sites should be identified with bond questions. The amended motion passed 9-0).

Staff Contacts: Ben Mays and Ari Sky, Management and Financial Services

5. ZMAP 2004-0014, GAMBLE AND BRIEL

Vice Chairman Tulloch moved that the Board of Supervisors approve ZMAP 2004-0014, Gamble and Briel, subject to the Proffer Statement dated April 9 **16**, 2007, and based upon the findings. (Seconded by Supervisor Snow. Consent Item. The motion passed 9-0).

The Board agreed to the changes made to the motion as reflected in the staff memo dated April 17, 2007 (bolded and strikethrough text above).

Staff Contact: Jane McCarter, Department of Planning

6. INTENT TO AMEND THE LOUDOUN COUNTY LAND SUBDIVISION AND

DEVELOPMENT ORDINANCE (LSDO) TO COMPLY WITH THE
COMMONWEALTH OF VIRGINIA RURAL ADDITION PROGRAM

Chairman York moved that the Board of Supervisors adopt the Intent to Amend the Land Subdivision and Development Ordinance in order to comply with the Commonwealth of Virginia Rural Addition Program for Roads.

Chairman York further moved that the Board direct the Planning Commission to hold a public hearing on the subject ordinance amendments and provide the Board with their recommendations and findings. (Seconded by Vice Chairman Tulloch. The motion passed 9-0).

Staff Contacts: Terrance Wharton, Director, Department of Building and Development; and Ronald J. Brown, Assistant County Attorney

7. COUNTY WAYFINDING SIGN SYSTEM OPTIONS

Supervisor Waters moved that the Board of Supervisors approve design Option #1 with the preferred font changes, preferred stone base, and the County's date of establishment, and direct staff to work with Frazier Associates on Phase C: Design Development.

Supervisor Waters further moved that the Board of Supervisors direct the Economic Development Committee to review, discuss and finalize destinations and decision nodes as part of Phase C of the Wayfinding Project. (Seconded by Vice Chairman Tulloch. The motion passed 7-2, Supervisors Burton and Delgaudio voted no).

Supervisor Waters announced that the discussion on destinations would be held at the Economic Development Committee meeting in June.

Staff Contacts: Larry Rosenstrauch and Cynthia Lintz, Department of Economic Development; and Sandy Lineberry, Department of Management of Financial Services

8. BOARD MEMBER INITIATIVE: CREATION OF SIGN PACKAGE FOR
NON-RESIDENTIAL DEVELOPMENTS

Supervisor Snow moved that the Board of Supervisors direct staff to prepare an amendment to the sign ordinance to allow any non-residential unified development to apply for a sign package that restricts maximum square footage for signage but does not apply restrictions on the number or size of the signs. (Seconded by Supervisor Clem. Supervisor Snow did not accept Supervisor Waters' friendly amendment to allow the Village of Ashburn sign issue and this issue to move along together as one package for review. This motion did not receive a vote).

Supervisor Snow moved that the Board of Supervisors approve the following resolution:

WHEREAS the Board of Supervisors wishes to initiate amendments to the Loudoun County Zoning Ordinance in furtherance of the purposes of zoning as set out in 15.2-2283 of the Code of Virginia and to further implement the

comprehensive plan;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors states its intention to amend Article 8 Definitions and Section 5-1200 Signs of the Loudoun County Zoning Ordinance, to permit a comprehensive sign package for unified non-residential developments such that a use may have any number of signs so long as the total square footage permitted for the use is not exceeded and to permit directional and informational signs. Directional and informational signs must not be more than three feet off the ground and no greater than two to four square feet in size. Such signs shall not be included in any other permitted square footage totals.

BE IT FURTHER RESOLVED that (1) these amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice; (2) that these matters be referred to the Planning Commission for preparation of the ordinances; and (3) the proposed amendments on these matters be brought forward for notice, hearing, Planning Commission recommendation and Board of Supervisors' action. (Seconded by Vice Chairman Tulloch. The motion passed 8-1, Supervisor Burton voted no).

Supervisor Waters moved that the Board of Supervisors forward this item to the Transportation/Land Use Committee for further discussion. (Seconded by Supervisor Burton. The motion failed 2-6-1, Supervisors Burton and Waters voted yes, and Supervisor Kurtz absent for the vote).

Staff Contact: Supervisor Stephen J. Snow, Dulles District

9. FINANCE/GOVERNMENT SERVICES COMMITTEE / INFORMATION:
SUMMARY OF THE APRIL 3, 2007 MEETING

The Board of Supervisors accepted, as presented, the information summary of the April 3, 2007 Finance/Government Services Committee Meeting.

Staff Contact: Sandy Truslow, Office of the County Administrator

10a. TRANSPORTATION/LAND USE COMMITTEE / COUNTYWIDE
TRANSPORTATION PLAN/PUBLIC PROCESS

Supervisor Staton moved the Board of Supervisors endorse the process and timeline for the review and adoption of the draft Countywide Transportation Plan as outlined above. He further moved that Supervisor Staton be directed to coordinate this schedule with the Chairman and Vice Chairman of the Planning Commission. (Seconded by Supervisor Clem. Supervisor Staton accepted Chairman York's friendly amendment to brief the Board on what has been done by the time of Planning Commission final approval. The amended motion passed 8-1, Supervisor Waters voted no).

Staff Contacts: Charles Yudd, County Administration; and Terrie Laycock and George Phillips, Office of Transportation

10b. TRANSPORTATION/LAND USE COMMITTEE / INFORMATION:
SUMMARY OF THE MARCH 29, 2007 SPECIAL MEETING

- The Board of Supervisors accepted, as presented, the information summary of the March 29, 2007 Special Transportation/Land Use Committee Meeting.
Staff Contact: Linda Huxta, Office of the County Administrator
11. ECONOMIC DEVELOPMENT COMMITTEE MEETING / INFORMATION: SUMMARY OF THE MARCH 27, 2007 MEETING
The Board of Supervisors accepted, as presented, the information summary of the March 27, 2007 Economic Development Committee Meeting.
Staff Contact: Linda Huxta, Office of the County Administrator
12. PROCLAMATION / AFFORDABLE HOUSING WEEK IN LOUDOUN COUNTY
Supervisor Snow moved that the Board of Supervisors approve the Proclamation for Affordable Housing Week on April 21-28, 2007. (Seconded by Vice Chairman Tulloch. The motion passed 9-0).
Staff Contact: Michael Hengemuhl, Staff Aide to Supervisor Snow
13. RESOLUTION OF COMMENDATION / NOAH OBERLANDER
Vice Chairman Tulloch moved that the Board of Supervisors approve a Resolution of Commendation for Noah Oberlander for obtaining the rank of Eagle Scout. (Seconded by Supervisor Snow. Consent Item. The motion passed 9-0).
Staff Contact: Nancy Doane, Staff Aide to Supervisor Kurtz
14. RESOLUTION OF INTENT TO AMEND ZOAM 2006-0003, ANNUAL REVIEW, TO INCLUDE PLANNING COMMISSION'S REQUESTS
Supervisor Waters moved that the Board of Supervisors adopt the Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance as contained in Attachment 2.

She further moved to include the following amendments that were forwarded by Supervisor Kurtz (1 and 2) and Supervisor Burton (3):

- 1) As A-3 is being amended by ZORC regarding indoor recreation in A-3 District (A-3 is usually close to Towns), expand intent to amend under this item to include examination to allow indoor recreation an appropriate distance beyond the JLMA and Town boundaries;
- 2) Expand intent to amend to include adding a Remedy to Steep Slope violations so that errors can be appropriately mitigated; and
- 3) Consider changing the definition of farm market as having to produce 25% of the produce on site to producing 25% of the produce within the County.

She also accepted Supervisor Delgaudio's friendly amendment to table the review of the performance standards for home occupation with regard to retail sales.

(Seconded by Vice Chairman Tulloch. The amended motion passed 9-0).
Staff Contacts: Melina Artman, Zoning Administrator; Marilee Seigfried, Deputy Zoning Administrator; and Amy Lohr, Department of Planning

15. RESOLUTION OF COMMENDATION / KIMBERLY EVANS AND MEGGAN HUFF

Supervisor Staton moved that the Board of Supervisors approve the Resolution of Commendation for Kimberly Evans and Meggan Huff for their selfless acts of bravery that saved the lives of the Knight family. (Seconded by Vice Chairman Tulloch. The motion passed 9-0).

Staff Contact: Jan Wright, Staff Aide to Supervisor Staton

- CLOSED SESSION

Vice Chairman Tulloch moved that the Board of Supervisors recess the regular meeting and enter into Executive Session to consult with legal counsel on pending legal actions files by the Town of Purcellville or its officials regarding school facilities in the Purcellville Urban Growth Area. (Seconded by Supervisor Waters. The motion passed 8-0-1, Supervisor Staton absent for the vote).

Vice Chairman Tulloch moved that the Board of Supervisors adjourn the Executive Session and reconvene the regular meeting. He stated that no formal action was taken at the Executive Session (Seconded by Supervisor Waters. The motion passed 8-0-1, Supervisor Staton absent for the vote).

Vice Chairman Tulloch moved that the Board of Supervisors approve the Resolution Certifying the Executive Session (Seconded by Supervisor Waters. The motion passed 8-0-1, Supervisor Staton absent for the vote).

- ANNOUNCEMENT

The Board canceled the April 17th Finance/Government Services Committee.

The Board will reconvene its April 17th Board Business meeting on April 19th at 6:30 p.m. in the Board Room. The agenda of the reconvened meeting will include continued discussion on the CIP and to also discuss most of the FGSC items that was on the April 17th FGSC meeting agenda.

Chairman York requested Linda Neri, Deputy Administrator, to add an item at the next business meeting regarding project schedule / resource allocation.