

The Fairfax County  
**FEDERATION**  
of Citizens Associations *Established 1940*

October 2012

**THE BULLETIN**

Volume 62, Number 2

**Federation Membership Meeting**

**Thursday, October 18, 2012**

**7:30 p.m.**

**Mason Governmental Center**

6507 Columbia Pike, Annandale, VA 22003

**Topic: 2013 Federation's Legislative Program  
By the Federation's Legislation Committee**



**Next Federation Board Meeting**

**October 25, 2012 at 7:30 p.m.**

Braddock Hall, 9002 Burke Lake Road, Burke

***Ten Reasons to Join the Federation***

1. Our programs introduce you to those who make decisions in Fairfax County, the region, and the state.
2. Meet your neighbors next door and across the County.
3. Be part of the solution to today's concerns about transportation, the environment, schools, taxes and other issues.
4. We are the only non-partisan, volunteer, and non-profit County-wide organization representing the concerns of homeowner and community associations.
5. We focus objectively on your association's problems.
6. We stay on top of the issues.
7. We have more than 60 years of local, state, and regional experience and influence.
8. You have a seat at the table. When County Supervisors ask for citizen recommendations on any subject, they ask the Federation.
9. We speak on your behalf at public hearings, through written statements, in task forces and commissions, and through the media.
10. We need you and your organization. The more people we represent, the more effective we are.

**Friend and Like Us On Facebook!**

**We are Fairfax Federation and our Facebook Page is open to the public at [www.facebook.com/pages/Fairfax-Federation/201526989911360?ref=hl](http://www.facebook.com/pages/Fairfax-Federation/201526989911360?ref=hl). Thank you for staying connected!**

***President's Message***

Greetings Friends and Neighbors:

I am pleased to share with you that the Federation has partnered with Volunteer Fairfax, Fairfax County departments of Emergency Management and Neighborhood and Community Services, and the Northern Virginia Community College at the upcoming Fairfax County Roundup—A Whole Community Collaboration for Disaster Resiliency. This important event will be held on Thursday, October 25th from 8 am to 4 pm at the Northern Virginia Community College, Ernst Community Center, 8333 Little River Turnpike in Annandale. The Roundup's purpose is to bring various community, faith and non-profit organizations and businesses together to discuss the community's role before, during and after disasters. Please join us on this Federation's excellent Public Safety programming.

On behalf of the Federation, I extend our appreciation to The Chairman for addressing our September meeting and addressed some of the pressing issues facing us in the near future. The drying well for transportation funding for construction and maintenance will be one of the critical pressing need for county residents. Chairman encouraged us to attend one of the countywide dialogue on transportation funding so that we can be engaged in our endeavor to make the best decisions and choices for our community and Fairfax County. We have several pieces on transportation funding in this edition of the Bulletin. I hope you will take the time to read, attend one of the meetings and certainly, take the countywide survey on this important issue facing us in the near future.

The Federation's 2013 Legislative Program will be posted online for your review and is included in this edition of the Bulletin for your convenience. Since we have an excellent Public Safety programming— Fairfax County Roundup on October 25, we are cancelling the previously announced Public Safety Programming that was scheduled for October 18 Membership meeting and we will focus on the final membership vote of the 2013 Federation Legislation Program that evening. We look forward to seeing you at our membership meeting and thank you for joining the Federation

Best regards, Tania

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## Fairfax County Federation of Citizens Associations

P.O. Box 3913, Merrifield, VA 22116-3913

[www.fairfaxfederation.org](http://www.fairfaxfederation.org)

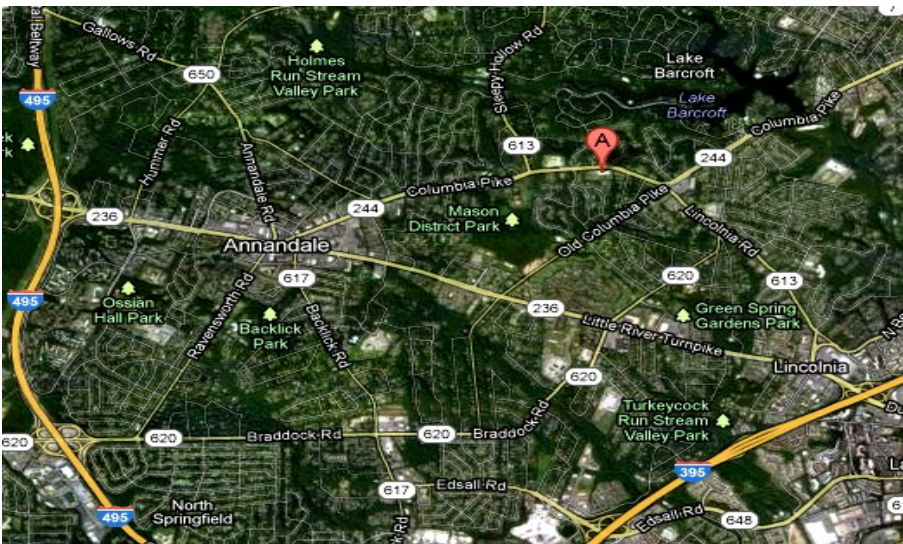
**2012-2013 President:** Tania Hossain

**Newsletter Editor:** Frederick A. Costello

*The Bulletin* is the newsletter of the Federation. It is usually published monthly, except in August. The purpose is to provide information to member communities; federal, state, and local officials; and other interested persons. Articles reflect the view of their author and may be reprinted with the use of the following citation: "*The Bulletin* of the Fairfax County Federation of Citizens Associations". Please contact Fred Costello with newsletter name and email address changes, comments, or suggestions at [FedBulletinEditor2013@fairfaxfederation.org](mailto:FedBulletinEditor2013@fairfaxfederation.org) or 703-620-4942.

### Federation Meeting Cancellation Policy

If either Fairfax County Government or Schools are closed after 12:00 noon the day of a Federation membership meeting, or if it is announced that Fairfax County Government or Schools will be closed the day after a scheduled Federation membership meeting due to inclement weather or other emergency, the Federation will not hold that event. This does not pertain to regularly scheduled closures. Membership meetings will not be rescheduled, although speakers may be asked to attend an upcoming meeting. We will make every attempt to post the cancellation on [www.fairfaxfederation.org](http://www.fairfaxfederation.org) or for more information, please call 703-620-4942.



## Directions to Mason District Government Center

From I-495 (the Beltway), Take the Little River Turnpike East towards Annandale exit. Follow Little River Turnpike into Downtown Annandale. Turn LEFT at the traffic light at John Marr Drive. At the next traffic light, turn RIGHT onto Columbia Pike.

Follow Columbia Pike past the Mason District Park (on your right). The Mason Governmental Center is on your right, 0.5 miles past the park entrance (in the same building as the Police Station).

## FCFCA Meetings Calendar for 2012-2013 Membership Year

As of 2012-10-08

Month	Membership & Special			Board	
	Date	Program	Location	Date	Location
2012					
Jul	—	—	—	—	—
Aug	—	—	—	23	Braddock Hall
Sep	20	Legislation	Kings Park Library Meeting Room	27	Braddock Hall
Oct	18	Legislative Package	Mason Governmental Center	25	Braddock Hall
	25	Fairfax County Roundup	Ernst Community Center, NVCC-Annandale		
Nov	15	Transportation	Hidden Oaks Nature Center	—	—
Dec	13	Environment	Hidden Oaks Nature Center	6	Marco Polo Restaurant
2013					
Jan	17	School Budget	FCPS Administrative Center	24	Braddock Hall
Feb	21	Human Services	Mason Governmental Center	28	Braddock Hall
Mar	21	County Budget	Mason Governmental Center	28	Braddock Hall
Apr	7	Citizen of the Year Banquet	Crowne Plaza Tysons Corner Hotel	25	TBD
	18	Report from Richmond	Mason Governmental Center		
May	16	Land Use including Tysons Corner Update, Election of Officers	Mason Governmental Center	23	Braddock Hall
Jun	20	Picnic, Installation of Officers, State of Fairfax	Annandale Community Park (tentative)	27	Braddock Hall

The deadline for submissions to *The Bulletin* (our newsletter) is the first day of the month for that month's issue.

*The Bulletin* (Federation newsletter) is distributed one week before the Membership Meeting and is available online at [www.fairfaxfederation.org](http://www.fairfaxfederation.org). The deadline for submissions to *The Bulletin* is the first day of the month.

### Do you want to have an impact? Please join the Federation!

The Federation is as strong as its voice, and the Federation's many committees make up its collective voice. If you are interested in serving on any of the committees that make up the backbone of the Federation please contact the committee chairs, listed on Page 7, using the following email addresses:

Budget: Linda Boone & Rob Jackson .....	<a href="mailto:FedBudgetChr2013@fairfaxfederation.org">FedBudgetChr2013@fairfaxfederation.org</a>
Citizen Association Services: Don Hinman .....	<a href="mailto:FedAssociationServicesChr2013@fairfaxfederation.org">FedAssociationServicesChr2013@fairfaxfederation.org</a>
Education: Leonard Bumbaca, Ed Saperstein & Tim Thompson	<a href="mailto:FedEducationChr2013@fairfaxfederation.org">FedEducationChr2013@fairfaxfederation.org</a>
Environment: Flint Webb.....	<a href="mailto:FedEnvironmentChr2013@fairfaxfederation.org">FedEnvironmentChr2013@fairfaxfederation.org</a>
Human Services: Cherie Tripp Lejeune .....	<a href="mailto:FedHumanServicesChr2013@fairfaxfederation.org">FedHumanServicesChr2013@fairfaxfederation.org</a>
Land Use: Fred Costello .....	<a href="mailto:FedLandUseChr2013@fairfaxfederation.org">FedLandUseChr2013@fairfaxfederation.org</a>
Legislation: Frank Anderson & Jason Ha .....	<a href="mailto:FedLegislationChr2013@fairfaxfederation.org">FedLegislationChr2013@fairfaxfederation.org</a>
Membership: Tania Hossain .....	<a href="mailto:FedMembershipChr2013@fairfaxfederation.org">FedMembershipChr2013@fairfaxfederation.org</a>
Public Safety: Melissa Smarr .....	<a href="mailto:FedPublicSafetyChr2013@fairfaxfederation.org">FedPublicSafetyChr2013@fairfaxfederation.org</a>
Resolutions: Bill Hanks .....	<a href="mailto:FedResolutionsChr2013@fairfaxfederation.org">FedResolutionsChr2013@fairfaxfederation.org</a>
Transportation: Joe Gibson & Jeff Parnes .....	<a href="mailto:FedTransportationChr2013@fairfaxfederation.org">FedTransportationChr2013@fairfaxfederation.org</a>

The committees conduct the bulk of their business by email and formulate positions and suggest actions for consideration by the Board and by the Federation members. They also provide inputs to the Federation's legislation and budget presentations. Here's a chance to make a mark in an area of your interest. Join us in making our County a better place to live!



## Membership Meeting Minutes

Thursday, September 20, 2012

[Draft to be submitted for approval on 10/18/2012](#)

The September meeting of the Membership of the Fairfax County Federation of Citizens Associations was called to order by President Tania Hossain at 7:30 p.m. at the Kings Park Library Meeting Room in Burke.

### **Program: County Legislative Process:**

Chairman of the Board of Supervisors (BOS) Sharon Bulova described the manner in which the BOS monitors and seeks to influence legislation and her "top" issues and concerns.

The BOS meets as a committee of the whole to decide its legislative positions. By late November or early December the board will vote on its legislative package. In December the BOS will meet with the General Assembly delegation to provide its views and to solicit from the delegation their plans to introduce bills. The county has a legislative director, Dr. Susan E. Mittereder, who manages our interaction with the General Assembly. As needed, department heads travel to Richmond to express our county's position on issues. Each Friday afternoon during the General Assembly session, the BOS meets on Friday afternoons to review the status of legislation. Both the meeting between the BOS and the delegation and the Friday BOS meetings are open to the public.

Issue one for Chairman Bulova is the lack of transportation funding. She stated that when the current batch of underway construction projects ends—by 2018—there will be no more construction because no funds are dedicated. She shared with us a September 4 letter from forty mayors and county boards of supervisors chairmen in Virginia's Urban Crescent to leaders of the executive branch and to legislators that seeks redress of the dire situation regarding transportation funding.

Issue two is that when the state government abdicates its responsibilities, local governments are left to pick up the slack. Should the county help to pay for road and transit improvements? To answer the question, the BOS will inform and involve the public in understanding the problem and examining possible solutions, which essentially mean additional, alternative funding sources, each of which has pros and cons.

In response to a question about the constitutional amendments that will be on the November ballot, Chairman Bulova expressed concern about only the amendment on eminent domain. She noted that Virginia governments have historically not engaged in the types of controversial applications of eminent domain that spurred this amendment and that the proposed amendment, if adopted, could be interpreted in unintended ways.

Regarding future county revenues, she noted that the residential recovery is tepid and the commercial recovery is slow. Concern over pending sequestration has caused businesses to avoid expansion. If sequestration happens, Federal contracts with local employers and Federal funding for human services will be reduced, meaning both reduced tax revenue to the county and greater social services needs for the county to address. In the near term, the BOS has decided to hold in reserve the \$8M overage from the prior year's budget execution.

Federation Legislative Process: Frank Anderson distributed a draft legislative package for the committee chairs to review, edit, and return to him. The draft will be made available online for download. An objective this year is streamline the package, in part by removing the "dead wood," that is positions that have been repeated for years and may no longer be relevant. One target was positions that lack rationale statements. Frank asked each committee to limit itself to two positions and to provide concise statements.

The board will review the draft legislative package in detail on September 27 and approve submission to the membership at the membership's October meeting.

### **Administrative Topics**

***The Bulletin*** (newsletter): Fred Costello, Editor—The deadline for articles for the October newsletter is October 1.

**Approval of Board Meeting Minutes:** The membership approved the minutes of the June 2012 membership meeting.

**Treasurer's Report:** Scott Schlegel, Treasurer—Scott was not able to attend and had not provided a written financial report for this meeting. He will provide a report not later than next week's board meeting and at the October 2012 meeting.

**Membership:** Tania reported that membership recruiting is going well with two dues checks received today.

**Webmaster Report:** Jeff Parnes—The website has been updated with the 2012-2013 membership year's e-mail addresses and volunteer staff. Check out the photo gallery. Also, a rotating gallery of images displays on the home page with a refresh rate of 15 seconds.

**Policies and Procedures (P&P):** Bill Hanks, who had proposed a number of changes to the Federation's Policies and Procedures at the August board meeting, announced he would introduce more proposed changes at the September board meeting.

**Citizen of the Year:** Jeff Parnes—The banquet is scheduled for March 25, 2013.

**Audit Committee:** The audit committee, composed of Bill Hanks, Linda Boone, and Charlie Dane, made a formal report at this meeting of their audit of last year's fiscal records. No discrepancies were noted. The membership voted to approve the audit committee report. Tania thanked the committee members for their service.

**Old Business** — None

### **New and Miscellaneous Business**

**Legislative Package Position on authorizing late fees for HOA regular and special assessments paid late:** Don Hinman explained that this new position is the most important issue for his committee. Recent court decisions are that HOAs cannot impose late fees unless provisions for doing so are in the HOA's founding documents. For most HOAs, this is not the case. The position was passed to the Legislative Committee for incorporation into the legislative package.

**Resolution Opposing a Fairfax Guarantee of Final Responsibility for Tysons Corner Infrastructure Improvements:** Rob Jackson of the McLean Citizens Association introduced a

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resolution to oppose Table 7 in the Strawman III paper, August 15, 2012, produced by the county staff for the Planning Commission. The concern is that if the BOS approves the formula for public funding in that table and then the Federal and state governments do not provide their expected contributions, the county would become the guarantor of mandated public funding. After discussion the membership voted to approve the resolution by a vote of 12 for and one against.

**Countywide Dialogue on Transportation:** In a related matter, Jeff Parnes announced the pending Countywide Dialogue on Transportation to discuss options regarding a forecast \$3B shortfall in transportation funding over the next decade. The Transportation Advisory Committee (TAC), which Jeff chairs, is, with the county staff, leading the dialogue on transportation needs, priorities, and revenue options. A series of public meetings are scheduled from September 24 to Oct 11 at venues throughout the county. Jeff encouraged members to:

- Attend the public hearings
- Study the possible new funding options
- Take the related survey.

In answer to a question what transportation projects are on the ten-year plan, Jeff indicated that the TAC had proposed a set of options but the BOS decided not to publish the list at this time. Several members opined that winning approval of additional funding will be difficult if the public does not know which projects would be funded with additional revenue.

**Resolution on Federal Funding of Silver Line Phase II:** Joe Gibson, representing the McLean Citizens Association, introduced a resolution calling upon the Federal government to contribute toward construction of Phase II of the Silver Line and for the US Department of Transportation to increase its oversight of the construction project. Currently no Federal funds are committed. Because the proposed resolution had not been previously reviewed by the Board, a two-thirds vote of the membership was required to bring the matter to the floor. A motion to proceed without prior board review was made, seconded, and approved by a vote of 10 for and none against. In discussion Jeff Parnes proposed an amended version that clarifies that even Virginia's maximum proposed contribution would be insufficient in itself and that clearly focuses the funding resolution toward Virginia Senators and Representatives that serve Fairfax County. Joe accepted the amendment as friendly. The amended resolution passed by a vote of 9 for; 5 against, and 2 abstaining.

**Federation Participation in the Fairfax County Roundup:** Linda Boone announced the Federation is supporting this October 25 an all-day conference which has the mission to introduce various community and faith organizations involved in disaster recovery to each other. The sponsors are Fairfax County and Volunteer Fairfax. They have invited the Federation to participate by advertising the event and helping with logistics at the conference. Former FEMA Director James Witt is the keynote speaker. Registration is at [www.volunteerfairfax.org/individuals/roundup.php](http://www.volunteerfairfax.org/individuals/roundup.php)

**Sale of Discount Coupon Books:** Gabe Goldberg of Walnut Hill announced he is selling \$30 discount coupon books on behalf of the Fairfax County Citizens Police Academy Alumni Association (FCCPAAA) which funds the Citizens Police Academy

and runs other programs, such as the mobile canteen, supporting the Police Department.

### **Board & Committee Reports**

**Budget:** Rob Jackson and Linda Boone—The county executive has warned of lower than projected revenues for the next two years and has directed departments to forecast a 2-year budget and plan for possible funding cuts of up to 5%.

**Citizen Association Services:** Don Hinman—no report.

**Education:** Leonard Bumbaca, Ed Saperstein, & Tim Thompson—no report.

**Environment:** Flint Webb—(This report was not presented in the meeting but was furnished via e-mail to the board and is published here to inform the membership.):

- **Friends of Accotink Creek (FACc) Meetings – September 17<sup>th</sup>, August 20<sup>th</sup> and July 16<sup>th</sup>**

Fall International Coastal Cleanup: Cleanups are planned at 21 locations in Fairfax County organized by Cleanup Virginia ([www.cleanupvirginia.org](http://www.cleanupvirginia.org)) started September 15<sup>th</sup>. The Friends of Accotink Creek are organizing 15 of the proposed cleanup locations and would like to not only supply bags and gloves but have people on the stream to provide information about the stream – pointing out erosion problems, invasive species and hazards such as poison ivy.

- **Solar Powering Your Community – September 17<sup>th</sup>**

I attended the Solar Powering Your Community workshop in Richmond. The purpose of the meeting was to help local community leaders understand the regulatory and building code issues involved with installing solar collectors in local communities.

There were presentations about the Federal and state regulations involved with installing solar energy in local communities and how the differences in State laws affect the percentage of energy that comes from solar energy. One of the most important factors is whether the State has renewable portfolio standards (RPSs) for power generation (Virginia does not). Another important factor is whether the State encourages third party power purchase agreements. In the third party power purchase agreement model, a power provider installs the solar collector equipment and incurs the capital costs up front with the customer signing a contract to pay a fixed cost for power from the provider. The power purchaser, such as a big-box store, would get cost certainty while the supplier can take advantage of tax credits, can sell Renewable Energy Credits (RECs) required by states with RPSs, and can amortize the capital costs over the duration of the contract. Unfortunately, Dominion has sued the power purchase companies because they have a monopoly. But a single government entity, company, or homeowner could incur the capital costs themselves and then use the power for their personal use and in fact run the meter backwards when power is generated in excess of what is needed.

There were also presentations about the building permit requirements for solar installations and the financial considerations.

The workshop was sponsored by the Department of Energy. For more information about the Workshop see [www.solaramericacommunities.energy.gov/cities](http://www.solaramericacommunities.energy.gov/cities). The people

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putting together the workshop have indicated a desire to set up a similar workshop in Northern Virginia and I suggested that the Federation could help facilitate that effort.

- **Construction of a new home in the Accotink Resource Protection Area – September 8<sup>th</sup> to 18<sup>th</sup>**

I have been helping a neighbor review the construction plans for a new home that will be constructed entirely in the Resource Protection Area (RPA) for the extreme upper portion of the Long Branch of the Accotink. I first learned about the plans to build the house in the RPA on Saturday morning on the 8<sup>th</sup>. It turns out that if the construction is being done in a lot that was established prior to the delineation of the RPA there is a process that can permit the construction without having any public hearings which is the case for this particular property. On September 19<sup>th</sup> we met at the site and reviewed the plans with the County, the developer, and Mike Wing from Supervisor Smyth's office. Reviewing the tree survey it appears that there was a tree that was removed that was actually on the neighbor's property. We also learned that there is a requirement that the construction plan include an analysis of the "overland relief" – essentially a determination of how deep the water will get if the primary outfall were to be blocked. In the case of this particular property the water would be 12-14 feet deep before it would eventually make it over the W&OD. There are also currently erosion problems both on the subject property and down-stream in the Stonewall Manor development but there is no requirement for the builder of a single house to mitigate for existing inadequate capacity problems. With policies like this it would be impossible to meet the flow limits in the new Accotink Creek Total Maximum Daily Load (TMDL) standard.

- **Northern Virginia Urban Forestry Quarterly Roundtable – Benefits of Urban Trees: Economic and Social – September 13<sup>th</sup>**

I attended the Northern Virginia Urban Forestry Quarterly Roundtable in Alexandria. The topic for this roundtable was the economic and social benefits of urban trees. There were presentations about by Steve Colman from the Washington DC Parks and People who discussed the successes they have had re-vitalizing DC city parks by planting trees and establishing community gardens. There was also a presentation by Josh Brown (a former Fairfax County policeman) about the security advantages of trees and the proper selection of tree species to cut down on crime by making public areas more vital and attractive to law abiding citizens.

- **Metropolitan Washington Air Quality Committee (MWAQC), Technical Advisory Committee (TAC) – September 11<sup>th</sup>**

Ana Prodos attended the September MWAQC TAC meeting.

Ozone Season Summary: Nine exceedances of the ozone (O<sub>3</sub>) National Ambient Air Quality Standard (NAAQS). The number of exceedance days compared to the number of 90°F+ days continues to go down due to emission reductions. This is a key indicator of the successfulness of regulations reducing emissions of O<sub>3</sub> precursors. Ozone creation is assisted by high temperatures so when the number of exceedances is less than the number of 90°F+ days; it means that the emission reductions are working.

The Council of Government emission goals exceed the 35.5 gallons per mile 2016 Corporate Average Fuel Economy (CAFE) standards. There is a shortfall of about 3%. The new CAFE standard calculation already assumes increased electric vehicle use.

- **Green Breakfast – Fairfax's Energy Triangle - September 8<sup>th</sup>**

I attended the Green Breakfast about Fairfax's Energy Triangle. The Energy Triangle is the Lorton area. The presentation was made by Conrad Mehan from Envirosolutions, Inc. Envirosolutions has a construction debris landfill that will soon be full. The plan is to place wind turbines, collect landfill gas to give to the County's turbine generator. The power generated could be sold to the nearby Covanta plant which then would sell it to the grid (circumventing Dominion Power's monopoly). They could also put solar collectors on the closed construction debris land fill to generate additional power. One advantage of coupling wind power generation with solar power generation is that it turns out that the wind is usually greater when the sun is not shining so by coupling the two you get a more stable energy source.

- **Court Throws Out the Cross-State Air Pollution Rule – August 20th**

The Cross-State Air Pollution (CSAP) Rule was promulgated in 2011 in response to the 2008 Court ruling throwing out the Clean Air Interstate Rule (CAIR) promulgated under the Bush Administration. In throwing out the CSAP, the Court left the CAIR limits in place. These rules require upwind states to place controls on electric utilities so that the emission sources in the upwind states do not make it impossible for downwind States to meet National Ambient Air Quality Standards (NAAQS). The original CAIR rule stopped a number of lawsuits pitting downwind states against upwind states. Without the CAIR limits the air quality of the Washington DC area would have had to virtually stop all combustion sources in the area to try to meet the NAAQS. The key to the decision appears to be that the EPA did not let the States develop their own plans to limit emissions but instead set Federal standards, so the fix may simply require States to develop their own rules that have the same emission limits as the Federal standards.

- **Fairfax County Stormwater Management Ordinance – July 24th**

The County has begun a process to develop a stormwater management ordinance. There was a kickoff meeting on July 24<sup>th</sup>. The next meetings will be separated into interest groups – I have signed up to participate in the meetings dealing with issues of particular interest of home owners and HOAs representing the Federation. The next meetings will be on September 24<sup>th</sup> and then meetings are planned for October 17<sup>th</sup>. I have signed up to represent the Federation on issues dealing with home owners, HOAs, and infill.

- **Planning Commission Environmental Committee Green Building Policy Implementation – July 19th**

The County is trying to finalize plans to implement the Green Building Policy Plan. Key issues that remain are how to impose tight regulations on new development or re-development projects and how to ensure that the developers do what they signed up for in their proffers.

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• **Fairfax County Sued EPA over the Accotink Creek TMDL – July 12th**

Fairfax County, VDOT, and the State of Virginia are suing the EPA over what the county considers to be unreasonable Total Maximum Daily Load (TMDL) limits for Accotink Creek. The Fairfax County web site is: [www.fairfaxcounty.gov/news/2012/updates/fairfax-sues-epa-to-challenge-stormwater-rule.htm](http://www.fairfaxcounty.gov/news/2012/updates/fairfax-sues-epa-to-challenge-stormwater-rule.htm).

The County feels that they need to sue to keep the standard from being incorporated in to the County's Municipal Separate Storm Sewer (MS4) permit which has been going through negotiations for several years. The County believes that there are better ways to control sediment pollution other than limiting the storm flow rates.

• **Upcoming Meetings**

September 23 – October 20 – Clean Virginia stream cleanups in Fairfax County. See [www.longwood.edu/cleanva/iccva.htm](http://www.longwood.edu/cleanva/iccva.htm), <http://waterquality.awardspace.com>, [www.fairfaxcounty.gov/parks/parktakes/](http://www.fairfaxcounty.gov/parks/parktakes/), [www.accotink.org/InternationalCoastalCleanupre-event2012.htm](http://www.accotink.org/InternationalCoastalCleanupre-event2012.htm), <http://friendsoftheoccoquan.org/>, or <http://friendsoftheoccoquan.org/> for more information.

September 23 – Northern Virginia Conservation Trust Oakton Trolley Station Showcase. 5 – 7 pm, 2923 Gray Street, Oakton, VA. For additional information see [www.showcase.nvct.org](http://www.showcase.nvct.org).

October 18 – Northern Virginia Conservation Trust Workshop. Topics to be covered are: Protecting your Land with Conservation Easements, Creating and Enhancing Wildlife Habitats, and Protecting Your Soil and Water Resources. Fairfax County Government Center, Conference Rooms 9-10, 12000 Government Center Parkway, 6:30 – 8:30 pm. For additional information see [www.workshop.nvct.org](http://www.workshop.nvct.org) or call 703-354-5093 x24.

**Human Services:** Cherie Tripp Lejeune—no report.

**Land Use:** Fred Costello—no report

**Legislation:** Frank Anderson and Jason Ha—no report; see Program: Legislation; Federation Legislative Process on page 1.

**Public Safety:** Melissa Smarr—no report.

**Resolutions:** Bill Hanks—no report.

**Transportation:** Joe Gibson and Jeff Parnes—Jeff announced the I-495 Express Lanes are scheduled to open in December 2012 and described the HOV rules, transponder options, and fee structure. Existing E-ZPass transponders will work with the new lanes.

**District Council Reports**

Seven supervisor districts have councils of citizens associations; Dranesville & Hunter Mill districts do not.

**Braddock:** Art Wells—The Braddock District Council (BDC) meeting last week featured an informative presentation on the I-495 Express lanes. The BDC-George Mason University (GMU) forum on October 3 will include the new GMU president. The BDC will host a forum on the problem of drinking and driving by those ages 15-24 and how to counter that behavior. The newly formed "Aging in Place" committee is underway.

**Lee:** Chris Soule—The Lee District Council at its meeting next week will have a forum on insect-borne diseases. We are plan-

ning our end of year banquet and preparing to recognize the most deserving county employees.

**Mason:** John Birch—The Mason District Council is conducting an online survey of residents.

**Mount Vernon:** Karen Pohorylo—no report.

**Providence:** Flint Webb—(This report was not presented in the meeting but was furnished via e-mail to the board and is published here to inform the membership.) Providence District Council had a meeting on September 17<sup>th</sup>. I was not able to attend due to the conflict with the Friends of Accotink Creek meeting. Supervisor Smyth hosted an open house at Luther Jackson Middle School to discuss the construction that is taking place in Providence District including the opening of the Mosaic District town center in Merrifield and the new Express (HOT) Lanes on the Beltway.

**Springfield:** Ed Wyse—Tonight the Springfield District Council is co-hosting a "legislative meet and greet" with the candidates for seats in the 8<sup>th</sup> and 11<sup>th</sup> Congressional districts. The council will meet next month with Supervisor Herry and West Springfield Police District Commander Joe Hill.

**Sully:** The Sully District Council meeting next Wednesday will feature Supervisor Frey on the topic of transportation. We are considering three land use cases: the EDS property, a nursing center, and an agricultural/forest district.

**Adjournment**


The meeting adjourned at 10:10 p.m.

**Next Meetings**

The next board meeting will be September 27, 7:30 p.m., in Braddock Hall.

The next membership meeting will be October 18, 7:30 p.m., in the Mason Governmental Center.

*Minutes written by Ed Wyse, Recording Secretary*



By 2050, Tysons will be transformed into a walkable, sustainable, urban center that will be home to up to 100,000 residents and 200,000 jobs. Tysons is envisioned to become a 24-hour urban center where people live, work and play; where people are engaged with their surroundings; and, where people want to be. Please use the links from the website to watch the brief video to learn more about transforming Tysons.

More information on Transforming Tysons is available online at [www.fairfaxcounty.gov/tysons/](http://www.fairfaxcounty.gov/tysons/)

## The Independent Living Project

The Independent Living Project which teaches older people to continue to live independently in their homes is hosting two-hour sessions every single day from

**October 16 to November 27, 2012  
from 12:30-2:30 p.m.  
Morris Glen Apartments  
7000 Schoonmaker Court  
Alexandria, VA 22310**

The weekly two-hour session workshops include a gentle exercise program and cover the following:

- ▶ Fire and Fall Prevention
- ▶ Finding Services for Older Adults -Where to Begin
- ▶ Recognizing the Signs of Dementia
- ▶ Your Medications Should Make You Feel Better – Not Worse
- ▶ Getting the Most out of Your Next Doctor Visit
- ▶ Aging Eyes/Aging Ears
- ▶ 50+ Nutrition
- ▶ Food Safety
- ▶ Getting Around in Fairfax

More information is available online at [www.fairfaxcounty.gov/dfs/olderadultservices/independent.htm](http://www.fairfaxcounty.gov/dfs/olderadultservices/independent.htm).



## Bully-Free NoVA Launch Reception

**Tue, Nov 13, 2012 5:00-6:30pm  
James Lee Community Center Auditorium  
2855 Annandale Road, Falls Church**

The Fairfax Partnership for Youth (FPY) is pleased to announce the launch of the community-based bullying awareness and prevention program entitled “Bully-Free NoVA: A Community of Respect.” All supporters of the anti-bullying movement, and those interested in bringing training to their community-based organizations and businesses are encouraged to attend this free event.

More information on FPY is available online at [www.fairfaxyouth.org](http://www.fairfaxyouth.org).



Fairfax County's Community Emergency Alert Network (CEAN) delivers important emergency alerts, notifications and updates during a major crisis or emergency, in addition to day-to-day notices about weather and traffic.

Messages will be delivered to all devices you register: email account, cell phone, text pager, satellite phone, wireless device. To sign up, please visit the CEAN online at [www.fairfaxcounty.gov/cean](http://www.fairfaxcounty.gov/cean).

## Bailey's Crossroads/Seven Corners

Located at the eastern edge of Fairfax County, this Commercial Revitalization District includes two dynamic business centers in Bailey's Crossroads and Seven Corners. Commercial and retail activity is concentrated along Columbia Pike and Leesburg Pike. The core of the district includes Skyline Center, national chains, and a diverse array of locally owned stores and restaurants.

Great development opportunities exist for Bailey's Crossroads and Seven Corners and it is envisioned to become more urban in character. The area is in the midst of a series of studies to develop and refine an urban concept with the goal of increasing density, mixing uses and improving the transportation network. More information is available online at [www.fcerevit.org/baileys](http://www.fcerevit.org/baileys).

## Streetcars to Bailey's Crossroads

On July 31, 2012, The Fairfax County Board of Supervisors approved the extension of the Columbia Pike Streetcar project to Bailey's Crossroads. This is a joint project with Arlington County, the 4.9-mile Columbia Pike Streetcar will run from Pentagon City to Skyline. More information is available online at [www.fairfaxcounty.gov/news/2012/updates/fairfax-board-approves-streetcar-to-baileys.htm](http://www.fairfaxcounty.gov/news/2012/updates/fairfax-board-approves-streetcar-to-baileys.htm)



### Countywide Dialogue on Transportation

- In the next 10 years, funding needs for transportation are projected to be \$8.1 billion with only \$5.1 billion in anticipated revenues. This leaves a total \$3 billion deficit over the next 10 years or a \$300 million annual deficit.
- The Fairfax County Board of Supervisors asked the county's Transportation Advisory Committee (TAC) to work with county staff to engage county residents and businesses in a dialogue about the county transportation needs, priorities and revenue options.
- There are numerous sources of revenue that could be used for funding transportation. Since these potential revenue sources will have an impact on county residents, businesses, and others who make purchases or do business in the county, it is important to get feedback from the community.
- The Board of Supervisors has not made any decisions about whether to pursue adding funding for transportation. The purpose of this dialogue is to gauge the community's interest, and to determine which revenue source might be most acceptable. The results of this effort will be shared with the Board. The Board may consider taking action after it receives the results, but is not required to do so.

An online survey was taken in which citizens could specify their order of preference among the foregoing revenue sources. Please review the funding and project information and take the online survey and share your thoughts with the Board of Supervisors and County Staff on this important countywide dialogue on transportation online at [www.fairfaxcounty.gov/fcdot/cdot](http://www.fairfaxcounty.gov/fcdot/cdot).

### E-Zpass & E-Zpass Flex

As of September 7, 2012, VDOT launched the E-Zpass On-the-Go which will allow customers to obtain E-Zpass transponders at various locations of the AAA Mid-Atlantic, Wegmans and Giant, the program's first retail partners. Virginia joins other E-Zpass On-the-Go states.

E-ZPass On-the-Go provides another way for drivers to obtain an E-ZPass or an E-ZPass Flex transponder through select businesses. Drivers simply pay \$35, and the E-ZPass can be used immediately with a \$15 toll credit. An additional \$20 is available for tolls when the transponder is registered by telephone at 877-762-7824 or online at [www.EZPassVA.com](http://www.EZPassVA.com).

### I-495 Express Lanes Access

The 495 Express Lanes will run down the middle of the Capital Beltway, and there will be several opportunities to enter the Lanes. If you're already on the Beltway, you can enter just north of the Dulles Toll Road and just south of Braddock Road. There are also several entry and exit points to and from other highways and major side routes.

Northern Beltway Access with Map Below

- A. Route 267 (Dulles Toll Road and Airport Access Road)
- B. Jones Branch Drive
- C. Westpark Drive
- D. Route 7 (Leesburg Pike)
- E. Interstate 66
- F. Lee Highway (Route 29)
- G. Gallows Road
- I. Braddock Road
- J. North Springfield
- K. Springfield Interchange (395-95-495)



## 2012-2013 Federation Members

The Federation is honored to be joined by associations throughout Fairfax County. We will continue to add our members to this list as associations join. The Federation welcomes all citizens associations in Fairfax County to join in membership in our collective effort to be an effective voice on behalf of residents to local, state, and federal officials. Our membership application is located online at [www.fairfaxfederation.org/membership1.htm](http://www.fairfaxfederation.org/membership1.htm) for your convenience. Thank you for your consideration.

**Barcroft Square HOA**  
**Civic Association of West Springfield Village**  
**Colvin Glen Citizens Association**  
**County Club View Civic Association**  
**Hillbrook Tall Oaks Civic Association**  
**Innisfree Community Association**  
**Jefferson Manor Citizens Association**  
**Mantua Citizens Association**  
**McLean Citizens Association**  
**Middle Run Estates HOA**  
**Middleridge Community Association**  
**Montebello Condominium Unit Owners**  
**North Springfield Civic Association**  
**Oakwood Estates at Manderley**  
**Pimmit Hills Citizens Association**  
**Ravenwood Park Community Association**  
**Reston Citizens Association**  
**Stone Haven Civic Association**  
**Stratford on the Potomac**  
**Tysons Manor HOA**  
**Walnut Hill HOA**  
**Waynewood Citizens Association**

## Office of the CIC Ombudsman

The Office of the Common Interest Community Ombudsman offers assistance and information to association members regarding the rights and processes available to them through their associations. Associations subject to the Ombudsman's jurisdiction include Property Owners' Associations, Condominium Associations, and Co-operative Associations. The Ombudsman is responsible for receiving "notices of adverse decision" from association members who allege an association governing body violated common interest community laws or regulations. The Office also receives reports of violations concerning timeshares.

More information is available by calling 804-367-2941 online [www.dpor.virginia.gov/CIC-Ombudsman/](http://www.dpor.virginia.gov/CIC-Ombudsman/), or by email to [CICombudsman@dpor.virginia.gov](mailto:CICombudsman@dpor.virginia.gov).

## 2012 General Election: November 6, 2012 – Are You Ready?

Check Your Registration by the Oct. 15 Deadline: An estimated 200,000 Fairfax County voters may not be able to cast a ballot on Nov. 6, or may go to the wrong poll location, because their registration may not be up-to-date. Before Oct. 15, check your registration at the Virginia State Board of Elections Website or call the Fairfax County Office of Elections at 703-222-0776 (TTY 711). More information about being ready for Election Day 2012 is available online at [www.fairfaxcounty.gov/news/2012/updates/are-you-ready-for-nov.6-election.htm](http://www.fairfaxcounty.gov/news/2012/updates/are-you-ready-for-nov.6-election.htm)



## Fairfax County Bonds

Fairfax Voters will be asked to vote YES or NO on four separate bond questions: Libraries (\$25 million), Parks (\$75 million), Public Safety (\$55 million) and Stormwater (\$30 million). If approved, the money will be used to renovate three libraries and build a fourth; expand and improve county and regional parks; rebuild three fire stations and renovate 22 courtrooms; and build a levee and pumping station to protect the Huntington community from floods. More information on the Bond Referenda is available on [www.fairfaxcounty.gov/bond](http://www.fairfaxcounty.gov/bond).

## Constitutional Amendments

There are two constitutional amendments on the Ballot on November 6, 2012 General Election.

The amendments are available online for your convenience at [www.sbe.virginia.gov/Files/Cast%20Your%20Ballot%20CandidateList/201211ConstitutionalAmendmentsBrochure.pdf](http://www.sbe.virginia.gov/Files/Cast%20Your%20Ballot%20CandidateList/201211ConstitutionalAmendmentsBrochure.pdf).





The Federation invites you to join us at the upcoming Fairfax County Roundup – A Whole Community Collaboration for Disaster Resiliency. To register for the event, please visit the Fairfax County Roundup website at [www.volunteerfairfax.org/individuals/roundup.php](http://www.volunteerfairfax.org/individuals/roundup.php). Below is the event flyer for your convenience. Looking forward to seeing you and your community at the Roundup!

**Conference Agenda**  
 October 25, 2012  
 7:30am – 4:00pm  
 Click [here](#) to register!



7:30 am - 9:00 am	Registration and Networking		
8:00 am - 9:00 am	Registration and Networking	Faith Communities	Disaster 101 (Optional)
9:00 am - 9:15 am	Welcome Dr. Barbara Saperstone, Annandale Campus, NOVA Provost, NOVA		
9:15 am - 9:30 am	Welcome & Conference Overview Jeanne Sanders, Volunteer Fairfax		
9:30 am - 10:15 am	Keynote Address James Lee Witt, Witt Associates		
10:15 am - 11:05 am	Government and Nonprofits: The value of collaboration		Fairfax County and the Whole Community Approach
	Technology in Disasters	Disaster Volunteerism: Strengths and Pitfalls	Faith Communities in Crisis
11:05 am - 11:50 am	Lunch Break		
11:50 am - 12:40 pm	Government and Nonprofits: The value of collaboration		Fairfax County and the Whole Community Approach
	Technology in Disasters	Disaster Volunteerism: Strengths and Pitfalls	Faith Communities in Crisis
12:40 pm - 1:00 pm	Framework for Coordination - Jeanne Sanders Plenary Group Instruction - Matt Lyttle		
1:00 pm - 3:30 pm	The Disaster Next Door: A Plenary Group Discussion		
3:30 pm - 3:45 pm	Sharon Bulova, Board of Supervisors		
3:45 pm - 4:00 pm	Closing Remarks Community and Government, Partners in Disasters Dave McKernan, OEM		



## Federation's 2013 Legislative Program

### Membership to vote on Thursday, October 18, 2012

#### 1. CONSERVATION

**OPEN SPACE LAND CONSERVATION:** Establish an annually dedicated funding of \$50 million to the General Fund Budget to establish and maintain open and recreational space for natural resources without jeopardizing funding of education and transportation, to include acquisition of land and conservation easements to be used as open space, such as natural areas, watersheds, farmland, forests, parks, and historic sites. (2000, 2011, 2013)

***Rationale:** Virginia is the only state on the East Coast without dedicated funding for acquisition of open space. While the Federation continues to support action in the General Assembly, local initiatives are also needed. Open and recreational space in Fairfax County should be continually increased until the goal of 20% is met. (2013)*

#### 2. COMMUNITY ASSOCIATIONS AND SERVICES

**a. LIEN PRIORITY FOR COMMUNITY ASSOCIATION ASSESSMENTS:** Amend the Condominium Act and Property Owners' Association Act to assign associations' property liens a higher priority when court-ordered or private sale of property allows money to be collected from homeowners who are delinquent in paying their assessments and penalties. (2013)

***Rationale:** Homeowner associations and condominiums are at the end of the disbursement line when it comes to receiving money from a foreclosure or other sale of property. Associations incur legal and other costs to file liens in court, yet recover only a small percentage of the lien's value, if any money at all. Associations and condominiums provide services to all homeowners with the expectation that the assessments will cover the contract fees. Contracted services include property management, trash removal, grounds and street maintenance, pool operation, street maintenance, and repairs to buildings and other property. Payment of these contract costs must continue whether or not certain homeowners pay their assessments. In recent years, one 321-unit HOA had to write off amounts ranging from \$18,000 to \$27,000 (approximately 5 to 7 percent of the annual budgets), after trying diligently to collect them. It is grossly unfair to the homeowners to be unable to collect a larger proportion of these debts for delinquent assessments, penalties, and legal fees. (2013)*

**b. ELIMINATE DELAYED PAYMENT TO ASSOCIATIONS FOR DELIVERY OF RESALE PACKET:** Restore the previous statutory provision that resale disclosure packet and resale certificate payments be made no later than at the time of delivery. (2012)

***Rationale:** We support amending section 55-509.6 of the Virginia Property Owners Act (Fees for resale disclosure packet) and section 55-79.97 of the Virginia Condominium Act (Fees for resale certificate). The amendment would eliminate the mandate (from H.B. 516 of 2008) that payment to Common Interest Community (CIC) Associations for delivering packets to prospective home buyers be delayed until settlement. If settlement does not occur within 90 days H.B. 516 stipulated that the packet cost be assessed against the lot.*

*Delayed payments for packets cause financial harm to associations. Associations may wait for months or may never be paid. First, not all prospective buyers that receive packets will ultimately purchase. Second, associations all over the state have a number of homes in foreclosure. In many such cases the Association will likely never collect delinquent assessments from sellers, and will therefore also not be able to collect resale disclosure packet fees. H.B. 516 had a number of good features, but this delayed payment provision is harmful.*

*We are grateful to the General Assembly for two steps already taken that have provided partial relief. Delayed payment for self-managed associations was eliminated in 2010. The original 90-day period was reduced to 45 days in 2011. Now it is time to reduce the 45 days to zero days through legislation that eliminates altogether the delayed payment provision. (2012)*

**c. ESTABLISHING STATUTORY LATE FEE AUTHORITY:** Authority to establish late fees for regular and special assessments not paid by the due date should be provided for in those statutes governing Virginia common interest communities (CICs). (2013)

**Rationale:** *The ability to establish and collect late fees for regular assessments and special assessments is critical to the financial health of common interest communities (HOAs, condominium associations, and housing cooperatives). Associations that lack authority to impose a late fee cannot take advantage of an effective assessment collection tool, and those associations cannot recover administrative expenses incurred in the carrying of delinquent assessment accounts. This in turn harms associations' cash flow, threatens their ability to maintain their property and puts an unfair burden on the other owners. Legislation establishing late fee authority would help associations to maintain their property and reduce the burden that delinquent owners place on all other owners. (2013)*

### 3. EDUCATION

**a. REFORM OF STATE AND FEDERAL ACCOUNTABILITY SYSTEMS:** Target access to public school choice and supplemental services to individuals within subgroups that fail to achieve No Child Left Behind (NCLB) benchmarks. (2006; 2009; 2010)

**Rationale:** *Although SOL test scores have risen as a result of curriculum alignment, familiarity with the tests, and intensive remediation efforts, there is evidence that students and schools in poor and minority communities are less likely to graduate, causing their schools to lose accreditation and federal funding. Such results will punish these students, schools and communities without eliminating the causes of failure and will doom the standards movement, which has the potential to strengthen education at every level. In addition, the requirements of NCLB for meeting Adequate Yearly Progress (AYP) have created situations where schools that meet Virginia's high standard are subject to federal sanctions, such as loss of funding, because of unreasonable requirements such as standardization testing of students who understand little English or children with severe disabilities. (2009, 2012)*

**b. PUBLIC SCHOOL CALENDAR:** Enact new legislation permitting local school boards to set the opening day of school in accordance with the consensus of the local community. (2005, 2010)

**Rationale:** *The Code of Virginia mandates that schools open after Labor Day and as a result FCPS students have less classroom time before the state requires SOL exams, and Princeton's SAT organization nationally scheduled advanced placement (AP) exams usually taken in early May. Over half of the school divisions received waivers to open as much as three weeks earlier, and yet, FCPS is not allowed to participate. Repeal of the "King's Dominion" law would allow setting the school calendar to allow additional instruction prior to assessments of academic achievement, would permit students taking both high school and college courses to start at the same time as local colleges, and would allow the provision of stronger summer programs for student remediation and professional development. (2009, 2011)*

**c. SALARY COMPETING FACTOR:** Support FCPS position on supporting use of a cost of competing factor in the Standards of Quality reimbursement formulas in recognition of the higher salaries paid by school boards in identified locations in order to attract and retain skilled teachers and other personnel within its competitive local regional wage market. The Governor introduced budget for FY 2012-2014 to eliminate Cost of Competing for support positions (which includes assistant superintendents and technical, clerical, attendance, health, and technology staff, among others). Although the General Assembly has provided funding for partial restoration, we are urging full funding of this item. (2008, 2013)

**Rationale:** *According to FCPS, the State differential covers approximately 740 categories and includes all agencies with State classified employees in Northern Virginia. The instructional rate was last increased in 1996 based on 1995 Joint Legislative Audit and Review Committee report, and the non-instructional rate was last increased in 2004 to reach the rate recommendation made in 1995. (2013)*

### 4. ENERGY

**a. MANDATORY RENEWABLE PORTFOLIO STANDARD:** Support enactment of a Mandatory Renewable Portfolio Standard requiring that a minimum percentage be produced from cost-effective, renewable, emission-free sources. (2009; 2011, 2012)

**Rationale:** *Under current law, the renewable energy portfolio standard program is a voluntary program to which investor-owned utilities apply to receive certain incentives. Establishing a Mandatory Renewable Portfolio Standard will address culminating environmental issues such as climate change and move the state towards energy independence. Furthermore, renewable sources are clean and getting cheaper while conventional sources may be risky, subject to cost*

volatility, and finite. (2012)

**b. ENERGY END-USER CONSERVATION AND RENEWABLE ENERGY PRODUCTION:** Support legislation that will encourage energy conservation, the use of renewable and distributive energy generation, and the use of refurbished energy-conservation and renewable energy products which have a payback period of five years or less. (2008, 2011)

***Rationale:** Most energy conservation projects will pay for themselves in less than five years, so providing consumer educational advice and low-cost energy saving equipment such as CFL and LED light bulbs will not only reduce our demand for fossil fuel generated electricity but also save money for Virginia residents. Similarly, encouraging distributive renewable generation will decrease the risk of power disruptions due to natural disasters or malicious activity. In some cases, such as solar water heating, previously installed systems are not functioning, whereas these can be refurbished and energy can be saved. (2013)*

**c. DEVELOP VIRGINIA'S OFF-SHORE WIND RESOURCES:** Support legislation to allow and encourage the development of off-shore wind resources. Legislation is needed to streamline the permitting of off-shore wind farms and on-shore infrastructure. (2012)

***Rationale:** The development of off-shore wind coupled with the development of on-shore wind resources in the west and other renewable resources will allow the state to be energy independent for the foreseeable future. Up to 20% of the electric energy demands of the state could be met by wind resources just off Virginia's coast. Off-shore wind resources are stable and strong meaning that they can be forecast and used for base load demand projections. Existing ship building resources in the Hampton Roads area could supply off-shore wind platforms for the entire eastern seaboard bringing much-needed jobs to the state that will last for decades. It is estimated that the wind power industry could bring in \$200 million per year to the state. There already is a major electrical grid tie in near the coast at Fentress, Virginia, the best placed grid tie in location in the Mid-Atlantic States. (2013)*

**d. REPEAL THE TAX CREDITS FOR UTILITIES AND COAL COMPANIES FOR THE EXTRACTION AND CONSUMPTION OF VIRGINIA COAL:** Support legislation to repeal the relevant section of the code. (2012)

***Rationale:** Currently, Virginia's taxpayers directly subsidize coal mining through approximately \$44.5 million in corporate tax breaks. The credit is more closely related to coal production than to employment, such that the credit could rise, even as coal employment goes down. As now configured, the credit is a windfall to the coal industry, providing no support for jobs in a depressed part of Virginia. In particular, the Southwestern region, has important needs in terms of jobs, clean energy and infrastructure, all of which would benefit from the revenue that could be realized by the credit repeal. (2012)*

**e. PURCHASE OF ENERGY SAVING PRODUCTS:** Support legislation to amend the Virginia Public Utilities Act to encourage the purchase and refurbishing of energy saving products by consumers by allowing and encouraging utility companies in Virginia to provide low rates for capital costs for effective purchases of energy saving equipment and to be repaid through utility bills. (2009, 2010)

***Rationale:** The initial capital costs for energy saving equipment make it difficult for home owners and businesses to make the changes that can decrease energy consumption. (2013)*

## 5. ENVIRONMENT

**a. CHESAPEAKE BAY PRESERVATION ACT:** Oppose legislation that weakens the Act and support legislation that amends the Clean Water Act to explicitly give the Environmental Protection Agency (EPA) the authority to regulate non-point-source pollution. (2010, 2012, 2013)

***Rationale:** The state has made progress in providing funding in recent years, including deposits to the WQIF of surplus funds in each of the last three years. However, current funding falls short of the \$100 million needed for mandated stormwater improvements, by up to \$18 million. Additionally, there is a projected need of approximately \$300 million over the next several years for wastewater treatment plant upgrades in the Chesapeake Bay watershed, to meet federal Chesapeake Bay requirements. The state must partner with localities in order to meet these federal mandates to ensure the success of this effort. (2013)*



**b. CLIMATE CHANGE EFFECTS IN INFRASTRUCTURE PLANNING:** Support legislation to direct the Virginia Department of Transportation and other departments responsible for infrastructure maintenance and emergency planning to incorporate climate change effects in planning for infrastructure expected to last over 50 years. (2012, 2013)

**Rationale:** Carbon dioxide (CO<sub>2</sub>) concentrations in the atmosphere are increasing and it has been known that CO<sub>2</sub> is a greenhouse gas for over 150 years, proven by experiments performed by John Tyndall in the late 1850s. Therefore, regardless of what is causing the increases in CO<sub>2</sub> concentrations more energy will be retained by the atmosphere which will affect the ocean temperatures (causing sea level rises and increased frequency and/or intensity of tropical storms), air temperatures (causing more dangerously hot weather, a greater likelihood of high ground level ozone pollution, lower crop yields and increased likelihood of tropical diseases finding a foothold in the state), and increased water content in the air (causing more droughts and more intense storms). Models that have been very accurate at predicting past weather events, predict that the sea level will rise from two to three feet over the next 100 years. This will mean that much of the roads and coastal infrastructure will be washed away by storms. Increased intensity of storms will also mean that additional reservoirs and levees will be needed. (2012)

**c. MAINTAIN THE EXISTING BAN ON URANIUM MINING IN VIRGINIA.** (2012)

**Rationale:** Virginia has a nearly 30-year ban on uranium mining. Powerful interests are trying to lift the ban so they may mine and process uranium, starting in Southside Virginia. If the ban were to be lifted, it would have statewide impact, because there are deposits upstream of the Occoquan reservoir, which serves a part of Fairfax County. Drinking water, human health, farmland, property values, wildlife and tourism across Virginia are at risk. A uranium mine would generate toxic, radioactive waste in the form of mine tailings and sludge ponds. Exposure to such wastes have been linked to lung cancer, leukemia, damage to internal organs (notably, the kidneys) and reproductive risks. Virginia has no current regulations governing uranium mining. All other uranium mining in the U.S. is done in dry, sparsely populated regions, but the wet weather possibilities and high population density in Virginia would make this activity an unacceptable risk. There is also an economic risk due to the high volatility of uranium prices, meaning that a failed mine would not leave adequate funding to provide cleanup. (2012)

**d. WHITE TAIL DEER POPULATION CONTROL:** Support legislation and measures to more effectively control the White Tailed Deer population in Fairfax County. (2012, 2013)

**Rationale:** The current deer population is estimated to range between 25,000 and 40,000 in Fairfax County, which is about 60 and 100 deer per square mile. Deer population can double in a couple of years and the recommended number is at 15 per square mile. In 2009 and 2010, Virginia ranked 5<sup>th</sup> in the nation for deer-vehicle collisions. One in every 136 Virginia drivers is projected to file insurance claims for comprehensive vehicle damage sustained as a result of a deer-vehicle collision. Deer are the primary host to adult Back-Legged Ticks that cause Lyme disease. Furthermore, a single adult deer consumes 5 to 7 pounds of plant matter in one day or over 1 ton of vegetation in a year. The dense population of people and deer has created a wildlife conflict; this has contributed to the increase in vector-borne diseases (such as Lyme disease) vehicular accidents and destruction of vegetation. (2012, 2013)

**e. ENDOCRINE DISRUPTOR COMPOUNDS, PHARMACEUTICALS, AND HORMONE WATER POLLUTION:** Urge research and ensuing legislation that would mitigate pharmaceutical and endocrine disrupter pollution in Virginia waters. (2008, 2011)

**Rationale:** Endocrine disruptor compounds (EDCs) inhibit the regulation of biological processes related to growth, development and reproduction that have impacts on marine life and human health. This is a complex, highly technical, and very important issue that needs immediate attention through research and development of remedies. Pollution from pharmaceuticals is also a problem and may be partially responsible for multi-antibiotic resistant infections. (2013)

## 6. GOVERNANCE

**a. COMPENSATION:** Support legislation to direct local, state and federal governments to assess employee wages and benefits using objective criteria that include comparisons with private sector compensation. (2012)

**Rationale:** Objective and well informed comparisons must be made to identify optimal and sustainable compensation

*compensation practices. (2012)*

**b. EARLY VOTING:** Support legislation to enable registered voters to vote early in person without providing an excuse or reason for not expecting to be able to vote in person on Election Day, while retaining all present statutory specific reasons enabling a voter to cast an absentee ballot for those persons who vote absentee by mail. (2009, 2012)

**Rationale:** *Early voting enhances voter participation. (2010)*

**c. TWO-YEAR BUDGETING:** Support legislation authorizing local governments to adopt biennial (two-year) instead of annual operating budgets. (2005, 2013)

**Rationale:** *A biennial budget process for localities would mirror the state's two-year budget, afford a longer time frame for financial planning, allow more time for program review and evaluation, and could be less expensive and time consuming than annual budgeting. (2012)*

## 7. HUMAN SERVICES

**a. MEDICAID PROGRAM:** Support improvements in the state Medicaid program that increase access to services, particularly preventative services, with the goal of reducing overall health care costs. (2012)

**Rationale:** *The 2010 federal health care reform law contains many new directives for states and employers in providing health care coverage. Virginia's current eligibility requirements are so strict that it ranks at 48<sup>th</sup> in per capita Medicaid spending. As Virginia begins the implementation of this new law, we urge the state to monitor the potential impacts on localities and that a successful expansion of this service will require close cooperation between the state and Fairfax County. (2012, 2013)*

**b. VIRGINIA HEALTH CARE EXCHANGES:** Support the General Assembly's establishment of a position on the Virginia Health Care Exchange in accordance with the following principles: no one with a financial interest in the insurance industry should be a voting member of the Exchange Board; the Exchange Board should be structured as a quasi-governmental agency; active purchasing is vital so that the Exchange will be able to negotiate the lowest rates and best plans within the market; and the rules and offerings should be structured to prevent adverse selection while maintaining fairness for health care consumers. (2012, 2013)

**Rationale:** *to provide more affordable health care for the citizens of Virginia, in accordance with federal law. (2012, 2013)*

**c. MINIMUM WAGE:** Support legislation to index the minimum wage to the Consumer Price Index. (2007, 2008, 2010, 2013)

**Rationale:** *The federal minimum wage is now \$7.25 an hour. That minimum wage is not adequate in Fairfax County. (2010)*

## 8. LAND USE

**LAND USE AUTHORITY:** Oppose any diminution of local land use authority. (1999, 2010)

**Rationale:** *Land use authority should remain with the local jurisdictions. At the same time, there should be regional consideration of land use plans and issues. (2010)*

## 9. PUBLIC SAFETY

**a. INCREASED ACCESSIBILITY:** Support legislation authorizing local jurisdictions to require standards and programs that promote recent innovations in accessibility to public and private facilities for persons with disabilities. (2012, 2013)

**Rationale:** *This will enable Fairfax County to support access for persons with disabilities and the rising population of older adults to public and private facilities by utilizing adaptive technologies. Incorporating adaptive technologies in public buildings, housing, transportation and employment will empower persons with disabilities and seniors to remain active and contribute to their communities and retain their independence. (2012, 2013)*

## 10. TAXATION

**a. LOCAL SHARE OF STATE PERSONAL INCOME TAX REVENUES:** Support a study of the impact on state and local government of legislation that would return a portion of state personal income tax revenue to local governments for their unrestricted use. This could help reduce local government's reliance on real estate taxes. Issues to be investigated include: the financial impact of this change on the State; whether such change would require a personal income tax increase; whether such change would require a decrease in state aid to Fairfax County; whether such change would require a shift in responsibilities from the State to Fairfax County; and the impact of such change on impact on Fairfax County residents. (1999, 2001, 2002, 2010, 2013)

***Rationale:** The Federation has proposed the direct sharing of personal income tax revenues between state and local government since 1999, but there needs to be legislative study first since no one knows the impacts of such a change. (2010, 2013)*

**b. FEDERAL AND STATE MANDATES:** Full fund or eliminate each of the imposed federal and state mandates on local government. (1999, 2007, 2013)

***Rationale:** Mandates force local governments to spend money in ways that may not be in accordance with the desires of the local community. When federal or state government imposes mandates, it should also provide funding. Where funding is not provided, federal or state government should repeal the mandate. (2013)*

**c. RENEWABLE ENERGY TAX CREDITS:** Support a state tax credit for residences and businesses for new and refurbished renewable energy systems. Consideration should be given to permitting electric power generation companies to fund tax credits as a part of their obligation to reduce consumption of fossil fuels. (2009, 2011, 2013)

***Rationale:** Renewable energy tax credits will encourage increased use of renewable energy and reduce the use of fossil fuels. (2009, 2012, 2013)*

## 11. TRANSPORTATION

**a. TRANSPORTATION FUNDING:** Support state and local legislations to increase transportation funding for Northern Virginia and to Fairfax County in particular. (2010, 2013)

***Rationale:** The General Assembly has not enacted new revenue sources for transportation infrastructure since 2007, and the demand for transportation infrastructure has increased substantially. (2010, 2013)*

**b. METRO FUNDING:** Support an increase in the federal and state shares of funding for Metro capital and operating costs and a regional dedicated funding source for the Metro system capital, operations and maintenance programs. (2001, 2005)

***Rationale:** The State of Maryland pays the full cost of Maryland's share of the Metro system whereas Virginia pays only a small part of Northern Virginia's share. There is an additional two (2) percent gasoline tax in Northern Virginia, the proceeds of which are dedicated to Metro funding. The Washington area is the only major metropolitan region in the country without a dedicated funding source for its Metro system. Portions of the Washington Metro rail system are now more than 40 years old and badly in need of major maintenance. (2009, 2013)*

## 12. CITIZENS' INTERESTS

**a. RESTORATION OF RIGHTS:** Amend Virginia's Constitution to automatically restore civil rights – including voting rights – for most or all felons once they have completed their sentences. Maintain the current requirements to apply for restoration of gun rights. (2011)

***Rationale:** Virginia is one of two states that do not automatically restore the civil rights of felons once they have completed their sentences. Individuals with felony convictions are permanently barred from voting, even after fully completing their sentences under Virginia's Constitution. Although voting rights may be restored only by an act of the Governor, this act takes a very long time and contributes to the disenfranchisement of a significant number of the population. While the process has recently been simplified and accelerated, the decision-making process still needs to be made consistent and transparent. All other states, except for Virginia and Kentucky, automatically restore voting rights for most or all*



felons once they have completed their sentences. Approximately 300,000 Virginia citizens cannot vote due to a felony conviction.

Virginia requires restoration of rights, followed by expungement, before the right to own a firearm is restored. Support for automatic restoration of rights is not to be interpreted to include automatic restoration of gun rights for felons upon completion of their sentences. (2011, 2012)

**b. PETROLEUM TANK FARMS:** Support the City of Fairfax and the County of Fairfax in the phased relocation of the Pickett Road Tank Farm so as to minimize exposure to hazards in residential neighborhoods. Also support legislation establishing the maximum number of tanker-truck trips to and from tank farms located in or near densely populated areas; providing state and local authority for additional safety requirements for bulk petroleum storage; increased state authority to regulate intrastate pipeline safety; and strengthening, codification, and enabling state and/or local agencies' enforcement power of nuisance laws. (2008, 2009, 2010, 2013)

**Rationale:** The tank farm is located in a completely developed area with 400 tanker trucks a day going to and from the facility. Oil spill incidents, tanker truck accidents and the addition of ethanol trucking have brought renewed urgency to this issue of safety and environmental degradation. The increased use of ethanol in gasoline mixtures requires truck transport of ethanol to the tank farm. (2009, 2010)

**End of the Federation's 2013 Legislative Program**

## Dillon Rule in Virginia

Fairfax County operates under the urban county executive form of government, an optional form of Virginia county government, and like other Virginia local governments Fairfax County has limited powers.

More specifically, Virginia courts have concluded that local governments in Virginia have only:

1. Those powers that are specifically conferred on them by the Virginia General Assembly
2. Those powers that are necessarily or fairly implied from a specific grant of authority
3. Those powers that are essential to the purposes of government -- not simply convenient but indispensable

This doctrine of limited authority for local governments is commonly called the Dillon Rule, a name that is derived from the writings of John Forest Dillon, who served as a judge, a law professor and an author of legal textbooks in the latter part of the nineteenth century. The Dillon Rule is used in interpreting law when there is a question of whether or not a local government has a certain power. The Dillon Rule narrowly defines the power of local governments. It also states that if there is any reasonable doubt whether a power has been conferred on a local government, then the power has NOT been conferred.

The Dillon Rule as a concept is found in all states – meaning that apart from the power ceded to the federal government in the U.S Constitution, the state governments have all the remaining governmental authority. However, most states have adopted various types of “home rule” provisions that permit some or all of their local governments to undertake those governmental functions that are not specifically precluded by the laws of those home rule states. Virginia has not provided such home rule authority to its local governments.

The Virginia Supreme Court and other Virginia courts routinely apply the Dillon Rule to determine whether or not a local government has the legal authority to undertake a disputed action. For well-established county functions, like planning, zoning, and taxation, there are a number of statutes that give the county clear direction and authority to act, but in new areas of governmental concern, the Dillon Rule can serve as a constraint to innovative governmental responses.

This means that Fairfax County has limited powers in areas such as raising revenue, and it cannot take certain actions without appropriate action from the state, which limits revenue diversification options among other things.

## Environmental Excellence Awards

The Fairfax County Environmental Excellence Awards recognize county residents, organizations, businesses and county employees who dedicate time and energy to benefit the environment and support county environmental initiatives. Award recipients are selected based on their advancement or support of the board and county's environmental goals and policy statements; their dedication of personal time and expertise beyond normal fiscal or civic responsibilities; and their leadership as a role model.

The awards program is administered by the Environmental Quality Advisory Council and supported by the county's environmental coordinator and the Department of Planning and Zoning. The awards will be presented during a fall Board of Supervisors meeting.

The nomination period for the 2013 awards will begin in early 2013. Additional information, including nomination instructions, will be available on the Awards website at [www.fairfaxcounty.gov/dpz/eqac/environmental-excellence-awards.htm](http://www.fairfaxcounty.gov/dpz/eqac/environmental-excellence-awards.htm).

## My Neighborhood

### An Internet Mapping and Information Apps

My Neighborhood is an Internet mapping and information reporting application. It lets you know what features and county facilities are available in and around your neighborhood.

The information is broken down into logical business groups called Views. Right now there are four views: General Information, Parks , Demographics, and Police Incidents. Each view has unique map types and unique reports. Map types allow you to see different layers of information about the same area. Reports contain detailed information about a specific area. For more information, please visit online at [www.fairfaxcounty.gov/gisapps/myneighborhood/](http://www.fairfaxcounty.gov/gisapps/myneighborhood/).

## Environmental Quality Advisory Council (EQAC) - Public Hearings

Each year, EQAC holds a public hearing to obtain input on issues of environmental concern. Environmental issues considered by EQAC include water quality, air quality, noise, hazardous materials, solid waste, stream valley protection, wildlife management, light pollution, visual pollution, climate change response and adaptation, energy conservation, land use, transportation and the use and preservation of ecological resources.

The next public hearing has been scheduled for Monday, January 7, 2013 at 7:30 P.M. The public hearing will be held in the Board Auditorium in the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, VA. A remote testimony site will be available in room 221A of the South County Center, 8350 Richmond Highway, in the Alexandria section of Fairfax County.

The public is encouraged to attend EQAC's public hearing to share views on the state of the environment and to identify environmental issues applicable to Fairfax County. The public is also invited to attend any EQAC meeting and to submit correspondence for EQAC's consideration at any time. More information about the public hearings will be available online at [www.fairfaxcounty.gov/dpz/eqac/publichearings/](http://www.fairfaxcounty.gov/dpz/eqac/publichearings/).

## Tour the Innovative Stormwater Project at the Fairfax County Government Center Saturday, October 20, from 9:00 – 11:00 a.m.

The Fairfax County Stormwater Planning Division completed a project in April of this year that combined the hydraulic dredging of an existing pond with an upstream stream restoration. The dredged spoils were used to raise the stream bed elevation and reconnect the stream to the floodplain. Wetland Studies and Solutions, Inc. donated the dredging equipment and staff for the project. Two upstream detention basins were also retrofitted as part of the project. Guides from Stormwater Planning will lead the tour and answer questions.

For more information and to rsvp for the tour, please visit the Northern Virginia Soil and Water Conservation District online at [www.fairfaxcounty.gov/nvswcd](http://www.fairfaxcounty.gov/nvswcd) or call 703-324-1460. Tour rain date is October 27.

**Return this form to Membership Vice President at address shown below.**

**Please tell us who is submitting this form: and your email address:**

**Federation Membership Application/Renewal for Fiscal Year 2012-2013 (starts July 1, 2012)**  
 Print this form in landscape mode and submit by mailing with a check to address shown below.  
 You may also complete this form on line at [www.fairfaxfederation.org/memberappl.htm](http://www.fairfaxfederation.org/memberappl.htm)

<b>Association Name:</b>		<b>and address:</b>		<b>Date:</b>																				
<b>Position</b>	<b>Name</b>	<b>Address</b>	<b>Phone/FAX (XXX.XXX.XXXX)</b>	<b>E-mail see note #2</b>																				
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<b>Organization's web site:</b>		<b>Month new officers installed:</b>																						
1. Number of votes is based on association size. Dues are based on association size and number of mailed bulletins (see chart below): 2. Bulletin notices are distributed by e-mail at no cost. Mailed Bulletins are \$10 per subscription. Unless otherwise noted, email addresses provided above will be added to the Federation's email list for distribution of Federation notices 3. Membership dues are from July 1 to June 30 of the following year. Separate invoices may not be mailed. To determine whether your association's membership is current check with the Federation Treasurer at <a href="http://fedtreas2013(a)fairfaxfederation.org">fedtreas2013(a)fairfaxfederation.org</a> 4. Mail application form and check, payable to "Fairfax County Federation of Citizens Associations" or simply "FCFCA", to: <div style="border: 2px solid black; padding: 5px; margin: 5px 0;"> <p style="text-align: center;"><b>THE FEDERATION</b>                      Attention: Membership Vice President                      P.O. Box 3913                      Merrifield, VA 22116-3913</p> </div>																								
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: left;">Dues, Delegates, &amp; Bulletins</th> </tr> <tr> <th style="width: 25%;"># of Residences</th> <th style="width: 15%;">Dues</th> <th style="width: 20%;">Voting Delegates</th> <th style="width: 40%;">Bulletins</th> </tr> <tr> <td>Under 100</td> <td>\$20</td> <td>1</td> <td>+ \$10 per each mailed</td> </tr> <tr> <td>100-1000</td> <td>\$40</td> <td>2</td> <td>+ \$10 per each mailed</td> </tr> <tr> <td>Over 1000</td> <td>\$60</td> <td>3</td> <td>+ \$10 per each mailed</td> </tr> </table>			Dues, Delegates, & Bulletins				# of Residences	Dues	Voting Delegates	Bulletins	Under 100	\$20	1	+ \$10 per each mailed	100-1000	\$40	2	+ \$10 per each mailed	Over 1000	\$60	3	+ \$10 per each mailed
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**Future membership renewals:** 1. Submitter, 2. Association Address, 3. President, 4. Treasurer, 5. 1<sup>st</sup> Delegate, 6. 2<sup>nd</sup> Delegate, 7. 3<sup>rd</sup> Delegate, 8. 4<sup>th</sup> Delegate  
**District:** B. Braddock, D. Dranesville, H. Hunter Mill, L. Lee, M. Mason, MtV. Mount Vernon, P. Providence, Sp. Springfield, Su. Sully  
**Association type:** Civic, Coop, Condo, Homeowner  
**Association Size/Federation Dues:** For example: 90/\$20