

**McLean Community Center
Regular Meeting of the Governing Board
March 24, 2010**

Members Present: David Sanders, Chair
Kevin Dent, Vice Chair
Sean Dunn, Treasurer
Risa Sanders, Secretary
Susan Bourgeois
Lee DiCenso
Jennifer Dunn
Edward Shahin
Lori Wertz

Members Absent: Drew Clark
Angela Wertz

Staff Present: Julie Rasmussen, Executive Director
Clare Kiley, Deputy Director
George Sachs, Intergenerational Programs Director
Sarah Schallern, Performing Arts Director
Maggie Shea, Instructional Program Director
Peggy Moore, Special Events Assistant
Ellen Barial, Board Administrative Assistant

Guests Present: Jane Edmondson, Chief of Staff, Office of County Supervisor
John Foust (Dranesville)
Bobbi Bowman, editor, *The McLean Ear*
Karen DuVal, Vice-Chair, Board of the McLean Project for the Arts
David Fisher, Boy Scouts
Traci Fisher, Boy Scouts
Jennifer Levy, McLean Community Players
Nancy Perry, Executive Director, McLean Project for the Arts
Mike Scott, McLean Community Players

Board Chair David Sanders called the regular meeting of the McLean Community Center (the MCC) Governing Board to order at approximately 7:52 p.m., after the conclusion of the Public Hearing on Programs.

ADOPT AGENDA

Mr. Sanders indicated the Executive Committee report would be taken out of order to permit Mr. Dent to be present at that time. With that change in order, the agenda for the meeting was adopted unanimously.

CITIZEN COMMENT

Ms. Perry referred the Board to a written report of the McLean Project for the Arts (MPA). Among other items, Ms. Perry highlighted MPA's activities during the last month, including testimony before the Fairfax County Planning Commission in support of establishing a county-wide arts plan. She also discussed funding issues faced by MPA and its upcoming spring benefit.

Ms. Edmondson reported that earlier in the day, Supervisor Foust's Office had received snow maps for the Dranesville District from VDOT (the Virginia Department of Transportation). The maps show all streets in the District with information that would permit the establishment of District priorities for future snow removal.

APPROVE MINUTES

Copies of the minutes of the January and February meetings of the MCC Governing Board were distributed to board members. After review and discussion, minutes of the January meeting were adopted unanimously. The Board unanimously adopted technical corrections to the February minutes. The Board then adopted the February meeting minutes unanimously. Copies of the amended minutes of the December 2009 were also distributed.

CHAIRMAN'S REPORT (David Sanders, Chair)

Mr. Sanders reported on the negotiations with the Fairfax County Park Authority (FCPA) on the gym at the Spring Hill Recreation Center. He pointed out that the MCC has negotiated with the FCPA on the gym for about two years. There have been discussions among the MCC, the FCPA staff, and one member of the FCPA Board. The MCC has provided a draft MOU and several revisions over the past year and a half, but has still not received a revised MOU in writing from the FCPA. Mr. Sanders reported that he had been contacted by Kevin Fay (the Dranesville Representative on the FCPA Board), about two weeks before the meeting, to have informal discussions regarding the latest submission. They were unable to agree upon a date. Mr. Sanders went on to note that while the MCC has not completely closed the door on the Spring Hill project, the MCC's priorities lie with the possible downtown facility, which would likely lie where the current OFTC is located. Mr. Sanders noted that the Spring Hill gymnasium becomes less likely a prospect with each passing week.

Mr. Dunn pointed out that at the January meeting of the Governing Board, it was indicated that Mr. Dent had given Mr. Fay the latest version of the proposed MOU. Mr. Sanders added that the submission had been in December; there was no response from Mr. Fay at that time.

Mr. Sanders asked Ms. Edmondson to provide a brief report on the recent meeting of the McLean Planning Committee (MPC), which he had been unable to attend. Ms. Edmondson reported that there had been no specific discussion regarding the MCC at the meeting. There was some discussion about what appeared to be a miscommunication between the MPC and McLean Properties over who would submit the Comprehensive Plan change. McLean Properties clarified that it would not submit the plan, but would be willing to help craft

language for the plan. Ms. Edmondson also reported that both the MPC and McLean Properties recognize that the MCC is a major player in the downtown development process.

Mr. Sanders reported that he had received an email from the MPC asking him to participate in a meeting the next morning (March 25th) to discuss the downtown development. Ms. Edmondson indicated that the e-mail had not come to Supervisor Foust's office, although she would like to be kept informed.

EXECUTIVE DIRECTOR'S REPORT (Julie Rasmussen)

Ms. Rasmussen indicated that her full report was included in the board materials. In her oral report to the Board, Ms. Rasmussen highlighted the success of *Holes*, the Alden Theatre's Youth Production, which received rave reviews and drew large audiences. Ms. Rasmussen reported that the March 13th Storybook Festival had sold out. On the other hand, she noted that the Sunday Soiree had continued to have low attendance.

For upcoming events, Ms. Rasmussen noted that the 5th and 6th grade dance scheduled for March 26th had also sold out. She reminded board members about the Volunteer Awards on March 28th, and the Yu Wei Chinese Dance Performance rescheduled to April 9th.

Ms. Rasmussen also pointed out that Ms. Shea had successfully negotiated with The Writers Center to start having classes at the MCC beginning in the fall.

Ms. Rasmussen informed the Board about a request by McLean Youth Athletics, Inc. (MYA) to store a 32' x 8' x 8' trailer in the MCC's parking lot to hold sports equipment. The trailer had been stored at Longfellow School. Mr. Sanders recused himself from the discussion and any vote that may be taken, citing possible conflict of interest concerns because he is on the board of MYA. Board members discussed the matter, and supported the staff's decision to turn down the request. No vote was taken.

FINANCE COMMITTEE (Sean Dunn, Chair)

Mr. Dunn reported that the Committee reviewed a number of reports in its initial meeting on the 2012 fiscal year budget. The review included Fairfax County reports on MCC's budget versus expenditures for the current fiscal year, and revenue projections. Mr. Dunn asked to have the County budget report sent to all board members.

The Committee also reviewed MCC's spreadsheet showing the difference between its accounting for revenue and expenditures compared to the County reports. Committee members discussed the reason for the differences, which are due in part to differing timeframes for budget preparation and approvals.

Mr. Dunn noted that there has been a drop in revenue of about five percent. It was pointed out that MCC's current year budget was prepared in anticipation of the reduced revenues.

Mr. Dunn estimated that the Committee would begin its budget preparation schedule in the first half of April.

Mr. Sanders asked whether the County engaged in out-year revenue projections, beyond the one-year projections. Mr. Dunn noted that the County does have projected housing values. Ms. Edmondson indicated that she was sure the County does do some budget projections beyond one year, and would find out what was done.

In response to Mr. Dunn's request for an update, Ms. Rasmussen indicated that she would discuss hiring the comptroller in Executive Session, as it involved a personnel matter.

PROGRAM COMMITTEE(Lee DiCenso, Chair)

Mr. Sanders asked Ms. DiCenso to take up the Program Committee's motion out of order on the agenda. The Committee had recommended the following motion.

Motion: To accept the Rental Use Policy staff report, as presented to date.

Ms. DiCenso indicated that the Committee has been working with staff members on changes to the rental use policies, and had accepted the staff report on MCC's Rental Use Policy, as presented to date. The Board is not being asked to approve the specific staff recommendations, but to accept the staff report to date. Mr. Sanders stated that there was no need for a motion in that case.

Ms. Rasmussen pointed out that the proposed changes to the Rental Use Policy were intended to go into effect on July 1, so there was time for the Board to approve the recommendations at a later meeting. There would still be enough time to publicize the changes.

Mr. Sanders asked for descriptions of the changes recommended in the report. Ms. DiCenso pointed out that the Committee is trying to get the MCC's rental policy in line with competitors, and to get the OFTC's policies in line with the MCC's main facility.

Ms. DiCenso reported that there are also recommended changes to the lead time policies for making and accepting booking requests. The MCC staff has been asked to track lead time, and will follow up with the Committee at its April meeting. Ms. DiCenso indicated that the lead time changes are intended to permit better use of the MCC facilities by in-district residents.

No action was taken by the Board on the motion.

The Board was informed that the MCC staff can send board members two comp tickets for all but a few events. Ms. DiCenso asked that board members share the tickets with someone else if they cannot use them.

CAPITAL FACILITIES COMMITTEE (Kevin Dent, Chair)

There was no Capital Facilities Committee report since the Committee did not meet during March. Mr. Dent indicated that the Committee would meet in April.

Mr. Sanders revisited the issue of the Spring Hill gymnasium, noting that the FCPA had asked for another meeting on the Spring Hill gymnasium. Mr. Dunn stated that he wanted it on record that if Mr. Fay wanted to meet with the MCC, it should be at a public meeting with the full Capital Facilities Committee. Mr. Dunn also indicated he believed that the matter could be decided at that meeting.

Mr. Dent disagreed, but indicated that it was academic since Mr. Fay had not responded on the available meeting dates proposed by Mr. Dent. Mr. Sanders stated that if FCPA wants another meeting on their terms, he believed that the MCC should do it

Mr. Dunn reiterated that the matter should be resolved at a public meeting given the public interest in the decision.

COMMUNICATION AND MARKETING COMMITTEE (Drew Clark, Chair)

In the absence of Mr. Clark, Ms. Sanders gave an update on the MCC signage replacement project. She reported that the Committee had reviewed designs presented by John Forgy and Schum and Associates; however, Mr. Clark was not at the meeting and had not had an opportunity to see both sets of proposed designs. (Mr. Clark participated in the meeting telephonically on speakerphone.)

Mr. Clark asked members of the Committee to delay any recommendations to the Board. Ms. Sanders noted that committee members were not bowled over by either design. The Committee is trying to balance functionality and weather resistance with design. Ms. Sanders indicated that committee members wanted to get signage that is more sophisticated, more visible for easier reading at the Old Dominion/Dolley Madison intersection, and would provide better directions to the Ingleside location. She noted that there were a lot of variables to consider, and committee members decided to take more time to do that.

Ms. L. Wertz suggested that the Committee look at a third potential designer. It was indicated that the matter could be taken up at a meeting of the Committee.

ELECTIONS COMMITTEE (Risa Sanders, Chair)

Ms. Sanders reminded everyone that Friday (March 26th) was the deadline for candidate petitions. She noted that the Committee has completed its edits to the policies and procedures manual, and has worked very hard on instructions for youth candidates and voters given the changes in youth voting procedures.

LIAISON TO FRIENDS OF THE MCC (Ed Shahin Representative)

Mr. Shahin said that there was no Friend's report since he had been very ill, and unable to attend the last meeting of the Friends.

LIAISON TO SENIORS (Ed Shahin, Board Representative)

Mr. Shahin reported that the Management Advisory Committee of the Lewinsville Community Center had met earlier that day. Mr. Shahin noted that he is the secretary of the Advisory Committee.

Mr. Shahin reported that the Friends of the Lewinsville Community Center had a briefing regarding the new Department of Neighborhood and Community Services. There would be no cuts in funding. However, there would be a loss of between 50 to 75 employees due to the consolidation of the two previous departments, which would save over one million dollars.

In addition, Mr. Shahin reported on the senior's trip to hear a performance by the Virginia Chamber Orchestra. He also followed up on the MCC's display of 25 copies of the Lewinsville Program Guide, which he hoped would attract more participation by seniors.

EXECUTIVE COMMITTEE REPORT (David Sanders, Chair)

Mr. Sanders reported that a recommendation from the Executive Committee is being brought to the Board regarding the adoption of a Conflict of Interest Policy applicable to members of the MCC Governing Board. The policy was prepared by Mr. Dent. The Executive Committee reviewed and modified the policy. Copies of the modified policy were distributed to board members. Mr. Sanders reported that the Executive Committee recommends that the Board adopt the Conflict of Interest Policy.

Ms. DiCenso pointed out that she had sent board members copies of the Virginia Conflict of Interest Code, which is applicable to all government agencies. She also indicated that MCC should include a copy of the policy in its Board Books. She noted that the Code is to be given out to all newly elected or appointed members of a public body.

Ms. DiCenso stated that the Board should review and study the document. She pointed out that the Code states it would supersede all other conflict of interest policies for governmental bodies. Ms. DiCenso indicated that she has made an inquiry to the County Attorney regarding how the state code would affect the proposed policy. Ms. DiCenso recommended that the Board get that information before acting on the proposed policy.

Ms. Sanders stated that she did not see a problem with the MCC proceeding on both fronts. She noted that the state code provides a baseline; there is nothing to preclude the MCC from going beyond that baseline.

Mr. Sanders pointed out that there are a number of state conflict of interest or ethical policies, but the policy under consideration is a Board policy, in which the Board could agree to go

beyond the state code. He noted that should something rise to the level of a legal matter, then the state codes would apply. The proposed policy is intended as a policy as to how the Board conducts itself. Ms. DiCenso indicated the state code is intended to be a policy on how the Board should conduct itself. Mr. Sanders concurred that the state code was also intended for that purpose.

Ms. DiCenso went on the note that if there was a conflict between the state code and the proposed MCC policy, the state code would supersede. She stated that she would hate to have the Board adopt something that is put in use, and later becomes invalid.

Mr. Dent indicated that he had based the proposed policy on the Conflict of Interest Policy of the Virginia Commission for the Arts, which he believes is a state agency. Mr. Sanders asked if anyone knew whether the Commission is a state agency. Ms. Kiley stated that it was her understanding that the Commission is a state agency.

Mr. Dunn asked if the Reston Community Center had a conflict of interest policy. Ms. Sanders said that she did not know; but, could not see why it was a problem for the MCC to adopt a Conflict of Interest Policy. Mr. Dunn said that he did not see a problem in doing that, but wondered if the proposed policy is the one the MCC should adopt.

Mr. Dent noted that he believed that Mr. Dunn had added language to the proposed policy at the Executive Committee meeting; but, he did not see the language in the copy of the policy in the board materials. A copy of the policy as recommended by the Executive Committee, which included the additional, was distributed to board members.

Mr. Shahin stated that the MCC has gotten along without a Conflict of Interest Policy throughout the years it has operated. He went on to point out that board members are all adults, and should recognize when they have a conflict of interest and recuse themselves.

Mr. Sanders pointed to the example of McLean Youth Football wanting to use MCC's space. As a board member of McLean Youth Football, he believed it would have been inappropriate to weigh in with staff or other board members on the issue. He went on to note that to the extent that all board members could adhere to that kind of standard, it would be useful for current members as well as future board members.

There was additional in-depth discussion on whether the Board should adopt the proposed Conflict of Interest Policy. Board members expressed widely varying views on adoption of the proposed policy. Members of the public were also permitted to speak on the issue.

After indicating that he would like to know which other agencies have separate codes, Mr. Dunn made the following motion:

Motion: to table the motion, and that it be returned to the Executive Committee.

Decision: There were four votes in favor of the motion and five votes against the motion. The motion failed on a vote of 4-5.

Mr. Sanders called the question on the motion recommending adoption of the Conflict of Interest Policy. Ms. Sanders asked the Chair if a change could be made, adding one word of the proposed policy.

Ms. Sanders made the following motion:

Motion: to insert the word “directly” into proposed policy at Section 2.b, bullet point 3, so that the phrase reads “likely to directly affect them financially.”

Decision: There were six votes in favor of the motion and two votes against the motion. The motion carried on a vote of 6-2.

The Board then voted on the motion to accept the recommendation of the Executive Committee to adopt a Conflict of Interest Policy for the MCC Governing Board:

Motion: to adopt the Conflict of Interest Policy for the MCC Governing Board that was recommended by the Executive Committee (including the additional language that had been added at the Executive Committee meeting and by the motion just adopted by the Board).

Decision: There were five votes in favor of the motion and four votes against the motion. The motion carried on a vote of 5-4.

CONTINUING BUSINESS

Ms. Wertz asked why the staff was continuing to use the MCC’s old letterhead.

Mr. Dunn stated the minutes should be distributed electronically days ahead of the meeting.

Referring to an item from the Executive Director’s Report, Mr. Dunn asked whether there was any follow up regarding the reimbursement of the expenses related the OFTC roof. Ms. Rasmussen reported that the reimbursement had not yet been received.

NEW BUSINESS

Tickets to the MCC’s performances were distributed to the Board.

Ms. Rasmussen announced that she had submitted her resignation to the County, effective as of the end of June. Mr. Sanders indicated that the matter would be taken up in Executive Session following the public meeting.

PLAN DATES FOR FUTURE MEETINGS

Planning of future meetings was postponed.

ADJOURN

The regular meeting of the Board adjourned at approximately 9:25 p.m.

EXECUTIVE SESSION

On motion of Mr. Dunn, seconded by Ms. Sanders, the Board unanimously voted to go into Executive Session.

The Executive Session adjourned at approximately 10:45 p.m.

Respectfully submitted,

Risa E. Sanders
Secretary