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The meeting was called to order at 9:35 a.m. with all Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

Supervisor Hyland arrived at 4:30 p.m.

Others present were Anthony H. Griffin, Acting County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Barbara M. Jenkins, Assistant to the County Executive; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

(NOTE: Nancy Vehrs, Clerk to the Board, was absent from the entire meeting.)

2. **MOMENT OF SILENCE FOR THE LATE KARL H. VEHR'S, FATHER OF NANCY VEHR'S, CLERK TO THE BOARD** (Tape 1)

Chairman Hanley asked that the Board observe a moment of silence for the family of the late Karl H. Vehrs, a former County employee in the Department of Public Works, and father of Nancy Vehrs, Clerk to the Board.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO CHANNEL 16 FOR WINNING TWO CABLEACE FIRST PLACE AWARDS** (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and moved approval of the Certificates of Recognition presented to Channel 16 for winning two CableAce first place awards in public affairs for cable programming. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor Hyland not yet having arrived.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. CONNIE PETTINGER** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Connie Pettinger for 15 years of service as Executive Director of Reston Interfaith. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Hyland not yet having arrived.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO WEST SPRINGFIELD HIGH SCHOOL** (Tape 1)

Supervisor McConnell presented Certificates of Recognition to Dr. David Smith, Principal, and students of West Springfield High School for receiving several State and national awards for outstanding achievements during the 1996-1997 school year.

6. **CERTIFICATE OF CONGRATULATIONS TO MR. AND MRS. RODNEY LUSK** (Tape 1)

Chairman Hanley presented a Certificate of Congratulations to Mr. Rodney Lusk and Ms. Jacqueline Gray in recognition of their marriage on May 23, 1997. Mr. Lusk is on the staff of Providence District Supervisor Gerald E. Connolly.

7. **10:00 A.M. - PRESENTATION OF THE 1996 A. HEATH ONTHANK MEMORIAL AWARDS** (Tape 1)

Carol Kelly, Chairman, Civil Service Commission; Philip Rosenthal, Chairman, Onthank Memorial Award Selection Committee; Anthony H. Griffin, Acting County Executive; Robert R. Spillane, Superintendent, Fairfax County Public Schools; and Peter J. Schroth, Director, Office of Personnel, presented the 1996 A. Heath Onthank Memorial Awards given annually for accomplishments which advance and improve public service to County citizens.

The following General County and School Board employees received the Award:

- Russel Boothby, Housing/Community Developer, Department of Housing and Community Development (HCD);
- Robert P. Egan, Police Officer First Class, Police Department;
- Carroll Ann Ellis, Director, Victim/Witness Unit, Police Department;
- Renee Henningsen, Public Information Officer II, Fire and Rescue Department;
- Francis Hogan, Supervisor, Plant Operations, Area III Administrative Office, Public Schools;

- Fred K. Kramer, Director, Department of General Services;
- James M. Plutte, Director, Administrative and Operations Services, Department of Facilities Services, Public Schools;
- Elliott H. Rubino, Emergency Medical Services Captain, Fire and Rescue Department; and
- Phyliss R. Swart, Secretary II, Information Technology Infrastructure, Public Schools.

8. **10:15 A.M. - PRESENTATION BY THE TOWING ADVISORY BOARD ON POLICE DIRECTED TOWING SERVICES WITHIN FAIRFAX COUNTY** (Tape 1)

(BACs)

Patricia A. Moore, Chairman, Fairfax County Towing Advisory Board, presented the final report on police directed towing services within the County.

9. **ADMINISTRATIVE ITEMS** (Tapes 1-2)

Supervisor Connolly moved approval of the Administrative Items. This motion was seconded by Supervisor Bulova.

Supervisor Dix called the Board's attention to Administrative Item 12 - Supplemental Appropriation Resolution (SAR) AS 98002 for the Fairfax County Juvenile and Domestic Relations District Court Services to Accept Grant Funds from the Virginia Department of Criminal Justice Services to Develop and Implement the Maximize Attendance Program and Administrative Item 17 - Supplemental Appropriation Resolution (SAR) AS 98007 for the Department of Family Services Case Management for Elderly Virginians Grant and there was discussion of these two items, with input from Verdia L. Haywood, Deputy County Executive for Human Services, and Dana Paige, Acting Director, Department of Family Services.

The question was called on the motion which carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor McConnell, and Chairman Hanley voting "AYE", Supervisor Kauffman and Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, HUNTER MILL, MOUNT VERNON, PROVIDENCE, SPRINGFIELD AND SULLY DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated June 9, 1997, be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Zion Mews	Braddock	Esabella Court Zion Drive, Route 654, Additional right-of-way only
Monroe Manor, Section 2	Hunter Mill	Monroe Manor Drive, Route 8711 Camberwell Court Fox Woods Drive
Polo Fields, Section 2C	Hunter Mill	Hitchcock Drive Hitchcock Court Sunrise Valley Drive, Route 5320, Additional right-of-way only
Waterfront Road, Section 69, Reston	Hunter Mill	Waterfront Road Center Harbor Road, Route 7410, Additional right-of-way only
Overlook Pointe	Mount Vernon	Dutchman Drive Route 1, Service Drive
Ashlawn Hill	Providence	Stryker Avenue Vale Road, Route 672, Additional right-of-way only
South Run, Section 8	Springfield	Community Lane, Route 6486
Dulles Business Park, Phase 3	Sully	Centreview Drive, Route 7680 (4 lanes)

Fairwinds, Section 1	Sully	Helmont Drive (4 lanes) Saddle Crescent Circle Saddle Crest Lane Fox Mill Road, Route 665, Additional right-of-way only
Fairwinds, Section 2	Sully	Saddle Crescent Circle Saddlewood Court Saddle Crest Lane
Sully Station, Phase 2, Section 12	Sully	Deer Pond Road, Route 8028 Deer Pond Court

ADMIN 2 - EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITY REVIEW APPLICATIONS

Authorized the extension of the review period for the five Public Facility Review Applications listed in the Memorandum to the Board dated June 9, 1997, until December 9, 1997, to ensure compliance with the 60-day review requirement mandated by Section 15.1-456 of the *Code of Virginia*.

ADMIN 3 - DESIGNATION OF PLANS EXAMINERS STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Authorized the designation of the following individuals, identified with their registration numbers, and listed in the Memorandum to the Board dated June 9, 1997, as Plans Examiners:

- S. Patrick Caldwell (153); and
- Michael W. Yauss (152).

ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-D-053, M.S.S., INCORPORATED (DRANESVILLE DISTRICT)

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Amendment Application SEA 93-D-053 until October 30, 1997, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 94-D-025, KJS PARTNERSHIP (DRANESVILLE DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 94-D-025 until January 23, 2000, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 94-Y-023, POHANKA PROPERTIES, INCORPORATED (DRANESVILLE DISTRICT)

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 94-Y-023 until May 22, 1998, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 7 - DOWNING STREET CUT-THROUGH TRAFFIC (MASON DISTRICT)

- (R) Adopted a Resolution requesting the Virginia Department of Transportation (VDOT) to conduct a review and address possible solutions to the cut-through traffic concern on Downing Street (Route 903) and directed staff to provide the necessary documentation with the Resolution.

ADMIN 8 - ADDITION AND DISCONTINUANCE OF PORTIONS OF BRADDOCK ROAD (SULLY DISTRICT)

- (R) Adopted a Resolution requesting that the Commonwealth Transportation Board (CTB) add a new portion of Braddock Road (Route 620) to the State Secondary System and discontinue a disused portion of Braddock Road.

ADMIN 9 - AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES TO SUBMIT A RENEWAL GRANT APPLICATION FOR PROJECT DISCOVERY

Authorized the Department of Family Services to submit a renewal grant application in the amount of \$28,900 for the continuation of the Project Discovery Program for the period of July 1, 1997 through June 30, 1998. A local cash match of \$38,000 is required.

ADMIN 10 - GRANT TO METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) FOR TECHNICAL SERVICES - I-95 LANDFILL (MOUNT VERNON DISTRICT)

Authorized the Acting County Executive to sign the grant to the Metropolitan Washington Council of Governments (COG) for technical services at the I-95 Landfill.

ADMIN 11 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98001 FOR THE NEUTRAL CASE EVALUATION/ALTERNATIVE DISPUTE RESOLUTION GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98001 in the amount of \$40,426 to continue the Neutral Case Evaluation/Alternative Dispute Resolution grant.

ADMIN 12 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98002 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT SERVICES TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO DEVELOP AND IMPLEMENT THE MAXIMIZE ATTENDANCE PROGRAM

(SAR) (NOTE: Earlier in the meeting, there was discussion of this item. See page three.)

Approved Supplemental Appropriation Resolution (SAR) AS 98002 in the amount of \$74,473 for the Fairfax County Juvenile and Domestic Relations District Court Services to develop and implement the Maximize Attendance Program.

ADMIN 13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98003 FOR THE DEPARTMENT OF HEALTH TO ACCEPT FUNDS FROM THE NATIONAL ASSOCIATION OF COUNTIES TO SUPPORT THE RADON PUBLIC AWARENESS PROGRAM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98003 in the amount of \$5,000 for the Department of Health to continue the radon public awareness program.

ADMIN 14 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98004 FOR THE GENERAL DISTRICT COURT TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR FISCAL YEAR (FY) GRANT FUNDING UNDER THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT AND THE PRETRIAL SERVICES ACT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98004 in the amount of \$420,098 for Fiscal Year (FY) 1998 grant funding under the Comprehensive Community Corrections Act and the Pretrial Services Act.

ADMIN 15 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98005 FOR THE DEPARTMENT OF FAMILY SERVICES FISCAL YEAR (FY) 1998 TITLE V, SENIORS IN COMMUNITY SERVICES EMPLOYMENT PROGRAM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98005 in the amount of \$86,120 to appropriate federal funding for the Department of Family Services Fiscal Year (FY) 1998 Title V, Seniors in Community Services Employment Program.

ADMIN 16 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98006 FOR THE DEPARTMENT OF FAMILY SERVICES FISCAL YEAR (FY) 1998 JOB TRAINING PARTNERSHIP ACT/OLDER WORKER PROGRAM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98006 in the amount of \$33,000 to appropriate federal funding for the Department of Family Services Fiscal Year (FY) 1998 Job Training Partnership Act/Older Worker Program administered by the Fairfax Area Agency on Aging.

ADMIN 17 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98007 FOR THE DEPARTMENT OF FAMILY SERVICES CASE MANAGEMENT FOR ELDERLY VIRGINIANS GRANT

(SAR) (NOTE: Earlier in the meeting, there was discussion of this item. See page three.)

Approved Supplemental Appropriation Resolution (SAR) AS 98007 in the amount of \$438,517 to appropriate funds for the Department of Family Services Case Management for Elderly Virginians grant.

ADMIN 18 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97072 FOR THE DEPARTMENT OF FAMILY SERVICES JOB TRAINING PARTNERSHIP ACT, ONE STOP CAREER CENTER SYSTEM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97072 in the amount of \$20,000 to appropriate funds for the Department of Family Services Job Training Partnership Act, One Stop Career System.

ADMIN 19 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97073 FOR ACCEPTANCE OF UNITED STATES (US) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) CONTINUUM OF CARE HOMELESS ASSISTANCE FUNDS

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97073 in the amount of \$337,693 for a Fairfax-Falls Church Community Services Board (CSB) Supportive Housing Grant and a Fairfax County Department of Housing and Community Development (HCD) Shelter Plus Care Rental Assistance grant.

ADMIN 20 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE LEEHIGH VILLAGE CONSERVATION PLAN (SULLY DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **July 7, 1997 at 4:30 p.m.** on the Leehigh Village Conservation Plan.

ADMIN 21 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - FORT HUNT ROAD/BELLE HAVEN ROAD (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 7, 1997 at 4:00 p.m.** on the acquisition of interests in real property necessary for the construction of County Road Bond Project 064160 - Fort Hunt Road/Belle Haven Road.

ADMIN 22 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY LOCATED IN WOODSTREAM SUBDIVISION (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 7, 1997 at 3:30 p.m.** on the private sale of County-owned property located in Woodstream Subdivision, Tax Map Number 98-1 (a portion of abandoned right-of-way on Pohick Road), as shown on Attachment B contained in the Memorandum to the Board dated June 9, 1997.

ADMIN 23 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING TRUCK RENTAL ESTABLISHMENTS

- (A)
(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 9, 1997 and before the Board on **August 4, 1997 at 4:00 p.m.** on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning) regarding truck rental establishments.

ADMIN 24 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING LIMITATIONS ON MOBILE AND LAND BASED TELECOMMUNICATION FACILITIES

- (A)
(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 9, 1997 and before the Board on **August 4, 1997 at 4:00 p.m.** on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning) regarding limitations on mobile and land based telecommunication facilities.

ADMIN 25 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84.1 (PUBLIC TRANSPORTATION), SECTION 84.1-6-3(C), RATES, FARES, AND CHARGES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 7, 1997 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 84.1 (Public Transportation), Section 84.1-6-3(c), Rates, Fares and Charges to provide for a rate increase for metered fares.

ADMIN 26 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS) RELATING TO A REQUIREMENT FOR APPLICANTS FOR PERMITS TO CARRY CONCEALED HANDGUNS TO BE FINGERPRINTED (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 23, 1997 at 4:30 p.m.** on proposed amendment to the Code of the County of Fairfax, Chapter 6 (Weapons) relating to the addition of Article 5, Section 6-5-1, requiring applicants for permits to carry concealed handguns to be fingerprinted.

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10. **ORDERS OF THE DAY** (Tape 3)

Supervisor Kauffman asked unanimous consent that the following items be deferred until later in the meeting:

- Action Item A-8 - Parking Fees at Metrorail Stations in Fairfax County (Countywide);
- Consideration Item C-1 - Revitalization Policy Committee Composition (Countywide); and
- Information Item I-4 - Section 213 Reviews for Applications for Section Eight Rental Certificates under the Mainstream and Family Unification Programs.

Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on these items. See Clerk's Summary Items CL#110, CL#111, and CL#112.)

11. **A-1 - AUTHORIZATION TO PAY FAIRFAX COUNTY'S PORTION OF THE FISCAL YEAR (FY) 1997 WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) BUS PURCHASE (COUNTYWIDE)** (Tape 3)

Supervisor Connolly moved that the Board concur in the recommendation of staff and authorize the payment of \$586,905 to the Washington Metropolitan Area Transit Authority (WMATA) as Fairfax County's share of the Fiscal Year (FY) 1997 regional Metrobus purchase with the provision that \$415,971 of this payment is contingent upon WMATA's written agreement that buses purchased with Virginia's overpayment, as compared to its allocated share, will be assigned to Metrobus routes in Virginia. This motion was seconded by Supervisor Kauffman.

Following discussion, with input Shiva K. Pant, Director, Office of Transportation, Supervisor McConnell asked to amend the motion to agree to pay the overpayment on the basis of the agreement that the buses be assigned to routes in Virginia, and this was accepted.

Following further discussion, with input from Mr. Pant, Supervisor Frey moved a substitute motion to hold the money for purchase of buses for the privatization of the Centreville/Chantilly routes at the first convenience. Following additional discussion, this motion was withdrawn.

Supervisor Frey asked to amend the motion that Fairfax County fund at the same level as Maryland and the District of Columbia (DC).

After further discussion, Supervisor Frey's amendment to the motion was restated for clarification and accepted:

- Fairfax County will pay the equivalent share as the other jurisdictions;
- Hold the overage, not to be transferred, until the Metro Board agrees that the buses will be used in Virginia; and
- This information will be submitted to the Board for authorization to spend the money.

The question was then called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

Supervisor Dix asked unanimous consent that the legislative portion of this item, the statutory requirement of payment on Metro capital and Metro operating, be referred to the Legislative Committee for discussion to determine if such an initiative should be sought in Virginia. Without objection, it was so ordered.

12. **A-2 - RECOMMENDATIONS FOR THE VIRGINIA RAILWAY EXPRESS' (VRE) PROPOSED MULTI-YEAR RIDERSHIP INITIATIVES (BRADDOCK, LEE, MASON, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (Tape 3)

A question and answer period ensued among Board Members, with input from Shiva K. Pant, Director, Office of Transportation (OT), and Andrew J. Szakos, Chief, Transit Operations Division, OT, regarding:

- The comments as outlined in the Memorandum to the Board dated June 9, 1997 on the Virginia Railway Express' (VRE) multi-year strategic initiatives which have been proposed to restore VRE ridership growth; and
- Transmitting the comments to VRE.

Following discussion, this item was deferred until later in the meeting.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#108.)

13. **A-3 - DESIGNATION OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SUPPLEMENTAL REVENUE SHARING FUNDS FOR FISCAL YEAR (FY) 1997 (COUNTYWIDE)** (Tape 3)

- (R) Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, regarding the recommendation of staff to adopt the Resolution designating a maximum of \$50,000 in unused Fiscal Year (FY) 1997 Virginia Department of Transportation (VDOT) Revenue Sharing Program Funds and \$50,000 in matching Fairfax County funds to provide supplemental funding for the priority list of eight highway improvement projects previously adopted by Board Resolution on March 10, 1997, this item was deferred until later in the meeting.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#109.)

14. **A-4 - USE OF DULLES TOLL ROAD REVENUES FOR TRANSIT PURPOSES (COUNTYWIDE)** (Tape 3)

There was a discussion, with input from Shiva K. Pant, Director, Office of Transportation, regarding:

- The arrangement whereby the County uses \$426,250 of Dulles Toll Road (DTR) surplus revenues to purchase Reston Internal Bus System (RIBS) buses and Virginia Department of Rail and Public Transportation (VDRPT) uses the \$496,250 of federal funding for other capital purposes; and
- Action to seek commitments from VDRPT and the Commonwealth Transportation Board (CTB) to provide financial support for

existing and future bus service in the Dulles Corridor.

Supervisor Dix moved that the Board approve the language under recommendation Number One, page 89, of the Memorandum to the Board dated June 9, 1997. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Hyland not yet having arrived.

Supervisor Dix asked unanimous consent that the Board direct staff to ensure that this item is a stand alone item and not connect it to another issue. Without objection, it was so ordered.

(NOTE: Later in the meeting, further action was taken regarding this item. See Clerk's Summary Item CL#17.)

15. **A-5 - AMENDMENTS TO THE CLASSIFICATION AND COMPENSATION PLANS - FISCAL YEAR (FY) 98 PAY REGRADE STUDY** (Tape 3)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve amendments to the County's Classification and Compensation Plans necessary to adjust the pay grade assignment for nine job classes and adjust entry pay rate for six non-merit classes identified as follows:

<u>Class Title and Current Grade</u>	<u>Requested Grade</u>	<u>Recommended Grade</u>
Aircraft and Powerplant Technician I - S-16-2 (\$28,132 - \$41,471)	S-19-2 (\$30,767 - \$47,623)	S-19 (\$30,767 - \$47,623)
Aircraft and Powerplant Technician II - S-18-2 (\$30,834 - \$45,456)	S-20 (\$32,226 - \$49,880)	S-20 (\$32,226 - \$49,880)
Publications Assistant S-14 - (\$24,457 - \$37,854)	N/A	S-15 (\$26,628 - \$39,667)
Buyer I S-18 - (\$29,366 - \$45,456)	S-19 (\$30,767 - \$47,623)	N/C (S-18) (\$29,366 - \$45,456)
Buyer II S-21 - (\$33,809 - \$52,330)	S-23 (\$37,079 - \$57,388)	S-22 (\$35,384 - \$54,768)

Purchasing Supervisor S-24 - (\$38,948 - \$60,283)	S-25 (\$40,845 - \$63,220)	N/C (S-24) (\$38,948 - \$60,283)
Retirement Administrator S-26 - (\$42,742 - \$66,156)	S-29 (\$49,283 - \$76,280)	S-29 (\$49,283 - \$76,280)
Risk Analyst S-23 - (\$37,079 - \$57,388)	S-26 (\$42,742 - \$66,156)	S-26 (\$42,742 - \$66,156)
Senior Zoning Inspector S-17 - (\$28,083 - \$43,467)	S-18 (\$29,366 - \$45,456)	N/C (S-17) (\$28,083 - \$43,467)

<u>Class Title and Number of Positions (Current)</u>	<u>Current Grade (Hourly Pay Rate)</u>	<u>Recommended Grade (Hourly Pay Rate)</u>
*Work Training Aide - 38	T-01-1 - (\$4.98)	T-01-1 (\$5.20)
*Assistant Instructor - 77	V-01-1 - (\$4.83)	V-01-1 - (\$5.80)
*Facility Clerk/Receptionist - 11	Y-01-1 (\$4.97)	Y-02-1 - (\$5.20)
*Facility Cashier - 67	Y-01-1 - (\$4.97)	Y-02-1 - (\$5.20)
*Park Gate Attendant - 9	Y-01-1 - (\$4.97)	Y-02-1 - (\$5.20)
*Snack Bar Attendant - 90	Y-01-1 - (\$4.97)	Y-02-1 - (\$5.20)

*Limited term and temporary part-time positions (Status L and T).

Deletion of grade Y-01 and modifications to the T and V Pay Scales, as reflected in Attachment B, are recommended to eliminate all existing pay rates below the new minimum wage. Only six non-merit classes are impacted by these changes.

This motion was seconded by Supervisor Connolly.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, and Peter J. Schroth, Director, Office of Personnel, the question was called on the motion which carried by a vote of nine, Supervisor Hyland not yet having arrived.

16. **A-6 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - OCCUPATIONAL HEALTH AND SAFETY PROGRAM MANAGER** (Tape 3)

On motion of Supervisor Gross, seconded by Supervisor Connolly, and carried by a vote of nine, Supervisor Hyland not yet having arrived, the Board concurred in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans necessary to establish the class of Occupational Health and Safety Program Manager, grade S-28 (\$47,009 - \$72,761).

17. **A-4 - USE OF DULLES TOLL ROAD REVENUES FOR TRANSIT PURPOSES (COUNTYWIDE)** (Tapes 3-4)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#14.)

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Dix moved that the Board direct staff to:

- Work with the Virginia Department of Rail and Public Transportation (VDRPT), Virginia Department of Transportation (VDOT), and the Commonwealth Transportation Board (CTB) to examine opportunities to fund additional support for bus service in the corridor; or
- Examine the possibility of eliminating the tolls earlier than what presently exists in legislation if surpluses exist.

This motion was seconded by Supervisor Mendelsohn.

Following further discussion, the question was called on the motion which carried by a vote of nine, Supervisor Hyland not yet having arrived.

18. **A-7 - SCHOOL BOND REFERENDUM** (Tape 4)

Bonds

(R) Supervisor Bulova moved that the Board:

- Concur in the recommendation of staff and authorize the referendum for Schools totaling \$232,850,000; and
- Adopt the Resolution requesting the Circuit Court to order an election on November 4, 1997 on the School Bond Referendum.

This motion was seconded by Supervisor Connolly.

Following discussion, the question was called on the motion which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland not yet having arrived.

Following further discussion, with input from Gary Reese, Facilities Chairman, School Board, Supervisor Dix moved that the Board authorize the Acting County Executive to work with the School System staff to examine the issues related to the McNair Farms Elementary School and determine whether there are options relative to cash flow over the next couple of years that might accommodate the retention of that facility in the School's Capital Improvement Program (CIP) to accommodate the time line that was originally anticipated opening in School Year 1999-2000 and report its findings. This motion was seconded by Supervisor Mendelsohn.

Following discussion, with input from Mr. Reese, Supervisor Kauffman asked to amend the motion to also request information on how this issue applies to the Island Creek site in the Kingstowne area, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

19. **A-8 - PARKING FEES AT METRORAIL STATIONS IN FAIRFAX COUNTY (COUNTYWIDE)** (No Tape)

(NOTE: Earlier in the meeting, this item was deferred until later in the day. See Clerk's Summary Item CL#10.)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#110.)

20. **C-1 - REVITALIZATION POLICY COMMITTEE COMPOSITION (COUNTYWIDE)** (No Tape)

(NOTE: Earlier in the meeting, this item was deferred until later in the day. See Clerk's Summary Item CL#10.)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#111.)

21. **C-2 - RECOMMENDATION FOR THE MANAGEMENT OF DEER IN FAIRFAX COUNTY** (Tapes 4-5)

The Board next considered an item contained in the Memorandum to the Board dated June 9, 1997 presenting the staff recommendation for the management of deer in Fairfax County.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, there was a video presentation narrated by David R. Flagler, Director, Department of

Animal Control.

Supervisor Mendelsohn moved that the Board direct staff to:

- Implement a pilot Deer Management Program in the Dranesville District at a cost not to exceed \$65,000;
- Conduct ongoing technical population studies;
- Establish a Deer Management Task Force; and
- Bring future proposals beyond the pilot study to the Board for additional approval.

This motion was seconded by Supervisor Kauffman.

There was a lengthy discussion regarding this item, with input from Mr. Flagler.

Following further discussion, David P. Bobzien, County Attorney, clarified for the record that there is a Constitutional requirement regarding expenditures over \$500 which requires a majority vote of the governing body or six Members of the Board.

The question was then called on the motion which, because of the Constitutional requirement of a majority of six votes, **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Dix, Supervisor Frey, and Supervisor McConnell voting "NAY," Supervisor Hyland not yet having arrived.

22. **C-3 - CONSIDERATION OF A CHANGE TO THE BYLAWS OF THE HUMAN SERVICES COUNCIL** (Tape 5)

(BACs)

The Board next considered an item contained in the Memorandum to the Board dated June 9, 1997 regarding consideration of a change to the Bylaws of the Human Services Council regarding the provision that an appointee cannot serve more than two consecutive four year terms.

Following discussion, Supervisor Connolly moved adoption of the recommendation from the Human Services Council, as shown in the attachment to the Memorandum to the Board. This motion was seconded by Supervisor Bulova.

Following further discussion, the question was called on the motion which **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY," Supervisor Hyland not yet having arrived.

23. **C-4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR AN OPEN-SPACE LAND USE ASSESSMENT PROGRAM** (Tape 5)

(A) The Board next considered an item contained in the Memorandum to the Board dated

June 9, 1997 requesting authorization for staff to advertise a public hearing to be held before the Board on **June 23, 1997 at 4:00 p.m.** for an Open-Space Land Use Assessment Program to help provide incentive to property owners to use their private land as public ball fields.

Following discussion, Supervisor Frey moved that the Board direct staff to:

- Review ways to limit the revenue loss impact to property owners who make their land available for use as ball fields; and
- Work with the Legislative Committee to determine ways to amend the *Code of Virginia* in regards to restricting open space use.

This motion was seconded by Supervisor Dix.

Supervisor McConnell asked unanimous consent that the Board direct staff to also review how many fields are currently lighted and the possibility of legislation requiring that all fields be lighted. Without objection, it was so ordered.

The question was then called on the motion which carried by a vote of nine, Supervisor Hyland not yet having arrived.

24. **I-1 - GOVERNMENT FINANCE OFFICERS ASSOCIATION CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING TO FAIRFAX COUNTY, VIRGINIA** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated June 9, 1997 announcing that the Government Finance Officers Association of the United States and Canada (GFOA) has awarded Fairfax County, Virginia the GFOA's Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report (CAFR).

Chairman Hanley congratulated Susan S. Planchon, Director, Office of Finance, on receiving this award.

25. **I-2 - RETIREMENT SYSTEMS CONTRIBUTION RATES FOR FISCAL YEAR (FY) 1998** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated June 9, 1997 requesting authorization for staff to proceed to implement the retirement contribution rates recommendations for Fiscal Year (FY) 1998 for the three County Retirement Systems as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

26. **I-3 - THE COMMUNITY IMPROVEMENT PROGRAM STATUS** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated

June 9, 1997 presenting the Community Improvement Program status.

27. **I-4 - SECTION 213 REVIEWS FOR APPLICATIONS FOR SECTION EIGHT RENTAL CERTIFICATES UNDER THE MAINSTREAM AND FAMILY UNIFICATION PROGRAMS** (No Tape)

(NOTE: Earlier in the meeting, this item was deferred until later in the day. See Clerk's Summary Item CL#10.)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#112.)

BOARD MATTER

28. **LATE ARRIVAL OF MOUNT VERNON DISTRICT SUPERVISOR GERALD HYLAND** (Tape 5)

Chairman Hanley announced that Supervisor Hyland called to say that his flight was held over in Cleveland, Ohio and he would arrive at the Board meeting by 4:30 p.m.

29. **I-5 - USE OF COUNTY ROAD BOND FUNDS FOR THE DESIGN OF STORMWATER MANAGEMENT FACILITIES ASSOCIATED WITH THE CONSTRUCTION OF THE SOUTH VAN DORN III ROAD PROJECT (LEE DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated June 9, 1997 requesting authorization for staff to use road bond funds to design the stormwater management improvements required by the United States (US) Army Corps of Engineers permit for South Van Dorn III.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, and Richard J. Gozikowski, Acting Director, Department of Public Works, staff was directed administratively to proceed as proposed.

30. **I-6 - CONTRACT AMENDMENT FOR PROFESSIONAL SERVICES WITH VIRGINIA POLYTECHNIC INSTITUTE (VPI) AND STATE UNIVERSITY TO SUPPORT HUMAN SERVICES REVENUE MAXIMIZATION EFFORTS** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated June 9, 1997 requesting authorization for staff to work with the Virginia Polytechnic Institute

and State University (VPI&SU) to continue professional consultant services in operating the Federal Reimbursement Unit in Fiscal Year (FY) 1998, in an amount not to exceed \$486,580.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

31. **RESIGNATION OF JOANNE RICCIARDIELLO, LEAGUE OF WOMEN VOTERS REPRESENTATIVE, THE OVERSIGHT COMMITTEE ON DRINKING AND DRIVING AND THE AT-LARGE REPRESENTATIVE ON THE ALCOHOL SAFETY ACTION PROGRAM (ASAP) LOCAL POLICY BOARD** (Tape 5)

(BACs)

Chairman Hanley stated that she and Supervisor Mendelsohn shared a Board Matter regarding the resignation of Joanne Ricciardiello, League of Women Voters Representative, The Oversight Committee on Drinking and Driving and the At-Large Representative on the Alcohol Safety Action Program (ASAP) Local Policy Board.

Chairman Hanley relinquished the Chair to Acting-Chairman Kauffman and moved that the Board direct staff to send a Certificate of Appreciation to Ms. Ricciardiello for her many years of service to the citizens of Fairfax County recognizing her efforts to promote the health and safety of the community. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Hyland not yet having arrived.

32. **VERA MELLEN, EXECUTIVE DIRECTOR AND FOUNDER OF PSYCHIATRIC REHABILITATION SERVICES AWARDED THE JOHN B. BEARD AWARD FROM THE INTERNATIONAL ASSOCIATION OF PSYCHOSOCIAL REHABILITATION SERVICES (IAPSRs)** (Tape 5)

Chairman Hanley announced that she and Supervisor Dix shared a Board Matter regarding Vera Mellen, Executive Director and Founder of Psychiatric Rehabilitation Services, who has been awarded the John B. Beard Award from the International Association of Psychosocial Rehabilitation Services (IAPSRs). The award is presented to an individual who has made the most outstanding contributions to the field of psychosocial rehabilitation.

Chairman Hanley stated that Ms. Mellen was nominated as the Founder and Executive Director of Psychiatric Rehabilitation Services, and for her 34 years as a pioneer and visionary leader in services to people with serious illness. *Washingtonian Magazine* recognized Ms. Mellen, a distinguished professional, as 1978 *Washingtonian* of the Year and, under Ms. Mellen's direction, IAPSRs was awarded the In My Back Yard (IMBY) Award by the Fairfax-Falls Church United Way. Ms. Mellen will receive her award at the IAPSRs annual conference in Vancouver, British Columbia, Canada on Wednesday, June 11, 1997.

Chairman Hanley asked unanimous consent that the Board direct staff to forward a Certificate of Recognition to Ms. Mellen on receiving this outstanding award.

Supervisor Dix asked to amend the request to direct staff to invite Ms. Mellen to appear before the Board to receive recognition for receiving this award, and this was accepted.

Without objection, the request as amended, was so ordered.

33. **NATIONAL ASSOCIATION OF COUNTIES (NACo) ALERT REGARDING A POSSIBLE REDUCTION IN FUNDING** (Tape 5)

Chairman Hanley announced that the National Association of Counties (NACo) has alerted local governments to a possible reduction in funding for Community Development Block Grant (CDBG) and HOME Investment Partnership Programs in Fiscal Year (FY) 1998. She referred to a draft letter urging Congress to support no less than the current levels of funding for CDBG and HOME programs for FY 1998.

Chairman Hanley moved that the Board forward the letter to the Northern Virginia Congressional delegation. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova being out of the room, Supervisor Hyland not yet having arrived.

34. **RESOLUTION FROM THE FAIRFAX COUNTY FEDERATION OF CITIZENS ASSOCIATIONS REGARDING THE BOARD OF ZONING APPEALS' (BZA) AUTHORITY TO GRANT SPECIAL USE PERMITS** (Tape 5)

Chairman Hanley announced that she was entering into the record a resolution from the Federation of Citizens Associations regarding the Board of Zoning Appeals' (BZA) authority to grant Special Use Permits.

35. **CARRYING OF DANGEROUS WEAPONS IN CERTAIN COUNTY FACILITIES** (Tape 5)

Chairman Hanley stated that Board Members should have received a copy of the Attorney General's formal opinion regarding Fairfax County's authority to restrict the carrying of dangerous weapons in certain County facilities from Delegate John H. Rust. In a letter addressed to Delegate Rust, the Attorney General stated that it is his opinion that Fairfax County may adopt an Ordinance or regulation prohibiting a person from possessing a dangerous weapon, other than a firearm or gun, in a local facility or police station, and that Fairfax County may adopt a regulation, but not an Ordinance, prohibiting anyone from entering a facility or police station while in possession of any weapon, including a firearm.

Chairman Hanley moved that the Board direct staff to prepare a recommendation for implementing a Countywide Policy regarding the possession of dangerous weapons in all Fairfax County facilities, including police stations, for the Board's consideration at its June 23, 1997 meeting. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Bulova being out of the room, Supervisor Hyland not yet having arrived.

Acting-Chairman Kauffman returned the gavel to Chairman Hanley.

36. **APPOINTMENTS TO THE MCLEAN COMMUNITY CENTER GOVERNING BOARD** (Tape 5)

(APPTS)

Supervisor Mendelsohn moved the appointment of the following individuals to the McLean Community Center Governing Board:

Student Representatives:

- Ms. Cathyann Hogan, Langley Area and
- Ms. Alexandra Vargo, McLean Area.

Adult Representatives:

- Mr. William (Bill) Byrnes,
- Ms. Evelyn Fox, and
- Ms. Patricia (Perri) Green.

This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland not yet having arrived.

37. **BOARD'S OWN MOTION ON PROFFERED CONDITION AMENDMENT (PCA) AND FINAL DEVELOPMENT PLAN AMENDMENT (FDPA) FOR LAND BAY FIVE OF THE DULLES GREENS DEVELOPMENT** (Tape 5)

- (A) Supervisor Mendelsohn moved that the Board initiate a Board's Own Motion for a Proffered Condition Amendment (PCA) and Final Development Plan Amendment (FDPA) for Land Bay Five of the Dulles Greens Development so as to permit the establishment of interim athletic fields until such time as a transit facility is to be developed, which a Proffered Condition Amendment may also modify the relevant proffers as may be necessary to permit interim athletic field use on the future transit facility site.

Supervisor Mendelsohn further moved that this action be scheduled for public hearing as expeditiously as possible and that concurrent Site Plan processing be approved. This motion should not be construed as a favorable recommendation on the proffered condition and final development plan applications by the Board and does not relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations or adopted standards. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland not yet having arrived.

38. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 97-D-020 (BELL ATLANTIC CORPORATION, FORMERLY KNOWN AS CHESAPEAKE AND POTOMAC TELEPHONE COMPANY OF VIRGINIA) (DRANESVILLE DISTRICT)** (Tape 5)

Supervisor Mendelsohn announced his intent, at the appropriate time later in the meeting, to defer the public hearing on Special Exception Application SE 97-D-020 until **June 23, 1997 at 4:00 p.m.**

(NOTE: Later in the meeting, this item was formally deferred. See Clerk's Summary Item CL#83.)

39. **TOWN MEETING SCHEDULED ON PLANS FOR DOWNTOWN MCLEAN** (Tape 5)

Supervisor Mendelsohn announced that he will host a McLean Town meeting on June 18, 1997 in the Alden Theater, McLean Community Center at 7:30 p.m. to give the community an opportunity to hear and react to the County-commissioned consultant's recommendations for the improvement of downtown McLean.

40. **REQUEST FOR RECOGNITION OF THOMAS L. HUTCHINS, CITIZEN OF FAIRFAX COUNTY REPRESENTATIVE TO THE BOARD OF EQUALIZATION (BOE)** (Tape 5)

(BACs)

Supervisor Dix announced that he has accepted the resignation of Thomas L. Hutchins, Citizen of Fairfax County Representative, Board of Equalization (BOE) effective June 6, 1997. Mr. Hutchins was first appointed to the BOE in 1988 by his predecessor and has served the citizens of Fairfax County with distinction since that time.

Supervisor Dix moved that the Board direct staff to invite Mr. Hutchins to appear before the Board to be recognized for his continuous years of dedicated public service, and to wish him well in all his future endeavors. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

41. **CONCURRENT PROCESSING OF THE PRELIMINARY AND FINAL SITE PLANS FOR KINDERCARE LEARNING CENTERS ON SECTION 83, BLOCK 4, RESTON** (Tape 5)

Supervisor Dix stated that the Planning Commission recently approved a Reston Town Center Concept Plan (CP 86-C-121-7) submitted by KinderCare Learning Centers to construct a day care facility for 180 children. During the Concept Plan review, the applicant

worked closely with the Office of Comprehensive Planning (OCP), the Office of Transportation, the Virginia Department of Transportation (VDOT) and his office to coordinate their plans with those of the adjacent contract purchasers and the developer of multi-family residences across Old Reston Avenue from this property, and agreed to a deferral of the Planning Commission action on their Plan while there is an attempt to assure coordination of transportation issues on Old Reston Avenue.

Because the majority of the Site Plan issues have been already identified and resolved, Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to concurrently process the Preliminary and Final Site Plans for KinderCare Learning Centers on Section 83, Block 14, Reston. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

42. **REQUEST FOR RECOGNITION OF JAMES C. CLEVELAND, RETIRED FROM HIS CONSULTING POSITION WITH WESTERRA VIRGINIA COMMUNITIES** (Tape 5)

Supervisor Dix stated that long time Restonian, James C. Cleveland, retired from his consulting position with Westerra Virginia Communities. Mr. Cleveland is best known for having been President of Mobil Land Development Corporation, Virginia Region, and each of Mobil Land's operating subsidiaries, one of which was Reston Land Corporation.

In view of Mr. Cleveland's contributions to the development of Reston since its inception, as well as his continued interest in, and commitment to community Service, Supervisor Dix moved that the Board direct staff to prepare a Certificate of Appreciation to be signed by both Chairman Hanley and himself, which would be presented to him at his farewell reception on June 17, 1997. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Chairman Hanley being out of the room, Supervisor Hyland not yet having arrived.

PMH:pmh

43. **1996 ANNUAL REPORT OF THE POLICE DEPARTMENT'S AUXILIARY UNIT** (Tape 6)

Supervisor Gross stated that she had recently had the pleasure of reading the 1996 Annual Report of the Police Department's Auxiliary Unit. She noted that in 1996, Auxiliary Officers performed an incredible 31,559 hours of service - the highest in the 13 year existence of the unit. Last year, 84 volunteers each contributed an average of 353 hours.

She added that there is a very visible benefit in Mason District, with Auxiliary Officers on patrol, working the station, and providing invaluable assistance at community events. The financial savings to the County is estimated at well over a half a million dollars.

Supervisor Gross moved that the Board direct staff to invite Police Chief, M. Douglas Scott, Auxiliary Police Coordinator, Fred Sanborn, and other appropriate individuals to be recognized before the Board at a date convenient to the officers. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Hyland not yet having arrived.

44. **THE 13TH ANNUAL "NATIONAL NIGHT OUT"** (Tape 6)

Supervisor Gross announced that the 13th annual "National Night Out" will be held this year on Tuesday, August 5, 1997. Sponsored by the National Town Watch Association, this event has been very popular and a great success in Fairfax County. It is a night for neighborhoods to get together and show that they care about their communities, and maintaining Fairfax County as a very safe place to live.

Supervisor Gross moved that the Board:

- Proclaim August 5, 1997 as "**National Night Out**" in Fairfax County; and
- Direct staff to invite representatives from the Fairfax County Neighborhood Watch Program to be recognized before the Board on July 21, 1997.

This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Hyland not yet having arrived.

45. **MASON DISTRICT TOWN MEETING** (Tape 6)

Supervisor Gross announced that she will be hosting a Town meeting on Tuesday, June 24, 1997 at 7:00 p.m., at the Annandale Firehouse, located at 7128 Columbia Pike in downtown Annandale. The theme of this meeting is "Doing Business in Mason District."

46. **ANNANDALE HIGH SCHOOL BOYS LACROSSE TEAM WINS VIRGINIA NORTHERN REGION CHAMPIONSHIP** (Tape 6)

Supervisor Gross announced that the Annandale High School Boys Lacrosse Team won the Virginia Northern Region Championship, running their record to a perfect 17-0.

Supervisor Gross expressed congratulations to Principal Don Clausen, Coach Bob Leibowitz, the entire team and their parents. She moved that the Board direct staff to send a Certificate to Annandale High School in recognition of the boys lacrosse team's remarkable season. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

47. **PROPOSED ESTABLISHMENT OF THE FRANCONIA/SPRINGFIELD RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)** (Tape 6)

- (A) Supervisor Kauffman said that the residents of Barry Road have submitted a petition to establish a Residential Permit Parking District (RPPD) adjacent to the Joe Alexander Transportation Center [Virginia Railway Express (VRE) and Franconia/Springfield Metro Station].

Supervisor Kauffman moved that the Board waive the fees associated with the establishment of the Franconia/Springfield RPPD. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

Supervisor Kauffman moved that Board authorize the advertisement of a public hearing to be held before the Board on **July 7, 1997 at 3:30 p.m.** regarding the establishment of the Franconia/Springfield RPPD. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

48. **AMENDMENT TO SPECIAL PERMIT APPLICATION SP 81** (Tape 6)

Supervisor Kauffman said that on May 19, 1997 he introduced a Board Matter to make a change to Special Permit Application SP 81 and the motion passed unanimously. He noted that there are certain technicalities that need correction.

Supervisor Kauffman explained that on October 2, 1972 the Board approved Special Permit Application SP 81 for a 95 foot high motel in the then CD District, now C-6 District. This motel has been built and is currently operating as the Holiday Inn Express at 6401 Brandon Avenue, Springfield. At the time the Board approved the Special Permit, it imposed a development condition that stated: "The approval is granted to the applicant only and is not transferable without further action of the Board." The applicant at the time was Edwin Lynch, Trustee for Vernon M. Lynch Sons, Westlyn Limited Partnership, of which Edwin Lynch is a limited partner, transferred title to the motel on May 21, 1997 to Springfield Hospitality, LLC.

Therefore, Supervisor Kauffman moved that the Board authorize staff to change the name of the permittee for Special Permit Application SP 81 to Springfield Hospitality, LLC effective May 21, 1997. The condition that the permit is not transferable without further action of the Board is hereby satisfied. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

49. **RECYCLE BIDDING** (Tape 6)

Supervisor Kauffman referred to a recent article in the *Fairfax Journal* regarding recycle bidding and Fairfax County taking over recycling collection in the County. He asked unanimous consent that the Board direct staff to report on this issue. Without objection, it was so ordered.

50. **SUCCESSFUL FAIRFAX FAIR** (Tape 6)

Supervisor Connolly noted that this year's Fairfax Fair was very successful and he expressed his appreciation to all those who worked to make it successful.

51. **"BASKETS FULL OF BLESSINGS" BENEFITS EDUCATIONAL FUND OF SECOND BAPTIST CHURCH** (Tape 6)

Supervisor Connolly stated that last Saturday he had the privilege of participating in a most impressive community effort on behalf of the young people of one Providence District Community and he wanted to share the experience with other Board Members.

Supervisor Connolly said that the Second Baptist Church in the James Lee neighborhood of the Providence District held an auction entitled "Baskets of Blessings" and the proceeds will help with expenses for their graduating seniors entering college and those already in school. Over 30 baskets were auctioned, filled with items donated from an extraordinary list of businesses which are listed in the program that he distributed to Board Members.

Supervisor Connolly stated that he was the auctioneer of the highest grossing item of the afternoon, a sports basket filled with tickets to major events in the Washington area; the Redskins, Bullets, the Orioles, the Capitols and the Legg Mason Tennis Classic. After lively bidding which went over twice the cash value of the basket, one of the church deacons, Mr. Morrell C. Gaines, Jr., won the sports basket for a generous price of \$1,000.

Supervisor Connolly further stated to make his contribution truly a "blessing", Mr. Gaines then informed the group that he was giving the tickets to the young people of the church so they could enjoy the sporting events themselves. Because of Mr. Morrell, the many generous bidders that day, a very hard-working committee and a generous business community, Second Baptist Church will be able to assist its young people in getting the education they work so hard for.

Supervisor Connolly expressed his appreciation to the Chair of this wonderful benefit, Cheryl Barry-Gaines, Reverend James Browns, and the entire committee for their remarkable work and their hospitality. "Baskets Full of Blessings" was a model of businesses and communities coming together for the good of the youth and it was an honor to be a part of it.

52. **FIRST NETWORKING EVENT OF THE PROVIDENCE DISTRICT FAITH IN ACTION COALITION** (Tape 6)

Supervisor Connolly said that on May 22, 1997 at the Korean Central Presbyterian Church the first networking event of the Providence District Faith in Action Coalition was held. Representatives of over 20 churches, synagogues and non-profit organizations came together for a morning of lively exchange of ideas and experiences and some very valuable connections have already come out of the session and have benefited residents in need.

Supervisor Connolly expressed his appreciation to Bob Rosenberger of Our Daily Bread for chairing the steering committee which organized this event; Marilyn Bursch, Department of Family Services, for her competent and cheerful assistance; Dana Paige, Acting Director, Department of Family Services, for participating in this lively exchange of information about all the important and varied services being offered to those in need by Our Faith Community; and Pastor James Lee and the Korean Central Presbyterian Church for their hospitality. Supervisor Connolly said that there will be a follow-up fall meeting focusing on some of the areas of interest identified in May and he would keep the Board informed.

53. **REQUEST TO RECOGNIZE JOHN SALAMA WINNER OF THE NATIONAL BASKETBALL ASSOCIATION'S (NBA) 1996-1997 STUDENT ATHLETE AWARD** (Tape 6)

Supervisor Connolly announced that John Salama, a senior at Marshall High School and a resident of the Providence District, was one of two students in the nation to receive the National Basketball Association (NBA) 1996-97 Student Athlete Sportsmanship Award. The recipient of the award is selected each year from male and female athletes from 21,000 high schools in the United States and Canada.

Supervisor Connolly stated that Mr. Salama has been a member of Marshall High School's varsity basketball squad for the last two years and maintains a 3.9 grade point average. He is district vice-president of the Distributive Education Clubs of America (DECA), vice-president of the school's Future Business Leaders of America (FBLA) and an active member of Marshall's Student Advisory Council. Supervisor Connolly further stated that in 1996 Mr. Salama was selected to represent his high school at Boys' State and is currently a political science intern at the American Academy of Diplomacy in Washington, DC.

Therefore, Supervisor Connolly moved that the Board direct staff to invite Mr. Salama to appear before the Board at its July 7, 1997 meeting to be recognized for this accomplishment. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

54. **REQUEST TO RECOGNIZE TWO W. T. WOODSON HIGH SCHOOL GIRLS VARSITY TEAMS** (Tape 6)

Supervisor Connolly referred to the success of the W.T. Woodson High School Girls Varsity teams and stated that he would defer this item until later in the meeting.

(NOTE: Later in the meeting, this item was discussed. See Clerk's Summary Item CL#60.)

55. **GRIDLOCK CAUSED BY VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) MAINTENANCE PROJECTS IN TYSONS CORNER** (Tape 6)

Supervisor Connolly noted that Tysons Corner is located almost wholly in the Providence District, is the third largest office and retail market on the East Coast and the 15th largest in the Nation. Needless to say, commuting in and out of the hundreds of businesses in Tysons Corner is a daily challenge for the workforce. Working with the Virginia Department of Transportation (VDOT), the Fairfax County Office of Transportation and organizations like Tysons Transportation Association Incorporated (TYTRAN), the County is continually working to improve the ease of access to this vital economic core.

Supervisor Connolly further stated that last week morning commuters along Greensboro Drive found themselves in gridlock just before 8:00 a.m. due to VDOT maintenance work which allowed only one lane to travel. He said that he received calls from business people who said it took 30 minutes to travel a short stretch of road which normally takes a minute or two. Like much of VDOT's maintenance work, the project involved was being done by a contractor whose agreement specified work would not begin before 9:00 a.m. and would end by 3:00 p.m. These hours are set forth by VDOT policy for any work which is being conducted on interstates or primary roads.

Supervisor Connolly said that he has discovered that VDOT has many such projects scheduled throughout Tysons Corner this summer. He expressed appreciation to VDOT for their efforts to keep the streets of commercial centers in good condition, as well as their need to expedite the signal synchronization project there. However, to avoid a summer-long repetition of the kind of gridlock, loss of work hours and productivity, and general frustration for business people and commuters who keep the economy of Fairfax County thriving, it is appropriate for the Board to communicate with VDOT on this issue.

Therefore, Supervisor Connolly moved that the Board direct the Office of Transportation to draft a letter for Chairman Hanley's signature which states the Board's position on the importance of adhering to the "9:00 a.m. until 3:00 p.m. rule", not only on interstates and primaries, but in major commercial centers like Tysons Corner, and requests that VDOT supervisors insist on adherence to such a policy with its own crews and their contractors, as this summer maintenance work begins. This motion was seconded by Chairman Hanley.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked to amend the motion to indicate that work not be done during rush hour, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

56. **POLICY TO REQUIRE ALL SITES DISPLAYED AS LINKS ON FAIRFAX COUNTY HOMEPAGE TO HAVE RETURN PATH** (Tape 6)

- (P) Supervisor Connolly pointed out that the Fairfax County Homepage is fast becoming a popular site for residents to visit on the Internet. One recent addition is the appearance of a list of links that visitors exploring the page can jump to as they get to know the County. The list includes neighboring jurisdictions and organizations.

Supervisor Connolly said that recently a number of constituents have expressed a concern that when they have tried to visit some of the sites which are listed, they are unable to jump back to the County Homepage when they are finished exploring the link. This is very frustrating for someone who is using the County Homepage as their base. The expectation is that you can jump in and out of these links in much the same way you jump in and out of the various sections of the County Homepage. One constituent speculated that certain homepages might be intentionally engineered to "trap" users in their site.

Supervisor Connolly moved that the Board adopt a Policy that all sites listed as links on the Fairfax County Homepage must agree to either provide a link back to the County Homepage or, at the very least, agree to not engineer "traps" which prevent users from readily returning to the County site through the usual procedures, such as clicking on the "Back" icon which is designed to facilitate a return to the original site. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Hyland not yet having arrived.

57. **USE OF SIDEWALK CONSTRUCTION FUNDING** (Tape 6)

(BACs)

Supervisor Connolly noted that in the Fiscal Year (FY) 1998 budget \$1,000,000 was set aside for the construction of sidewalks, an activity in which the County has not engaged since the late 1980's, with the exception of the Spot Improvement Program.

Supervisor Connolly said that in the Providence District there are almost 20 sidewalk requests in various stages, some having completed designs, and some that have not even had a cost estimate. Yet the Countywide Non-Motorized Transportation Committee is expected to develop a recommendation for the Board on which of the pending projects should receive funding on June 11, for an Action Item to come to the Board soon thereafter. The time between the approval of the budget and June 11 has not been sufficient for staff to complete its analysis of requests from across the County, and to provide adequate details about projects to Board Members and their appointees to the Committee. He added that much of the information that has been developed about some of the projects is dated.

Therefore, Supervisor Connolly moved that the Board direct staff to:

- Conduct a thorough study of the pending sidewalk requests which have not been fully evaluated, and update the ones that have been previously reviewed; and
- Report to the Board on September 22, 1997.

This motion was seconded by Supervisor Bulova.

Following discussion, with input from John W. Koenig, Director, Utilities Planning and Design Division, Department of Public Works (DPW); Steve Atchison, DPW; and Debra R. Lesser, Sully District Representative, Countywide Non-Motorized Transportation; Supervisor Dix asked to amend the motion to encourage the equal distribution of funding to all of the Supervisor Districts, and this was accepted.

Following further discussion, Supervisor Bulova asked to amend the motion to direct staff to start with the Hillside Trail in the Springfield District, and this was accepted.

Following discussion, the question was called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

58. **CONCURRENT PROCESSING - SPECIAL EXCEPTION AMENDMENT APPLICATIONS SEA 93-P-010/SEA 81-D-030** (Tape 6)

Supervisor Connolly said that Cherner Lincoln Mercury has filed Special Exception Amendment applications to allow an addition to the Isuzu dealership located on Route Seven in Providence District. The applicant is eager to commence with the review of the Site Plan submissions and complete the construction of this addition.

Supervisor Connolly moved that the Board direct the Acting Director of the Department of Environmental Management (DEM) and the Director of the Office of Comprehensive Planning (OCP) to concurrently process the Site Plans, Plats and Permits associated with Special Exception Amendment Applications SEA 93-P-010 and SEA 81-D-030. This motion does not relieve the applicant from complying with all applicable ordinances, regulations or adopted standards and does not prejudice the consideration of the application in any way. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hyland not yet having arrived.

59. **RAILROAD RIGHT-OF-WAY AND THE PROPERTY OF MS. SHIRLEY HEATH** (Tape 6)

Supervisor Connolly said that he has been contacted by Ms. Shirley Heath who has identified an issue with property that is located at 2129 Sandburg Street in Dunn Loring. This property was previously owned by her mother and was the recipient of a Housing Loan by the County which funded the construction of a new residence in the 1980's. The home was inadvertently constructed on a railroad easement which the family had no knowledge was in existence. Ms. Heath has been in contact with the County Attorney's

Office and the Department of Tax Administration and has not been able to determine what actions she needs to take to remove this easement.

Supervisor Connolly moved that the Board direct the Office of Transportation and the County Attorney's Office to review this situation and identify what steps Ms. Heath will need to take to remove this railroad right-of-way from her property. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hyland not yet having arrived.

AR:ar

60. **BRADDOCK DISTRICT SCHOOLS WIN CHAMPIONSHIPS** (Tape 7)

(NOTE: Earlier in the meeting, this matter was discussed. See Clerk's Summary Item CL#54.)

Supervisor Bulova announced the following Braddock District Schools that have won championships:

- Lake Braddock's Girls Lacrosse Team wins the Patriot District Championship;
- Annandale's Boys Lacrosse Team wins Patriot District Championship, their first Northern Region Championship, and the State Championship this past weekend;
- Robinson Girls Soccer Team wins Northern Region Championship;
- Woodson Girls Lacrosse Team wins Girls Northern Region Championship and State Championship this past weekend;
- Woodson Girls Soccer Team wins Group AAA State Championship;
- Robinson Secondary School Sophomores Ramez Qamer and Sam Brown win the Northern Region Team Tennis Championship; and
- Lake Braddock Secondary School - gets new track - Allen Johnson, 1996 Gold Medalist in the 110-meter high hurdles, "Friends of Allen Johnson, and the Lake Braddock Community have raised the funds to build a new track.

Supervisor Bulova moved that the Board direct staff to send letters of congratulations and certificates to the teams on behalf of the Board for their outstanding accomplishments. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Hyland not yet having arrived.

61. **TANKER SPILL MEETING - ACTION ITEMS** (Tape 7)

Supervisor Bulova said that on June 4, 1997 she met with Supervisor Connolly and Supervisor Gross to discuss the tanker spill which occurred last month at the I-495/Route 236 interchange. She distributed to Board Members a summary of the meeting.

Supervisor Bulova moved that the Board direct staff to:

- Coordinate and monitor actions agreed to at the meeting; and
- Report to the Board with progress reports on implementation.

This motion was seconded by Supervisor Connolly.

With a notation that Washington Gas was not present at the meeting, Supervisor Gross asked to amend the motion to request staff, if and when a follow-up meeting is scheduled, to invite a representative of Washington Gas to attend, and this was accepted.

Following discussion, the question was called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland not yet having arrived.

62. **CONCURRENT PROCESSING FOR COUNTRY LANE PLANS** (Tape 7)

Supervisor Bulova said that the Board approved an eight lot rezoning located off Country Lane in Annandale. At the time of the rezoning, the Board had approved a modification of the process so that a Generalized Development Plan (GDP) could substitute for the Preliminary Plat during the Site Plan review process.

Supervisor Bulova noted that believing they were in compliance, Bo-Bud, the developer of Country Lane, submitted the Subdivision Plan, 9288-SD-01, without a Preliminary Plat. Due to misunderstanding at the time of rezoning, the GDP was not sealed by a professional engineer. For this reason, the GDP cannot substitute for the Preliminary Plat. To keep the review process moving forward, Bo-Bud has requested that the two plans be reviewed simultaneously rather than start from scratch.

Therefore, Supervisor Bulova moved that the Board direct the Acting Director of the Department of Environmental Management (DEM) to direct staff to review the Preliminary Plan and the Subdivision Plan concurrently. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Hyland not yet having arrived.

63. **LEGAL SERVICES OF NORTHERN VIRGINIA** (Tape 7)

Supervisor Bulova stated that Board Members received a memorandum from the County Attorney on Friday reporting that Legal Services of Northern Virginia (LSNV) is in the process of resolving issues identified by the Fairfax County General District Court regarding the provision of legal counsel to Fairfax County residents who cannot afford an attorney.

In light of the County Attorney's findings, Supervisor Bulova moved that the Board release funding designated for Legal Services of Northern Virginia in the Fiscal Year (FY) 1998 budget. This motion was seconded by Supervisor McConnell.

Following discussion, with input from David P. Bobzien, County Attorney, and William O. Howland, Jr., Director, Office of Human Services Administration, Supervisor Dix asked to amend the motion to request staff to provide Board Members with a copy of the performance standards which will be utilized to evaluate the progress and the performance of this organization, and this was accepted.

Supervisor Bulova asked to amend the motion to request staff to inform the Board on a quarterly basis of the performance of LSNV, and this was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn voting "NAY," Supervisor Hyland not yet having arrived.

64. **REQUEST FROM CHANTILLY AMUSEMENTS, LLC, FOR EXPEDITED AND CONCURRENT PROCESSING OF APPLICATION** (Tape 7)

Supervisor Frey stated that Chantilly Amusements, LLC, has filed a rezoning, special exception, and proffered condition amendment application to allow for a community serving recreation park on property located at Tax Map Number 44-1((6)) parcel 3b in the Brookfield Corporate Center. If approved, these applications will provide a unique new recreational opportunity for young people in the form of a water park. Because the proposal involves a summer use and is warm weather sensitive, the applicant is hopeful of having all the approvals soon enough to allow a summer of 1998 opening.

Accordingly, Supervisor Frey moved that the Board authorize:

- Expedited scheduling for the Rezoning, the Special Exception, and the Proffered Condition Amendment Applications for this property; and
- Concurrent processing of all plans and submissions associated with the applications.

It is understood these actions do not assure approval and that the applicant is responsible for any changes that might occur as a result of the rezoning process.

This motion was seconded by Supervisor McConnell and carried by a vote of nine,

Supervisor Hyland not yet having arrived.

65. **NEWSPAPER ARTICLE FROM THE GRAND FORKS HERALD** (Tape 7)

Supervisor Frey circulated to Board Members a copy of an article in the May 17, 1997 edition of the *Grand Forks Herald* highlighting the efforts of Fairfax County paramedic and firefighter personnel in the recent floods in that area.

66. **OPENING OF WATER THEME PARK AT LAKE FAIRFAX** (Tape 7)

Supervisor Frey announced the opening of the Water Theme Park at Lake Fairfax is scheduled for next weekend. In conjunction with this event, the Fairfax County Police Department K-9 Unit, which is celebrating its 25th anniversary, will give a demonstration at Lake Fairfax at 12 noon on Saturday, June 14, 1997.

67. **TELEPHONE CALL FROM "MR. AND MRS. JOHN DOE"** (Tape 7)

(NOTE: Earlier in the meeting, deer management was discussed. See Clerk's Summary Item CL#21.)

Supervisor Frey noted, in jest, that a congratulatory telephone call had been received from "Mr. and Mrs. John Doe" expressing appreciation to four Board Members on their earlier vote on deer management.

68. **SIMULTANEOUS PROCESSING FOR SITE PLANS OF SPECIAL EXCEPTION APPLICATION SE 97-S-022, FAIRFAX BAPTIST TEMPLE** (Tape 7)

Supervisor McConnell move that the Board direct the Acting Director of the Department of Environmental Management (DEM) to simultaneously process Site Plans for the Fairfax Baptist Temple showing the proposed uses which are the subject of Special Exception Application SE 97-S-022. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland not yet having arrived.

69. **PROPOSED USE FOR COUNTY PROPERTY TO BE VACATED BY POLICE DEPARTMENT FIRING RANGE** (Tape 7)

Supervisor McConnell moved that the Board direct staff to examine the possibility of using the County property, scheduled to be vacated by the Police Department Firing Range, for six ball fields for the Springfield District. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Hyland not having arrived.

70. **RECENT ARREST OF WEST SPRINGFIELD DISTRICT POLICE OFFICER**
(Tape 7)

Supervisor McConnell asked unanimous consent that the Board direct the County Attorney to prepare a letter from the Board commending the Chief of Police and Police Department staff for the professional manner in which the investigation and recent arrest of a West Springfield District Police Officer, alleged to be involved in several bank robberies, was handled. Without objection, it was so ordered.

71. **INTENT TO DEFER PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 95-L-059 (MT ASSOCIATES LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tape 7)

Supervisor Kauffman announced his intent, at the appropriate time later in the meeting, to defer the public hearing on Special Exception Application SE 95-L-059 until January or February 1998.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#89.)

72. **RECESS/EXECUTIVE SESSION** (Tape 7)

At 2:15 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting and in addition:

- In Re: the purported cloud on title of Tax Map Number 102-1((3)) parcels 21 and 22; *Board of Supervisors, et al. versus Mitchell Edmunds, et al.*, In Chancery Number 91833;
- Fairfax County Zoning Ordinance Subsections 8-904 and -906;
- *G.V.V. Rao versus County of Fairfax, Virginia, et al.*, Civil Action Number 95-817-A;
- Enforcement of Virginia Statewide Fire Prevention Code Section F-504-1, Protection Maintenance; and
- Legal issues involving parking fees at Metrorail Stations in Fairfax County.

This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland not yet having arrived.

AM:am

At 4:30 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

73. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 8)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed, or considered by the Board during the Executive Session. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland abstaining.

74. **AUTHORIZATION OF A SETTLEMENT AGREEMENT ON BEHALF OF THE BOARD WITH GENUARIO PROPERTIES, INCORPORATED AND HOLLAND ROAD VENTURES, II, INCORPORATED** (Tape 8)

Supervisor Kauffman moved that the Board authorize the Acting County Executive to endorse a Settlement Agreement and the County Attorney to endorse a Consent Decree on behalf of the Board with Genuario Properties, Incorporated and Holland Road Ventures, II, Incorporated, in order to ensure compliance with geotechnical requirements of the Department of Environmental Management and remove a purported cloud on title cause by the August 5, 1985, Consent Decree in *Board of Supervisors versus Edmunds*, In Chancery Number 91833. This motion was seconded by Supervisor Hyland.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#102.)

75. **APPOINTMENT OF ROBERT J. O'NEILL, JR. TO THE POSITION OF COUNTY EXECUTIVE** (Tape 8)

Supervisor Gross moved the appointment of Robert J. O'Neill, Jr. to the position of County Executive at a salary of \$147,000 effective August 4, 1997. This motion was seconded by Supervisor Connolly and **CARRIED** by a recorded vote of eight, Supervisor McConnell abstaining, Supervisor Dix voting "NAY."

ADDITIONAL BOARD MATTERS

76. **EXXON CORPORATION - SPECIAL EXCEPTION APPLICATION SE 97-M-014**
(Tape 8)

Supervisor Gross stated that the EXXON Corporation has filed Special Exception Application SE 97-M-014 which is scheduled for a Planning Commission public hearing on July 16, 1997 and a Variance hearing before the Board of Zoning Appeals (BZA) on July 22, 1997. To keep to this schedule Supervisor Gross moved that the Board expedite the public hearing of Special Exception Application SE 97-M-014 to be held on July 21, 1997 at 3:30 p.m. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Chairman Hanley being out of the room.

77. **SPECIAL EXCEPTION APPLICATION SE 97-D-015** (Tape 8)

Supervisor Mendelsohn moved that the Board direct staff to expedite the public hearing on Special Exception Application SE 97-D-015 to **July 21, 1997 at 3:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Chairman Hanley being out of the room.

78. **WELCOME TO THE BOY SCOUTS FROM TROOP 51** (Tape 8)

Supervisor Frey recognized the presence of the Boy Scouts from Troop 51, and warmly welcomed them to the Board Auditorium.

AGENDA ITEMS

79. **3:30 P.M. - PH REGARDING THE SALE OF A PORTION OF COUNTY-OWNED PROPERTY LOCATED IN SECTION ONE OF BUCKNER FOREST SUBDIVISION (SULLY DISTRICT)** (Tape 9)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 22 and May 29, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the Resolution authorizing the sale of a portion of County-owned property located in Section One of Buckner Forest Subdivision, Tax Map Number 56-3 ((08))1 to Mark I. and Dena Brehm. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor Mendelsohn, and Chairman Hanley being out of the room

80. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION)** (Tape 9)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 22 and May 29, 1997.

There was discussion of this item with input from Captain David Diamantes, Fire and Rescue Department.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection) to bring County ordinances in line with the 1996 Edition of the *Virginia Statewide Fire Prevention Code* adopted by the Virginia Board of Housing and Community Development. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

81. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1997-SP-001 AND SPECIAL EXCEPTION APPLICATION SE 97-S-001 (WARREN H. AND ELAINE N. MCCONNELL) (SPRINGFIELD DISTRICT)** (Tape 9)

- (O) Mr. Matthew S. McConnell reaffirmed the validity of the affidavit for the record.

Mr. McConnell had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Susan Johnson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-SP-001 be amended from the R-1 and Highway Corridor Overlay Districts to the R-3 and Highway Corridor Overlay Districts subject to the execution of the proffers dated May 29, 1997;
- Approval of Special Exception Application SE 97-S-001 subject to the development conditions dated June 4, 1997;

- Modification of the transitional screening requirements and a waiver of the barrier requirements along the northwest and southwest property lines adjacent to Parcel 27A and along the southeast property line adjacent to Parcel 37; and
- Modification of the provisions for parking in an R District and waiver of the 10-foot peripheral parking lot landscape strip along Tuttle Road to the existing parking area associated with the adjacent office use.

This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn and Vice-Chairman Hyland voting "AYE," Supervisor McConnell and Chairman Hanley being out of the room.

82. **3:30 P.M. - PH ON REZONING APPLICATION RZ 96-P-011 (GLENN M. BUCCI) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. Glenn M. Bucci reaffirmed the validity of the affidavit for the record.

Mr. Bucci had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Inda Stagg, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved denial of Rezoning Application RZ 96-P-011 from the R-1 District to the R-2 District. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Dix voting "NAY," Supervisor Frey, Supervisor McConnell, and Chairman Hanley being out of the room.

83. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-D-020 (BELL ATLANTIC CORPORATION, FORMERLY KNOWN AS CHESAPEAKE AND POTOMAC TELEPHONE COMPANY OF VIRGINIA) (DRANESVILLE DISTRICT)** (Tape 9)

Supervisor Mendelsohn moved to defer the public hearing on the Special Exception Application SE 97-D-020 until **June 23, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Chairman Hanley being out of the room.

84. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-V-055 (RITE AID PHARMACY) (MOUNT VERNON DISTRICT)** (Tape 9)

Mr. Christopher D. Bell reaffirmed the validity of the affidavit for the record.

Mr. Bell had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Inda Stagg, Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Approval of Special Exception Application SE 96-V-055 subject to the development conditions dated April 17, 1997;
- Waiver of the transitional screening adjacent to parcel 75A; and
- Waiver of the service drive along Richmond Highway.

This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

85. **4:00 P.M. - PH ON REZONING APPLICATION RZ 1997-MA-006 (COUNTRY SQUIRE LIMITED PARTNERSHIP) (MASON DISTRICT)** (Tapes 9-10)

(O) Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, which included testimony by two speakers, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following discussion, with input from Kevin Green, Virginia Department of Environmental Quality (VDEQ) Supervisor Gross moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-MA-006 be amended from the I-6 District to the PDH-12 District subject to the execution of the proffers dated May 30, 1997;

- Approval of the Conceptual Development Plan (CDP);
- Waiver of the 600-foot limitation on the length of private streets;
- Waiver of the 200-square foot privacy yard requirement for the rear loaded single family attached units identified on the Conceptual Development Plan/Final Development Plan (CDP/FDP) as buildings one through 11;
- Waiver of the 200-foot setback from the right-of-way of interstate highways pursuant to Section 2-414 of the Zoning Ordinance;

This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor

Bulova,
 Supervisor
 Connolly,
 Supervisor
 Dix,
 Supervisor
 Frey,
 Supervisor
 Gross,
 Supervisor
 Kauffman,
 Supervisor
 Mendelsohn,
 and
 Vice-Chairman
 Hyland
 voting "AYE,"
 Supervisor
 McConnell
 and Chairman
 Hanley being
 out of the
 room.

86. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING GOLF DRIVING RANGES AND MINIATURE GOLF COURSES ANCILLARY TO GOLF DRIVING RANGES** (Tapes 10-11)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 22 and May 29, 1997.

Following the public hearing, which included testimony by eight speakers, Supervisor Mendelsohn moved adoption of the proposed amendments to the Code of the County of

Fairfax, Chapter 112 (Zoning Ordinance) to establish a new special permit use of miniature golf courses as an ancillary use to a golf driving range **to become effective on June 10, 1997 at 12:01 a.m.** This motion was seconded by Chairman Hanley.

Following discussion, with input from Michael R. Congleton, Deputy Zoning Administrator, Ordinance Administration Branch, Office of Comprehensive Planning (OCP), Supervisor Frey moved a substitute motion to adopt the proposed amendment as originally advertised for the April 28, 1997 meeting that:

- Deletes the limitation on the requirement for access to a principal arterial;
- Includes the limitation on sound emitting features; and
- Allows the option within the R-1 and R-E Districts.

This motion was seconded by Supervisor McConnell.

Supervisor Kauffman asked to amend the substitute motion to:

- Delete language that states the miniature golf facilities shall be located and oriented to the interior of the site such that the use is adequately screened and mitigates impact on adjacent properties; and
- Change the wording "shall not be located closer than 100 feet from any lot line to any residence;"

and this was accepted.

The question was called on the amendment to the substitute motion which **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "NAY," Supervisor Dix, Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE."

The question was then called on the substitute motion which **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE," Supervisor Connolly, Supervisor Gross, and Chairman Hanley voting "NAY."

Following discussion, Supervisor Kauffman asked to amend the main motion, as substituted, to change the word lot line to residence. This motion was seconded by Supervisor McConnell and **FAILED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Frey, Supervisor Hyland, and Chairman Hanley voting "NAY," Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE."

The question was called on the main motion, as substituted, which **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE," Supervisor Connolly, Supervisor Gross, and Chairman Hanley voting "NAY."

87. **4:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-III-UP2 TO CONSIDER INCORPORATING 1241 RESTON AVENUE INTO RESTON (HUNTER MILL DISTRICT)** (Tape 11)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 22 and May 29, 1997.

Following the public hearing, Supervisor Dix moved approval of Out-of-Turn Plan Amendment S96-III-UP2 as recommended by the Planning Commission on May 15, 1997 with minor modifications as shown in the document titled *Planning Commission Recommended Plan Tax* dated June 9, 1997. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

88. **4:00 P.M. - PH TO CONSIDER TEMPORARY RELOCATION OF A POLLING PLACE (MASON DISTRICT)** (Tape 11)

Supervisor Gross moved to defer the public hearing to consider temporary relocation of a polling place. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

SBE:sbe

89. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-L-059 (MT ASSOCIATES LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tape 12)

Supervisor Connolly, on behalf of Supervisor Kauffman, moved to defer indefinitely the public hearing on Special Exception Application SE 95-L-059. This motion, the second to which was inaudible, carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

90. **4:30 P.M. - PH ON REZONING APPLICATION RZ 96-P-009 (HUNTING RIDGE ASSOCIATES L.L.C.) (PROVIDENCE DISTRICT)** (Tape 12)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 96-P-009 until **July 21, 1997 at 4:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

91. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1996-HM-046 (EASTWOOD PROPERTIES, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 12)

Supervisor Dix moved to defer the public hearing on Rezoning Application RZ 1996-HM-046 until later in the meeting. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Gross, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

(NOTE: Later in the meeting, action was taken on this public hearing. See Clerk's Summary Item CL#99.)

92. **4:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S95-III-UP1 IN THE VICINITY OF THOMPSON ROAD AND WEST OX ROAD (SULLY DISTRICT)** (No Tape)

(NOTE: Later in the meeting, this public hearing was held and Board decision deferred. See Clerk's Summary Item CL#101.)

93. **4:30 P.M. - PH ON THE VACATION AND ABANDONMENT OF PORTIONS OF H STREET AND POTOMAC AVENUE (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Later in the meeting, this public hearing was held and Board decision deferred. See Clerk's Summary Item CL#104.)

94. **4:30 P.M. - BOARD DECISION ON DEFERRED AREA PLANS REVIEW (APR) ITEM 94-CW-12T, IN THE VICINITY OF DULLES CORNER/CIT AREA (DRANESVILLE AND HUNTER MILL DISTRICTS)** (Tape 12)

(NOTE: On April 28, 1997, the Board held the public hearing on Area Plans Review (APR) Item 94-CW-12T and deferred its decision until June 9, 1997.)

Supervisor Mendelsohn moved that the Board:

- Refer Area Plans Review (APR) Item 94-CW-12T to the Planning Commission for reconsideration within 60 days as set forth in Section 15.1-451 of the *Code of Virginia* to examine any relevant environmental issues; and
- Direct the Planning Commission to resubmit this item to the Board for a public hearing to be held on **September 8, 1997 at 3:30 p.m.**

This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Gross being out of the room.

95. **5:00 P.M. - PH ON REZONING APPLICATION RZ 96-B-031 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-B-014 (THE SALVATION ARMY, INCORPORATED) (BRADDOCK DISTRICT)** (Tape 12)

- (O) Major Robert B. Curless reaffirmed the validity of the affidavit for the record.

Mr. William L. Schmidt had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor McConnell disclosed the following campaign contribution which she had received:

- In excess of \$100 from Bengston, DeBell and Elkin, Limited.

Following the public hearing, Gregg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- The Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-B-031 be amended from the R-1 District to the R-2 District subject to the execution of the proffers dated April 30, 1997;
- Approval of Special Exception Amendment Application SEA 91-B-014 contingent upon the approval of Rezoning Application RZ 96-B-031 and subject to the proposed development conditions dated June 9, 1997 which reflect a minor editorial change to the last sentence of Condition Number Seven, by changing the word east to west;
- Modification of the transitional screening and barrier requirements along the northern, eastern, and southern boundaries as depicted on the Generalized Development Plan/Special Exception Amendment Application (GDP/SEA) Plat and as specified in the proposed development conditions dated June 9, 1997;
- Waiver of the barrier requirement along the western boundary and modification of the transitional screening requirement along the western boundary as depicted on the GDP/SEA Plat and as specified in the proposed development conditions; and
- Reaffirmation of the service drive waiver requirement along the Ox Road frontage in favor of the existing travel aisle now on the site.

This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Gross, and Supervisor Hyland being out of the room.

96. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-P-056 (CYRUS KATZEN) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#103.)

97. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-H-065 (VAN METRE AT WOODLAND PARK LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (No Tape)

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#105.)

98. **5:00 P.M. - PH ON REZONING APPLICATION RZ 1996-LE-034 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-L-030-9 (SILVER LAKE, INCORPORATED) (LEE DISTRICT)** (No Tape)

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#106.)

99. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1996-HM-046 (EASTWOOD PROPERTIES, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 12)

(NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#91.)

Ms. Tracy L. Steele reaffirmed the validity of the affidavit for the record.

Ms. Steele had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, which included testimony by four speakers, Phyllis Wilson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Following discussion, with input from Barbara A. Byron, Director, Zoning Evaluation Division, OCP, Supervisor Dix moved to defer the Board decision on Rezoning Application RZ 1996-HM-046 until **June 23, 1997 at 4:30 p.m.** This motion was seconded jointly by Supervisor Bulova and Supervisor Kauffman and carried by a vote of seven, Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

100. **5:00 P.M. - PH ON THE LEASING OF COUNTY-OWNED PROPERTY BY MCLEAN CHAMBER OF COMMERCE (DRANESVILLE DISTRICT)** (No Tape)

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item

- CL#107.)
101. **4:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S95-III-UP1 IN THE VICINITY OF THOMPSON ROAD AND WEST OX ROAD (SULLY DISTRICT)** (Tapes 12-16)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 22 and May 29, 1997.

Following the public hearing, which included testimony by 57 speakers, Supervisor Frey moved that the Board:

- Defer Board decision on Out-of-Turn Plan Amendment S95-III-UP1 until **June 23, 1997 at 4:30 p.m.**; and
- Direct staff to keep the record open for additional information.

ADDITIONAL BOARD MATTER

DEATH OF DON PILKENTON, FORMER EMPLOYEE OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) (Tape 15)

During the public hearing on Out-of-Turn Plan Amendment S95-III-UP1, Supervisor Hyland announced that he had just been informed of the death of Don Pilkenton, a former employee of the Department of Housing and Community Development, (HCD). Supervisor Hyland asked that everyone remember Mr. Pilkenton and his family in their prayers.

This motion was seconded by Supervisor Dix and carried by a vote of nine, Chairman Hanley being out of the room.

ADDITIONAL ACTION FROM EXECUTIVE SESSION

102. **ACTION ON AUTHORIZATION OF A SETTLEMENT AGREEMENT ON BEHALF OF THE BOARD WITH GENUARIO PROPERTIES, INCORPORATED AND HOLLAND ROAD VENTURES, II, INCORPORATED** (Tape 16)

(NOTE: Earlier in the meeting, there was a motion regarding this item. See Clerk's Summary Item CL#74.)

Earlier in the meeting, Supervisor Kauffman moved that the Board authorize the Acting County Executive to endorse a Settlement Agreement and the County Attorney to endorse a Consent Decree on behalf of the Board with Genuario Properties, Incorporated and Holland Road Ventures, II, Incorporated, to ensure compliance with geotechnical requirements of the Department of Environmental Management and remove a purported cloud on title cause by the August 5, 1985, Consent Decree in *Board of Supervisors versus Edmunds*, In Chancery Number 91833. This motion was seconded by Supervisor Hyland.

The question was called on the motion which carried by a vote of nine, Chairman Hanley being out of the room.

103. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-P-056 (CYRUS KATZEN) (PROVIDENCE DISTRICT)** (Tape 16)

Ms. Tracy L. Steele reaffirmed the validity of the affidavit for the record.

Ms. Steele had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Supervisor Gross disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Cyrus Katzen.

Supervisor Kauffman disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Cyrus Katzen.

Supervisor Dix disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Cyrus Katzen.

Supervisor McConnell disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Cyrus Katzen.

Vice-Chairman Hyland disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Cyrus Katzen.

Following the public hearing, Susan Johnson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

ADDITIONAL BOARD MATTER**THOUGHTS AND PRAYERS TO LYNNE J. STROBEL, WALSH, COLUCCI, STACKHOUSE, EMRICH AND LUBELEY, P.C.** (Tape

16)

On behalf of the entire Board, Vice-Chairman Hyland extended thoughts and prayers to Lynne J. Strobel, of Walsh, Colucci, Stackhouse, Emrich and Lubeley, P.C.

Supervisor Connolly moved:

- Approval of Special Exception Application SE 96-P-056; and
- Waiver of the minimum lot size and width requirements subject to the development conditions dated March 12, 1997.

This motion was seconded by Supervisor Dix and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Connolly moved modification of the transitional screening and a waiver of the barrier requirements along the south and west boundaries in favor of those shown on the Special Exception (SE) Plat. This motion was seconded by Supervisor Gross and carried by a vote of nine, Chairman Hanley being out of the room.

104. **4:30 P.M. - PH ON THE VACATION AND ABANDONMENT OF PORTIONS OF H STREET AND POTOMAC AVENUE (MOUNT VERNON DISTRICT)**
(Tapes 16-17)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 22 and May 29, 1997.

Following the public hearing, which included testimony by 15 speakers and input from Michael A. Davis, Transportation Planner II, Office of Transportation, Supervisor Hyland moved that the Board:

- Defer Board decision on the Order abandoning and the Ordinance vacating a portion of H Street (Route 1506) and Potomac Avenue (Route 1501), pending the receipt of additional information from the Virginia Department of Transportation (VDOT) until **June 23, 1997 at 4:30 p.m.**; and
- Direct staff to report with information on the following:
 - The issue of liability if the Board approves this request;
 - An Easement Agreement; and

- The issue of bringing the road up to State standards.

This motion was seconded by Supervisor Frey.

Following discussion, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

105. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-H-065 (VAN METRE AT WOODLAND PARK LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 17)

Supervisor Dix moved to defer the public hearing on Proffered Condition Amendment Application PCA 94-H-065 until **June 23, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Connolly and carried by unanimous vote.

106. **5:00 P.M. - PH ON REZONING APPLICATION RZ 1996-LE-034 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-L-030-9 (SILVER LAKE, INCORPORATED) (LEE DISTRICT)** (Tape 17)

- (O) Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

Mr. Lawrence had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Gross disclosed that she serves on the INOVA Health Services Board.

Supervisor Bulova disclosed that she serves on the INOVA Health Services Board.

Supervisor McConnell disclosed that she serves on the INOVA Services Board.

Following the public hearing, which included testimony by one speaker, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of PCA 82-L-039 subject to the executed proffers dated April 29, 1997;

- The Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1996-LE-034 be amended from the R-1 District to the PDH-8 District subject to the execution of the proffers dated April 29, 1997; the Planning Commission having previously approved Final Development Plan Application FDP 1996-LE-034 and Final Development Plan Amendment Application FDPA 82-L-030-7 on March 20, 1997;
- Approval of the Conceptual Development Plan subject to the Conceptual Development Conditions dated March 21, 1997;
- Modification of the transitional screening yard and waiver of the barrier requirements along the eastern boundaries of Land Bays E and F and along the western boundaries of Land Bay A, subject to the proffers and the Conceptual/Final Development Plan (C/FDP) Conditions; and
- That the Board direct the Acting Director of the Department of Environmental Management (DEM) to return the architectural design drawings for the buildings within the application property to the Planning Commission for administrative review prior to the issuance of building permits.

This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

107. **5:00 P.M. - PH ON THE LEASING OF COUNTY-OWNED PROPERTY BY MCLEAN CHAMBER OF COMMERCE (DRANESVILLE DISTRICT)** (Tape 17)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 22 and May 29, 1997.

Following the public hearing, which included testimony by three speakers, Supervisor Mendelsohn moved adoption of the Resolution authorizing the leasing of County-owned property located at 1437 Balls Hill Road, Tax Map Number 30-1((01))-33 (part) to the McLean Chamber of Commerce. This motion was seconded by Supervisor Hyland and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

108. **A-2 - RECOMMENDATIONS FOR THE VIRGINIA RAILWAY EXPRESS' (VRE) PROPOSED MULTI-YEAR RIDERSHIP INITIATIVES (BRADDOCK, LEE, MASON, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (Tape 18)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#12.)

Supervisor Bulova moved approval of the staff recommendation subject to the following modifications:

- In lieu of the second bullet under "Oppose" on Page 82 of the Memorandum to the Board dated June 9, 1997:
 - Pursue fare reductions while still maintaining 50 percent cost recovery through fare box revenues, other funding, or a combination thereof;
 - Ensure that reduced fares do not compete with other transit fares;
 - Use of Congestion Mitigation funds derived in conjunction with the reconstruction of the I-95/I-395/I-495 Interchange should be considered in the context of other needs and proposals to mitigate traffic congestion and should be referred back to the Board prior to action by the Northern Virginia Transportation Commission (NVTC) or the Virginia Railway Express (VRE); and
 - Funding that is sought to subsidize reduced fares should not reduce funding for other Northern Virginia transportation projects.

This motion was seconded by Supervisor Mendelsohn.

Following discussion, the question was called on the motion which carried by unanimous vote.

109. **A-3 - DESIGNATION OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SUPPLEMENTAL REVENUE SHARING FUNDS FOR FISCAL YEAR (FY) 1997 (COUNTYWIDE)** (Tape 18)

(R) (NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#13.)

Supervisor Frey moved that the Board concur in the recommendation of staff and adopt the Resolution designating a maximum of \$50,000 in unused Fiscal Year (FY) 1997 Virginia Department of Transportation (VDOT) Revenue Sharing Program Funds and \$50,000 in matching Fairfax County funds to provide supplemental funding for the priority list of eight highway improvement projects previously adopted by Board Resolution on March 10, 1997. This motion was seconded by Supervisor Connolly and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

110. **A-8 - PARKING FEES AT METRORAIL STATIONS IN FAIRFAX COUNTY (COUNTYWIDE)** (Tape 18)

(NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#10.)

Supervisor Kauffman moved that the Board take the following actions regarding the parking fees at Metrorail stations in Fairfax County and refunding of Economic Development Authority's (EDA) Huntington and Vienna Parking Garage Revenue Bonds:

- Endorse a \$1.00 daily parking fee at the Franconia-Springfield Metrorail Station, which consists of a \$1.00 base fee and a \$0.00 surcharge, for the period from June 29, 1997, through January 4, 1988; and
- Direct staff to review the surplus available in the Surcharge Account and the revenue projections annually, and report as needed.

The second to the motion was inaudible.

Following discussion, with input from Leonard Wales, Office of Management and Budget (OMB), the question was called on the motion which carried by unanimous vote.

111. **C-1 - REVITALIZATION POLICY COMMITTEE COMPOSITION (COUNTYWIDE)** (Tape 18)

(NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#10.)

The Board next considered an item contained in the Memorandum to the Board dated June 9, 1997 regarding consideration of expansion of the Revitalization Policy Committee to include additional Members of the Board.

Following discussion, Supervisor Dix moved to:

- Defer this issue; and

- Direct staff to report with a Consideration Item on June 23, 1997 with the expectation that there be a mechanism by which the Hunter Mill District will be represented in future meetings and discussions of the Revitalization Policy Committee.

This motion was seconded by Supervisor Frey.

Following discussion, the question was called on the motion which carried by unanimous vote.

112. **I-4 - SECTION 213 REVIEWS FOR APPLICATIONS FOR SECTION EIGHT RENTAL CERTIFICATES UNDER THE MAINSTREAM AND FAMILY UNIFICATION PROGRAMS** (Tape 18)

(NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#10.)

The Board next considered an item contained in the Memorandum to the Board dated June 9, 1997 requesting authorization for staff to sign the Section 213 Review letters to be sent to the United States (US) Department of Housing and Urban Development (HUD) for consideration with the Section Eight funding applications.

Supervisor Kauffman moved that the Board not proceed with applying for the Family Unification Program. This motion was seconded by Supervisor Hyland.

For purposes of clarification, Chairman Hanley restated the motion that the Board:

- Not proceed with applying for the Family Unification Program; and
- Proceed with applying for the Mainstream Housing Opportunities for Persons with Disabilities Program.

Following discussion, with input from staff, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved a substitute motion to:

- Apply for the Mainstream Housing Opportunities for Persons with Disabilities Program; and
- Defer the application for the Family Unification Program until the Board meeting scheduled for June 23, 1997.

The second to this motion was indistinguishable.

Following discussion, Supervisor Connolly moved to amend the substitute motion to allow the staff to take the same action on the Family Unification Program that was taken on the Mainstream Housing Opportunities for Persons with Disabilities Program, holding in abeyance the Section 213 letter until the Board meeting scheduled for June 23, 1997, and this was accepted.

Chairman Hanley restated the substitute motion, as amended:

- Direct staff to send the Section 213 letter for the Mainstream Housing Opportunities for Persons with Disabilities Program; and
- Discuss the Section 213 letter for the Family Unification Program on June 23, 1997.

Supervisor Frey moved to call the question. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

The question was called on the substitute motion, as amended, which **FAILED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, and Chairman Hanley voting "AYE."

The question was called on the main motion (Supervisor Kauffman's) which **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Connolly, and Chairman Hanley voting "NAY."

ADDITIONAL BOARD MATTER

113. **DISTRICT OF COLUMBIA (DC) CORRECTIONAL FACILITY LOCATED IN LORTON** (Tape 18)

Supervisor Hyland stated that Congressman Thomas M. Davis, III is going to introduce legislation regarding the District of Columbia (DC) Correctional Facility located in Lorton and what will happen to the land when the prison closes in four years. Supervisor Hyland moved that the Board direct the Chairman to send a letter to Congressman Davis requesting that language be inserted in that legislation that would require any further use of that land be accomplished subject to the language of the Fairfax County Comprehensive Plan which will be changed as a result of the Task Force effort. This motion was seconded by Chairman Hanley.

Following discussion, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Frey voting "NAY," Supervisor Dix being out of the room.

114. **BOARD ADJOURNMENT** (Tape 18)

At 2:00 a.m., June 10, 1997, the Board adjourned.