



# **CLERK'S BOARD SUMMARY**

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**MONDAY  
June 25, 2001**

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**01-15**

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**DMB:dmb**

The meeting was called to order at 9:40 a.m., with all Members being present, with the exception of Supervisor Gross and Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor Gross arrived at 10 a.m.

Supervisor McConnell arrived in time to participate in closed session.

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

### **AGENDA ITEMS**

1. **CERTIFICATE OF RECOGNITION PRESENTED TO CHIEF JUDGE  
BRUCE BACH** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Chief Judge Bruce Bach for his accomplishments and contributions to Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell not yet having arrived.

2. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. ANDREA  
WARNER** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to Ms. Andrea Warner for her many years of service as principal of Pine Spring

Elementary School. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell not yet having arrived.

3. **PROCLAMATION TO DESIGNATE JUNE 28, 2001, AS "GIRL POWER DAY" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Hudgins moved approval of the Proclamation designating June 28, 2001, as "*Girl Power Day*" in Fairfax County. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell not yet having arrived.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO STUDENTS FROM LONGFELLOW MIDDLE SCHOOL AND SANDBURG MIDDLE SCHOOL** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to students from Longfellow Middle School and Sandburg Middle School for their accomplishments in mathematics. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Frey and Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO MS. KEIRA CARLSTROM AND THE OAKTON HIGH SCHOOL GIRLS' AND BOYS' CROSS-COUNTRY TEAMS** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to the Oakton High School Girls' team for its accomplishments. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Hudgins moved approval of the Certificate of Recognition presented to the Oakton High School Boys' Cross-Country team for its accomplishments. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Connolly moved approval of the Certificate of Recognition presented to Ms. Keira Carlstrom, member, Oakton High School Girls' Cross-Country team, which was accepted on her behalf by team members, for her outstanding accomplishments. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE MCLEAN HIGH SCHOOL CONCERT BAND** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to the McLean High School Concert Band for being awarded the Sudler Flag of Honor by the John Philip Sousa Foundation. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO THE PROVIDENCE DISTRICT SENIORS AND LAW ENFORCEMENT TOGETHER (S.A.L.T.) COUNCIL** (Tapes 1-2)

Supervisor Connolly moved approval of the Certificate of Recognition presented to the S.A.L.T. Council for its dedication to crime prevention. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. TOM BARTELT** (Tape 2)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Tom Bartelt for his years of service and dedication to youth and the Reston community as programming manager of Reston Cable. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

**BOARD MATTER**

9. **INTRODUCTION OF NEW INTERN** (Tape 2)

Supervisor Kauffman introduced Ms. Michele McManus, a new intern in his office. Supervisor Kauffman and the Board warmly welcomed her to the Board Auditorium.

**AGENDA ITEMS**

10. **10 A.M. – PRESENTATION OF THE 2000 A. HEATH ONTHANK AWARDS** (Tape 2)

Following brief remarks by Robert Greaux, Chairman of the Civil Service Commission, Peter J. Schroth, Director of the Department of Human Resources, presented the 2000 A. Heath Onthank Awards to the following recipients:

- Eulah E. Barr, Bus Driver, Public Schools
- Joseph Cooper, Building Supervisor, Lanier Middle School

- Bobbie Edwards, Bus Driver, Public Schools
- Donald L. Fatherree, Captain, Office of the Sheriff
- Dorene Heffernan, Administrative Assistant, Newington Forest Elementary School
- Yoly Iriarte, Human Service Worker I, Department of Family Services
- Robert J. Koreski, Manager, Department of Systems Management for Human Services
- Roy Mace, Preventative Maintenance Specialist, Park Authority
- Bonnie Worcester, Branch Manager, Woodrow Wilson Library
- James P. Zook, Director, Department of Planning and Zoning

11. **10:15 A.M. – PRESENTATION BY THE VOLUNTEER FIRE COMMISSION ON ITS ANNUAL REPORT** (Tape 2)

William Schmidt, Chairman, Volunteer Fire Commission presented its annual report. Discussion ensued with input from Anthony H. Griffin, County Executive.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the County Executive to report with information regarding how the County is going to address the issue of maintenance of fire apparatus and other special vehicles. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to report with information regarding how the County can assist the Volunteer Fire Department with the process of obtaining tax-exempt loans to purchase apparatus. Without objection, it was so ordered.

12. **10:30 A.M. - APPOINTMENTS TO CITIZENS BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 3)

(APPTS)  
(BACs)

Chairman Hanley announced that the Board would proceed with district appointments only because Supervisor Frey was out of the room and Supervisor McConnell had not yet arrived.

**AIRPORTS ADVISORY COMMITTEE**

The Board deferred the appointment of the Springfield District Representative to the Airports Advisory Committee.

**ATHLETIC COUNCIL**

Supervisor Mendelsohn moved the appointment of Mr. Roger Smith as the Dranesville District (Alternate) Representative to the Athletic Council. Chairman Hanley seconded the motion, which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

The Board deferred the appointments of the At-Large (Diverse Population), Fairfax Women's Sports Association (Principal and Alternate), Mason District (Alternate), and Mount Vernon District (Alternate) Representatives to the Athletic Council.

**CHARACTER COUNTS! TASK FORCE**

Supervisor Kauffman moved the appointment of Commander Laurell A. Brault as the Lee District Representative to the Character Counts! Task Force. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

The Board deferred the appointment of the Sully District Representative to the Character Counts! Task Force.

**CHILD CARE ADVISORY COUNCIL**

The Board deferred the appointment of the Springfield District Representative to the Child Care Advisory Council.

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION**

The Board deferred the appointments of the At-Large, At-Large (Minority), Mount Vernon District, and Springfield District Representatives to the Commission on Organ and Tissue Donation and Transplantation.

**COMMUNITY ACTION ADVISORY BOARD**

The Board deferred the appointments of the Dranesville and Mason District Representatives to the Community Action Advisory Board.

**CONFIRMATIONS:**

Supervisor Mendelsohn moved the confirmation of the following appointments:

- Ms. Shannon Simpson as the Junior League Representative to the Community Action Advisory Board
- Mr. Richard Hayes as the Literary Council Representative to the Community Action Advisory Board

Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

**CHARACTER COUNTS! TASK FORCE**

Upon the return of Supervisor Frey to the room, the Board again deferred the appointment of the Sully District Representative to the Character Counts! Task Force.

There was a brief discussion regarding the terms of the Character Counts! Task Force.

**COMMUNITY CRIMINAL JUSTICE BOARD**

Supervisor Kauffman moved the appointment of Ms. Kelly Pride as the At-Large Fairfax County Citizen Representative to the Community Criminal Justice Board. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

**COMMUNITY IMPROVEMENT COMMITTEE**

Supervisor Hyland moved the appointment of Mr. Steven Rusak as the Mount Vernon (Mount Vernon Manor Community) Representative to the Community Improvement Committee. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Connolly and Supervisor Frey declined to nominate Providence and Sully District Representatives, respectively, to the Community Improvement Committee.

The Board deferred the appointments of the Braddock, Dranesville, Mason (Fairdale Community), and Springfield District Representatives to the Community Improvement Committee.

**CONSUMER PROTECTION COMMISSION**

Chairman Hanley and Supervisor Kauffman jointly moved the re-appointment of Mr. Lawrence V. Fowler as the At-Large Fairfax County Resident #1 Representative to the Consumer Protection Commission. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Gross moved the re-appointment of Mr. Dennis Dean Kirk as the Fairfax County Resident #4 Representative to the Consumer Protection Commission. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Hyland moved the appointment of Mr. Donald Maddrey as the Fairfax County Resident #11 Representative to the Consumer Protection Commission. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

(NOTE: Later in the meeting the Board appointed Mr. Maddrey to the Uniformed Retirement Board and indicated that he would be resigning from the Consumer Protection Commission. See Clerk's Summary Item CL#101.)

**CRIMINAL JUSTICE ADVISORY BOARD****CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Ms. Peggy Anthony as the District 29 Probation/Parole Alternate Representative to the Criminal Justice Advisory Board

Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

The Board deferred the appointments of the Braddock, Mason, and Springfield District appointments to the Criminal Justice Advisory Board.

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

The Board deferred the appointment of the Sully District Representative to the Environmental Quality Advisory Council.

(NOTE: Later in the meeting the Board appointed the Student Representative to the Environmental Quality Advisory Council. See Clerk's Summary Item CL#68.)

**FAIRFAX AREA DISABILITY SERVICES BOARD**

The Board deferred the appointments of the At-Large, Dranesville District, and Springfield District Representatives to the Fairfax Area Disability Services Board.

**FAIRFAX COUNTY EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES****CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment:

- Ms. Vera Finberg as the Fairfax County (Elected) Employee Representative to the Fairfax County Employees Retirement System Board of Trustees

Supervisor Connolly and Supervisor Gross jointly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

On behalf of Supervisor McConnell, Chairman Hanley announced the nomination of Ms. Kathleen M. May as the Springfield District Representative to the Fairfax-Falls Church Community Services Board.

(NOTE: Later in the meeting the Board took additional action regarding the Community Services Board. See Clerk's Summary Items CL#45 and CL#53.)

**HEALTH CARE ADVISORY BOARD**

Supervisor Hyland moved the appointment of Ms. Susan Randall as the Mount Vernon District Representative to the Health Care Advisory Board. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

**HUMAN SERVICES COUNCIL**

Supervisor Kauffman moved the re-appointment of Mr. Richard Gonzalez as the Lee District #2 Representative to the Human Services Council. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.



Supervisor Gross moved the re-appointment of Ms. Celeste Anne Campbell as the Mason District #2 Representative to the Human Services Council. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

The Board deferred the appointments of the Braddock District #2 and Providence District #2 Representatives to the Human Services Council.

#### **INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**

Chairman Hanley moved the appointment of Ms. M. Kathryn Walsh as the At-Large (Chairman's) Representative to the Information Technology Policy Advisory Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

#### **JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITIZENS ADVISORY COUNCIL**

The Board deferred the appointment of the Sully District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council.

#### **LIBRARY BOARD**

Supervisor Bulova moved the re-appointment of Mr. Charles A. Fegan as the Braddock District Representative to the Library Board. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Mendelsohn moved the re-appointment of Mr. Roger M. Sudduth as the Dranesville District Representative to the Library Board. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Connolly moved the re-appointment of Mr. Herbert A. Doyle, Jr. as the Providence District Representative to the Library Board. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Gross moved the re-appointment of Ms. Elizabeth Clements as the Mason District Representative to the Library Board. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Hyland moved the re-appointment of Ms. Elizabeth McManus as the Mount Vernon District Representative to the Library Board. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

**NORTHERN VIRGINIA TRANSPORTATION COORDINATING COUNCIL CITIZEN ADVISORY COMMITTEE**

The Board deferred the appointment of the At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee.

**OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**

The Board deferred the appointment of the At-Large #5 Representative to the Oversight Committee on Drinking and Driving.

**ROAD VIEWERS BOARD**

The Board deferred the appointment of the At-Large #5 Representative to the Road Viewers Board.

**ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD**

The Board deferred the appointment of the Resident/Owner Route 28 District #3 Representative to the Route 29 Highway Transportation District Advisory Board.

**TENANT LANDLORD COMMISSION**

The Board deferred the appointments of the Landlord Member #3 and Tenant Member #1 Representatives to the Tenant Landlord Commission.

**TREE COMMISSION**

Supervisor Hudgins moved the re-appointment of Ms. Kathryn P. Martin as the Hunter Mill District Representative to the Tree Commission. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

The Board deferred the appointment of the Sully District Representative to the Tree Commission.

**UNIFORMED RETIREMENT SYSTEM BOARD**

The Board deferred the appointment of the Fairfax County Citizen At-Large #2 Representative to the Uniformed Retirement System Board.

(NOTE: Later in the meeting, the Board appointed Mr. Donald F. Maddrey to this Board. See Clerk's Summary Item CL#101.)

**WATER AUTHORITY**

The Board deferred the appointment of the Dranesville District Representative to the Water Authority.

**AD HOC COMMITTEES****ANIMAL CARE AND CONTROL COMMITTEE**

Chairman Hanley moved the appointment of Mr. Philip S. Church, Jr. as the At-Large Citizen Representative to the Animal Care and Control Committee. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

**HEALTH AND MEDICAL CARE DELIVERY TASK FORCE**

The Board deferred the appointments of the Mason, Springfield, and Sully District Representatives to the Health and Medical Care Delivery Task Force.

**SIGN TASK FORCE**

The Board deferred the appointments of the Springfield District Representative to the Sign Task Force.

**TELECOMMUNICATIONS ("MONOPOLES") LAND USE TASK FORCE**

The Board deferred the appointment of the Hunter Mill District Representative to the Telecommunications ("Monopoles") Land Use Task Force.

**ADDITIONAL APPOINTMENT****COMMISSION FOR WOMEN**

Supervisor Bulova moved the interim appointment of Ms. Sue Jones as the Braddock District Representative to the Commission for Women to fill the unexpired term of Ms. Terry Wambaugh for the period October 2001 through January 2002. Chairman Hanley seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion, which carried by unanimous vote.

Supervisor Frey announced the resignation of Ms. Mary Campbell as the Sully District Representative to the Commission for Women because she now resides in the Springfield District.

(NOTE: Later in the meeting the Board made additional appointments to the Commission for Women. See Clerk's Summary Items CL#48 and CL#68.)

DS:ds

13. ADMINISTRATIVE ITEMS (Tape 4)

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

Supervisor Frey called the Board's attention to Admin 1 – Designation of Plans Examiner Status Under the Expedited Plan Development Review Program and asked unanimous consent that the Board direct staff to ensure that the registration numbers for the Plans Examiners listed in the Memorandum to the Board correspond with the numbers in the registration letter from the Chairman of the Advisory Plans Examiner Board.

A brief discussion ensued with input from Connie Shepherd, Management Analyst, Code Analysis Division, Office of Site Development Services, Department of Public Works and Environmental Services.

Chairman Hanley called the Board's attention to Admin 6 – Supplemental Appropriation Resolution AS 02009 to Accept a State Grant for the Continuation of an Internship with the Department of Transportation and discussion ensued with input from Andy Szakos, Chief, Transit Operations Division, Department of Transportation (DOT).

Chairman Hanley called the Board's attention to Admin 7 – Authorization to Reallocate Funds for Legal Services of Ballard Spahr Andrews and Ingersol, LLP, as Counsel to Fairfax County Redevelopment and Housing Authority, Little River Glen II, LLC and discussion ensued with input from Robert Counts, Director, Development and Real Estate Finance Division, Department of Housing and Community Development.

Supervisor Hyland called the Board's attention to Admin 8 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Section 41-1-1 "Definitions" and discussion ensued with input from Jane Gwinn, Director, Zoning Administration Division (ZAD), Department of Planning and Zoning (DPZ).

Supervisor Hyland asked to amend the motion to consider Admin 8 separately, and this was accepted.

Supervisor Mendelsohn called the Board's attention to Admin 9 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Public Hearing Notice and discussion ensued with input from Ms. Gwinn.

Supervisor Mendelsohn asked to amend the motion to consider Admin 9 separately, and this was accepted.

Chairman Hanley called the Board's attention to Admin 12 – Supplemental Appropriation Resolution AS 02006 for the Health Department's Women's, Infants, and Children Grant and discussion ensued with input from Evy Duff, Maternal and Child Health (MCH) Coordinator, Health Department (HD).

Chairman Hanley called the Board's attention to Admin 11 – Supplemental Appropriation Resolution AS 02005 for the Health Department's Title V Perinatal Services Grant, the Immunization Action Plan Grant and the Family Planning Grant and a brief discussion ensued with input from Ms. Duff, MCH Coordinator, HD.

Supervisor Frey called the Board's attention to Admin 13 – Supplemental Appropriation Resolution AS 02008 for the Department of Transportation Employer Services Program and discussion ensued with input from Mr. Szakos, Chief, Transit Operations Division, DOT.

The question was called on the motion to approve the Administrative Items, as amended, with the exception of Admin 7 and Admin 8, and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell not yet having arrived.

#### **ADMIN 1 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED PLAN DEVELOPMENT REVIEW PROGRAM**

(NOTE: Earlier in the meeting the Board took additional action on this item. See page 11.)

Designated the following individuals, identified with their registration numbers, as Plans Examiners:

- Jeffery Bruno Kozero (208)
- Robert Wayne Walker (209)
- Regina Gerner (211)

#### **ADMIN 2 – INSTALLATION OF A MULTI-WAY STOP AT WARDS GROVE CIRCLE AND DOWNEY'S WOOD COURT (SPRINGFIELD DISTRICT)**

- Endorsed the installation of a multi-way stop at Wards Grove Circle and Downey's Wood Court (Springfield District).

- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

**ADMIN 3 – INSTALLATION OF "WATCH FOR CHILDREN" SIGN ON DEER RUN DRIVE (LEE DISTRICT)**

- (R)
- Adopted the Resolution endorsing the installation of a "Watch for Children" sign on Deer Run Drive.
  - Directed staff to request the Virginia Department of Transportation install this sign at the earliest possible date.

**ADMIN 4 – ADDITION OF A PORTION OF ROBERTS ROAD (BRADDOCK DISTRICT)**

- (R)
- Adopted the Resolution requesting that a segment of Roberts Road be added to the Secondary System of State Highways.

**ADMIN 5 – COMMUTER PARKING AT AMERICAN LEGION POST #176 IN SPRINGFIELD (SPRINGFIELD DISTRICT)**

- Approved in substantial form the amendment Agreements with American Legion Post #176 and the Virginia Department of Transportation for commuter parking.
- Authorized the Director of the Department of Transportation to execute the agreements.

**ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02009 TO ACCEPT A STATE GRANT FOR THE CONTINUATION OF AN INTERNSHIP WITH THE DEPARTMENT OF TRANSPORTATION (DOT)**

- (SAR) (NOTE: Earlier in the meeting this item was discussed. See page 12.)

- Approved SAR AS 02009 in the amount of \$33,042 for a 12-month internship within DOT. Grant funding in the amount of \$32,245 is available from the Virginia Department of Rail and Public Transportation. A local cash match of \$1,697 by the County is required.
- Authorized the Director of DOT to sign the necessary grant documents to execute this grant.

**ADMIN 7 – AUTHORIZATION TO REALLOCATE FUNDS FOR LEGAL SERVICES OF BALLARD SPAHR ANDREWS AND INGERSOL, LLP, AS COUNSEL TO FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) LITTLE RIVER GLEN II, LLC (BRADDOCK DISTRICT)**

(NOTE: Earlier in the meeting this item was discussed. See page 12.)

Authorized the use of the Housing Trust Fund as the funding source for legal services for the Little River Glen II, Phase I project.

**ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), SECTION 41-1-1 "DEFINITIONS"**

(NOTE: Earlier in the meeting this item was discussed. See page 12.)

(NOTE: Later in the meeting the Board took action on this item. See Clerk's Summary Item CL#15.)

**ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PUBLIC HEARING NOTICE**

(NOTE: Later in the meeting the Board took action on this item. See Clerk's Summary Item CL#14.)

**ADMIN 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01080 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT SERVICES (JDRDCS) TO ACCEPT A GRANT AWARD FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) IN ORDER TO CONDUCT DETENTION UTILIZATION STUDIES**

(SAR) Approved SAR AS 01080 in the amount of \$15,000 for the JDRDCS to accept a Federal Juvenile Accountability Incentive Block Grant award from DCJS to conduct detention utilization studies. No local cash match is required.

**ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02005 FOR THE HEALTH DEPARTMENT'S TITLE V PERINATAL  
SERVICES GRANT, THE IMMUNIZATION ACTION PLAN GRANT  
AND THE FAMILY PLANNING GRANT**

(SAR) (NOTE: Earlier in the meeting this item was discussed. See page 12.)

Approved SAR AS 02005 in the amount of \$261,467 for the Health Department's Title V Perinatal Services Grant, the Immunization Action Plan Grant, and the Family Planning Grant. No local cash match is required.

**ADMIN 12 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02006 FOR THE HEALTH DEPARTMENT'S WOMEN'S, INFANTS,  
AND CHILDREN (WIC) GRANT**

(SAR) (NOTE: Earlier in the meeting this item was discussed. See page 12.)

Approved SAR AS 02006 in the amount of \$1,008,159 for the Health Department's WIC grant from the United States Department of Agriculture through the Virginia Department of Health. No local cash match is required.

**ADMIN 13 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02008 FOR THE DEPARTMENT OF TRANSPORTATION (DOT)  
EMPLOYER SERVICES PROGRAM**

(SAR) (NOTE: Earlier in the meeting this item was discussed. See page 13.)

- Approved SAR AS 02008 in the amount of \$167,550 for the Fiscal Year 2002 Employer Services Program. Regional Congestion Mitigation Air Quality funds will be provided in the amount to support this program. No local cash match is required.
- Authorized the Director of DOT to sign the necessary grant documents to execute this grant.

**ADMIN 14 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02010 FOR THE OFFICE OF PARTNERSHIPS TO ACCEPT GRANT  
FUNDS FROM PROJECT DISCOVERY OF VIRGINIA,  
INCORPORATED**

(SAR) Approved SAR AS 02010 in the amount of \$66,900 for the Office of Partnerships to continue the Fairfax County Project Discovery program. A local cash match of \$38,000 is required from the County.



**ADMIN 15 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02007 FOR THE DEPARTMENT OF TRANSPORTATION (DOT)  
RIDESOURCES PROGRAM**

(SAR)

- Approved SAR AS 02007 in the amount of \$350,000 which includes \$280,000 in State funds from the Virginia Department of Rail and Public Transportation, and \$70,000 in local cash match for the Fiscal Year 2002 RIDESOURCES Marketing Program. Funding for the County match is available in Fund 102, Federal/State Grant Fund.
- Authorized the Director of DOT to sign the necessary grant documents to execute this grant.

14. **ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PUBLIC HEARING NOTICE** (Tape 4)

(NOTE: Earlier in the meeting this item was discussed. See page 12.)

Following a brief discussion with input from David P. Bobzien, County Attorney, staff withdrew this item.

15. **ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), SECTION 41-1-1 "DEFINITIONS"** (Tape 4)

(NOTE: Earlier in the meeting this item was discussed. See page 12.)

Supervisor Hyland moved that the Board authorize the advertisement of a public hearing to be held before the Board to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to include African Pygmy hedgehogs within the definition of a commonly accepted pet. Supervisor Frey seconded the motion.

Following discussion, with input from Jane Gwinn, Director, Zoning Administration Division, Department of Planning and Zoning, and Erin Ward, Assistant County Attorney, Supervisor Hyland asked to amend the motion that the Board direct staff to return at the next Board meeting scheduled for July 9, 2001, with an Administrative Item authorizing the advertisement of a public hearing to be held before the Board on proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl) and Chapter 112 (Zoning Ordinance) to include African Pygmy hedgehogs within the definitions of commonly accepted pets, and this was accepted.

Following discussion, Supervisor Connolly asked to amend the motion to include hermit crabs in the definitions of commonly accepted pets, and this was accepted.

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

16. **A-1 – AUTHORIZATION TO MAKE COMMUTER RAIL PAYMENT**  
(Tape 4)

On motion of Supervisor Bulova, jointly seconded by Supervisor Connolly and Supervisor Kauffman, and carried by a vote of nine, Supervisor McConnell not yet having arrived, the Board concurred in the recommendation of staff and:

- Authorized the payment of \$1,255,092 to the Northern Virginia Transportation Commission.
- Authorized staff to make future payments, consistent with the County's Adopted Budget, without bringing a separate payment item semi-annually to the Board for consideration. Staff provides the proposed VRE budget to the Board each year for review and comment as part of the County's budget process, and the Board appropriates the County's annual contribution to VRE when the budget is adopted.

17. **A-2 – AUTHORIZATION TO PAY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) FISCAL YEAR (FY) 2002 FIRST QUARTER BILLING (COUNTYWIDE)** (Tape 4)

(R) On motion of Supervisor Kauffman, seconded by Supervisor Connolly, and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell not yet having arrived, the Board concurred in the recommendation of staff and:

- Adopted the Resolution authorizing the payment of WMATA's FY 2002 first quarter transit operating and capital billing in the amount of \$14,517,293.
- Authorized the Director of the Department of Transportation to make future payments, consistent with the County's adopted budget, without bringing a separate payment item each quarter to the Board for consideration.

18. **A-3 – PUBLIC HEARING FOR VIRGINIA TRANSPORTATION DEVELOPMENT PLAN (VTDP) FOR HIGHWAY AND TRANSIT FUNDS FOR FISCAL YEAR (FY) 2002 THROUGH FY 2007** (Tape 4)

Chairman Hanley volunteered to present the Board's position to the Commonwealth Transportation Board (CTB) at the VTDP hearing.

Supervisor Kauffman moved that the Board concur in the recommendation of staff and:

- Direct staff to request the CTB to approve funding for the priority projects listed in Attachments I and II of the Memorandum to the Board dated June 25, 2001.
- Direct staff to request the CTB to expedite projects that received funding in the Virginia Transportation Act of 2000 (VTA 2000), including the Interstate (I)-66/I-495 fly-over ramp, the I-95 fourth lane, the Route 1 project, and the Fairfax County Parkway (interchange at Fair Lakes Parkway/Monument Drive and widening from Sunrise Valley Drive to Route 123) and make funding available for metrorail capital improvements.
- Express concern about the continued erosion of funds from the Secondary Highway System as a result of the VTA 2000 projects, and request that necessary efforts be made to infuse funds back into the secondary program to account for the reduction.
- Reiterate the County's request that the CTB continue funding for the Dulles transit enhancements, including the County's Express Bus Service and phased development of Dulles Rail.
- Request the CTB to support the FY 2002 request for State transit capital and operating assistance to Northern Virginia, to approve the County's FY 2002 grant applications, including the RideSources grant application, and to approve funding for an FY 2002 Bus Fare Buydown Program.
- Request the CTB to approve the Transportation Coordinating Council recommendations regarding Congestion Mitigation and Air Quality and Regional Surface Transportation project funding.
- Approve the letter to Secretary Ybarra, transmitting the recommendations of the Board and emphasizing its concern regarding allocations to Interstate, Primary, and Transit projects, facilities, and services.

Supervisor Kauffman further moved the addition of a project concerning the exit on Van Dorn Street and the Beltway.

Supervisor Hyland seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion that the Board direct staff to inquire how the Transportation Coordinating Council will use the \$330 million Federal Highway Reimbursement Anticipation Notes, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following discussion, with input from Young Ho Chang, Director, Department of Transportation, Supervisor Bulova asked to amend the motion to include the Route 236 project, and this was accepted.

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

19. **A-4 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS AND THE NORTHERN VIRGINIA CONSERVATION TRUST (NVCT)** (Tape 4)

Supervisor Mendelsohn moved that the Board concur in the recommendation of staff and approve the MOU with the NVCT. Supervisor Bulova seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive, and Alison F. Kriviskey, Planner III, Planning Division, Department of Planning and Zoning.

Supervisor Mendelsohn moved to amend the motion to change all instances of the words "cost of living" to "**an inflation factor to be agreed upon mutually between the County and the NVCT,**" and this was accepted.

Following further discussion with input from Paul Gilbert, President, NVCT, David P. Bobzien, County Attorney, and Mr. Griffin, the question was called on the motion, as amended, and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

20. **A-5 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS AND THE SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION (SFDC) (LEE AND MOUNT VERNON DISTRICTS)** (Tape 4)

Supervisor Hyland moved that the Board concur in the recommendation of staff and:

- Approve the MOU with the SFDC.
- Authorize the Chairman to sign the MOU on behalf of the Board.

Supervisor Hyland further moved that the following changes be made to handwritten page two:

- Paragraph B1: Change the word "project" to "**property.**"
- Paragraph B4, second sentence: After the word "initiatives" add "**and projects.**"

Supervisor Kauffman seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Hyland moved to amend the motion that the Board, if as a result of the lines of business review, direct staff to return with a revised MOU agreement to include the Economic Development Authority in the revitalization efforts, and this was accepted.

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

Further discussion ensued.

21. **A-6 – CHANGES TO THE FAIRFAX COUNTY PURCHASING RESOLUTION** (Tape 4)

- (R) On motion of Supervisor Connolly, seconded by Supervisor Hudgins, and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell not yet having arrived, the Board concurred in the recommendation of staff and approved the changes to the Fairfax County Purchasing Resolution, to become effective July 1, 2001. The proposed changes incorporate modifications resulting from legislation enacted during the 2001 session of the Virginia General Assembly that are related to the Virginia Public Procurement Act, as well as other administrative changes recommended by staff.

22. **A-7 – AUTHORIZATION OF THE ISSUANCE OF A \$40 MILLION SEWER REVENUE BOND TO PAY A PORTION OF THE COUNTY'S SHARE OF THE COST OF IMPROVEMENTS TO THE ALEXANDRIA SANITATION AUTHORITY'S WASTEWATER TREATMENT PLANT AND THE EXECUTION OF A REFINANCING AGREEMENT WITH THE VIRGINIA WATER FACILITIES REVOLVING FUND** (Tape 4)

Chairman Hanley announced that this item would be considered later in the meeting.

(NOTE: Later in the meeting the Board took action on this item. See Clerk's Summary Item CL#75.)

23. **A-8 – AUTHORIZATION TO EXECUTE AN AGREEMENT WITH METRO PARK, LLC TO PROVIDE TRANSPORTATION ASSOCIATION OF GREATER SPRINGFIELD (TAGS) BUS SERVICE TO METRO PARK (LEE DISTRICT)** (Tape 4)

On motion of Supervisor Kauffman, seconded by Chairman Hanley, and carried by a vote of nine, Supervisor McConnell not yet having arrived, the Board concurred in the recommendation of staff and:

- Endorsed the extension of TAGS bus service to Metro Park via a proposed new TAGS Route S82, under the condition that Metro Park, LLC contributes to the County \$110,000 in Fiscal Year 2002, and a similar amount adjusted for inflation each subsequent year, to help defray TAGS operating costs.
- Authorized the Director of the Department of Transportation to execute an agreement with Metro Park, LLC that is in substantial conformity with the agreement included.

24. **I-1 – RETIREMENT SYSTEMS COST-OF-LIVING (COLA) INCREASES FOR 2001** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated June 25, 2001, announcing the Retirement Systems COLA increases for 2001.

25. **I-2 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-S01-6, FAIRFAX COUNTY WATER AUTHORITY (SPRINGFIELD DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated June 25, 2001, announcing the Planning Commission's approval of Public Facilities Application 2232-S01-6.

26. **I-3 – RESPONSE TO BOARD QUESTIONS RELATED TO CABLE TELEVISION ISSUES** (Tapes 4-5)

The Board next considered an item contained in the Memorandum to the Board dated June 25, 2001, responding to Board questions related to cable television issues that were raised at the Board meeting held on June 11, 2001.

Discussion ensued with input from Skip Munster, Director, Communications Policy and Regulation Division, Department of Cable Communications and Consumer Protection.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to return with information regarding the language used by the cable companies in their advertising/promotional campaigns. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Further discussion ensued.

27. **I-4 – FAIRFAX COUNTY WINS SEVEN NATIONAL AWARDS** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated June 25, 2001, announcing that the County has won seven 2001 National Achievement Awards for innovative programs from the National Association of Counties as follows:

- Homeownership Opportunities Program at Founders Ridge
- Health Information Partnership
- Municipal Road Maintenance
- Girl Power
- Fibromyalgia Water Exercise Class
- Department of Vehicle Services' Public Schools Internship
- A Community Sampler: Eight Immigrant and Refugee Communities with Public School Children

**ADDITIONAL BOARD MATTERS**

NV:nv

28. **BOND SALE** (Tape 6)

Chairman Hanley announced that the interest rate for the recent bond sale was the lowest ever for the County, 4.2 percent. She congratulated staff who worked on the sale.

29. **NORTHERN VIRGINIA WORKFORCE INVESTMENT ACT (WIA) FUNDING** (Tape 6)

Chairman Hanley stated that the Workforce Investment Board sent a number of letters for her signature regarding funds for the WIA. She relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to communicate its concern with the status of the WIA funding and send the letters as presented. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

30. **VIRGINIA ASSOCIATION OF COUNTIES (VACo) BULLETIN REGARDING 2001 TAX ACT** (Tape 6)

Chairman Hanley called the Board's attention to a VACo bulletin that stated that the 2001 Tax Act contains incentives for issuing tax-exempt bonds to benefit public schools. She asked unanimous consent that the Board direct staff to inform the Board at the next meeting of the effect of this legislation on the County's public schools. Without objection, it was so ordered.

31. **DULLES TOLL ROAD** (Tape 6)

Chairman Hanley stated that she had read an article recently in the *Times Community Newspapers* regarding the Dulles Toll Road. In a discussion of the tolls, the article pointed out that there is approximately \$7 million worth of surplus in the Toll Road account. She asked unanimous consent that the Board direct staff to provide an Information Item at the Board's next meeting that would outline the law and policy requirements of the Commonwealth, the Commonwealth Transportation Board, and the Airports Authority as to what happens to tolls and surplus tolls and the transit set-aside in this corridor. She further requested that the Board direct staff to provide an accounting for the last few years of:

- The amount of the surplus.
- On what it is being spent.



- The difference between the bond and the cost for the last two times that the Toll Road was widened.

Chairman Hanley clarified that the policy information should be provided for the time period since 1988 and the accounting should be for the last five to six years. Without objection, the request, as clarified, was so ordered.

Discussion continued briefly.

32. **PARTNERSHIP FOR YOUTH** (Tape 6)

Chairman Hanley stated that the County's budget has allocated \$50,000 for the Partnership for Youth, with the assumption that it would be released when the State budget was completed with matching funds. Because the State budget has not been completed and there is no match, Chairman Hanley moved that the Board direct staff to proceed with the release of the \$50,000. Supervisor Mendelsohn seconded the motion.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**PMH:pmh**

33. **FAIRFAX COUNTY WINS AWARD FOR AFFORDABLE HOUSING**  
(Tape 7)

Supervisor Hudgins announced that the Fairfax County Department of Housing and Community Development won an award for its support of the Coppermine project for affordable housing for persons with disabilities.

34. **RESTON "TASTE OF THE TOWN"** (Tape 7)

Supervisor Hudgins announced that the Reston "Taste of the Town" was well attended on Saturday and Sunday.

35. **RESTON COMMUNITY CENTER HOSTS SUMMER CONCERT SERIES**  
(Tape 7)

Supervisor Hudgins announced that each Thursday, the Reston Community Center hosts a summer concert series from 7 p.m. until 9 p.m. at the:

- Lake Anne Village Center in June
- Reston Town Center in July

- Hunters Woods Village Center in August

36. **ARTS IN THE PARKS** (Tape 7)

Supervisor Hudgins announced that the Fairfax County Park Authority sponsors Arts in the Parks at various parks Countywide. The location in the Hunter Mill District is at Lake Fairfax on Saturday mornings at 10 a.m.

37. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR MR. STEPHEN HOCKETT** (Tape 7)

Supervisor Hudgins noted that Stephen Hockett, principal at Hunters Woods Elementary School was one of 40 selected participants who will contribute to the fourth annual Oxford International Roundtable on the superintendency and principalship at Saint Anthony's College, University of Oxford, England, from July 22-22, 2001.

Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare and send a Certificate of Recognition to Mr. Hockett on his achievements. Without objection, it was so ordered.

38. **NO BOARD MATTERS FOR SUPERVISOR MENDELSON** (Tape 7)

Supervisor Mendelsohn announced that he had no Board Matters to present today.

39. **EXPANSION OF THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)** (Tape 7)

Supervisor Bulova said that student parking on residential streets around Annandale High School continues to be a serious problem and expansion of the Annandale RPPD is needed. She added that she has forwarded to the Department of Transportation a petition for the expansion of the Annandale RPPD on Arlen Street from Erie Street to Manion Street.

Therefore, Supervisor Bulova moved that the Board direct staff to waive the fees and to proceed as expeditiously as possible. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

40. **BRADDOCK DISTRICT TOWN MEETING** (Tape 7)

Supervisor Bulova announced that the next Braddock District town meeting is scheduled for June 27, 2001, at 7:30 p.m. at the Little Run Elementary School. She noted that the topic of the meeting is "Taking Time to Smell the Roses: Recreational Opportunities in Fairfax County."

41. **DEED TRANSFER OF LAND FOR TYSONS EAST BUS TRANSFER STATION** (Tape 7)

Supervisor Connolly said that on June 18, 2001, on behalf of Fairfax County, he and Chairman Hanley accepted a deed transfer from West Group for the land at the intersection of Route 123 and Colshire Drive in McLean. The 2.35 acres of land has been provided by West Group and can be used, among other things for the Tysons East Bus Transfer Station.

42. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-P-040, SPECIAL EXCEPTION APPLICATION SE 00-P-050 AND REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2000-PR-056** (Tape 7)

Supervisor Connolly announced his intent, at the appropriate time, later in the meeting, to defer the public hearing on Proffered Condition Amendment Application PCA 90-P-040 Special Exception Application SE 00-P-050, and Rezoning/Final Development Plan Application RZ/FDP 2000-PR-056 until July 9, 2001, at 3 p.m.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item CL#92.)

43. **ODYSSEY OF THE MIND** (Tape 7)

Supervisor Connolly announced that Fairfax County had six student Odyssey of the Mind teams out of 700 teams worldwide. He added that three of the six finished in the top five.

Supervisor Connolly asked unanimous consent that the Board direct staff to invite representatives of the six teams to appear before the Board to be recognized for their accomplishments. Without objection, it was so ordered.

Supervisor Hudgins noted that the students have already been invited.

44. **NO BOARD MATTERS FOR SUPERVISOR KAUFFMAN** (Tape 7)

Supervisor Kauffman announced that he had no Board Matters to present today.

NV:nv

45. **REQUEST FOR RECOGNITION OF VINCENT A. KEANE, MOUNT VERNON REPRESENTATIVE TO THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (Tape 8)

(BACs) Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Vincent A. Keane to appear before the Board in recognition of his years of

outstanding service to the citizens of the County as the Mount Vernon District Representative to the CSB. Without objection, it was so ordered.

46. **MILA - THE MIRACLE DOG** (Tape 8)

Supervisor Hyland referred to his written Board Matter regarding a labrador retriever who was found, near death, on the Mason Neck shoreline. Chris and Craig Gudikunst spotted her from their boat and, upon determining that she was still alive, rushed her to an emergency veterinary clinic. The dog had numerous medical problems and was determined to have been shot, with the bullet lodged in her windpipe. The dog has undergone medical procedures and has been named "Milagros," Spanish for miracles.

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Chris and Craig Gudikunst; Susan and Jonathan Harrison, the dog's foster family; and the executive director of the Homeless Animals Rescue Team to appear before the Board to be recognized for their extraordinary efforts with this animal.

Supervisor Frey asked to amend the request to also invite Mila and this was accepted. Without objection, the request, as amended, was so ordered.

47. **STORMWATER RUNOFF** (Tape 8)

Supervisor Hyland stated that he had received calls from a constituent regarding stormwater runoff that a neighbor had diverted from his property and toward a neighboring property owner's lot. He said that under current regulations, a property owner can bring the drain pipe to the neighbor's property line as long as the pipe does not cross the neighbor's property. He asked unanimous consent that the Board direct staff to review this situation and follow up with the Board. Without objection, it was so ordered.

48. **APPOINTMENT TO THE PART 150 ADVISORY COMMITTEE** (Tape 8)

(APPT) Supervisor Hyland moved the appointment of Ms. Diane Donley as the Citizen Representative to the Part 150 Advisory Committee, which will make recommendations on how to improve noise abatement practices at Ronald Reagan Washington National Airport. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

49. **PAYMENT IN LIEU OF TAXES (PILT)** (Tape 8)

Supervisor Hyland stated that the County recently received a PILT for federal property located on Mason Neck. Each year these funds are placed in the General Fund. Accordingly, he asked unanimous consent that the Board direct the County Executive to consider applying the \$64,828 to the existing trail project on Mason Neck.

Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and asked to amend the request to direct the County Executive to provide a report on PILTs and this was accepted. Following discussion, with input from Anthony H. Griffin, County Executive, the request, as amended, was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

50. **CENTREVILLE HIGH SCHOOL GIRLS' LACROSSE TEAM WINS STATE CHAMPIONSHIP** (Tape 8)

Supervisor Frey announced that the Centreville High School Girls' Lacrosse Team won the State championship against Rockbridge County by a score of 10-4, finishing with an impressive 17-1 record for the season.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite the Lady Wildcats and the coaching staff to appear before the Board for recognition of this outstanding achievement on Monday, July 9, 2001. Without objection, it was so ordered.

51. **REQUEST FOR RECOGNITION OF STARR KARL, FIELD HOCKEY COACH FOR CENTREVILLE HIGH SCHOOL** (Tape 8)

Supervisor Frey said that Starr Karl, the field hockey coach for Centreville High School, has earned a winning reputation in the Washington area with three Virginia AAA Northern Region titles and 15 district crowns in 18 seasons. To add to this amazing list of accomplishments, Ms. Karl was also named the National Field Hockey Coach of the Year for 2000 by the National Federation Coaches Association. Although she earned this national award back in January of this year, it was not until the Centreville High School June Sports Banquet that the award announcement was made public.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite Ms. Karl to appear before the Board on Monday, July 9, 2001, to be recognized for this outstanding achievement. Without objection, it was so ordered.

52. **CENTREVILLE PRESBYTERIAN CHURCH** (Tape 8)

Supervisor Frey said that in 1994 Centreville Presbyterian Church received Special Permit approval to operate a place of worship in a building owned by the County at 5690 Sully Road in Centreville. Due to some confusion regarding paving of the parking lot, the church did not receive a Non-Residential Use Permit within the required time and the Special Permit expired.

Supervisor Frey said that the church has filed an application for a new Special Permit to allow it to continue to maintain its place of worship at the property.

Because the building is owned by the County, the Board must authorize concurrence with the application before it can be accepted for public hearing.

Therefore, Supervisor Frey moved that the Board authorize concurrence with the Special Permit application filed by the Centreville Presbyterian Church for the property located at 5690 Sully Road. The applicants understand that this motion will not prejudice the consideration of the application in any way. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

53. **REQUEST FOR RECOGNITION OF JOHN STEPHENS, SULLY DISTRICT REPRESENTATIVE TO THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (Tape 8)

(BACs) Supervisor Frey said that Mr. John Stephens has diligently served as the Sully District Representative to the CSB for the past three terms. During this time, Mr. Stephens displayed enthusiasm, dedication, and commitment to the work of the CSB.

Supervisor Frey asked unanimous consent that the Board direct staff to invite Mr. Stephens to appear before the Board on Monday, July 23, 2001, for recognition of his numerous years of service to the CSB and to Fairfax County. Without objection, it was so ordered.

54. **REQUEST FOR CONCURRENT PROCESSING OF PLANS WITH THE CONSIDERATION OF SPECIAL EXCEPTION APPLICATION SE 01-Y-007** (Tape 8)

Supervisor Frey said that Quarles Petroleum, Incorporated has submitted a special exception application to permit the operation of an unstaffed fleet service station on Willard Road in the Sully District. Given the location of the property and the fact that the application is consistent with the recommendations of the Comprehensive Plan, the applicant has requested that the Board authorize concurrent processing.

Therefore, Supervisor Frey moved that the Board direct the Department of Public Works and Environmental Services to process the subdivision and site plans concurrently with the consideration of Special Exception Application SE 01-Y-007. The applicant understands that this motion will not prejudice the consideration of the applications in any way. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

55. **REQUEST FOR CONCURRENT PROCESSING OF PLAN WITH THE CONSIDERATION REZONING APPLICATION RZ 2001-SU-016/015, PROFFERED CONDITION AMENDMENT APPLICATION PCA 95-Y-016-2 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 95-Y-024** (Tape 8)

Supervisor Frey said that Starwood Ceruzzi has submitted rezoning, proffered condition amendment and special exception amendment applications to redesign a previously approved retail commercial center located at the intersection of Route 28 and Route 50. The applications also incorporate additional land area into the original rezoning site. Given the location of the property and the fact that the application is consistent with the recommendations of the Comprehensive Plan, the applicant has requested that the Board authorize concurrent processing.

Therefore, Supervisor Frey moved that the Board direct the Department of Public Works and Environmental Services to process the subdivision and site plans concurrently with the consideration of Rezoning Application RZ 2001-SU-016/015, Proffered Condition Amendment Application PCA 95-Y-016-2, and Special Exception Amendment Application SEA 95-Y-024. The applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

56. **THOMPSON HOUSE** (Tape 8)

Supervisor Frey stated that a year ago citizens began to work with the Virginia Department of Transportation (VDOT) to save an old house called the Thompson House located at the intersection of West Ox Road and Thompson Road. VDOT has found an interested party to relocate and restore the house on the existing four-acre lot, but the County has the right of first refusal. Accordingly, he moved that the Board direct staff to send a letter to VDOT on the Board's behalf indicating the Board's support of VDOT's efforts to have a private party renovate and restore the house and that the County has no interest in doing so. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

57. **REQUEST FOR THE BOARD OF EQUALIZATION (BOE) TO AMEND ITS PROCEDURES** (Tape 8)

Supervisor Gross said that a constituent who recently went through a BOE appeal for the valuation of his property complained that the BOE retains tapes of the hearings for only ten days. By the time the taxpayer receives the letter of invitation to review the tape, the ten days have elapsed and it is too late. She also noted that staff does not provide verbatim transcripts.

Therefore, Supervisor Gross moved that the Board request that the BOE amend its procedures to address this concern, either by retaining each hearing tape for a minimum of 30 days, or by informing appellants at the time of the hearing that the tape will be available for only ten days. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

(NOTE: Later in the meeting, the Board raised the issue of the verbatim transcripts provided by the Planning Commission. See Clerk's Board Summary CL#60.)

58. **OUT-OF-TURN PLAN AMENDMENT (OTPA)** (Tape 8)

Supervisor Gross said that she would like the Board to authorize an OTPA on an area that includes the Virginia Railway Express (VRE) Station on Hechinger Drive, east of Backlick Road. The VRE station was included in Metro's joint development solicitation document, dated July 2000. Metro received a proposal for residential development on this site. She met with the developer to discuss the proposal and indicated that she had some concerns. She asked the developer to meet with the Department of Transportation, as well as the Department of Planning and Zoning (DPZ). The result of that meeting raised the issue: whether housing only on the VRE property would be compatible with surrounding uses, such as the vacant Hechinger building. However, staff indicated that housing near a VRE station, in concept, would be desirable near a transit station, especially if the evaluation included a larger area. This larger area suggested by staff would include all the land within Land Unit B, as shown on the map that she had distributed with her written Board Matters.

Therefore, Supervisor Gross moved that the Board direct staff of the DPZ to consider an OTPA for Land Unit B of the Beltway South Industrial Area. For this OTPA, staff should evaluate if residential use is appropriate within this area and, if so, what type and what density and under what conditions would residential use be appropriate. Supervisor Hudgins seconded the motion.

Following discussion, with input from Fred Selden, Director, Planning Division, DPZ, the question was called on the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

59. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-110-4** (Tape 8)

Supervisor Gross stated that Verestar, Incorporated has filed Special Exception Amendment Application SEA 85-L-110-4 for property located at 6461 Stephenson Way. The applicant has requested that site plan processing be concurrent with the Special Exception request.

Accordingly, Supervisor Gross moved that the Board direct staff to process the site plan with this application concurrently. She noted that this motion should not



be construed as a favorable recommendation on the Special Exception Amendment application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Connolly seconded the motion which carried by a vote of nine, Supervisor McConnell not yet having arrived.

60. **PLANNING COMMISSION VERBATIM TRANSCRIPTS** (Tape 8)

(NOTE: Earlier in the meeting, the Board mentioned verbatim transcripts for a County board. See Clerk's Summary Item CL#57.)

Supervisor Kauffman expressed a concern about the nature of the verbatim transcripts that the Planning Commission provides to the Board. He said that the staff indicates questions by commissioners as a bracketed item outside of the actual verbatim, but does not indicate the answers provided. He asked unanimous consent that the Board direct staff to determine a way to provide that information. Without objection, it was so ordered.

61. **RECESS/CLOSED SESSION** (Tape 8)

At 1:25 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.1-344(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.1-344(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.1-344(A)(7).

1. *Board of Supervisors of Fairfax County, Virginia v. Board of Zoning Appeals of Fairfax County, Virginia, et al.*, At Law No. 188771 (Fx. Co. Cir. Ct.) (Dranesville District)

2. In the Matter of Driggs Corporation, General Contractor for Herndon-Monroe Park & Ride Facility, Contract No. CN71022, Project No. 90A007 (Hunter Mill District)
3. Authorization to Petition the General District Court for a Subpoena on Behalf of the Human Rights Commission in *Herron v. Sleepy Hollow Manor Nursing Home*, HRC No. 2000207E (Mason District)
4. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Springfield Tennis Limited Partnership, d/b/a Fairfax Sportsplex, Inc.*, In Chancery No. 170129 (Fx. Co. Cir. Ct.) (Mason District)
5. *Jane W. Gwinn, Fairfax County Zoning Administrator v. John Thoburn, Renee Thoburn, Jindo Kim, Younghee Kim, Golf Park, Inc., and Hunter Mill East, L.L.C.*, In Chancery No. 161908 (Fx. Co. Cir. Ct.) (Dranesville District)
6. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Paul Klaassen and Teresa M. Klaassen*, Case No. 01-12357 (Fx. Co. Gen. Dist. Ct.) (Providence District)
7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Tavares Concrete Company, Inc.*, In Chancery No. 172827 (Fx. Co. Cir. Ct.) (Lee District)
8. *Stephen Weidman and Cynthia Weidman v. Board of Zoning Appeals of Fairfax County, Thomas S. Cherry, and Mary C. Cherry*, At Law No. 191682 (Fx. Co. Cir. Ct.) (Providence District)
9. *John D. Fowler v. Fairfax County Police Officers Retirement System*, In Chancery No. 169977 (Fx. Co. Cir. Ct.), Record No. 010615 (Va. Sup. Ct.)

And in addition:

- *Board of Supervisors versus Governors Run, LP and Airston Group, III, Incorporated*, At Law Numbers 190532 and 193346.
- *Jane W. Gwinn, Fairfax County Zoning Administrator versus Randy Lievan and Arthur Kyser, together trading as Dryclean Depot, et al.*, In Chancery Number 162183.

Supervisor Hudgins seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Chairman Hanley announced that closed session would convene at 1:30 p.m.

**DMB:dmb**

At 3 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

#### **ACTIONS FROM CLOSED SESSION**

62. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 9)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

63. **REJECTION OF THE PRESENT SETTLEMENT OFFER OF BOARD OF SUPERVISORS VERSUS GOVERNORS RUN, LP, AT LAW NUMBERS 190532 AND 193346** (Tape 9)

Supervisor Frey moved that the Board reject the present settlement offer in the matter of *Board of Supervisors versus Governors Run, LP*, At Law Numbers 190532 and 193346. Supervisor Bulova seconded the motion and it carried by unanimous vote.

64. **AUTHORIZATION OF THE SETTLEMENT IN THE MATTER OF DRIGGS CORPORATION, GENERAL CONTRACTOR FOR HERNDON-MONROE PARK-AND-RIDE FACILITY, CONTRACT NUMBER CN71022** (Tape 9)

Supervisor Hudgins moved that the Board authorize settlement in the matter of Driggs Corporation, General Contractor for Herndon-Monroe Park-and-Ride Facility, Contract Number CN71022, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote.

65. **AUTHORIZATION OF AN APPEAL TO THE SUPREME COURT OF VIRGINIA IN BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA VERSUS BOARD OF ZONING APPEALS OF FAIRFAX COUNTY, VIRGINIA, ET AL.** (Tape 9)

Supervisor Mendelsohn moved that the Board authorize an appeal to the Supreme Court of Virginia in *Board of Supervisors of Fairfax County, Virginia versus Board of Zoning Appeals of Fairfax County, Virginia, et al.*, At Law Number. 188771, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

66. **AUTHORIZATION OF THE COUNTY ATTORNEY TO PETITION THE GENERAL DISTRICT COURT ON BEHALF OF THE HUMAN RIGHTS COMMISSION FOR A SUBPOENA DUCES TECUM IN THE MATTER OF HERRON VERSUS SLEEPY HOLLOW MANOR NURSING HOME** (Tape 9)

Supervisor Gross moved that the Board authorize the County Attorney to petition the General District Court on behalf of the Human Rights Commission for a subpoena duces tecum in the matter of *Herron versus Sleepy Hollow Manor Nursing Home*, as outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

#### **ADDITIONAL BOARD MATTERS**

67. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-Y-003 (FEDERATED DEPARTMENT STORES, INCORPORATED) (SULLY DISTRICT)** (Tape 9)

Supervisor McConnell moved to defer the public hearing on Special Exception Application SE 01-Y-003 until **September 24, 2001, at 3 p.m.** This motion, the second to which was inaudible, carried by unanimous vote.

68. **APPOINTMENT TO THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL** (Tape 9)

(APPT) Supervisor McConnell moved the appointment of Ms. Priyanka Tandon as the Student Representative to the Environmental Quality Advisory Council for a one-year term to begin on July 1, 2001, and end in June 2002. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

69. **PUBLIC HEARING DATE FOR REZONING APPLICATION RZ 2000-SU-012 IN THE NAME OF CENTEX HOMES** (Tape 9)

Supervisor McConnell said that on October 16, 2000, the Board approved Rezoning Application RZ 2000-SU-012 in the name of Centex Homes to permit the development of certain property off Lee Highway in what was then the Sully District. The rezoning included approximately 1.37 acres of public right-of-way for Summit Drive. To develop the property in accordance with the approved Development Plan and to process the subdivision plan, this area must be abandoned and conveyed to the developer.

Therefore, Supervisor McConnell moved that the Board direct staff to schedule the necessary public hearings to be held before the Board on the abandonment and conveyance requests for Summit Drive on Monday, August 6, 2001. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

SBE:sbe

**AGENDA ITEMS**

70. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-021 (EQUITY HOMES, LP) (SPRINGFIELD DISTRICT)** (Tapes 10-11)

(O) The Rezoning Application RZ 2000-SU-021 property is located on the south side of Lee Highway, approximately 350 feet west of Village Drive, Tax Map 56-2 ((1)) 64, 65; 56-2 ((7)) 1-3; 56-4 ((1)) 5, 5A.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin 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 11 speakers, James Albright, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued with input from Kris Abrahamson, Branch Chief, ZED, Department of Planning and Zoning (DPZ), Barbara A. Byron, Director, ZED, DPZ, and James Albright, Staff Coordinator, ZED, DPZ.

Further discussion ensued with input from Michael S. Kitchen, Christopher Consultants, Limited, regarding the elevation of the proposed homes on certain lots that concerned some citizens because of potential drainage problems. Supervisor McConnell asked Mr. Martin, for the record, to consider the changes discussed and he replied, on the record, that he would do so.

Supervisor McConnell moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-021, be amended from the C-8, R-1, and WS Districts to the R-2 and WS Districts, subject to the execution of proffers consistent with those dated June 22, 2001. Supervisor Bulova seconded the motion.

Following further discussion, the question was called on the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

71. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-Y-003 (FEDERATED DEPARTMENT STORES, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 11)

(NOTE: Earlier in the meeting this public hearing was deferred. See Clerk's Item CL#67.)

72. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-006 (PUBLIC STORAGE, INCORPORATED) (MASON DISTRICT)** (Tape 11)

The Special Exception Application SE 01-M-006 property is located at 6307 and 6319 Arlington Boulevard, and 2930 Sleepy Hollow Road, Tax Map 51-3 ((1)) 4-8; 51-3 ((5)) 1.

Ms. Inda E. Stagg reaffirmed the validity of the affidavit for the record.

Ms. Stagg 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, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Gross moved approval of Special Exception Application SE 01-M-006, subject to the development conditions dated May 30, 2001. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn and Chairman Hanley being out of the room.

### **ADDITIONAL BOARD MATTER**

73. **HAPPY BIRTHDAY TO SULLY DISTRICT SUPERVISOR MICHAEL FREY** (Tape 11)

Supervisor Hyland stated that it was the birthday of Sully District Supervisor Michael Frey. The Board wished him a happy birthday and many happy returns.

### **AGENDA ITEMS**

74. **3:30 P.M. – PH ON THE PROPOSED ISSUANCE OF SEWER REVENUE BONDS (COUNTYWIDE)** (Tape 11)

(Bonds) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 12 and June 19, 2001.

Following the public hearing, Supervisor Gross moved approval of the issuance of a \$40 million sewer revenue bond. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

75. **A-7 – AUTHORIZATION OF THE ISSUANCE OF A \$40 MILLION SEWER REVENUE BOND TO PAY A PORTION OF THE COUNTY'S SHARE OF THE COST OF IMPROVEMENTS TO THE ALEXANDRIA SANITATION AUTHORITY'S WASTEWATER TREATMENT PLANT AND THE EXECUTION OF A REFINANCING AGREEMENT WITH THE VIRGINIA WATER FACILITIES REVOLVING FUND** (Tape 11)

(R) (NOTE: Earlier in the meeting the Board deferred action on this item. See  
(Bond) Clerk's Summary Item CL#22.)

On motion of Supervisor Gross, seconded by Supervisor Connolly, and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Mendelsohn being out of the room, the Board concurred in the recommendation of staff and authorized the issuance of a \$40 million sewer revenue bond to pay a portion of the County's share of the cost of improvements to the Alexandria Sanitation Authority's Wastewater Treatment Plant and approve the loan from the Virginia Water Facilities Revolving Fund and the form of a Refinancing Agreement evidencing the loan.

76. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-M-098-2 AND SPECIAL EXCEPTION APPLICATION SE 01-M-012 (FIRST VIRGINIA BANK) (MASON DISTRICT)** (Tape 11)

The Special Exception Amendment Application SEA 83-M-098-2 is located at 7205 Little River Turnpike, Tax Map 71-1 ((1)) 115. The Special Exception Application SE 01-M-012 property is located at 4401 Backlick Road, Tax Map 71-1 ((1)) pt. 115 and 116D.

Mr. Benjamin F. Tompkins reaffirmed the validity of the affidavit for the record.

Mr. Tompkins 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, Amy Parker, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 83-M-098-2, subject to the development conditions dated June 12, 2001.
- Approval of Special Exception Application SE 01-M-012, subject to the development conditions dated June 14, 2001.
- Modification of the transitional screening requirements and waiver of the barrier requirements in favor of the treatment depicted on the Special Exception plat.

Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

77. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-024 (ALD GROUP, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 11)

(O) The application property is located generally in the northeast quadrant of the intersection of Lee Highway and Waples Mill Road, Tax Map 56-2 ((1)) 44.

Mr. Mark G. Jenkins reaffirmed the validity of the affidavit for the record.



Mr. Jenkins 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, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-024, from the R-1 and WS Districts to the PDH-12 and WS Districts, subject to the execution of proffers consistent with those dated June 6, 2001.
- Approval of a variance of the minimum district size requirement to permit a 1.06 acre PDH District.
- Approval of a variance to permit a fence in the front yard up to six feet in height.
- Waiver of the service drive requirement along Route 29 and waiver of the roadway and frontage improvement requirements for Lee Highway.

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

78. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-H-053 (SPRINT PCS) (HUNTER MILL DISTRICT)** (Tape 11)

The application property is located at 12052 North Shore Drive, Tax Map 18-1 ((5)) 8B.

Ms. Michelle A. Rosati reaffirmed the validity of the affidavit for the record.

Ms. Rosati 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, Cathy Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Application SE 00-H-053, subject to the development conditions dated April 26, 2001. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

79. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2000-PR-035 (OAK STREET DEVELOPMENT CORPORATION) (PROVIDENCE DISTRICT)**  
(Tape 11)

- (O) The Rezoning Application RZ 2000-PR-035 property is located on the southeast side of Idylwood Road, at its intersection with Barbour Road, Tax Map 40-3 ((20)) 1-4.

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.

Following the public hearing, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Denial of Rezoning Application RZ 2000-PR-035 from the R-2 District to the R-4 District.
- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-PR-035 from the R-2 District to the R-3 District, subject to the proffers dated May 24, 2001.

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

Supervisor Connolly further moved that as proffer one will require the applicant to pursue a variance from the Board of Zoning Appeals, that the Board direct staff to concurrently process the site plans and variance applications. This action does not prejudice the consideration of this review in any way. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

80. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S01-III-P1 FOR THE SILVERBROOK FARMS AREA (SPRINGFIELD DISTRICT)**  
(Tape 11)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

Following the public hearing, which included testimony by one speaker, Supervisor McConnell moved adoption of Out-of-Turn Plan Amendment S01-III-P1 as shown on pages 4 and 5 of the staff report dated June 6, 2001. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

81. **4 P.M. – PH ON A PROPOSAL TO VACATE AN UNNAMED RIGHT-OF-WAY IN THE ASHTON C. JONES SUBDIVISION (BRADDOCK DISTRICT)** (Tape 11)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

Following the public hearing, Supervisor Bulova moved adoption of the Ordinance vacating an unnamed right-of-way in the Ashton C. Jones subdivision. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

82. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-Y-001 (BUDGET RENT-A-CAR CORPORATION) (SPRINGFIELD DISTRICT)**  
(Tape 11)

The Special Exception Application SE 01-Y-001 property is located at 12000-L Fair Oaks Shopping Center, Tax Map 46-3 ((8)) 2.

Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

Mr. Sanders 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, James Albright, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved approval of Special Exception Application SE 01-Y-001, subject to the development conditions dated May 14, 2001. Supervisor Frey seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

83. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING GROUP 3 INSTITUTIONAL AND GROUP 6 OUTDOOR RECREATION SPECIAL PERMIT USES** (Tapes 11-12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

Following the public hearing, which included testimony by four speakers, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Option B as recommended by the Planning Commission with modifications to require kennels, animal shelters, and veterinary hospitals ancillary to kennels to be subject to special exception approval in lieu of special permit approval and with a deferred effective date of 90 days after the adoption of the amendment. Supervisor Bulova seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor Kauffman voting "NAY."

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

84. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC)** (Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

Following the public hearing, Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), regarding actions of the 2001 General Assembly. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly being out of the room.

85. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 83 (BOATS)** (Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

Following the public hearing, Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 83 (Boats). Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Connolly and Supervisor Mendelsohn being out of the room.

86. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM), SECTIONS 2, 6, 7, AND 10, REGARDING SOILS INFORMATION, CONSTRUCTION SCHEDULE, UNDERGROUND CHAMBERS, PAVEMENT DESIGN, AND SANITARY SEWER LATERALS (COUNTYWIDE)** (Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the PFM, as set forth in the staff report with the modification that the minimum required distances for the sewer line lateral be included in the text of Section 10 of the PFM as well as on the new plates 24-10 and 24M-10. The following types of plans shall be grandfathered; subdivision plans, excluding preliminary plats, sites plans, public improvement plans, and grading plans submitted prior to **12:01 a.m., June 26, 2001**, provided that such plans are approved no later than December 26, 2001. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

87. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, ESTABLISHING THE CEDAR RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 35 (PROVIDENCE DISTRICT)** (Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

Following the public hearing, which included testimony by nine speakers, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, establishing the Cedar RPPD, District 35. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

88. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-008  
(RUBY TUESDAY, INCORPORATED) (MASON DISTRICT)**  
(Tapes 12-13)

The Special Exception Application SE 01-M-008 property is located at 5800 Leesburg Pike, Tax Map 61-2 ((1)) pt. 72C.

Ms. M. Catharine Puskar reaffirmed the validity of the affidavit for the record.

Ms. Puskar 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, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 01-M-008, subject to the development conditions dated June 20, 2001, with the following revision:

- Modify the third sentence in Condition four to read as follows:  
"Two wall mounted signs, internally illuminated red plastic, measuring 22 feet by 24 inches for a total of 44 square feet each."

Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Hudgins being out of the room.

89. **RECONSIDERATION OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING GROUP 3 INSTITUTIONAL AND GROUP 6 OUTDOOR RECREATION SPECIAL PERMIT USES** (Tape 13)

(NOTE: Earlier in the meeting additional action was taken on this item. See Clerk's Summary CL#83.)

Supervisor Frey moved reconsideration of the Board's action on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding Group 3 Institutional and Group 6 Outdoor Recreation Special Permit Uses. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

Supervisor Frey moved adoption of proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Option B as recommended by the Planning Commission with an effective date of 120 days on **October 24, 2001**. Supervisor Bulova seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland, Supervisor Kauffman voting "NAY."

90. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-009 (KFC OF AMERICA, INCORPORATED) (MASON DISTRICT)** (Tape 13)

The Special Exception Application SE 01-M-009 property is located in the northeast quadrant of the intersection of Little River Turnpike and Medford Drive, Tax Map 71-1 ((20)) pt. 6.

Mr. Glenn E. Braswell reaffirmed the validity of the affidavit for the record.

Mr. Braswell 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 one speaker, Amy Parker, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 01-M-009, subject to the development conditions dated June 14, 2001.

- Modification of the eight-foot bicycle trail in favor of the six-foot sidewalk as shown on the SE Plat.

Supervisor Bulova seconded the motion and it carried by unanimous vote.

91. **5 P.M. PH ON REZONING APPLICATION RZ 2001-DR-001 (EDGEMOORE - STUART ROAD LLC) (DRANESVILLE DISTRICT)**  
(Tape 13)

- (O) The Rezoning Application RZ 2001-DR-001 property is located on the west side of the Fairfax County Parkway, at the north terminus of Stuart Road, Tax Map 11-1 ((1)) 8.

Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

Mr. Sanders 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 Supervisor Mendelsohn moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Frey seconded the motion and it carried by a vote nine, Supervisor Hyland being out of the room.

Supervisor Mendelsohn moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2001-DR-001 be amended from the R-1 District to the R-3 District, subject to the proffers dated June 18, 2001. Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland being out of the room.

92. **5 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-P-040, REZONING APPLICATION RZ 2000-PR-056, AND SPECIAL EXCEPTION APPLICATION SE 00-P-050 (FAIRFAX RIDGE LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)**  
(Tape 13)

Supervisor Connolly moved to defer the public hearing on Proffered Condition Amendment Application PCA 90-P-040, Rezoning Application RZ 2000-PR-056 and Special Exception Application SE 00-P-050 until **July 9, 2001, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.



93. **5 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-057 (LORTON VALLEY, LC AND LORTON VALLEY III, LC) (MOUNT VERNON DISTRICT) AND REZONING APPLICATION RZ 2000-MV-045 (LORTON VALLEY LC) (MOUNT VERNON DISTRICT)** (Tape 13)

Following discussion with input from David P. Bobzien, County Attorney, Keith C. Martin, Agent, and Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, Supervisor Connolly moved to defer the public hearings on Rezoning Applications RZ 2000-MV-057, and RZ 2000-MV-045 until **July 9, 2001, at 3 p.m.** Supervisor Gross seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Hyland and Supervisor Kauffman voting "NAY."

94. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, BY ENACTING CHAPTER 69.1 (WATER RECREATION FACILITIES ORDINANCE), AND REPEALING CHAPTER 69 (SWIMMING POOL ORDINANCE)** (Tape 13)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

Following the public hearing, which included testimony by four speakers, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, by enacting Chapter 69.1 (Water Recreation Facilities Ordinance), and repealing Chapter 69 (Swimming Pool Ordinance). Supervisor Frey seconded the motion and it **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Mendelsohn abstaining, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, and Supervisor McConnell being out of the room.

NV:nv

95. **ORDERS OF THE DAY** (Tape 13)

Chairman Hanley announced the Board would next proceed with public comment.

96. **5:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tapes 13-14)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 7 and June 14, 2001.

The public hearing was held and included testimony from the following four speakers:

- Ms. Laura Claxton regarding problems with the way parents are treated by the staff of Alcohol and Drug Services when their children are in treatment.
- Mr. Dallas Lunceford regarding trespassing violations and vandalism on Beltway Mobil Service Station property which is used as a meeting place by day laborers.
- Ms. Joyce Hough regarding intimidation by loiterers at the Beltway Mobil Service Station.
- Mr. Neal McBride regarding South County redevelopment.

Following the testimony of Ms. Hough, (Speaker Three), and discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct the County Executive to:

- Examine whether there are County-owned properties in the area where day laborers and employers can meet.
- Provide a brief analysis of the successes and failures of ideas implemented in other nearby jurisdictions to resolve this problem.
- Provide alternative solutions available in this particular location.

Supervisor Gross seconded the motion.

Following a brief discussion, the question was called on the motion, which carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

In reference to the testimony of Ms. Claxton, (Speaker One), Supervisor Bulova asked unanimous consent that the Board direct the Clerk to contact Ms. Claxton for her home address to provide the opportunity for the Supervisor in whose district she resides to follow up on her concerns. Without objection, it was so ordered.

97. **5:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 76-M-112-2 (SEVEN OAKS II HOMEOWNERS ASSOCIATION) (MASON DISTRICT)** (Tapes 14-16)

The Proffered Condition Application PCA 76-M-112-2 property is located on the northwest side of Sleepy Hollow Road, approximately 150 feet north of Aspen Lane and south of Route 50, Tax Map 51-3 ((31)) (2) B, 5-18.

Mr. Robert E. Swinehart reaffirmed the validity of the affidavit for the record.

Mr. Swinehart 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 22 speakers, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Proffered Condition Amendment Application PCA 76-M-112-2, subject to the proffers dated June 20, 2001.
- Modification of the barrier requirement in favor of the existing brick wall as proffered.

Supervisor Hyland seconded the motion and discussion ensued.

Supervisor Gross asked to withdraw her motion and this was accepted.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Gross moved that the Board direct staff to readvertise this application for public hearing, should the applicant submit new voluntary proffers. Supervisor Connolly seconded the motion, which carried by unanimous vote.

98. **5:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Board Summary Item CL#96.)

**ADDITIONAL BOARD MATTERS**99. **AMENDMENT TO THE AMENDED AND REINSTATED REAL ESTATE SALES AGREEMENTS (EAST AND WEST PARCELS) WITH KOLL METROPOLITAN** (Tape 17)

Supervisor Frey stated that Robert Stalzer, Deputy County Executive, has completed discussions with Koll Metropolitan regarding the sale of Land Bay A. Accordingly, Supervisor Frey moved that the Board authorize the County Executive, after approval as to form by the County Attorney, to execute an amendment to each of the two Amended and Reinstated Real Estate Sales Agreements (both East and West Parcels) that provide as follows:

- The latest date for the delivery to Seller of the Retained Deposit is extended until August 6, 2001.
- If agreement is not reached on the Lease for the Forensic Facility prior to settlement on the West Parcel, Purchaser is obligated to pay Seller \$1.75 million in addition to the purchase price.
- The \$7 million number referenced in Paragraph 30 of the West Parcel agreement shall be increased to \$7.25 million.
- Purchaser shall reimburse Seller up to \$125,000 of the architectural costs of HOK to prepare design development drawings (35 percent drawings) for the Forensic Facility.

Supervisor Connolly seconded the motion, which carried by unanimous vote.

100. **ELECTORAL BOARD SECRETARY** (Tape 17)

Chairman Hanley called the Board's attention to a written motion in response to a request of the Electoral Board. Accordingly, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to:

- Remove the position of the Electoral Board Secretary from the classification schedule.
- Give the Secretary a five percent increase in salary pursuant to the request of the Electoral Board.
- Consider the position of the Secretary as an Agency/Department Head for purposes of the County's Policy on compensatory time.

She further moved that the Board annually consider the salary of the Secretary based, in part, on a recommendation from the Electoral Board.

Supervisor Mendelsohn asked to amend the motion to add the words "as part of the budget process" after the word annually, and this was accepted.

Supervisor Gross seconded the motion, which carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

101. **APPOINTMENT TO THE UNIFORMED RETIREMENT BOARD**  
(Tape 17)

(APPT) (NOTE: Earlier in the meeting, this appointment was deferred. See page 10.)

Supervisor Hudgins moved the appointment of Mr. Donald F. Maddrey to fill the unexpired term of Ms. Pamela Schofield as the At-Large #2 Representative to the Uniformed Retirement Board. She noted that he is currently a member of the Consumer Protection Commission and will be resigning from that position. This motion, the second to which was inaudible, carried by unanimous vote.

102. **BOARD ADJOURNMENT** (Tape 17)

At 10:15 p.m., the Board adjourned.

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