

## **AM:am**

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

Others present were Robert J. O'Neill, Jr., County Executive; Robert L. Howell, Deputy County Attorney; Catherine A. Chianese, Assistant to the County Executive; Barbara M. Jenkins, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

(NOTE: David P. Bobzien, County Attorney, was absent from the entire meeting.)

## **BOARD MATTERS**

### **2. MOMENT OF SILENCE FOR THE LATE GEORGE J. HOFFMAN (Tape 1)**

Chairman Hanley asked that everyone remember in their thoughts and prayers the family of the late George J. Hoffman, a very dedicated participant in the community, who died recently.

### **3. MOMENT OF SILENCE FOR THE LATE GEORGE JEENS (Tape 1)**

Supervisor Hyland asked that everyone remember in their thoughts and prayers the family of the late George Jeens, a Mount Vernon District constituent, who died recently.

**AGENDA ITEMS**

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE FREDDIE MAC LEGAL DIVISION FOR BEING AWARDED THE AMERICAN BAR ASSOCIATION PRO BONO PUBLICO AWARD** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to the Freddie Mac Legal Division for being awarded the American Bar Association Pro Bono Publico Award. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**ADDITIONAL BOARD MATTERS**

5. **INTRODUCTION OF MOLLY FIELD AND NILOY DASGUPTA, INTERNS FOR DRANESVILLE DISTRICT SUPERVISOR STUART MENDELSON** (Tape 1)

Supervisor Mendelsohn introduced and welcomed Molly Field and Niloy Dasgupta who will be assisting as interns in his office this summer. Ms. Field will be a junior at McLean High School and Mr. Dasgupta will be a freshman at Thomas Jefferson High School for Science and Technology.

6. **INTRODUCTION OF KATY MCHALE, INTERN FOR HUNTER MILL DISTRICT SUPERVISOR DIX** (Tape 1)

Supervisor Dix introduced and welcomed Katy McHale, who will be assisting as an intern in his office this summer. Ms. McHale will be a senior at Robinson Secondary School.

**AGENDA ITEMS**

7. **CERTIFICATE OF RECOGNITION PRESENTED TO THE SAFE COMMUNITY COALITION FOR ITS COORDINATION OF "PROJECT HOSPITALITY"** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to the Safe Community Coalition for its coordination of "Project Hospitality." This motion was seconded by Supervisor Hyland and carried by unanimous vote.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO THE ORGANIZERS OF THE BEST OF RESTON EVENT** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to the organizers of the Best of Reston event. This motion was seconded by Chairman Hanley and carried by unanimous vote.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MAJOR ARTHUR MABRY UPON HIS RETIREMENT** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Major Arthur Mabry, upon his retirement, for nearly 25 years of service with the Police Department. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**ADDITIONAL BOARD MATTER**

10. **BOARD INTERNS** (Tape 1)

Chairman Hanley introduced and welcomed Jennifer Na who will be assisting as an intern in her office this summer. Ms. Na will be attending the University of Virginia (UVA) this fall.

Supervisor Connolly announced that his intern, Hannah Carney, who is a student at Chantilly High School, but not present in the Board Auditorium, had been selected to participate in a special youth athletic program in Northern Ireland.

**AGENDA ITEMS**

11. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. NANCY HERWIG FOR HER YEARS OF PUBLIC SERVICE TO THE CITIZENS OF RESTON AND FAIRFAX COUNTY** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Nancy Herwig for her years of public service to the citizens of Reston and Fairfax County. This motion was seconded by Chairman Hanley and carried by unanimous vote.

12. **CERTIFICATE OF RECOGNITION PRESENTED TO CHAPLAIN GLEN DALE AND MRS. PAT DALE FOR THEIR OUTSTANDING HUMANITARIAN EFFORTS** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Chaplain Glen Dale for his outstanding humanitarian efforts within the Fairfax County Adult Detention Center. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Mrs. Pat Dale for her outstanding humanitarian efforts within the Fairfax County Adult Detention Center. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

13. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. COURTNEY GASKINS, VIRGINIA COOPERATIVE EXTENSION, FOR HER YEARS OF SERVICE AND COMMITMENT TO THE NEEDS OF YOUNG PEOPLE** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Courtney Gaskins, Virginia Cooperative Extension, for her years of service and commitment to the needs of young people in the community. This motion was seconded by Supervisor Gross and carried by unanimous vote.

**SBE:sbe**

14. **10:00 A.M. - PRESENTATION BY THE HISTORY COMMISSION OF ITS ANNUAL HISTORIC PRESERVATION AWARDS** (Tape 2)

Francis "Pat" Bray, Jr., Chairman, Fairfax County History Commission, presented the Commission's Annual Historic Preservation Awards to:

- Sam and Ruth Sparacio; and
- Cordelia Grantham Sansone.

Mr. Bray announced that Dr. Peter Henriques, another award recipient, could not be present to receive his award.

Supervisor Frey announced that Carol Friedman, Citizen Representative, History Commission, was honored at Centreville Days on the 4th of July in conjunction with the Centreville Community Foundation. He had named her Honorary Citizen of the Year in recognition of the efforts she has made on behalf of historic preservation in Centreville and Fairfax County.

Chairman Hanley stated that at the last Board meeting the Board had directed staff to provide information about the cost of printing historical publications as a Consideration Item at the Carryover Budget Review. She relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the History Commission to provide financial information on this subject to the Board and the County Executive. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Chairman Hanley read a letter she had received from the Commonwealth of Virginia announcing that the Historic Resources Board has placed "A" Fort and Battery Hill Redoubt, Camp Early, Fairfax County, on the Virginia Landmarks Register and she presented the Certificate to Mr. Bray on behalf of the History Commission.

15. **ADMINISTRATIVE ITEMS** (Tape 2)

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

Chairman Hanley called the Board's attention to Administration Item 7 - Connection to the Upper Occoquan Sewage Authority (UOSA) System (Sully District). Following discussion, Supervisor Bulova asked to amend the motion to add the words "within the approved sewer service area" to change the Board Policy in the recommendation authorizing the County Executive to approve these connections and make the requests to UOSA for permission to connect. This was accepted and a brief discussion ensued.

Supervisor Bulova called the Board's attention to Administration Item 8 - Addition and Discontinuance of Portions of Old Burke Lake Road (Route 645) and Burke Road (Route 652) (Springfield District), and a brief discussion ensued, with input from Michael A. Davis, Transportation Planner II, Department of Transportation.

Chairman Hanley called the Board's attention to Administration Item 13 - Supplemental Appropriation Resolution (SAR) AS 99017 for the Department of Family Services Foster and Adoptive Parent Training Grant, and a brief discussion ensued with input from Dana W. Paige, Acting Director, Department of Family Services.

Chairman Hanley called the Board's attention to Administration Item 18 - Supplemental Appropriation Resolution (SAR) AS 99027 for the Fairfax-Falls Church Community Services Board (CSB) to Accept New State Funds for Residential Services to Adults with Serious Mental Illness, and a brief discussion ensued with input from Joan N. Volpe, Deputy Director, CSB.

The question was called on the motion to approve the Administrative Items, as amended, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADMIN 1 - STREETS INTO SECONDARY SYSTEM (HUNTER MILL AND LEE DISTRICTS)**

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated July 13, 1998, be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Oak Farm	Hunter Mill	Oak Farms Drive West Ox Road, Route 608, Additional right-of-way only
Manchester Lakes, Phase IV	Lee	Manchester Lakes Drive, Route 8114

**ADMIN 2 - EXTENSION OF REVIEW PERIOD FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS**

Authorized the extension of the review period for the two 2232 Public Facility Review Applications listed in the Memorandum to the Board dated July 13, 1998, until January 13, 1999, to ensure compliance with the 60-day review requirement mandated by Section 15.2-2232 of the *Code of Virginia*.

**ADMIN 3 - INSTALLATION OF MULTI-WAY STOP AT THE INTERSECTION OF OAKWOOD DRIVE AND FOXWOOD NOOK (MASON DISTRICT)**

- Endorsed the installation of multi-way stop at the following intersection:
  - Oakwood Drive (Route 2393) and Foxwood Nook (Route 2444); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stop and install these signs at the earliest possible date.

**ADMIN 4 - INSTALLATION OF MULTI-WAY STOP AT THE INTERSECTION OF BUGGY WHIP DRIVE AND QUAIL POND COURT (SULLY DISTRICT)**

- Endorsed the installation of multi-way stop at the following intersection:
  - Buggy Whip Drive (Route 7179) and Quail Pond Court (Route 7019); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stop and install these signs at the earliest possible date.

**ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 95-H-066, MOBIL OIL CORPORATION (HUNTER MILL DISTRICT)**

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 95-H-066 until January 22, 2001, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 6 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 95-L-058, SHELL OIL COMPANY (LEE DISTRICT)**

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 95-L-058 until July 22, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 7 - CONNECTION TO UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) SYSTEM (SULLY DISTRICT)**

(NOTE: Earlier in the meeting, action was taken on this item. See page five.)

- Approved a request to the Upper Occoquan Sewage Authority (UOSA) Board to permit the following connection, which is within the County's approved limits of sewer service, to be made to the UOSA system:
  - West County High School located at the 15100 block of Lee Road in the Westfields Subdivision, Chantilly area - one eight inch connection to the Upper Cub Run Interceptor at existing manhole 6-4; and
- Authorized the County Executive, in the future, to approve these connections and make the request to UOSA for permission to connect within the approved sewer service area.

**ADMIN 8 - ADDITION AND DISCONTINUANCE OF PORTIONS OF OLD BURKE LAKE ROAD (ROUTE 645) AND BURKE ROAD (ROUTE 652) (SPRINGFIELD AND BRADDOCK DISTRICTS)**

- (R) (NOTE: Earlier in the meeting, this item was discussed. See page five.)

Adopted a Resolution requesting that the Commonwealth Transportation Board (CTB) add new portions of Old Burke Lake Road (Route 645) and Burke Road (Route 652) to the State Secondary System and discontinue portions of Old Burke Lake Road no longer used for vehicular traffic.

**ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF CHICHESTER LANE (PROVIDENCE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 3, 1998 at 3:30 p.m.** on a proposal to consider the vacation and abandonment of a portion of Chichester Lane.

**ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON ACQUISITION OF A CERTAIN EASEMENT NECESSARY FOR**

**CONSTRUCTION OF COUNTY ROAD BOND PROJECT - HUNTER MILL ROAD/WICKENS ROAD (SULLY DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 3, 1998 at 3:30 p.m.** on the acquisition of interests in real property necessary for the construction of County Road Bond Project 064180 - Hunter Mill Road/Wickens Road.

**ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 2628 WOODLEY PLACE (PROVIDENCE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 14, 1998 at 3:30 p.m.** on a Spot Blight Abatement Ordinance for 2628 Woodley Place.

**ADMIN 12 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99015 FOR DEPARTMENT OF FAMILY SERVICES HEALTHY FAMILIES FAIRFAX PROGRAM**

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99015 in the amount of \$105,500 for the Department of Family Services Healthy Families Fairfax Program. No local cash or in-kind match is required.

**ADMIN 13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99017 FOR DEPARTMENT OF FAMILY SERVICES FOSTER AND ADOPTIVE PARENT TRAINING GRANT**

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

Approved Supplemental Appropriation Resolution (SAR) AS 99017 in the amount of \$172,160 for renewal of the Department of Family Services Foster and Adoptive Parent Training Grant to support ongoing efforts to expand the pool of foster and adoptive parents through recruitment, training, and retention activities. A 25 percent local cash match requirement in the amount of \$43,040 will be met through funds held in Fund 102 in the Fiscal Year (FY) 1999 local cash match reserve for unanticipated grant awards.



**ADMIN 14 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99022 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO ACCEPT GRANT FUNDS FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO SUPPORT THE LOCAL VICTIM SERVICES SECTION**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99022 in the amount of \$124,564 for the Fairfax County Police Department to accept grant funds from the Department of Criminal Justice Services to support the local Victim Services Section. No local cash match is required.

**ADMIN 15 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99024 FOR FAIRFAX COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT SERVICES TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO CONTINUE TO DEVELOP AND IMPLEMENT THE MAXIMIZE ATTENDANCE PROGRAM (MAP)**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99024 in the amount of \$78,315 for the Fairfax County Juvenile and Domestic Relations District Court Services to accept grant funds from the Virginia Department of Criminal Justice Services to continue to develop and implement the Maximize Attendance Program (MAP), an intensive supervision program for adjudicated truants. No local cash match is required.

**ADMIN 16 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99025 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT SEXUAL ASSAULT CRISIS SERVICES GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF HEALTH**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99025 in the amount of \$45,334 for the Fairfax-Falls Church Community Services Board (CSB) to accept grant funds from the Virginia Department of Health for continued support of sexual assault counseling services through June 30, 1999. Local match requirements will be met through the provision of in-kind volunteer services.

**ADMIN 17 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99026 FOR FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT SEXUAL ASSAULT EDUCATION AND PREVENTION GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF HEALTH**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99026 in the amount of \$21,569 for the Fairfax-Falls Church Community Services Board (CSB) to accept grant funds from the Virginia Department of Health for continued support of the Fairfax Victim Assistance Network Program through June 30, 1999. Local match requirements will be met through the provision of in-kind volunteer services.

**ADMIN 18 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99027 FOR THE FAIRFAX-FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT NEW STATE FUNDS FOR RESIDENTIAL SERVICES TO ADULTS WITH SERIOUS MENTAL ILLNESS**

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

Approved Supplemental Appropriation Resolution (SAR) AS 99027 in the amount of \$303,324 for the Fairfax-Falls Church Community Services Board (CSB) to accept new State funds from the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services and associated fees totaling \$43,770 beginning July 1, 1998 to provide residential services for adults with serious mental illness through the expansion of existing programs.

**ADMIN 19 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99023 FOR THE GENERAL DISTRICT COURT TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR FISCAL YEAR (FY) 1999 GRANT FUNDING UNDER THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT AND PRETRIAL SERVICES ACT**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99023 in the amount of \$424,937 for the Court Services Division of the General District Court to accept grant funds from the Virginia Department of Criminal Justice Services for Fiscal Year (FY) 1999 funding under the Comprehensive Community Corrections Act and the Pretrial Services Act. No local cash match is required.

16. **A-1 - APPROVAL OF WALKWAY IMPROVEMENT PROJECTS (COUNTYWIDE)**  
(Tape 2)

Supervisor Connolly moved that the Board concur in the recommendation of staff and approve the walkway improvement projects for Fiscal Year (FY) 1999 as shown in Attachment I of the Memorandum to the Board dated July 13, 1998. This motion was seconded by Supervisor Hyland.

Supervisor Dix asked to amend the motion to direct staff to:

- Include the walkway along Wiehle Avenue, as contained in Attachment I of the Memorandum to the Board, as an additional implementation project; and
- In coordination with his office, determine the allocation amount for both Lawyers Road, Phase A, and Wiehle Avenue once the joint participation arrangements have been defined and the County's share of cost for both projects may be more accurately estimated.

This was accepted.

Following discussion, Supervisor Bulova stated that the Braddock District project was the Bonnie Brae Elementary School Walking Path and she asked to amend the motion to reserve

the right to substitute another project for this project, and this was accepted

Following further discussion, Supervisor Kauffman stated that the following Lee District projects are underfunded:

- FY 1999 Telegraph Road Project; and
- FY 1998 Hayfield and Manchester Boulevards.

Accordingly, he asked to amend the motion to allow some flexibility in funding between these projects, and this was accepted.

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

17. **A-2 - APPROVAL OF STORM DRAINAGE IMPROVEMENT PROJECTS FOR FISCAL YEAR (FY) 1999 (COUNTYWIDE)** (Tape 2)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the storm drainage improvement projects for Fiscal Year (FY) 1999 as shown in Attachment I of the Memorandum to the Board dated July 13, 1998. This motion was seconded by Supervisor Mendelsohn.

Following discussion, Supervisor Bulova asked to amend the motion to reserve the right to substitute another project for the Greenshank Court Project if this one is no longer needed, and this was accepted.

Supervisor Connolly asked to amend the motion to further explore the Emma Lee Street Project and provide some flexibility on this Project, and this was accepted.

Following further discussion, with input from Howard J. Guba, Director, Office of Capital Facilities, Department of Public Works and Environmental Services (DPW&ES), Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the County Executive to review how staff would be paid on these projects. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The question was called on the motion, as amended, which carried by unanimous vote.

18. **A-3 - AWARD OF \$42,255 GRANT FROM THE HOUSING TRUST FUND TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) ON BEHALF OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) FOR THE REHABILITATION OF TWO EXISTING GROUP HOMES, 2504 PATRICK STREET AND 2605 BEACON HILL DRIVE (PROVIDENCE AND MOUNT VERNON DISTRICTS)** (Tape 2)

On motion of Supervisor Hyland, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and recommended that the Fairfax County Redevelopment and Housing Authority (FCRHA) be awarded \$42,255 from the Housing Trust Fund on behalf of the Fairfax-Falls Church Community Services Board (CSB) for the rehabilitation of two existing group homes, 2504 Patrick Street and 2605 Beacon Hill Drive. The homes are owned by the FCRHA and leased to the CSB, which operates the residential program.

19. **A-4 - DULLES CORRIDOR EXPRESS BUS PLAN (DRANESVILLE, HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS)** (Tape 2)

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

- Authorize public meetings to be held the week of September 7, 1998, regarding the Dulles Corridor Express Bus Service Plan as contained in Attachment I of the Memorandum to the Board dated July 13, 1998;
- Authorize staff to develop detailed plans and seek the Town of Herndon approvals to expand the parking area at the Herndon bus garage;
- Direct staff to report, prior to construction, with a detailed proposal for the expansion of the facility; and
- Authorize financing the following projects from the County's Federal Transit Administration (FTA) Suburban Mobility grant:
  - Construction of two additional pairs of bus slip ramps between the Dulles Toll Road (DTR) and the Dulles Airport Access Road (DAAR);
  - Automation of all bus DTR/DAAR slip ramps using transponders on buses;
  - Construction of an additional DTR toll booth lane at the Wiehle Avenue exit, pending completion of an engineering feasibility study; and
  - Installation of additional passenger amenities at Herndon-Monroe, Reston East, Reston South, Centreville, and Rolling

Valley Park-and-Rides.

This motion was seconded by Supervisor Mendelsohn.

Supervisor Dix moved to amend the motion to direct the County Executive to work with the Police Department, or other appropriate agencies, to determine how the use of the existing ramps could be expanded in the off-peak direction as an interim measure, and this was accepted.

Following further discussion, Chairman Hanley clarified that the motion includes presenting this issue to the public for public discussion. She relinquished the Chair to Acting-Chairman Hyland and asked unanimous consent that the Board direct staff to provide a cost analysis by type of service when a specific proposal is presented to the Board in October. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, with input from Shiva K. Pant, Director, Department of Transportation, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to request the Washington Metropolitan Area Transit Authority (WMATA) to work closely with the Board regarding the feeder bus services to be established in connection with the Bethesda/Tysons Service, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Connolly asked to amend the motion to change the date of the public input meeting scheduled at Tysons for Thursday, September 10, 1998 to Wednesday, September 16, 1998, and this was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

Supervisor Dix requested the representatives of the media to publicize the public meetings to inform the public.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to publicize the dates of the meetings on the County's Web site. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

20. **A-5 - AMENDMENT TO REVITALIZATION LOAN PROGRAM FOR SPOT BLIGHT DEMOLITION LOANS** (Tape 2)

Supervisor Hyland moved that the Board concur in the recommendation of staff and adopt an amendment to the Revitalization Loan Program (RLP) previously approved by the Fairfax County Redevelopment and Housing Authority (FCRHA) and the Board that would facilitate making loans to owners of blighted properties in order to demolish the blighted structures. This motion was seconded by Supervisor Connolly.

Following discussion, with input from Michael J. Scheurer, Director, Development and Real Estate Finance Division, Department of Housing and Community Development (DHCD), the question was called on the motion which carried by unanimous vote.

**AR:ar**

21. **I-1 - CONTRACT AWARD - CONSTRUCTION OF A MINIATURE GOLF COURSE AND RELATED WORK AT OAK MARR RECREATION CENTER AND GOLF COMPLEX (PROVIDENCE DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 13, 1998, requesting authorization for staff to award a contract in the amount of \$349,836 to John Simpson, Incorporated of Fairfax, Virginia, for the construction of an 18-hole miniature golf course at Oak Marr Recreation Center and Golf Complex as part of Project 004762, Golf Improvements, Fund 371, Park Authority Capital Improvement Trust Fund.

Following discussion, with input from Paul L. Baldino, Acting Director, Fairfax County Park Authority, staff was directed administratively to proceed as proposed.

22. **I-2 - FAIRFAX COUNTY MIDDLE SCHOOL AFTER-SCHOOL PROGRAMS** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 13, 1998, requesting authorization for staff to proceed with the middle school after-school program as outlined in the application and reallocation of funds totaling \$112,000 to the Fairfax County Public Schools (FCPS).

Following discussion, with input from Wes Kendrick, Director, Department of Community and Recreation Services, and Nina Pitkin, Coordinator, Safe and Drug-Free Youth, Fairfax County Public Schools, staff was directed administratively to proceed as proposed.

23. **I-3 - CONTRACT AWARD - WOODLAND MEADOWS DEVELOPER DEFAULT (BRADDOCK DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 13, 1998, requesting authorization for staff to award a contract in the amount of \$136,866 to A and M Concrete Corporation for the construction of Woodland Meadows Developer Default, Project U00006, Developer Default, Fund 308, Public Works

Construction.

Following discussion, with input from Howard J. Guba, Director, Office of Capital Facilities, Department of Public Works and Environmental Services (DPW&ES), Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to take the necessary action to ensure that engineering efforts on this project are not duplicated. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The staff was directed administratively to proceed as proposed.

24. **I-4 - REHABILITATION WORK AT SEVEN WASTEWATER PUMPING STATIONS AND 13 SEWER VAULTS (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 13, 1998, requesting authorization for staff to award a contract in the amount of \$242,242 to Dewberry and Davis for providing engineering design and construction management services to the County's Integrated Sewer System for rehabilitation work at seven wastewater pumping stations and 13 sewer vaults. Funds are available in Fund 402, Sewer Bond Extension and Improvements, Project I00351, Pump Station Renovations.

The staff was directed administratively to proceed as proposed.

**ADDITIONAL BOARD MATTERS**

25. **TENTATIVE 1998-99 SIX-YEAR IMPROVEMENT PROGRAM** (Tape 3)

Chairman Hanley called the Board's attention to a letter from Shirley J. Ybarra, Virginia Secretary of Transportation, in response to the Board's correspondence concerning Fairfax County's priority projects contained in the Tentative 1998-1999 Six-Year Improvement Program.

(NOTE: Later in the meeting, there was another reference to this letter. See Clerk's Summary Item CL#31.)

26. **SPECIAL OLYMPICS WORLD GAMES** (Tape 3)

Chairman Hanley noted that three athletes from Fairfax County Schools have been selected to represent Virginia next year in the Special Olympics World Games in North Carolina. In addition, of the five sailors eligible to be selected in August to participate in the World Games' sailing events, four are students from County Schools, with the fifth being a recent graduate of Stuart High School.

As this is truly an honor for all those chosen to represent Virginia, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to send a letter and certificate congratulating the County students selected to represent Virginia in the Special Olympics World Games. This motion was seconded by Supervisor Dix and

carried by unanimous vote.

27. **PROCLAMATION DESIGNATING SEPTEMBER 15-OCTOBER 15, 1998 AS "HISPANIC HERITAGE MONTH" IN FAIRFAX COUNTY** (Tape 3)

Chairman Hanley moved that the Board direct staff to prepare a Proclamation, to be presented at the September 14, 1998 Board meeting, designating September 15-October 15, 1998 as "**Hispanic Heritage Month**" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

28. **FAIR WOODS HOMEOWNERS ASSOCIATION'S PERMIT TO PLANT IN THE RIGHT-OF-WAY ALONG ROUTE 50** (Tape 3)

Chairman Hanley referred to the Fair Woods Homeowners Association's permit to plant in the right-of-way along Route 50 and asked unanimous consent that the Board direct staff to examine the notification process for permits granted by the Virginia Department of Transportation (VDOT) for planting in the right-of-way. Without objection, it was so ordered.

29. **DEPARTURE OF COMMONWEALTH TRANSPORTATION BOARD (CTB) COMMISSIONER REPRESENTING NORTHERN VIRGINIA** (Tape 3)

Chairman Hanley moved that the Board direct staff to invite Commonwealth Transportation Board (CTB) Commissioner Bob Lee, who represents Northern Virginia, to appear before the Board to receive a Certificate of Recognition prior to his departure. This motion was seconded by Vice-Chairman Hyland and carried by unanimous vote.

30. **BOARD'S POSITION ON "TAKINGS" CONGRESSIONAL BILL REGARDING PENDING LAND-USE LEGISLATION** (Tape 3)

Chairman Hanley asked unanimous consent that the Board direct staff to re-communicate by telephone or FAX, to the Northern Virginia delegation before 5:45 p.m. today, the Board's previously adopted position on the "Takings Bill" before Congress which would place much of the land-use legislation in the federal courts. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

31. **LETTER FROM SECRETARY OF TRANSPORTATION SHIRLEY J. YBARRA** (Tape 3)

(NOTE: Earlier in the meeting, there was discussion of this letter. See Clerk's Summary Item CL#25.)

With reference to the aforementioned letter from Secretary of Transportation Shirley J. Ybarra, Supervisor Dix moved that the Board direct staff to submit a letter to the Secretary inquiring about the nature and scope of the Commonwealth's reference to "interchange improvements at Hunter Mill Road" as referenced in the letter. This motion was seconded by Supervisor Connolly and carried by unanimous consent.



32. **TRAGIC ACCIDENT AT THE INTERSECTION OF FRED'S OAK ROAD AND THE FAIRFAX COUNTY PARKWAY** (Tape 3)

Supervisor Bulova called the Board's attention to a tragic accident at the intersection of Fred's Oak Road and the Fairfax County Parkway which claimed two lives. She moved that the Board direct staff to request the Virginia Department of Transportation (VDOT) to consider the installation of a traffic signal and/or other appropriate safety measures at the intersection. This motion was seconded by Supervisor McConnell.

Supervisor McConnell asked to amend the motion to direct staff to:

- Examine the possibility of installing lighting at this and other dark intersections along the Parkway;
- Monitor the travel and excessive speed of County refuse trucks along the Parkway;
- Monitor the excessive speed of all Parkway traffic; and
- Take appropriate action to slow it down.

This was accepted.

Supervisor Kauffman asked to amend the motion to inquire about the installation of reflective road markings in a dark section of the Parkway heading east just past Rolling Road and into Lee District, and this was accepted.

Supervisor Frey referred to the newspaper report of the accident and reminded everyone of the importance in this accident, and many others, of wearing seat belts.

The question was called on the motion, as amended, which carried by unanimous vote.

33. **SUPERVISOR'S SALARIES FOR BOARD TAKING OFFICE IN JANUARY 2000**  
(Tape 3)

(A)(R) Supervisor Bulova moved adoption of a Resolution authorizing the advertisement of a public hearing to be held before the Board on **September 28, 1998 at 7:00 p.m.** to consider the following options for an increase in Supervisors' salaries:

- An increase to \$59,000 beginning with Board Members assuming office in January 2000;
- An increase to \$59,000, phased in annually over a period of years beginning in January 2000; or
- No action, which would result in the current \$45,000 salary remaining constant through the year 2003, at which time that Board could advertise a public hearing and consider raising salaries for the Board assuming office in the year 2004.

This motion was seconded by Supervisor Frey.

Supervisor Gross asked to amend the motion regarding the first two options with a clarification that the top salary range is \$59,000 or less, and would include discussion of a middle range, and this was accepted and acknowledged by Supervisor Bulova as being the intent of her motion.

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

**PMH:pmh**

34. **PROVIDENCE DISTRICT TEEN CENTER GOLF OUTING** (Tape 4)

Supervisor Connolly said that the Chill Spot, a Providence District Teen Center, provides a place for area teenagers to take part in various organized activities. Members of the Chill Spot will be going to Jefferson District Park on Thursday, July 16, 1998 to play miniature golf. Supervisor Connolly moved that the Board recognize those individuals and companies who are making or have made monetary donations to the teen center's outing:

- BFI, Industries;
- Dewberry and Davis;
- Homewood Suites;
- Mr. Gary Hurst;

- Ms. Linda McGinnis; and
- The Park Authority for working to accommodate the teen center.

This motion, the second to which was inaudible, carried by unanimous vote.

35. **DEFERRAL OF THE PUBLIC HEARINGS ON SPECIAL EXCEPTION APPLICATION SE 97-P-076, REZONING APPLICATION RZ 1997-PR-058 (B. F. SAUL REAL ESTATE INVESTMENT TRUST) AND REZONING APPLICATION RZ 1997-PR-056 (WINCHESTER HOMES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 4)

Supervisor Connolly announced his intent, later in the meeting at the appropriate time, to defer the following public hearings:

- Special Exception Application SE 97-P-076 and Rezoning Application RZ 1997-PR-058 until July 27, 1998 at 5:00 p.m.; and
- Rezoning Application RZ 1997-PR-056 until July 27, 1998 at 5:00 p.m.

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items CL#75 and CL#85.)

36. **PUBLIC IMPROVEMENT PLAN 5058-PI-02-1 GREENSBORO CENTER, PUBLIC ROADWAY IMPROVEMENTS** (Tape 4)

Supervisor Connolly referred to his written Board Matters regarding the opposition to the proposed extension of Greensboro Drive.

Supervisor Connolly moved that the Board:

- Direct staff to incorporate the issues raised in his written Board Matter in the review of Public Improvement Plan 5058-PI-02-1; and
- Withhold approval of such a Plan until a written report on these issues is provided to the Board.

Following input from Robert L. Howell, Deputy County Attorney, Supervisor Connolly asked unanimous consent that the Board defer action on this item until after Executive Session. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#71.)

37. **TRAFFIC ANALYSIS - GREENSBORO DRIVE AND WESTPARK DRIVE** (Tape 4)

Supervisor Connolly said that at the Town Meeting of the Rotonda Condominium Unit

Owners Association held on July 8, 1998 there were a number of transportation related issues identified. Specifically, there was strong interest in having a traffic analysis completed of the Tysons area in the vicinity of the Rotonda. Several people indicated that there are times when exiting the Rotonda's Greensboro Drive entrance/exit is near impossible due to back-ups caused by the congestion at the intersection of Greensboro Drive and Westpark Drive.

Supervisor Connolly moved that the Board direct staff to coordinate with the Virginia Department of Transportation (VDOT) to conduct a study that reviews traffic movements in the area of Greensboro Drive and Westpark Drive with emphasis on the issue of delays as experienced by the Rotonda residents attempting to leave their condominium and signalization timing at this intersection. This motion was seconded by Chairman Hanley.

Following discussion, Supervisor Mendelsohn asked to amend the motion to direct staff to include in the study a review of Westpark Drive as it pertains to Route Seven in this area, and this was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

38. **SCHEDULING OF A PUBLIC HEARING FOR EDGEMOORE HOMES PARTNERSHIP REZONING APPLICATION RZ 95-D-018** (Tape 4)

Supervisor Mendelsohn moved that the Board:

- Direct staff to schedule a public hearing to be held before the Board on Rezoning Application RZ 95-D-018 (Edgemoore Homes Partnership) for **August 3, 1998 at 5:00 p.m.**; and
- Direct staff to accept the Site Plans for this proposal for concurrent review.

This motion does not in any way relieve the applicant from compliance with any and all applicable ordinances, regulations or adopted standards and does not constitute support by the Board for the approval of the rezoning application. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Connolly being out of the room.

39. **CHRIST THE KING LUTHERAN CHURCH IN GREAT FALLS** (Tape 4)

Supervisor Mendelsohn said that the Christ the King Lutheran Church in Great Falls has filed a Special Permit Amendment Application with the Board of Zoning Appeals (BZA). He moved that the Board direct staff to authorize the review of the Church's Site Plans concurrently with its Special Permit Amendment Application. This motion does not in any

way relieve the applicant from compliance with any and all applicable ordinances, regulations or adopted standards and does not constitute support by the Board for approval of the Special Permit Amendment Application. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

40. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1998-MA-010 (FAIRFAX DEVELOPMENT CORPORATION) (MASON DISTRICT)** (Tape 4)

Supervisor Gross announced her intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 1998-MA-010.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item CL#74.)

41. **CONTRACT AWARD TO MINNESOTA MUTUAL LIFE INSURANCE COMPANY** (Tape 4)

Supervisor Gross moved that the Board direct staff to award a life insurance contract to Minnesota Mutual Life Insurance Company, consistent with the presentation in this morning's Personnel Committee meeting. Supervisor Gross noted that the new program will provide County paid basic life insurance coverage of one times salary for all merit employees and protect current retiree costs for the life of the contract. A financial review at the end of the first year of the contract will be provided to the Board for discussion. This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

Chairman Hanley noted that there would be a recommendation from the Employee Advisory Council (EAC).

42. **REQUEST FOR WAIVER OF THE POLICY REGARDING THE ELIMINATION OF GARBAGE PICK-UP FOR PIPESTEMS IN THE OAK RUN COMMUNITY** (Tape 4)

Supervisor Gross said that 112 residents of the Oak Run community have signed petitions requesting a waiver of the County's recently adopted Policy governing County trash collection on pipestem driveways.

Supervisor Gross said that Oak Run residents have been receiving pick-up service on the pipestem driveways for the past 14 years. The Oak Run pipestems are wider than the average County pipestem, but pose significant topographical problems for residents who must push or pull loaded "toters" up steep hills to meet the requirement that trash be set out on the public right-of-way. In addition, placement of several toters and recycling containers at the corner of each pipestem, which may have four or five homes on it, creates an unsightly appearance on the main street, Colfax Avenue.

Therefore, Supervisor Gross moved that the Board waive the Policy eliminating garbage pick-up for pipestems in Oak Run, and restore the previous service. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive; Robert L. Howell, Deputy County Attorney; and Richard Gozikowski, Director, Office of Waste Management, Department of Public Works and Environmental Services (DPW&ES), Supervisor Gross amended the motion to include a Hold Harmless Agreement signed by the residents, and this was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, and Supervisor Mendelsohn voting "NAY."

Following additional discussion, with input from Mr. Howell, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct Supervisor Gross to report with details of how this proposal will be implemented. 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 include a report as to whether there is a cost differential and if there is, report with options. Without objection, it was so ordered.

43. **VIENNA LITTLE LEAGUE - EXPANSION OF I-66** (Tape 4)

Supervisor Dix said that representatives of the Vienna Little League have contacted him and expressed concern regarding proposed expansions of I-66. He asked unanimous consent that the Board direct staff to convene a citizens meeting involving residents on the north side of I-66 particularly those properties that have been dramatically impacted by the initial construction of I-66 and beyond when noise walls were installed, specifically representatives from the Vienna Little League. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board include Supervisor Dix's request in the I-66 process of MIS. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Dix asked unanimous consent that the Board direct staff through the consultant to include the Vienna Little League organization on the mailing list so that they can routinely receive the mailings and the updates. Without objection, it was so ordered.

44. **DEFERRAL OF BOARD DECISION REGARDING REZONING APPLICATION RZ 1997-HM-052 (TOLL BROTHERS, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 4)

Supervisor Dix noted that on June 29, 1998 the Board held a public hearing on Rezoning Application RZ 1997-HM-052, but deferred Board decision indefinitely. Supervisor Dix moved that the Board direct staff to schedule the Board decision on this application for **July 27, 1998 at 5:00 p.m.** This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Mendelsohn being out of the room.

45. **SCHEDULING OF A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING STREET LIGHT STANDARDS** (Tape 4)

- (A) Supervisor Dix referred to mercury vapor street lights regulations and distributed to Board Members additional information regarding this issue. He moved that the Board direct staff to schedule a public hearing to be held before the Board on the proposed amendments to the Public Facilities Manual (PFM) regarding Street Light Standards on **September 14, 1998 at 4:00 p.m.** This motion was seconded by Supervisor McConnell.

Following discussion, with input from John W. Koenig, Director, Utilities Planning and Design Division, Department of Public Works and Environmental Services (DPW&ES) and David Stoner, Assistant County Attorney, the question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

46. **PERIMETER RULE - RONALD REAGAN WASHINGTON NATIONAL AIRPORT** (Tape 4)

Supervisor Dix said that on July 9, 1998 the United States (US) Senate Commerce Committee marked-up legislation regarding the Perimeter Rule and the Slot Rule at Ronald Reagan Washington National Airport. He asked unanimous consent that the Board direct staff to continue to pursue the Board's position in opposition to any additional slots or expansion of the Perimeter Rule in accordance with already Board adopted Policy.

Following discussion, the request, without objection, was so ordered.

(NOTE: Later in the meeting, there was additional discussion of this item. See Clerk's Summary Item CL#58.)

47. **CERTIFICATE OF APPRECIATION FOR LIEUTENANT JEROME J. WILLIAMS OF THE FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT** (Tape 4)

Supervisor Dix said that since 1985, Lieutenant Jerome J. Williams, Fairfax County Fire and Rescue Department, has been serving the County with distinction by protecting the County's homes and families. Lieutenant Williams' colleagues have recognized his selfless service by bestowing one of their highest honors on him by naming him Firefighter of the Year. Supervisor Dix asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition and invite Lieutenant Williams to appear before the Board so that he can be

recognized for his service to the citizens of the County and his fellow firefighters. Without objection, it was so ordered.

48. **PROFFERED CONDITION AMENDMENT APPLICATION PCA 96-H-010 - J.A. LOVELESS HOMES V, INCORPORATED** (Tape 4)

Supervisor Dix said that J.A. Loveless Homes has filed a Proffered Condition Amendment Application PCA 96-H-010 requesting modifications in accordance with the revised Affordable Dwelling Unit (ADU) Ordinance requirements.

Supervisor Dix moved that the Board:

- Process this application in an expeditious manner; and
- Authorize staff to accept the Preliminary Plans and Subdivision Plans for this development for simultaneous and concurrent processing with the Proffered Condition Amendment Application request.

This motion does not relieve the applicant from complying with the provisions of any applicable conditions, regulations or adopted standards, and it does not prejudice the consideration of the Proffered Condition Amendment application in any way. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

49. **OUT-OF-TURN PLAN AMENDMENT - LAND SOUTH OF DULLES TOLL ROAD AND WEST OF RESTON PARKWAY** (Tape 4)

Supervisor Dix stated that as part of Schedule B of the Area Plan Review (APR) process, a nomination to increase the intensity for office use for property located west of Reston Parkway and north of Sunrise Valley Drive will be considered. This nomination did not include an adjacent property to the north located along the Dulles Toll Road. The owners of this adjacent property have asked to be considered for a similar increase in intensity to accommodate a major office tenant that is interested in this site provided that there is sufficient potential for future expansion.

To foster a more comprehensive planning approach for this important area along the Dulles Toll Road, Supervisor Dix moved that the Board authorize an Out-of-Turn Plan Amendment for land known as the CarrAmerica site, Tax Map 17-3((8))2A. This item should be considered along with the Hunter Mill Schedule B APR items that are scheduled for public hearings in September. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.



50. **NEWSPAPER ARTICLE - WESTGROUP APPLICATION** (Tape 4)

Supervisor Dix said that he recently read an article in a local newspaper regarding the West Group Tax Abatement, Commercial Building Assessment. He said that the article was factually inaccurate and incomplete.

Chairman Hanley noted that the Board received a memorandum from Robert J. O'Neill, Jr., County Executive, addressing the inaccuracies of the article. Kevin C. Greenlief, Director, Department of Tax Administration, readdressed the inaccuracies in the article.

NV:nv

51. **“WARNING BUOYS ARE A MUST” - MEMORANDUM OF AGREEMENT TO BE DEVELOPED REGARDING AUTOMATIC REINSTALLATION OF BUOYS ON THE POTOMAC RIVER ABOVE THE AQUEDUCT AT GREAT FALLS** (Tape 5)

Supervisor Hyland stated that after a severe thunderstorm in the local area, he received a letter from a constituent named Ms. Elizabeth Ketz-Robinson, who alerted him to a particularly dangerous condition which occurred in the Potomac River above the Aqueduct above Great Falls after River Bend Park. The buoys which had warned paddlers and others for 10-15 years had disappeared. These are the warning buoys which have prevented people from unknowingly going over the aqueduct and then through Great Falls where several deaths are reported annually.

The missing warning buoys came to Ms. Ketz-Robinson's attention when her young relatives went paddling on the Potomac expecting to see the buoys as their indicator to take out. They almost went over the aqueduct, but closely averted this because of their boating experience and paddling skills.

Since this near-tragic occurrence, Ms. Ketz-Robinson has contacted Senator Charles Robb's (D-VA) office and the Maryland Department of Natural Resources and received immediate assistance with replacement of the warning buoys. Nevertheless, she would like to ensure that the Potomac River above Great Falls always has warning buoys and if the buoys are swept away in a storm, that a mechanism is in place to restore the warning buoys immediately. This will assure accountability and closure will be provided for the public.

Since the area in question is in and adjacent to the Dranesville District, Supervisor Hyland moved jointly with Supervisor Mendelsohn that the Board direct staff to contact Senator Robb's office, the Maryland Department of Resources, the Army Corps of Engineers, and any other necessary entities so that a Memorandum of Agreement is developed stating the procedures for reinstallation of the warning buoys when they wash out, including actions to be taken in such an event and the parties responsible. This motion was seconded by Supervisor Mendelsohn.

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

52. **EXTENSION OF MEMORANDUM OF UNDERSTANDING (MOU) FOR SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION** (Tape 5)

Supervisor Hyland stated that on June 30, 1998, the Memorandum of Understanding (“MOU”) between Southeast Fairfax Development Corporation (SFDC) and Fairfax County expired. He noted that although normally this biennial document would have been given a cursory review and presented to the Board for approval, this year staff suggested waiting until the County Executive’s Revitalization Initiatives were approved in order that the recommendations pertaining to SFDC could be incorporated into the MOU.

Supervisor Hyland stated that the Executive Director and Board of SFDC have concerns about operating without an MOU and have asked that he and Supervisor Kauffman extend the current MOU for a period of 12 months or less to allow adequate time for changes to be made to the document.

Accordingly, Supervisor Hyland and Supervisor Kauffman jointly moved that the MOU between SFDC and Fairfax County be extended for up to 12 months until modifications may be made to include specific recommendations in the Revitalization Initiatives at which time the MOU may be restored to its traditional two-year term. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

53. **RICHMOND HIGHWAY LITTER** (Tape 5)

Supervisor Hyland shared with the Board a letter from Ms. Donna Gahagan, a community member who is concerned with the appearance of and the litter along the Richmond Highway. She offers striking suggestions on how to keep this never ending problem from escalating. Accordingly, Supervisor Hyland moved that the Board direct staff to review the suggestions made by Ms. Gahagan and report with comments and recommended implementation actions. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor McConnell being out of the room.

54. **BILL FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) TO GOOD SHEPHERD HOUSING** (Tape 5)

In reference to Supervisor Hyland’s written Board Matter entitled *Billing by HCD Questioned by Good Shepherd Housing*, Chairman Hanley noted that she had already referred this issue to staff. Accordingly, Supervisor Hyland moved that the Board join in Chairman Hanley’s referral to staff of the issue of the payment for a special audit of Good Shepherd Housing required by the Department of Housing and Community Development (DHCD) and to direct staff to circulate the response to the Board. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor McConnell being out of the room.

55. **CONSIDERATION ITEM REQUESTED FOR THE WILLS OF GEORGE AND MARTHA WASHINGTON** (Tape 5)

Supervisor Hyland reminded the Board that on his motion it had requested that the Clerk of the Court and the Chief Judge consider loaning George Washington's will to Mount Vernon where, under specified conditions, it could be appropriately displayed for the public during the bicentennial celebration which is scheduled to begin next year.

Supervisor Hyland stated that he received a letter from John T. Frey, Clerk of the Court, indicating that the representative from the Library of Congress had examined the will and determined that there was a significant need for additional conservation and preservation treatment for the document. He distributed details outlining the problem and recommended solution.

Supervisor Hyland said that according to Mr. John Frey, the conservation treatment should be performed before the will is loaned to Mount Vernon for their Bicentennial display. Although he does not have precise figures on the cost of the treatment, Mr. Frey is estimating \$53,000 and has requested that the Department of Management and Budget (DMB) carry over this amount to his Fiscal Year (FY) 1999 Budget. To avoid having any delays encountered in having the wills of George and Martha Washington displayed at Mount Vernon, Supervisor Hyland moved that the Board direct staff to add \$53,000 for the restoration as a Consideration Item at Carryover. This motion was seconded by Supervisor Mendelsohn.

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

There was a brief discussion following the vote.

56. **"LET 'EM LIVE" - BOARD POSITION ON CANADA GEESE** (Tape 5)

Supervisor Hyland reported that last week the Humane Society lost its court fight when a Federal judge informed United States (US) Wildlife officials to proceed with plans to kill more than 100 Canada geese at both Northern Virginia airports. The geese are to be captured by members of the US Department of Agriculture's Wildlife Service and slaughtered by the end of this week since molting season ends at that time. The geese, at 15 pounds apiece, pose a danger to aircraft as they land and take off. Despite the valiant efforts of the Humane Society to halt the slaughter of 1,300 geese, the judge's ruling exempted the geese from the Migratory Bird Treaty Act and environmental laws. The geese will first be rounded up for slaughter.

Supervisor Hyland stated that he concurred with the Society's attorney, Mr. Lovvorn, and expressed his belief that the birds could be relocated to other areas of the State. He noted that farmers have offered to take the birds to prevent their slaughter and he expressed a willingness to personally help in this effort. He also asserted that more needs to be done to further the use of non-lethal, preventive measures to discourage the birds from nesting at airports.

Accordingly, Supervisor Hyland moved that Board direct the Chairman to communicate with federal and State authorities involved with the decision about the geese requesting that they not be killed, and that every effort be made to relocate the geese in Fairfax County or elsewhere. This motion was seconded by Supervisor Frey.

Following discussion regarding the timing of the slaughter, Supervisor Hyland amended his motion to reassert the Board's position opposing the slaughter of the geese and favoring the alternative procedure of relocation of the geese, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

57. **POLLING PLACE CHANGE FOR THE CHENEY ELECTION PRECINCT** (Tape 5)

- (O) Supervisor Hyland stated that recently the old Cheney Elementary School at Fort Belvoir was demolished as part of a consolidation of County elementary schools. The old Cheney School had been used as the polling place for the Cheney Election Precinct. The old school now has been replaced by a new building which is located adjacent to the site where the old building stood. The new facility is named the Fort Belvoir Elementary School.

Supervisor Hyland noted that Virginia law provides that the local governing body shall establish by ordinance a polling place in each election precinct, and the replacement of the old Cheney School indicate that the old name and polling place of the Cheney Precinct need to be changed. Therefore, he moved that the Board:

- Adopt an emergency ordinance to redesignate the Cheney Precinct as the Belvoir Precinct and to designate the polling place for that precinct as the Fort Belvoir Elementary School; and
- Because federal law requires any County change affecting voting to be submitted for federal preclearance review, direct staff to submit these changes to the United States (US) Attorney General for federal preclearance review.

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

58. **FLIGHTS TO/FROM REAGAN WASHINGTON NATIONAL AIRPORT** (Tape 5)

(NOTE: Earlier in the meeting, the Board discussed this issue. See Clerk's Summary Item CL#46.)

With reference to his written Board Matter entitled *Flights To/From Reagan Washington National Airport Should Remain "As Is,"* Supervisor Hyland noted that Supervisor Dix had already raised this issue earlier in the meeting.

59. **INTENT TO DEFER PUBLIC HEARING** (Tape 5)

Supervisor Frey announced his intent to defer, at the appropriate time later in the meeting, the public hearing on Rezoning Application RZ 1998-SU-002 scheduled for 4:30 p.m. today until July 27, 1998 at 5:30 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#86.)

60. **CONCURRENT PROCESSING OF PLANS ASSOCIATED WITH SPECIAL PERMIT AMENDMENT APPLICATION SPA-96-Y-031 FOR TRINITY ASSEMBLY OF GOD** (Tape 5)

Supervisor Frey stated that Trinity Assembly of God Church has filed an amendment to its approved Special Permit and it is currently being processed, on an expedited schedule, with the Board of Zoning Appeals (BZA). Supervisor Frey moved that the Board authorize staff to accept and concurrently process any plans associated with Special Permit Amendment Application SPA-96-Y-031, currently scheduled for public hearing by the BZA on August 25, 1998. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable conditions, regulations, or adopted standards and does not prejudice the consideration of this application in any way. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

61. **FAIRFAX CORNER** (Tape 5)

Supervisor Frey stated that Fairfax Corner is a mixed use project which is across the street from the Government Center. It was zoned in the late 1980's, but because of the economy, it had not proceeded. The Peterson Companies and other owners have completed the reconsolidation and have filed Proffered Condition Amendments to update the design and other elements of the plan.

To enable the elements of the residential portions of the property to proceed, Supervisor Frey moved that the Board direct the Director of the Department of Public Works and Environmental Services (DPW&ES) to process concurrently with Proffered Condition Amendment Application PCA 97-S-039-2 and Final Development Plan Amendment Application FDPA 87-S-039-6 all Plans associated with the residential portions and the Environmental Quality Corridor (EQC) portions of the Fairfax Corner project. This motion does not relieve the applicant from complying with the provisions of any applicable conditions, regulations, or adopted standards and does not prejudice the consideration of this application in any way. This motion was seconded by Supervisor Dix and carried by a vote

of eight, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

62. **COMMENDATION FOR ANTHONY H. GRIFFIN, DEPUTY COUNTY EXECUTIVE** (Tape 5)

With reference to a commendation letter to Anthony H. Griffin, Deputy County Executive, from Mr. J. Thomas Tanner, Jr., on Dewberry and Davis letterhead which was distributed to Board Members, Supervisor Frey stated that this letter complimented the efforts of Mr. Griffin and Mr. Bassant K. Sood from the former Department of Environmental Management (DEM) in the recent location of MCI to Westfields in the western part of the County. He asked unanimous consent that the Board direct the County Executive to appropriately congratulate and commend the named individuals for this effort.

Supervisor Gross asked to amend the request to include a copy of this letter in the employees' personnel files, and this was accepted. Without objection, the request, as amended, was so ordered.

63. **GRAFFITI BY JUVENILES** (Tape 5)

Supervisor Kauffman stated that graffiti continues to be a problem in the County, as it is in other parts of Virginia. He noted that the Virginia General Assembly passed legislation giving judges in localities the ability to impose remedies not usually available for punishment of persons who deface property, when the convicted person is less than 18 years of age. An example of this broad discretion in sentencing convicted juveniles is the judge's right to suspend the juvenile's motor vehicle license or impose a curfew on the juvenile as to the hours during which the juvenile may operate a motor vehicle, Virginia Code Ann. §16.1-278.8 (Michie 1996). He expressed his appreciation to Michael H. Long, Assistant County Attorney, for the documents on this issue which were circulated to the Board.

Supervisor Kauffman reported that the police in his district report that most graffiti vandalism is committed by juveniles and that much of it is gang related. Graffiti has a negative visual impact on communities and encourages gang behavior and "copy cat" crimes. Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct staff to:

- Report whether the County's judges have been exercising their authority to restrict motor vehicle licenses of juveniles convicted of defacing property; and
- Suggest any changes to the *Code of Virginia* for consideration by the Board's Legislative Committee that would help prevent the continued spread of graffiti by juveniles.

Without objection, it was so ordered.

64. **DEFERRAL OF SUPERVISOR MCCONNELL'S BOARD MATTERS** (Tape 5)

In the temporary absence of Supervisor McConnell, Chairman Hanley announced that the Board would defer presentation of her Board Matters until later in the meeting.

(NOTE: Later in the meeting, Supervisor McConnell presented her Board Matters. See Clerk's Summary Items CL#72 and CL#73.)

65. **BROCHURE ON BOND ISSUES** (Tape 5)

Chairman Hanley raised the issue of a brochure on bond issues and Jean V. White, Director, Office of Public Affairs provided the Board with an update on this issue.

66. **EXPRESSION OF APPRECIATION FROM HUNTER MILL DISTRICT SUPERVISOR ROBERT B. DIX, JR.** (Tape 5)

On behalf of both himself and his wife, Supervisor Dix expressed his appreciation to the Members of the Board for the kindness and generosity of the gift that they shared upon the recent celebration of his marriage.

67. **RECESS/EXECUTIVE SESSION** (Tape 5)

At 1:15 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda for this meeting and in addition:

- *Raytheon E-Systems, Incorporated, and Engineering Research Associates, Incorporated versus Fairfax County Board of Supervisors, et al.*, At Law Number 157950; and
- Public Improvement Plan Number 5058-PI-02-1.

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

Chairman Hanley announced that the Board would convene Executive Session at 1:45 p.m.

**AM:am**

At 3:35 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

**ACTIONS FROM EXECUTIVE SESSION**68. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 6)

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

69. **APPOINTMENT OF PAUL L. BALDINO AS DIRECTOR OF THE FAIRFAX COUNTY PARK AUTHORITY** (Tape 6)

Supervisor Gross moved the appointment of Paul L. Baldino as Director of the Fairfax County Park Authority. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

70. **AUTHORIZATION FOR SETTLEMENT IN RAYTHEON E-SYSTEMS, INCORPORATED AND ENGINEERING RESEARCH ASSOCIATES, INCORPORATED VERSUS FAIRFAX COUNTY BOARD OF SUPERVISORS, ET AL., AT LAW NUMBER 157950** (Tape 6)

Supervisor Connolly moved that the Board authorize settlement in *Raytheon E-Systems, Incorporated and Engineering Research Associates, Incorporated versus Fairfax County Board of Supervisors, et al.*, At Law Number 157950 according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

71. **PUBLIC IMPROVEMENT PLAN 5058-PI-02-1 - GREENSBORO CENTER, PUBLIC ROADWAY IMPROVEMENTS** (Tape 6)

(Verbatim)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#36.)

Supervisor Connolly stated that, following his motion, he and the Deputy County Attorney would enter into a colloquy. He asked unanimous consent that the Board direct staff to provide a verbatim transcript. Without objection, it was so ordered.



Supervisor Connolly referred to his written Board Matter regarding concerns raised by the Rotonda Condominium Unit Owners Association on the extension of Greensboro Drive. Therefore, Supervisor Connolly moved that the Board direct the Acting-Director of the Department of Public Works and Environmental Services (DPW&ES) to incorporate these issues in the review of the Public Improvement Plan 5058-PI-02-1. This motion was seconded by Chairman Hanley and carried by unanimous vote.

Supervisor Connolly and Robert L. Howell, Deputy County Attorney participated in a colloquy for the record.

### **ADDITIONAL BOARD MATTERS**

72. **APPOINTMENT TO THE TELECOMMUNICATIONS TASK FORCE** (Tape 6)

(APPT)

Supervisor McConnell moved the appointment of Mr. Jerry L. Little as the Springfield District Representative to the Telecommunications Task Force. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to notify Mr. Little of his appointment to the Telecommunicaitons Task Force before the meeting on Tuesday evening. Without objection, it was so ordered.

73. **VIRGINIA OPERA COMPANY** (Tape 6)

Supervisor McConnell distributed to Board Members a brochure provided by the Virginia Opera Company and explained their work with Fairfax County school students to expose them to opera and encourage creativity.

Supervisor McConnell moved that the Board consider at Carryover a \$25,000 contribution to the Virginia Opera Company. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Kauffman being out of the room.

### **AGENDA ITEMS**

74. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-MA-010 (FAIRFAX DEVELOPMENT CORPORATION ) (MASON DISTRICT)** (Tape 7)

At the request of the applicant, Supervisor Gross moved to defer indefinitely the public hearing on Rezoning Application RZ 1998-MA-010. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Kauffman being out of the room.

75. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-P-076 AND REZONING APPLICATION RZ 1997-PR-058 (B. F. SAUL REAL ESTATE INVESTMENT TRUST) (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 97-P-076 and Rezoning Application RZ 1997-PR-058 until **July 27, 1998 at 5:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Kauffman being out of the room.

76. **3:30 P.M. - PH ON REZONING APPLICATION RZ 96-M-015 AND SPECIAL EXCEPTION APPLICATION SE 96-M-020 (MANORCARE HEALTH SERVICES, INCORPORATED) (MASON DISTRICT)** (Tape 7)

(O) Ms. Tracy Steele Scileppi reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-M-015 be amended from the R-1 District to the R-3 District subject to the execution of the proffers dated June 17, 1998;
- Approval of Special Exception Application SE 96-M-020 subject to the development conditions dated June 25, 1998;
- Modification of the transitional screening and waiver of the barrier requirements in favor of that shown on the Generalized Development Plan/Special Exception Plat (GDP/SE);
- Waiver of the additional standard requirements for the 100-foot setback from the adjacent R-1 zoning to the west and the five acre minimum lot size requirement; and
- Modification of the eight foot trail requirement along the Braddock Road frontage to match the width and materials of the trail to the west.

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

CM:cm

77. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 108 (NOISE ORDINANCE), REGARDING PERMITTED HOURS OF CONSTRUCTION ACTIVITY ON SUNDAYS AND FEDERAL HOLIDAYS (COUNTYWIDE)** (Tapes 8-9)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 25 and July 2, 1998.

Following the public hearing, which included testimony by eight speakers, Supervisor Mendelsohn moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 108 (Noise Ordinance), to revise the start time for the operation of any equipment used in construction in the outdoors on Sundays and federal holidays from 7:00 a.m. until 9:00 a.m., **to become effective on July 14, 1998 at 12:01 a.m.** This motion was seconded by Supervisor Bulova.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive; Jane W. Gwinn, Zoning Administrator, Department of Planning and Zoning (DPZ); and Jack E. Reale, Assistant to the Zoning Administrator, DPZ, the question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix voting "NAY."

Supervisor Mendelsohn moved that the Board establish a task force to review the issues of in-fill development to determine if ordinance or regulation changes are needed. The proposed task force will include one representative from:

- Each Supervisor District;
- The Northern Virginia Building Industry Association (NVBIA);
- The National Association of Industrial and Office Parks (NAIOP);
- The Federation of Citizens Associations; and
- The Fairfax County Chamber of Commerce.

This motion was seconded by Supervisor Hyland.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to also include a representative from the League of Women Voters, and this was

accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, with input from George A. Symanski, Jr., Deputy County Attorney, Supervisor Gross asked to amend the motion to include a time frame in which the task force should report to the Board, and this was accepted.

Supervisor Kauffman asked to amend the motion to limit the task force review to residential in-fill development, and this was accepted.

Supervisor Connolly moved a substitute motion that prior to the formation of a task force, the Board direct staff to prepare a study on issues of residential in-fill development that include the following:

- A definition of "in-fill development;"
- A review of the broad range of issues affected; and
- A list of available alternatives to deal with the issues.

This motion was seconded by Supervisor Dix.

Following further discussion, with input from Mr. O'Neill, the question was called on the substitute motion which **CARRIED** by a recorded vote of seven, Supervisor Frey, Supervisor Gross, and Supervisor Mendelsohn voting "NAY."

The question was then called on the main motion, as substituted, which carried by a recorded vote of nine, Supervisor Frey voting "NAY."

Supervisor Gross moved that the Board refer the issue of the overall review of the Noise Ordinance to the Development Process Committee for review. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

78. **4:00 P.M. - SPECIAL EXCEPTION APPLICATION SE 97-B-005 (T.A.C. GROUP, INCORPORATED/FRUGAL FANNIE) (BRADDOCK DISTRICT)** (Tape 9)

Mr. William M. Baskin, Jr., reaffirmed the validity of the affidavit for the record.

Mr. Baskin had filed the necessary notices showing that at least 25 adjacent/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, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Bulova moved to defer Board decision on Special Exception Application SE 97-B-005 until **July 27, 1998 at 5:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

79. **4:00 P.M. - PH ON REZONING APPLICATION RZ 1997-SU-057 (CENTEX HOMES) (SULLY DISTRICT)** (Tape 9)

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

Mr. Lawrence had filed the necessary notices showing that at least 25 adjacent/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, Gregg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-SU-057 be amended from the R-1, Highway Corridor Overlay District and Water Supply Protection Overlay District to the PDH-8, Highway Corridor Overlay District and Water Supply Protection Overlay District subject to the execution of the proffers dated June 17, 1998. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Frey further moved:

- Modification of the transitional screening requirement along a portion of the northern boundary to that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP);
- Waiver of the barrier requirement along a portion of the northern boundary; and
- Waiver of the 600-foot maximum length of private streets.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

80. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-M-003 (SLEEPY HOLLOW BATH AND RACQUET CLUB, INCORPORATED) (MASON DISTRICT)**  
(Tape 9)

Mr. Fred Taylor reaffirmed the validity of the affidavit for the record.

Mr. Taylor had filed the necessary notices showing that at least 25 adjacent/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, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 98-M-003 subject to the development conditions dated June 10, 1998. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

81. **4:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S98-IV-RH1 LOCATED BETWEEN PINEY RUN, KINGSTOWNE, BEULAH STREET, AND TELEGRAPH ROAD, IN THE ROSE HILL PLANNING DISTRICT (LEE DISTRICT)** (Tape 9)

Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 25 and July 2, 1998.

Following the public hearing, which included testimony by three speakers, Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S98-IV-RH1 as shown on page two of the staff report dated June 10, 1998, with a minor modification to add the phrase "if possible" after the word 'consolidated' in paragraph 45, and as recommended by the Planning Commission on June 24, 1998. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

82. **4:00 P.M. - PH ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF BELLE HAVEN ROAD (MOUNT VERNON DISTRICT)** (Tapes 9-10)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 25 and July 2, 1998.

Following the public hearing, Supervisor Hyland moved adoption of the Ordinance and Order vacating and abandoning a portion of Belle Haven Road (Route 632). This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

83. **4:00 P.M. - PH ON A PROPOSAL TO ABANDON A PORTION OF POBURN ROAD (ROUTE 653) AND OUTLOT F (SPRINGFIELD DISTRICT)** (No Tape)

[NOTE: The public hearing to abandon a portion of Poburn Road (Route 653) and Outlot F was deferred until later in the meeting. See Clerk's Summary Item CL#87.]

84. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-009 (BALBIR BRAR ASSOCIATES, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

Due to unsigned proffers, Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 1998-SU-009 until **July 27, 1998 at 4:00 p.m.** This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

85. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1997-PR-056 (WINCHESTER HOMES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1997-PR-056 until **July 27, 1998 at 5:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

86. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-002 (COSCAN WASHINGTON, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 1998-SU-002 until **July 27, 1998 at 5:30 p.m.** This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

87. **4:00 P.M. - PH ON A PROPOSAL TO ABANDON A PORTION OF POBURN ROAD (ROUTE 653) AND OUTLOT F (SPRINGFIELD DISTRICT)** (Tape 10)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 25 and July 2, 1998.

Following the public hearing, Supervisor McConnell moved adoption of the Order abandoning a portion of Poburn Road (Route 653) and Outlot F. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Bulova and Supervisor Mendelsohn being out of the room.

88. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-C-043 (CANDLEWOOD HERNDON, VIRGINIA LLC) (HUNTER MILL DISTRICT)** (Tape 10)

Mr. Jonathan P. Rak reaffirmed the validity of the affidavit for the record.

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

Supervisor Frey disclosed the following campaign contributions which he had received:

- In the amount of \$150 from Wilkes Artis to the Center for Infant and Child Loss, Baltimore, MD, on October 3, 1997, which purchased a ticket to a golf tournament; and
- In the amount of \$99 from Wilkes, Artis, Hedrick Lane, Chartered, P.C., to Friends of Michael Frey on September 9, 1997.

Following the public hearing, Gregg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Dix moved:

- Approval of Special Exception Amendment Application SEA 88-C-043 subject to the development conditions dated June 26, 1998;
- Modification of the transitional screening requirement along Horsepen Road to that shown on the Special Exception (SE) Plat; and
- Waiver of the barrier requirement along Horsepen Road.

This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova, Supervisor Mendelsohn and Chairman Hanley being out of the room.



89. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-LE-022 AND SPECIAL EXCEPTION APPLICATION SE 97-L-073 (SPRINGFIELD HOSPITALITY, LLC) (LEE DISTRICT)** (Tape 10)

(O) Mr. Christopher Bell reaffirmed the validity of the affidavit for the record.

Mr. Bell had filed the necessary notices showing that at least 25 adjacent/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, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-LE-022 be amended from the C-6, Highway Corridor Overlay District and Sign Control Overlay District to C-4, Highway Corridor Overlay District and Sign Control Overlay District subject to the execution of the proffers dated May 1, 1998; and
- Approval of Special Exception Application SE 97-L-073 subject to the development conditions dated May 5, 1998.

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

90. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-M-002 (WASHINGTON INTERNATIONAL TELEPORT, INCORPORATED) (MASON DISTRICT)** (Tape 10)

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/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 (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 98-M-002 subject to the development conditions dated May 18, 1998; and
- Modification of the transitional screening and barrier requirements along the southern property line in favor of the existing conditions.

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

91. **5:00 P.M. - PH ON REZONING APPLICATION RZ 1997-MV-023 (WILLIAM M. NELSON AND MARY C. NELSON) (MOUNT VERNON DISTRICT)** (Tape 10)

(O) Mr. Eric A. Anderson reaffirmed the validity of the affidavit for the record.

Mr. Anderson had filed the necessary notices showing that at least 25 adjacent/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, Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and moved that the Board waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Hyland moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-MV-023 be amended from the R-1 District to the R-4 District subject to the execution of the proffers dated July 6, 1998;
- Waiver of the minimum district size; and
- Waiver of the open space requirement.

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

Acting-Chairman Kauffman returned the gavel to Vice-Chairman Hyland.

(NOTE: Later in the meeting, action was taken to clarify the correct number of units included in the approval of this item. See Clerk's Summary Item CL#94.)

92. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-C-006-2 (PLAZA AMERICA OFFICE DEVELOPMENT, LLC) (HUNTER**

**MILL DISTRICT** (Tape 10)

Mr. Carlos M. Montenegro reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Charles Nelson, Mr. David Ross, and Mr. Stanley Barg of Atlantic Realty Companies, Incorporated.

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

- In excess of \$200 from Atlantic Realty Companies, Incorporated to Friends of Michael Frey.

Following the public hearing, Lisa Feibelman, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Dix moved:

- Approval of Proffered Condition Amendment Application PCA 90-C-006-2 subject to the execution of the proffers dated May 13, 1998, the Planning Commission having previously approved Final Development Plan Amendment Application FDPA 90-C-006-2 on June 10, 1998;
- Reaffirmation of the modification of the transitional screening and barrier requirement along the western boundary of the site as approved in Proffered Condition Amendment Application PCA 90-C-006-1; and
- Reaffirmation of the waiver of the 75-foot setback requirement for the Dulles Access and Toll Road as previously approved in Proffered Condition Amendment Application PCA 90-C-006-1.

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

93. **5:00 P.M. - PH ON REZONING APPLICATIONS RZ 1997-LE-041; RZ 1997-LE-042; RZ 1997-LE-043; AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 78-L-074-05 (HILLTOP SAND AND GRAVEL COMPANY, INCORPORATED) (LEE DISTRICT)** (Tape 10)

Supervisor Kauffman moved to defer the public hearings on Rezoning Applications RZ 1997-LE-041; RZ 1997-LE-042; RZ 1997-LE-043; and Special Exception Amendment Application SEA 78-L-074-5 until **July 27, 1998 at 5:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of nine, Chairman Hanley being out of the room.

94. **ADDITIONAL ACTION REGARDING REZONING APPLICATION RZ 1997-MV-023 (WILLIAM M. NELSON AND MARY C. NELSON) (MOUNT VERNON DISTRICT)** (Tape 10)

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

Supervisor Hyland clarified, for the record, that a typographical error was found in Rezoning Application RZ 1997-MV-023. The correct number of units approved should be listed as five instead of six.

95. **BOARD ADJOURNMENT** (Tape 10)

At 6:40 p.m., the Board adjourned.