



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
July 9, 2001**

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01-16

SBE:sbe

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

Supervisor Kauffman arrived in time to participate in closed session.

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

BOARD MATTERS

1. **MOMENT OF SILENCE** (Tape 1)

Chairman Hanley expressed the Board's condolences to the family of Captain Tommy Bernal upon his death. Chairman Hanley announced on behalf of the Board and the County Executive that they will be contributing \$500 to the Concerns of Police Survivors in Missouri that provides for the offspring of uniformed employees.

Chairman Hanley recognized the presence of Colonel J. Thomas Manger, Chief of Police, in the Board Auditorium and expressed appreciation to him for performing a difficult task during this very sad time.

Supervisor Connolly stated that he had a Board Matter on this subject that included a very moving poem to motorcycle police that was distributed at the funeral, copies of which he would distribute later in the meeting.

Supervisor McConnell asked unanimous consent that the Board direct staff to distribute the poem to Board Members and also print it in the County *Courier* for everyone to share. Without objection, it was so ordered.

(NOTE: Later in the meeting copies of this poem were distributed. See Clerk's Summary Item CL#33.)

Supervisor Frey asked everyone to remember in thoughts and prayers the family of six-year-old Rachel Crossett who died recently.

Supervisor Hudgins asked everyone to remember in thoughts and prayers the family of the late Everett Crawford who was a long-time active member of the Reston Community.

Supervisor Gross asked everyone to remember in thoughts and prayers the family of the late Elizabeth Risinger Dale, the wife of Warwick Dale, Volunteer Coordinator of the Reserve Deputy Sheriff's Unit in the Fairfax County Sheriff's Office.

2. **INTRODUCTION OF NEW INTERN FROM DRANESVILLE DISTRICT**
(Tape 1)

Supervisor Mendelsohn introduced Kristy Davis, a summer intern in the Dranesville District Office. Chairman Hanley and the Board warmly welcomed her to the Board Auditorium.

3. **INTRODUCTION OF NEW MASON DISTRICT AIDE JAMES THOMAS MIGLIACCIO** (Tape 1)

Supervisor Gross introduced her new aide, Mr. James Thomas Migliaccio. Chairman Hanley and the Board warmly welcomed him to the Board Auditorium.

AGENDA ITEMS

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE 2001 CITIZENS ADVISORY COMMITTEE ON REAPPORTIONMENT AND COUNTY STAFF** (Tape 1)

(BACs) Supervisor Connolly moved approval of the Certificates of Recognition presented to:

- The members of the 2001 Citizens Advisory Committee on Reapportionment for their contribution to this process.
- County staff for exemplary service and dedication in supporting the 2001 Citizen Advisory Committee on Reapportionment.

Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Kauffman not yet having arrived.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO CAROL FRANZ, PRINCIPAL OF BAILEY'S ELEMENTARY SCHOOL FOR THE ARTS AND SCIENCES** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to Carol Franz, principal of Bailey's Elementary School for the Arts and Sciences, upon her retirement. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Connolly and Supervisor Mendelsohn being out of the room, Supervisor Kauffman not yet having arrived.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO CENTREVILLE HIGH SCHOOL GIRLS' LACROSSE TEAM AND COACHING STAFF** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Centreville High School Girls' Lacrosse Team and coaching staff for winning the State championship. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova and Supervisor Mendelsohn being out of the room, Supervisor Kauffman not yet having arrived.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. STARR KARL** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Ms. Starr Karl for her accomplishments resulting in being named National Field Hockey Coach of the Year 2000 by the National Federation Coaches Association. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Connolly and Supervisor Mendelsohn being out of the room, Supervisor Kauffman not yet having arrived.

8. **10 A.M. – PRESENTATION OF THE TRANSPORTATION ADVISORY COMMISSION'S (TAC) ANNUAL TRANSPORTATION ACHIEVEMENT AWARD** (Tape 1)

George Barker, Chairman of the TAC presented its Annual Transportation Achievement Award to Doug Hansen, Transportation Planner III, Department of Transportation.

9. **10:15 A.M. – PRESENTATION BY THE ADVISORY PLANS EXAMINER BOARD ON ITS ANNUAL REPORT** (Tape 1)

Thomas Davis Rust, PE, AICP, Chairman of the Advisory Plans Examiner Board presented its annual report.

Chairman Hanley also noted that Mr. Rust is Mayor of the Town of Herndon and welcomed him to the Board Auditorium.

DMB:dmb

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

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

Supervisor Bulova called the Board's attention to Admin 13 – Supplemental Appropriation Resolution AS 02011 for the Department of Family Services (DFS) Fiscal Year 2002 Title V, Seniors in Community Services Employment Program and a brief discussion ensued with input from Grace Starbird, Director, Area Agency on Aging, DFS.

Supervisor Hudgins called the Board's attention to Admin 15 – Authorization to Apply for Additional Federal Funding to Expand the Ongoing Head Start Program within the Department of Family Services(DFS)/Office for Children and a brief discussion ensued with input from Judith Rosen, Director, Office for Children, DFS.

Chairman Hanley called the Board's attention to Admin 16 – Appointment of Private Provider Representative to the Fairfax-Falls Church Community Policy and Management Team and a brief discussion ensued with input from Gail Ledford, Manager of Comprehensive Services for At-Risk Children, Youth, and Families, Department of Family Services (DFS), and Dana Paige, Director, DFS.

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

(NOTE: *Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on the vote of the Administrative Items. See Clerk's Summary Item CL#44.)

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL AND SULLY DISTRICTS)

(R) Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Stuart Hills	Hunter Mill	Stuart Hills Way Carson Overlook Court Hanna Overlook Court Stuart Road Route 680 Addl ROW Only
Foulger and Boldog Property	Sully	Lincoln Drive Gagne Drive Gagne Court Willow Meade Drive Route 5407 Westbrook Drive Route 1258 Addl ROW Only
Green Trails/La Petite	Sully	La Petite Place
Oakton Chase	Sully	Wilbury Road Route 7892 Parapet Way Oakton Chase Court Oxon Road Route 764 Addl ROW Only West Ox Road Route 608 Addl ROW Only
Willow Ponds Section 6	Sully	Whisper Willow Drive Route 7975

ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (HUNTER MILL, MOUNT VERNON, PROVIDENCE, AND SULLY DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

- Application FS-V01-25 to September 7, 2001
- Application FS-Y01-27 to September 10, 2001
- Application FS-P01-30 to September 20, 2001
- Application FS-H01-31 to September 20, 2001

ADMIN 3 – INSTALLATION OF A MULTI-WAY STOP AT SEQUOIA FARMS AND BROOKMERE DRIVE (SULLY DISTRICT)

- Endorsed the installation of a multi-way stop at Sequoia Farms Drive and Brookmere Drive (Springfield District).
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 4 – RECOMMENDATION OF STREETS TO BE INCLUDED IN THE TRAFFIC-CALMING PROGRAM (TCP) (SPRINGFIELD, MOUNT VERNON, AND MASON DISTRICTS)

- Endorsed the selection of the following streets into the joint Fairfax County Department of Transportation/Virginia Department of Transportation (VDOT) TCP:
 - Crosspointe Drive (Springfield District)
 - Mason Hill Drive (Mount Vernon District)
 - Holmes Run Road (Mason District)
- Directed staff to request VDOT to develop traffic calming plans in conjunction with each community as soon as possible

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON PORTIONS OF BRADLEY ROAD (ROUTE 1210) AND LELAND ROAD (ROUTE 1021) AND VACATE PORTIONS OF CENTREVILLE FARMS ROAD AND SHREVE STREET (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 5 p.m.** to consider the vacation and abandonment of portions of Bradley Road (Route 1210) and the vacation of portions of Centreville Farms Road and Shreve Street.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), TO CONSIDER EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 6 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to consider expanding the Robinson RPPD, District 17.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) TO CONSIDER EXPANDING THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to consider expanding the Annandale RPPD, District 14.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) TO CONSIDER EXPANDING THE LANGLEY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 20 (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 5 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to consider expanding the Langley RPPD, District 20.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), TO CONSIDER EXPANDING THE MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 21 (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 5 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to consider expanding the McLean RPPD, District 21.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED CUT-THROUGH TRAFFIC RESTRICTION FOR SOUTH STREET (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 3:30 p.m.** to consider a proposal to limit cut-through traffic on South Street. This public hearing will be held jointly with the County Department of Transportation and the Virginia Department of Transportation.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF RIDGE TOP ROAD [SPRINGFIELD (FORMERLY SULLY) DISTRICT]

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 3:30 p.m.** on the acquisition of interests in real property necessary for the construction of Private Developer Project PD0072 - Ridge Top Road.

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 6 (DEFERRED COMPENSATION PLAN ORDINANCE)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 23, 2001, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 6 (Deferred Compensation Plan Ordinance).

**ADMIN 13 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02011 FOR THE DEPARTMENT OF FAMILY SERVICES FISCAL
YEAR 2002 TITLE V, SENIORS IN COMMUNITY SERVICES
EMPLOYMENT PROGRAM (SCSEP)**

(SAR) (NOTE: Earlier in the meeting there was a brief discussion of this item. See page 4.)

Approved SAR AS 02011 in the amount of \$86,727 for the Title V, SCSEP Older Worker Employment Program. This grant award continues funding paid work experience, on-the-job training, and the issuance of needed support services for approximately 20 persons age 55 and over, of limited income. A 10 percent local cash match is required in the amount of \$8,673.

**ADMIN 14 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02012 TO CONTINUE VISSTA TRAINING FOR HUMAN SERVICES
STAFF AND LICENSED AND NON-LICENSED DAY CARE PROVIDERS**

(SAR) Approved SAR AS 02012 in the amount of \$592,327 to provide a wide range of skills training to the Department of Family Services staff, line workers serving on Comprehensive Services Act teams, and staff in licensed and non-licensed day care homes and facilities. No local cash match is required.

**ADMIN 15 – AUTHORIZATION TO APPLY FOR ADDITIONAL
FEDERAL FUNDING TO EXPAND THE ONGOING HEAD START
PROGRAM WITHIN THE DEPARTMENT OF FAMILY
SERVICES/OFFICE FOR CHILDREN**

(NOTE: Earlier in the meeting there was a brief discussion of this item. See page 4).

Approved the application for funding to provide comprehensive Head Start services in the amount of \$458,305. This funding will allow the Department of Family Services/Office for Children to provide comprehensive Head Start services in Fiscal Year 2002 for 32 additional children. No local cash match is required from the County; the local match of 20 percent of total program cost will be met through in-kind contributions.

(NOTE: Later in the meeting additional action was taken on this item. See Clerk's Summary Item CL#44.)

ADMIN 16 – APPOINTMENT OF PRIVATE PROVIDER REPRESENTATIVE TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)

(APPT) (NOTE: Earlier in the meeting there was a brief discussion of this item. See page 4).

Appointed Steven C. Bosch, Executive Director, Family Advocacy Center, as Private Provider Representative, to the CPMT.

ADMIN 17 – AUTHORIZATION TO APPLY FOR FISCAL YEAR (FY) 2001 ECONOMIC DEVELOPMENT INITIATIVE (EDI) - SPECIAL PROJECT GRANT FUNDS (DRANESVILLE, MASON, AND PROVIDENCE DISTRICTS)

- Authorized the submission of a grant application to the US Department of Housing and Urban Development in the amount of \$458,980 for the following FY 2001 EDI - Special Project Grant funds:
 - Mason District Park \$ 89,802
 - James Lee Community Center \$199,560
 - Bailey's Community Center
Computer Club House \$113,742
 - Herndon Senior Center \$ 55,876
- Authorized the County Executive to execute certifications and forms as required by HUD for this application.

ADMIN 18 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), AND CHAPTER 112 (ZONING ORDINANCE) REGARDING COMMONLY ACCEPTED PETS

- (A)(R)
- Authorized the advertisement of a public hearing to be held before the Planning Commission on September 5, 2001, and before the Board on **October 1, 2001, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Section 41-1-1 regarding the exclusions under the definition of wild and exotic animals to include domestically bred hedgehogs, specifically the "African pygmy" variety.

- Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 5, 2001, and before the Board on **October 1, 2001, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to include domestically bred African pygmy hedgehogs and hermit crabs in the definition of commonly accepted pets.

ADMIN 19 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON A PORTION OF SUMMIT DRIVE (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **August 6, 2001, at 5:30 p.m.** to consider the abandonment of a portion of Summit Drive.

11. **A-1 – CONSOLIDATED COMMUNITY FUNDING ADVISORY COMMITTEE (CCFAC) REPORT ON THE MULTI-YEAR FUNDING AWARDS PROCESS FOR THE CONSOLIDATED COMMUNITY FUNDING POOL (CCFP)** (Tape 2)

On motion of Supervisor Hudgins, seconded by Supervisor Connolly, and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Kauffman not yet having arrived, the Board concurred in the recommendation of staff and authorized the continuation of a two-year funding cycle for the CCFP in accordance with the recommendation of the CCFAC.

12. **A-2 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT ON BEHALF OF THE BOARD TO INDEMNIFY THE BOARD FROM LIABILITY FOR PROFFERS ACCEPTED PURSUANT TO REZONINGS WHICH INCLUDE RIGHTS-OF-WAY OWNED BY THE BOARD AND PROPOSED TO BE VACATED AND/OR ABANDONED** (Tape 2)

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the County Executive to sign agreements on behalf of the Board to indemnify the Board from liability for proffers accepted pursuant to rezonings which include rights-of-way owned by the Board and proposed vacations and/or abandonments. Supervisor Bulova seconded the motion.

Following discussion ensued with input from Scott Wynn, Assistant County Attorney, the question was called on the motion and it carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Kauffman not yet having arrived.

13. **I-1 – CONTRACT AWARD - NATATORIUM IMPROVEMENTS AT WAKEFIELD RECREATION CENTER (BRADDOCK DISTRICT)**
(Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 9, 2001, requesting authorization for staff to award a contract to NVPool Service, Incorporated in the amount of \$1,233,950 for the construction of natatorium improvements at Wakefield Recreation Center as part of Project 475898, Building Renovations, in Fund 370, Park Authority Bond Construction and Project 004748, General Park Improvements in Fund 371, Park Capital Improvement Fund.

The staff was directed administratively to proceed as proposed.

14. **I-2 – CONTRACT AWARD - CONSTRUCTION OF AN OVERFLOW PARKING LOT AND RELATED IMPROVEMENTS AT OAK MARR PARK (PROVIDENCE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 9, 2001, requesting authorization for staff to award a contract to Finley Asphalt and Sealing, Incorporated in the amount of \$156,700 for the construction of an overflow parking lot and related improvements at Oak Marr Park as part of Project 004748, General Park Improvements in Fund 371, Park Capital Improvement Fund.

The staff was directed administratively to proceed as proposed.

15. **I-3 – CONTRACT AWARD - NATATORIUM IMPROVEMENTS AT MOUNT VERNON RECREATION CENTER (MOUNT VERNON DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 9, 2001, requesting authorization for staff to award a contract to Paddock Swimming Pool Company in the amount of \$332,881 for the construction of natatorium improvements at Mount Vernon Recreation Center as part of Project 475898, Building Renovations, in Fund 370, Park Authority Bond Construction and Project 004748, General Park Improvements in Fund 371, Park Capital Improvement Fund.

The staff was directed administratively to proceed as proposed.

16. **I-4 – CONTRACT AWARD - GROUPED ATHLETIC FIELD IRRIGATION SYSTEM INSTALLATION AT CUNNINGHAM PARK, FRANKLIN FARM PARK, GEORGE WASHINGTON PARK, AND OSSIAN HALL PARK (HUNTER MILL, SULLY, MOUNT VERNON, AND BRADDOCK DISTRICTS)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 9, 2001, requesting authorization for staff to award a contract to McLean Irrigation Incorporated in the amount of \$375,691 for the installation of athletic field irrigation systems at Cunningham Park, Franklin Farm Park, George Washington Park, and Ossian Hall Park, as part of Project 474198, Athletic Fields, in Fund 370, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

17. **I-5 – CONTRACT AWARD - CONSULTING SERVICES FOR THE PROVISION OF A TELECOMMUNICATIONS MASTER PLAN** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 9, 2001, requesting authorization for staff to award a contract to Federal Engineering, Incorporated in the amount of \$743,474 to develop a "Telecommunications Master Plan" which would identify the County's needs and recommend tactical and strategic alternatives to meet the County's projected requirements.

The staff was directed administratively to proceed as proposed.

18. **I-6 – CONTRACT AWARD - EMMA LEE STREET - STORM DRAINAGE IMPROVEMENT (PROVIDENCE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 9, 2001, requesting authorization for staff to award a contract to Fort Myer Construction Corporation in the amount of \$371,617 for the construction of Project CA00551, Emma Lee Street Storm Drainage Improvement, in Fund 316, Pro Rata Share Drainage Construction.

The staff was directed administratively to proceed as proposed.

19. **I-7 – CONTRACT AWARD - DESIGN OF THE SLUDGE DEWATERING SYSTEM AT THE NOMAN M. COLE, JR., POLLUTION CONTROL PLANT (NCPCP) (MOUNT VERNON DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 9, 2001, requesting authorization for staff to award a contract to Parsons Engineering Science, Incorporated in the amount of \$2,966,256 to replace the current Sludge Dewatering System at the NCPCP with a new Sludge

Dewatering System, Project X00910, in Fund 402, Sewer Construction Improvement.

The staff was directed administratively to proceed as proposed.

20. **I-8 – PUBLIC MEETING FOR FAIRFAX CONNECTOR SERVICE CHANGES ON ROUTES 109, 110, AND 111 (LEE, SPRINGFIELD, AND BRADDOCK DISTRICTS)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated July 9, 2001, requesting authorization for staff to initiate the public involvement phase for the proposed service changes and hold a public meeting in July 2001.

Supervisor Bulova called the Board's attention to the fact that due to redistricting, Braddock District is also now affected by the proposed service changes. Following discussion, Supervisor Bulova asked unanimous consent that the Board direct staff to report with information regarding the discontinuation of Fairfax Connector Service to a section of Route 111 that runs through Braddock District. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

21. **GOLF TOURNAMENT** (Tape 3)

Chairman Hanley reminded the Board Members of a letter they had received regarding the \$250 sponsorship of the putting green for a charity golf tournament. She relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board agree to sponsor the putting green and designate her to collect funds from each Member.

Following input from Anthony H. Griffin, County Executive, Chairman Hanley amended her request to include the County Executive.

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

22. **YELLOW LIGHT TIME AT INTERSECTIONS WITH PHOTO RED LIGHT CAMERAS** (Tape 3)

Chairman Hanley made reference to a letter she had received from a constituent and that was also sent to Supervisor Hudgins. The topic was the alleged shortening of the time allocated for yellow (amber) lights at intersections with traffic signals equipped with photo red light cameras. Chairman Hanley noted

that Supervisor Hudgins previously presented a Board Matter on this issue, but that Board Members had not received the staff response.

Following input from Anthony H. Griffin, County Executive, Chairman Hanley asked unanimous consent that the Board direct staff to provide the staff response to the Board. Without objection, it was so ordered.

23. **AUDIT COMMITTEE QUARTERLY REPORT** (Tape 3)

(BACs) Chairman Hanley referred to the Audit Committee Quarterly Report that was previously distributed to the Board and moved that the Board accept it. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Kauffman not yet having arrived.

24. **RECOGNITION OF MS. SHARON KELSO** (Tape 3)

Chairman Hanley announced that Ms. Sharon Kelso received the *Public Citizen of the Year for the State of Virginia* award from the National Association of Social Workers. Accordingly, Chairman Hanley asked unanimous consent that the Board direct staff to invite Ms. Kelso to appear before the Board to be recognized for that award. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

25. **NO BOARD MATTERS FOR SUPERVISOR MENDELSON** (Tape 4)

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

26. **FAIRFAX STARS - 12-YEAR-OLD GIRLS' AAU BASKETBALL TEAM FINISHES FIFTH IN THE NATION** (Tape 4)

Supervisor Frey said the Fairfax Stars 12-year-old girls' AAU basketball team returned home this past Friday night, after finishing fifth in the nation, at the 2001 AAU National Championship tournament, held in New Haven, Connecticut.

Supervisor Frey noted that the Stars qualified for this year's Nationals, by winning the Potomac Valley Region Bronze medal at the regional qualifying tournament. It was the only team from Northern Virginia to qualify this year. The Stars joined 74 other teams from around the country, out of approximately 2,000 teams nationally in this age group, to compete for the National Championship. This team did not qualify for Nationals as 11-year-olds, and thus, went to the tournament unseeded.

Supervisor Frey moved that the Board direct staff to invite the players, coaches, and parents from the Fairfax Stars 12-year-old girls' AAU basketball team to

appear before the Board to be recognized for their hard work and the extraordinary manner in which they represented their community at the 2001 AAU Basketball National Championship tournament in New Haven, Connecticut. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

27. **PUBLIC HEARING SCHEDULED FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 97-M-032** (Tape 4)

Supervisor Gross said that the Fairfax Brewster School, now operated by the Chancellor Academy, has filed Special Exception Amendment Application SEA 97-M-032, requesting a change in student ages.

Therefore, Supervisor Gross moved that the Board direct staff to schedule a public hearing to be held before the Board on **August 6, 2001, at 3:30 p.m.** for Special Exception Amendment Application SEA 97-M-032. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

28. **VAN METRE WOODLAND PARK APARTMENTS I, AND II, LP - FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 1999-HM-011** (Tape 4)

Supervisor Hudgins said that Van Metre Woodland Park Apartments I, LP and Van Metre Woodland Park Apartments II, LP have filed a final development plan amendment application to reflect Option A of the conceptual development plan with a total of 757 dwelling units.

Supervisor Hudgins moved that the Board direct staff to review and process the site and building plans for Tax Map 16-3((1))25D1, 25D2 and 16-4((1))32B concurrently with the review of the Final Development Plan Amendment Application FDPA 1999-HM-011. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards and does not prejudice the consideration of this application in any way. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

29. **STATE INCOME TAX RETURNS** (Tape 4)

Supervisor Hudgins asked unanimous consent that the Board direct staff to report with information on the return of State income taxes due to citizens. Without objection, it was so ordered.

30. **RESTON FESTIVAL** (Tape 4)

Supervisor Hudgins announced that the Reston Festival is scheduled for Saturday, July 14, 2001, from 10 a.m. until 10 p.m. and on Sunday, July 15, 2001, from 10 a.m. until 6 p.m. at Lake Anne Plaza.

31. **NO BOARD MATTERS FOR SUPERVISOR BULOVA** (Tape 4)

Supervisor Bulova announced that she had no Board Matters to present today.

32. **STATUS OF FAIRFAX COUNTY TELEWORK PROGRAM/GOALS AND SECOND ANNUAL WASHINGTON AREA CONFERENCE ON TELEWORK** (Tape 4)

Supervisor Connolly said many of his colleagues were among the 500 business leaders and elected officials that converged at the Government Center on October 24, 2000, for the first annual Washington Area Conference on Telework (WACOT) co-sponsored by Fairfax County, the Metropolitan Washington Council of Governments (COG), and the International Telework Association and Council (ITAC).

Supervisor Connolly said that at the conclusion of WACOT, COG Director Michael Rogers pledged to sponsor an annual WACOT conference as they moved toward the regional goal of 20 percent by 2005.

To that end, Supervisor Connolly said that he recently met with his successor as COG chairman, DC Councilwoman Carol Schwartz and Bob De Lorenzi who chaired the first WACOT conference. This year's conference will be held in Washington, DC in October.

DC Councilman Schwartz and Bob De Lorenzi of PatriotNet will co-chair the conference with Mark Wiatrowski, president of the Georgetown Business Center.

Last year's conference established Fairfax County as the leader among the regional jurisdictions in the area of telework. A presentation by Carol Stuart Goldberg highlighted the work Fairfax County has already done with the employee telework program and the Board made a commitment to expand the program in the spirit of the regional goal. Since that time there is even more progress to report, including the training of supervisors and telecommuters to increase efficiency and the purchase of hardware and security devices allowing secure access by teleworkers of the County network. Ms. Stuart, who has supervised this cutting edge program for many years, is now retiring and the County is taking the opportunity to review and reorganize the program.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct:

- The County Executive to report with details of how Fairfax County will participate in WACOT II.
- The County Executive to take steps to schedule the first annual report on the status of Fairfax County's telework program in conjunction with National Telework Day in October.
- Staff to invite Carol Stuart Goldberg to appear before the Board to be honored for her leadership in supervising a telework program that has put Fairfax County in the vanguard on this important issue.

Without objection, it was so ordered.

NV:nv

33. **FALLEN HERO** (Tape 5)

(NOTE: Earlier in the meeting, the Board paid tribute to the late Captain Tommy Bernal. See Clerk's Summary Item CL#1.)

With reference to the Board's earlier discussion regarding the late Captain Tommy F. Bernal of the Police Department, Supervisor Connolly provided copies of a poem entitled *Motor Officers*.

(NOTE: Later in the meeting, the Board took action regarding issues relating to Captain Bernal's death. See Clerk's Summary Items CL#42 and CL#43.)

34. **INTERVIEW WITH CONGRESSMAN TOM DAVIS** (Tape 5)

Supervisor Connolly shared with the Board copies of an interview with Congressman Tom Davis that appeared in the *Potomac Tech Journal*.

35. **RECOGNITION OF STAFF FELLOWS AND GET WELL WISHES TO MS. KIM RABINOWITCH** (Tape 5)

Supervisor Connolly announced that he would present a Board Matter at the appropriate time to invite Mr. Leonard Wolfenstein and Ms. Kim Rabinowitch to appear before the Board to be honored for being the first Fellows in the County to serve in a Supervisor's office as part of that new program and for doing an outstanding job.

Supervisor Connolly reported, however, that Ms. Rabinowitch suffered a serious head injury in an accident and is still recovering, though her prognosis is excellent long term. He noted that he would defer this recognition until Ms. Rabinowitch had recovered. On behalf of the Board he wished her a speedy recovery.

36. **CROSS COUNTY TRAIL** (Tape 5)

Supervisor Connolly reported that on Saturday, July 7, he hiked a lengthy section of the cross county trail with some constituents from the Miller Heights area. A small parcel is needed for an easement in the Tattersall Homeowners' Association section of Miller Heights.

With reference to some recent articles in local newspapers, Supervisor Connolly clarified for the record that the Board initiated the cross county trail and has enthusiastically supported it.

Following a brief discussion, Supervisor Connolly asked unanimous consent that the Board direct the County Executive to provide after the August recess, and in consultation with Paul Baldino, Director, Park Authority, an interim report on the cross county trail in terms of both construction and signage.

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

37. **BEECHWOOD CIVIC ASSOCIATION RESTRICTED PARKING DISTRICT (RPD)** (Tape 5)

Supervisor Hyland stated that the Beechwood Civic Association, which does not meet the minimum requirement of five blocks or 5,000 linear feet required for a RPD, has requested an RPD because many recreational vehicles are parked on its streets. The vehicles present serious safety concerns to the residents and many owners of those vehicles do not live in the Beechwood community.

Accordingly, as the Fairfax County Department of Transportation already has confirmed the Beechwood Civic Association's request as acceptable, Supervisor Hyland moved that the Board direct staff to waive the five blocks or 5,000 linear feet requirement(s) for the RPD to make the Beechwood community safe for its residents and accept the request. Supervisor Bulova seconded the motion.

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

38. **REQUEST FOR EXPEDITED PUBLIC HEARING DATE FOR HUNTINGTON STATION LLC** (Tape 5)

Supervisor Hyland stated that Huntington Station LLC has requested a public hearing date before the Board of August 6, 2001, for its rezoning request for a 48 lot single-family attached project on Tax Map 83-1 ((1)) 53B proposed to be built within the Huntington Transit Station Area. This request includes a proffered condition amendment to delete this parcel from the previously approved Rezoning Application RZ 92-V-032, which covered this parcel and the adjacent parcel 53A.

Supervisor Hyland noted that a separate rezoning action has been filed by LCOR on Parcel 53A. The LCOR rezoning application has already been scheduled for public hearing by the Board on August 6, 2001. Since the proffered condition amendment application associated with the Huntington Station LLC application must be heard by the Board prior to the public hearing on Parcel 53A, the applicant and staff have requested that the Huntington Station LLC application be scheduled for public hearing on August 6, 2001, immediately prior to the LCOR public hearing.

Accordingly, Supervisor Hyland moved that the Board schedule a public hearing for the applications of Huntington Station LLC (Rezoning Application RZ 2001-MV-006, Proffered Condition Amendment Application PCA 92-V-032-2, and Special Exception Amendment Application SEA 88-V-025) on August 6, 2001, immediately prior to the public hearing for Rezoning Application RZ 2001-MV-011. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards and does not prejudice the consideration of the land use applications in any way. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Kauffman not yet having arrived.

39. **REQUEST FOR EXPEDITED AND CONCURRENT SITE PLAN PROCESSING** (Tape 5)

Supervisor Hyland presented a written Board Matter that stated that on December 26, 1996, the Trustees of Mount Vernon Congregation of Jehovah's Witnesses purchased the 4.04-acre parcel of land located at Tax Map 102-1 ((1)) 38A, approximately 250 feet from the intersection of Holland Road and Sherwood Hall Lane in the Gum Springs community. The parcel was acquired for the purpose of building a Kingdom Hall, a public place of education and worship for the people of the Gum Springs community and beyond. Upon acquisition of the above referenced parcel, the purchasers immediately applied for a rezoning from the PDH-8 District to the R-5 District to accommodate the Kingdom Hall building whose intended use was not allowed in the PDH-8 District. The Board unanimously approved this application on June 28, 1999.

For the reasons cited in his written Board Matter, Supervisor Hyland moved that the Board direct the Director of the Department of Public Works and Environmental Services to expedite and concurrently process the site plan, plats, permits, and related documents to allow construction of the Mount Vernon Kingdom Hall of Jehovah's Witnesses to begin as soon as possible. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards and does not prejudice the consideration of the land use applications in any way. Supervisor Hudgins seconded the motion, which carried by a vote of nine, Supervisor Kauffman not yet having arrived.

40. **REQUEST TO SCHEDULE PUBLIC HEARINGS FOR REZONING APPLICATIONS RZ 2001-SP-007 AND RZ 2001-SP-009** (Tape 5)

Supervisor McConnell stated that Rezoning Applications RZ 2001-SP-007 and RZ 2001-SP-009 are companion requests filed by Rosewood Building and Development, LLC to rezone approximately 12 acres from the R-1 to the R-3 and R-3 Cluster Districts. The subject property is located on Silverbrook Road, just west of Bayberry Ridge Road. She said that a number of the homes that currently exist on the properties are experiencing problems with wells and septic systems and that all of the homes directly access Silverbrook Road, which is continuing to experience a significant increase in traffic. She noted that the proposed applications consolidate all but two of the remaining properties in this area, provide utilities for future residents, and eliminate individual access from Silverbrook Road.

To ensure that these applications proceed as expeditiously as possible, Supervisor McConnell moved that the Board direct:

- Staff to schedule the public hearings for Rezoning Applications RZ 2001-SP-007 and RZ 2001-SP-009 to be held before the Board on August 6, 2001.
- The Director of the Department of Public Works and Environmental Services to process the associated site and subdivision plans concurrently with the rezoning applications.

She noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this rezoning application in any way. The applicant acknowledges the pursuit of concurrent processing shall be at the applicant's own risk. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Kauffman not yet having arrived.

41. **REQUEST TO SCHEDULE A PUBLIC HEARING FOR REZONING APPLICATION RZ 2001-SU-003** (Tape 5)

Supervisor McConnell stated that Pulte Home Corporation has submitted a rezoning application for approximately 44.45 acres of land on the north side of Westbrook Drive, east of Stringfellow Road. The applicant proposes to rezone the subject property from the R-1 District to R-2 Cluster District and to construct 91 single family detached units and associated affordable dwelling units. She said that the Planning Commission public hearing is scheduled for July 19, 2001, and outstanding issues have been satisfactorily addressed.

Accordingly, Supervisor McConnell moved that the Board direct:

- Staff to schedule the public hearing for Rezoning Application RZ 2001-SU-003 to be held before the Board on August 6, 2001.
- The Director of the Department of Public Works and Environmental Services to process the associated site and subdivision plans concurrently with the rezoning application.

She noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this rezoning application in any way. The applicant acknowledges the pursuit of concurrent processing shall be at the applicant's own risk. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Kauffman not yet having arrived.

42. **CHECKS TO SURVIVING FAMILY** (Tape 5)

(NOTE: Earlier in the meeting, the Board paid tribute to the late Captain Tommy Bernal. See Clerk's Summary Items CL#1 and CL#33.)

Supervisor McConnell stated that it was mentioned to her at Captain Tommy Bernal's funeral that in some cases in the County there is a hardship on families of deceased employees because checks that normally come to the surviving family stop immediately and all assets and accounts are frozen. Accordingly, she asked unanimous consent that the Board direct staff to examine this issue and offer solutions to assist families in such situations. Without objection, it was so ordered.

43. **CREATION OF A SPECIAL ACCOUNT** (Tape 5)

(NOTE: Earlier in the meeting, the Board paid tribute to the late Captain Tommy Bernal. See Clerk's Summary Items CL#1, CL#33, and CL#42.)

In regard to organizing and paying for a large reception such as the one following the funeral of Captain Bernal, Supervisor McConnell asked unanimous consent that the Board direct staff to determine whether a special account could be established to be made available for such occasions.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request to also direct staff to determine what other jurisdictions do in similar situations. Without objection, the request, as amended, was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

44. **REQUEST TO RECORD VOTE ON THE ADMINISTRATIVE ITEMS AND ADDITIONAL REQUEST FOR INFORMATION** (Tape 5)

Supervisor McConnell noted that she had been out of the room during the Administrative Items to attend a meeting regarding Route 123. She asked unanimous consent that she be recorded as voting "AYE" on the Administrative Items. Without objection, it was so ordered.

Supervisor McConnell called the Board's attention to Admin 15 - Authorization to Apply for Additional Federal Funding to Expand the Ongoing Head Start Program within the Department of Family Services/Office for Children and asked unanimous consent that the Board direct staff to explain the high cost per child and provide an analysis of the costs. Without objection, it was so ordered.

45. **RECESS/CLOSED SESSION** (Tape 5)

At 11:20 a.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.1-344(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.1-344(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.1-344(A)(7).
 - 1. *Jane W. Gwinn, Fairfax County Zoning Administrator v. John Thoburn, Renee Thoburn, Jindo Kim, Younghee Kim, Golf Park, Inc., and Hunter Mill East, L.L.C., In Chancery No. 161908 (Fx. Co. Cir. Ct.) (Dranesville District)*
 - 2. *Randy Lievan and Arthur Kyser, together trading as Dryclean Depot v.*

- Jane W. Gwinn, Fairfax County Zoning Administrator, Record No. 010371, and Emanuel Stikas v. Board of Zoning Appeals of Fairfax County, Virginia, et al., Record No. 010367 (Va. Sup. Ct.) (Providence District)*
3. *Anthony V. Anzalone v. Zoning Administrator, At Law No. 192336 (Fx. Co. Cir. Ct.) (Braddock District)*
 4. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Pedro E. Torres, Blanca C. Torres, and Cenia E. Torres, In Chancery No. 169612 (Fx. Co. Cir. Ct.) (Lee District)*
 5. *Jane Gwinn, Fairfax County Zoning Administrator v. Ruby V. Fast and Garde Morris O. Johnson, In Chancery No. 148675 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
 6. *Jane Gwinn, Fairfax County Zoning Administrator v. Hazel O. Johnson and Garde Morris O. Johnson, In Chancery No. 148674 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
 7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Hazel L. Herring and Cheryl P. Herring, In Chancery No. 161124 (Providence District)*
 8. *Fairfax County Park Authority v. Ted Bertrand, et al., At Law No. 196335 (Fx. Co. Cir. Ct.) (Springfield District)*
 9. *Fairfax County Park Authority v. Gladys E. Stephens, et al., At Law No. 196334 (Fx. Co. Cir. Ct.) (Sully District)*
 10. *Board of Supervisors v. Batman/McNair Associates, L.P., et*

al., At Law No. 196409 (Fx. Co. Cir. Ct.) (Hunter Mill District)

11. *Board of Supervisors v. Batman/McNair Associates, L.P., et al.*, At Law No. 196410 (Fx. Co. Cir. Ct.) (Hunter Mill District)

12. *Board of Supervisors v. Batman/McNair Associates, L.P., et al.*, At Law No. 196440 (Fx. Co. Cir. Ct.) (Hunter Mill District)

And in addition:

- Board of Zoning Appeals Appeal Application A 2001-MA-006, Vanguard Services Unlimited
- Board of Zoning Appeals Application SPA 690-L-055, Rose Hill Farms Community Center
- Northern Virginia Regional Park Authority - Dominion Virginia Power Litigation
- Fairfax County Contract Number RQ 97-000117-16A
- "The Public Water and Sewer Authority Public Utility Designation Act of 2001."

Supervisor Hyland seconded the motion.

Chairman Hanley announced that should this motion carry, the Board would convene closed session at 1:30 p.m.

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

SBE:sbe

At 3:15 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION46. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 6)

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

47. **AUTHORIZATION FOR THE COUNTY EXECUTIVE TO EXECUTE THE SECOND AMENDMENT TO THE AMENDED RESTATED REAL ESTATE SALES AGREEMENT (WEST PARCEL)** (Tape 6)

Supervisor Frey moved that the Board authorize the County Executive to execute the referenced Second Amendment to the Amended and Restated Real Estate Sales Agreement (West Parcel), dated April 30, 2001, as amended by the First Amendment dated June 29, 2001. Supervisor Hyland seconded the motion and it carried by unanimous vote.

48. **AUTHORIZATION FOR THE COUNTY EXECUTIVE TO EXECUTE THE SECOND AMENDMENT TO THE AMENDED AND RESTATED REAL ESTATE SALES AGREEMENT (EAST PARCEL)** (Tape 6)

Supervisor Frey moved that the Board authorize the County Executive to execute the referenced Second Amendment to the Amended and Restated Real Estate Sales Agreement (East Parcel), dated April 30, 2001, as amended by First Amendment dated June 29, 2001. Supervisor Hyland seconded the motion and it carried by unanimous vote.

49. **AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED EXCHANGE FOR LAND NORTH AND EAST OF SILVERBROOK ROAD FOR LAND ON MASON NECK** (Tape 6)

(A) Supervisor Hyland moved that the Board authorize the advertisement of a public hearing for July 23, 2001, on the proposed exchange of approximately 283.5 acres of land north and east of Silverbrook Road, a part of the Lorton Correctional Complex, for approximately 805.9 acres on Mason Neck, known as the Meadowood Farm. The Silverbrook Road property is proposed to be transferred to Pulte Home Corporation and the Meadowood Farm property is proposed to be transferred to the United States of America (Secretary of the Interior). Supervisor Connolly seconded the motion and it carried by unanimous vote.

DS:ds

AGENDA ITEMS

50. **3 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-P-040, REZONING APPLICATION RZ 2000-PR-056, AND SPECIAL EXCEPTION APPLICATION SE 00-P-050 (FAIRFAX RIDGE LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 7)

(NOTE: On June 25, 2001 the Board deferred the public hearing on this item until July 9, 2001.)

Chairman Hanley announced that this item would be deferred until 5 p.m. due to a posting error.

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#66.)

51. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-057 (LORTON VALLEY, LC AND LORTON VALLEY III, LC) (MOUNT VERNON DISTRICT)** (Tape 7)

- (O) The Rezoning Application RZ 2000-MV-057 property is generally located at the southern termini of Third Place, Fourth Place, and Fifth Place, approximately 500 feet east of Furnace Road, Tax Map 107-3 ((1)) 13, 14, and 16.

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

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

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

- In excess of \$200 from Dewberry and Davis LLC

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-MV-057, from the R-1 District to the PDH-4 District, subject to the proffers dated May 23, 2001.
- Modification of the transitional screening and barrier requirements between the proposed townhouses and parcel 15 and between the proposed townhouses and the detached dwellings within the development.

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

52. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-045 (LORTON VALLEY LC) (MOUNT VERNON DISTRICT)** (Tape 7)

- (O) The Rezoning Application RZ 2000-MV-045 property is located on the south side of Lorton Road, approximately 1,000 feet west of its intersection with Silverbrook Road and Sanger Street, Tax Map 107-3 (1)) 3A.

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

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

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

- In excess of \$200 from Dewberry and Davis LLC

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-MV-045, from the I-4 District to the PDH-5 District, subject to the proffers dated June 4, 2001.

- Waiver of the 600-foot limitation on the length of private streets.
- Modification of the transitional screening and waiver of the barrier requirement adjacent to parcel 1 on the west and in Land Bay C2 on the south.
- Modification of the transitional screening and waiver of the barrier requirement between the single family attached and detached units within this development.

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

53. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-013 (RWG CORPORATION) (MASON DISTRICT)** (Tape 7)

The Special Exception Application SE 01-M-013 property is located at 6309 Leesburg Pike, Tax Map 51-3 ((13)) 39.

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

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

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 01-M-013, subject to the development conditions dated July 1, 2001, with the following addition:

- The operating hours are Monday through Saturday from 8 a.m. to 9 p.m. and Sunday from 9 a.m. to 5 p.m.

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

ADDITIONAL BOARD MATTER54. **WELCOME TO BOY SCOUT TROOP 1548** (Tape 7)

Chairman Hanley recognized the presence of Boy Scout Troop 1548 from Chantilly who was working on a communications merit badge, and warmly welcomed them to the Board Auditorium.

AGENDA ITEMS55. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-010 (MUHAMMAD ALHUSSEIN [SKYLINE AMOCO] (MASON DISTRICT))**
(Tape 7)

The Special Exception Application SE 01-M-010 property is located at 5842 Columbia Pike, Tax Map 61-2 ((17)) (A) 17A.

Mr. Muhammad Alhussein reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 01-M-010, subject to the development conditions dated July 1, 2001.
- Waiver of the service drive requirement along Columbia Pike.
- Modification of the transitional screening requirement on the northern property boundary in favor of that shown on the Special Exception Plat.

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

56. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-069-11 (FAIR LAKES CENTER ASSOCIATES, LP) [SPRINGFIELD (FORMERLY SULLY) DISTRICT]**
(No Tape)

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#58.)

57. **3:30 P.M. – PH REGARDING THE REQUEST FOR A DEDICATION OF A PORTION OF COUNTY-OWNED LAND TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (SULLY DISTRICT)** (Tape 7)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 21 and June 28, 2001.

Following the public hearing, Supervisor Frey moved dedication of a portion of land at the Chantilly Fire Station, Tax Map Number 34-4 ((06)) parcel 60, to the Virginia Department of Transportation. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hudgins, and Supervisor Hyland being out of the room.

58. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-069-11 (FAIR LAKES CENTER ASSOCIATES, LP) [SPRINGFIELD (FORMERLY SULLY) DISTRICT]**
(Tape 7)

The Proffered Condition Amendment Application PCA 82-P-069-11 property is located on the north side of I-66, south side of Fair Lakes Parkway, approximately 1/2 mile west of the Fairfax County Parkway, Tax Map 55-2 ((4)) 7, 8, 12, 14, 16, 18, 19, 21A, 22A, 25, 26A (formerly known as 26 and 27) and 28.

Mr. Frank McDermott reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Dewberry and Davis LLC

Following the public hearing, Amy Parker, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Approval of Proffered Condition Amendment Application PCA 82-P-069-11, subject to proffers dated May 30, 2001.
- Reaffirmation of the following waivers and modifications approved with previous applications on the property:
 - Waiver of the barrier requirement along I-66
 - Modification of the transitional screening requirement and waiver of the barrier requirement along Fair Lakes Boulevard
 - Modification of the transitional screening requirement adjacent to the residential units in Land Bay 4C
 - Modification of the transitional screening requirements in favor of the use of existing vegetation.

Supervisor Frey seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Hyland, and Supervisor Kauffman being out of the room.

ADDITIONAL BOARD MATTER

59. **LETTER TO DISTRICT OF COLUMBIA (DC) ON BEHALF OF THE WASHINGTON AREA SEWER AUTHORITY (WASA)** (Tape 7)

Supervisor Gross moved that the Board authorize the Chairman to write a letter to the DC on behalf of WASA regarding the proposal before the DC Council. Supervisor Mendelsohn seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Hyland, and Supervisor Kauffman being out of the room.

AGENDA ITEMS

60. **4 P.M. – PH REGARDING THE LEASING OF COUNTY-OWNED PROPERTY KNOWN AS THE ATHLETIC FIELD ON A PORTION OF THE GREAT FALLS COMMUNITY LIBRARY SITE AT 9830 GEORGETOWN PIKE TO GREAT FALLS LACROSSE ASSOCIATION AND GREAT FALLS SOCCER (DRANESVILLE DISTRICT)** (Tape 7)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 21 and June 28, 2001.

Following the public hearing, Supervisor Mendelsohn moved that the Board authorize County staff to execute a lease with Great Falls Lacrosse Association and Great Falls Soccer (co-tenants) for the leasing of County-owned property known as the athletic field on a portion of the Great Falls Community Library site at 9830 Georgetown Pike [Tax Map 13-1 ((1)) 11]. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room.

A brief discussion ensued.

61. **4 P.M. – PH ON A PROPOSAL TO ABANDON A PORTION OF MONROE STREET (ROUTE 666) (HUNTER MILL DISTRICT)** (Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 21 and June 28, 2001.

Following the public hearing, Supervisor Hudgins moved adoption of the Order abandoning a portion of Monroe Street (Route 666). Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

62. **4 P.M. – PH ON A PROPOSAL TO VACATE HAISLIP LANE (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#64.)

63. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PERSONAL SERVICE ESTABLISHMENTS - DRY CLEANERS/LAUNDRIES** (Tape 7)

Supervisor Bulova moved that the Board:

- Defer the public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance).
- Authorize staff to prepare a new alternative amendment in accordance with the Planning Commission recommendation.

Supervisor Hudgins seconded the motion.

Supervisor Connolly asked to amend the motion to change the Planning Commission Recommendation to read as follows "Allowing dry cleaners containing up to **6,000** square feet gross floor area...", and this was accepted.

Following discussion, Supervisor Connolly clarified that the motion was to change the Planning Commission Recommendations number 1 and 2 to "**6,000**" square feet gross floor area.

Following further discussion, with input from Eileen McLane, staff, Department of Planning and Zoning, the question was called on the motion, as amended, and it carried by a vote of nine, Supervisor McConnell being out of the room.

A brief discussion ensued, with input from Ms. McLane, who stated that this item is scheduled for a public hearing to be held before the Board on November 19, 2001.

64. **4 P.M. – PH ON A PROPOSAL TO VACATE HAISLIP LANE (MOUNT VERNON DISTRICT)** (Tape 7)

(O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 21 and June 28, 2001.

Following the public hearing, Supervisor Hyland moved adoption of the Ordinance vacating a portion of Haislip Lane. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hudgins and Supervisor McConnell being out of the room.

65. **BOARD RECESS** (Tape 7)

At 4:15 p.m., the Board recessed briefly, and at 5 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

66. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-P-040, REZONING APPLICATION RZ 2000-PR-056, AND SPECIAL EXCEPTION APPLICATION SE 00-P-050 (FAIRFAX RIDGE LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tapes 7-8)

(O) (NOTE: Earlier in the meeting this public hearing was deferred. See Clerk's Summary Item CL#50.)

The Proffered Condition Amendment Application PCA 90-P-040 and Rezoning Application RZ 2000-PR-056 properties are located on the west side of Waples Mill Road, immediately south of I-66 and north of Lee Jackson Highway, Tax

Map 46-4((1))36 and 37; 56-2((1))15f, 16, 18a, and 22. The Special Exception Application SE 00-P-050 property is generally located in the northwest quadrant of the intersection of Waples Mill Road and Fairfax Ridge Road, Tax Map 56-2((1))18A.

Ms. Elizabeth Baker reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Amy Parker, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, with input from Chuck Almquist, Transportation Planner, Department of Transportation, Supervisor Connolly moved:

- Approval of Proffered Condition Amendment Application PCA 90-P-040.
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-PR-056 from the C-3 and HC Districts to the PDH-20 and HC Districts, subject to proffers dated July 5, 2001.

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

Supervisor Connolly further moved:

- Approval of Special Exception Application SE 00-P-050, subject to the development conditions dated May 23, 2001.
- Modification of the transitional screening requirements and waiver of the barrier requirements along the right-of-way of Route 66, as depicted on the Conceptualized Development Plan/Final Development Plan.
- Waiver of the multi-family loading space requirements and the service drive requirements for primary highways.

Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

67. **BOARD ADJOURNMENT** (Tape 8)

At 5:25 p.m., the Board adjourned.

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