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The meeting was called to order at 9:55 a.m. with all Members being present, and with Chairman Hanley presiding.

Others present were William J. Leidinger, County Executive; David P. Bobzien, 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.

2. **CERTIFICATES OF RECOGNITION PRESENTED TO THE FAIRFAX COUNTY PARK AUTHORITY, THE VIENNA JAYCEES AND BOY SCOUT TROOP NUMBER 1348** (Tape 1)

Supervisor Connolly moved approval of the Certificates of Recognition presented to the Fairfax County Park Authority, the Vienna Jaycees and Boy Scout Troop Number 1348 for constructing the first accessible garden plot for physically disabled persons and senior citizens in Fairfax County at Nottoway Park. The recipients are:

- Andrew Hollingsworth, Eagle Scout;
- Eric Smith, Vienna Jaycees;
- Cindy Walsh, Fairfax County Park Authority; and
- Sousan Frankenberger, Fairfax County Park Authority.

This motion was seconded by Supervisor Gross and carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO JACK MASSEY** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Jack Massey for more than 21 years of service as a Fairfax County Employee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

4. **PROCLAMATION DESIGNATING THE MONTH OF FEBRUARY 1996 AS "BLACK HISTORY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to Mr. Reginald Ingram designating the month of February 1996 as "**Black History Month**" in Fairfax County. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO THE JUNIOR LEAGUE OF NORTHERN VIRGINIA** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to the Junior League of Northern Virginia for hosting a job fair designed to match homeless shelter residents and other individuals at risk of losing their homes with jobs and employers in the Metropolitan area. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

6. **10:00 A.M. - PRESENTATION BY THE SCHOOL BOARD ON ITS FISCAL YEAR (FY) 1997 BUDGET** (No Tape)

(NOTE: At the request of the School Board, this Presentation was moved to 7:00 p.m. See Clerk's Summary Item CL#129.)

AM:am

7. **10:00 A.M. - BOARD DECISION ON THE CONSOLIDATED PLAN: ONE YEAR ACTION PLAN FOR FISCAL YEAR (FY) 1997** (Tape 2)

(NOTE: On January 22, 1996 the Board held a public hearing on the *Consolidated Plan: One Year Action Plan for Fiscal Year (FY) 1997* and deferred Board decision until February 12, 1996.)

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to:

- Provide the fund balances for the Home Improvement Loan Program and the Home Repair for the Elderly Program; and
- Report with information on Community Development Block Grant (CDBG) funds that are programmed into accounts such as rehabilitation and what happens when those funds are not spent.

Without objection, it was so ordered

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide a breakdown of all the expenses charged to the Administrative Fund. Without objection, it was so ordered.

Following further discussion, with input by Bruce A. LaVal, Director, Division of Community Development, Department of Housing and Community Development (HCD), Supervisor Connolly moved that the Board:

- Adopt the *Consolidated Plan: One year Action Plan for FY 1997*, dated January 5, 1996, as prepared by the Consolidated Plan Review Committee (CPRC) with a revision to the Plan to allow the County's CDBG cooperating jurisdictions (the Towns of Clifton, Herndon, and Vienna and the City of Fairfax) to submit proposals for the use of CDBG Affordable Housing and Targeted Public Services funds;
- Authorize the Department of Housing and Community Development (HCD) to issue Requests for Proposals (RFPs) for the Affordable Housing Fund and Targeted Public Services for amounts up to those recommended by the CPRC as identified in the Memorandum to the Board dated February 12, 1996; and
- Authorize the signature of the Consolidated Plan Certifications required by the United States Department of Housing and Urban Development (HUD).

This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to contact all of the people who received CDBG funds last year and inform them of the deadline for this year's request since this is a new process. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

8. **10:15 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 2)

- (R) Supervisor Dix, Co-Chairman, Board's Legislative Committee, briefly outlined the 1996 Legislative Report dated February 12, 1996.

Supervisor Dix moved approval of the County Legislative Program for the 1996 Session of the Virginia General Assembly. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Dix moved that the Board:

- Adopt a Resolution expressing strong opposition to House Joint Resolution Number 13;

- Authorize the Chairman to forward this Resolution with a cover letter expressing the Board's concern; and
- Contact the Loudoun County Board of Supervisors to share the Resolution and express the Board's concern.

This motion was seconded by Supervisor Mendelsohn.

Supervisor Frey asked to amend the motion that the Board direct staff to delete the word unprecedented from the last sentence on page one of the Resolution, and this was accepted.

The question was called on the motion, 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."

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

Supervisor Hyland moved approval of the Administrative Items with the exception of Administrative Item 7 - Proposed Zoning Ordinance Amendment Work Program For 1996 and Status of 1995/96 Zoning Ordinance Amendment Work Program. The second to this motion was inaudible.

Supervisor Mendelsohn asked to amend the motion to consider Administrative Item 6 - Appointment of Community Representative to the Fairfax-Falls Church Community Policy and Management Team (CPMT) separately, and this was accepted.

Supervisor Dix asked to amend the motion to consider Administrative Item 9 - Supplemental Appropriation Resolution (SAR) AS 96059 for the Equipment Management and Transportation Agency (EMTA) Alternative Fuels Grant Received From the Virginia Department of Transportation (VDOT) separately, and this was accepted.

The question was called on the motion, 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 THE SECONDARY SYSTEM (MOUNT VERNON, PROVIDENCE, SPRINGFIELD AND SULLY DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated February 12, 1996 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Washington Woods on the Potomac, Section 2, Phase 1	Mount Vernon	Washington Woods Drive, Route 7673 Lugate Drive, Route 4314
Saddlebrook/Lord Fairfax	Providence	Brandywine Drive Kentsdale Lane Lord Fairfax Road Route 837, Additional right-of-way only
The Hunt at Fairfax Station, Phase 3	Springfield	Jumet Court Ox Road, Route 123 Additional right-of-way only
RA/Addition to Fair Ridge	Sully	Meadow Field Drive Route 7961

ADMIN 2 - STREET NAME CHANGE FOR A PORTION OF PLEASANT VALLEY ROAD (SULLY DISTRICT)

Approved an official street name change for a portion of Pleasant Valley Road in the *Official Street Names and Property Numbering Atlas* to Blue Spring Drive.

ADMIN 3 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF FRED'S OAK ROAD/OAK LEATHER DRIVE AND FRED'S OAK ROAD/FRED'S OAK COURT (BRADDOCK DISTRICT)

Approved the endorsement of the installation of multi-way stops at the following intersections:

- Fred's Oak Road (Route 5580) and Oak Leather Drive (Route 6416);
- Fred's Oak Road and Fred's Oak Court (Route 6436); and

- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 4 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF NORTHBOURNE DRIVE/ELLICOTT DRIVE, SOUTH SPRINGS DRIVE/DEEP WOODS FARM DRIVE, SOUTH SPRINGS DRIVE/BATTLE ROCK DRIVE, AND WHARTON LANE/PICKWICK ROAD (SULLY DISTRICT)

Approved the endorsement of the installation of multi-way stops at the following intersections:

- Northbourne Drive (Route 6935) and Ellicott Drive (Route 6937);
- South Springs Drive (Route 8250) and Deep Woods Farm Drive (Route 8253);
- South Springs Drive (Route 8250) and Battle Rock Drive (Route 8076);
- Wharton Lane (Route 1166) and Pickwick Road (Route 620); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 87-Y-119, LA PETITE ACADEMY (SULLY DISTRICT)

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 87-Y-119 until November 10, 1997 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 - APPOINTMENT OF COMMUNITY REPRESENTATIVE TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)

NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#10.)

ADMIN 7 - PROPOSED ZONING ORDINANCE AMENDMENT WORK PROGRAM FOR 1996 AND STATUS OF 1995/96 ZONING ORDINANCE AMENDMENT WORK PROGRAM

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#11.)

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ADOPT CERTAIN ORDINANCES AND AMENDMENTS TO EFFECT A TRANSFER OF THE CABLE TELEVISION SYSTEM FRANCHISE IN RESTON, VIRGINIA FROM TIME WARNER ENTERTAINMENT, L.P. TO JONES CABLE HOLDINGS, INCORPORATED (HUNTER MILL DISTRICT)

Authorized the advertisement of a public hearing to be held before the Board on **February 26, 1996 at 4:00 p.m.** to consider Ordinances and amendments that would codify a transfer of the Reston cable television franchise from Time Warner Entertainment, L.P. to Jones Cable Holdings, Incorporated.

ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96059 FOR THE EQUIPMENT MANAGEMENT AND TRANSPORTATION AGENCY (EMTA) ALTERNATIVE FUELS GRANT RECEIVED FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#13.)

ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96058 FOR THE VIRGINIA INSURANCE COUNSELING AND ADVOCACY PROJECT UTILIZING VOLUNTEERS THROUGH THE AREA AGENCY ON AGING, DEPARTMENT OF FAMILY SERVICES

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96058 in the amount of \$9,730 to continue to fund the Virginia Insurance Counseling and Advocacy Project (VICAP).

ADMIN 11 - AUTHORIZATION TO ACCEPT A SHELTER PLUS CARE RENTAL ASSISTANCE GRANT AND NOTIFICATION OF THREE ADDITIONAL HOMELESS ASSISTANCE GRANTS AWARDED DIRECTLY TO FAIRFAX COUNTY PROGRAMS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) THROUGH ITS CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAM

Approved acceptance of the U.S. Department of Housing and Urban Development (HUD) Grant by the Fairfax County Department of Housing and Community Development (HCD) for the Shelter Plus Care Rental Assistance Program, and approved acceptance of the local

cash match requirement over a four year period of \$74,423 from the Department of Family Services and \$120,757 from the Community Services Board for the HUD Homeless Assistance Grants awarded directly to Fairfax County Programs.

10. **ADMIN 6 - APPOINTMENT OF COMMUNITY REPRESENTATIVE TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)** (Tape 2)

(NOTE: Earlier in the meeting, action was taken by the Board to consider this item separately. See Clerk's Summary Item CL#9.)

Following discussion, with input by Verdina L. Haywood, Deputy County Executive for Human Services, Supervisor Bulova moved that the Board defer action on this item. This motion was seconded by Supervisor Frey and carried by unanimous vote.

11. **ADMIN 7 - PROPOSED ZONING ORDINANCE AMENDMENT WORK PROGRAM FOR 1996 AND STATUS OF 1995/96 ZONING ORDINANCE AMENDMENT WORK PROGRAM** (Tape 2)

(NOTE: Earlier in the meeting, action was taken by the Board to consider this item separately. See Clerk's Summary Item CL#9.)

Following discussion, with input by James P. Zook, Director, Office of Comprehensive Planning (OCP), Jane W. Gwinn, Division Director, Zoning Administration Division, OCP, Supervisor Hyland moved approval of the Zoning Ordinance Amendment Work Program for 1996 as recommended by the Development Process Subcommittee, as set forth in the Memorandum to the Board dated February 12, 1996. This motion was seconded by Supervisor Frey.

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

BOARD MATTER

12. **AFFORDABLE DWELLING UNITS (ADU) ORDINANCE WORK PROGRAM**
(Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to:

- Reconvene the original Task Force;
- Appoint Supervisor Dix and Supervisor Kauffman to the Task Force; and

- Request the Task Force develop a list of issues that need to be addressed for the Affordable Dwelling Units (ADU) Ordinance Work Program.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

13. **ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96059 FOR THE EQUIPMENT MANAGEMENT AND TRANSPORTATION AGENCY (EMTA) ALTERNATIVE FUELS GRANT RECEIVED FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (Tape 2)

(NOTE: Earlier in the meeting, action was taken by the Board to consider this item separately. See Clerk's Summary Item CL#9.)

- (SAR) Supervisor Hyland moved approval of Supplemental Appropriation Resolution (SAR) AS 96059 in the amount of \$195,711 for the Equipment Management Transportation Agency (EMTA) grant received from the Virginia Department of Transportation (VDOT) to continue the purchase/conversion of vehicles to run on compressed natural gas and/or electric batteries. This motion was seconded by Supervisor Connolly.

Following discussion, with input by James D. Gorby, Director, Equipment Management Transportation Agency (EMTA), the question was called on the motion which carried by unanimous vote.

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14. **A-1 - PARTNERSHIPS AGAINST VIOLENCE NETWORK (PAVNET) ONLINE** (Tape 3)

Supervisor Hyland moved that the Board concur in the recommendation of staff and endorse the County's access to Partnerships Against Violence Network (PAVNET) and encourage each agency to explore its need for this system and additional networks which could benefit Human Services' staff in programming efforts. This motion was seconded by Chairman Hanley.

Following discussion, with input from Wes Kendrick, Director, Department of Community and Recreation Services, the question was called on the motion, which carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Frey being out of the room.

15. **A-2 - AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO FORM HERNDON HARBOR HOUSE LIMITED PARTNERSHIP FOR THE OWNERSHIP OF PHASE I OF HERNDON HARBOR HOUSE AND ASSIGN FUNDS PREVIOUSLY ALLOCATED TO THE PARTNERSHIP (DRANESVILLE DISTRICT)** (Tape 3)

On motion of Supervisor Mendelsohn, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room, the Board concurred in the recommendation of staff and:

- Authorized the Fairfax County Redevelopment and Housing Authority (FCRHA) to:
 - Proceed to develop Phase I of Herndon Harbor House as revised;
 - Proceed to form the Partnership to be composed of the FCRHA and the FCRHA Housing Assistance Corporation (FHAC) for the ownership of Phase I of Herndon Harbor House; and
 - Assign funds previously allocated for the Herndon Harbor House in the form of low interest, deferred loans, contingent upon the allocation of tax credits.
- Authorized the County Executive to sign the letter (contained in the Memorandum to the Board dated February 12, 1996) to the Virginia Housing Development Authority (VHDA) supporting the allocation of federal housing tax credits for Phase I of Herndon Harbor House.

16. **A-3 -INTERJURISDICTIONAL PRETREATMENT AGREEMENT BETWEEN THE COUNTY OF FAIRFAX AND THE TOWN OF HERNDON (DRANESVILLE DISTRICT)** (Tape 3)

Supervisor Mendelsohn moved that the Board concur in the recommendation of staff and approve the proposed Interjurisdictional Pretreatment Agreement between the County of Fairfax and the Town of Herndon. This motion was seconded by Supervisor Kauffman.

Following a brief discussion, with input from Jimmie D. Jenkins, Director, System Engineering and Monitoring Division, Department of Public Works (DPW), the question was called on the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

17. **A-4 - INSTALLATION OF NO PARKING SIGNS NEAR THE FULLERTON ROAD GATE (LEE DISTRICT)** (Tape 3)

On motion of Supervisor Kauffman, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Dix being out of the room, the Board concurred in the recommendation of staff and:

- Approved the installation and enforcement of “No Parking” signs on both sides of the County-owned portion of Fullerton Road, as shown on Attachment I of the Memorandum to the Board dated February 12, 1996; and
- Directed staff to install the signs at the earliest possible date.

18. **A-5 - APPOINTMENT OF MEMBERS TO THE ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD (HUNTER MILL, DRANESVILLE AND SULLY DISTRICTS)** (Tape 3)

(APPTS)

On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Dix being out of the room, the Board concurred in the recommendation of staff and formally appointed the following three individuals to the Route 28 District Advisory Board pursuant to the provisions of Section 15.1-1372.5 of the *Code of Virginia*, as amended:

- Mr. William H. Gordon;
- Mr. Francis Steinbauer; and
- Mr. Kendl P. Philbrick.

19. **A-6 - APPROVAL OF AN APPLICATION FOR SECTION 108 LOAN FUNDS FOR NEIGHBORHOOD IMPROVEMENTS IN CONSERVATION AREAS (COUNTYWIDE)** (Tape 3)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and authorize the Department of Housing and Community Development (DHCD) to submit an application for \$9,300,000 in loan funds guaranteed under Section 108 of the Housing and Community Development Act of 1974, as amended, for neighborhood improvements in the Bailey’s, Fairhaven, Gum Springs, James Lee, and Jefferson Manor Conservation Areas. This motion was seconded by Supervisor Hyland.

Following a brief discussion, with input from Bruce A. LaVal, Director, Community Development Division, DHCD, the question was called on the motion, which carried by unanimous vote.

20. **C-1 - PROPOSED MODIFICATIONS TO THE SCOPE OF WORK FOR THE GEORGE MASON LIBRARY EXPANSION AND RENOVATION PROJECT**

(MASON DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996, requesting authorization for modifications to the scope of work for Project 004827, George Mason Library, in Subfund 460, Library Construction.

Supervisor Gross moved that the Board authorize the proposed modifications to the George Mason Library expansion and renovation project to include:

- The provision of temporary facilities during the renovation;
- A modification of the floor plan to include an additional 700 square feet for technology carrels;
- Additional conduit, data lines, and electrical improvements for increased computer use; and
- An adjustment to the project budget to reflect the current cost of shelving and systems furniture to accommodate the existing library requirements and for additional computer usage.

This motion was seconded by Supervisor Hyland.

Following discussion, with input from William J. Leidinger, County Executive, John W. di Zerega, Director, Department of Public Works (DPW), and Edwin S. Clay, III, Director of Libraries, Supervisor Hyland moved to amend the motion to delete the \$340,000 for systems furniture from the request today and defer it until after review of the Capital Improvement Process (CIP) to determine if furniture can be found somewhere else. This motion was seconded by Supervisor Bulova.

Following further discussion, with input from Mr. di Zerega, the question was called on the amendment to the motion, which carried by unanimous vote.

Supervisor Dix moved a substitute motion that this item be deferred and considered as part of the Fiscal Year (FY) 1997 CIP process. This motion was seconded by Supervisor Mendelsohn.

Supervisor Bulova asked to amend the substitute motion to direct staff to proceed with the design elements associated with this project, and this was accepted.

The question was called on the substitute motion, as amended, which **CARRIED** by a recorded vote of six, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "NAY."

21. **C-2 - CREATION OF AN ADDITIONAL AT-LARGE COMMISSIONER TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) PURSUANT TO THE CODE OF VIRGINIA** (Tape 3)

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996, regarding the creation of an additional At-Large Commissioner to the Fairfax County Redevelopment and Housing Authority (FCRHA) as authorized in Section 15.1-765.1(B) of the *Code of Virginia*.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board expand the Fairfax County Redevelopment and Housing Authority (FCRHA) as authorized in Section 15.1-765.1(B) of the *Code of Virginia* by adding one additional At-Large Representative. This motion was seconded by Supervisor Connolly.

Following discussion, Supervisor Frey asked to amend the motion to defer the effective date of the appointment of the new Representative until after March 1996, and this was accepted.

Following further discussion, with input from staff, the question was called on the motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

22. **I-1 - FAIRFAX COUNTY CRIME STATISTICS FOR CALENDAR YEAR 1995**
(Tapes 3-4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 presenting the Fairfax County Crime Statistics for Calendar Year 1995.

There was a brief discussion, with input from Colonel M. Douglas Scott, Chief of Police.

23. **I-2 - NEWS RELEASE ABOUT ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES TO MINORS AND ADDING MORE TEETH TO THE RULES**
(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 requesting authorization for the Police Department to continue to conduct stings targeting the sale of alcoholic beverages to minors and work with the Virginia Department of Alcoholic Beverage Control (ABC) to ensure successful administrative actions are taken. Although the current administrative sanctions imposed by the ABC do not mandate license revocation for second offenses, they may and do impose severe license suspensions and fines for any offense.

Following discussion, with input from Colonel M. Douglas Scott, Chief of Police, Supervisor Hyland moved that the Board direct staff to draft a letter, under the Chairman's signature,

to the business owners in the report having repeated ABC violations of sale of alcohol to minors, expressing the County's intolerance of such actions. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Gross, and Supervisor McConnell being out of the room.

24. **I-3 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) ENHANCEMENT PROGRAM PROJECTS (COUNTYWIDE)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 responding to the Board's questions on January 8, 1996 regarding Virginia Department of Transportation (VDOT) Enhancement Program Projects (Countywide).

25. **I-4 - STATUS OF SPOT BLIGHT ABATEMENT IN BRADDOCK DISTRICT** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 presenting the status of spot blight abatement in Braddock District.

Following discussion, Supervisor Bulova stated for the record that the last item on the list, 5121 South Hampton Drive, may have been sold and should be removed.

Supervisor Connolly asked unanimous consent that the Board direct staff to add 2628 Woodley Place to the list. Without objection, it was so ordered.

26. **I-5 - INSTALLATION OF CENTREVILLE ARCHAEOLOGICAL EXCAVATION EXHIBIT AT THE GOVERNMENT CENTER (SULLY DISTRICT)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 highlighting the installation of the Centreville archaeological excavation exhibit at the Government Center.

Supervisor Frey asked unanimous consent that the Board direct staff to invite the volunteers who did the work on the archaeological excavation exhibit to appear before the Board for recognition of their work in this effort. Without objection, it was so ordered.

27. **I-6 - PERSONNEL ACTIONS TO SUPPORT IMPLEMENTATION OF WELFARE REFORM** (No Tape)

(NOTE: This item was withdrawn to allow time for additional review and consideration.)

28. **I-7 - AWARD OF CONTRACT - EMPLOYEE BENEFITS CONSULTANT** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 requesting authorization for staff to award a contract to A. Foster

Higgins and Company, Incorporated for a three-year term, with estimated annual expenditures of \$60,000, to provide consultant services for employee benefit programs including health insurance, life insurance, dental insurance, deferred compensation, dependent care assistance and medical reimbursement spending accounts.

The staff was directed administratively to proceed as proposed.

29. **I- 8 - AWARD OF A CONTRACT FOR ENGINEERING SERVICES FOR THE DESIGN OF SUBDIVISION PLAT FOR WILLOW SPRINGS PROPERTY (SULLY DISTRICT)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to proceed to allocate funds and award a contract for \$57,122 to Dewberry and Davis for engineering services, from Subfund 411, FCRHA Revolving Development, for the design of a subdivision plan for eight single-family lots on County-owned land, Tax Map Number 66-2-01-000 4b and 4c.

The staff was directed administratively to proceed as proposed.

30. **I-9 - POTENTIAL BUS SERVICE ADJUSTMENTS FOR FISCAL YEAR (FY) 1997 (COUNTYWIDE)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 requesting authorization for staff to request the Washington Metropolitan Area Transit Authority (WMATA) to schedule public hearings on Metrobus service changes outlined in Attachments I and II of the Memorandum to the Board dated February 12, 1996 so that the changes can go into effect as soon as possible.

In addition, since the adjustments in FAIRFAX CONNECTOR service do not require a public hearing, staff noted its intent to work with the appropriate Supervisors' Offices and schedule community meetings to obtain input.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, and Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, Supervisor Bulova asked unanimous consent that the Board direct staff to provide Board Members with maps showing the routes that will be eliminated. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide Board Members with information regarding alternative bus service. Without objection, it was so ordered.

31. **I-10 - PLANNING COMMISSION ACTION ON APPLICATION 456-S95-33, BELL ATLANTIC NYNEX MOBILE, INCORPORATED (SPRINGFIELD DISTRICT)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated February 12, 1996 outlining the Planning Commission's action on Application 456-S95-33, Bell Atlantic NYNEX Mobile, Incorporated for the construction of a cellular telecommunications facility on the site of the Burke Volunteer Fire Department Station at 9501 Old Burke Lake Road, Burke, Virginia, Tax Map Number 78-1((1))23, 24.

ADDITIONAL BOARD MATTERS

32. **APPOINTMENTS TO THE REVITALIZATION AND HOUSING COMMITTEE** (Tape 4)

Chairman Hanley stated that she was in receipt of a letter from the Housing Authority requesting that the Board nominate individuals to serve on the Revitalization and Housing Committee.

Therefore, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved the following appointments to the Revitalization and Housing Committee:

- Ms. Patricia Goddard; and
- Mr. Joseph Adinaro.

This motion was seconded by Supervisor Bulova. Following discussion, Chairman Hanley withdrew her motion.

33. **SEEDLING SALE FROM THE SOIL AND WATER CONSERVATION DISTRICT** (Tape 4)

Chairman Hanley called the Board's attention to the annual seedling sale sponsored by the Soil and Water Conservation District. She noted that this item was also included in Supervisor Hyland's Board Matters and that she would defer this item to him for advertisement.

(NOTE: Later in the meeting, this item was revisited. See Clerk's Summary Item CL#88.)

34. **VACANCY REPORT FROM THE COUNTY EXECUTIVE** (Tape 4)

Chairman Hanley stated that she was in receipt of a Vacancy Report from the County Executive dated February 9, 1996, showing a bi-weekly summary of all of the County's Regular Position Vacancies by Agency. She noted that there were fewer vacancies on this report than there were on the last report and stated her concerns that the County is going in the wrong direction on positions being held vacant.

Following discussion, with input from William J. Leidinger, County Executive,

Supervisor Dix moved that the Board direct staff to hire only street effective public safety and public health personnel and that all other positions recommended for hire be approved by the Board. This motion was seconded by Supervisor Mendelsohn.

Following further discussion, Supervisor Frey moved a substitute motion to defer the Board's action on approving each new hire until there is a written justification and rationale for all new hires. The motion died for lack of a second.

Following additional discussion, with input from Mr. Leidinger, the question was called on Supervisor Dix's motion to hire only street effective public safety and public health personnel and that all other positions recommended for hire be approved by the Board which **CARRIED** by a recorded vote of seven, Supervisor Frey, Supervisor Gross, and Supervisor Hyland voting "NAY."

35. **MEALS ON WHEELS VOLUNTEERS** (Tape 4)

Chairman Hanley stated that she received a letter from Margaret Zitzmann, Chairman of the Fairfax Area Commission on Aging, who shared some of the heroic efforts of Meals on Wheels volunteers during the January blizzard. These individuals extended themselves beyond all measure to serve the seniors in their area that depend upon this program.

Chairman Hanley moved that the Board:

- Acknowledge the outstanding service provided by the Meals on Wheels coordinators during the time of the blizzard; and
- Direct staff to prepare appropriate Certificates of Recognition.

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

36. **APPOINTMENT OF THE AT-LARGE MEMBER TO THE YOUTH VIOLENCE STEERING COMMITTEE** (Tape 4)

(APPT)

Chairman Hanley moved the appointment of Ms. Margaret Boyd as an At-Large Representative to the Steering Committee for Youth Violence. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

Chairman Hanley also noted that a list of the Public Schools Representatives to this committee was also included.

37. **MAVIS DERFLINGER, NATIONAL WINNER FOR THE SECOND ANNUAL SPORTING GOODS MANUFACTURERS ASSOCIATION HEROES AWARDS PROGRAM** (Tape 4)

Chairman Hanley announced that Ms. Mavis Derflinger was selected as a national winner for the second annual Sporting Goods Manufacturers Association HEROES Awards program. Ms. Derflinger was selected as one of three national winners because of her lifelong work in support of youth soccer. In 1975, Ms. Derflinger started the Washington Area Girls Soccer League which currently has over 300 registered teams. Ms. Derflinger was also instrumental in the inclusion of girls soccer at the high school level in Fairfax County.

Chairman Hanley moved that the Board direct staff to prepare a Certificate of Recognition to be presented to Ms. Derflinger at the February 26, 1996 Board meeting. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

38. **APPOINTMENT OF A BOARD MEMBER TO THE AGRICULTURAL AND FORESTAL DISTRICT ADVISORY COMMITTEE** (Tape 4)

(APPT)

Chairman Hanley informed the Board that a member of the Board of Supervisors needs to be appointed to the Agricultural and Forestal District Advisory Committee and moved the appointment of Dranesville District Supervisor Stuart Mendelsohn to this Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

39. **PROCLAMATION DESIGNATING APRIL AS NATIONAL IMMUNIZATION MONTH** (Tape 4)

To call attention to the Fairfax County Health Department's major public education efforts aimed at increasing the rate of childhood immunization and to reaffirm the County's commitment to children, Chairman Hanley moved that the Board:

- Direct staff to prepare a Proclamation declaring April, 1996 as Immunization Month in Fairfax County; and
- Invite Dr. Robert Stroube, Director, Department of Health, to receive this Proclamation at the March 11, 1996 Board meeting.

This motion was seconded by Supervisor Connolly and carried by unanimous vote.

40. **ADDITION OF A REPRESENTATIVE FROM AT&T TO THE TELECOMMUNICATIONS (MONOPOLES) LAND USE REGULATIONS TASK FORCE** (Tape 4)

(BACs)

Chairman Hanley stated that when the Board originally appointed the members of the Telecommunications (Monopoles) Land Use Regulations Task Force, AT&T had not yet applied for permits for telecommunications facilities in the County.

Because AT&T has now begun working with the County staff to locate appropriate sites, Chairman Hanley moved that the Board add a representative from AT&T to the Task Force. This motion was seconded by Supervisor Dix and carried by unanimous vote.

41. **EXPEDITED PROCESSING OF SITE PLANS FOR THE MARK WINKLER COMPANY FOR SITE PLAN 6178-SP-48-1** (Tape 4)

Chairman Hanley informed the Board that representatives from the Mark Winkler Company have visited her regarding the new building they will be constructing at Westfields to accommodate the TASC Company. While they have already requested modified processing through the Director of the Department of Environmental Management (DEM), they will need expedited processing of the Site Plan to meet the TASC deadlines.

Therefore, Chairman Hanley moved that the Board direct staff to expedite the processing of Site Plan Number 6178-SP-48-1. This motion was seconded by Supervisor Frey and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

42. **EXPEDITED PROCESSING OF DEVELOPMENT PLAN AMENDMENT APPLICATION DPA-502-06 FOR LAUREL LEARNING CENTER LOCATED IN THE HUNTERS WOOD VILLAGE CENTER IN RESTON** (Tape 4)

Supervisor Dix informed the Board that the Development Plan Amendment Application DPA A-502-06 has been filed by 11484 Washington Plaza West, LLC to provide a child care center with an enrollment of 100 or more children. The child care facility to be located at this site is the Laurel Learning Center, which is currently located in the Hunters Woods Village Center in Reston, on a month to month lease. Laurel Learning Center is a participant in the County's Child Care Assistance Program and provides full day care, before and after school care and summer programs. Laurel Learning Center is very anxious to move their programs from the Hunters Woods Center to this new location as quickly as possible.

Supervisor Dix therefore moved that the Board direct staff to:

- Expedite this application;

- Schedule the required public hearings by the Planning Commission and the Board at the earliest possible dates; and
- Concurrently process any permits required for the renovation of the space for this child care facility.

This motion does not relieve the applicant from complying with the provisions of all applicable ordinances, regulations or adopted standards and it does not prejudice the consideration of the Development Plan Amendment Application in any way.

This motion was seconded by Supervisor Connolly and carried by unanimous vote.

43. **MODIFICATION OF PROFFERS RELATED TO PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-C-123** (Tape 4)

Supervisor Dix informed the Board that Amberwood L.C. has filed a Proffered Condition Amendment Application PCA 88-C-123, requesting a modification to the proffers related to the storm water management facility. Staff has identified no issues with this application to date. The Planning Commission public hearing is scheduled for March 21, 1996.

Supervisor Dix moved that the Board direct staff to schedule the public hearing on Proffered Condition Amendment Application PCA 88-C-123, to be held before the Board on April 8, 1996. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

44. **DULLES SUBURBAN CENTER PLAN FOR THE ROUTE 28 TAX DISTRICT AREA** (Tape 4)

Supervisor Dix reminded Board Members that in March, 1993 the Dulles Suburban Center Plan for the Route 28 Tax District Area was adopted. The core of the Center was identified as Land Unit A which encompasses the 650 acre area between Route 28 and Centreville Road south of the Dulles Toll Road. A new feature of the adopted plan for Land Unit A included recommendations that allowed residential use under certain conditions. Since 1993 approximately 80 acres has been zoned to residential, these residential rezonings will result in approximately 1,000 dwelling units. A large portion of these units are either already built or under construction, recently two or more rezonings for residential use have been filed and are under review by the Office of Comprehensive Planning (OCP).

Supervisor Dix stated his concerns that while a large part of this land unit, part of which is in the Hunter Mill District and part of which is in the Sully District, is planning areas for mixed use and is contingent on potential future transit sites. Since a lot of attention has been focused on changing the presently zoned land use in that corridor, it is time to consider additional residential uses since the issues in the northern part may not be the same as in the southern part.

Supervisor Dix stated his interest in comprehensively examining this issue to review the

needs from the standpoint of schools, parks, and other public facilities, including completion of some of the transportation infrastructure that has been put in place by a single landowner in that area and asked unanimous consent that the Board authorize the OCP staff to work with his staff on this issue and report with recommendations on how this issue can be dealt with on a more comprehensive basis as opposed to on a land unit by land unit basis. Without objection, it was so ordered.

45. **GRAND OPENING OF THE NORTH COUNTY HEALTH CENTER** (Tape 5)

Supervisor Dix announced the grand opening of the North County Health Center this past Saturday and thanked all Board Members and staff for their participation and assistance on this effort.

46. **REVITALIZATION OF THE HUNTERS WOODS SHOPPING CENTER** (Tape 5)

Supervisor Dix reminded Board Members that on January 8, 1996, he brought a matter to the Board's attention relative to the Hunters Woods Shopping Center and the potential blighted conditions that existed and asked for support in authorizing the County Attorney to examine potential mitigation remedies that might exist under Virginia and Fairfax County laws.

Supervisor Dix stated his pleasure in reporting that a private sector investment in the revitalization of that center has been secured. A letter of intent to acquire that property by a private sector enterprise was entered into and it was announced to the community that the center has been sold. There will be a substantial reinvestment into the Hunters Woods Center.

47. **REQUEST FOR INFORMATION FROM THE COUNTY EXECUTIVE** (Tape 5)

Supervisor Dix stated that in the upcoming intense budget deliberations it is important to review all possibilities and asked unanimous consent that Board Members be provided the following compilations for information:

- Existing user fees for various activities in the County and the potential revenue would be with a five and a 10 percent increase in user fees;
- A list of the groups, agencies, and organizations who presently receive County related funding for English as a Second Language (ESL) efforts. This should include what group, how much, and the source of the funding, including the school division; and
- A list of groups, organizations, and agencies that receive County related funding in the area of housing.

Without objection, it was so ordered.

PMH:pmh

48. **BUDGET WORKSHOPS AND REORGANIZATION SUBCOMMITTEE** (Tape 6)

Supervisor Bulova said that Board Members should have received information regarding dates and times for the next Reorganization Subcommittee on February 14, 1996, and a series of Budget Workshops, beginning on February 28, 1996, two days after William J. Leidinger, County Executive, presents his Fiscal Year (FY) 1997 recommended budget to the Board on Monday, February 26, 1996.

Supervisor Bulova said that on the agenda for the Reorganization Subcommittee meeting on February 14, 1996 are suggestions listed in "the binder" of potential consolidations and cooperative opportunities between the School System and County Government. She reminded Board Members to bring the binder to the meeting. She added that there will also be a status report on some on-going reorganizational efforts. She also said that suggestions would be welcome for streamlining and/or reorganizing.

Supervisor Dix asked unanimous consent that the issue of personnel and payroll functions be included on the agenda. Without objection, it was so ordered.

49. **EXPANSION OF THE ROBINSON RESIDENTIAL PERMIT PARKING PERMIT DISTRICT (RPPD): EXPEDITED PROCESSING AND WAIVER OF THE FEES** (Tape 6)

Supervisor Bulova stated that student parking on residential streets around Robinson High School continues to be a serious problem and expansion of the Robinson Residential Permit Parking District (RPPD) is needed.

Supervisor Bulova said that she has forwarded the petition for the expansion of the RPPD to the Office of Transportation. This petition requests relief on Mornington Court. To proceed with the request, the Office of Transportation needs Board approval to waive the fees.

Supervisor Bulova moved that the Board direct staff to waive the fees and to proceed as expeditiously as possible. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey being out of the room.

Chairman Hanley suggested that the County Executive provide statistics regarding the number of fees waived in terms of revenue.

50. **DEFERRAL OF PUBLIC HEARING DATES FOR OUT-OF-TURN AMENDMENT S95-III-P1 (BANTING DRIVE)** (Tape 6)

Supervisor Bulova reminded Board Members that last November, she had a Board Matter authorizing staff in the Office of Comprehensive Planning (OCP) to proceed with an Out-of-Turn Plan Amendment for some parcels located off Braddock Road near the State Police Headquarters.

Supervisor Bulova said that at that time, staff was directed to schedule the Planning Commission public hearing in March, 1996 and the Board public hearing as expeditiously as possible. Since it has been determined that additional time is needed to sort out some of the issues, the hearings need to be deferred for a short period of time.

Supervisor Bulova moved that the Board direct staff to advertise the following dates for public hearings:

- Planning Commission - May 1, 1996; and
- Board - May 20, 1996 at a time to be determined by staff.

This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

51. **MARCH AS MENTAL RETARDATION AWARENESS MONTH** (Tape 6)

Supervisor Bulova said that throughout the United States, March is celebrated as Mental Retardation Awareness Month. In Fairfax County, the Arc of Northern Virginia, in conjunction with People First, a self-advocacy group for people with mental retardation, and the Fairfax-Falls Church Community Services Board (CSB), educate the public about the abilities and needs of people with mental retardation and their families.

Therefore, Supervisor Bulova moved that the Board proclaim March as Mental Retardation Awareness Month and that Arc and the other groups appear before the Board on March 18, 1996 to receive the Proclamation. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

52. **W.T. WOODSON HIGH SCHOOL RECEIVES THE "SUDLER FLAG OF HONOR" FOR EXCELLENCE OF ITS BAND PROGRAM** (Tape 6)

Supervisor Bulova said that it has come to her attention that W.T. Woodson High School in the Braddock District has recently been awarded the "Sudler Flag of Honor" for the excellence of its band program under the direction of John E. Casagrande. The Sudler Flag is a national award, presented by the John Philip Sousa Foundation, that recognizes the finest high school bands in the United States. It is the highest award in the country for high school bands. Woodson was one of only two high schools to receive the award in 1995, the other being Spring High School of Spring, Texas.

Supervisor Bulova said that the award to Woodson serves to remind the County of the

high caliber of the band program in Fairfax County. Previously, six other County high schools had received the Sudler award -- Herndon, Lake Braddock, Madison, Marshall, Robinson and South Lakes. During the period from 1983, when the award was instituted, through 1995, a total of 40 high schools throughout the United States have received the award. As noted, six of these are in Fairfax County. No other high schools in Virginia have ever qualified.

Supervisor Bulova stated that the Woodson band will be receiving its award on May 17, 1996 at Northern Virginia Community College (NVCC).

In recognition of the outstanding accomplishments of Woodson and other County high schools that have previously received this honor, as well as the many fine teachers, public and private, and parents who have contributed so much in support of the band program, Supervisor Bulova moved that the Board direct staff to prepare Certificates of Recognition and that the Band Directors, Principals and others of their choosing be invited to appear before the Board to be recognized for their efforts. Also to be invited is the Coordinator for Band Activities in the Schools, Mo Turrentine. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

Supervisor McConnell asked unanimous consent that the Board direct staff to invite the bands to perform for the Board. Without objection, it was so ordered.

53. **FURTHER ACTION REGARDING THE APPEAL BY PULTE HOME CORPORATION OF SALES PRICES ESTABLISHED BY THE COUNTY EXECUTIVE FOR 10 AFFORDABLE DWELLING UNITS TO BE PROVIDED IN SECTIONS ONE AND TWO OF THE SYCAMORES AT VAN DORN (LEE DISTRICT)** (Tape 6)

Supervisor Kauffman referred to Consideration Item C-1 - Appeal by Pulte Home Corporation of Sales Prices Established by the County Executive for 10 Affordable Dwelling Units to Be Provided in Sections One and Two of the Sycamores at Van Dorn (Lee District) from the January 22, 1996 Board meeting and moved to reconsider the Board's action. This motion, the second to which was inaudible, carried by unanimous vote.

Supervisor Kauffman stated that on January 22, 1996 the Board considered an appeal by Pulte Home Corporation of the prices established by the County Executive for units provided under the Affordable Dwelling Unit (ADU) Program. Due to the approved site costs for these ADUs in relation to unusually difficult site conditions encountered by the developer causing significant additional site costs, Supervisor Kauffman moved that the site costs be allowed to increase by \$5,900 per ADU. This action is consistent with a recommended increase in the site cost allowance currently under consideration for multiple family units. The approved sales prices for the ADUs in this development will be \$63,064 per unit. The second to this motion was inaudible.

Following discussion, with input from staff, the question was called on the motion which carried by a vote of nine, Supervisor Dix being out of the room.

54. **BUS ROUTE 109 TO SERVE COMMUTER RAIL STATION** (Tape 6)

Supervisor Kauffman moved that the Board direct staff to make the appropriate changes necessary to have the Rush Hour 109 bus service the Joe Alexander Transportation Center. This motion, the second to which is inaudible, carried by a vote of nine, Supervisor Dix being out of the room.

55. **COMPREHENSIVE PLAN ACTIVITIES** (Tape 6)

Supervisor Kauffman referred to an article in the *Fairfax Newsletter* regarding an evaluation of the Comprehensive Plan activities between 1990 and 1995. He expressed concern about the recommendation to change commercial and industrial areas to additional housing sites.

56. **REQUEST FOR WAIVER OF FEES FOR PERMITS ASSOCIATED WITH THE FLEA MARKETS HELD BY THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB CHARITIES, INCORPORATED** (Tape 6)

Supervisor Kauffman moved waiver of the application fees for permits associated with the flea markets held by the Springfield-Franconia Host Lions Club Charities, Incorporated. This motion was seconded by Supervisor Hyland.

Supervisor Kauffman noted that the Board approved this waiver request during 1994 and 1995. He said that the Springfield-Franconia Host Lions Club Charities, Incorporated recently contacted him to express appreciation to the Board and request support for the waiver again this year.

Supervisor Kauffman said that the flea markets are held on the second and fourth Saturdays from April through November. All net proceeds from the flea markets are returned to the community. The Springfield-Franconia Host Lions Club Charities, Incorporated supports organizations such as Koinonia, ECHO, the Juvenile Diabetes Foundations, and eye glass prescriptions for indigent citizens.

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

57. **REQUEST FOR HANDOUT TO BE DISTRIBUTED BY AUTOMOBILE DEALERS TO PURCHASERS OF NEW AUTOMOBILES** (Tape 6)

Supervisor McConnell said that because Fairfax is a very transient area, often there are new citizens purchasing automobiles. While most of them know that they owe personal property tax, they are not particularly aware of how to go about paying them. For example, many new

citizens do not know that the Branch Tax Offices in the District Governmental Centers are open until 6:30 p.m. on Thursday nights to accommodate people who cannot get away from work during the day.

For this reason, Supervisor McConnell asked unanimous consent that the Board direct staff to review the possibility of producing a very simple single-sheet handout (that could be voluntarily distributed by automobile dealers to the purchasers of new automobiles) which would give citizens the necessary information so they can pay their taxes on time with a minimum inconvenience. Without objection, it was so ordered.

58. **REQUEST FOR NEW DEADLINE FOR BUSINESSES THAT ARE RENEWING THEIR BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL)**
(Tape 6)

Supervisor McConnell said that the County currently requires businesses that are renewing their Business, Professional and Occupational License (BPOL) to submit their gross receipts information by January 31st of each year. She said that some small businesses do not get their "1099s" (which is similar to a W-2 for a small business) until the 29th, 30th or 31st of January and they have very little time to transfer the information from a 1099 to the BPOL form and then to submit the form to the County on time.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to review and consider moving the deadline to February 15th of each year to allow businesses two extra weeks to prepare and submit their BPOL renewal forms. Without objection, it was so ordered.

59. **DEDICATION TO PUBLIC STREET PURPOSES OF A SMALL PORTION OF A PARCEL OF LAND WHICH LIES BETWEEN OX ROAD AND OLD OX ROAD, WEST OF LEE CHAPEL ROAD** (Tape 6)

Supervisor McConnell said that the Temple B'nai Shalom, to complete construction of its new facilities and secure the release of its bond, has requested that the Board authorize the dedication to public street purposes of a small portion of a parcel of land which lies between Ox Road and Old Ox Road, west of Lee Chapel Road in the Springfield District.

In consideration of this request and of the fact that the Board's sliver of land is entirely surrounded by property which has been previously dedicated to public street purposes, Supervisor McConnell moved that the Board agree to dedicate the requested 2,383 square feet of land to public street purposes and authorize the execution of an instrument effecting such dedication by the County Executive. The parcel is identified as Tax Map Number 96-2((1))26. This motion was seconded by Supervisor Mendelsohn.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which carried by a vote of nine, Supervisor Dix being out of the room.

60. **DISTRIBUTION OF A COMPREHENSIVE REVIEW OF THE COUNTY'S UNFUNDED MANDATES TO THE NATIONAL ASSOCIATION OF COUNTIES (NACO)** (Tape 6)

Supervisor McConnell said that it has come to her attention that the National Association of Counties (NACo) has begun a program to collect data on the cost of unfunded mandates. She said that since staff recently completed a comprehensive review of the County's unfunded mandates it would be helpful if the information was shared with NACo. She added that NACo has also developed a new tool to assist counties in estimating the cost of new mandates.

Supervisor McConnell asked unanimous consent that the Board direct staff to:

- Provide NACo with the review of the County's unfunded mandates; and
- Request a copy of the Mandate Manual from NACo to assist in the County's attempt to keep track of future mandates costs.

Without objection, it was so ordered.

61. **APPOINTMENT TO THE TELECOMMUNICATION LAND USE REGULATIONS TASK FORCE** (Tape 6)

(APPT)

Supervisor McConnell moved the appointment of Mr. Ken Feng as the Springfield District Representative to the Telecommunications Land Use Regulations Task Force. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Dix being out of the room.

62. **SWIFT WATER RESCUE TEAM BOARD RECOGNITION** (Tape 6)

Supervisor Mendelsohn noted that during the flooding which Dranesville and the rest of the County experienced after the blizzard, the Swift Water Rescue Team from Fire Station 12, rescued citizens from the rapidly rising waters of the Potomac River. The two incidents occurred at the Great Falls National Park on the same day. The first incident involved four adults who became stranded on the rocks from these dangerously rising waters. The second incident involved a teenage who ventured onto the rocks and also became stranded. Members from Fire Station 12 provided assistance to all victims until they could be rescued by helicopter.

Supervisor Mendelsohn moved that the Board direct staff to invite the appropriate members of the Fire and Rescue Department to appear before the Board to be recognized for their skill, heroism and success at the February 26, 1996 Board meeting. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Dix being out of the room.

63. **MISS PAULINA KUO OF GREAT FALLS NAMED AS A FINALIST IN THE**

55TH ANNUAL WESTINGHOUSE TALENT SEARCH (Tape 6)

Supervisor Mendelsohn announced that Miss Paulina Kuo of Great Falls, has been named a finalist in the 55th Annual Westinghouse Talent Search, the nation's top science competition. Miss Kuo attends Thomas Jefferson High School for Science and Technology and her project is entitled "Cylinder Pressure in a Spark-Ignition Engine: A Computation Model."

Supervisor Mendelsohn moved that the Board direct staff to invite Miss Kuo to appear before the Board to be recognized for her accomplishment.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to invite all Fairfax County finalists to appear before the Board, and this was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

64. **"RETIREMENT FAREWELL FOR MCLEAN HIGH SCHOOL PRINCIPAL, ELIZABETH LODAL"** (Tape 6)

Supervisor Mendelsohn noted that there will be a "Retirement Farewell" for newly retired McLean High School Principal, Elizabeth Lodal, on March 8, 1996.

Supervisor Mendelsohn moved that the Board recognize Ms. Lodal's years of service to the Fairfax County Public Schools and to the greater McLean Community with a Certificate of Recognition to be presented at this function. This motion was seconded by Chairman Hanley and carried by unanimous vote.

65. **RECOGNITION FOR JUDITH MUELLER, EXECUTIVE DIRECTOR OF THE WOMEN'S CENTER** (Tape 6)

Supervisor Mendelsohn said that Judith Mueller, Executive Director of the Women's Center headquartered in Fairfax County, has been recognized for her accomplishments on behalf of women and families and named one of 15 "Washingtonians of the Year" by *Washingtonian* Magazine. Ms. Mueller is well known for her pioneering leadership and her many contributions in responding to the needs of the community in both Fairfax County and the greater Washington metropolitan area.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to invite Ms. Mueller to appear before the Board on February 26, 1996 to be recognized for her dedication to improving the lives of women and families and for her many accomplishments. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

66. **ADDITION TO THE PUBLIC RECORD** (Tape 6)

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to add the name of the McLean Citizens Association to the list of those whose efforts contributed to the successful resolution of the following applications:

- Saint John's Church Youth Apostles Institute; and
- American PCS Limited Partnership.

Without objection, it was so ordered.

67. **TASK FORCE ON COUNTY REVENUES AND EXPENDITURES (CREX) MINUTES** (Tape 6)

Supervisor Mendelsohn said in reading the Minutes of the Task Force on County Revenues and Expenditures (CREx) he noticed that the CREx took an action based on the Board's action at a previous meeting. He said that the Board requested the Human Services Council to review the budget as well. He added that it was not the intent of the Board that the CREx "stay away from it." Supervisor Mendelsohn asked unanimous consent that the Board convey this to CREx. Without objection, it was so ordered.

68. **CLOSE MANAGEMENT INITIATIVES (CMI)** (Tape 6)

Supervisor Mendelsohn referred to the Close Management Initiatives (CMI) report and asked unanimous consent that the Board direct staff to explain exactly what is the criteria to be a CMI. Without objection, it was so ordered.

NV:nv

69. **HUNTING RIDGE ASSOCIATES REZONING APPLICATION** (Tape 7)

Supervisor Connolly stated that Hunting Ridge Associates, L.C., is preparing to submit a rezoning application on approximately 4.16 acres located west of the Dulles Access Road and south of Dolley Madison Boulevard, Tax Map 30-3((2))160 through 274. The applicant is interested in redeveloping a portion of this property with townhouses. The existing Plan language for this Sub-Unit states, "as an option, existing residential uses are appropriate to redevelop as townhouses at 8 to 12 dwelling units per acre or multifamily development at 20-30 dwelling units per acre, if consistent with the guidelines for neighborhood redevelopment as outlined in the Policy Plan." This language has created a gap in development between 12 to 20 dwellings units per acre.

Supervisor Connolly added that as part of this rezoning, a portion of Lasalle Avenue and Buena Vista Drive is proposed to be abandoned and vacated and utilized for development. To include these dedicated rights-of-way in the rezoning application, authorization from the Board is required.

Therefore, Supervisor Connolly moved that the Board authorize:

- An Out-of-Turn Plan Amendment for property identified as Tax Map 30-3((2))-160 through 274, otherwise known as Sub-Unit S-1

of the Tysons Corner Urban Center, to consider revising the recommended townhouse density from 8 to 12 dwelling units per acre to 12 to 20 dwelling units per acre; and

- Inclusion of the dedicated rights-of-way for Lasalle Avenue and Buena Vista Drive in the rezoning applications to be filed by Hunting Ridge Associates with the understanding that doing so in no way prejudices the Board's action on this application.

This motion was seconded by Supervisor Dix and carried by unanimous vote.

70. **DEVELOPMENT OF A PLAN FOR INVOLVEMENT OF LOCAL BUSINESSES IN THE WORLD CONGRESS ON INFORMATION TECHNOLOGY** (Tape 7)

Supervisor Connolly related that plans are already underway which promise to make the 1998 World Congress on Information Technology in Fairfax County a world-class event.

Jim Poisant, Director, World Congress; Gerald L. Gordon, Director, Economic Development Authority (EDA); Patricia Woolsey, Chairman, EDA; and the EDA have taken the first steps in an extensive outreach program to enlist the support of the area's major corporations and to draw speakers that will make this global event at George Mason University (GMU) the hottest ticket on the superhighway.

Supervisor Connolly stated that he recently attended a presentation made by Mr. Gordon to the Greater Merrifield Business Association at which one local company representative asked about opportunities small and medium-sized businesses will have to take advantage of this prestigious conference. Supervisor Connolly noted that while the focus of the Congress is global, it is important to begin planning now to give the local business community every possible opportunity to take advantage of this unique event.

Accordingly, Supervisor Connolly moved that the Board request Mr. Poisant and the EDA to:

- Work with the County's business organizations, such as the Chamber of Commerce and area business associations in Merrifield, Tysons, and around the County, to formulate a plan to involve these businesses in the World Congress on Information Technology; and
- Report to the Board on its progress.

This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

71. OPTIONAL COMPENSATION OF APPOINTEES TO COUNTY BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS) (Tape 7)

(BACs)

Supervisor Connolly reminded the Board that at the meeting of January 22, 1996, the Board had requested the County Executive to review compensation to members of Boards, Authorities, Commissions, and Advisory Groups (BACs). He called the Board's attention to a memorandum from the County Executive dated February 12, 1996 regarding this issue. He stated that the County has more than 80 BACs with memberships ranging from 3 to 43 members, with an average of 10-20. He noted that some of the appointees serve in their valuable positions without compensation, but many are compensated by the County at an average of \$15 to \$50 per meeting. While some compensations are mandated by State or County Code, the staff estimates that the County will pay approximately \$478,420 this year in such compensation, with approximately \$100,000 of that amount mandated by law or required by Federal or state grants.

Supervisor Connolly asserted that volunteer citizens deserve more than the County can pay, and some cannot afford to serve without this small compensation. However, there are other members who believe the County can put these funds to better use and have expressed a desire to serve without compensation. Supervisor Connolly stated that members should be given the option to indicate in a formal, yet confidential, manner whether they request to receive compensation.

In light of the County's financial needs, Supervisor Connolly moved that the Board direct:

- Staff to institute a procedure which provides appointees the option, at the onset of their tenure, whether they are to be compensated for their service, except when compensation is required by State or County Code; by Federal grant requirements; or in cases, such as the Planning Commission and Water Authority, where the County has set a yearly salary for members; and
- The County Executive to investigate the best method of accomplishing this change in procedure and report his findings as soon as possible.

The second to this motion was indistinguishable.

Following discussion, Supervisor Hyland moved a substitute motion to refer to the Board Procedures Subcommittee the issue of compensation to BACs. The second to this motion was inaudible.

Following further discussion, the question was called on the substitute motion which **FAILED** by a recorded vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell voting "AYE."

The question was called on the main motion which **CARRIED** by a recorded vote of

nine, Supervisor Hyland voting “NAY.”

72. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 95-P-056** (Tape 7)

Supervisor Connolly announced his intent to defer, at the appropriate time, the public hearing on Rezoning Application RZ 95-P-056, Templeton and Templeton Partnership, which is scheduled for 4:00 p.m. today.

(NOTE: Later in the meeting, this hearing was formally deferred. See Clerk’s Summary Item CL#110.)

73. **SNOW SUMMIT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (Tape 7)

In reference to a “Snow Summit” which the Board requested at its meeting on January 22, 1996, Supervisor Connolly asked unanimous consent that the Board direct the County Executive to contact the Virginia Department of Transportation (VDOT) again to set a date for this event.

(NOTE: Later in the meeting, the scheduling of this event was discussed. See Clerk’s Summary Item CL#93.)

74. **LEAF COLLECTION** (Tape 7)

Supervisor Gross stated that she has received numerous telephone calls regarding the lack of a third leaf pick-up. Constituents have called to inform her that the leaves on entire streets have not been picked up.

Indicating that she has been told that the County can no longer make pick-ups this season, Supervisor Gross asked unanimous consent that the Board direct staff to:

- Explain this situation; and
- Resolve the problem.

Without objection, it was so ordered.

(NOTE: Later in the meeting, the County Executive responded to this issue. See Clerk’s Summary Item CL#92.)

75. **BARRIOS UNIDOS NATIONAL PEACE SUMMIT** (Tape 7)

Supervisor Gross announced that the Barrios Unidos National Peace Summit will be held at the Radisson Plaza Hotel in Alexandria on April 3-6, 1996. Barrios Unidos is a nationally-recognized program which has presented a comprehensive plan for addressing youth violence, particularly gang violence. The Peace Summit will provide diverse groups of high-risk youth an opportunity to participate in the implementation of Barrios

Unidos Youth Groups throughout the County.

For Barrios Unidos to be effective, Supervisor Gross asserted that all other segments of society, youth, government, private corporations, churches, and community groups which share the vision of the new tomorrow must be included. To address the issue of violence within local communities, a regional structure and process must be developed to fully utilize the human and financial resources of the community. The Peace Summit is the first step and demonstrates the commitment to transforming the communities from places of hopelessness to those of promise and opportunity for the youth.

Accordingly, Supervisor Gross moved that the Board:

- Endorse the National Peace Summit; and
- Direct the Chairman to issue a letter of support from the Board to the Fairfax Chapter of Barrios Unidos.

This motion was seconded by Supervisor Kauffman.

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

76. **MASON DISTRICT VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SUMMIT** (Tape 7)

Supervisor Gross announced that in response to numerous inquiries she has received from constituents regarding snow removal and other transportation issues, she is hosting a Virginia Department of Transportation (VDOT) Summit. Residents of the Mason District are invited to attend this meeting on Saturday, March 9, 1996 from 10:00 a.m. until 12:00 noon at the Thomas Jefferson High School for Science and Technology Auditorium. Citizens are invited to discuss questions and concerns about snow plowing, traffic problems, road repairs, and more, with VDOT officials.

77. **SEVEN CORNERS/BAILEY'S CROSSROADS REVITALIZATION TOUR** (Tape 7)

Supervisor Gross stated that on Saturday, February 10, 1996 members of the Mason District were invited to participate in a Seven Corners/Bailey's Crossroads Revitalization Tour. She expressed her appreciation to Kathleen Mitchell, Director, Division of Revitalization, Department of Housing and Community Development (DHCD); Janice Burgess, staff, DHCD; Bruce Laval, Director, Division of Community Development, DHCD; Carl Sivertsen and Joe Bakos, staff, Office of Comprehensive Planning (OCP), Zoning Enforcement Division; and Verdia L. Haywood, Deputy County Executive for Human Services; for presenting this useful tour.

78. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 95-Y-016 AND SPECIAL EXCEPTION APPLICATION SE 95-Y-024** (Tape 7)

Supervisor Frey announced his intent to defer, at the appropriate time, the public hearing

on Rezoning Application RZ 95-Y-016 and Special Exception Application SE 95-Y-024 scheduled for 5:30 p.m. today.

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

79. **CONSIDERATION OF TRANSFER OF PROPERTY FROM THE BOARD TO THE PARK AUTHORITY** (Tape 7)

Supervisor Frey called the Board's attention to a letter he had received from Dr. Joseph A. Strada, in which he requests consideration of a transfer of property owned by the Board of Supervisors to the Park Authority. The property, identified as Tax Map 56-3((1)) parcels 45, 46, and 35B, is residue of property acquired by the County for construction of the Fairfax County Parkway in the Pheasant Ridge area. Park Authority property abuts the referenced County-owned property.

Accordingly, Supervisor Frey moved that the Board direct staff to initiate the process to determine whether this property should be declared excess. This motion was seconded by Chairman Hanley and carried by unanimous vote.

80. **SCHEDULING OF REZONING APPLICATION RZ 95-Y-057** (Tape 7)

Supervisor Frey stated that Atlantic Homestead Village, Incorporated has filed Rezoning Application RZ 95-Y-057. The Application was accepted November 20, 1995, but due to continued negotiations with an adjacent property owner to permit the abandonment of an adjacent roadway, there were some delays. The Application has now been scheduled for a Planning Commission public hearing on Thursday, April 18, 1996.

Supervisor Frey moved that the Board direct the staff to schedule the public hearing for Rezoning Application RZ 95-Y-057 for Monday, April 29, 1996. This motion, the second to which was indistinguishable, carried by unanimous vote.

81. **CONCURRENT PROCESSING OF REZONING APPLICATION RZ 96-Y-001 AND ASSOCIATED SITE PLANS** (Tape 7)

Supervisor Frey stated that Lincoln Property Company, Southwest, Incorporated, recently filed a rezoning request on 13.35 acres in the northeast corner of the intersection of West Ox Road and Post Forest Drive from R-1 to PDH-20. The applicant has requested concurrent processing of the rezoning and engineering plans for the site.

Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept and process preliminary and final Site Plans for the property associated with Rezoning Application RZ 96-Y-001 concurrent with the review of the Rezoning Application. He noted that this action does not assure approval of the Rezoning Application, nor does it preclude the applicant's responsibility of responding to changes that might result from action on the Rezoning Application. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

82. **PENDING ANNUAL PLAN REVIEW (APR) ITEMS AND REZONING APPLICATION RZ 95-Y-051** (Tape 7)

Supervisor Frey reminded the Board that in May, 1995 staff presented an item to the Board regarding the pending Annual Plan Review (APR) nominations that had been deferred because of the noise overlay issue, and recommended that these pending items be readvertised for public hearing. One of those pending APR items, 94-III-10BR, consisted of two non-contiguous areas along Walney Road, a northern and a southern portion. At that time staff recommended that the northern portion of this nomination not be readvertised since there was a residential component of the application and it was entirely within the 60 DNL noise contour. However staff stated that the southern portion could be readvertised since it was outside the noise contour.

Supervisor Frey noted that the public hearing for the southern portion was never readvertised. A rezoning application has now been filed on the southern portion of the site and there is the need to take action on the Plan Amendment. Currently staff recommends that both portions of the nomination be advertised since splitting the nomination would create a "loose end" that would need to be addressed at a later date.

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

- Reactivate the pending APR Item 94-III-10BR;
- Schedule the public hearings before the Planning Commission and the Board as soon as possible; and
- Expedite the scheduling of the public hearings before the Planning Commission and the Board for Rezoning Application RZ 95-Y-051 subsequent to the Board's disposition of the Plan Amendment.

This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

83. **NINTH ANNUAL TOWN MEETING ATTRACTS RECORD PARTICIPATION** (Tape 7)

Supervisor Hyland called the Board's attention to his report on his Annual Town Meeting. He expressed his appreciation to the panelists and guests, Chairman Katherine K. Hanley; Lee District Supervisor Dana Kauffman; William J. Leidinger, County Executive,

Dr. Robert R. Spillane, School Division Superintendent; Michael LoMonaco, Captain, Mount Vernon District Police Station; and Kathleen Mitchell, Director, Division of Revitalization, Department of Housing and Community Development; for their participation.

Supervisor Hyland also noted the loss of the Dixie Pig as a landmark in the Mount Vernon District.

84. **“RANDOM ACTS OF KINDNESS WEEK” IN FAIRFAX COUNTY** (Tape 7)

- (R) Supervisor Hyland stated that in his capacity as Vice-Chairman of the Board, he received a request from Unity of Fairfax located on Hunter Mill Road in the Providence District to dedicate the week of February 12 through 18, 1996 as “**Random Acts of Kindness Week**” in Fairfax County. He stated that practicing random acts of kindness transcends any religious connotations, but rather implies one or more action steps toward making the world and the local community a better place to live. The belief is that by raising the consciousness of people, individual acts of kindness toward one another can make a significant difference in everyone’s life.

Accordingly, Supervisor Hyland and Supervisor Connolly jointly moved that the Board adopt the Resolution proclaiming February 12-18, 1996, as “**Random Acts of Kindness Week**” in Fairfax County. This motion was seconded by Supervisor Dix 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.”

85. **WAIVER OF SIDEWALK REQUIREMENT** (Tape 7)

Supervisor Hyland called the Board’s attention to a letter requesting a waiver of a sidewalk requirement for a property on Holland Road. He explained that an elderly resident has experienced a medical emergency and needs to subdivide her property to pay for medical expenses. He noted that this property is part of a conservation area and will be the subject of improvements subject to Community Development Block Grant (CDBG) funds.

Supervisor Hyland moved that the Board waive the sidewalk requirement, saving the family \$2,850, provided that the County Attorney rules that this is a proper waiver of the sidewalk requirement under these circumstances. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

86. **AN UPDATE ON THE WOODROW WILSON BRIDGE** (Tape 7)

Supervisor Hyland called the Board’s attention to a handout entitled the Supplemental Draft Environmental Impact Statement (SDEIS) which includes the six alternatives that are currently under consideration for the 13-person Woodrow Wilson Bridge Improvement Study Coordination Committee of which he is a member. The decision on the alternatives will be made on May 10-11, 1996. Public hearings on the Report are scheduled as follows:

- February 22, 1996 from 4:00-9:00 p.m., question-and-answer session at 6:00 p.m., hearing at 7:00 p.m., at Friendly High School, 1000 Allentown Road, Fort Washington, Maryland;
- February 24, 1996 from 10:00-3:00 p.m., question-and-answer session at 12:00 noon, hearing at 1:00 p.m., at the Holiday Inn Conference Center, 625 First Street, Alexandria, Virginia.

The public comment period was extended to March 26, 1996. Written comments on the SDEIS should be sent to:

- Mr. David C. Lawton, Director
Office of Planning and Program Development
Federal Highway Administration
10 Howard Street, Suite 4000
Baltimore, Maryland 21201

Supervisor Hyland asked unanimous consent that the Board direct staff to schedule a briefing by the consultant on this issue for March 11, 1996 at 10:30 a.m. Without objection, it was so ordered.

87. **CONNECTOR BUS ROUTE - LORTON** (Tape 7)

Supervisor Hyland called the Board's attention to his written Board Matter regarding the new Gunston Square community located only one-tenth of a mile from an existing Connector bus route. Accordingly, he asked unanimous consent that the Board direct staff to review the Connector rush hour bus termination point with a view to moving it one-tenth of a mile down the road to Gunston Square. Without objection, it was so ordered.

There was a brief discussion on this item.

88. **FREE LOBLOLLY PINE SEEDLINGS** (Tape 7)

(NOTE: Earlier in the meeting, this item was announced. See Clerk's Summary Item CL#33.)

Supervisor Hyland announced that the Northern Virginia Soil and Water Conservation District is once again offering free loblolly pine seedlings to schools, scouts, homeowner and civic associations and other organizations for **group planting projects**. Minimum packages of 100 seedlings are available with the maximum package totaling 400 bare-root seedlings. Phone orders may be made by calling 703-324-1460. Distribution will occur in mid-April 1996. Callers will be notified of the date and location of the distribution.

Supervisor Hyland asked unanimous consent that the Board direct staff to disseminate this information to the public. Without objection, it was so ordered.

89. **HEALTH HAZARDS OF MALFUNCTIONING OUTDATED SEPTIC SYSTEMS**
(Tape 7)

In reference to his written Board Matter regarding the health hazards of malfunctioning outdated septic systems, Supervisor Hyland asked unanimous consent that the Board reiterate its request directing staff to:

- Review the June 23, 1995 Health Care Advisory Board's memorandum to the Board of Supervisors; and
- Present recommendations no later than March 11, 1996.

Without objection, it was so ordered.

90. **EARTH DAY PROJECT - POTOMAC RIVER CLEAN UP** (Tape 7)

Supervisor Hyland called the Board's attention to his written Board Matter regarding the Earth Day Project, Potomac River Clean Up which will take place Saturday, March 30, 1996 from 9:00 a.m. until noon. Accordingly, Supervisor Hyland asked unanimous consent that the Board:

- Waive the tipping fees associated with this project and to supply rolloff containers if needed; and
- Direct staff in the Office of Public Affairs and Media General Cable to work with Ms. Sil Pembleton of the Alice Ferguson Foundation in publicizing this event.

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

91. **HAPPY BIRTHDAY TO SPRINGFIELD DISTRICT SUPERVISOR ELAINE MCCONNELL** (Tape 7)

Chairman Hanley announced that today is Springfield District Supervisor Elaine McConnell's birthday and, on behalf of the Board, wished her a Happy Birthday.

92. **LEAF COLLECTION RESPONSE** (Tape 7)

(NOTE: Earlier in the meeting, there was a request concerning leaf collection. See Clerk's Summary Item CL#74.)

William J. Leidinger, County Executive, responded to an earlier Board Matter regarding leaf collection by stating that it was staff's understanding that the only area awaiting a third leaf pickup is the Tall Oaks neighborhood and is scheduled for this week, weather-permitting. He asked the Board to bring to his attention any other areas that have been missed.

93. **SNOW SUMMIT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (Tape 7)

(NOTE: Earlier in the meeting, the Board discussed a "Snow Summit." See Clerk's Summary Item CL#73.)

In reference to the dates for a "Snow Summit" with the Virginia Department of Transportation (VDOT), William J. Leidinger, County Executive, announced that this event is scheduled for Wednesday, February 28, 1996 from 1:00-4:00 p.m. in the Board Auditorium. In case of inclement weather, the alternate date is Wednesday, March 13, 1996 from 9:00 a.m. until 12 noon.

Following discussion regarding scheduling conflicts, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to reschedule the Summit. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

At 2:25 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- *Reston Inn and Conference Center Venture versus Board of Supervisors*, Fairfax County, In Chancery Number 116655, At Law Number 101141;
- Claim of Dr. Daniel P. Boyle;
- Rezoning Application RZ 95-Y-016 and Special Exception Application SE 95-Y-024, Chantilly 50-28 Associates, Limited Partnership;
- Status of Employees in the Gum Springs Head Start Children's Center;
- *McLean Hamlet Citizens, Incorporated, et al., versus Board of Supervisors of Fairfax County, Virginia, et al.*, Petition for Appeal;
- *Elrefai, et al., versus The County of Fairfax, Virginia, et al.*, Civil Action Number 96-26-A;
- Special Exception Amendment Application SEA 80-M-140, Exxon Corporation;
- Special Permit Application SP 95-P-066, Geshur Jewish Day

School of Northern Virginia;

- *Joyce M. Williams versus County of Fairfax, et al.*, Civil Action Number 95-1255-A; and
- Blue Plains Intermunicipal Agreement.

This motion was seconded by Supervisor Hyland and carried by unanimous vote.

At 5:05 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

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

Supervisor Bulova moved that the Board of Supervisors 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 Connolly and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

96. **ELECTRONIC DATA SYSTEMS CORPORATION VERSUS BOARD OF SUPERVISORS, AT LAW NUMBER 137683** (Tape 8)

Supervisor Frey moved that the Board authorize the settlement of *Electronic Data Systems Corporation versus Board of Supervisors*, At Law Number 137683, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

97. **DENIAL OF CLAIM OF DANIEL P. BOYLE, D.V.M.** (Tape 8)

Supervisor Frey moved that the Board deny the Claim of Daniel P. Boyle, D.V.M., for the reasons stated by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

ADDITIONAL BOARD MATTER98. **MIXED-USE DEVELOPMENT ON THE 15-ACRE SITE OF THE EXISTING RESTON SHERATON** (Tape 8)

Supervisor Dix stated that the Board has an opportunity to realize the creation of a mixed-use development on the 15-acre site of the existing Reston Sheraton which is located on a very prominent parcel of land along the Dulles Access and Toll Road within the planned community of Reston on Tax Map Parcel 17-3((3))1. He explained that the site contains a mid-rise hotel structure and approximately nine acres of surface parking. He stated his belief that this is clearly an underutilization of the site and provides an excellent opportunity to promote mixed use development in the Dulles Corridor.

Accordingly, Supervisor Dix moved that the Board:

- Authorize staff to prepare an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to process an Out-of-Turn Plan Amendment, and to process a Development Plan Amendment which could result in a mixed-use project on the site that would include office, hotel, and residential use; and
- Direct staff to expeditiously process these land use proposals to allow the public hearing on the Development Plan Amendment (DPA) Application to be heard by the Board prior to the August recess.

Supervisor Dix noted that this motion in no way prejudices the consideration of these land use applications and does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards.

This motion was seconded by Supervisor McConnell and carried by unanimous vote.

ADDITIONAL ACTIONS FROM EXECUTIVE SESSION99. **ELECTRONIC DATA SYSTEMS CORPORATION VERSUS BOARD OF SUPERVISORS, AT LAW NUMBER 129190** (Tape 8)

Supervisor Frey moved that the Board authorize the settlement of *Electronic Data Systems Corporation versus Board of Supervisors*, At Law Number 129190 according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

100. **SETTLEMENT OF ELREFAI, ET AL., VERSUS THE COUNTY OF FAIRFAX VIRGINIA, ET AL, CIVIL ACTION NUMBER 96-26-A** (Tape 8)

Supervisor Connolly moved that the Board endorse a Settlement Agreement on behalf of the County of Fairfax, Virginia, in the case of *Elrefai, et al., versus The County of Fairfax, Virginia, et al.*, Civil Action Number 96-26-A, to provide an interim resolution

of this litigation. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

101. **FILING OF A COUNTERCLAIM IN THE MATTER OF KINGSTOWNE COMMERCIAL LIMITED PARTNERSHIP VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW NUMBER 148733** (Tape 8)

Supervisor Kauffman moved that the Board authorize the filing of a counterclaim in the matter of *Kingstowne Commercial Limited Partnership versus Board of Supervisors of Fairfax County*, At Law Number 148733, as outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

ADDITIONAL BOARD MATTER

102. **CAPTURE OF ESCAPED PRISONERS** (Tape 8)

Supervisor Hyland announced that both of the prisoners who escaped from Maximum Security at the District of Columbia Correctional Facility located in Lorton have been apprehended, one by the Police Department and one by the staff of the Department of Public Works (DPW). He commended the DPW staff for efforts above and beyond the call of duty.

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103. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-P-045 (J. A. LOVELESS HOMES IV, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 9)

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Supervisor Kauffman being out of the room.

Supervisor Connolly moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-P-045 be amended from R-1 and PDH-4 Districts to the PDH-4 District subject to the proffers dated January 25, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Supervisor Kauffman being out of the room.

In addition, Supervisor Connolly moved:

- Waiver of the service drive requirement along the Chain Bridge Road frontage of the site; and
- Waiver of the 600-foot maximum length of the private streets.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Supervisor Kauffman being out of the room.

104. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-P-043 (RAYMOND L. HUBBARD, III, TRUSTEE) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. William M. Arnold reaffirmed the validity of the affidavit for the record.

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

- In the amount of \$200 from John Marshall, Land Design Consultants.

Mr. Arnold had filed the necessary notices showing that at least 25 adjacent and/or interested persons 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, Phyllis Wilson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-P-043 be amended from R-1 and Highway Corridor Districts to R-2 and Highway Corridor Districts subject to execution of the proffers dated December 15, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

105. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-B-024 (BRUCE WINSTON) (BRADDOCK DISTRICT)** (Tape 9)

Following discussion regarding the late filing of an affidavit pertaining to this application, Supervisor Bulova moved to defer the public hearing on Rezoning Application RZ 95-B-024 until **February 26, 1996 at 4:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Dix being out of the room.

106. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-B-017 (WESLEY HOUSING DEVELOPMENT CORPORATION) (BRADDOCK DISTRICT)** (Tape 9)

Mr. David S. Houston reaffirmed the validity of the affidavit for the record.

Supervisor Connolly disclosed the following:

- Mr. James Dyke from McGuire, Woods, Battle and Booth, served as a member of the Connolly for Supervisor Finance Committee.

Chairman Hanley disclosed the following:

- Mr. James Dyke from McGuire, Woods, Battle and Booth, served as a member of the Hanley for Chairman Finance Committee.

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

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

Supervisor Bulova moved:

- Approval of Special Exception Application SE 95-B-017 subject to the development conditions dated January 25, 1996; and
- Modification of the transitional screening requirement along the southern and eastern boundaries pursuant to the development conditions.

This motion was seconded by Supervisor Connolly and **CARRIED** by a recorded vote of eight, Supervisor Frey voting "NAY," Supervisor Dix being out of the room.

107. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A [RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)] TO EXPAND THE ROBINSON RPPD, DISTRICT 17 (BRADDOCK DISTRICT)** (Tape 9)

- (O) A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of January 26 and February 2, 1996.

Following the public hearing, which included testimony by two speakers, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of

Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A [Residential Permit Parking District (RPPD)], to expand the Robinson RPPD, District 17, by including Stallworth Court (Route 6995) from Sideburn Road (Route 653) to the end, and Commonwealth Boulevard (Route 4801) from Collingham Drive (Route 5480) to the Pohick Stream Valley Park property, **to become effective upon adoption.** This motion was seconded by Supervisor Hyland and carried by a 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 being out of the room.

108. **4:00 P.M. - PH ON REZONING APPLICATION RZ 95-S-047 (J. A. LOVELESS HOMES II, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 9)

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

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

Supervisor McConnell moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-S-047 be amended from the R-1 District to the R-2 District subject to the proffers dated December 18, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Dix, Supervisor Gross, and Supervisor Kauffman being out of the room.

109. **4:00 P.M. - PH ON REZONING APPLICATION RZ 95-Y-042 (MICHAEL A. AND MARIE K. RICCIARDI) (SULLY DISTRICT)** (Tape 9)

Mr. David A. Bryant reaffirmed the validity of the affidavit for the record.

Mr. Bryant 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, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, 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 95-Y-042 be amended from the R-1 and Water Supply

Protection Overlay Districts to the R-3 and Water Supply Protection Overlay Districts, subject to the proffers dated December 13, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Gross, Supervisor Kauffman, and Supervisor McConnell being out of the room.

110. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-P-056 (TEMPLETON AND TEMPLETON PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 95-P-056 until **March 11, 1996 at 3:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Gross, Supervisor Kauffman, and Supervisor McConnell being out of the room.

111. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-L-032 (YOUNG K. KIM) (LEE DISTRICT)** (Tape 9)

Mr. William C. Thomas, Jr. reaffirmed the validity of the affidavit for the record.

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

- In the amounts of \$50 in 1992; \$250 in 1994; and \$100 in 1995 from Mr. Bernard M. Fagelson; and
- In the amount of \$50 in 1992 from Mr. John L. Fagelson.

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

- In excess of \$200 from Mr. Bernard M. Fagelson.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Bernard M. Fagelson.

Mr. Thomas 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, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Application SE 95-L-032 subject to the revised development conditions dated January 18, 1996;

- Waiver of the transitional screening yard requirements along all boundaries subject to the revised development conditions;
- Waiver of the barrier requirement along the north, east, and south boundaries subject to the revised development conditions; and
- Modification of the peripheral parking lot landscaping along the western boundary subject to the revised development conditions.

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

112. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 92-V-017 (STAR ENTERPRISE) (MOUNT VERNON DISTRICT)** (Tape 9)

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

Supervisor Connolly disclosed the following:

- Mr. James Dyke from McGuire, Woods, Battle and Booth, served as a member of the Connolly for Supervisor Finance Committee.

Chairman Hanley disclosed the following:

- Mr. James Dyke from McGuire, Woods, Battle and Booth, served as a member of the Hanley for Chairman Finance Committee.

Supervisor Hyland disclosed that the wife of Mr. Joseph Sherlock is a salaried employee of the Fort Belvoir Credit Union, an institution which Supervisor Hyland has done legal work for in the past, and he therefore recused himself from participation in this public hearing.

Mr. Riegle 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, Donna McNeally, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the

staff and Planning Commission recommendations.

On behalf of Supervisor Hyland, Supervisor Kauffman moved:

- *Approval of Special Exception Application SE 92-V-017 subject to the development conditions dated November 29, 1995 and contained in Appendix One of the Staff Report; and*
- *Waiver of the service drive requirement*

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

113. **4:00 P.M. - PH REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE KINGSTOWNE FIRE STATION, 7936 TELEGRAPH ROAD, TO AMERICAN PERSONAL COMMUNICATIONS SERVICE, LIMITED PARTNERSHIP (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 January 26, and February 2, 1996.

Following the public hearing, Supervisor Kauffman moved that the Board authorize the County Executive to execute a lease with American Personal Communications Service, Limited Partnership, for a portion of the property at the Kingstowne Fire Station, located at 7936 Telegraph Road (Tax Map Number 100-1((1))16), for the installation of a telecommunications base station and related facilities. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

114. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-Y-046 (FERGUSON ENTERPRISES, INCORPORATED) (SULLY DISTRICT)** (Tapes 9-10)

Mr. Francis A. 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.

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

Supervisor Frey moved approval of Special Exception Application SE 95-Y-046 subject to the development conditions dated February 9, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Dix, Supervisor Gross, and Supervisor Kauffman being out of the room.

Supervisor Frey moved modification of the transitional screening requirement and a waiver of the barrier requirement along the eastern property boundary. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Dix, Supervisor Gross, and Supervisor Kauffman being out of the room.

115. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 83 (BOATS) ARTICLE 4, REGARDING BOATING SAFETY** (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 January 26, and February 2, 1996.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 83 (Boats) to bring the Code of the County of Fairfax in line with Title 29.1 of the *Code of Virginia*. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, and Supervisor Kauffman being out of the room.

116. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-D-048 (SUN COMPANY, INCORPORATED) (DRANESVILLE DISTRICT)** (Tape 10)

Mr. Ken K. Masri reaffirmed the validity of the affidavit for the record.

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

- In excess of \$200 from Sam's Services, Incorporated, the operator of the service station.

Mr. Masri 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, Phyllis Wilson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Special Exception Application SE 95-D-048 subject to the development conditions contained in Appendix One of the staff report dated October 3, 1995; and
- Waiver of the transitional screening and barrier requirements on the southeastern property boundary pursuant to paragraph two of Section 13-304 of the Zoning Ordinance.

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

SBE:sbe

117. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-M-039 (WESTLAWN LIMITED PARTNERSHIP/BILL PAGE IMPORTS, INCORPORATED) (MASON DISTRICT) (Tape 11)

Mr. Thomas O. Lawson reaffirmed the validity of the affidavit for the record.

Mr. Lawson 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, Denise James, Senior Staff Coordinator Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- *Approval of Special Exception Application SE 95-M-039 subject to the development conditions dated September 27, 1995;*
- *Waiver of the open space requirement; and*
- *Waiver of the barrier requirement and a modification of transitional screening in favor of that shown on the Special Exception Plat.*

This motion was seconded by Supervisor Mendelsohn and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Kauffman, and

Chairman Hanley being out of the room.

118. **4:30 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION
DPA 77-C-076-2 (RESTON LAND CORPORATION) (HUNTER MILL
DISTRICT)** (Tape 11)

Ms. Meaghan S. Kiefer reaffirmed the validity of the affidavit for the record.

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

Supervisor Connolly disclosed that James Webster Dyke, Jr. a partner with McGuire, Woods, Battle and Boothe, served on the Finance Committee for Connolly for Supervisor in 1995.

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

On behalf of Supervisor Dix, Supervisor Frey moved approval of Development Plan Amendment Application DPA 77-C-076-2 subject to the executed proffers dated February 10, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Kauffman, and Chairman Hanley being out of the room.

Supervisor Frey moved:

- Modification of the transitional screening along the southern perimeter of the site;

- Waiver of the barrier requirements along the southern perimeter of the site; and
- Waiver of the 600-foot maximum length for private streets within the development.

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

119. **5:00 P.M. - PH ON THE VACATION AND ABANDONMENT OF A PORTION OF PAYNE STREET (MASON DISTRICT)** (Tape 11)

- (O) (NOTE: On January 8, 1996, the Board deferred the public hearing on the proposed vacation and abandonment of a portion of Payne Street until February 12, 1996.)

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 December 22 and December 29, 1995.

Following the public hearing, Supervisor Gross moved adoption of an Ordinance to vacate and abandon a portion of Payne Street. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Connolly, Supervisor Dix, Supervisor Kauffman, and Chairman Hanley being out of the room.

120. **5:00 P.M. - PH ON THE VACATION OF A 25-FOOT WIDE RIGHT-OF-WAY ADJACENT TO FRANKLIN AVENUE (ROUTE 2805) (DRANESVILLE DISTRICT)** (Tape 11)

(O) (NOTE: On January 8, 1996, the Board deferred the public hearing on the proposed vacation of the 25-foot wide right-of-way adjacent to Franklin Avenue (Route 2805) until February 12, 1996.)

Following the public hearing, Supervisor Mendelsohn moved adoption of an Ordinance vacating a 25-foot wide right-of-way adjacent to Franklin Avenue (Route 2805). This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Connolly, Supervisor Dix, Supervisor Kauffman, and Chairman Hanley being out of the room.

121. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-M-010 (MAHMOUD MOIN-AMIN) (MASON DISTRICT)** (Tape 11)

Mr. Arif Hodzic reaffirmed the validity of the affidavit for the record.

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

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

Following discussion, Supervisor Gross moved to defer Board decision on Special Exception Application SE 94-M-010 until March 11, 1996 at 3:30 p.m. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Dix, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

122. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION**

PCA 82-S-077-2 (HUNTER DEVELOPMENT COMPANY OF FAIRFAX, INCORPORATED) AND REZONING APPLICATION RZ 94-Y-020 (DAVID L. HUNTER) (SULLY DISTRICT) (Tape 11)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 82-S-077-2 subject to the executed proffers dated November 2, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-Y-020 be amended from the C-5, R-1 and Water Supply Protection Overlay Districts to the PDH-3 and Water Supply Protection Overlay Districts subject to the revised proffers dated November 2, 1995; the Planning Commission having previously approved Final Development Plan Applications FDP 82-S-077-2 and FDP 94-Y-020 on November 15, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved:

- Waiver of the barrier requirements along the eastern and western portions of the Church site;
- Modification of the transitional screening requirements along the eastern boundary of the church site to that reflected on the Development Plan; and
- Waiver of the transitional screening requirements between the original portion of Compton Village and the area of the Rezoning Application which is proposed to be incorporated into the Compton Village development.

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

- (R) (NOTE: On January 8, 1996, the Board deferred the public hearing on the proposed vacation of open space easement on the McKinnon Property until February 12, 1996.)

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 December 22 and December 29, 1995.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved adoption of the Resolution authorizing the County Executive to execute a Deed of Release and Vacation of an open space easement on the property of the late Edith M.C. McKinnon, located on Tax Map Number 6-4((1))10. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Gross, and Supervisor McConnell being out of the room.

124. **5:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD), APPENDIX G TO EXPAND THE MCLEAN RPPD, DISTRICT 21 (DRANESVILLE DISTRICT)** (Tape 11)

- (O) [NOTE: On January 8, 1996, the Board deferred the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking Districts (RPPD), Appendix G to expand the McLean RPPD, District 21 until February 12, 1996.]

*Following the public hearing, which included testimony by two speakers, Supervisor Mendelsohn moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, RPPD, Appendix G, to expand the McLean RPPD, District 21, to include Sea Cliff Road (Route 2062) from Warner Avenue (Route 2075) to Margie Drive (Route 3272) **to become effective upon adoption.** This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Gross, and Supervisor McConnell being out of the room.*

125. **5:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S95-IV-LP1 FOR SUB-UNIT B1-A OF THE LORTON-SOUTH ROUTE 1 COMMUNITY PLANNING SECTOR (MOUNT VERNON DISTRICT)** (Tapes 11- 12)

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 January 26, and February 2, 1996.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved approval of Out-of-Turn Plan Amendment S95-IV-LP1 as shown on pages 13 and 18 of the staff report. This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

126. **5:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-D-093-10 (WORLDGATE ASSOCIATES LIMITED PARTNERSHIP) DRANESVILLE DISTRICT** (No Tape)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#128.)

127. **5:30 P.M. - PH ON REZONING APPLICATION RZ 95-Y-016 AND SPECIAL EXCEPTION APPLICATION SE 95-Y-024 (CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP) (SULLY DISTRICT)** (Tape 12)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 95-Y-016 and Special Exception Application SE 95-Y-024 until **February 26, 1996 at 3:30 p.m.** This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

128. **5:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-D-093-10 (WORLDGATE ASSOCIATES LIMITED PARTNERSHIP) DRANESVILLE DISTRICT** (Tape 12)

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel 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.

Chairman Hanley disclosed the following campaign contribution which she had received:

- *In excess of \$200 from Mr. Rodney F. Page.*

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

Supervisor Mendelsohn moved approval of Proffered Condition

Amendment Application PCA 86-D-093-10 subject to the executed proffers dated December 18, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor McConnell being out of the room.

129. **7:00 P.M. - PRESENTATION BY THE SCHOOL BOARD ON ITS FISCAL YEAR (FY) 1997 BUDGET** (Tapes 12-13)

Chairman Hanley recognized the presence of members of the first elected School Board; Kathy Davis, President, Fairfax Education Association; and Robert R. Spillane, Division Superintendent, Fairfax County Public Schools.

Following a presentation on the School Board's Fiscal Year (FY) 1997 Budget by Kristen Amundson, Chairman, Fairfax County School Board, a question and answer period ensued, with input from Dr. Spillane.

Supervisor Dix asked Dr. Spillane to forward to the Board a copy of the position the School Board is taking on hiring restrictions for positions other than teachers.

130. **BOARD ADJOURNMENT** (Tape 13)

At 8:35 p.m., the Board adjourned.