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The meeting was called to order at 9:50 a.m. with all Members being present, and with Chairman Hanley presiding.

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

BOARD MATTERS

2. **MOMENT OF SILENCE FOR THE FAMILY OF THE LATE MR. CHARLES F. "CHUCK" ZIRZOW** (Tape 1)

Supervisor Connolly asked that the Board remember in their thoughts and prayers the family of Mr. Charles F. "Chuck" Zirzow, a long time resident of Providence District, who died recently.

3. **MOMENT OF SILENCE FOR THE FAMILY OF THE LATE MS. CAROLYN LAVALLEE, TEACHER AT SOUTH LAKES HIGH SCHOOL** (Tape 1)

Supervisor Dix asked that the Board remember in their thoughts and prayers the family of Ms. Carolyn Lavallee, a teacher at South Lakes High School, who died recently.

4. **MOMENT OF SILENCE FOR MR. ROBERT MORRIS, WHO DIED ON FRIDAY, JULY 18, 1997** (Tape 1)

Supervisor Kauffman asked that the Board remember in their thoughts and prayers the family of his aide Jeff McKay, whose grandfather, Robert Morris, died on Friday, July 18, 1997.

5. **INTRODUCTION OF ABIGAIL ADAMS, GIRL SCOUT INTERN FOR MASON DISTRICT SUPERVISOR PENELOPE A. GROSS** (Tape 1)

Supervisor Gross introduced and welcomed Abigail Adams, a Girl Scout from Troop 1333, who will be assisting as an intern in her office this summer. Ms. Adams will attend Thomas Jefferson High School for Science and Technology in the fall.

6. **BRIEFING ON FAIRFAX COUNTY'S "INTRANET" PRESENTED BY THE ENTERPRISE APPLICATIONS SERVICES DIVISION** (Tape 1)

Chairman Hanley announced that the Enterprise Applications Services Division of the Department of Information Technology (DIT) will brief the Board and its staff on the County's Intranet. The briefing will be held in Intranet Training Room 525 in Suite 527 this afternoon.

AGENDA ITEMS

7. **CERTIFICATES OF RECOGNITION PRESENTED TO GROUPS AND INDIVIDUALS INVOLVED IN THE EARTH DAY/ARBOR DAY CELEBRATION** (Tape 1)

Supervisor Bulova moved approval of the Certificates of Recognition presented to the groups and individuals who were involved in the Earth Day/Arbor Day celebration. This motion was seconded by Supervisor Dix and carried by unanimous vote.

8. **PROCLAMATION DESIGNATING AUGUST 5, 1997 AS "NATIONAL NIGHT OUT" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Gross moved approval of the Proclamation designating August 5, 1997 as "National Night Out" in Fairfax County. This motion was seconded jointly by Supervisor Dix and Supervisor Hyland and carried by unanimous vote.

9. **10:00 A.M. - PRESENTATION OF REPORT BY THE COMMUNITY FUNDING IMPLEMENTATION TEAM ON RECOMMENDATIONS FOR THE FUTURE COMMUNITY FUNDING POOL PROCESS** (Tape 1)

Marlene Blum, Chairman, Community Funding Implementation Team (CFIT), presented a report on the Team's recommendations for the future community funding pool process.

Following discussion, with input from Ms. Blum, Supervisor Gross asked unanimous consent that the Board direct staff to provide information as to:

- Whether the County can issue multiyear grants under current authority; and
- The effect of multiyear grants on the current budget process.

Following further discussion and input from Ms. Blum, Chairman Hanley relinquished

the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board:

- Refer this report and Supervisor Gross' request to staff; and
- Direct staff to provide recommendations on August 4, 1997 regarding the establishment of the process for next year.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

A brief discussion followed with input from Anthony H. Griffin, Acting County Executive.

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10. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 2)

(BACs)

(APPTS)

ADVISORY SOCIAL SERVICES BOARD

Supervisor Bulova announced that Dr. Ruth Thomas, Braddock District Representative to the Advisory Social Services Board, is unable to continue to serve on the Board and asked unanimous consent that the Board direct staff to invite her to appear before the Board to receive recognition for her years of service. Without objection, it was so ordered.

Supervisor Connolly announced that Letitia Hayworth, Providence District Representative to the Advisory Social Services Board, is unable to continue to serve on the Board and asked unanimous consent that the Board direct staff to also invite her to appear before the Board to receive recognition for her years of service. Without objection, it was so ordered.

(NOTE: The appointments of the Braddock, Dranesville, and Providence District Representatives to the Advisory Social Services Board were deferred.

(NOTE: Later in the meeting, action was taken to appoint the Providence District Representative to the Advisory Social Services Board. See page 10.)

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Chairman Hanley moved the appointment of Mr. Richard Rose to fill the unexpired term of Mr. Dean Wilson as the At-Large (Residential Builder) Representative to the Affordable Dwelling Unit Advisory Board. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

AIRPORTS ADVISORY COMMITTEE

Supervisor McConnell moved the appointment of Mr. Marshall Filler to fill the unexpired term of Mr. Stanley Peikin as the Springfield District Representative to the Airports Advisory Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

(NOTE: The appointments of two At-Large Representatives to the Alcohol Safety Program Local Policy Board were deferred.)

ARCHITECTURAL REVIEW BOARD

Supervisor Dix moved the reappointment of Mr. James Allred as an At-Large (Architect) Representative to the Architectural Review Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Chairman Hanley moved the reappointment of Ms. Susan Notkins as an At-Large (Attorney) Representative to the Architectural Review Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Mark Searle as an At-Large Representative to the Architectural Review Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

[NOTE: The appointment of one At-Large (Historian/Real Estate) Representative to the Architectural Review Board was deferred.]

ATHLETIC COUNCIL

Supervisor Mendelsohn moved the appointment of Mr. W. Michael Wheat as the Dranesville District (Alternate) Representative to the Athletic Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Connolly moved the reappointment of Ms. Cindy Aserkoff as the Providence District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Tony Cummings as the Springfield District (Alternate) Representative to the Athletic Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. David Lacey as the Sully District (Alternate) Representative to the Athletic Council. This motion was seconded by Supervisor Dix and carried by unanimous vote.

CONFIRMATIONS:

Supervisor Dix moved that the Board confirm the following appointments to the Athletic Council:

- Ms. Laura Harrington as the Town of Clifton (Principal) Representative;
- Mr. Mark Harrington as the Town of Clifton (Alternate) Representative; and
- Mr. Richard C. Thoesen as the Town of Herndon (Alternate) Representative.

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

[NOTE: The appointment of the Mason District (Alternate) Representative to the Athletic Council was deferred.]

BOARD OF BUILDING CODE APPEALS

(NOTE: The appointments of two At-Large Representatives to the Board of Building Code Appeals were deferred.)

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Following a query from Supervisor Dix regarding the recommendation to reduce the size of the Board of Equalization of Real Estate Assessments, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to respond with a Consideration Item at the meeting on August 4, 1997, regarding this issue. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

[NOTE: The appointment of the At-Large (Citizen) Representatives to the Board of Equalization of Real Estate Assessments was deferred.]

CHILD CARE ADVISORY COUNCIL

Supervisor Hyland moved the reappointment of Mr. Sidoux Mitchell as the Mount Vernon District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointments of the Lee and Providence District Representatives to the Child Care Advisory Council were deferred.)

COMMISSION ON AGING

Chairman Hanley moved the reappointment of Mr. Donald Simpson as the At-Large Representative to the Commission on Aging. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Mendelsohn moved the appointment of Ms. Nancy Falck as the Dranesville District Representative to the Commission on Aging. This motion was seconded by Supervisor Dix and carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Supervisor McConnell moved the appointment of Mr. LeRoy Thompson as the Springfield District Representative to the Commission on Organ and Tissue Donation and Transplantation. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

COMMUNITY ACTION ADVISORY BOARD

Supervisor Dix moved the appointment of the Reverend Dr. Alice Marie Graham McNair as the Hunter Mill District Representative to the Community Action Advisory Board. This motion was seconded by Chairman Hanley and carried by unanimous vote.

(NOTE: The appointment of the Sully District Representative to the Community Action Advisory Board was deferred.)

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Supervisor Hyland moved the reappointment of Ms. Violet Taylor as the Mount Vernon (Fairhaven Conservation Area) Representative to the Community Development Advisory Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Joseph Peralta as the Mount Vernon (Chapel Acres Conservation Area) Representative to the Community Development Advisory Committee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. James Mott as the Springfield (Lincoln/Lewis/Vannoy Conservation Area) Representative to the Community Development Advisory Committee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

[NOTE: The appointments of the Braddock, Lee (Jefferson Manor), Lee (Burgundy Area), Mason (Bailey's Conservation Area), Mount Vernon, and the Springfield District Representatives to the Community Development Advisory Committee were deferred.]

CONSUMER PROTECTION COMMISSION

Supervisor Bulova moved the appointment of Mr. John Fee as the At-Large (County Resident) Representative to the Consumer Protection Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

CRIMINAL JUSTICE ADVISORY BOARD

Supervisor Dix moved the reappointment of Mr. S. Woodruff Bentley, Sr. as the At-Large Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Mendelsohn moved the appointment of Mr. Arthur J. Kerns, Jr. as the Dranesville District Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Connolly moved the reappointment of Mr. Thomas Conway as the Providence District Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Michael Keenan as the Springfield District Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

CONFIRMATION:

Supervisor Connolly moved that the Board confirm the following appointment to the Criminal Justice Advisory Board:

- Mr. William Holloway as the Town of Clifton Representative.

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

(NOTE: The appointments of the Lee and the Mason District Representatives to the Criminal Justice Advisory Board were deferred.)

ENGINEERING STANDARDS REVIEW COMMITTEE

CONFIRMATION:

Supervisor Connolly moved that the Board confirm the following appointment to the Engineering Standards Review Committee:

- Dr. W. Clayton Ormsby as the Citizens Committee on Land Use and Transportation Representative.

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

[NOTE: The appointment of the At-Large (Citizen) Representative to the Engineering Standards Review Committee was deferred.]

FAIRFAX AREA DISABILITY SERVICES BOARD

(NOTE: The appointment of the Springfield District Representative to the Fairfax Area Disability Services Board was deferred.)

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

(NOTE: The appointment of the Lee District Representative to the Fairfax-Falls Church Community Services Board was deferred.)

HUMAN RIGHTS COMMISSION

Supervisor Hyland moved the reappointment of Mr. Thomas Gallahue as an At-Large Representative to the Human Rights Commission. The second to this motion was inaudible.

Chairman Hanley moved the reappointment of Mr. Victor Dunbar as an At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Dix.

Supervisor Frey moved the reappointment of Mr. Anthony Weaver as an At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Dix.

The question was called on the motions, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

Supervisor Kauffman moved the appointment of Mr. Richard Gonzales as the Lee District Representative to the Human Services Council. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: The appointments of the Mason and Sully District Representatives to the Human Services Council were deferred.)

LIBRARY BOARD

Supervisor Mendelsohn moved the reappointment of Mr. Roger Sudduth as the Dranesville District Representative to the Library Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

LOWER POTOMAC LAND USE ADVISORY COMMITTEE FOR THE DISTRICT OF COLUMBIA (DC) DEPARTMENT OF CORRECTIONS' PROPERTY LOCATED IN LORTON

Chairman Hanley announced that this committee may have finished its task.

[NOTE: The appointment of the Springfield District Representative to the Lower Potomac Land Use Advisory Committee for the District of Columbia (DC) Department of Corrections' Property Located in Lorton was deferred.]

MECHANICAL ADVISORY (HVAC) BOARD

[NOTE: The appointments of the two At-Large (Master Mechanic) Representatives to the Mechanical Advisory Board were deferred.]

NORTHERN VIRGINIA TRANSPORTATION COORDINATING COUNCIL CITIZEN ADVISORY COMMITTEE

Supervisor Dix moved the appointment of Mr. Albert Boudreau as an At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

(NOTE: The appointment of one At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee was deferred.)

REDEVELOPMENT AND HOUSING AUTHORITY

Supervisor Hyland moved the appointment of Mr. Paul Krizek as the Mount Vernon District Representative to the Redevelopment and Housing Authority. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

[NOTE: The appointment of the At-Large (Resident/Owner) Representative to the Route 28 Highway Transportation District Advisory Board was deferred.]

SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION

Chairman Hanley moved the appointment of Ms. N. Sharon Embrey as the At-Large Representative to the Small and Minority Business Enterprise Program Advisory Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: The appointment of the Braddock District Representatives to the Small and Minority Business Enterprise Program Advisory Commission was deferred.)

SUPPLEMENTAL RETIREMENT SYSTEM BOARD OF TRUSTEES

Supervisor Frey moved the reappointment of Mr. Robert Carlson as an At-Large Representative to the Supplemental Retirement System Board of Trustees. This motion was seconded by Supervisor Dix and carried by unanimous vote.

YOUTH VIOLENCE STEERING COMMITTEE

(NOTE: The appointment of the Mason District Representative to the Youth Violence Steering Committee was deferred.)

ADDITIONAL APPOINTMENTS

REVITALIZATION POLICY COMMITTEE

Supervisor Mendelsohn moved the appointment of Mr. Jack Wilbern as the Dranesville District Community Representative to the newly expanded Revitalization Policy Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

ADVISORY SOCIAL SERVICES BOARD

(NOTE: Earlier in the meeting, appointments were made to the Advisory Social Services Board. See page 3.)

Supervisor Connolly moved the appointment of Ms. Thelma Petralak as the Providence District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

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

Supervisor Hyland moved approval of the Administrative Items. 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."*

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, LEE, SPRINGFIELD AND SULLY DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated July 21, 1997 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Stoney Creek Woods	Dranesville	Crayton Road Crayton Court
Grand Hamptons II	Hunter Mill	Grand Hamptons Drive Jonathons Glen Way Windsor Hall Way Sugarland Road, Route 604, Additional right-of-way
McNair Farms	Hunter Mill	Coppermine Road, Route 665 (4 lanes) McNair Farms Drive Thomas Jefferson Drive Frying Pan Road, Route 608 (4 lanes)
Springfield Forest (Schupp's Addition to)	Lee	Summerton Way, Route 7529 Summerton Court
Whisperwood, Section 1	Springfield	Seabrook Lane, Route 6291 Peoria Court, Route 6296 Royal Azalea Court Mountain Ash Court Mountain Ash Drive
Sully Station, Phase 2, Sections 9 and 10	Sully	Kamputa Drive, Route 4765 Flagler Drive Flagler Court Schoolfield Court

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

Authorized the extension of the review period for the eight Public Facility Review Applications listed in the Memorandum to the Board dated July 21, 1997 until January 21, 1998 to ensure compliance with the 60-day review requirement mandated by Section 15.1-456 of the *Code of Virginia*.

ADMIN 3 - ADDITIONAL TIME TO ESTABLISH THE USE FOR SPECIAL EXCEPTION APPLICATION SE 94-Y-029, FAIRFAX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (SULLY DISTRICT)

- (AT) Approved the request for 24 months of additional time to establish the use for Special Exception Application SE 94-Y-029 until July 9, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF CARLTON PLACE AND MILL RIDGE (DRANESVILLE DISTRICT)

- Endorsed the installation of multi-way stops at the following intersection:
 - Carlton Place (Route 7481) and Mill Ridge (Route 7482); 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 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-5-7, THAT WILL PROHIBIT THE PARKING OF CERTAIN COMMERCIAL VEHICLES IN RESIDENTIALLY ZONED AREAS (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to held before the Board on **September 8, 1997 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5-7, that will prohibit the parking of certain commercial vehicles in residentially zoned areas.

ADMIN 6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98020 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT THE ANNUAL VIRGINIA DEPARTMENT OF HEALTH, OFFICE OF EMERGENCY SERVICES GRANT: "TWO-FOR-LIFE"

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98020 in the amount of \$328,018 from the Virginia Department of Health, Office of Emergency Services, which is the current allocation from the annual "Two-for-Life" grant to the Fire and Rescue Department to provide funding for emergency medical services supplies, equipment and training.

ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98021 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT THE ANNUAL VIRGINIA DEPARTMENT FIRE PROGRAMS GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98021 in the amount of \$969,424 from the Virginia Department of Fire Programs, which is the current allocation from an annual grant to the Fire and Rescue Department to provide funding support for meeting minimum standards established by the Virginia Fire Services Board which apply to training, fire fighting equipment, and personal protective clothing and equipment.

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98022 FOR THE DEPARTMENT TO HEALTH'S ADULT DAY HEALTH CARE MUSIC THERAPY GRANT FROM THE ALZHEIMER'S ASSOCIATION

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98022 in the amount of \$4,600 from the Northern Virginia Alzheimer's Association for the Department of Health's Adult Day Health Care Music Therapy Program to implement a music therapy program twice each month at each of the County's four Adult Day Health Care Centers.

ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98025 FOR THE DEPARTMENT OF HEALTH'S CHRONIC DISEASE PREVENTION PROJECT GRANT FROM THE VIRGINIA DEPARTMENT OF HEALTH

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98025 in the amount of \$55,000 from the Virginia Department of Health for the Department of Health's Chronic Disease Prevention Project to implement a preventive and early intervention health promotion program for chronic disease.

ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98023 FOR THE CONTINUATION OF THE DEPARTMENT OF FAMILY SERVICES JOB TRAINING PARTNERSHIP ACT (JTPA) ADULT AND YOUTH PROGRAMS

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98023 in the amount of \$439,021 for the continuation of the Job Training Partnership Act (JTPA) Adult and Youth Programs.

ADMIN 11 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98024 FOR THE CONTINUATION OF THE DEPARTMENT OF FAMILY SERVICES ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE (EDWAA) PROGRAMS

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98024 in the amount of \$1,217,785 for the continuation of the Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program.

ADMIN 12 - FAIRFAX COUNTY POLICE DEPARTMENT GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE (BJA) FOR FUNDING UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM

Approved the Police Department's application to the Bureau of Justice Assistance (BJA) in the amount of \$215,843 for a grant funded under the Local Law Enforcement Block Grant Program.

ADMIN 13 - AUTHORIZATION FOR PARTNERSHIPS OF FAIRFAX COUNTY HUMAN SERVICES PROVIDERS TO SUBMIT ELEVEN ASSOCIATED GRANT APPLICATIONS TO THE UNITED STATES (US) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FUNDING THROUGH THE CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAM

Authorized the Department of Family Services to apply to the United States (US) Department of Housing and Urban Development (HUD) for the three renewal grants and endorse the applications by the non-profit partnerships for three other renewal grants, totaling \$6,881,445 in renewals, and endorse the non-profit applications for five new grants totaling \$4,268,883.

12. **A-1 - PARKING REDUCTION FOR MARANATHA CHRISTIAN FELLOWSHIP CHURCH (PROVIDENCE DISTRICT)** (Tape 2)

On motion of Supervisor Connolly, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved, pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Paragraph Four, Section 11-102, a 35.5 percent reduction of the required on-site parking for Marantha Christian Fellowship Church, which is relocating to the Foster Office Building, 9401 Mathy Drive, Tax Map Reference 058-4-01-0051-D subject to the conditions outlined in the Memorandum to the Board dated July 21, 1997.

13. **A-2 - PARKING REDUCTION FOR TREE OF LIFE BIBLE CHURCH (SULLY DISTRICT)** (Tape 2)

On motion of Supervisor Frey, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved, pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Paragraph Four, Section 11-102, a 22.1 percent reduction of the required on-site parking for Tree of Life Bible Church, which is relocating to the Braddock Office Building, 13924 Braddock Road, Tax Map Reference 054-4-01-0035-A subject to the conditions outlined in the Memorandum to the Board dated July 21, 1997.

14. **A-3 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT FOR CONSTRUCTION OF THE ROBERTS PARKWAY OVERPASS OF THE SOUTHERN RAILWAY (BRADDOCK AND SPRINGFIELD DISTRICTS)** (Tape 2)

On motion of Supervisor Bulova, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and endorsed the Virginia Department of Transportation (VDOT) design plans for the construction of the Roberts Parkway Overpass of the Southern Railway from north of Burke Centre Parkway to New Guinea Road, and widening of New Guinea Road from Roberts Parkway to Guinea Road as presented at the June 12, 1997 public hearing, including the provision of an eight-foot asphalt trail on the east side of Roberts Parkway, and a five-foot concrete sidewalk on the west side.

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15. **A-4 - FAIRFAX CONNECTOR TRANSIT BUS FLEET REPLACEMENT POLICY AND PURCHASE OF TRANSIT BUSES (COUNTYWIDE)** (Tape 3)

(P) Supervisor Frey moved that the Board concur in the recommendation of staff and:

- Endorse the Transit Bus Fleet Replacement Policy for the FAIRFAX CONNECTOR;
- Approve the replacement of 17 transit buses at a cost of approximately \$4,335,000 for Fiscal Year (FY) 1998;
- Endorse the concept of a Bus Replacement Reserve, which will be funded with annual contributions; and
- Direct staff to develop recommendations for annual contributions based on available funding.

This motion was seconded by Supervisor Hyland.

Following discussion, with input from Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, the question was called on the motion which carried by unanimous vote.

16. **A-5 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT FOR CONSTRUCTION OF THE I-95/395/495 SPRINGFIELD INTERCHANGE (COUNTYWIDE)** (Tape 3)

Supervisor McConnell moved that the Board concur in the recommendation of staff and endorse the Virginia Department of Transportation (VDOT) design plans for construction of the I-95/395/495 Springfield Interchange and portions of other roadways including Franconia Road/Old Keene Mill Road from Commerce Street to Elder Avenue, Commerce Street/Loisdale Road from Old Keene Mill Road to Backlick Road, Amherst Avenue from Bland Street to Springfield Boulevard, and segments of Cabin John Road, Augusta Drive, Electronic Drive, Bison Street, and Apache Street, as presented at the June 19 and 20, 1997 public hearing subject to the conditions outlined in the Memorandum to the Board dated July 21, 1997. This motion was seconded by Supervisor Bulova.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Kauffman voting "NAY," Supervisor Dix being out of the room.

Supervisor Kauffman moved that the Board direct staff to include in the letter to Secretary of Transportation Martinez a request to include policy makers in the congestion management planning group. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Dix being out of the room.

17. **A-6 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - CORRECTIONAL HEALTH CLASS SERIES** (Tape 3)

On motion of Supervisor Gross, 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 amendments to the County's Classification and Compensation Plans necessary to establish the following classes:

- Correctional Health Nurse I - S-19 (\$31,382 - \$48,575);
- Correctional Health Nurse II - S-21 (\$34,485 - \$53,376);
- Correctional Health Nurse III - S-22 (\$36,092 - \$55,864);
- Correctional Health Nurse IV - S-26 (\$43,597 - \$67,479); and
- Correctional Health Services Administrator - S-27 (\$45,745 - \$70,804).

18. **C-1 - APPEAL OF THE CODE OF VIRGINIA, SECTION 15.1-456 DETERMINATION OF PUBLIC FACILITIES APPLICATION 456-L95-34, AMERICAN PCS, L.P. (LEE DISTRICT)** (Tape 3)

Based on the appellant's request for a deferral of the Board's consideration of Public Facilities Application 456-L-95-34, Supervisor Kauffman moved that the Board defer its consideration of this appeal until September 22, 1997. The attorney for the appellant is requesting an additional deferral on the same terms and conditions as the previous deferrals which were allowed by the Board regarding the appeal. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being out of the room.

19. **I-1 - CONTRACT AWARD - MERRITT ROAD SANITARY SEWER EXTENSION AND IMPROVEMENT (MASON DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 21, 1997 requesting authorization for staff to award a contract to Cube Construction Corporation in the amount of \$112,885 for construction of Merritt Road Sanitary Sewer Extension and Improvement, in Project X00825, Extension Projects Fiscal Year (FY) 1995, Subfund 524, Sewer Bond Extension and Improvement.

Following a brief discussion of this item, the staff was directed administratively to proceed as proposed.

20. **I-2 - FRANCONIA-SPRINGFIELD METRORAIL STATION OPENING (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated July 21, 1997 requesting authorization for staff to continue in Fiscal Year (FY) 1998 to carry out the data collection and service adjustment actions regarding the Franconia-Springfield Metrorail Station.

Supervisor Kauffman asked unanimous consent that the Board direct staff to prepare a Consideration Item to address overcrowding on the CONNECTOR route serving the Island Creek community along with service adjustments scheduled for September 1997. Without objection, it was so ordered.

Following discussion, with input from Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, Supervisor Dix asked unanimous consent that the Board direct staff to examine, in the context of reviewing the overall budget for bus service, the needs of the other areas of the County, including the western area. Without objection, it was so ordered.

Following further discussion, with input from Anthony H. Griffin, Acting County Executive, Chairman Hanley clarified the request as follows:

- Direct staff to return with an item on the August 4, 1997 agenda to address what service adjustments could be accomplished at no cost, and, if there is a cost, the budget implications.

Supervisor Gross noted there is a \$1.00 surcharge on several bus routes to encourage the use of Metro. In particular, on bus route 18E residents from Bren Mar Park and Edsall Park would actually have to drive several miles south, in the opposite direction of their destination, to reach the Metro Station. Several residents have indicated that, faced with this choice, they may abandon both the bus and rail and start driving to work.

Supervisor Gross asked unanimous consent that the Board direct staff to revisit bus route 18E to determine whether the surcharge may be unwarranted at this location. Without objection, it was so ordered.

Supervisor Kauffman referred to the second bullet on page 96 of the Memorandum to the Board dated July 21, 1997 and asked unanimous consent that the Board again go on record in support of the direct rail connection to the Franconia-Springfield Metrorail Station. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

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

ADDITIONAL BOARD MATTERS

21. **"HISPANIC HERITAGE MONTH"** (Tape 3)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the Office of Equity Programs and the Hispanic community to appear before the Board on September 8, 1997, to receive a proclamation declaring September 15 through October 15, 1997, as "**Hispanic Heritage Month**" in Fairfax County. This motion was seconded by Supervisor Dix and carried by unanimous vote.

22. **OUTSTANDING TELECOMMUTING/TELEWORK PROGRAM** (Tape 3)

Chairman Hanley announced that the County's telecommuting programs were recently honored by the International Telework Association as the Outstanding Telecommuting/Telework Program in a Government or Public Agency. The County was recognized in particular for its use of technological and human resources, and for the program's broad appeal to a variety of agencies and employees. Chairman Hanley congratulated staff for the excellent work which led to this recognition.

23. **COMPUTERIZED SIGNAL SYSTEM** (Tape 3)

Chairman Hanley referred to a letter, distributed to Board Members, from the Virginia Department of Transportation (VDOT) updating the status of the computerized signal system which is currently in the test and conditional acceptance phase.

24. **USE OF TRAINED BLOODHOUNDS AT THE DISTRICT OF COLUMBIA (DC) CORRECTIONAL FACILITY LOCATED AT LORTON** (Tape 3)

Chairman Hanley called the Board's attention to a letter received from the District of Columbia (DC) Department of Corrections in response to the Board's suggestion that bloodhounds be maintained on site at the Lorton Facility.

25. **ALLOCATION OF TRANSPORTATION FUNDS FOR FISCAL YEAR (FY) 1998-2003** (Tape 3)

With reference to a letter from Robert E. Martinez, Virginia Secretary of Transportation, regarding the allocation of transportation funds for the Fiscal Year (FY) 1998-2003 period, Chairman Hanley moved that the Board direct staff to:

- Review and discuss these and other concerns with the Virginia Department of Transportation (VDOT); and
- Invite VDOT to appear before the Board for a briefing on these outstanding issues.

This motion was seconded by Supervisor Kauffman.

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

Supervisor McConnell asked unanimous consent that the Board direct staff to provide a list of the contributions from other jurisdictions of the State towards their area highway projects. Without objection, it was so ordered.

26. **NORTHERN VIRGINIA TRAFFIC CALMING PILOT** (Tape 3)

Chairman Hanley moved that the Board direct the Office of Transportation to review the letter from the Virginia Department of Transportation (VDOT) regarding the Northern Virginia Traffic Calming Pilot and respond to the Board at its September 8, 1997 meeting. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

27. **NORTHERN VIRGINIA ACCESS TO HEALTH CARE CONSORTIUM** (Tape 3)

Chairman Hanley referred to a letter from Carol Jameson, Co-Chair of the Northern Virginia Access to Health Care Consortium and moved that the Board direct staff to submit a letter to the Joint Commission on Health Care indicating the Board's support of the guidelines endorsed by the Consortium. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

28. **NOISE ORDINANCE** (Tape 3)

Chairman Hanley asked unanimous consent that the Board direct staff to:

- Review the correspondence received from a constituent expressing concern about the hours noisy construction activities are allowed to occur in residential neighborhoods; and
- Submit its recommendations to the Board.

Without objection, it was so ordered.

29. **REPORT OF AUDIT COMMITTEE** (Tape 3)

Chairman Hanley called the Board's attention to the Report of Audit Committee Activities and moved that the Board adopt the Audit Committee's recommended work plan for the Auditor, as outlined in the Report, with the understanding that additional audit reviews may be added as necessary. This motion was seconded by Supervisor McConnell.

Supervisor Dix asked to amend the motion to include additional language in item number one to now read, "A review of the County's retirement systems, to include the administration of the Retirement System, to determine whether they are being funded appropriately," and this was accepted.

Following discussion, the question was called on the motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

30. **FIRE AND RESCUE GOLF TOURNAMENT** (Tape 3)

Chairman Hanley reminded Board Members of the invitation from the Fire and Rescue Retirement Association to participate in the activities of the Golf Tournament scheduled at the Country Club of Fairfax on July 28, 1997.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

31. **CONSIDERATION OF REVITALIZATION ISSUE AT CARRYOVER** (Tape 3)

Supervisor Mendelsohn moved that the Board direct the Acting County Executive to include a Consideration Item in the Budget Carryover dealing with funding for the consultants being used in the seven areas under consideration for different forms of revitalization in the County. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Frey being out of the room.

32. **RECOGNITION FOR ROBERT R. SPILLANE, SUPERINTENDENT OF SCHOOLS** (Tape 3)

Supervisor Mendelsohn moved that the Board direct staff to invite Robert R. Spillane, Superintendent of Schools, to appear before the Board on September 8, 1997 for recognition of his 12 years of service. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

PMH:pmh

33. **ADDITIONAL DISCUSSION REGARDING I-2 - FRANCONIA-SPRINGFIELD METRORAIL STATION OPENING (COUNTYWIDE)** (Tape 4)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#20.)

Supervisor Kauffman announced that his first Board Matter has already been addressed earlier in the meeting, during the discussion of Information Item I-2 - Franconia-Springfield Metrorail Station Opening (Countywide).

34. **ROSE HILL TEXACO STATION** (Tape 4)

Supervisor Kauffman stated that the Rose Hill Texaco Station located on Franconia Road has resubmitted Special Exception Amendment Application SEA 89-L-023-2. He noted that there were communication problems between the applicant and staff concerning the expiration date of the original application. The applicant missed the deadline to apply for an extension and the only remedy is to reapply for a new Special Exception Application. The new application contains the exact information as the original application including the same Site Plans.

Therefore, Supervisor Kauffman moved that the Board direct staff to work with the County Attorney's Office to determine if a reduction in the fees associated with the new application would be permissible. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

Supervisor Kauffman moved that the Board direct staff to simultaneously process the Site Plan and the Special Exception Application. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

35. **KINGSTOWNE TOWN CENTER** (Tape 4)

Supervisor Kauffman referred to the Kingstowne Town Center development and he moved that the Board direct staff to schedule a public hearing to be held before the Board on Proffered Condition Amendment Application PCA 84-L-020-13 and Final Development Plan Amendment Application FDPA 84-L-20-23 on August 4, 1997. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

36. **HELPING HANDS** (Tape 4)

Supervisor Kauffman referred to "Helping Hands" an organization that fosters the use of monkey help for the disabled. He noted that the Code of the County of Fairfax contains no provision that would permit the keeping of monkeys engaged in assistance to quadriplegics.

Therefore, Supervisor Kauffman moved that the Board direct staff to review the existing law regarding the use of monkeys for the disabled and propose an appropriate amendment to the Code of the County of Fairfax for Board consideration. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

37. **SPOT BLIGHT ABATEMENT PROGRAM** (Tape 4)

Supervisor Kauffman stated that under the Spot Blight Abatement legislation, repairs can be made and recovery for those costs can later be obtained from the owners of blighted property. He moved that the Board direct staff to include a Consideration Item at Carryover in the amount of \$50,000 for the Spot Blight Abatement Program. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Kathleen Mitchell, Director, Division of Revitalization, Department of Housing and Community Development (HCD), Supervisor Bulova asked to amend the motion to direct staff to provide a breakdown of how the current funds are being utilized, and this was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of eight, Supervisor Dix voting "NAY," Supervisor Mendelsohn being out of the room.

38. **REQUEST FOR PROCLAMATION FOR DEACON J. SIDNEY HOLLAND**
(Tape 4)

Supervisor Gross said that Deacon J. Sidney Holland is a long-time resident, community activist and leader in Fairfax County. His contributions are invaluable, including over 20 years of service on the Human Rights Commission. She added that Deacon Holland will turn 90 years old on August 13, 1997.

Supervisor Gross moved that the Board:

- Proclaim August 13, 1997 as "**J. Sidney Holland Day**" in Fairfax County; and
- Direct staff to prepare a Proclamation to be delivered to Deacon Holland in honor of this event.

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

39. **REQUEST TO PROCESS THE SITE PLAN ASSOCIATED WITH VARIANCE APPLICATION VC 97-M-068 (BEATTY DEVELOPMENT CORPORATION) CONCURRENTLY** (Tape 4)

Supervisor Gross said that Beatty Development Corporation has submitted Variance Application VC 97-M-068 to the Board of Zoning Appeals (BZA) for property known as the Little River Shopping Center in Annandale. To expedite the process, the applicant has requested that the Site Plan be processed concurrently with the Variance Application.

Therefore, Supervisor Gross moved that the Board direct staff to process the Site Plan associated with this application concurrently. This motion should not be construed as a favorable recommendation on the Variance Application by the Board, and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

40. **SKYLINE ENTRE LIMITED PARTNERSHIP SPECIAL EXCEPTION AND REZONING APPLICATIONS** (Tape 4)

Supervisor Gross said that Skyline Entre Limited Partnership, an affiliate of Uniwest Construction, has filed Special Exception and Rezoning Applications for property located on Columbia Pike at Baileys Crossroads. The subject property includes a stub portion of O'Shaughnessy Drive, which Skyline Entre has also applied to have vacated.

Therefore, Supervisor Gross moved that the Board:

- Allow the existing O'Shaughnessy Drive right-of-way to be included in Skyline Entre's Special Exception and Rezoning Applications. This motion should not be construed as indicative of the Board's future action on the applications; and
- Direct staff to schedule the Planning Commission and Board public hearings as soon as possible following the new Comprehensive Plan adoption.

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

41. **REQUEST TO PROCESS THE NECESSARY PLANS ASSOCIATED WITH APPLICATIONS FILED BY MCDONALD'S FOR RESTAURANTS IN THE MASON DISTRICT** (Tape 4)

Supervisor Gross stated that the McDonald's Corporation is in the process of converting many Roy Rogers restaurants to McDonald's restaurants. To rebuild two existing Roy Rogers restaurants in the Mason District, McDonald's will be filing Special Exception Amendment Applications for restaurants located at 7265 Arlington Boulevard and 5603 Leesburg Pike.

To allow McDonald's to meet its regional marketing schedule, Supervisor Gross moved that the Board direct staff to process the necessary plans associated with these applications concurrently. This motion should not be construed as a favorable recommendation on the Special Exception Amendment Applications by the Board, and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

42. **PERMITS FOR TEMPORARY RETAIL USE** (Tape 4)

Supervisor Hyland referred to the issuing of permits for temporary retail uses and whether the Zoning Ordinance can be amended to limit such uses to the sale of seasonal items to benefit community non-profits. He said that staff reports that temporary retail sales activities remaining on commercially zoned sites after 21 days has elapsed is a Countywide problem. He said that appeals are allowed which in turn allows the violator to remain an additional 90 days.

Therefore, Supervisor Hyland moved that the Board direct staff to consider and propose revisions to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) which would include:

- Elimination of appeal for anyone who stays beyond the 21 day temporary permit provisions;
- A substantial daily penalty for carryover against the operator and owner of the property;
- Granting Fairfax County the right to remove items and charge the operator and property owner; and
- Denying future permits to violators.

This motion was seconded by Supervisor McConnell. Following discussion, Supervisor McConnell asked to amend the motion to direct staff to address the issue of individuals using the names of organizations to be able to use temporary permits so that they can operate in direct competition with other businesses

who are properly licensed, and this was accepted.

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

43. **RECOGNITION OF MS. ADELE BREAUX** (Tape 4)

Supervisor Bulova explained that on Arbor Day, April 28, 1989, the Braddock District Council and she initiated the Braddock District Tree Planting Project. The project's goal was to "put the green" back into Braddock Road, which had just been widened. She described the development of the program noting that it shifted into full gear when Adele Breaux became Project Coordinator in 1992.

Noting the many accomplishments of Ms. Breaux as Project Coordinator, Supervisor Bulova announced that Ms. Breaux is stepping down from her position. Accordingly, Supervisor Bulova moved that the Board direct staff to invite Ms. Breaux to appear before the Board to be thanked and recognized for her remarkable and outstanding contribution to the Braddock District community. 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.

44. **RECOGNITION OF ANNANDALE ROTARY AND ANNANDALE UNITED METHODIST CHURCH FOR PROGRAM FOR CHILDREN FROM BELARUS**
(Tape 4)

Supervisor Bulova called the Board's attention to an article in the July 7, 1997 issue of *The Washington Post* that described a program that provides children from Belarus, near the Chernobyl nuclear reactor, with a summer in Northern Virginia. The program is largely sponsored through the Annandale Rotary and the Annandale United Methodist Church. Area dentists provide free dental care for the children.

Supervisor Bulova moved that the Board direct staff to invite Mr. Royce Garrett and Pastor Wasena Wright of the Annandale Rotary to appear before the Board to provide more information about the program and to be presented with a Certificate of Appreciation for their efforts. This motion was seconded by Supervisor Gross.

Following discussion, Supervisor Frey asked to amend the motion to direct staff to invite the children to also attend the Board meeting, and this was accepted.

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

45. **UPDATE FROM THE MEETING REGARDING THE TANKER SPILLS/OVERTURNS LOCATED AT I-495 AND ROUTE 236 MEETING** (Tape 4)

Supervisor Bulova referred to the recent meeting regarding the Tanker Spills/OvertURNS located at I-495 and Route 236 meeting and reported on changes taking place as a result of this meeting.

NV:nv

46. **LIGHTING AND BLEACHERS FOR BALL FIELDS AT LUTHER JACKSON INTERMEDIATE SCHOOL** (Tape 5)

Supervisor Connolly reminded the Board that there have been two developments in the Merrifield area of the Providence District in which money for improvements to the ballfields at Luther Jackson Intermediate School were proffered. The first was the Mobil Land Restaurant Park and, most recently, Jefferson Park. He noted that the addition of lighting and bleachers would increase the potential use of the facility and expand the number of activities which could be held there.

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

- Provide an estimate for including lighting and bleachers to the work already being done to the ballfields at Luther Jackson Middle School; and
- Include this item on the list for consideration at Carryover.

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

Chairman Hanley clarified that nearly all the funds from the proffers have been expended. Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked unanimous consent that the Board direct the County Attorney to provide a legal review regarding money in escrow from proffers and whether there are funds available to be expended on projects not already designated.

Supervisor Connolly asked to amend the request to direct staff to provide an accounting of the \$6.8 million and for which projects they are designated. Without objection, the request, as amended, was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

With reference to an article in the newspaper on this subject, and with input from Anthony H. Griffin, Acting County Executive, Supervisor Connolly pointed out that the newspaper vending machines in front of the Government Center were stocked today with the *Alexandria Journal*, not the *Fairfax Journal*.

47. **SCHEDULING OF PUBLIC HEARING FOR SPECIAL EXCEPTION**

APPLICATION SE 94-P-020 (Tape 5)

Supervisor Connolly stated that the McDonald's Corporation and Citibank FSB have filed Special Exception Application SE 94-P-020 for property identified as Tax Map Reference 29-3((1))48C and 49. The parcels are located on the north side of Route 7, west of its intersection with Spring Hill Road. The application was originally filed in 1994 and sought approval of a fast food restaurant with a drive-thru facility and a service station with a car wash and fast food market. Considerable time has elapsed since the initial filing and an amended Special Exception application has been filed for a fast food restaurant with a drive-thru facility and a bank with a drive-thru on this site. The Planning Commission held its public hearing on July 17, 1997 and is forwarding a recommendation for approval.

Accordingly, Supervisor Connolly moved that the Board direct staff to schedule the public hearing for Special Exception Application SE 94-P-020 to be held before the Board on September 8, 1997. He noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

48. **CONCURRENT PROCESSING OF SITE PLANS ASSOCIATED WITH SPECIAL EXCEPTION AND PROFFERED CONDITION AMENDMENT APPLICATIONS FOR PROPERTY LOCATED AT 8501 ARLINGTON BOULEVARD** (Tape 5)

Supervisor Connolly stated that Prosperity Professional Center, L.L.C., has recently filed Proffered Condition Amendment Application PCA 74-7-057 and a Special Exception Application for the property located at the southeast intersection of Prosperity Avenue and Route 50. The approved Rezoning Application currently permits 250,000 square feet of office use. The applicant has proposed a creative redesign of the property that reduces the total amount of office use to 200,000 square feet and adds an extended stay hotel use to the property.

Accordingly, Supervisor Connolly moved that the Board direct the Director of the Department of Environmental Management (DEM) and the Director of the Office of Comprehensive Planning (OCP) to concurrently process the necessary plans associated with the Special Exception and Proffered Condition Amendment Applications on property identified on Tax Map Reference 49-3((1))101 and located at 8501 Arlington Boulevard. He noted that this motion does not relieve the applicant from complying with all regulations, ordinances or adopted standards, and does not prejudice the consideration of this application in any way. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

49. **CONCURRENT PROCESSING OF SITE PLANS ASSOCIATED WITH A SPECIAL EXCEPTION APPLICATION FOR PROPERTY LOCATED AT 8111 LEESBURG PIKE** (Tape 5)

Supervisor Connolly reminded the Board that the McDonald's Corporation is in the process of converting many of the Roy Rogers' Restaurants in Northern Virginia, the District of Columbia (DC), and Maryland. As a result, the McDonald's Corporation will be filing a Special Exception Application on property located at 8111 Leesburg Pike at the end of July to rebuild this facility with a drive-thru. The applicant has requested concurrent processing of the plans to allow the restaurant to be rebuilt and opened in December of 1998.

Accordingly, Supervisor Connolly moved that the Board direct the Director of the Department of Environmental Management (DEM) and the Director of the Office of Comprehensive Planning (OCP) to concurrently process the necessary plans associated with the Special Exception and Proffered Condition Amendment Applications on property identified on Tax Map Reference 39-2((2)) parcel 54 and located at 8111 Leesburg Pike. He noted that this motion does not relieve the applicant from complying with all regulations, ordinances or adopted standards, and does not prejudice the consideration of this application in any way. This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Hyland being out of the room.

50. **INTENT TO DEFER THE PUBLIC HEARING FOR REZONING APPLICATION RZ 96-P-009** (Tape 5)

Supervisor Connolly announced his intent to defer, at the appropriate time, the public hearing for Rezoning Application RZ 96-P-009 (Hunting Ridge Associates, L.L.C.) which is scheduled for 4:00 p.m. today.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#80.)

51. **CONCURRENT PROCESSING OF SITE PLANS AND SPECIAL EXCEPTION APPLICATION SE 97-Y-017 FOR KINDERCARE LEARNING CENTERS** (Tape 5)

Supervisor Frey stated that Kindercare Learning Centers has filed Special Exception Application SE 97-Y-017 for a child care center in the McLaren Square Shopping Center. The application has received a recommendation for approval from both the staff and the Planning Commission. The applicant has requested to submit the necessary minor Site Plan for concurrent review with the Special Exception Application. The applicant is willing to assume the risk of such a Site Plan filing prior to approval of the application by the Board and acknowledges that this is not an indication that the Special Exception Application will be approved.

Accordingly, Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept the necessary plans for concurrent processing. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hyland being out of the room.

52. **EXPEDITED SCHEDULING FOR PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 82-S-036 AND PCA 81-S-124, CENTEX HOMES** (Tape 5)

Supervisor Frey stated that Proffered Condition Amendment Applications PCA 82-S-036 and PCA 81-S-124 in the name of Centex Homes, have been filed to request a text change to the approved proffers regarding the sale of 22 units to allow the sale of these units through the Fairfax County First Time Homebuyers Program (ADU) provisions instead of the Department of Housing and Community Development's (HCD) MID's Program. The applicant requested an interpretation that would allow the change from the MID's to the ADU's, but the proffers specifically referenced the MID's Program and the Zoning Administrator could not render a favorable response.

To clarify the issue and simplify the process to market the units, Supervisor Frey moved that the Board direct staff to expedite the scheduling of the public hearings to be held before the Planning Commission and the Board for Proffered Condition Amendment Applications PCA 82-S-036 and PCA 81-S-124. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland being out of the room.

53. **RECOGNITION OF COACH KENNY MEIER FROM CHANTILLY HIGH SCHOOL** (Tape 5)

Supervisor Frey announced that Coach Kenny Meier of Chantilly High School has retired from his position as head coach of the football team and will be moving to another high school in another district. Citing Coach Meier's success and influence, Supervisor Frey moved that the Board direct staff to invite Mr. Meier to appear before the Board on August 4, 1997 to be recognized and thanked for his accomplishments. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Hyland being out of the room.

54. **WAIVER OF SUBDIVISION FEES FOR PROPERTY LOCATED AT BURKE LAKE ROAD AND BURKE ROAD** (Tape 5)

Supervisor McConnell stated that the County is in the process of formally subdividing a parcel of land which it owns at the intersection of Burke Lake Road and Burke Road, and which is shown on the County Property Identification Map as Tax Map Number 78-1((1)) Parcel 27. The approval of a Subdivision Plat is required because Parcel 27 was divided into four subparcels as a result of the County's having built the intersection of Burke Lake Road and Burke Road in the middle of the parcel.

Supervisor McConnell reported that staff has advised her that even though this is Board-owned land and the Board's subdivision, subdivision fees have to be paid unless waived. Accordingly, Supervisor McConnell moved that the Board waive all Department of Environmental Management (DEM) fees associated with the subdivision of Tax Map Number 78-1((1)) Parcel 27. This motion was seconded by Chairman Hanley.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, the question was called on the motion which carried by a vote of nine, Supervisor Hyland being out of the room.

55. **CANADA GEESE POPULATION CONTROL** (Tape 5)

Supervisor McConnell reported that on July 8, 1997 nearly 400 Canada geese were rounded up and slaughtered in the County as part of the United States Department of Agriculture's (USDA) animal damage control program. She noted that her office received many calls on this issue. She distributed to the Board copies of an article from the July 9, 1997 edition of *The Washington Post* on this issue. Prior to this year, the geese population control was handled in a more humane manner by sending the geese to preserved nature habitats and other rural areas. She noted that since mid-June Virginia officials have captured about 1700 geese and expect to have captured over 2000 by the end of the campaign at the end of this month.

Supervisor McConnell asked unanimous consent that the Board direct staff to determine whether the Board or an appropriate County agency was notified of this slaughter and if not, why. She noted that it is imperative that the Board be apprised of such decisions within the County. Without objection, it was so ordered.

Accordingly, Supervisor McConnell moved that the Board request the Chairman to write a letter to the USDA requesting:

- That the Board be notified of such decisions affecting the County;
- Clarification of the federal procedures on goose population control for future reference; and
- An answer to the question of what role the Board will play in working with the federal government to find a better solution to the problem of goose overpopulation because the Members of the Board are responsible for acting fairly and humanely in dealing with County wildlife.

Supervisor McConnell stated that the Board, as representatives of the County, must do all it can to find a more humane solution to this problem. This motion was seconded by Supervisor Mendelsohn.

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

56. **RECOGNITION OF MASTER POLICE OFFICER DEMPSEY DEE WILSON ON THE OCCASION OF HIS RETIREMENT** (Tape 5)

Supervisor McConnell announced that Master Police Officer Dempsey Dee Wilson has retired after 23 years of laudable service with three of those years in the Crime Prevention area. She asked unanimous consent that the Board direct staff to invite Officer Wilson to appear before the Board at the next available meeting for recognition of his work. She shared his accomplishments with the Board. Without objection, it was so ordered.

57. **COUNTY HEALTH INSURANCE ISSUE** (Tape 5)

Supervisor McConnell stated that a dilemma facing a County employee's family health insurance was recently called to her attention. She noted that the County's current benefit plan does not allow an employee to drop health insurance coverage outside the open enrollment period in a situation where the employee's spouse has the opportunity to enroll the family in a new type of plan available through his/her employer.

Supervisor McConnell stated that in the particular situation to which she referred the employee's wife had the opportunity to enroll in a new plan that would have included the family's current physicians and would have saved them \$720 in premiums, not to mention saving the \$4,613.36 in annual contributions made by the County for the existing family coverage. The enrollment periods were exactly six months apart so the family would either have to forego coverage for six months or pay premiums for two family coverages for that period.

Accordingly, Supervisor McConnell asked unanimous consent that the Board direct staff to review this situation and report on available options for changes to the County Plan that could be pursued to remedy this particular problem. Without objection, it was so ordered.

58. **TRANSPORTATION ADVISORY COMMISSION'S (TAC) SPOT IMPROVEMENT PROGRAM** (Tape 5)

Supervisor McConnell stated that for the past three years the Transportation Advisory Commission (TAC) has recommended a program of spot improvements based upon identified needs within each District. The Board subsequently considered funding for the top spot improvement projects prioritized by the TAC. The Board and TAC desires to continue to identify these relatively low cost transportation improvements for consideration in the future.

Accordingly, Supervisor McConnell moved that the Board direct TAC to:

- Again solicit rank ordered suggestions, from the District Councils, or other appropriate representative groups, for additional spot improvement projects in each District for subsequent prioritization by the TAC in the coming year; and
- Report with recommendations for consideration by the Board.

The second to this motion was indistinguishable.

Supervisor Frey asked to amend the motion to direct staff to update the list that shows the progress on the previously adopted spots, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland being out of the room.

59. **TRANSPORTATION SUMMIT** (Tape 5)

Supervisor McConnell reported on the plans for the Transportation Summit scheduled for September 12, 1997 at the Government Center from 8:00 a.m. until 3:00 p.m. She indicated that the Summit needs a budget allocation of \$8254 from the County.

Accordingly, Supervisor McConnell moved that the Board fund the proposed budget for the Transportation Summit in the amount of \$8254. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Hyland being out of the room.

60. **LETTER FROM ROBERT J. HEITTMAN, LEE DISTRICT REPRESENTATIVE TO THE TRANSPORTATION ADVISORY COMMISSION (TAC) TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (Tape 5)

Supervisor McConnell stated that she had received a copy of a letter from Robert J. Heittman, Lee District Representative to the Transportation Advisory Commission (TAC), to Thomas Farley of the Virginia Department of Transportation (VDOT). She stated her objections to the views expressed in the letter.

Supervisor McConnell moved that the Board send a letter to the VDOT assuring them of the qualifications of the County staff and confirming the Board's position on the Single-Occupancy Vehicle (SOV) access, with a copy to staff.

Following a brief discussion, this motion was seconded by Supervisor Bulova.

The question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Kauffman voting "NAY," Supervisor Hyland being out of the room.

61. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-H-065 (VAN METRE AT WOODLAND PARK LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Dix announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Proffered Condition Amendment Application PCA 94-H-065 until October 6, 1997 at 4:00 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#84.)

62. **TOWN CENTER TOWER, LLC -- DEVELOPMENT PLAN AMENDMENT APPLICATION DPA 85-C-088-2** (Tape 5)

(NOTE: On July 21, 1997, the Board deferred the public hearing on Development Plan Amendment Application DPA 85-C-088-2 until **September 8, 1997 at 4:30 p.m.**)

63. **WITHDRAWAL OF FINAL DEVELOPMENT PLAN APPLICATION FDP 86-C-054** (Tape 5)

Supervisor Dix said that Final Development Plan Application FDP 86-C-054 was filed on behalf of the Board on February 24, 1994, to permit the development of a Park-and-Ride facility, known as Reston East, for an 8.06 acre site zoned in the PDC District, which is located on Tax Map Reference 18-3((1))11B and part of 11C. This application has been superseded by subsequent events, specifically the relocation of the Reston East Park-and-Ride facility to a location on Wiehle Avenue.

Therefore, Supervisor Dix moved that the Board withdraw Final Development Plan Application FDP 86-C-054. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Hyland being out of the room.

64. **OUT-OF-TURN PLAN AMENDMENT - LAND UNIT A OF THE DULLES SUBURBAN CENTER** (Tape 5)

Supervisor Dix referred to his written Board Matter and moved:

- That the Board authorize an Out-of-Turn Plan Amendment to consider changes to the baseline recommendations of the Comprehensive Plan for Land Unit A of the Dulles Suburban Center which would link future residential development to the provision of appropriate community-serving public facilities;

- That the options which provide opportunities for high-density mixed-use development around the transit station be reviewed to be consistent with the study of rail transit in the Dulles Corridor;
- That several nominations to amend the Plan recommendations for parcels in Land Unit A which were submitted as a part of the Area Plans Review (APR) process be considered within the context of the Out-of-Turn Plan Amendment to address the nominations collectively, and in the context of the staff study; and
- That the Board direct staff to bring the proposed amendments forward for consideration in the fall of this year, during the same time frame as the scheduling the 1997 APR items.

Supervisor Dix noted that during the evaluation of the Plan Amendment, to the extent allowed by law, all pending rezoning applications in Land Unit A will be deferred until completion of consideration of the proposed Plan Amendment by the Planning Commission and Board.

This motion was seconded by Supervisor McConnell.

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

65. **UPDATE ON PARK-AND-RIDE IN LOUDOUN COUNTY** (Tape 5)

Supervisor Dix reminded the Board that on June 23, 1997 he reported on the State's appropriation of surplus tolls from the Dulles Toll Road to a park-and-ride in Loudoun County. He stated that at last week's meeting of the Transportation Planning Board (TPB) he asked for reconsideration of that decision. He noted that he and Chairman Hanley were successful in working with their regional colleagues to delete the reference to the transit set-aside reserve account as being a source of funding for that project which allows Loudoun County to proceed with their grant. Also, a request has been made through Delegate Kenneth R. Plum for an opinion from the Attorney General regarding the legal authority for the Virginia Department of Transportation (VDOT) to utilize funds for projects outside of the legislatively defined Dulles Corridor.

66. **RECOGNITION OF MS. CRISTINE LITZENBURG** (Tape 5)

Supervisor Dix announced that Ms. Cristine Litzenburg is leaving County employment and he asked unanimous consent that the Board direct staff to invite her to appear before the Board to be acknowledged for her service to the County. Without objection, it was so ordered.

67. **CAMPAIGN OF MOUNT VERNON DISTRICT SUPERVISOR GERALD W. "GERRY" HYLAND FOR NATIONAL ASSOCIATION OF COUNTIES (NACO) OFFICE** (Tape 5)

Supervisor Dix acknowledged the efforts of Supervisor Hyland who had campaigned for the office of First Vice-President for the National Association of Counties (NACo). Unfortunately, he was unsuccessful in that effort.

68. **ABSENCE OF HUNTER MILL DISTRICT SUPERVISOR ROBERT B. DIX, JR., ON AUGUST 4, 1997** (Tape 5)

Supervisor Dix announced that he would be absent from the August 4, 1997 meeting of the Board because he would be traveling out of the area.

69. **LITTLE LEAGUE BASEBALL PRACTICE FIELD** (Tape 5)

Supervisor Dix announced that the District Four Little League Baseball Championship Tournament was held at West Gate Park this past weekend with Reston American defeating Vienna American in the championship game. However, Reston American has been advised by the Park Authority that they will be unable to use their usual lighted field to practice for the State Tournament in Danville this weekend. Supervisor Dix referenced the restriction on the use of the lighted field for "games, playoffs, and tournaments," but noted that there is no specific reference to "practice" for the aforementioned events.

After providing more details on the subject, Supervisor Dix moved that the Board direct the County Attorney's Office to work with the Park Authority Board and Park Authority staff to address the issue of providing practice facilities under lights for teams that have the opportunity to represent the County in tournaments. This motion was seconded by Supervisor McConnell.

Following discussion, with input from David P. Bobzien, County Attorney, and Anthony H. Griffin, Acting County Executive, Chairman Hanley relinquished the Chair to Acting-Chairman Kauffman and moved a substitute motion to direct staff and the County Attorney to examine the Park Authority to report to the Board as to where there are Master Plans that have these kinds of restrictions on lights and uses before the Board moves to amend the Plans.

Following further discussion, Supervisor Dix amended the main motion to make it site specific to the Hunter Mill District, and this was accepted.

Chairman Hanley withdrew her substitute motion.

Acting-Chairman Kauffman returned the gavel to Chairman Hanley.

Supervisor Dix restated his motion, as amended, as follows:

- That the Board direct the County Attorney to work with the Park Authority Board and the Park Authority staff to address the issues of access to use at Park Authority facilities in the Hunter Mill District relative to practice time access to those facilities.

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

Chairman Hanley noted that this item would return to the Board.

Supervisor McConnell moved that the Board refer the issue of using public money on lighting County parks by right to the Legislative Committee for review. This motion was seconded by Supervisor Dix.

Following discussion, with input from Mr. Bobzien, Supervisor Connolly moved to amend the motion to send this issue to the Legislative Committee to determine if there is a need for additional legislative authority, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Dix raised a question regarding why his item would require further review by the Board and discussion ensued with input from Mr. Bobzien regarding any possible legal implications.

70. **LAST BOARD MEETING FOR ANTHONY H. GRIFFIN AS ACTING COUNTY EXECUTIVE** (Tape 6)

Supervisor Gross announced that today's meeting is the last Board meeting for Anthony H. Griffin to serve as Acting County Executive and sit at the dias. She expressed her appreciation to Mr. Griffin for his work as Acting County Executive since October 28, 1996. The Board gave Mr. Griffin a round of applause.

71. **RECESS/EXECUTIVE SESSION** (Tape 6)

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

- Discussion of matters set forth in *Virginia Code* Section 2.1-344(21); and
- Status of Erroneous Tax Assessment Litigation.

This motion was seconded by Supervisor Bulova.

Supervisor Dix asked to amend the motion to direct the County Attorney to provide a briefing on the status of the Board Item of June 23, 1997 relating to Amalgamated Transit Union (ATU), and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Hyland being out of the room.

Chairman Hanley announced that the Board would convene Executive Session at 2:00 p.m.

SBE:sbe

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

ACTIONS FROM EXECUTIVE SESSION

72. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 7)

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

73. **AUTHORIZATION OF SETTLEMENT OF NEWBRIDGE NETWORKS, INCORPORATED VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW NUMBER 157939** (Tape 7)

Supervisor Mendelsohn moved that the Board authorize the settlement of *Newbridge Networks, Incorporated versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 157939, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hyland being out of the room.

74. **AUTHORIZATION OF SETTLEMENT OF THE GRIEVANCE FILED BY LARRY C. NEIDIG NOW PENDING BEFORE THE FAIRFAX COUNTY CIVIL SERVICE COMMISSION** (Tape 7)

Supervisor Gross moved that the Board authorize the settlement of the grievance filed by Larry C. Neidig now pending before the Fairfax County Civil Service Commission according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Hyland being out of the room.

AM:am

ADDITIONAL BOARD MATTER

75. **PRESENCE OF THOMAS RUST, MAYOR, TOWN OF HERNDON, IN THE BOARD AUDITORIUM** (Tape 8)

Chairman Hanley recognized the presence of Thomas Rust, Mayor, Town of Herndon, and warmly welcomed him to the Board Auditorium.

76. **3:30 P.M. - PH REGARDING THE CONVEYANCE OF PORTIONS OF COUNTY-OWNED PROPERTY LOCATED AT THE INTERSECTION OF BURKE LAKE ROAD AND BURKE ROAD (SPRINGFIELD DISTRICT)** (Tape 8)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 3 and July 10, 1997.

Following the public hearing, Supervisor McConnell moved adoption of the Resolution to convey portions of County-owned property located at the intersection of Burke Lake Road and Burke Road, Tax Map Number 78-1 ((1)) part 27 (two portions consisting of approximately 879 square feet and 59,894 square feet) and contiguous, previously abandoned portions of the former alignment of Burke Road to Burke Village Associates Limited Partnership or its designee. This motion was seconded by Supervisor Mendelsohn and carried by a vote of six, Supervisor Dix, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Connolly, Supervisor Frey, and Supervisor Hyland being out of the room.

77. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-M-014 (EXXON CORPORATION) (MASON DISTRICT)** (Tape 8)

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

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

Following the public hearing, Gregg Russ, 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 97-M-014 subject to the development conditions dated July 16, 1997. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Hyland being out of the room.

78. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-D-015 (YEONAS AND ELLIS LANGLEY COURT, L.L.C.) (DRANESVILLE DISTRICT)** (Tape 8)

Mr. William B. Lawson, Jr. 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, which included testimony by three speakers, Inda Stagg, 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 97-D-015 subject to the development conditions dated July 11, 1997;
- Modification of the transitional screening requirements on the east, west, and south side of the sewerage pumping facility to allow the installation of one row of six to seven foot high evergreens at planting to satisfy the TS-3 requirements;
- Waiver of the transitional screening requirements on the north side of the sewerage pumping facility; and
- Waiver of the barrier requirement on all sides of the sewerage pumping facility.

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

79. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX CREATING A NEW CHAPTER 71 (EXPEDITED BUILDING PLAN REVIEW)** (Tape 8)

- (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 July 3 and July 10, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, creating a new Chapter 71 (Expedited Building Plan Review) **to become effective on August 1, 1997 at 12:01 a.m.**

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

80. **4:00 P.M. - PH ON REZONING APPLICATION RZ 96-P-009 (HUNTING RIDGE ASSOCIATES, L.L.C.) (PROVIDENCE DISTRICT)** (Tape 8)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 96-P-009 to a time yet to be determined. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

81. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-448-15 (KINGSTOWNE SHOPPING CENTER I, LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tape 8)

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Warren E. Halle.

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 Proffered Condition Amendment Application PCA C-448-15 subject to the executed proffers dated July 7, 1997; the Planning Commission having previously approved Final Development Plan Amendment Application FDPA C-448-5-2 on July 12, 1997; and
- Modification of the transitional screening and waiver of the barrier requirements, in favor of those indicated on the Final Development Plan (FDP).

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.

ADDITIONAL BOARD MATTER

82. **WELCOME TO J. A. MYERBERGER FROM BOY SCOUT TROOP 198** (Tape 8)

Supervisor McConnell recognized the presence of J. A. Myerberger from Boy Scout Troop 198, and warmly welcomed him to the Board Auditorium.

83. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT), APPENDIX F, AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AF 96-S-002 (ERNESTO V. AND NILA M. CASTRO) (SPRINGFIELD DISTRICT)** (Tape 8)

- (O) Ms. Nila M. Castro reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), Appendix F, to establish the Castro Local Agricultural and Forestal District AF 96-S-002, subject to the proposed provisions contained in Appendix One of the staff report. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Hyland being out of the room.

84. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-H-065 (VAN METRE AT WOODLAND PARK LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 8)

Supervisor Dix moved to defer the public hearing on Proffered Condition Amendment Application PCA 94-H-065 until **October 6, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Hyland being out of the room.

85. **4:00 P.M. - PH REGARDING THE LEASING OF COUNTY-OWNED PROPERTY LOCATED AT 5690 SULLY ROAD TO THE CENTREVILLE PRESBYTERIAN CHURCH (SULLY DISTRICT)** (Tape 8)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 3 and July 10, 1997.

Following the public hearing, Supervisor Frey moved that the Board:

- Adopt the Resolution to lease County-owned property located at 5690 Sully Road to the Centreville Presbyterian Church, Tax Map Number 54-4 (area dedicated to public street purposes at intersection of Route 28 and Route 66) in accordance with terms and provisions provided for in the lease agreement revised and dated July 21, 1997; and
- Authorize the Acting County Executive, County Executive or the Deputy County Executive for Planning and Development to execute such an agreement.

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

86. **4:30 P.M. - PH ON REZONING APPLICATION RZ 95-P-026 (CENTEX HOMES, A NEVADA GENERAL PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tapes 8-9)

- (O) Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

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

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

Following discussion, Supervisor Connolly moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-P-026 be amended from the R-1, R-2, and Highway Corridor Overlay Districts to the R-8 and Highway Corridor Overlay Districts subject to the execution of the proffers dated July 11, 1997;
- Modification of the transitional screening and waiver of the barrier requirements to those shown on the Generalized Development Plan (GDP);
- Waiver of the 600-foot maximum length for private streets; and
- Waiver of the service drive requirement.

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

87. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-L-009 (SYED ASLAM ALI) (LEE DISTRICT)** (Tape 9)

Supervisor Kauffman moved to defer the public hearing on Special Exception Application SE 97-L-009 until **August 4, 1997 at 5:00 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

88. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-L-077 (POTTERS GLEN COMMUNITY ASSOCIATION, INCORPORATED) (LEE DISTRICT)** (Tape 9)

Supervisor Kauffman moved to defer the public hearing on Proffered Condition Amendment Application PCA 86-L-077 until **August 4, 1997 at 5:00 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

89. **4:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S94-II-F2 FOR THE AREA NORTH OF UNIVERSITY DRIVE, EAST OF OX ROAD, ADJACENT TO THE CITY OF FAIRFAX, IN THE GEORGE MASON COMMUNITY PLANNING SECTOR (BRADDOCK 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 July 3 and July 10, 1997.

Following the public hearing, Supervisor Bulova moved approval of Out-of-Turn Plan Amendment S94-II-F2 as shown in the recommendations on pages seven, eight, and nine of the staff report. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Hyland being out of the room.

90. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-L-077 (POTTERS GLEN COMMUNITY ASSOCIATION, INCORPORATED) (LEE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#88.)

ADDITIONAL BOARD MATTER

91. **NOTIFICATION BY THE FAIRFAX COUNTY POLICE OF AN INDICTMENT FOR THE MURDER OF MS. SANDRA ZEMBRUSKI** (Tape 9)

Supervisor Connolly announced that earlier in the day the Police Department distributed a notification of an indictment for the murder and attempted robbery involving Sandra Zembruski who was a Fairfax County employee and a resident of the Providence District.

92. **BOARD ADJOURNMENT** (Tape 9)

At 5:45 p.m., the Board adjourned.