



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
March 24, 2003**

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PW:pw

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

Supervisor Mendelsohn arrived at 12:45 p.m.

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

(NOTE: Supervisor Mendelsohn was attending a meeting of the Chesapeake Bay Local Assistance Board. See page 5.)

BOARD MATTER

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

Chairman Hanley asked everyone to remember in thoughts and prayers the armed forces and reservists and their families during this time of war.

AGENDA ITEMS

2. **RESOLUTION OF RECOGNITION PRESENTED TO MS. LU ELLINGWOOD** (Tape 1)

Supervisor McConnell moved approval of the Resolution of Recognition presented to Ms. Lu Ellingwood for her service on the Homeless Oversight

Committee. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO MR. STEVE TITUNIK, MS. JENNIFER FINSTEIN, AND STATE TROOPER MICHAEL WALTER** (Tape 1)

Supervisor McConnell moved approval of the Certificates of Recognition presented to Mr. Steve Titunik, Ms. Jennifer Finstein, and State Trooper Michael Walter for addressing the safety challenges in driving of high school students. Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Connolly being out of the room, Supervisor Mendelsohn not yet having arrived.

4. **PROCLAMATION DESIGNATING APRIL AS "CHILD ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate April as "*Child Abuse Prevention Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Connolly being out of the room, Supervisor Mendelsohn not yet having arrived.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO "FOR INSPIRATION AND RECOGNITION OF SCIENCE TECHNOLOGY" (FIRST) LEGO LEAGUE TEAMS** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to FIRST Lego League Teams from Hunters Woods Elementary School for their accomplishments. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Connolly being out of the room, Supervisor Mendelsohn not yet having arrived.

6. **PROCLAMATION DESIGNATING APRIL 7-13 AS "PUBLIC HEALTH WEEK" IN FAIRFAX COUNTY AND CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE FAIRFAX COUNTY BIOTERRORISM MEDICAL ACTION TEAM** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate April 7-13 as "*Public Health Week*" in Fairfax County. Supervisor McConnell and Vice-Chairman Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

Chairman Hanley moved approval of the Certificate of Recognition presented to the members of the Fairfax County Bioterrorism Medical Action Team. Vice-Chairman Hyland seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

7. **PROCLAMATION DESIGNATING MARCH 24 AS "TUBERCULOSIS (TB) AWARENESS DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation to designate March 24 as "*TB Awareness Day*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Mendelsohn not yet having arrived.

Dr. James P. Lamberti, Chairman, TB Advisory Committee, American Lung Association of Virginia, presented a report entitled "*Tuberculosis in Fairfax County.*"

Chairman Hanley asked unanimous consent that the Board refer this report to the Legislative Committee. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Discussion ensued, with input from Dr. Lamberti and Dr. Ronald Karpick, TB Physician Consultant to the Health Department.

Supervisor Gross asked unanimous consent that the Board direct staff to provide information as to whether the report's recommendations are included in the Health Department's budget. Without objection, it was so ordered.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide information regarding any Congressional action to provide funding for psychotropic drugs as well as medications to fight TB. Without objection, it was so ordered.

8. **10 A.M. – PRESENTATION BY THE FAIRFAX COUNTY ADVISORY SOCIAL SERVICES BOARD (ASSB) OF ITS 2002 ANNUAL REPORT**
(Tapes 1-2)

(BACs) Alyce Pope, Chairman, ASSB, presented its 2002 Annual Report.

Discussion ensued with input from Dana Paige, Director, Department of Family Services.

9. **10:15 A.M. – PRESENTATION BY THE FAIRFAX COUNTY EMPLOYER CHILD CARE COUNCIL (ECCC) AND THE FAIRFAX COUNTY CHILD CARE ADVISORY COUNCIL (CCAC) ON THE AFFORDABILITY OF CHILD CARE STUDY** (Tape 2)
(BACs) Meg Phillips, Chair, ECCC, and Tamara Derenak, Lee District Representative, CCAC, presented the Affordability of Child Care Study.

Discussion ensued with input from Judith Rosen, Director, Office for Children.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide information on how much local spending has been reduced in child care over the last year. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

10. **10:30 A.M. – APPOINTMENTS TO CITIZENS BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 2)
(APPTS)
(BACs) **A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

The Board deferred the appointment of the Braddock District Representative to the A. Heath Onthank Memorial Award Selection Committee.

ADVISORY PLANS EXAMINER BOARD

CONFIRMATION:

Supervisor Bulova moved the confirmation of the following appointment to the Advisory Plans Examiner Board:

- Mr. Paul J. Kraucunas as the Virginia Department of Transportation Representative

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

ANIMAL SERVICES ADVISORY COMMISSION

Supervisor Bulova moved the appointment of Ms. Paula A. Condit to fill the unexpired term of Ms. Robin T. Reid as the Braddock District Representative to the Animal Services Advisory Commission. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

The Board deferred the appointment of the Sully District Representative to the Animal Services Advisory Commission.

AIRPORTS ADVISORY COMMITTEE

CONFIRMATIONS

Supervisor Connolly moved the confirmation of the following appointments to the Airports Advisory Committee:

- Mr. Ronald W. Koch as the Planning Commission Representative
- Mr. Joseph Chudzik as the Federation of Citizens Associations Representative

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

ADDITIONAL BOARD MATTER

Late Arrival Of Supervisor Mendelsohn

Chairman Hanley announced that Supervisor Mendelsohn was attending a meeting of the Chesapeake Bay Local Assistance Board in Richmond, Virginia, and would be arriving late.

ATHLETIC COUNCIL

Supervisor Hudgins moved the following reappointments to the Athletic Council:

- Mr. Harold Leff as the Hunter Mill District Principal Representative
- Ms. Mary De La Fe as the Hunter Mill District Alternate Representative

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

Supervisor Hyland moved the following reappointments to the Athletic Council:

- Mr. Wesley Mike Viilo, Jr. as the Mount Vernon District Principal Representative

- Mr. Henry J. Russo as the Mount Vernon District Alternate Representative

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

Supervisor Frey moved the reappointment of Mr. David L. Lacey as the Sully District Principal Representative to the Athletic Council. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

CONFIRMATIONS:

Supervisor Connolly moved the confirmation of the following appointments to the Athletic Council:

- Mr. Robert L. Panek as the Girls' Fast Pitch Principal Representative
- Mr. Gerald W. Carter as the Town of Herndon Principal Representative

This motion, the second to which was inaudible, carried by a a vote of nine, Supervisor Mendelsohn not yet having arrived.

The Board deferred the appointments of the Dranesville District Principal and Sully District Alternate Representatives to the Athletic Council.

(NOTE: Later in the meeting the Board made an additional appointment to this council. See Clerk's Summary Item CL#63.)

CELEBRATE FAIRFAX, INCORPORATED BOARD OF DIRECTORS

Chairman Hanley moved the appointment of Ms. Shelly Park as the At-Large #4 Representative to the Celebrate Fairfax, Incorporated Board of Directors. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The Board deferred the appointments of the At-Large (Minority) Representative and the Sully District Representative to the Commission on Organ and Tissue Donation and Transplantation.

COMMUNITY ACTION ADVISORY BOARD**CONFIRMATIONS:**

Supervisor Hyland moved the confirmation of the following appointments to the Community Action Advisory Board:

- Mr. Donald F. Sullivan as the AARP Representative
- Mr. L. Lawrence Graham as the Community Ministry of Northern Virginia Representative
- Mr. John M. Reed as the League of Women Voters of the Fairfax Area Representative

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

The Board deferred the appointments of the At-Large Chairman's Representative and the Dranesville and Mason District Representatives to the Community Action Advisory Board.

CONSUMER PROTECTION COMMISSION

Supervisor Bulova moved the appointment of Mr. Larry E. Willner to fill the unexpired term of Mr. Richard Yessian as the Fairfax County Resident #9 Representative to the Consumer Protection Commission. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

The Board deferred the appointments of the Fairfax County Resident #7 and #12 Representatives to the Consumer Protection Commission.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Mason District Representative to the Criminal Justice Advisory Board.

EMPLOYER CHILD CARE COUNCIL**CONFIRMATION:**

Supervisor Hudgins moved the confirmation of the following appointment to the Employer Child Care Council:

- Ms. Deborah M. Gay as a Financial Services Representative

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

ENGINEERING STANDARDS REVIEW COMMITTEE

Chairman Hanley moved the reappointment of Mr. Robert L. Norwood as the Citizen #1 Representative to the Engineering Standards Review Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

Supervisor Frey moved the reappointment of Mr. William A. Schmidt as the Citizen #2 Representative to the Engineering Standards Review Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

Supervisor Hudgins moved the reappointment of Colonel Denver Lovett as the Citizen #3 Representative to the Engineering Standards Review Committee. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

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

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointments of the Hunter Mill and Sully District Representatives to the Fairfax Area Disability Services Board.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

CONFIRMATION:

Supervisor Kauffman moved the confirmation of the following appointment to the Fairfax Community Long Term Care Coordinating Council:

- Ms. Judith Forehand as a Business Representative

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

FAIRFAX COUNTY CONSTRUCTION TRADES ADVISORY BOARD

The Board deferred the appointments of the Gas Fitter Tradesman, HVAC Tradesman #1 and #2, and Plumbing Tradesman #1 and #2 Representatives to the Fairfax County Construction Trades Advisory Board.

FAIRFAX COUNTY SMALL BUSINESS COMMISSION

The Board deferred the appointment of the At-Large #3 Representative to the Fairfax County Small Business Commission.

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Sully District Representative to the Health Care Advisory Board.

HUMAN RIGHTS COMMISSION

Chairman Hanley moved the appointment of Ms. Martina A. Hone to fill the unexpired term of Ms. Virginia S. Peters as the At-Large #11 Representative to the Human Rights Commission. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

HUMAN SERVICES COMMISSION

The Board deferred the appointments of the Mason District #2 and Mount Vernon #2 Representatives to the Human Rights Commission.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment to the Oversight Committee on Drinking and Driving:

- Captain Paul Camarca as the Office of the Sheriff Representative

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

The Board deferred the appointment of the At-Large Chairman's Representative and the Hunter Mill District Representative to the Oversight Committee on Drinking and Driving.

POLICE OFFICERS RETIREMENT SYSTEM BOARD

The Board deferred the appointment of the Citizen At-Large #2 Representative to the Police Officers Retirement System Board.

TENANT LANDLORD COMMISSION

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

TRANSPORTATION ADVISORY COMMISSION

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

(NOTE: Later in the meeting, the Board made additional appointments. See Clerk's Summary Item CL#57 and CL#63.)

SBE:sbe

11. **ADMINISTRATIVE ITEMS** (Tape 3)

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

Supervisor Hudgins called the Board's attention to Admin 5 – Supplemental Appropriation Resolution AS 03082 for the Department of Family Services to Accept Program Year 2000 Local Coordination Incentive Grant Funds from the Virginia Employment Commission on Behalf of the Northern Virginia Workforce Investment Board and a brief discussion followed.

Chairman Hanley called the Board's attention to Admin 7 – Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Outdoor Lighting Standards. Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and, referring to handwritten page 11 of the Board Agenda Item, asked unanimous consent that the Board direct staff to review the parking garages on Fairview Park South that abut the citizens' dwelling to determine whether shielding requirements should apply to parking structures.

Discussion ensued with input from Jack Reale, Assistant to the Zoning Administrator, Department of Planning and Zoning (DPZ). Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Further discussion ensued with input from Mr. Reale.

Supervisor Connolly called the Board's attention to Admin 11 – Approval of Zoning Ordinance Amendment Work Program for 2003. He stated that he had added to the list number 21, Vehicle Rental, on handwritten pages 5 and 6 of the Board Agenda Item. Because he understood that this was an oversight, he asked unanimous consent that the Board direct staff to accelerate the timeline. Following discussion, with input from Jane W. Gwinn, Zoning Administrator, DPZ, without objection, it was so ordered.

Chairman Hanley called the Board's attention to Admin 12 – Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year 2003 Revised Budget Plan. Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to report with an update on the balance and status of the following funds:

- Trails
- Standard Streetlights
- Spot Improvements

Without objection, it was so ordered.

Discussion ensued with input from Susan W. Datta, Director, Department of Management and Budget.

Chairman Hanley asked unanimous consent that the Board direct staff to report with information on the status of funding of Brain Injury Services at the State level. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board direct staff to report on the status of State funding for Juvenile and Domestic Relations Court. Without objection, it was so ordered.

Chairman Hanley asked unanimous consent that the Board direct staff to report with an update on the health services such as West Nile Virus, Health Insurance, and Clinic Room Aides. Without objection, it was so ordered.

In regard to the Fairfax County Connector Bus Replacement Fund, Chairman Hanley asked unanimous consent that the Board direct staff to provide the following:

- The current fund balance.
- The FY 2003 proposal.

- The FY 2004 proposal.
- A fleet analysis including the total number of buses and their ages.
- Any proposal to increase the fleet.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, the question was called on the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley "AYE," Supervisor Mendelsohn not yet having arrived.

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR PUBLIC FACILITY 2232 REVIEW APPLICATIONS (PROVIDENCE, SULLY, AND MOUNT VERNON DISTRICTS)

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

- Application 2232-P02-20 to April 28, 2003
- Application 2232-P02-25 to August 4, 2003
- Application 2232-Y02-28 to August 4, 2003
- Application 2232-V03-3 to August 4, 2003
- Application 2232-Y01-15 to September 29, 2003

ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING NEW VEHICLE STORAGE

(A)(R)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 30, 2003, and before the Board on **June 16, 2003, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding new vehicle storage.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CREATION/ENLARGEMENT/DE-CREATION, RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE, MASON, MOUNT VERNON, AND PROVIDENCE DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2003, at 3:30 p.m.** to consider the following changes to small and local sanitary districts for refuse and leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts. Approval of the Leaf Collection Petitions will exceed existing staff and equipment capacity. Staff will issue an invitation for bid to obtain private Vacuum Leaf Collection Service:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 4 Within Dranesville District (Davis Court)	Enlarge	Refuse	Approve
Local District A-2 Within Small District 1 Within Dranesville District (1017 Shipman Lane)	Enlarge	Refuse	Approve
Small District 7 Within Dranesville District (Sigmona Park)	Create	Refuse & Leaf	Approve
Small District 8 Within Dranesville District (Hiddenbrook)	Create	Refuse & Leaf	Approve
Small District 9 Within Dranesville District (Nantucket)	Create	Refuse	Approve
Small District 4 Within Mason District (Downing Street)	Enlarge	Refuse & Leaf	Approve
Small District 4 Within Mason District (6480 Overlook Drive)	Enlarge	Refuse & Leaf	Approve

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District 1 Within Mason District (Madison Place)	De-Create/ Re-Create	Refuse & Leaf	Approve
Local District D Within Small District 1 Within Mount Vernon District (Devonshire Road)	Enlarge	Refuse & Leaf	Approve
Small District 2 Within Providence District (8963 Colesbury Place)	Enlarge	Leaf	Approve
Small District 1 Within Providence District (Fairview)	De-Create/ Re-Create	Refuse & Leaf	Approve

ADMIN 4 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL AND PROVIDENCE DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Chatham's Ford	Hunter Mill	Chathams Ford Drive Chathams Ford Place Beulah Road Route 675 Additional ROW Only
Cody Tract	Providence	Glencroft Road Route 6166 Oakcroft Way Route 7115 Cody Road Cody Court Chainbridge Road Route 123 Additional ROW Only

ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03082 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT PROGRAM YEAR (PY) 2000 LOCAL COORDINATION INCENTIVE GRANT FUNDS FROM THE VIRGINIA EMPLOYMENT COMMISSION (VEC) ON BEHALF OF THE NORTHERN VIRGINIA WORKFORCE INVESTMENT BOARD (NVWIB)

(SAR) (NOTE: Earlier in the meeting, there was discussion of this item. See page 10.)

Approved SAR AS 03082 in the amount of \$234,000 for DFS to accept PY 2000 Local Coordination Incentive Grant funds. This VEC funding is being accepted on behalf of the NVWIB in collaboration with DFS and SkillSource Centers to support the workforce development initiatives of the NVWIB. No local cash match is required.

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, TO REMOVE MARYLAND STREET FROM THE MOUNT VERNON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 24 (MOUNT VERNON DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2003, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to remove Maryland Street from the Mount Vernon RPPD, District 24.

ADMIN 7 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING OUTDOOR LIGHTING STANDARDS

(A)(R) (NOTE: Earlier in the meeting, the Board took additional action regarding this item. See page 10.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on May 1, 2003, and before the Board on **June 16, 2003, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding outdoor lighting standards.

ADMIN 8 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO APPLY FOR A GRANT FROM THE BEAUMONT FOUNDATION OF AMERICA TO PROVIDE TECHNOLOGY EQUIPMENT FOR HOUSING PROGRAMS

Authorized FCRHA to apply for the Beaumont Foundation of America's 2003 Community Grant for \$100,000 in Toshiba brand equipment. The Toshiba equipment will increase the accessibility of information about housing programs, homeownership opportunities, and other housing services for individuals visiting the Fairfax County Department of Housing and Community Development and other County facilities and accessing this information on the internet.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A SEGMENT OF WESTERN AVENUE (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2003, at 4 p.m.** to consider the vacation of a segment of Western Avenue.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX M, ESTABLISHING THE CENTRE RIDGE RESTRICTED PARKING DISTRICT (RPD), DISTRICT 6, AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 28, 2003, at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix M, to consider establishing the Centre Ridge RPD, District 6, as part of the R-TAP, encompassing the following streets:

- New Braddock Road from Centrowood Drive to Store House Drive
- Saint Germain Drive from Store House Drive to Woodland Ridge Drive and the entire lengths of the following roads:
 - Field Encampment Road
 - Drill Field Court
 - Flag Staff Court
 - Guard Mount Court

- Muster Court
- Picket Oaks Road
- Outpost Court
- Store House Drive
- Sutler Store Court
- Store House Court

The parking prohibition for watercraft, boat trailers, motor homes, and camping trailers on the streets identified above for the Centre Ridge RPD is proposed to be in effect seven days per week, 24 hours per day.

ADMIN 11 – APPROVAL OF ZONING ORDINANCE AMENDMENT WORK PROGRAM FOR 2003

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

Endorsed the Zoning Ordinance Amendment Work Program for 2003 as recommended by the Development Process Committee, as set forth in Attachments One and Two of the Board Agenda Item dated March 24, 2003.

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2003 REVISED BUDGET PLAN

- (A) (NOTE: Earlier in the meeting, the Board took additional action on this item. See pages 11-12.)

Authorized the advertisement of a public hearing to be held before the Board on **April 7, 8, and 9, 2003, at 7:30 p.m.** to increase the FY 2003 appropriation level.

12. **A-1 – EXECUTION OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN FAIRFAX COUNTY BOARD OF SUPERVISORS AND RESTON ASSOCIATION (HUNTER MILL DISTRICT)** (Tape 3)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize the execution of a MOU between the Board and Reston Association and also note the recognition that is very important in terms of establishing the partnership with Reston Association. Supervisor Hyland seconded the motion.

Supervisor Hudgins asked to amend the motion that the Board direct staff to invite the Reston Association and the members of the Reston Watershed Action Group to appear before the Board to be recognized for their outstanding efforts in environmental stewardship that will serve to improve the water quality in Reston and Fairfax County, and this was accepted.

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

13. **A-2 – ADJUSTMENT TO FAIRFAX CENTER ROAD FUND CONTRIBUTION RATE AND AUTHORIZATION OF CORRESPONDING RATE ADJUSTMENTS IN THE CENTREVILLE AND TYSONS CORNER FUND AREAS (HUNTER MILL, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (Tape 3)

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

- Adopt the revised Procedural Guidelines for the Annual Review Process including a 3 percent adjustment of the existing contribution rate in the Fairfax Center area from \$4.26 to \$4.39 per gross square foot on non-residential building structure and from \$946 to \$974 per residential unit, with the new rate to become effective March 24, 2003.
- Authorize the 3 percent rate increase in other areas of the County for similar purposes (e.g. Centreville and Tysons) with the new rate to become effective March 24, 2003.

Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

Supervisor Hudgins asked unanimous consent that the Board direct staff to recirculate the corresponding fund balance. Without objection, it was so ordered.

14. **A-3 – AUTHORIZATION TO REALLOCATE WITHIN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$400,000 FROM SENIOR HOUSING AND FACILITY DEVELOPMENT TO HERNDON SENIOR CENTER (DRANESVILLE DISTRICT)** (Tape 3)

On motion of Supervisor Gross, seconded by Chairman Hanley, and carried by a vote of nine, Supervisor Mendelsohn not yet having arrived, the Board concurred in the recommendation of staff and authorized that \$400,000 within Fund 142, CDBG, be designated and reallocated from Project 014114, Senior Housing and Facility Development, to Project 014050, Herndon Senior Center, for the

purposes of funding eligible predevelopment and development expenses that have been incurred in Fund 946.

15. **A-4 – DESIGNATION OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REVENUE SHARING FUNDS AND MATCHING FAIRFAX COUNTY FUNDS FOR FISCAL YEAR (FY) 2004**
(Tape 3)

(R) On motion of Supervisor Hyland, seconded by Supervisor Connolly, and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting “AYE,” Supervisor Mendelsohn, not yet having arrived, the Board concurred in the recommendation of staff and adopted the Resolution designating a maximum of \$500,000 in FY 2004 VDOT Revenue Sharing Program Funds and \$500,000 in matching funds from the Northern Virginia Transportation Commission to partially fund the Richmond Highway Public Transportation Initiative.

16. **A-5 – AUTHORIZATION TO REALLOCATE \$1 MILLION FROM THE HOUSING TRUST FUND, TO PUBLIC PRIVATE PARTNERSHIP FOR FIRST TIME HOMEBUYERS, IDENTIFIED IN THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITIES STRATEGIC PLAN – ACTION PLAN FOR FISCAL YEAR 2003** (Tape 3)

Supervisor Connolly moved that the Board concur in the recommendation of staff and authorize the reallocation of \$1 million from the Undesignated Project (Project 013906), within Fund 144, Housing Trust Fund, to a new project, Public Private Partnership for First Time Homebuyers. Supervisor Hyland seconded the motion.

Discussion ensued with input from Paula C. Sampson, Director, Department of Housing and Community Development.

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

17. **A-6 – AUTHORIZATION TO PURCHASE TOUCH SCREEN VOTING MACHINES FOR USE IN ELECTIONS IN FAIRFAX COUNTY** (Tape 3)

Supervisor Frey moved that the Board concur in the recommendation of staff and approve the purchase of the Advance Voting Solutions, Incorporated WINvote™ touch screen voting machines using a three-year lease/purchase agreement. Supervisor Gross seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive; Margaret K. Luca, Electoral Board Secretary; Judy Flaig, Electoral Board staff; and Gordon S. Jarratt, Director, Enterprise Systems Services Division, Department of Information Technology.

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

18. **A-7 – AUTHORIZATION TO HOST A REGIONAL INCIDENT COMMUNICATION AND COORDINATION SYSTEM (RICCS) IN FAIRFAX COUNTY** (Tape 3)

Supervisor Connolly moved that the Board concur in the recommendation of staff and authorize staff to work with the Council of Governments to create a RICCS Center in the County. Supervisor Gross seconded the motion.

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

19. **I-1 – LOCAL COMMENT LETTER TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) ON WESLEY HOUSING AT COPPERMINE PLACE I – DISABILITY (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to sign a letter on Wesley Housing at Coppermine Place I – Disability and forward it to VHDA for consideration with the tax credit application.

The staff was directed administratively to proceed as proposed.

20. **I-2 – LOCAL COMMENT LETTER TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) ON WESLEY HOUSING AT COPPERMINE PLACE II – ELDERLY (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to sign a letter on Wesley Housing at Coppermine Place II – Elderly and forward it to VHDA for consideration with the tax credit application.

The staff was directed administratively to proceed as proposed.

21. **I-3 – 2002 ANNUAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) REPORT FOR FAIRFAX COUNTY, VIRGINIA** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to forward the 2002 MS4 Report for the County to the Virginia Department of Environmental Quality.

The staff was directed administratively to proceed as proposed.

22. **I-4 – CONTRACT AWARD – ENVIRONMENTAL DESIGN AND PERMITTING SERVICES TO WETLAND STUDIES AND SOLUTIONS, INCORPORATED** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to award a contract to Wetland Studies and Solutions, Incorporated, in an amount not to exceed \$825,000 to perform environmental design and permitting services on various County projects when authorized by the County.

Following a brief discussion, with input from Howard J. Guba, Director, Office of Capital Facilities, Department of Public Works and Environmental Services, the staff was directed administratively to proceed as proposed.

23. **I-5 – CONTRACT AWARD – FABRICATION AND INSTALLATION OF INTERPRETIVE EXHIBITS AT HIDDEN OAKS NATURE CENTER (MASON DISTRICT)** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to award a contract to Loki Designs in the amount of \$107,000 for development of exhibits at Hidden Oaks Nature Center in Project 475098, Natural and Cultural Resource Facilities, in Fund 370, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

24. **I-6 – CONSOLIDATED PLAN CERTIFICATION FOR THE PUBLIC HOUSING AND HOUSING CHOICE VOUCHER ANNUAL PLAN UPDATE FOR FISCAL YEAR (FY) 2004 OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to sign the Consolidated Plan certification and provide it to the FCRHA for inclusion in the Public Housing and Housing Choice Voucher annual Plan Update for FY 2004 submitted to Housing and Urban Development.

The staff was directed administratively to proceed as proposed.

25. **I-7 – LOCAL COMMENT LETTER TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) ON OAK CREEK TOWNHOUSES (PROVIDENCE DISTRICT)** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to sign a letter on Oak Creek Townhouses and forward it to VHDA for consideration with the tax credit application.

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

26. **I-8 – CONTRACT AWARD – ANNUAL CONTRACT FOR ARCHITECTURAL DESIGN SERVICES** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to award a contract to Gauthier, Alvarado, and Associates, in an amount not to exceed \$150,000 for consultant engineering services to provide architectural design services on various County projects which are being designed or managed by County staff.

The staff was directed administratively to proceed as proposed.

27. **I-9 – LOCAL COMMENT LETTER TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA) ON LITTLE RIVER GLEN ASSISTED LIVING (BRADDOCK DISTRICT)** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to sign a letter on Little River Glen Assisted Living and forward it to VHDA for consideration with the tax credit application.

The staff was directed administratively to proceed as proposed.

28. **I-10 – CONTRACT AWARD – CONSULTING SERVICES FOR DEVELOPMENT OF AN INTEGRATED CUSTOMER SERVICE OUTREACH PROGRAM** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for the Purchasing Agent to award a contract to Public Affairs Management in an amount not to exceed \$261,689.44 over two years for consultant services to work with Wastewater Management Program staff to periodically survey the wastewater service customer base, to identify media and community contracts, and to develop an education outreach program that will inform customers connected to the County wastewater system

of services provided. This contract can be extended three additional years, in one-year increments, in an amount not to exceed \$125,000 annually.

Following discussion, with input from Edgar Jones, Financial Manager, Wastewater Management Program, Department of Public Works and Environmental Services; and Anthony H. Griffin, County Executive, the staff was directed administratively to proceed as proposed.

29. **I-11 – CONTRACT AWARD – PERMITTING, INSPECTIONS, AND COMPLAINTS MANAGEMENT SYSTEM** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for the Purchasing Agent to finalize negotiations and award a contract to Hansen Information Technologies in the amount of \$2,922,066 to provide the County with application software and associated professional services for the replacement of multiple legacy systems in several functional areas with a client/server solution that will meet the requirements outlined in the Request for Proposal.

The staff was directed administratively to proceed as proposed.

30. **I-12 – ZONING ORDINANCE SIGN PROVISIONS REGARDING THE SIZE OF BUILDING-MOUNTED SIGNS IN COMMERCIAL AREAS, SPECIAL EXCEPTION FOR A WAIVER OF CERTAIN SIGN REGULATIONS, AND FREESTANDING MONUMENT SIGNS ON SHOPPING CENTER PAD SITES** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, regarding Zoning Ordinance Sign Provisions.

A brief discussion ensued.

31. **I-13 – AMENDMENTS TO THE REZONING AFFIDAVIT, THE SPECIAL EXCEPTION AFFIDAVIT, AND THE SPECIAL PERMIT/VARIANCE AFFIDAVIT** (Tape 3)

The Board next considered an item contained in the Board Agenda dated March 24, 2003, requesting authorization for staff to amend the affidavit forms to require the disclosure of any business or financial relationship during the 12-month period prior to the hearing.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

32. **AREA I OF THE COMPREHENSIVE PLAN NOW ON THE INTERNET**
(Tape 4)

With reference to a recent news release, Chairman Hanley announced that Area I of the County's Comprehensive Plan is now available on the Internet. She also noted that County staff redesigned the home page.

33. **DAVID J. MOLCHANY, CHIEF INFORMATION OFFICER RECEIVES 2003 FEDERAL 100 AWARD** (Tape 4)

Chairman Hanley announced that David J. Molchany, Chief Information Officer, is the recipient of the 2003 Federal 100 Award, one of four state and local government officials recognized. She extended congratulations to him for this achievement.

34. **FAIR HOUSING MONTH** (Tape 4)

Chairman Hanley stated that April is traditionally celebrated throughout the nation as "Fair Housing Month." Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the Human Rights Commission to appear before the Board at the April 7, 2003, meeting to receive a proclamation declaring April as "*Fair Housing Month*" in Fairfax County. Supervisor Bulova seconded the motion, which carried by a vote of seven, Supervisor Connolly and Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

Following a query to Merni Fitzgerald, Director, Office of Public Affairs, Chairman Hanley announced that the April 7, 2003, meeting would begin at 9 a.m.

35. **VOLUNTEER RECOGNITION DAY** (Tape 4)

Chairman Hanley announced that Volunteer Fairfax will sponsor the eleventh annual Fairfax County Volunteer Service Awards program on April 23, 2003. Accordingly, she moved that the Board direct staff to invite the appropriate representatives to appear before the Board on April 7, 2003, to receive a proclamation declaring April 23 as "*Fairfax County Volunteer Recognition Day*." Supervisor Bulova, seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

36. **AUDIT COMMITTEE** (Tape 4)

(BACs) Chairman Hanley distributed the 2003 schedule for meetings of the Audit Committee as follows:

- Tuesday, April 1
- Monday, June 9
- Monday, September 8
- Monday, December 1

She noted that all meetings will be held at 3 p.m. in the Chairman's Conference Room, Suite 530 of the Government Center.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide a refresher summary of the cost savings in the budget attributed to the Audit Committee. Without objection, it was so ordered.

37. **NATIONAL NURSES WEEK** (Tape 4)

Chairman Hanley stated that the Health Department has requested that the Board recognize the important contribution nurses make to public health and safety in the community. She moved that the Board direct staff to invite the appropriate representatives from the nursing community to appear before the Board at the April 28, 2003, meeting to receive a proclamation declaring May 6-12, 2003, as "*National Nurses Week*" in Fairfax County. The unusual date configuration can be explained by the fact that the official week ends on Florence Nightingale's birth date. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

38. **ASIAN/PACIFIC AMERICAN HERITAGE MONTH** (Tape 4)

Chairman Hanley announced that the month of May is nationally recognized as Asian/Pacific American Heritage Month. In conjunction with federal observances, she moved that the Board direct staff to invite the appropriate representatives to appear before the Board at the April 28, 2003, meeting to receive a proclamation declaring May as "*Asian/Pacific American Heritage Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

39. **COMMUNITY ACTION MONTH** (Tape 4)

Chairman Hanley stated that the Fairfax County Community Action Advisory Board (CAAB) has requested recognition for the services provided through the CAAB. In conjunction with the national program, she moved that the Board direct staff to invite the appropriate representatives to appear before the Board on May 5, 2003, to receive a proclamation declaring May 2003 as "*Community Action Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

40. **EXPANSION OF THE VINT HILL FARMS STATION WASTEWATER TREATMENT PLANT** (Tape 4)

Chairman Hanley reminded Board Members that they received a memorandum from Anthony H. Griffin, County Executive, regarding the expansion of the Vint Hill Farms Station Wastewater Treatment Plant. She noted that it had said there would be a resolution in the March 24, 2003, Board Agenda, but that item was not on the day's agenda. In response, Mr. Griffin indicated that he would provide it later in the day.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: This item was not presented formally later in the meeting.)

41. **SAVE THE TREES: TREE PRUNING BY UTILITY COMPANIES** (Tape 4)

Supervisor Connolly said that a constituent contacted his office with concerns about tree pruning performed by utility companies. According to the constituent, trees in his neighborhood were trimmed incorrectly down to the stems and now are dying. The constituent believes that the death of many of these trees could have been prevented if the trees were properly pruned. Supervisor Connolly said that he contacted the Urban Forester, who advised him that there are industry standards based on the American National Standards Institute on the current ways to prune trees.

Accordingly, Supervisor Connolly moved that the Board direct the County Executive to convene a meeting with the Urban Forester, including representatives of the utility companies, representatives from the Tree Commission, and any other appropriate staff to review tree pruning to promote the preservation of trees in the County. Supervisor Bulova seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

Supervisor Bulova asked unanimous consent that the Board direct staff to include representatives of the Virginia Department of Transportation in this meeting. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct the County Executive to report with any recommendations from that task force. Without objection, it was so ordered.

42. **WORKFORCE WINS AWARD** (Tape 4)

(NOTE: Earlier in the meeting, the Board took action on this item. See Clerk's Summary Item CL#11.)

With reference to his second written Board Matter, Supervisor Connolly indicated that the Board took action on it earlier in the meeting.

43. **FALLS CHURCH CITY WATER PROPOSED RATES** (Tape 4)

Supervisor Connolly reported that on March 10, 2003, the Falls Church City Council approved the advertisement of a public hearing for April 14, 2003, to adjust water service rates due to increasing water production costs. According to the proposed adjustment, Fairfax County residents would be charged significantly more than Falls Church City residents over a six-year period. The rates for Fairfax County residents, if approved, would rise from \$1.97 next year to \$3.58 by 2008 per 1000 gallons from its current rate of \$1.64. For Falls Church City residents, rates would rise from \$1.89 to \$2.84. The Falls Church City Water Authority has deemed that a rate differential for customers in the County is authorized by Section 2.05(f) of the City Charter. Final approval for this increase has been scheduled for May 12, 2003.

Chairman Hanley clarified that this proposed rate hike would affect County residents who receive water from the City of Falls Church, not those County residents who receive water from the Fairfax County Water Authority. Supervisor Connolly indicated that parts of Providence, Dranesville, and Mason Districts are affected primarily.

Accordingly, Supervisor Connolly moved that the Board direct the County Executive to do the following:

- Contact the City of Falls Church on behalf of the Board to object to this rate hike differential for County residents.
- Provide recommendations of any legal actions available to the Board to try to enjoin the City of Falls Church from implementing such a discriminatory differential.

Supervisor Gross seconded the motion.

Supervisor Hyland asked unanimous consent that the Board direct staff to determine the following:

- Whether the City has within the language of Section 2.05(f) of the City Charter a justification for charging a higher rate to those residing outside the City.
- Whether the City indicated a rationale for the proposed differentiation.

Following input from David P. Bobzien, County Attorney, without objection, the request was so ordered.

Further discussion ensued with input from Anthony H. Griffin, County Executive.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide the Fairfax County rate for County residents. Following discussion, with input from Mr. Griffin, the request was so ordered.

Chairman Hanley asked unanimous consent that the Board direct staff to provide the language of the City Charter. Without objection, it was so ordered.

The question was called on the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

(NOTE: Later in the meeting, this issue was mentioned. See Clerk's Summary Item CL#65.)

44. **HELPING FAMILIES WITH TRANSITIONAL HOUSING** (Tape 4)

Supervisor Connolly stated that Homestretch, Incorporated, was founded in 1990 and is one of the largest providers of transitional housing for families in the County. From 1990 to 2002, Homestretch served 581 homeless families with 1489 children. It provides job counseling and referral to training, credit and financial counseling, tax preparation assistance, parenting, health and nutrition education, English as a Second Language classes, and child-teen enrichment programs. In fiscal year 2002, Homestretch graduated 42 families from its transitional housing program, which typically serves 55-60 families at a time.

Supervisor Connolly said that recent cuts in Housing and Urban Development grants have resulted in a reduction of nearly 13 percent of the Homestretch budget. This situation creates a one-time funding gap for this important and

successful program of approximately \$146,000 needed to keep the program operating for 9 to 12 months into calendar year 2004.

Supervisor Connolly moved that the Board direct the County Executive to review this situation and identify possible alternative funding sources which could be used so that Homestretch will be eligible for renewal and continued HUD funding through the Continuum of Care process. Supervisor Bulova seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

Supervisor Connolly indicated that this action in no way is intended to review or violate the principals of the Community Funding Pool.

45. **RETIREMENT OF JANE W. GWINN, ZONING ADMINISTRATOR**
(Tape 4)

Supervisor Connolly noted that Jane W. Gwinn, Zoning Administrator, announced her retirement from the County this spring. He moved that the Board direct staff to invite her to appear before the Board at an appropriate time to be honored for her years of service. Supervisor Bulova seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

46. **METRO PARKING** (Tape 4)

Supervisor Gross stated that the recent decision to close the Pentagon parking lot on weekends and evenings has disappointed and perplexed many Metro riders from the Mason District. The reasons for the closing include security concerns and the loss of hundreds of employee parking spaces to nearby road construction. As one of her constituents pointed out, however, thousands of parking spaces are not used on the weekends and should be available to visitors to the museums and historic attractions of the area.

In an effort to assist constituents and encourage weekend ridership on Metro, Supervisor Gross asked unanimous consent that the Board refer this matter to the Metro Board to determine whether adjustments can be made to the Pentagon decision or whether there are alternate arrangements for weekend and evening parking nearby. Without objection, it was so ordered.

Chairman Hanley noted that the Metro Board is not the authority for decisions regarding the Pentagon.

47. **RECOGNITION OF BILL BURROW, OUTGOING PRESIDENT OF THE RAVENWOOD NEIGHBORHOOD ASSOCIATION (MASON DISTRICT)**
(Tape 4)

Supervisor Gross announced that Mr. Bill Burrow is stepping down as president of the Ravenwood Neighborhood Association following ten years of leadership. Because ten years is a milestone for such civil activity and deserves recognition, Supervisor Gross moved that the Board direct staff to prepare a resolution for the Chairman's signature for presentation to Mr. Burrow later this spring. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

48. **MASON DISTRICT SPRING TOWN MEETING** (Tape 4)

Supervisor Gross announced that the Mason District Spring Town Meeting will be held Monday, March 31, 2003, at 7:30 p.m. at the Bailey's Community Center at 5920 Summers Lane in Falls Church. The staff panel will discuss the budget, and she invited all Mason District residents to attend.

49. **PROVIDENCE DISTRICT ENVIRONMENTAL WORKSHOP** (Tape 4)

Supervisor Connolly reminded the Board and the public that his annual Environmental Workshop is scheduled for April 5, 2003, from 9 a.m. to 12 noon at Luther Jackson Middle School. He asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event. Without objection, it was so ordered.

Supervisor Gross commended the Office of Public Affairs for its initiative in publicizing public meetings throughout the year.

50. **EARTH DAY/ARBOR DAY** (Tape 4)

Supervisor Bulova announced that the County's official observation of the Earth Day/Arbor Day celebration will take place at the Annandale Campus of the Northern Virginia Community College on Saturday, April 26 from 11 a.m. until 4 p.m. Earth Day/Arbor Day is sponsored by Target Stores, Fairfax County Recycling, Clean Fairfax Council, Northern Virginia Community College, and the County. The event has been planned with something of interest to all age groups, and she invited Board Members to join in the celebration.

Supervisor Bulova moved that the Board direct:

- Staff to assist the Earth Day/Arbor Day committee with the planning of this event where County involvement is needed.

- The Office of Public Affairs to draft a press release for this event and to provide the committee with a proclamation declaring April 26 as "*Fairfax County Earth Day/Arbor Day Celebration.*"

Supervisor Bulova further moved that, following the event, the Board direct staff to prepare certificates of recognition and appreciation for sponsors of the event to be presented at a Board meeting. Chairman Hanley seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

SBE:sbe

51. **OUTDOOR LIGHTING TASK FORCE (HUNTER MILL DISTRICT)**
(Tape 5)

Supervisor Hudgins stated that she had received a memorandum from Bill Burton, Chairman of the Hunter Mill District Outdoor Lighting Task Force. In this memorandum, Mr. Burton outlined the glare problems created by street lighting commonly known as "acorn" or "traditional-style" lighting. Mr. Burton included an example of a semi-cutoff acorn-style streetlight that would reduce the glare created by this type of light and would increase its efficiency by targeting light downward. Mr. Burton also mentioned that this type of semi-cutoff acorn streetlight is not available per the current agreement between the Virginia Municipal League and Dominion Power.

Therefore, Supervisor Hudgins moved that the Board direct staff to do the following:

- Investigate options for adding a semi-cutoff acorn streetlight to the VML/Dominion Power agreement either for Fairfax County alone as a "special fixture" or Statewide as part of the common agreement.
- Evaluate these options and make a recommendation to the Board that considers both the cost and practical difficulties of adding this type of light to the catalog.

The second to this motion was inaudible.

Following discussion with input from Anthony H. Griffin, County Executive, the question was called on the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

52. **CHRISTINE BROGAN, PRINCIPAL OF SUNRISE VALLEY ELEMENTARY SCHOOL IN RESTON, RETIREMENT (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins stated that she was saddened to report that Ms. Christine Brogan, of Sunrise Valley Elementary School in Reston, has announced her retirement. Ms. Brogan served as principal at Sunrise Valley for the past six years and has been working in Fairfax County Public Schools for nearly 20 of her 35 years in education. Sunrise Valley students, teachers, and the entire Reston community will miss the wonderful contribution Mrs. Brogan makes on a daily basis.

Therefore, Supervisor Hudgins moved that the Board direct staff to invite Ms. Brogan to appear before the Board to receive recognition for her contributions to the children of Fairfax County. Chairman Hanley seconded the motion.

Supervisor Bulova stated that the County has a number of principals who will be retiring at the end of the school year and she asked to amend the motion to direct staff to invite all the principals who are retiring to appear before the Board at the end of June to be recognized for their outstanding job to the children of Fairfax County, and this was accepted.

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

53. **ACCIDENT INVOLVING A CYCLIST ON WIEHLE AVENUE (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins stated that on March 15, 2003, there was a tragic accident that occurred on Wiehle Avenue in Reston that resulted in a 22 year old woman losing both of her legs. Ms. Ya Wen Su was a cyclist and visiting in Reston.

Supervisor Hudgins stated that a Ya Wen Su Assistance Fund was set up at United Bank at the North Point Village Center in Reston for those who would like to be supportive of her. Contributions may be sent to The Ya Wen Su Assistance Fund, United Bank, 1498 North Point Village Center, Reston, VA 20194.

54. **PROCLAMATION IN RECOGNITION OF THOMAS D'ALESSANDRO'S SERVICE IN RESTON (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins moved that the Board direct staff to prepare a proclamation in recognition of Thomas D'Alessandro's service in Reston. She stated that two weeks ago Mr. D'Alessandro received a reassignment to a new location called "Woodlawn" just outside of Houston, Texas which he describes as "Reston in its virgin years." She also stated that this is an opportunity for Mr. D'Alessandro to provide some of the same planning skills he has provided in Terra Brook, West

Brook, and Mobil Land that he has participated in for many years. Mr. D'Alesandro received the Best of Reston Award and this would be an opportunity to present him with a proclamation on the service he has provided in Reston in developing the community around the Town Center and Reston.

Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

PMH:pmh

55. **REQUEST FOR WAIVER OF FEES** (Tape 6)

Supervisor Frey said that the Knights of Columbus, a non-profit group, are holding a circus on the weekend of May 9-11, 2003, at the Bull Run Regional Park to benefit various charities.

Therefore, Supervisor Frey moved waiver of the fees associated with the circus, so that full benefits of the fundraiser may be achieved. Supervisor Bulova seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion and it carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

56. **JIFFY LUBE AND SUDS - PQ LLC** (Tape 6)

Supervisor Frey said on January 27, 2003, the Board approved rezoning and special exception applications in the name of PQ LLC to permit a car wash and quick lube on Route 29 in Centreville. Subsequent to the approval, the applicant attended a seminar on design for car washes and has amended his design to provide the most recent technology, and to improve on-site circulation.

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

- Expeditiously process Proffered Condition Amendment Application PCA 2002-SU-028 and Special Exception Amendment Application SEA 2002-SU-033.
- Concurrently process the associated site plans with the referenced zoning applications.

The applicant understands that this motion does not relieve it of any obligation, ordinance or standards, and will not prejudice the consideration of these applications in any way. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Mendelsohn not yet having arrived.

57. **APPOINTMENT TO THE BATTLEFIELD BYPASS CITIZENS COMMITTEE** (Tape 6)

(APPT) Supervisor Frey moved the confirmation/appointment of Mr. Jeff Flading as Citizen Representative on the Battlefield Bypass Citizens Committee to fill the unexpired term of Mr. Richard D. Frank. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

58. **EMERGENCY PROVISIONS** (Tape 6)

Supervisor McConnell asked unanimous consent that the Board direct staff to review the issue of emergency provisions for students and employees.

Following discussion, without input from Anthony H. Griffin, County Executive, without objection, it was so ordered.

59. **SPECIAL EXCEPTION APPLICATION SE 2003-MV-002 (LEE DISTRICT)** (Tape 6)

Supervisor Hyland said that Crosspointe (E&A) LLC is the applicant for Special Exception Application SE 2003-MV-002 which requests a special exception for a Category 3 child care center within The Shoppes of Lorton Valley shopping center in Lorton.

Supervisor Hyland moved that the Board direct staff to:

- Schedule a public hearing to be held before the Board on June 2, 2003.
- Expedite and concurrently process all review of plans.

The applicant understands that this motion does not relieve the applicant of any obligation, ordinance or standards, and will not prejudice the consideration of these applications in any way. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

60. **ACCESSIBILITY AND USE ISSUES CONCERNING NEW AND RENOVATED BUILDINGS IN FAIRFAX COUNTY** (Tape 6)

(BACs) Supervisor Hyland said that he recently received a letter from Louis Genuario, Mount Vernon District Representative, Fairfax Area Disability Board, about the South County Center building concerning accessibility to certain areas and conditions affecting persons with disabilities, specifically wheelchair users and those with hearing impairments.

Supervisor Hyland referred to his written Board Matter and moved that the Board support the formation and work of the Smart Design Task Force in the interest of

assuring that all new or renovated buildings in Fairfax County not only be reviewed for compliance with the Americans with Disabilities Act and local building code design standards, but that the buildings are usable by all. The second to the motion was inaudible.

Following discussion, with input from Anthony H. Griffin, County Executive, the question was called on the motion and it carried by a vote of nine, Supervisor Mendelsohn not yet having arrived.

61. **PROPOSED CHANGES TO THE BUILDING CODE** (Tape 6)

Supervisor Kauffman said that several homeowners in Lee District have filed complaints with his office and with the Office of Building Code Services about the inadequate performance of air conditioning and heating systems (HVAC) in their new homes. There is currently no recourse for these homeowners because of the vagueness of the Building Code with regard to HVAC performance.

Supervisor Kauffman said that Section 2801.1.1 of the Building Code needs to be amended and he moved that the Board direct staff to review this issue and report its findings. Chairman Hanley seconded the motion and it carried by unanimous vote.

62. **OLIVET EPISCOPAL CHURCH CELEBRATES ANNIVERSARY (LEE DISTRICT)** (Tape 6)

Supervisor Kauffman said that it has come to his attention that Olivet Episcopal Church, located at 6107 Franconia Road, will be celebrating its 150th year anniversary on June 1, 2003.

Therefore, Supervisor Kauffman moved that the Board direct staff to prepare a Certificate of Recognition to be presented at a Board meeting in May. Supervisor Bulova seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

63. **APPOINTMENT TO THE ATHLETIC COUNCIL** (Tape 6)

(APPT) (NOTE: Earlier in the meeting, appointments to Boards, Authorities, and Commissions were made. See Clerk's Summary Item CL#10.)

Supervisor Mendelsohn moved the reappointment of Mr. Roger Smith as the Alternate to the Athletic Council. This motion, lthe second to which was inaudible carried by unanimous vote.

64. **COMMUNITY ACTION ADVISORY BOARD** (Tape 6)

(BACS) The Dranesville District Representative to the Community Action Advisory Board was deferred.

ADDITIONAL BOARD MATTER65. **FALLS CHURCH CITY WATER PROPOSED RATES** (Tape 6)

(NOTE: Earlier in the meeting, this issue was raised. See Clerk's Summary Item CL#43.)

Supervisor Mendelsohn expressed his appreciation to Supervisor Connolly for raising the issue of the Falls Church City water proposed rates.

66. **RECESS/CLOSED SESSION** (Tape 6)

At 12:50 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).
 - 1. *Samuel Durie, et al., v. Fairfax County, Virginia, et al.*, Civil Action No. 02-486-A (E.D. Va.)
 - 2. *Louise Redditt, et al. v. Fairfax County Police Department, et al.*, Civil Action No. 02-1275-A (E.D. Va.)

3. *Richard M. Robertson v. The Board of Supervisors of Fairfax County, et al.*, In Chancery No. 160618 (Fx. Co. Cir. Ct.) (Dranesville District)
4. *Robert A. Jerussi v. Board of Zoning Appeals of Fairfax County, Virginia, and William and Cheryl May*, At Law No. 200812 (Fx. Co. Cir. Ct.) (Providence District)
5. *Board of Supervisors v. Governors Run, L.P., et al.*, At Law No. 201904 (Fx. Co. Cir. Ct.) (Sully District)
6. *Board of Supervisors v. Michele Stanco, et al.*, At Law No. 207931 (Fx. Co. Cir. Ct.) (Sully District)
7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Susan C. Beck and Louis Kobus, Jr.*, In Chancery No. 173551 (Fx. Co. Cir. Ct.) (Lee District)
8. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Mohammed J. Abdlazez*, In Chancery No. 178786 (Fx. Co. Cir. Ct.) (Mason District)
9. *W. John Layng and Carol Layng, Individually, and DBA Layng and Company Greenhouses v. Jane Gwinn, Zoning Administrator of Fairfax County, Virginia, and Board of Supervisors of Fairfax County, Virginia*, In Chancery No. 162042 (Fx. Co. Cir. Ct.) (Dranesville District)
10. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Joseph G. Bonzano*, In Chancery No. 179735 (Fx. Co. Cir. Ct.) (Springfield District)
11. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Dolores L. Lewis*, In Chancery No. 181989 (Fx. Co. Cir. Ct.) (Dranesville District)

12. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Virgilio Ascencio, Rene Mendoza-Ascencio, and Edward J. Gomez*, In Chancery No. 181528 (Fx. Co. Cir. Ct.) (Lee District)
13. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Mark T. Worthington and Worthington Enterprises, Inc.*, In Chancery No. 180290 (Fx. Co. Cir. Ct.) (Lee District)
14. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Jimmie K. Walker and Margie L. Walker*, In Chancery No. 182748 (Fx. Co. Cir. Ct.) (Lee District)

And in addition:

- Metromedia Fiber Network, Incorporated et al. versus Virginia State Corporation Commission, Adversary Proceeding Number 02-605357; Metromedia Fiber Network, Incorporated et al versus County of Fairfax, Adversary Proceeding Number 02-05358 (United States Bankruptcy Court for the Southern District of New York)
- Zofia A. Zager versus Rukhsana Khalid, et al.; In Chancery Number 179443.

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

DMB:dmb

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

ACTIONS FROM CLOSED SESSION

67. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board

during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

68. **APPOINTMENT OF WILLIAM E. SHOUP AS ZONING ADMINISTRATOR** (Tape 7)

Supervisor Gross moved that the Board appoint William E. Shoup as Zoning Administrator effective May 17, 2003. Supervisor Connolly seconded the motion and it carried by unanimous vote.

69. **AUTHORIZATION OF SETTLEMENT IN METROMEDIA FIBER NETWORK, INCORPORATED, ET AL. VERSUS VIRGINIA STATE CORPORATION COMMISSION, AND METROMEDIA FIBER NETWORK, INCORPORATED, ET AL., VERSUS COUNTY OF FAIRFAX** (Tape 7)

Supervisor Hudgins moved that the Board authorize settlement in *Metromedia Fiber Network, Incorporated, et al. versus Virginia State Corporation Commission*, Adversary Proceeding No. 02-05357, and *Metromedia Fiber Network, Incorporated, et al., versus County of Fairfax* Adversary Proceeding No. 02-05358 (United States Bankruptcy Court for the Southern District of New York) (Hunter Mill, Providence, and Dranesville Districts), according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

70. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2002-PR-040 (FAIRFAX PLAZA COMPANY LP) (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 2002-PR-040 until **April 7, 2003, at 4:30 p.m.** Supervisor Hyland seconded the motion and it carried by unanimous vote.

71. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-089-3 (JERRY'S FORD, INCORPORATED) (MASON DISTRICT)** (Tape 7)

The application property is located at 6510 Little River Turnpike, Tax Map 72-1 ((1)) 23.

Mr. Donald W. Seiler reaffirmed the validity of the affidavit for the record.

Mr. Seiler 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, Fran Burnszynski, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Following discussion, with input from Barbara A. Byron, Director, ZED, DPZ, Supervisor Gross moved approval of Special Exception Amendment Application SEA 84-M-089-3, subject to the development conditions dated March 13, 2003. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

72. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-059-5 (BSI, INCORPORATED, T/A BROWNE ACADEMY) (LEE DISTRICT)** (Tape 7)

The application property is located at 5917 Telegraph Road, Tax Map 82-4 ((1)) 31A and 32.

Mr. Grayson P. Hanes reaffirmed the validity of the affidavit for the record.

Mr. Hanes 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, Cathy Belgin, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Amendment Application SEA 85-L-059-5, subject to the development conditions dated January 8, 2003.
- Modification of the transitional screening and barrier requirements in favor of that shown on Sheet Two of the SEA Plat.

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

DS:ds

73. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2002-LE-023 (WILLIAM K. AMES) (LEE DISTRICT)** (Tape 8)

(O) The application property is located at 4001 and 4003 Buckman Road, Tax Map 101-2 ((1)) 4 and 5.

Mr. Gregory J. Budnik reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Kauffman moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2002-LE-023, from the R-2 and HC Districts to the R-8 and HC Districts, subject to the proffers dated March 21, 2003.
- Waiver of the minimum district size for the R-8 District.
- Modification of the transitional screening requirements along the northern and western boundaries to that shown on the Generalized Development Plan.
- Waiver of the barrier requirements along the northern and western boundaries.

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

ADDITIONAL BOARD MATTER

74. **WELCOME TO CUB SCOUT TROOP 1131 FROM BRADDOCK DISTRICT** (Tape 8)

Chairman Hanley recognized the presence of members of Cub Scout Troop 1131 from Braddock District who are working on their Citizenship Community Merit

Badges and learning about how the County government functions. On behalf of the Board, Chairman Hanley warmly welcome Troop 1131 to the Board Auditorium.

AGENDA ITEMS

75. **3:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD PROJECT – CLIFTON ROAD (SPRINGFIELD AND SULLY DISTRICTS)**
(Tape 8)

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

L.T. Glascoe, Right-of-Way Agent, Land Acquisition Division (LAD), Department of Public Works and Environmental Services (DPWES), presented the staff recommendation.

Following the public hearing, which included testimony by six speakers, discussion ensued with input from Larry Ichter, Branch Chief, LAD, DPWES, and Mr. Glascoe.

Supervisor Frey moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project 008802–Clifton Road, in Fund 301, Developer Contributed Roadway Improvement Funds. He noted that staff should continue working with the property owners to address any outstanding issues. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor Kauffman being out of the room.

76. **3:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD PROJECT – LEESBURG PIKE (PROVIDENCE DISTRICT)** (Tape 8)

Supervisor Connolly moved to defer the public hearing on the acquisition of certain land rights necessary for the construction of County Road Project–Leesburg Pike until **April 28, 2003, at 3 p.m.** Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being of the room.

77. **3:30 P.M. – PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 12023 WAPLES MILL ROAD (PROVIDENCE DISTRICT)** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

Christina M. Sadar, Blight Abatement Program Coordinator, Department of Housing and Community Development (HCD), presented the staff recommendation.

Discussion ensued with input from Thomas M. Overocker, Chief, Housing Rehabilitation, HCD, and Ms. Sadar.

Following the public hearing, which included testimony by three speakers, Supervisor Connolly moved:

- Adoption of the Ordinance to declare 12023 Waples Mill Road [Tax Map Number 046-1-((05))-0001] blighted, constituting a nuisance.
- Approval of the blight abatement plan for 12023 Waples Mill Road.
- That the 30-day blight abatement plan date certain be extended to May 1, 2003.

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

78. **4 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON SEGMENTS OF SPARGER STREET (ROUTE 3177) AND VACATE A SEGMENT OF ALEXANDER STREET (DRANESVILLE DISTRICT)** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

Michael A. Davis, staff, Department of Transportation, presented the staff recommendation.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved:

- Adoption of the Ordinance vacating segments of Sparger Street and Alexander Street.
- Adoption of the Order abandoning a segment of Sparger Street.

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

79. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-V-151 (M&K REALTY, LLC) (MOUNT VERNON DISTRICT)** (Tape 8)

Supervisor Hyland moved to defer the public hearing on Proffered Condition Amendment Application PCA 85-V-151 until **April 7, 2003, at 4 p.m.** Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, and Supervisor McConnell being out of the room.

80. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT), TO CONSIDER RELOCATING A POLLING PLACE, AMENDING ELECTION PRECINCTS, AND RELOCATING TWO ABSENTEE VOTING SATELLITES, AND ESTABLISHING THE HOURS OF OPERATION FOR ABSENTEE VOTING SATELLITES** (Tapes 8-9)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

Margaret K. Luca, Electoral Board Secretary, presented the staff recommendation.

Following the public hearing, Supervisor Gross moved adoption of the following proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District):

- Relocating the polling place for Skyline precinct.
- Dividing Garfield, Freedom Hill, Leehigh, Chantilly, Rocky Run, and Lees Corner precincts to create five additional precincts.

- Adjusting the boundary between Hollin Hall and Waynewood precincts to conform to the Congressional District boundary.
- Adjusting the boundary between Parkway and Woodyard precincts to conform to the Virginia Senate District boundary.
- Adjusting the boundary between Clifton and Fairfax Station precincts.
- Adjusting the boundary between the Lee and Mount Vernon Districts to conform to a road realignment.
- Moving the Mount Vernon and West Springfield absentee voting satellites back to their respective governmental centers.
- Establishing the hours of operation for absentee voting satellites.
- Adopting revised descriptions of all precincts to ensure accuracy and uniformity in the format, naming conventions, definitions and parameters used to describe the election precincts.

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

81. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), SECTION 3-3-37.2, REGARDING THE REVISION OF BENEFITS IN THE UNIFORMED RETIREMENT SYSTEM FOLLOWING DETERIORATION OF A DISABILITY OR DEVELOPMENT OF A SUBSEQUENT DISABILITY** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

Laurz A. Swartz, Executive Director of the Retirement Boards, presented the staff recommendation.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Section 3-3-37.2, regarding the revision of benefits in the Uniformed Retirement System following deterioration of a disability or development of a

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

82. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLES 2, 3, AND 7, REGARDING TECHNICAL CHANGES TO THE EMPLOYEES', POLICE OFFICERS, AND UNIFORMED RETIREMENT SYSTEMS REQUIRED TO UPDATE INTERNAL REVENUE SERVICES (IRS) QUALIFICATION OF PLANS** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

Laurnz A. Swartz, Executive Director of the Retirement Boards, presented the staff recommendation.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Articles 2, 3, and 7, regarding technical changes to the Employees, Police Officers, and Uniformed Retirement Systems required to update IRS qualification of plans. Supervisor Hudgins seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

83. **4:30 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S02-I-B1 FOR SEVEN CORNERS SHOPPING CENTER (MASON DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

Clara Quintero Johnson, Planner II, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff recommendation.

Extensive discussion ensued with input from Sterling R. Wheeler, Chief, Policy and Plan Development Branch, PD, DPZ, and Ms. Johnson.

Following the public hearing, which included testimony by one speaker, Supervisor Gross moved approval of the Planning Commission recommendation for Out-of-Turn Plan Amendment S02-I-B1. It modifies the current plan

guidance as shown on the handout dated March 24, 2003, which adds text allowing consideration of a third drive-through use. This motion died for lack of a second.

Supervisor Gross moved approval of the Planning Commission recommendation for Out-of-Turn Plan Amendment S02-I-B1, removing the words "or abutting" from the language, as presented. Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, and Supervisor McConnell being out of the room.

84. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), REGARDING VALIDATION OF LOTS THAT WERE NOT LEGALLY CREATED** (Tapes 9-11)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

John Friedman, Engineer III, Code Analysis Division, Department of Public Works and Environmental Services (DPWES), presented the staff recommendation.

Extensive discussion ensued with input from J. Patrick Taves, Deputy County Attorney, and Mr. Friedman.

Following the public hearing, which included testimony by 16 speakers, further discussion ensued with input from Michelle Brickner, Director, Office of Site Development Services, DPWES; Mr. Taves; and Mr. Friedman.

Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), as set forth in the staff report dated February 10, 2003, and as revised March 10, 2003, as recommended by the Planning Commission, regarding validation of lots that were not legally created, to become effective at 12:01 a.m., March 25, 2003. Supervisor Gross seconded the motion.

Following discussion, with input from Mr. Taves, Supervisor Kauffman asked to amend the motion that the Board direct staff to work with John Frey, Clerk of the Circuit Court, to avoid continuing to perpetuate these type of problems. This was accepted.

Following further discussion the question was called on the motion, as amended, and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

Supervisor Frey moved that the Board direct staff to prepare further amendments to the subdivision ordinance to allow the Board to consider automatic validation of developed lots created after 1947 and forward said amendments to the Board to authorize advertisement at its April 7, 2003, meeting. The advertised public hearings will be scheduled to be held before the Planning Commission on April 24, 2003, and before the Board on April 28, 2003. Supervisor Connolly seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland asked unanimous consent that the Board request the Board of Zoning Appeals and the Planning Commission to review and report to the Board, before authorizing advertisement, the broadest scope that can possibly be advertised so that further scope questions do not arise. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following discussion, the question was called on the motion and it carried by unanimous vote.

85. **5 P.M. – PH ON REZONING APPLICATION RZ 2002-DR-030 (SEKAS HOMES LTD) (DRANESVILLE DISTRICT)** (Tape 11)

- (O) The application property is located on the west side of Trap Road, approximately 500 feet south of its intersection with Leesburg Pike, Tax Map 19-4 ((3)) 2–4.

Ms. Sarah V. Kroll reaffirmed the validity of the affidavit for the record.

Ms. Kroll 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, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2002-DR-030, be amended from the R-1 District to the PDH-2 District, subject to the proffers dated February 18, 2003. Supervisor Bulova and Chairman Hanley jointly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

86. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2002-MA-020 (SPRINT PCS/APC REALTY AND EQUIPMENT COMPANY LLC AND THE ANNANDALE VOLUNTEER FIRE DEPARTMENT) (MASON DISTRICT)** (Tape 12)

The application property is located at 8914 Little River Turnpike, Tax Map 58-4 ((1)) 62.

Ms. Janet A. Brown reaffirmed the validity of the affidavit for the record.

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

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

Following discussion, Supervisor Gross moved:

- Approval of Special Exception Application SE 2002-MA-020, subject to the development conditions dated March 5, 2003.
- Modification of the transitional screening requirements and waiver of the barrier requirements on the north and south in favor of the existing landscaping.

Supervisor Hudgins and Supervisor Hyland jointly seconded the motion.

Supervisor McConnell moved to amend the motion to delete development condition number 11, which states that absolutely no lighting shall be permitted on the site which has as its purpose the illumination of the monopole, flagpole, or flags. Supervisor Bulova seconded the motion.

Supervisor Bulova asked to amend the amendment to the motion (Supervisor McConnell's) that the flag and pole be lit with a 100-watt light and louvered with a non-glare device. This was accepted.

Following discussion, the question was called on the amendment to the motion (Supervisor McConnell's), and it **FAILED** by a recorded vote of four, Supervisor Bulova, Supervisor McConnell, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Connolly and Supervisor Mendelsohn being out of the room.

The question was called on the main motion (Supervisor Gross') and it **CARRIED** by a recorded vote of seven, Supervisor McConnell voting "NAY," Supervisor Connolly and Supervisor Mendelsohn being out of the room.

87. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-L-147 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-V-009-2 (KHAN INTERNATIONAL, LLC) (MOUNT VERNON DISTRICT)** (Tapes 12-13)

The Proffered Condition Amendment Application PCA 79-L-147 is located on the east side of Gunston Cove Road, approximately 230 feet south of Lorton Road.

The Special Exception Amendment Application SEA 84-V-00-2 property is located at 9308 Gunston Cove Road, Tax Map 107-4 ((1)) 11A.

Pastor David Hunter reaffirmed the validity of the affidavit for the record.

Discussion ensued with input from Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning.

Pastor Hunter 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 two speakers, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved to defer decision on Proffered Condition Amendment Application PCA 79-L-147 and Special Exception Amendment Application SEA 84-V-009-2 until **April 28, 2003, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

A brief discussion ensued.

88. **7 P.M. – PH ON THE DRAFT CONSOLIDATED PLAN ONE YEAR ACTION PLAN FOR FISCAL YEAR 2004** (Tape 13)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 6 and March 13, 2003.

Discussion ensued with input from Audrey Spencer-Horsley, staff, Real Estate Finance and Grants Management Division, Department of Housing and Community Development.

Following the public hearing which included testimony by four speakers, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to report with the following:

- Information regarding whether other items can be put in the funding pool out of the Community Development Block Grant or does it have to be Targeted Public Services.
- Whether the amount listed for Federal and State Community Services Block Grant Funds is the total allocated amount.
- Information regarding the funding balance.
- A report on the United Way funding.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Chairman Hanley stated that the record will be remain open for discussion and items for the record, with final action to be taken at the April 28, 2003, meeting.

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

At 9:05 p.m., the Board adjourned.

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