



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
September 10, 2001**

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01-19

DMB:dmb

The meeting was called to order at 9:20 a.m., with all Members being present, with the exception of Supervisor Frey and Supervisor Mendelsohn, and with Chairman Hanley presiding.

Supervisor Frey and Supervisor Mendelsohn arrived at 9:25 a.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.

BOARD MATTER

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

Chairman Hanley asked everyone to remember in thoughts and prayers the family and friends of Captain Paul Nichols, Communications Section, Fairfax County Fire and Rescue Department, who died last week. Captain Nichols invested much of his time in community activities and was a role model for all to follow.

AGENDA ITEMS

2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE ODYSSEY OF THE MINDS TEAMS** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to the Odyssey of the Mind teams. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Connolly moved approval of the Certificate of Recognition presented to Mantua Elementary School, Springfield Estates Elementary School, Thomas Jefferson High School for Science and Technology, Lake Braddock Middle School, and Ellen Glasgow Middle School, for seeking creative solutions to problems through teamwork, cooperation, and risk-taking resulting in their qualifying at the regional level to compete in the worldwide Odyssey of the Mind event conducted by the University of Maryland. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MASTER POLICE OFFICER JOSH BROWN** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to Master Police Officer Josh Brown for 23 years of service to the County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

4. **PROCLAMATION TO DESIGNATE SEPTEMBER 10 THROUGH SEPTEMBER 16 AS "CHORAL MUSIC WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and recognized the Fairfax Choral Society for its 40 years of achievement and commitment to choral music and moved approval of the Proclamation designating September 10 through September 16, 2001, as "*Choral Music Week*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Gross being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

5. **ORDERS OF THE DAY** (Tape 1)

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the Certificate of Recognition presented to Robert L. Mears, Director of Finance, and Members of the staff.

6. **PROCLAMATION TO DECLARE SEPTEMBER 15 THROUGH OCTOBER 15 AS "HISPANIC HERITAGE MONTH" IN FAIRFAX COUNTY** (No Tape)

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL# 8).

7. **CERTIFICATE OF RECOGNITION PRESENTED TO ROBERT L. MEARS, DIRECTOR OF FINANCE, AND MEMBERS OF THE STAFF**
(Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Achievement for Excellence in Financial Reporting to Robert L. Mears, Director, and members of the staff of the Department of Finance. The motion, the second to which was inaudible, carried by a vote of seven, Supervisor Connolly, Supervisor Frey, and Supervisor Gross being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Chairman Hanley recognized the presence of Frederick D. and Elizabeth L. Mears, parents of brothers Bob Mears and Douglas F. Mears, Artistic Director, Fairfax Choral Society, and warmly welcomed them to the Board Auditorium.

8. **PROCLAMATION TO DECLARE SEPTEMBER 15 THROUGH OCTOBER 15 AS "HISPANIC HERITAGE MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation declaring September 10 through October 15 as "*Hispanic Heritage Month*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Gross being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. **PROCLAMATION TO DESIGNATE SEPTEMBER AS "OVARIAN CANCER AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Hudgins moved approval of the Proclamation designating September as "*Ovarian Cancer Awareness Month*" in Fairfax County. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.

10. **CERTIFICATE OF RECOGNITION PRESENTED TO THE CHILD AUTO SAFETY PROGRAM COALITION** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to the Child Auto Safety Program Coalition for its initiatives in regard to child

auto safety. Supervisor Connolly seconded the motion and it carried by unanimous vote.

11. **CERTIFICATE OF RECOGNITION PRESENTED TO ROBERT MEARS, DIRECTOR OF FINANCE, AND MEMBERS OF THE STAFF** (No Tape)

(NOTE: Earlier in the meeting action was taken on this item. See Clerk's Summary Item CL# 7).

12. **10:15 A.M. – REPORT BY THE COUNTYWIDE SIGN TASK FORCE**
(Tape 2)

David B. Conway, Mason District Representative, Sign Task Force, presented its report.

Extensive discussion ensued with input from Jan L. Brodie, Senior Assistant County Attorney, and Jane W. Gwinn, Zoning Administrator/Division Director, Department of Planning and Zoning.

Supervisor Kauffman asked unanimous consent that the Board forward the recommendations for the legislative changes to the County's Legislative Subcommittee. Without objection, it was so ordered.

Supervisor Bulova moved that the Board:

- Accept the Countywide Sign Task Force report
- Direct staff to seek some additional feedback on the report from organizations that would be affected by its final recommendations

Supervisor McConnell seconded the motion.

Supervisor Mendelsohn asked unanimous consent that the Board get an extensive legal briefing from the Sign Task Force on a number of the rulings that have or may affect the whole issue of sign proliferation and the governance over various kinds of signs including the First Amendment rights of protected speech. Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide a list of people with whom the Task Force should be working. Without objection, it was so ordered.

Additional discussion ensued.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

13. **10:15 A.M. – PH ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY) 2001 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2002 REVISED BUDGET PLAN** (Tapes 2-4)

(SAR)

(FPR)

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

The public hearing was held and included testimony by 24 speakers.

Anthony H. Griffin, County Executive, presented a report regarding the series of five volumes entitled the *Inventory of County Activities, Programs, and Services* (ICAPS). The volumes are on the Department of Management and Budget (DMB) website and in County libraries.

Discussion ensued with input from Edward L. Long, Jr., Chief Financial Officer, and Susan Datta, Director, DMB.

Supervisor Bulova moved adoption of Supplemental Appropriation Resolution AS 02022 and Amendment to the Fiscal Planning Resolution AS 02901 which includes the revenue, expenditure and transfer adjustments, and grant awards and adjustments contained in the County and Schools' Carryover Review. This action results in an available balance of \$6.28 million, which represents 0.3 percent of the *FY 2001 Revised Budget Plan* General Fund Disbursements. Supervisor Hyland seconded the motion, which 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 Bulova moved approval of the transfer of 40 percent of the Available Balance or \$2,511,050 to the Revenue Stabilization Fund. Supervisor Hyland seconded the motion.

Following discussion with input from Ms. Datta, the question was called on the motion and it carried by unanimous vote.

Supervisor Bulova moved approval of the:

- Adopted budget guidelines

- Allocation of \$1.82 million, or 50 percent of the remaining balance, to the Schools to support non-recurring requirements.

Supervisor Hyland seconded the motion and it carried by unanimous vote.

Supervisor Bulova moved approval of the consideration items listed in the document entitled *Board Motions FY 2001 Carryover Review*, which total \$1.81 million or 0.08 percent of the FY 2001 Revised Budget Plan General Fund Disbursements. The balance after this adjustment is \$5,856. Supervisor Hyland seconded the motion. Discussion ensued with input from Mr. Long.

Following discussion, Supervisor Hudgins asked to amend the motion that the Board consider changing the amount of funding for the Economic Development Authority (EDA) (\$400,000) for its marketing expansion to \$380,000 and add a line of \$20,000 within the EDA budget to the Greater Reston Chamber of Commerce for its incubator program. Supervisor Kauffman seconded the motion.

Discussion ensued.

The question was called on the amendment to the motion which **FAILED** by a recorded vote of seven, Supervisor Hudgins, Supervisor Kauffman, and Chairman Hanley voting “**AYE.**”

Supervisor McConnell asked unanimous consent that the Board direct the County Executive to report regarding why the Water Authority has not put the Lincoln-Lewis-Vannoy water project out to bid. Without objection, it was so ordered.

Supervisor Connolly asked to amend the motion that the Board consider funds in the amount of \$200,000, available in the \$355,000 Cameron Run Watershed budget fund, be allocated in Fund 316 pro rata share drainage construction to initiate the design and land acquisition associated with the Falls Hill Subdivision flooding problems. Supervisor Mendelsohn seconded the motion.

Supervisor Mendelsohn asked to amend the amendment to the motion to include \$100,000 taken from Scott’s Run and \$240,000 from Pimmit Run to start the process of addressing Tucker Avenue and Swinks Mill Road flooding, and this was accepted.

Supervisor Frey asked to amend the amendment to the motion to include initiating the plan and design for Timberline Court in the Difficult Run Watershed, and this was accepted.

Following discussion with additional input from Ms. Datta, the question was called on the amendments to the motion and it carried by unanimous vote.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to report back after reviewing the recent house floodings to determine whether some of it might have been prevented had some smaller projects been done. Without objection, it was so ordered.

The question was called on the main motion, as amended, and it carried by unanimous vote.

Supervisor Bulova moved approval of adjusting the Managed Reserve to maintain the reserve at two percent of total disbursements based on actions taken by the Board as part of the Carryover Review. Supervisor Hyland seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the Board announced a workshop regarding ICAPS. See Clerk's Summary Item CL# 88).

ADDITIONAL BOARD MATTER

14. **WELCOME TO THE VISITORS AND INTERNS FROM ETHIOPIA**
(Tape 4)

Chairman Hanley recognized the presence of visitors and interns from Ethiopia; Genet Metike, Hanna Yemane, and Martha Yesiwork, and warmly welcomed them to the Board Auditorium. They were the recipients of a League of Women Voters Education grant along with the State Department. The program name is "Woman Power in Politics: Building Grassroots Democracy in Africa."

SBE:sbe

AGENDA ITEMS

15. **ADMINISTRATIVE ITEMS** (Tape 4)

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

With respect to several of the Administrative Items dealing with the Head Start Program, Supervisor Connolly asked unanimous consent that the Board direct the County Executive to begin contingency planning in the event that the federal government adopts an across-the-board budget cut because of a declining economy. Without objection, it was so ordered.

The question was called on 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."

ADMIN 1 – BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 2002

Adopted the Board of Supervisors meeting schedule for January through December 2002.

ADMIN 2 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, LEE, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Crews Woods, Phase II	Dranesville	Crews Road Route 7629
Lockmar	Dranesville	Lockmeade Court
Hunter Mill Estates, Section 5	Hunter Mill	Clovermeadow Drive Coving Cross Lane Route 8813 Rosaleigh Court Hunter Mill Road Route 674 Additional ROW Only
Edge Hill	Lee	Lake Village Drive Route 8692 Cliff Drive Edge Cliff Drive
Hideaway Woods	Providence	Subtle Lane Route 5153
Oakton Retreat	Providence	Sledding Hill Road Vale Road Route 672 Additional ROW Only

Red Fox Estates	Springfield	Red Fox Estates Court Center Road Route 777 Additional ROW Only Hillside Road Route 1031 Additional ROW Only
Balmoral Greens	Sully/Springfield	Balmoral Greens Avenue Union Mill Road Route 659 Additional ROW Only Compton Road Route 658 Additional ROW Only
Woodlands of Fair Lakes Section 2	Sully	Poplar Valley Court Maple Valley Court Stringfellow Road Route 645 Additional ROW Only
Woodlands of Fair Lakes Section 4	Sully	Austrian Pine Court

ADMIN 3 – INSTALLATION OF A "WATCH FOR CHILDREN" SIGN ON ROUND PEBBLE LANE (HUNTER MILL DISTRICT)

- (R)
- Adopted the Resolution endorsing the installation of a "Watch for Children" sign on Round Pebble Lane (Hunter Mill District)
 - Directed staff to request the Virginia Department of Transportation to install this sign at the earliest possible date.

ADMIN 4 – INSTALLATION OF MULTI-WAY STOPS AT VARIOUS LOCATIONS (DRANESVILLE AND BRADDOCK DISTRICTS)

- Endorsed the installation of multi-way stops at the following locations:
 - Tennyson Drive and Linden Hurst Avenue (Dranesville District)

- Still Meadow Road and Cotton Farm Road
(Braddock District)
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 5 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 96-B-010, TRINITY CHRISTIAN SCHOOL (BRADDOCK DISTRICT)

(AT) Approved the request for 12 months of additional time for Special Exception Application SE 96-B-010 to September 9, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 – ADDITIONAL TIME TO ESTABLISH THE USE FOR SPECIAL EXCEPTION APPLICATION SE 93-Y-035, CENTREVILLE LAND CORPORATION/TARMAC MID-ATLANTIC, INCORPORATED (SULLY DISTRICT)

(AT) Approved the request for 10 months of additional time for Special Exception Application SE 93-Y035 to March 22, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 7 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 95-Y-046, FERGUSON ENTERPRISES, INCORPORATED (SULLY DISTRICT)

(AT) Approved the request for 12 months of additional time for Special Exception Application SE 95-Y-046 to August 12, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 8 – AUTHORIZATION TO SUBMIT A LETTER OF INTENT TO APPLY TO THE ROBERT WOOD JOHNSON (RWJ) FOUNDATION FOR A COMMUNITY PARTNERSHIPS FOR OLDER ADULTS DEVELOPMENT GRANT

Authorized staff to submit a Letter of Intent to the Robert Wood Johnson Foundation for a grant application in the amount of approximately \$150,000.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO EXECUTE AN AGREEMENT AMENDMENT WITH THE TOWN OF HERNDON TO SHARE EXPENSES FOR A NEIGHBORHOOD RESOURCE CENTER (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 1, 2001, at 3:30 p.m.**, to consider entering into the Agreement Amendment with the Town of Herndon to share expenses for a neighborhood resource center.

ADMIN 10 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING DRY CLEANING ESTABLISHMENTS/LAUNDRIES

- (A)(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 11, 2001, and before the Board on **November 19, 2001, at 4:30 p.m.** to consider revising the provisions regarding dry cleaning establishments and laundries as retail commercial uses.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE LEEHIGH VILLAGE PHASE II SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 1, 2001, at 3:30 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Project X00826 (R0005) – Leehigh Village Phase II Sanitary Sewer Extension and Improvement.

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A PORTION OF LENCLAIR STREET (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 1, 2001, at 4 p.m.**, to consider the vacation of a portion of Lenclair Street.

ADMIN 13 – AUTHORIZATION OF A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF POLO PLACE (ROUTE 3776) (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 22, 2001, at 4 p.m.**, to consider the vacation and abandonment of a portion of Polo Place (Route 3776).

ADMIN 14 – 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, EXPANDING THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 1, 2001, at 3:30 p.m.**, on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the Annandale RPPD, District 14. The proposed District expansion includes the following street block:

- Arlen Street (Route 2756) from Manion Street (Route 2755) to the east end

ADMIN 15 – 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, EXPANDING THE LANGLEY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 20 (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 1, 2001, at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the Langley RPPD, District 20. The proposed District expansion includes the following street blocks:

- Turkey Run Road (Route 798) from Langley Hill Drive (Route 1906) to Kedleston Court (Route 7308)
- Turkey Run Road from Kedleston Court to the Turkey Run Road Fork

ADMIN 16 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02019 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT SERVICES (JDRDCS) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO DEVELOP A RESIDENTIAL SERVICES INTEGRATED CLIENT DATABASE

- (SAR) Approved SAR AS 02019 in the amount of \$65,548 For the JDRDCS to accept a Federal Juvenile Accountability Incentive Block Grant from the Department of

Criminal Justice Services to be used to establish a Residential Services Integrated Client Database. The required local cash match of \$28,092 has been set aside in the agency budget.

**ADMIN 17 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02025 FOR THE HEALTH DEPARTMENT’S WOMEN, INFANTS
AND CHILDREN (WIC) OBESITY GRANT**

- (SAR) Approved SAR AS 02025 in the amount of \$26,470 from the US Department of Agriculture through the Virginia Department of Health for the WIC obesity grant. No local cash match is required.

**ADMIN 18 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02027 FOR THE CONTINUATION OF THE FEDERAL HEAD START
PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY
SERVICES**

- (SAR) Approved SAR AS 02027 in the amount of \$1,025,979 for Federal Head Start programs, including \$811,138 from the US Department of Health and Human Services, \$35,000 from the US Department of Agriculture, and a local cash match of \$79,841. The remaining program costs of \$147,944 are met through the use of existing services and other non-cash contributions identified as an in-kind match.

**ADMIN 19 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02028 FOR THE EXPANSION OF THE FEDERAL HEAD START
PROGRAM WITHIN THE DEPARTMENT OF FAMILY
SERVICES/OFFICE FOR CHILDREN**

- (SAR) Approved SAR AS 02028 in the amount of \$188,088 for the expansion of federal Head Start programs. No local cash match is required.

**ADMIN 20 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02029 FOR THE CONTINUATION OF THE FEDERAL EARLY HEAD
START PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY
SERVICES**

- (SAR) Approved SAR AS 02029 in the amount of \$1,714,713 for the Early Head Start grant. This includes \$1,531,925 from the Department of Health and Human Services, \$20,000 from the US Department of Agriculture, and a local cash match of \$162,788 (to meet a portion of the required 20 percent match).

**ADMIN 21 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02030 FOR THE EXPANSION OF FEDERAL FUNDING FOR THE
EARLY HEAD START PROGRAM WITHIN THE DEPARTMENT OF
FAMILY SERVICES/OFFICE FOR CHILDREN**

- (SAR) Approved SAR AS 02030 in the amount of \$819,434 to continue services in Southern Fairfax County. This funding includes \$652,133 from the US Department of Health and Human Services, \$20,000 from the US Department of Agriculture, and a local cash match of \$147,321.

**ADMIN 22 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 02031 FOR THE FAIRFAX COUNTY JUVENILE AND DISTRICT
RELATIONS DISTRICT COURT (JDRDC) SERVICES TO ACCEPT
GRANT FRUNDS FROM THE VIRGINIA DEPARTMENT OF
CRIMINAL JUSTICE SERVICES (DCJS)**

- (SAR) Approved SAR AS 02031 in the amount of \$13,446 for the JDRDC to support the annual Virginia Juvenile Justice Association training conference and workshop. The 10 percent local cash match of \$1,494 will be funded by the agency's budget and reimbursed by the collection of conference fees.

**ADMIN 23 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING
AND DESIGNATION OF AN ADVISORY BOARD TO REVIEW AND
COMMENT ON THE PROPOSED SUE OF FUNDS RECEIVED BY THE
POLICE DEPARTMENT UNDER THE LOCAL LAW ENFORCEMENT
BLOCK GRANT PROGRAM**

- (A)
(BACs)
- Authorized the advertisement of a public hearing to be held before the Board on **September 24, 2001, at 3:30 p.m.** on the use of funds received by the Police Department under the Local Law Enforcement Block Grant Program.
 - Created an Advisory Board whose members will be authorized to make non-binding recommendations to the recipient for the use of the Block Grant funds.
 - Designated the following individuals to serve as members of the advisory board:
 - John T. Frey, Clerk of the Circuit Court
 - Thuy Nguyen Dutton, Member at Large, Citizens Advisory Council

- Tom Hurney, Reston Citizens Advisory Council
- Ray Morrrough, Deputy Commonwealth's Attorney
- Dr. David Weisman, Disciplinary Hearing Officer, Fairfax County Public Schools
- Audrey Slyman, Major, Police Department

16. **A-1 – DELINQUENT REAL ESTATE, PERSONAL PROPERTY, AND BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSES (BPOL) DELINQUENCY LIST FOR TAX YEAR 2002 [FISCAL YEAR (FY) 2001]** (Tape 6) (Tape 5 was not used.)

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

- Publish lists of delinquent real estate, personal property and BPOL taxes for public review in all Fairfax County regional public libraries
- Return the Tax Year 2000 delinquent tax lists to the Department of Tax Administration (DTA) to continue collection of taxes on subjects other than real estate until the expiration of the applicable statute of limitations as provided by the Code of Virginia, Section 58.1-3933.

Supervisor Bulova seconded the motion.

Following discussion, with input from Kevin C. Greenlief, Director, DTA, the question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Connolly voting "NAY."

17. **A-2 – APPROVAL OF THE FAIRFAX COUNTY ROAD MAINTENANCE AND IMPROVEMENT PROGRAM (FCRMIP) STATUS REPORT (COUNTYWIDE)** (Tape 6)

This item was withdrawn by staff.

18. **A-3 – EXPANSION OF THE APPROVED SEWER SERVICE AREA: A PORTION OF THE LAUREL HILL COMMUNITY PLANNING SECTOR (MOUNT VERNON DISTRICT)** (Tape 6)

On motion of Supervisor Hyland, seconded by Supervisor Kauffman, and carried by unanimous vote, the Board concurred in the recommendation of staff and expanded the Approved Sewer Service Area to include an approximately 699-acre area within a portion of the Laurel Hill Community Planning Sector as shown in Attachment 1 of the Memorandum to the Board dated September 10, 2001.

19. **A-4 – AUTHORIZATION TO ESTABLISH A NEW FAIRFAX CONNECTOR CROSS-COUNTRY BUS ROUTE SERVING WESTERN FAIRFAX COUNTY (HUNTER MILL, SPRINGFIELD, AND SULLY DISTRICTS)** (Tape 6)

On motion of Supervisor Hudgins, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Department of Transportation to implement the new cross-country service, Route 605, in accordance with the staff recommendations.

20. **A-5 – PARKING REDUCTION FOR HUNTINGTON METRO APARTMENTS (WESTMORELAND HOUSE) (MOUNT VERNON DISTRICT)** (Tape 6)

Chairman Hanley announced that this item would be deferred pending action following the public hearing on the land use application.

(NOTE: Later in the meeting the Board took action on this item. See Clerk's Summary Item CL# 38.)

21. **A-6 – APPROVAL OF FINAL COMMUNITY IMPROVEMENT PROGRAM ASSESSMENTS FOR BALLOU (DRANESVILLE DISTRICT)** (Tape 6)

- (Rs) On motion of Supervisor Mendelsohn, seconded by Supervisor Connolly, and 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," the Board concurred in the recommendation of staff and adopted the Resolutions establishing the final assessments for the Ballou Community Improvement Program project.

22. C-1 – 2001 VIRGINIA MUNICIPAL LEAGUE (VML) ANNUAL CONFERENCE (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 10, 2001, regarding the designation of delegates to represent the County at the VML Annual Conference.

Supervisor Mendelsohn moved that the Board designate Chairman Hanley as the voting delegate.

The second to this motion was inaudible.

Supervisor Connolly asked unanimous consent that the Board direct Chairman Hanley to raise the issue of Delegate John F. (“Jack”) Rust’s proposed income tax revenue sharing plan legislation at the conference and clarify the record on it. Without objection, it was so ordered.

Following further discussion, Supervisor Gross made reference to a recent VML newsletter that appeared to cover the major gubernatorial candidates unequally. She asked unanimous consent that the Board direct Chairman Hanley to raise this issue at the conference. Without objection, it was so ordered.

Chairman Hanley called the Board’s attention to the Section Voting Procedures, Attachment 2 of the Memorandum to the Board dated September 10, 2001, which explained that localities with populations in excess of 35,000 were part of the urban section and would have “one vote per 100,000 population rounded to the nearest 100,000.” She noted that Fairfax County’s number of votes for a population of 969,749 was incorrectly rounded to nine and that the votes for Chesterfield and Henrico Counties were also incorrect.

Accordingly, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the County Executive to communicate with VML to determine how those three counties were shortchanged in the vote allocation. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The question was called on the motion and it carried by unanimous vote.

23. **I-1 – FAIRFAX CONNECTOR RIDERSHIP REPORT FOR FISCAL YEAR (FY) 2001** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 10, 2001, regarding staff's report of the Fairfax Connector Ridership for FY 2001.

Discussion ensued regarding the Herndon-Monroe Park-and-Ride, with input from Young Ho Chang, Director, Department of Transportation.

24. **I-2 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-P00-13, BELL ATLANTIC MOBILE, INCORPORATED (PROVIDENCE DISTRICT)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 10, 2001, announcing the Planning Commission's **denial** of Public Facilities Application 2232-P00-13.

25. **I-3 – REGIONAL SURFACE TRANSPORTATION (RST) AND CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM PROJECTS FOR THE FISCAL YEAR (FY) 2003 VIRGINIA DEPARTMENT OF TRANSPORTATION PROGRAM (COUNTYWIDE)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 10, 2001, requesting authorization for staff to pursue funding for the RST and CMAQ program projects for FY 2003.

The staff was directed administratively to proceed as proposed.

26. **I-4 – CONTRACT AWARD – IRRIGATION SYSTEM REPLACEMENT AT BURKE LAKE GOLF COURSE (SPRINGFIELD DISTRICT)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 10, 2001, requesting authorization for staff to award a contract to Irrigation Services, Incorporated, in the amount of \$450,000 for replacement of the irrigation system at Burke Lake Golf Course as part of Project 004748, General Park Improvements in Fund 371, Park Capital Improvement Fund.

The staff was directed administratively to proceed as proposed.

27. **I-5 – CONTRACT AWARD – OPERATIONAL MEDICAL DIRECTOR FOR THE FIRE AND RESCUE DEPARTMENT** (Tape 6)

This item was withdrawn by staff.

28. **I-6 – COUNTY HOLIDAY SCHEDULE – CALENDAR YEAR 2002** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 10, 2001, requesting approval of the holiday schedule for calendar year 2002.

The staff was directed administratively to proceed as proposed.

29. **I-7 – PLAN DESIGN CHANGES FOR THE SELF-INSURED HEALTH PLANS** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated September 10, 2001, requesting authorization for staff to proceed with the changes for the County health insurance plans with an effective date of January 1, 2002.

The staff was directed administratively to proceed as proposed.

NV:nv

30. **ORDERS OF THE DAY** (Tape 7)

In light of the lateness of the hour, Supervisor Gross moved that the Board recess for lunch and present Board Matters following the public hearings. Supervisor McConnell seconded the motion, which **CARRIED** by a recorded vote of nine, Chairman Hanley voting “**NAY.**”

31. **RECESS/CLOSED SESSION** (Tape 7)

At 1:10 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 § 2.1-344(A)(1).

- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.1-344(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.1-344(A)(7).
 - 1. *Board of Supervisors v. InterActive Builders, Inc.*, At Law No. 193345 (Fx. Co. Cir. Ct.) (Sully District)
 - 2. Termination of Parking Agreement—Waterview at Woodland Park (Hunter Mill District)
 - 3. *Board of Supervisors and Jane W. Gwinn, Fairfax County Zoning Administrator v. Board of Zoning Appeals and CESC Tysons Dulles Plaza L.L.C.*, At Law No. 196219 (Fx. Co. Cir. Ct.) (Providence District)
 - 4. *John Thoburn, Renee Thoburn, and Golf Park, Inc. v. Jane W. Gwinn, Fairfax County Zoning Administrator*, Record No. 011919 (Sup. Ct. Va.) (Dranesville District)
 - 5. *Randy Lievan and Arthur Kyser, Together Trading as Dryclean Depot v. Jane W. Gwinn, Fairfax County Zoning Administrator*, Record No. 010371, and *Emanuel Stikas v. Board of Zoning Appeals of Fairfax County, Virginia, et al.*, Record No. 010367 (Sup. Ct. Va.) (Providence District)
 - 6. *Paradise Learning Center, T/A Deliverance Praise Temple, and Vanessa Weathers v. Fairfax County Board of Zoning Appeals*, In Chancery No. 193379 (Fx. Co. Cir. Ct.) (Braddock District)

7. *Ebrahim A. Babazadeh v. Fairfax County Board of Zoning Appeals*, At Law No. 173476 (Fx. Co. Cir. Ct.) (Sully District)
8. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Hazel L. Herring and Cheryl P. Herring*, In Chancery No. 161124 (Providence District)
9. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Chi Won Hwang, a/k/a Charlie Hwang, Chi Kwon Hwang, a/k/a John Hwang, and Brothers Construction Company, Inc.*, In Chancery No. 172421 (Fx. Co. Cir. Ct.) (Lee District)
10. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Charlie C. Hwang, John C. Hwang, and Samuel C. Hwang*, In Chancery No. 172341 (Fx. Co. Cir. Ct.) (Lee District)
11. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Calvin O. Williams*, Case No. 01-19926 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
12. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Mary K. Toone*, In Chancery No. 160681 (Fx. Co. Cir. Ct.) (Dranesville District)
13. *John Wesley White, Director v. Richard J. Meagher, Jr., et ux.*, In Chancery No. 168963 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Peter J. Eccles v. Tammy R. Brown*, In Chancery No. 173395 (Fx. Co. Cir. Ct.) (Dranesville District)

15. *Richard M. Robertson v. The Board of Supervisors of Fairfax County*, In Chancery No. 160618 (Fx. Co. Cir. Ct.) (Dranesville District)
16. *Anthony V. Anzalone v. Zoning Administrator*, At Law No. 192336 (Fx. Co. Cir. Ct.) (Braddock District)
17. *Board of Supervisors v. Town & Country Developers, Inc.*, At Law No. 197938 (Fx. Co. Cir. Ct.) (Braddock District)
18. *Board of Supervisors v. Eugene J. Cullinane, Inc., et al.*, At Law No. 197918 (Fx. Co. Cir. Ct.) (Dranesville District)
19. *Chad R. Simonds v. Fairfax County Department of Family Services*, Record No. 2404-00-4 (Ct. App. Va.)

Supervisor Hudgins seconded the motion, which carried by unanimous vote.

Chairman Hanley announced that closed session would convene at 1:30 p.m.

DS:ds

At 4:05 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

32. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 8)

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."

33. **REJECTION OF SETTLEMENT OFFER - CESC TYSONS DULLES PLAZA, LLC** (Tape 8)

Supervisor Connolly moved that the Board reject the settlement offer in the matter of *Board of Supervisors and Jane W. Gwinn, Fairfax County Zoning Administrator versus Board of Zoning Appeals and CESC Tysons Dulles Plaza L.L.C.*, At Law Number 196219, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion and it carried by unanimous vote.

34. **CONSIDERATION OF CONTRACT OF SALE FOR PROPERTY LOCATED AT 5935 FRED OAKS ROAD FOR PROJECT 004838 – BURKE CENTRE COMMUNITY LIBRARY** (Tape 8)

Supervisor Bulova moved that the Board approve the purchase and authorize execution of said Contract of Sale by the County Executive or Deputy County Executive. This property is located in the Braddock District, known as Tax Map Parcel 077-3-01-0021 and owned by Jona C. Shortt and Prita M. Shortt. Supervisor Connolly seconded the motion and it carried by unanimous vote.

35. **INTERACTIVE BUILDERS, INCORPORATED SETTLEMENT** (Tape 8)

Supervisor Frey moved that the Board authorize the settlement of *Board of Supervisors versus InterActive Builders, Incorporated*, At Law Number 193345, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote.

36. **AUTHORIZATION FOR THE COUNTY EXECUTIVE TO EXECUTE ON BEHALF OF THE BOARD THE TERMINATION OF PARKING AGREEMENT** (Tape 8)

Supervisor Hudgins moved that the Board authorize the County Executive to execute on its behalf the Termination of Parking Agreement, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

37. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-066 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 1996-MV-037-4 (SOUTH STATION LLC) (MOUNT VERNON DISTRICT)** (Tape 8)

(O) (NOTE: On July 23, 2001, the Board deferred the public hearing on this item until September 10, 2001.)

Both application properties are located on the east side of Lorton Station Boulevard, approximately 1,000 feet north of its intersection with Lorton Road, Tax Map 107-2 ((1)) 23, 24 pt. And 46 pt.; Tax Map 107-2 ((1)) 46 pt.

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

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

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

- In excess of \$200 from Mr. Sidney O. Dewberry, Dewberry and Davis LLC

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

Supervisor Hyland moved:

- Approval of Proffered Condition Amendment Application PCA 1996-MV-037-4
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-MV-066, from the PDH-5 and R-1 Districts to the PDH-3 District, subject to the proffers dated August 21, 2001

- Modification of the transitional screening yard requirements along the eastern boundary of the church to allow the plantings required in transitional screening yard one to be planted in an area that is 35 feet wide
- Modification of the transitional screening yard requirements along the western and southern boundaries of the church to reflect the CDP/FDP
- Waiver of the barrier requirement on all boundaries of the church; waiver of the maximum length of a residential private street in accordance with the provisions of Section 11-302 of the Zoning Ordinance
- Approval of a variance to allow a seven-foot tall fence along Wildwood Street as proffered, pursuant to the provisions of Paragraph 8, Section 16-401
- Approval of the Conceptual Development Plan, subject to the following development condition:
 - Subject to the review and approval of the Urban Forestry Division, plant material consistent with that required for transitional screening one should be planted between Lot Number five, and the right-of-way for Wildwood Street in a manner that provides screening for the property across Wildwood Street and does not interfere with any storm drainage improvements in that area. As necessary and upon the approval of the Urban Forestry Division, the amount of plant material may be reduced to accommodate the storm drainage improvements and tot lot.

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

38. **3 P.M. – PH ON REZONING APPLICATION RZ 2001-MV-011, SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-V-023 (LCOR/JV ACQUISITION LLC) AND A-5 – PARKING REDUCTION FOR HUNTINGTON METRO APARTMENTS (WESTMORELAND HOUSE) (MOUNT VERNON DISTRICT)** (Tape 8)

(O) (NOTE: On August 6, 2001, the Board deferred the public hearing for this item until September 10, 2001.)

(NOTE: Earlier in the meeting the Board deferred action on Item A-5. See Clerk’s Summary Item CL# 20.)

The Rezoning Application RZ 2001-MV-011 property is located on the north side of Huntington Avenue, east of Metroview Parkway, Tax Map 83-1 ((1)) 53A.

The Special Exception Amendment Application SEA 88-V-023 property is located at 2430 Huntington Avenue, Tax Map 83-1 ((1)) 53A.

Mr. Timothy S. Sampson reaffirmed the validity of the affidavit for the record.

Mr. Sampson 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, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

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

- In excess of \$200 from McCandlish and Lillard, P.C.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MV-011, from the C-3 District to the PRM District, and approval of the conceptual development plan, subject to the proffers dated July 25, 2001
- Approval of a waiver to permit underground stormwater detention in a residential area, subject to approval by the Department of Public Works and Environmental Services

- Modification of the loading requirement for multi-family dwellings, waiver of the 600-foot maximum length limitation for private streets, and waiver of the transitional screening and barrier requirements adjacent to the Washington Metropolitan Area Transit Authority property to the southwest
- Approval of Special Exception Amendment Application SEA 88-V-023, subject to the development conditions dated July 19, 2001

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

On motion of Supervisor Hyland, seconded by Supervisor Kauffman, and carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved a ten percent (63 parking spaces) reduction for the Huntington Metro Apartments (Westmoreland House), subject to the following conditions:

- The minimum number of parking spaces provided at the Huntington Metro Apartments (Westmoreland House) shall equal the product of the number of residential units times 1.44. If 397 units are constructed, a total of at least 572 spaces shall be provided; if 400 units are provided, at least 576 spaces shall be provided.
- All parking provided shall be in accordance with the applicable requirements of Article 11 of the Fairfax County Zoning Ordinance and the Fairfax County Public Facilities Manual, including the provisions referencing the Americans with Disabilities Act.
- The current owners, their successors or assigns of the parcel identified as Fairfax County Tax Map #081-1-01-0053A, shall submit a parking space utilization study for review and approval by the Board of Supervisors at any time in the future that the Zoning Administrator so requests. Following review of that study, or if a study is not submitted within ninety days after being requested, the Board may rescind this parking reduction or require alternative measures to satisfy parking needs, which may include full

compliance with Article 11 of the Fairfax County Zoning Ordinance.

- All parking utilization studies prepared in response to a request by the Zoning Administrator shall be based on applicable County Code requirements in effect at the time of said parking utilization study submission.
- Access to on-site parking spaces shall be unrestricted for properly permitted residents, visitors and employees, with the exceptions of accessible parking. No less than one parking access permit per unit must be provided for the tenants.
- Shared parking with any additional use(s) shall not be permitted without the submission of a new parking study prepared in accordance with the applicable requirements of Fairfax County and shall be subject to the Board of Supervisors' approval.
- The conditions of this approval shall be incorporated into the site plan for the Huntington Metro Apartments (Westmoreland House) prior to final site plan approval.
- The conditions of approval of this parking reduction shall be recorded in the Fairfax County land records in a form acceptable to the County Attorney.

ADDITIONAL BOARD MATTER

39. **DEFERRAL OF REZONING APPLICATION RZ 2000-MD-062 (TAVARES CONCRETE COMPANY, INCORPORATED) (MOUNT VERNON AND LEE DISTRICTS)** (Tape 8)

Supervisor Kauffman moved that the Board defer the public hearing on Rezoning Application RZ 2000-MD-062 until **September 24, 2001, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room.

AGENDA ITEMS

40. **ORDERS OF THE DAY** (Tape 8)

Chairman Hanley announced the Board would next proceed with the public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), and Chapter 109 (Solid Waste).

41. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), AND CHAPTER 109 (SOLID WASTE)** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of August 23 and August 30, 2001.

Discussion ensued with input from Michael Long, County Attorney's Office.

Following the public hearing, Supervisor Gross moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), as recommended by staff.
- That the Board not repeal Chapter 109 (Solid Waste).

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."

42. **DEFERRAL OF SPECIAL EXCEPTION APPLICATION SE 00-S-038 (JAGDISH BERRY) (MOUNT VERNON [FORMERLY SPRINGFIELD] DISTRICT)** (Tape 8)

Supervisor Hyland moved that the Board defer the public hearing on Special Exception Application SE 00-S-038 indefinitely. Supervisor Connolly seconded the motion and it carried by unanimous vote.

43. **3:30 P.M. – PH ON THE PROPOSED APPROVAL OF A REPLACEMENT PROMISSORY NOTE TO BE ISSUED BY THE BURKE VOLUNTEER FIRE AND RESCUE DEPARTMENT, INCORPORATED (SPRINGFIELD DISTRICT)** (Tape 8)

- (R) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of August 23 and August 30, 2001.

Following the public hearing, Supervisor McConnell moved adoption of the Resolution regarding the issuance and/or incurrence of the Burke Volunteer Fire and Rescue Department, Incorporated Replacement Promissory Note. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova,

Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly being out of the room.

Discussion ensued with input from Sarah Hall, representative, Burke Volunteer Fire and Rescue Department.

Chairman Hanley asked unanimous consent that the Board direct staff to review the request for an extension on the repayment of the construction loan, and return to the Board with an action item regarding the decision on September 24, 2001. Without objection, it was so ordered.

44. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2001-MV-010 (IVY DEVELOPMENT, LC) (MOUNT VERNON DISTRICT)** (Tapes 8-9)

- (O) The application property is located on the west side of Rolling Road, approximately 250 feet north of the intersection of Pohick Road and Rolling Road, Tax Map 98-4 ((1)) 14 and 15.

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

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

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

Supervisor Hyland moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MV-010, be amended from the R-1 District to the PDH-3 District subject to the proffers dated August 27, 2001. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

45. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-S-038 (JAGDISH BERRY) (MOUNT VERNON [FORMERLY SPRINGFIELD] DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting this public hearing was deferred. See Clerk's Summary Item CL# 42.)

46. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-016 (CITY OF FALLS CHURCH, DEPARTMENT OF ENVIRONMENTAL SERVICES – PUBLIC UTILITIES DIVISION) (PROVIDENCE DISTRICT)** (Tape 9)

The application property is located at 2314 Gallows Road, Tax Map 39-4 ((1)) 25.

Mr. Son H. Nguyen reaffirmed the validity of the affidavit for the record.

Mr. Nguyen 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 one speaker, Charles Burnham, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Approval of Special Exception Application SE 01-P-016, subject to the development conditions dated July 23, 2001
- Modification of the transitional screening requirement for the southern property line, subject to the development conditions dated July 23, 2001

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

47. **4 P.M. – PH ON REZONING APPLICATION RZ 2001-PR-004 (LARRY AND CAROL BOEHLY) (PROVIDENCE DISTRICT)** (Tape 9)

- (O) The application property is located on the east side of Arden Street, south of Railroad Street, Tax Map 39-4 ((1)) 109.

Ms. Sarah E. Hall reaffirmed the validity of the affidavit for the record.

Ms. Hall 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 four speakers, Charles Burnham, Staff Coordinator, Zoning Evaluation Division, Department of

Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-PR-004, be amended from the R-1 District to the R-3 District, Alternative A of the Generalized Development Plan, subject to the proffers titled Alternate A, dated July 23, 2001. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

48. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-MD-062 (TAVARES CONCRETE COMPANY, INCORPORATED) (MOUNT VERNON AND LEE DISTRICTS)** (No Tape)

(NOTE: Earlier in the meeting this public hearing was deferred. See Clerk's Summary Item CL# 39.)

NV:nv

ADDITIONAL BOARD MATTERS

49. **FAIR HOUSING RENTAL TESTING REPORT 2001** (Tape 10)

Chairman Hanley called the Board's attention to a copy of a memorandum from Anthony H. Griffin, County Executive, entitled "Fair Housing Rental Testing Report 2001" dated August 15, 2001. With reference to page 27 of the associated report ("the blue book"), she noted there was a marked drop in test results showing evidence of discrimination and possible evidence of discrimination.

50. **DULLES TOLL ROAD** (Tape 10)

Chairman Hanley called the Board's attention to a letter dated August 21, 2001, from Shirley J. Ybarra, Secretary of Transportation for the Commonwealth of Virginia, in response to a letter regarding the use of the surplus Dulles Toll Road revenues.

51. **DISABILITY EMPLOYMENT AWARENESS MONTH** (Tape 10)

Chairman Hanley stated that October is traditionally celebrated as National Disability Employment Awareness Month. To recognize Fairfax County citizens with disabilities and their contributions to mainstream community life, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the

Board direct staff to invite representatives from the Office of the Equity Programs and the Disability Services Board to appear before the Board at the September 24, 2001, meeting to receive a proclamation declaring October as "*Disability Employment Awareness Month*" in Fairfax County. Supervisor Gross seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

52. **TURN OFF THE VIOLENCE WEEK** (Tape 10)

Chairman Hanley moved that the Board direct staff to invite representatives from the Turn Off the Violence Coalition to appear before the Board on October 1, 2001, to receive a proclamation declaring October 14 - 20, 2001, as "*Turn Off The Violence Week*" in Fairfax County. Vice-Chairman Hyland seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

53. **LEGISLATION TO END GRANDFATHERING OF COAL-FIRED POWER PLANTS FROM PLANT EMISSION STANDARDS OF THE CLEAN AIR ACT** (Tape 10)

Chairman Hanley noted that her next two Board Matters concerned legislative items. The next meeting of the Board's Legislative Committee is scheduled for September 28, 2001.

Chairman Hanley called the Board's attention to a letter and resolution from the League of Women Voters of the Fairfax Area asking the Board to support federal legislation that would end the grandfathering of coal-fired power plants from the new plant emission standards of the Clean Air Act. She also referred to a copy of a letter from the Fairfax County Federation of Citizens Associations to Congressman Wolf also in support of ending the grandfathering of coal-fired plants. Accordingly, Chairman Hanley moved that the Board refer this request to the Legislative Committee for review. Supervisor McConnell seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

Discussion continued briefly.

54. **LEGISLATION ENTITLED "THE ACT TO LEAVE NO CHILD BEHIND"** (Tape 10)

Chairman Hanley called the Board's attention to a letter from the Fairfax County Alliance for Human Services requesting the Board to support federal legislation entitled "The Act to Leave No Child Behind." The bill aims to create a national policy for addressing deficiencies in many of the critical areas of the upbringing of the nation's children including health care, nutrition, and education.

Accordingly, she moved that the Board refer this request to the Legislative Committee for review. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

55. **PROPOSAL TO DEVELOP A WORLD CLASS SOCCER COMPLEX AT THE LAUREL HILL SITE** (Tape 10)

Chairman Hanley called the Board's attention to a letter signed by Herbert V. Giobbi, Executive Director of the US Soccer Foundation; Ed Foster-Simeon, Vice President of the Virginia Youth Soccer Association; and Kevin Payne, President and General Manager of DC United proposing an exciting and innovative partnership with the County to develop a world class soccer complex at the Laurel Hill site. She said that this dynamic public-private partnership proposal deserves careful notice and deliberation. Therefore, Chairman Hanley moved that the Board endorse the *concept* and forward the letter to both the Park Authority and other County staff for their consideration on ways in which this proposal can be implemented. Supervisor McConnell seconded the motion.

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

56. **LEAGUE OF WOMEN VOTERS PROGRAM ON ELECTRIC DEREGULATION** (Tape 10)

Chairman Hanley distributed to the Board copies of a flyer from the League of Women Voters publicizing its "Choices After DE-Day January 1, 2002," program. "DE-Day" refers to electric deregulation day. The League's program will be held on Saturday, October 27, 2001 from 10 a.m. – 12 noon in the Board Auditorium of the Government Center.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

57. **CONCURRENT REVIEW AND PROCESSING OF PLANS WITH SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-C-063-03** (Tape 11)

Supervisor Hudgins said that AAL Partnership has filed a special exception amendment application to permit building additions for HBL, Incorporated located at 8545 Leesburg Pike, Vienna. HBL, Incorporated intends to increase the parking on the site by adding one additional level to the existing parking structure and increase the number of service bays by adding one floor above the existing service area.

Supervisor Hudgins moved that the Board direct staff to review and process the site and buildings plans for Tax Map 029-3((1))0001-D concurrent with the review of Special Exception Amendment Application SEA 82-C-063-03. This motion does not relieve the applicant from complying with the provisions of any applicable standards and does not prejudice the consideration of this application in any way. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

58. **WAIVER OF FEES APPLICABLE TO NORTHSIDE PARK TRAIL AND BRIDGE CONSTRUCTION PROJECT** (Tape 11)

Supervisor Hudgins said that the Town of Vienna Parks and Recreation Department is preparing to issue a contract for the construction of a pedestrian/bicycle trail through Northside Park to connect with the Washington and Old Dominion (W&OD) Trail in the northeast quadrant of the town. In addition to 1200 feet of paved trail, this project includes the construction of a 120 foot long bridge across Piney Branch and approximately a 400-foot of retaining wall. The building permit and subsequent inspections by the County will cost approximately \$2000. The Town is requesting a waiver of all County building and inspection fees applicable to the Northside Park Trail and Bridge Construction Project.

Supervisor Hudgins moved that the Board waive all County building and inspection fees for the Town of Vienna applicable to the Northside Park Trail and Bridge Construction Project. Supervisor Bulova seconded the motion.

Following input from David P. Bobzien, County Attorney, the question was called on the motion and it carried by a vote of nine, Supervisor McConnell being out the room.

59. **RECOGNITION OF THOSE INVOLVED IN THE HEROIC EFFORTS TO ASSIST A COUNTY EMPLOYEE WHO COLLAPSED** (Tape 11)

Supervisor Hudgins said that earlier this month a County employee collapsed at the County's fitness center. Due to the lifesaving efforts of County staff, the employee regained a pulse and blood pressure and began breathing. This allowed for a safe journey to the hospital.

Supervisor Hudgins noted that in particular, she would like to recognize Ms. Rita Kaufman, a Reston resident, who was one of the several people who helped the unconscious employee regain consciousness. Ms. Kaufman is one of a few presently trained to use the automated external defibrillator, which was used to restore a normal heartbeat to the unconscious employee.

Therefore, Supervisor Hudgins moved that the Board direct staff to send a letter of recognition to Ms. Kaufman and those who were involved in the heroic efforts to assist the employee. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

60. **VIENNA AMERICAN LITTLE LEAGUE ALL STARS** (Tape 11)

Supervisor Hudgins said that the Vienna American Little League All Stars participated in the Southeast Regional Little League Tournament in Saint Petersburg, Florida. This is the first time since 1983 that a team from Vienna has progressed this far in little league tournament play.

Supervisor Hudgins said that the citizens of the Hunter Mill District are very proud of this outstanding achievement.

Therefore, Supervisor Hudgins moved that the Board direct staff to invite the Vienna American Little League All Stars to appear before the Board to be recognized and congratulated for their outstanding achievements. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

61. **US TEAM WINS FIFTH BIENNIAL INTERNATIONAL GEOGRAPHIC OLYMPIAD** (Tape 11)

Supervisor Hudgins said that Steven Young, a sophomore at Thomas Jefferson High School is one of the best geography students in the world. In April 2000, the Board recognized Mr. Young for winning the Virginia Geography Bee. This year Mr. Young was part of a four-member US team that won the fifth biennial International Geographic Olympiad sponsored by the National Geographic Society at the University of British Columbia in Vancouver, Canada.

Mr. Young's team emerged as champion, winning the gold.

Supervisor Hudgins moved that the Board direct staff to send a letter congratulating Mr. Young for his outstanding accomplishment in the International Geography Olympiad. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

62. **RESTON MULTI-CULTURAL FESTIVAL** (Tape 11)

Supervisor Hudgins announced that the Reston Multi-Cultural Festival will be held on September 22, 2001, at the Lake Anne Plaza from 10 a.m. until 6 p.m. She invited all to come and enjoy!

63. **WAIVER OF SHOWMOBILE FEES** (Tape 11)

Supervisor Gross said that on Saturday, September 29, 2001, the twenty-second annual Mason District Park Festival will be held at Mason District Park. She invited and encouraged Board Members to stop by anytime from 10 a.m. until 4 p.m. to enjoy the festivities.

Supervisor Gross said that one of the most popular parts of the festival is live entertainment on the showmobile stage.

Therefore, Supervisor Gross moved that the Board waive the showmobile fee for this event subject to the restrictions governing such waivers. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

64. **“SENIORS ON THE GO” PILOT PROGRAM** (Tape 11)

Supervisor Gross said that it has come to her attention through a constituent that the "Seniors on the Go" pilot program has no direct electronic link from the Area Agency on Aging web site. "Seniors on the Go" is a wonderful opportunity for qualifying seniors to purchase cost-cutting coupons to defray their local travel (i.e., cab rides to doctor appointments). Currently, the only way to access this site is through the Department of Transportation web site.

Supervisor Gross moved that the Board direct the County Executive to ensure that a link from the Area Agency on Aging web site is established directly to the “Seniors on the Go” Program. Information pamphlets on this program should also be distributed to all public libraries. Supervisor Connolly seconded the motion.

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

65. **CABLE NETWORKS** (Tape 11)

Supervisor Gross said there have been a plethora of citizen complaints about Cox Communications. She added that when Congress deregulated the cable industry, it assumed that competition would flourish.

Supervisor Gross pointed out that even with the amended Cable Ordinance the Board adopted to encourage a competitor to come into the Fairfax County market, entry by a competitor is not imminent. A recent *Wall Street Journal* article told the story of some localities that started their own cable systems, in competition with the franchised providers.

Supervisor Gross said that such municipal networks now exist in Tacoma, Washington; Gainesville, Florida; and Alameda, California, among several others.

Therefore, Supervisor Gross moved that the Board direct staff to investigate the experiences of municipalities across the country that have started or approved their own cable networks, review the takeover of cable activities, and report its findings to the Board within 120 days. Supervisor Connolly seconded the motion.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to report with the legislative history. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Connolly asked unanimous consent that the Board direct staff to include review of federal law. Without objection, it was so ordered.

The question was called on the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

There was a brief discussion, with input from Anthony H. Griffin, County Executive.

66. **EXPANSION OF THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) – WAIVER OF THE FILING FEES** (Tape 11)

Supervisor Bulova said that she has forwarded to the Department of Transportation (DOT) a petition for the expansion of the Annandale RPPD on Arlen Street from Manion Street to the cul-de-sac.

To proceed with the request, DOT needs Board approval to waive the filing fees. Therefore, Supervisor Bulova moved that the Board direct staff to waive the fees and to proceed as expeditiously as possible. Supervisor Frey seconded the motion and it carried by unanimous vote.

67. **REAPPORTIONMENT MAPS** (Tape 11)

Supervisor Bulova said that on June 11, 2001, the Board adopted a Reapportionment Plan for the County. Board Members who have lost or gained precincts have sent letters of welcome or farewell. In the letter she sent to her new constituents, she referred them to her web page to be kept up-to-date on events and activities in the Braddock District, and to acquaint them with her staff. At the time, her office was told that district maps reflecting changes to district boundaries were being prepared.

Supervisor Bulova noted that it is now September 10 and as of last Friday, someone visiting the County's web page and the district homepages would still find the pre-reapportionment maps. It is a sign of confusion and that the County data is not current with recent events.

Supervisor Bulova asked unanimous consent that the Board direct staff to make changes as soon as possible to all district maps and make sure that the County and District websites are current. Without objection, it was so ordered.

68. **LORD OF LIFE LUTHERAN CHURCH VOLUNTEERS HELPING TO REBUILD BOSNIA** (Tape 11)

Supervisor Bulova said that the August 9 – 15, 2001, edition of *The Connection* newspapers ran an article about 30 local volunteers - ten teens age 16 to 19 and 20 adults - who spent part of their summer rebuilding a youth center in Bosnia. According to volunteer Chris Knodt, the purpose of the trip was to meet children of Bosnia and Croatia, "to tell them you still care about them in America, and to repair all the damage." The trip lasted from June 27 - July 13, 2001. Some of the volunteers were members of the Lord of Life Lutheran Church located on Twinbrook Road in Fairfax.

Supervisor Bulova moved that the Board direct staff to invite Chris Knodt and members of Lord of Life, including Pastor Ron Qualley, to appear before the Board to be thanked and recognized for their impressive goodwill effort. Supervisor Connolly seconded the motion and it carried by unanimous vote.

69. **EQUITY IN WARNINGS AND WATCHES** (Tape 11)

Supervisor Connolly said that heavy, and at times torrential, rains took a toll on many residents. Basements were flooded, traffic was disrupted by standing water, drivers required rescue from stranded vehicles and traffic signs failed to function.

Supervisor Connolly said that in the past, prior to the most recent upgrade of service by Cox Communications, Fairfax residents were able to access a 24-hour radar scan of the area. This allowed Fairfax citizens to make informed decisions on the precautions they needed to take in advance of arriving weather patterns. Coupled with the 24-hour weather scan were warnings and watches from the National Weather Service.

Supervisor Connolly noted that when Cox put through its digital upgrade, Cox chose to relocate this most basic of services to the upper brackets so only subscribers paying top dollar will receive much needed, timely warnings of impending bad weather.

Therefore, Supervisor Connolly moved that the Board direct the County Executive to enter into immediate discussions with Cox Communications to attempt to secure 24-hour radar information for all Cox subscribers as well as by the Fairfax County Departments of Police, Fire and Rescue, Public Works and Environmental Services, and Emergency Management. Supervisor Gross seconded the motion.

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

70. **HOARDING TASK FORCE REPORT** (Tape 11)

Supervisor Connolly said that recent press coverage of a severe hoarding case in the Providence District has brought this unfortunate condition into the public eye. Also, about 18 months ago, a Hoarding Task Force was created for the County, with representatives from the many County departments that would routinely get involved with and have responsibility for hoarding cases. The County Attorney's Office, Health Department, Office of the Fire Marshal are examples of involved agencies.

Supervisor Connolly moved that the Board direct the County Executive to prepare a report on the activities and findings of the Task Force to be presented to the Board at its December 3, 2001, meeting. Supervisor Gross seconded the motion.

Chairman Hanley relinquished the Chair and asked unanimous consent that the Board direct staff to report with a landscape description of how other jurisdictions are addressing this issue or identifying it. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

A brief discussion ensued.

(NOTE: Later in the meeting the Board took action regarding this issue. See Clerk's Summary Item CL# 72.)

71. **REZONING APPLICATION RZ 2001-PR-040 AND SPECIAL EXCEPTION APPLICATION SE 01-P-034** (Tape 11)

Supervisor Connolly said that the applicant for Rezoning Application RZ 2001-PR-040 and Special Exception Application SE 01-P-034 is requesting an early Board date to facilitate the timely relocation of an existing business.

Supervisor Connolly said that the applicant is also requesting that the Board approve concurrent processing of its site plan so that staff will accept and review its site plan application while the rezoning and special exception application are being processed.

Therefore, Supervisor Connolly moved that the Board:

- Direct staff to schedule a public hearing to be held before the Board regarding Rezoning Application RZ 2001-PR-040 and Special Exception Application SE 01-P-034 on **December 3, 2001, at 4:30 p.m.**
- Approve concurrent processing for the property which is the subject of Rezoning Application RZ 2001-PR-040 and Special Exception Application SE 01-P-034
- Direct staff to accept and review the site plan submissions pertaining to this property

This action does not prejudice the consideration of this review in any way. Supervisor Bulova seconded the motion and it carried by unanimous vote.

72. **HOARDING TASK FORCE REPORT** (Tape 11)

(NOTE: Earlier in the meeting there was discussion of this issue. See Clerk's Summary Item CL# 70.)

The question was called on the motion that the Board direct the County Executive to prepare a report on the activities and findings of the Task Force to be presented to the Board at its December 3, 2001, meeting and it carried by unanimous vote.

73. **CERTIFICATE OF RECOGNITION FOR THE HOLMES RUN ACRES COMMUNITY** (Tape 11)

Supervisor Connolly asked unanimous consent that the Board direct staff to invite representatives from the Holmes Run Acres community to appear before the Board to be recognized for its fiftieth anniversary. Without objection, it was so ordered.

74. **MOUNT VERNON COUNCIL RESOLUTION REQUESTING THE BOARD TO FUND STORM WATER MASTER PLAN** (Tape 11)

Supervisor Hyland referred to his written Board Matters regarding the resolution from the Mount Vernon Council recommending that the Board fund the Storm Water Master Plan when the Fiscal Year 2003 Budget is considered.

Supervisor Hyland moved that the Board refer this matter to staff for its review and recommendations. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

75. **WAIVER OF FEES FOR THE FIFTY-SIXTH ANNUAL POHICK COUNTRY FAIR** (Tape 11)

Supervisor Hyland said that on October 6, 2001, the Pohick Episcopal Church, Truro Parish will hold the fifty-sixth Annual Pohick Country Fair.

Therefore, Supervisor Hyland moved that the Board to direct staff to waive the temporary special use permit fee for the fifty-sixth anniversary of the Pohick Church Country Fair. This motion, the second to which was inaudible, carried by unanimous vote.

76. **JACK EVANS VIRGINIA'S VOLUNTEER COORDINATOR OF THE YEAR** (Tape 11)

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Jack Evans to appear before the Board to be recognized for his sustained commitment to President George Washington's Mount Vernon Estate and Gardens. Without objection, it was so ordered.

NV:nv

77. **TIMING OF YELLOW LIGHTS** (Tape 12)

Supervisor Mendelsohn stated that he had received a number of letters from constituents regarding the red light camera issue. He said that there seems to be some growing data that if the yellow light time is increased by even a fraction of a second then the number of red light violations decreases drastically. Accordingly, he asked unanimous consent that the Board direct staff to review this issue in consultation with the Virginia Department of Transportation to determine whether this is a better alternative to cameras or should it be implemented in addition to cameras.

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

78. **NORTH SECTION OF PARKWAY TO OPEN EARLIER THAN SCHEDULED** (Tape 12)

Supervisor Mendelsohn reported good news regarding the expected opening of the north section of the Fairfax County Parkway. He said that the Virginia Department of Transportation had proposed the closing of the ramp at Spring

Street for a maximum of ten days to save time on the completion of the north section and the affected parties agreed. The actual closure was in August and lasted only seven days. Supervisor Mendelsohn announced that the north part of the Parkway, originally scheduled to be opened in June 2002, is now projected to open in October 2001.

79. **INOVA MOUNT VERNON HOSPITAL CELEBRATES TWENTY-FIFTH ANNIVERSARY** (Tape 12)

Jointly with Supervisor Hyland, Supervisor Kauffman announced that Inova Mount Vernon Hospital will celebrate its twenty-fifth anniversary on Friday, September 21, 2001, at 7 p.m. during its annual Community's Commitment to the Hospital Festival. Accordingly, he asked unanimous consent that the Board direct the Office of Public Affairs to prepare a resolution celebrating the 25 years of commitment and dedication of the hospital staff, physicians, volunteers and local community to be presented to the hospital at this event. Supervisor Hyland and Supervisor Kauffman will present the resolution to the hospital on September 21, 2001. Without objection, it was so ordered.

80. **REQUEST TO MODIFY FEE FOR THE ESTABLISHMENT OF A RESTRICTED PARKING DISTRICT (RPD)** (Tape 12)

Supervisor Kauffman reminded the Board that a public hearing is scheduled for October 22, 2001, to establish a RPD prohibiting parking of boats and camping trailers for the Manchester Park and Manchester Lakes Master Homeowner's Associations. Technically, a \$10 application fee is collected for each signature of support. However, due to the density of townhouses in these two associations, fees far in excess of the actual cost to the County for the planning and engineering of the RPD, including installation of approximately 43 signs, would be collected. Staff estimates the total cost to be \$3,355.

Accordingly, Supervisor Kauffman moved that the Board modify the fee for the establishment of this RPD to a total application fee of \$3,355. Chairman Hanley seconded the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

81. **CONCURRENT PROCESSING OF SITE PLANS ASSOCIATED WITH SPECIAL EXCEPTION APPLICATION SE 01-Y-026** (Tape 12)

Chairman Hanley commended Supervisor Frey on his submission of written Board Matters.

Supervisor Frey stated that RGK Real Estate Development LLC has submitted a special exception application on property located in the McLearn Square Shopping Center for a vehicle light service establishment which will consist of

light automotive repair and general maintenance such as new tire sales, tire related services, brakes and lube/oil/filter services. Staff has worked with the applicant since before the application was submitted to ensure that development is consistent with the Comprehensive Plan and the surrounding area.

Therefore, Supervisor Frey moved that the Board direct the Director of Department of Public Works and Environmental Services to accept for review and concurrent processing, the site plans associated with Special Exception Application SE 01-Y-026. The applicants understand that this motion will not prejudice the consideration of the application. Supervisor Bulova seconded the motion, which carried by unanimous vote.

82. **REQUEST FOR CONCURRENT PROCESSING FOR REZONING APPLICATION RZ 1998-SU-013** (Tape 12)

Supervisor Frey stated that KSI has submitted a rezoning application to develop multi-family residential development at a density of 20 units per acre. The property associated with Rezoning Application RZ 1998-SU-013 is located off Centreville Road behind the Sully Plaza Shopping Center. Supervisor Frey moved that the Board authorize the Department of Public Works and Environmental Services to concurrently process the site plans associated with the above-referenced zoning applications. The applicants understand that this motion will not prejudice the consideration of the application in any way. Supervisor Bulova seconded the motion, which carried by unanimous vote.

83. **REQUEST FOR CONCURRENT PROCESSING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-S-119-3** (Tape 12)

Supervisor Frey stated that an application has been filed on roughly five acres near the intersection of Lee Road and Route 50. The applicants propose an amendment to the approved proffers to allow uses consistent with the existing zoning and the existing and planned uses along Lee Road. They also propose a reconfiguration of the approved development and a redesign of the stormwater management facilities. The development plan illustrates two buildings instead of three.

Accordingly, Supervisor Frey moved that the Board authorize the Department of Public Works and Environmental Services to concurrently process site plans associated with Proffered Condition Amendment Application PCA 79-S-119-3. The applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor Bulova seconded the motion, which carried by unanimous vote.

84. **REQUEST FOR SCHEDULING OF PUBLIC HEARING AND CONCURRENT PROCESSING FOR MITCHELL-WEEKS HOUSE APPLICATIONS** (Tape 12)

Supervisor Frey reminded the Board that prior to its August recess it approved an Out-of-Turn Plan Amendment that would allow the possibility of the relocation of the historic Mitchell-Weeks House from the property that it has occupied along Route 50. He said that the Mitchell-Weeks House is an eighteenth century structure of architectural and historical significance. The current owner is interested in restoring and preserving the house on site. Supervisor Frey moved that the Board authorize the:

- Scheduling of the public hearings for Special Exception Application SE 01-Y-031 and Proffered Condition Amendment Application PCA 81-S-077-2 for **November 19, 2001, at 3:30 p.m.**
- Department of Public Works and Environmental Services to concurrently process the site plans associated with the above-referenced zoning applications.

The applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor Bulova seconded the motion, which carried by unanimous vote.

85. **REQUEST FOR WAIVER OF TIPPING FEES ASSOCIATED WITH THE CLEANUP FOLLOWING CENTREVILLE DAY** (Tape 12)

Supervisor Frey announced that Centreville Day is scheduled to be held on September 22 at Braddock Park. In the past the Board has waived the tipping fees for the after-event cleanup performed at no charge by AAA Trash Service. Supervisor Frey moved that the Board waive all tipping fees associated with the cleanup by AAA Trash Services for Centreville Day. Supervisor Hyland seconded the motion, which carried by unanimous vote.

86. **AUTHORIZATION TO ADVERTISE PROPOSED ENLARGEMENT OF SMALL DISTRICT THREE WITHIN SPRINGFIELD DISTRICT** (Tape 12)

(A) Supervisor McConnell moved that the Board authorize the advertisement of a public hearing to be held before the Board on the proposed enlargement of Small District Three within the Springfield District to include the following additional areas within the Small District:

- The parcel identified by Tax Map Number 66-4-((1))-9

- The parcel identified by Tax Map Number 66-4-((9))-A
- The portion of the parcel identified by Tax Map Number 66-4-((8))-A1 that is not already included in the Small District

Supervisor Bulova seconded the motion, which carried by unanimous vote.

87. **PROPOSED SLAVE MEMORIAL** (Tape 12)

Supervisor McConnell asked unanimous consent that the Board direct staff to provide information on the pursuit of Sully Plantation for the State's proposed slave memorial and the Statewide competition. Following discussion, it was so ordered.

88. **MEETING REMINDERS** (Tape 12)

Chairman Hanley reminded the Board that at 8 a.m. on Tuesday, September 11, 2001, Supervisor Hyland will be chairing the Revitalization Policy Committee in Rooms 9 and 10 of the Government Center.

Supervisor Bulova reminded the Board of the first workshop on the Inventory of County Activities, Programs, and Services (ICAPS) scheduled for 9 a.m. on Monday, September 17, 2001. She urged her colleagues to read Volume I of the ICAPS on Public Safety, Courts, Transportation, and Planning.

Supervisor McConnell and Supervisor Mendelsohn stated that they would be unable to attend the meeting.

89. **BOARD ADJOURNMENT** (Tape 12)

At 6:30 p.m., the Board adjourned.

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