



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
May 6, 2002**

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12-02

SBE:sbe

The meeting was called to order at 9:05 a.m., with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 10:30 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.

AGENDA ITEMS

1. **CERTIFICATES OF RECOGNITION PRESENTED TO PARK AUTHORITY "ADAPTED AQUATICS" PROGRAM AND THE AREA AGENCY ON AGING "NO PLACE LIKE HOME" VOLUNTEER PROGRAM** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to the Park Authority "Adapted Aquatics" volunteer program for receiving the National Association of Counties' "Act of Caring" award. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Hyland moved approval of the Certificate of Recognition presented to the Area Agency on Aging "A No Place like Home" volunteer program for receiving the National Association of Counties' "Act of Caring" award.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

2. **CERTIFICATE OF RECOGNITION PRESENTED TO HAYFIELD HAWK'S BOYS' VARSITY BASKETBALL TEAM** (Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to the Hayfield Hawk's Boys' Varsity Basketball Team for its accomplishment. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor McConnell not yet having arrived.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO ROBINSON SECONDARY SCHOOL GIRLS' CROSS COUNTRY TEAM AND THE VARSITY FOOTBALL TEAM** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to the Robinson Secondary School Girls' Cross Country Team for its accomplishments. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Frey and Supervisor Hyland being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Bulova moved approval of the Certificate of Recognition presented to the Robinson Secondary School Varsity Football Team for its accomplishments. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Frey and Supervisor Hyland being out of the room, Supervisor McConnell not yet having arrived.

4. **PROCLAMATION DESIGNATING MAY AS "FOSTER CARE AND FOSTER FAMILY RECOGNITION MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and moved approval of the Proclamation to designate May as "*Foster Care and Foster Family Recognition Month*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Frey and Supervisor Hyland being out of the room, Supervisor McConnell not yet having arrived.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

5. **PROCLAMATION DESIGNATING MAY 13 -19, 2002, AS "SALVATION ARMY WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Bulova moved approval of the Proclamation to designate May 13 – 19, 2002, as "*Salvation Army Week*" in Fairfax County. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

6. **PROCLAMATION DESIGNATING MAY AS "ASIAN AND PACIFIC ISLAND AMERICAN HERITAGE MONTH" IN FAIRFAX COUNTY**
(Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate May as "*Asian and Pacific Island American Heritage Month*" in Fairfax County. Supervisor Bulova and Supervisor Connolly jointly seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

7. **PROCLAMATION DESIGNATING MAY 18, 2002, AS "GIRL POWER DAY" IN FAIRFAX COUNTY** (Tapes 1-2)

Supervisor Gross moved approval of the Proclamation to designate May 18, 2002, as "*Girl Power Day*" in Fairfax County. Supervisor Hudgins and Supervisor Mendelsohn jointly seconded the motion and it carried by a vote of eight, Supervisor Connolly being out of the room, Supervisor McConnell not yet having arrived.

8. **PROCLAMATION DESIGNATING MAY 10, 2002, AS "PROVIDER APPRECIATION DAY" IN FAIRFAX COUNTY** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate May 10, 2002, as "*Provider Appreciation Day*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova and Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. **PROCLAMATION DESIGNATING MAY AS "NURSES MONTH" AND MAY 6-12, 2002, AS "WEEK OF THE NURSE" IN FAIRFAX COUNTY**
(Tape 2)

Supervisor Hudgins moved approval of the Proclamation to designate May as "*Nurses Month*" and May 6-12, 2002, as "*Week of the Nurse*" in Fairfax County. Supervisor Gross and Supervisor Mendelsohn jointly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

10. **PROCLAMATION DESIGNATING MAY 6-12, 2002, AS "PUBLIC SERVICE RECOGNITION WEEK" IN FAIRFAX COUNTY** (Tape 2)

Supervisor Gross moved approval of the Proclamation to designate May 6-12, 2002, as "*Public Service Recognition Week*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by vote of nine, Supervisor Frey being out of the room.

11. **10 A.M. – PRESENTATION BY THE FAIRFAX COUNTY HISTORY COMMISSION** (Tape 2)

(BACs) Charles Wroblewski, Chairman, Fairfax County History Commission, presented some recent publications of the Fairfax County History Commission. One of the new publications is *The Preservation of History in Fairfax, Virginia* authored by Ross and Nan Netherton, the second book is *The Battle of Chantilly, Ox Hill, a Monumental Storm* by Charles V. Mauro. A third publication called *Stone Ground, a History of Union Mills* by Paula Ellsey is still at the printers and will be out soon.

Mr. Wroblewski stated that the History Commission recently honored two of its members. Edith M. Sprouse, Archaeologist Representative, and Mayo S. Stuntz, Historian Representative were both members of the original History Commission and continue to be active in the work of the Commission. Together they represent 60 plus years of service.

Mr. Wroblewski expressed appreciation to the Members of the Board for their strong support for the History Commission and the new license plate that will feature the Seal of the County and the motto "Home of the Bill of Rights." Supervisor Gross stated that there was still time to submit applications for this license plate.

12. **10:15 A.M. – PRESENTATION BY THE FAIRFAX COUNTY HUMAN RIGHTS COMMISSION ON ITS ANNUAL REPORT** (Tapes 2-3)

(BACs) Victor Dunbar, Chairman, Fairfax County Human Rights Commission, presented its annual report.

Discussion ensued with input from Michael T. Cash, Executive Director, Human Rights Commission, and David P. Bobzien, County Attorney.

Supervisor Hyland asked unanimous consent that the Board direct the Human Rights Commission to provide comparable statistics for jurisdictions similar to the County in terms of population. These statistics should include the following:

- Number of cases filed
- Number of cases where discrimination is found

Following discussion, with input from Mr. Dunbar, without objection, it was so ordered.

DMB:dmb

13. ADMINISTRATIVE ITEMS (Tape 4)

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

Supervisor Frey called the Board's attention to Admin 1 – Authorization to Advertise a Public Hearing Regarding the Leasing of County-Owned Property at the Criminal Justice Training Center to APC Realty and Equipment Company (Sully District) and asked unanimous consent that the Board direct staff to review the map and proposed location of the monopole on the County site and evaluate the site closer to the center of the property in order to find a location further away from the adjacent property lines. Without objection, it was so ordered.

Supervisor Bulova called the Board's attention to Admin 4 – Approval of the 2002 Schedule for the Exceptional Design Awards Program and discussion ensued with input from Sheng-Jieh Leu, Planner III, Planning Division, Department of Planning and Zoning.

Supervisor Hudgins called the Board's attention to Admin 10 – Authorization for the Fairfax County Department of Community and Recreation Services to Apply to the US Department of Agriculture to Continue Grant Funding of the Summer Food Service Program for Children Program and discussion ensued with input from Patricia D. Franckewitz, Director, Department of Community and Recreation Services.

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 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE CRIMINAL JUSTICE TRAINING CENTER TO APC REALTY AND EQUIPMENT COMPANY (SULLY DISTRICT)

(A) (NOTE: Earlier in the meeting there was discussion of this item. See above.)

Authorized the advertisement of a public hearing to be held before the Board on **June 17, 2002, at 3:30 p.m.** regarding the proposed leasing of County-owned property at the Criminal Justice Training Center, 3721 Stonecroft Boulevard, Tax Map 34-1 ((1)) 5 for the purpose of installing a telecommunications base station and monopole.

ADMIN 2 – ADOPTION OF A RESOLUTION APPROVING THE PROPOSED ISSUANCE OF REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$7 MILLION BY THE ARLINGTON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE BENEFIT OF COMMUNITY HAVENS, INCORPORATED, AND ITS AFFILIATES (BRADDOCK AND LEE DISTRICTS)

(BONDS)
(R)

Adopted the Resolution approving the issuance of revenue bonds by the Industrial Development Authority of Arlington County, Virginia, in an amount not to exceed \$7 million for the benefit of Community Havens, Incorporated, and its affiliates: Community Residences, Incorporated, Community Residences Foundation, Incorporated, and Community Residences of Arlington, Incorporated. A portion of the bonds will be used to finance two of the facilities located in the County of Fairfax.

ADMIN 3 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

- Designated the following individuals, identified with their registration numbers, as Plans Examiners:
 - Eddie W. Nutter (220)
 - Katalin Barczay (221)
 - Johnny C. Lim (222)

- Designated the following individuals, identified with their registration numbers, as inactive Plans Examiners:
 - Joseph Chavez (53)
 - Zia Hassan (98)
 - Andrew Miller (154)
 - John Crouch (180)

- Designated (reinstated) the following individual, identified with his registration number, as a Plans Examiner:
 - Dean Meyers (99)

ADMIN 4 – APPROVAL OF THE 2002 SCHEDULE FOR THE EXCEPTIONAL DESIGN AWARDS PROGRAM

(NOTE: Earlier in the meeting there was discussion of this item. See page 5.)

Approved the implementation schedule for the 2002 Exceptional Design Awards Program.

ADMIN 5 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (DRANESVILLE, LEE, MASON AND PROVIDENCE DISTRICTS)

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

- Application 2232A-D00-4-2 to July 6, 2002
- Application 2232A-D00-6-1 to July 6, 2002
- Application FSA-76-1 to July 6, 2002
- Application 456A-L92-9-2 to July 11, 2002
- Application 2232-M02-8 to July 14, 2002
- Application 2232-P02-11 to September 23, 2002

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

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 17, 2002, 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 expand the Robinson RPPD, District 17.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A SEGMENT OF HAYFIELD ROAD (ROUTE 4193) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 3, 2002, at 4 p.m.** to consider the vacation and abandonment of a portion of Hayfield Road (Route 4193).

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A SPOT BLIGHT ABATEMENT ORDINANCE FOR 3904 BRUCE LANE (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 3, 2002, at 4 p.m.** to consider adoption of a Spot Blight Abatement Ordinance for 3904 Bruce Lane, Annandale, Virginia, Tax Map Number 060-4-((03))-0043.

ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02079 AND AS 03002 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT FEDERAL/STATE PROMOTING SAFE AND STABLE FAMILIES PROGRAM FUNDS (FORMERLY KNOWN AS THE FAMILY PRESERVATION AND FAMILY SUPPORT PROGRAM)

- (SARs)
- Approved SAR AS 02079 to accept additional Fiscal Year (FY) 2002 Federal/State Promoting Safe and Stable Family (PSSF) funding in the amount of \$21,000. Grant funding from the Virginia Department of Social Services (VDSS) totals \$18,900 and the remaining \$2,100 is a required local cash match.
 - Approved SAR AS 03002 for DFS to accept FY 2003 Federal/State PSSF funding in the amount of \$471,675. Grant funding from VDSS totals \$424,507, and the remaining \$47,168 is a required local cash match.

ADMIN 10 – AUTHORIZATION FOR THE FAIRFAX COUNTY DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS) TO APPLY TO THE US DEPARTMENT OF AGRICULTURE (USDA) TO CONTINUE GRANT FUNDING OF THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

(NOTE: Earlier in the meeting there was discussion of this item. See page 5.)

Authorized CRS to submit a grant application in the amount of \$77,601 to USDA for the FY 2003 USDA Summer Food Service Program for children. This funding includes \$71,836 in USDA funds, and \$5,765 in local cash match.

ADMIN 11 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, MOUNT VERNON, AND SULLY DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Colvin Run Mill Section 1	Dranesville	Mill Run Drive Route 2535 Hessick Court Stone Falls Way Mill Field Court Colvin Run Road Route 743 Additional ROW Only
Hollymeade	Mount Vernon	Hollymeade Drive Hollister Court Birchfield Way Highgrove Court Ox Road Route 123 Additional ROW Only
Moore's Hamlet	Sully	Jarist Drive Route 8283 Caswell Court Moore Road Route 1283 Additional ROW Only Clifton Road Route 645 Additional ROW Only
Stonecroft Boulevard	Sully	Stonecroft Boulevard Route 8460

14. **A-1 – REQUEST FOR THE STATE CORPORATION COMMISSION (SCC) TO HOLD A PUBLIC HEARING AND RESPONSIVE PLEADING ON A PETITION OF WASHINGTON GAS LIGHT COMPANY (WGL) FOR APPROVAL OF A PLAN TO REMEDY CERTAIN BILLING ERRORS, SCC CASE NUMBER PUE-2002-00178** (Tapes 4-5)

Supervisor Bulova moved that the Board concur in the recommendation of staff and authorize the County Attorney's Office to file a responsive pleading and request for a public hearing in the SCC Case Number PUE-2002-00178. Supervisor Hyland seconded the motion.

Extensive discussion ensued with input from Steve D. Sinclair, Utility Analyst, Department of Cable Communications and Consumer Protection, Dennis R.

Bates, Senior Assistant County Attorney, and Mike Carlin and Ken Wagelski representing WGL.

Following discussion, Supervisor Connolly moved that the Board direct staff to request a public hearing from the SCC on this issue without a responsive pleading. Supervisor Kauffman seconded the motion.

Supervisor Kauffman asked to amend the motion to direct staff to prepare a comparative chart to include:

- The industry's proposal to handle the refunds versus the staff's proposal.
- The industry's proposal to handle the back billing errors versus the staff's proposal.
- The statutory cite for ensuring that the burden will not be shifted to all customers.

This was accepted.

Supervisor Frey asked to amend the motion to direct staff to request that the public hearing be held in Northern Virginia, and this was accepted.

Supervisor Hyland asked to amend the motion to include the terminology that said "requesting public hearing and reserving the right to present testimony," and this was accepted.

Supervisor McConnell asked to amend the motion to direct staff to request information from WGL regarding the financial impact, and this was accepted.

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

- Provide positions taken by any of the affected parties, including the Attorney General's Office.
- Request the WGL representatives to provide written responses to the issues that have been raised including costs.

Without objection, it was so ordered.

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

15. **A-2 – REQUEST FOR PROPOSAL (RFP) FOR CONSTRUCTION OF A NEW HIGH SCHOOL AND DEVELOPMENT OF OTHER SITES IN THE LAUREL HILL COMMUNITY PLANNING SECTOR** (Tape 5)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board concur in the recommendation of staff and approve the issuance of a RFP for construction of a new high school and development of other sites in the Laurel Hill Community Planning Sector. Supervisor Hyland, Supervisor Kauffman, and Supervisor McConnell seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

16. **C-1 – APPEAL OF PROFFER INTERPRETATIONS FOR REZONING APPLICATION RZ 84-L-083 AS SET FORTH IN A NOTICE OF VIOLATION (JIMMIE K. AND MARGIE L. WALKER) (LEE DISTRICT)** (Tape 5)

(NOTE: At its April 29, 2002, meeting the Board deferred consideration of this item until May 6, 2002.)

The Board next considered an item contained in the Board Agenda dated May 6, 2002, regarding an appeal of proffer interpretations set forth in a December 15, 2001, Notice of Violation by the Zoning Enforcement Branch for property located at 7801 Cinder Bed Road, Tax Map 99-2((1))20, zoned I-5.

Supervisor Kauffman moved that the Board deny the appeal of proffer interpretations for Rezoning Application RZ 84-L-083 as set forth in a Notice of Violation. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

17. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-V02-3, ROBERT L. FITTON, SR. AND DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (MOUNT VERNON DISTRICT)** (Tape 5)

The Board next considered an item contained in the Board Agenda dated May 6, 2002, announcing the Planning Commission's approval of Public Facilities Application 2232-V02-3.

18. **I-2 – SALES TAX REFERENDUM FOR TRANSPORTATION AND THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (NVTA)** (Tapes 5-6)

The Board next considered an item contained in the Board Agenda dated May 6, 2002, regarding the sales tax referendum for transportation and the NVTA.

Supervisor McConnell moved to support the sales tax referendum for transportation. Supervisor Connolly seconded the motion.

Extensive discussion ensued with input from Young Ho Chang, Director, Department of Transportation, and Anthony H. Griffin, County Executive.

Following discussion, the question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey voting "NAY."

(NOTE: Later in the meeting there was additional discussion regarding this item. See Clerk's Summary Item CL#44.)

BOARD MATTERS

NV:nv

19. **EARLY INTERVENTION MONTH** (Tape 7)

Chairman Hanley stated that the Fairfax-Falls Church Community Services Board's Early Intervention Agency has requested the County to recognize May 2002 as Early Intervention Month in conjunction with Governor Mark Warner's Action Plan to Improve Access for Children through the new "Infant and Toddler Connection of Virginia." Accordingly, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to prepare a proclamation and invite the appropriate individuals to appear before the Board on May 20, 2002, to receive a proclamation declaring May 2002 as "*Early Intervention Month*" in Fairfax County. Supervisor McConnell seconded the motion, which carried by unanimous vote.

20. **UNITED STATES (US) ARMY DAY** (Tape 7)

Chairman Hanley said that in conjunction with Celebrate Fairfax activities, the US Army Fife and Drum Corps will perform at the Board meeting scheduled for June 3, 2002. To recognize the US Army's 227th anniversary, she moved that the Board direct staff to prepare a proclamation for presentation at that time to recognize June 3, 2002, as "*US Army Day*" in Fairfax County. Following a brief discussion, Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

21. **HEPATITIS AWARENESS DAY** (Tape 7)

Chairman Hanley stated that the Fairfax-Falls Church Community Services Board's Alcohol and Drug Services Agency has requested that Fairfax County recognize June 15, 2002, as Hepatitis Awareness Day in conjunction with its annual Tim Harmon Run-Walk. Accordingly, she moved that the Board direct staff to prepare a proclamation and invite the appropriate individuals to appear before the Board on June 3, 2002, to receive a proclamation declaring June 15, 2002, as "*Hepatitis Awareness Day*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

22. **PRESENTATION TO THE STATE BOARD OF EDUCATION STANDING COMMITTEE ON THE STANDARDS OF QUALITY (SOQ)** (Tape 7)

Chairman Hanley distributed copies of the testimony she presented to the State Board of Education Standing Committee on the SOQ at its public hearing held on May 2, 2002. She noted that the hearing officer was Dr. Gary Jones, former Chairman of the Fairfax County School Board.

23. **COURTHOUSE SECURITY FEE ORDINANCES** (Tape 7)

Chairman Hanley made reference to an article in the Virginia Association of Counties' news regarding courthouse security and necessary ordinances. Anthony H. Griffin, County Executive, stated that staff is already preparing these ordinances.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

24. **MOUNT VERNON COUNCIL OF CITIZENS ASSOCIATIONS (MVCCA) RESOLUTION REQUESTING RESTORATION OF STATE AND FEDERAL FUNDING FOR MENTAL HEALTH TREATMENT** (Tape 8)

Supervisor Hyland referred to a MVCCA resolution that pertains to Health and Human Services Planning for Fiscal Year 2003. It expresses the Council's support for sustaining priorities, programs, and services for the County's most vulnerable populations.

Although the Budget has already been approved, Supervisor Hyland asked unanimous consent that the Board refer the letter and resolution to staff for a comprehensive response providing complete information on the outcome of the Board's budget actions. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

25. **MOUNT VERNON COUNCIL OF CITIZENS ASSOCIATIONS (MVCCA) RESOLUTION CONCERNING THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S (VDOT) PROPOSED INTERCHANGE AT BUCKMAN ROAD - MOUNT VERNON HIGHWAY AT ROUTE ONE**
(Tape 8)

Supervisor Hyland noted that at its meeting on April 24, 2002, the MVCCA approved a resolution requesting that VDOT adopt a revised design for the grade-separated interchange being planned at the intersection of Buckman Road/Mount Vernon Highway at Route One as part of the Route One Location Design Study.

Supervisor Hyland said that the Council maintains that the revised design improves the flow of traffic by eliminating traffic signals, eliminates start and stop movements, and provides adequate stacking lanes.

Accordingly, Supervisor Hyland asked unanimous consent that the Board refer the resolution to staff for review and recommendations to the Board as to further action. Without objection, it was so ordered.

26. **GEORGE WASHINGTON'S WILL** (Tape 8)

Supervisor Hyland said that he recently received a letter from Edith Sprouse, Archaeologist Representative, History Commission, who has recommended that the will of George Washington be placed on display at the next Celebrate Fairfax fair which will be held at the Government Center beginning June 7 and ending on June 9, 2002. He noted that George Washington's will is among the most valuable historic documents in the County's possession. Having it on display at the Celebrate Fairfax fair provides an appropriate venue for fair visitors to see it firsthand.

Supervisor Hyland added that permission has been granted by the court, provided it is secure and guarded while on display. Ms. Sprouse has been told the cost would be \$35 per hour for a security guard, but the Sheriff has indicated that he lacks the funds to absorb this cost.

Accordingly, Supervisor Hyland moved that the Board direct the County Executive to find a way to fund the security measures needed to protect George Washington's will as required by the Court in order to allow more of citizens and fair visitors a greater opportunity to view George Washington's will at the Celebrate Fairfax fair. Supervisor Kauffman seconded the motion.

Following discussion, Supervisor Kauffman suggested placing the History Commission display and the Sheriff's Office display next to one another at the fair.

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

27. **REQUEST CONCERNING OPEN SPACE REGARDING LAUREL CREST SUBDIVISION** (Tape 8)

Supervisor Hyland said that an engineering error on the subdivision plat for the Laurel Crest Subdivision has resulted in a number of units within the development not meeting minimum setback requirements. A resubdivision of 22 of these lots will correct the error, but will result in a minor reduction in open space of about 1,419 square feet.

Supervisor Hyland said that staff has reviewed the subdivision plat and original site plan for the property. With this reduction, the project will continue to be in compliance with open space requirements. To allow the approval and recordation of the revised plat for the Laurel Crest Resubdivision, an offer of the open space being configured back into the lots must first be made, and has been made by the developer.

Accordingly, Supervisor Hyland moved that the Board refuse the offer of 1,419 square feet of the open space for the Laurel Crest Subdivision, as provided for in Paragraph 4 of Section 2-702(4) of the Zoning Ordinance. Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

28. **PROGRESSO HISPANO SEEKS INTERIM SPACE** (Tape 8)

Supervisor Hyland said that Progreso Hispano provides English as a second language classes, job skill training, good parenting classes, citizenship classes, and other needed support services to the Hispanic community within Fairfax County. On April 29, 2002, the Board approved \$200,000 to renovate the County-owned Walt Whitman facility to house this program.

Supervisor Hyland said that Progreso Hispano is currently providing services and is in need of interim space until the Walt Whitman renovations are complete. With the opening of the South County Center and the consolidation of County programs, County leased space is available that can be utilized for this interim use. The Fairfax County Health Department occupied space at 6301 Richmond Highway. The County leases this space at very favorable terms of \$5.32 per square foot. The lease for this space terminates on March 31, 2003, and will not be renewed with the moving of the Health Department. Due to the favorable terms, the County was not able to negotiate an earlier termination date.

Accordingly, Supervisor Hyland moved that the Board direct staff to proceed to execute the necessary agreements to provide the available space located at 6301 Richmond Highway to Progreso Hispano as an interim measure not to exceed either the completion of the renovations to the Walt Whitman facility, nor the current lease termination date of March 31, 2003. Supervisor Kauffman seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, the question was called on the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

29. **NO BOARD MATTERS FOR SUPERVISOR GROSS** (Tape 8)

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

30. **NO BOARD MATTERS FOR SUPERVISOR KAUFFMAN** (Tape 8)

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

31. **TEACHER APPRECIATION WEEK** (Tape 8)

Supervisor Mendelsohn announced that this week is "Teacher Appreciation Week" and he expressed his appreciation to teachers.

32. **NO BOARD MATTERS FOR SUPERVISOR BULOVA** (Tape 8)

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

33. **SPECIAL EXCEPTION APPLICATION SE 2002-HM-009** (Tape 8)

Supervisor Hudgins said that Sunset Hills Montessori Children's House, Incorporated has filed an application for a special exception to permit a private school of general education and child care facility for 178 children located at 1810 Samuel Morse Drive, Reston. She said that Special Exception Application SE 2002-HM-009 is being processed concurrently with Variance Application VC 2002-HM-045. The applicant, Ms. Eileen Dowds Minarik, desires the school to be open for school year 2002-2003, which begins September 4, 2002.

Supervisor Hudgins moved that the Board direct staff in the Department of Public Works and Environmental Services to review and process the site and building plans for Tax Map 018-3 ((6)) 007-A concurrentLY with the review of Special Exception Application SE 2002-HM-009. This motion does not relieve the applicant from complying with the provisions of any applicable ordinance, regulations or adopted 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 nine, Supervisor McConnell being out of the room.

34. **FREEDOM GROVE** (Tape 8)

Supervisor Hudgins said that on September 11, 2001, many lives were lost in New York and at the Pentagon including two Reston residents, Ms. Norma Cruz Khan and Mr. Leonard Taylor. In an effort to remember Ms. Khan and Mr. Taylor and to provide a peaceful and contemplative place for reflecting on the September 11 events, the Reston Association and the community planted trees

and shrubs and dedicated the area as Freedom Grove. An artist was commissioned to design a plaque to memorialize the loss of Ms. Khan and Mr. Taylor as well as other victims of September 11, 2001. The community is invited to attend a very special event on May 8, 2002, at 4:30 p.m. for the unveiling of the plaque designed by artist Kathy Kaplan.

Supervisor Hudgins moved that the Board direct staff to invite representatives from the Reston Association to appear before the Board to be recognized for their compassion to the families and victims of September 11, 2001, and for designing and dedicating Freedom Grove. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

35. **GREEN HEDGES SCHOOL** (Tape 8)

Supervisor Hudgins said that in 1965, Frances and Kenton Kilmer founded the Green Hedges School on a small farm in the town of Vienna. In addition to the school, Frances and Kenton Kilmer were committed to the community and were involved in the development of the local library and many other civic activities in Vienna. Green Hedges School has always placed an unusually high value on scholastic excellence within its student body with a focus on the importance of a good education as the hallmark for positive contributions to society and the community. Green Hedges School is celebrating 60 years of providing educational excellence in the Vienna community.

Supervisor Hudgins moved that the Board recognize the Green Hedges School community for its 60 years of contributions to the education of students and to the Town of Vienna. Supervisor Bulova seconded the motion and it carried by unanimous vote.

36. **TOWN OF RESTON** (Tape 8)

Supervisor Hudgins moved that the Board recognize Mr. Robert E. Simon and the Town of Reston on its fortieth anniversary, as well as acknowledging the award presented to Mr. Simon by the American Institute of Certified Planners. Chairman Hanley seconded the motion and it carried by unanimous vote.

NV:nv

37. **CALENDAR NOTE** (Tape 9)

Chairman Hanley announced that the salute to Lords and Ladies Fairfax has been moved from Sunday to Monday night, June 3. She noted that the Board needed to complete its regular meeting in time to attend this event. She relinquished to Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to schedule presentations either on May 20, 2002, or June 17, 2002, and limit the number on June 3, 2002, to six. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

38. **OUT-OF-TURN PLAN AMENDMENT FOR CHANTILLY CROSSING**
(Tape 9)

Supervisor Frey reminded the Board that earlier this year it approved a proffered condition amendment application in the name of Starwood Cerruzzi to permit a Home Depot and Target store generally at the intersection of Routes 28 and 50 in Chantilly. North of these uses, adjacent to Route 50, hotels and restaurants are planned.

Supervisor Frey said that the owner of the property has approached him with a request to amend the Comprehensive Plan to permit a furniture store in that area. As a basis for their request, the owners have cited the low traffic generation and low parking requirement associated with furniture stores, compatibility with the approved retail uses, and the change in the proposed access to the Air and Space Museum Annex. The site in question had been proposed for recreational uses, which were anticipated to complement the Air and Space Museum Annex, but since the Annex access from Route 50/Lee Road will be limited to employees and service vehicles, the owners believe that this site is no longer appropriate for those uses.

Supervisor Frey reported that he had discussed this request with staff from the Planning Division of the Department of Planning and Zoning and staff thinks that there is merit in further analysis to the requested change. Accordingly, he moved that the Board direct the staff of the Department of Planning and Zoning to consider an out-of-turn Plan amendment to add an option for a retail establishment, limited to a furniture store, within Land Unit I of the Dulles Suburban Center, and limited to that area south of Chantilly Crossing Lane and the EQC that traverses Tax Map Parcel 34-3-((1))7D. He noted that this motion does not prejudice the consideration of the application in any way. Supervisor Hudgins second the motion, which carried by unanimous vote.

39. **SE NECESITA AYUDA** (Tape 9)

Supervisor Connolly stated that according to the 2000 Census, the Hispanic population of the County was calculated at 11 percent or 106,672 of 969,749 residents in the County. He recently noted that the Fairfax Area Agency on Aging's publication entitled *Services for Older Adults in the Fairfax Area Frequently Called Numbers* lists bilingual services for Chinese-Mandarin, Chinese-Cantonese, and Korean, but none for the Spanish-speaking population. He noted that staff had indicated that there were only volunteers in those languages.

Supervisor Connolly asked unanimous consent that the Board direct the County Executive to assess the bilingual services offered by the Fairfax Area Agency on

Aging and correct this serious omission to ensure bilingual services in Spanish. Without objection, it was so ordered.

40. **REQUEST TO INCREASE THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM (VASAP) FEE** (Tape 9)

Supervisor Connolly said that as a follow up to Board concern about the Fairfax County Alcohol Safety Action Program budget for Fiscal Year 2003 that was called to the Board's attention during the Inventory of County Activities, Programs, and Services presentations, the Legislative Committee discussed funding alternatives to pay for the increasing cost of services. During that discussion, staff noted that the VASAP Commission could grant authority to the County to add a differential or surcharge fee to address the rising cost of running the program. The Committee decided to wait to see if the General Assembly would address the issue and it did not do so.

Accordingly, Supervisor Connolly moved that the draft letter attached to his written Board Matter be sent from the Chairman on behalf of the Board to the co-chairmen of VASAP requesting the Commission to permit the County to add a differential to its current fee schedule. Supervisor Bulova seconded the motion, which carried by unanimous vote.

41. **NOMINATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD** (Tape 9)

(BACs) Supervisor Connolly announced his intent at the next Board meeting to nominate Mr. Herb Taylor for reappointment as the Providence District Representative to the Fairfax-Falls Church Community Services Board.

42. **WEGMANS FOOD SERVICES** (Tape 9)

Supervisor McConnell moved that the Board authorize the Department of Public Works and Environmental Services to concurrently process the site plan and other engineering approvals associated with an upcoming application regarding Wegmans Food Services, Incorporated. This application will be associated with the previous Rezoning Application RZ 98-SU-040. She noted that this motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

Following additional comments, Supervisor McConnell asked unanimous consent that the Board direct the County Executive to expedite this application. Without objection, it was so ordered.

43. **FAIRFAX CORNER MIXED USE APPLICATIONS** (Tape 9)

Supervisor McConnell said that Fairfax Corner Mixed Use LC has submitted proffered condition amendment and final development plan amendment applications for the property identified as Tax Map 56-1-((1))-47B, 47B1, 47B2 and 56-2-((1))-75. The present use is site plan approved and graded and one building is under construction. The application proposes some change to the office, retail, and residential mixed-use.

Supervisor McConnell stated that the Planning Commission public hearing on the application was deferred to June 20, 2002, to provide staff and the applicant more time to work out the details, but with the understanding that a date certain in July for the Board hearing would be obtained. The applicant has requested that the public hearing be held before the Board on July 1, 2002, and staff has no objection to the request.

Accordingly, Supervisor McConnell moved that the Board direct staff to schedule the public hearing on Proffered Condition Amendment Application PCA 87-S-039-5 and Final Development Plan Amendment Application FDPA 87-S-039-9 on July 1, 2002. She noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of the rezoning application in any way. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

44. **SALES TAX REFERENDUM FOR TRANSPORTATION** (Tape 9)

(NOTE: Earlier in the meeting the Board took a position supporting this referendum. See Clerk's Summary Item CL#18.)

Supervisor McConnell stated that she discussed the sales tax referendum for transportation with Daniel Domenech, School Superintendent, and reported that he fully supports its passage. She expressed her appreciation for his support.

45. **LETTER FROM STUART GIBSON, SCHOOL BOARD CHAIRMAN**
(Tape 9)

Chairman Hanley stated that newspapers reported last week that she had received a letter from School Board Chairman Stuart Gibson, but when the article appeared she had not yet received the letter, nor had she been given a chance to comment. She said that she did receive the letter and has responded. She indicated that she would circulate to the Board copies of the letter and her response.

Supervisor Frey said that he had received a letter from the Schools regarding how the Maryland legislature funds its schools. Discussion continued briefly.

(NOTE: Later in the meeting, copies of the letters referenced by Chairman Hanley were distributed to the Board. See Clerk's Summary Item CL#59.)

46. **RECESS/CLOSED SESSION** (Tape 9)

At 1:55 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. *Board of Supervisors of Fairfax County, Virginia v. Town & Country Developers, Inc.*,
At Law No. 197938 (Fx. Co. Cir. Ct.)
(Braddock District)

and in addition:

- Section 17-201 of the Zoning Ordinance relating to travel lanes.
- Conveyance of Abandoned Summit Drive right-of-way to Centex Homes, Incorporated.
- Special Permit Application (SU-1449-02-1) filed by the County with the City of Fairfax regarding the Jermantown Road Garage Facility.

Chairman Hanley seconded the motion, which carried by unanimous vote.

Chairman Hanley announced that the Board would obtain lunch and immediately convene closed session.

DS:ds

At 3:30 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

47. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 10)

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."

48. **REJECTION OF SETTLEMENT OFFER IN BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA VERSUS TOWN AND COUNTRY DEVELOPERS, INCORPORATED** (Tape 10)

Supervisor Bulova moved that the Board of Supervisors reject the settlement offer in Board of Supervisors of Fairfax County, Virginia versus Town and Country Developers, Incorporated, At Law Number 197938, but authorize the County Attorney to make a counteroffer, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly and Supervisor Mendelsohn jointly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

49. **COUNTY ATTORNEY'S COMPENSATION PACKAGE** (Tape 10)

Supervisor Gross moved that the Board approve the modifications discussed in closed session with respect to the County Attorney's compensation package effective March 9, 2002. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

AGENDA ITEMS

PW:pw

50. **3 P.M. – BOARD DECISION ON PROPOSED AREA PLANS REVIEW (APR) ITEM 01-111-3UP, LOCATED NORTH OF ROUTE 50, BETWEEN CHANTILLY ROAD AND DOWNS DRIVE (SULLY DISTRICT)** (Tape 11)

(NOTE: At its March 18, 2002, meeting the Board deferred decision on this item until May 6, 2002.)

Supervisor Frey moved approval of a staff alternative that supports the Planning Commission recommended option for residential use at 2-3 dwelling units per acre, but strengthens language regarding buffering and adds a condition regarding the provision of a service drive. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

51. **3 P.M. – BOARD DECISION ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-C-051-2 (VERIZON VIRGINIA, INCORPORATED) (SULLY DISTRICT)** (Tape 11)

(NOTE: At its April 8, 2002, meeting the Board deferred decision on this item until May 6, 2002.)

Supervisor Frey moved:

- Approval of Special Exception Amendment Application SEA 81-C-051-2, subject to the development conditions dated February 13, 2002.
- Modification of the screening requirement along the southern and western property boundaries.
- Waiver of the barrier requirement along the western property boundary.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Gross, and Supervisor McConnell being out of the room.

52. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-L-042 (SPRINGFIELD PLAZA LP) (LEE DISTRICT)** (Tape 11)

The application property is located at 7200 Old Keene Mill Road within the Springfield Plaza Shopping Center, Tax Map 80-3 ((1)) 10, 11A, 11B, 4A and 4B.

Mr. Dean Crowhurst reaffirmed the validity of the affidavit for the record.

Mr. Crowhurst 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 Kauffman disclosed the following campaign contributions which he had received:

- In excess of \$200 from Mr. Gary D. Rappaport.
- In excess of \$200 from Springfield Plaza, LP.

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

- In excess of \$200 from Hank Gordon, President of William H. Gordon Associates, Incorporated.

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

Supervisor Kauffman moved approval of Special Exception Application SE 01-L-042, subject to the development conditions dated April 25, 2002. Supervisor Mendelsohn seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Gross, Supervisor McConnell, and Chairman Hanley being out of the room.

53. **3 P.M. – PH REGARDING THE CONVEYANCE OF ABANDONED SUMMIT DRIVE RIGHT-OF-WAY TO CENTEX HOMES INCORPORATED (SPRINGFIELD DISTRICT)** (No Tape)

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

54. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-H-048 (MELENDEZ, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 11)

The application property is located at 1645 Washington Plaza, Tax Map 17-2 ((31)) 1645 pt.

Mr. Mark D. Crain reaffirmed the validity of the affidavit for the record.

Mr. Crain 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 B. Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Application SE 01-H-048, subject to the development conditions dated April 2, 2002. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Gross, and Supervisor McConnell being out of the room.

Supervisor Hudgins further moved waiver of the transitional screening and barrier requirements on the eastern portion of the application property. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

55. **3:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY COMMERCIAL REVITALIZATION BOND PROJECT - BAILEYS CROSSROADS STREETScape (MASON DISTRICT)** (Tape 11)

- (R) A Certificate of Publication was filed from the editor of the *Northern Virginia Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 18 and April 25, 2002.

Following the public hearing, which included testimony by one speaker, James Ratliff, Land Acquisition Division, Department of Public Works and Environmental Services, presented the staff report.

Discussion ensued with input from Larry L. Ichter, Chief, Transportation Design Branch, Planning and Design Division, Department of Public Works and Environmental Services,

Supervisor Gross moved adoption of the Resolution authorizing the acquisition of certain lands rights necessary for the construction of County Commercial Revitalization Bond Project 008911 - Baileys Crossroads Streetscape, in Fund 315, Commercial Revitalization Program. Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

Supervisor Connolly asked unanimous consent that the Board direct staff reflect the total cost in the future. Without objection, it was so ordered.

56. **3:30 P.M. – PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 10225 BELMONT BOULEVARD (MOUNT VERNON DISTRICT)**
(Tape 11)

- (O) A Certificate of Publication was filed from the editor of the *Northern Virginia Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 18 and April 25, 2002.

Following the public hearing, which included testimony by two speakers, Susan A. Retz, Acting Chief, Housing Rehabilitation, Department of Housing and Community Development, presented the staff recommendation.

Discussion ensued with input from Robert Vaughn, the owner of the property.

Supervisor Hyland moved:

- Adoption of the Ordinance to declare 10225 Belmont Boulevard blighted, constituting a nuisance.
- Approval of the blight abatement plan for 10225 Belmont Boulevard, Tax Map Number 113-4-((01))-0012.

Supervisor Bulova seconded 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 voting “AYE,” Supervisor Mendelsohn being out of the room.

57. **3:30 P.M. – PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 10301 BELMONT BOULEVARD (MOUNT VERNON DISTRICT)**
(Tape 11)

- (O) A Certificate of Publication was filed from the editor of the *Northern Virginia Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 18 and April 25, 2002.

Following the public hearing, which included testimony by one speaker, Susan A. Retz, Acting Chief, Housing Rehabilitation, Department of Housing and Community Development, presented the staff recommendation.

Supervisor Hyland moved:

- Adoption of the Ordinance to declare 10301 Belmont Boulevard blighted, constituting a nuisance.
- Approval of the blight abatement plan for 10301 Belmont Boulevard, Tax Map Number 113-4-((01))-0013.

Supervisor Connolly seconded 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 voting "AYE," Supervisor Mendelsohn being out of the room.

58. **3 P.M. – PH REGARDING THE CONVEYANCE OF ABANDONED SUMMIT DRIVE RIGHT-OF-WAY TO CENTEX HOMES INCORPORATED (SPRINGFIELD DISTRICT)** (Tape 11)

(R) A Certificate of Publication was filed from the editor of the *Northern Virginia Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 11 and April 18, 2002.

Following the public hearing, Luis O. Lopez, Facilities Management Division, Department of Public Works and Environmental Services, presented the staff recommendation.

Supervisor McConnell moved adoption of the Resolution authorizing the conveyance of abandoned Summit Drive right-of-way to Centex Homes, Incorporated, Tax Map Number 55-4. Supervisor Bulova seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey voting "NAY."

ADDITIONAL BOARD MATTERS

59. **CORRESPONDENCE WITH STUART GIBSON, SCHOOL BOARD CHAIRMAN** (Tape 11)

(NOTE: Earlier in the meeting Chairman Hanley indicated that she would distribute some correspondence with the Chairman of the School Board. See Clerk's Summary Item CL#45.)

Chairman Hanley distributed to the Board copies of her response to a letter from Stuart Gibson, School Board Chairman, as well as the original letter.

60. **NORTHERN VIRGINIA REGIONAL PARTNERSHIP RECERTIFICATION** (Tape 11)

(R) Chairman Hanley distributed to the Board copies of an email with an attached resolution regarding continued support for the Northern Virginia Regional Partnership. Accordingly, she relinquished the Chair to Vice-Chairman Hyland and moved adoption of the Resolution. Supervisor Connolly seconded the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor

Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, Chairman Hanley, and Vice-Chairman Hyland voting "AYE."

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

61. **BOARD ADJOURNMENT** (Tape 11)

At 4:15 p.m., the Board adjourned.

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