



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
September 9, 2002**

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19-02

DS:ds

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

Supervisor McConnell arrived at 9:30 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.

BOARD MATTERS

1. **PRESENTATION OF THE COLORS IN REMEMBRANCE OF SEPTEMBER 11, 2001** (Tape 1)

Chairman Hanley said that as the Board resumes deliberations after the August recess it honors those who lost their lives in the September 11, 2001, terrorist attacks.

The Public Safety Honor Guard of the County presented the colors.

AGENDA ITEM

2. **PRESENTATION BY THE HARMONY HERITAGE SINGERS** (Tape 1)

The Harmony Heritage Singers of Fairfax County presented a medley of patriotic music.

ADDITIONAL BOARD MATTER3. **MOMENT OF SILENCE** (Tape 1)

Chairman Hanley asked everyone to keep in thoughts and prayers the family of Ms. Liz David, retired County employee, who passed away this past Friday.

AGENDA ITEMS4. **PROCLAMATION DESIGNATING SEPTEMBER 11, 2002, AS "A DAY OF REMEMBRANCE: AN INTERFAITH GATHERING UNITED FOR PEACE" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate September 11, 2002, as "*A Day Of Remembrance: An Interfaith Gathering United For Peace*" in Fairfax County. Supervisor Connolly and Vice-Chairman Hyland jointly seconded the motion.

Chairman Hanley said that there are a number of neighborhood and community events planned in remembrance of September 11, 2002, including the one sponsored by Faith Communities in Action and George Mason University planned for 7 p.m. at George Mason University.

Chairman Hanley encouraged all Fairfax County citizens to attend one of the many ceremonies that have been planned for September 11. She noted that she had attended the following:

- A tree planting ceremony, with Supervisor Bulova, at Burke Lake Park, in commemoration of Lieutenant Colonel Dennis Johnson.
- A neighborhood park dedication, with Supervisor Kauffman, at Willton Woods Park.

Chairman Hanley also noted that she and Supervisor Hudgins would be attending a tree planting ceremony at Dogwood Elementary School on Wednesday, September 11, 2002.

Supervisor Mendelsohn noted the following candlelight services scheduled for Wednesday, September 11, 2002:

- The Great Falls community (which lost six of its citizens) - at 7 p.m. in the Village Green in Great Falls.
- The Herndon Town Chamber - at 6:30 p.m.

Supervisor Connolly noted that he would not be attending the ceremony at George Mason University because the Rotunda in Tysons Corner will be having a memorial service at the same time.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: In addition to the aforementioned events, the Board also participated in a Memorial Grove dedication. See Clerk's Summary Item CL#43.)

5. **PROCLAMATION DESIGNATING SEPTEMBER 9 - 15, 2002, AS "REMEMBRANCE WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Connolly moved approval of the Proclamation to designate September 9 - 15, 2002, as "*Remembrance Week*" in Fairfax County. Supervisor Hyland seconded the motion.

ADDITIONAL BOARD MATTER

"Ride to Remember"

Supervisor Gross said that the "Ride to Remember," which is a partnership effort of the Fairfax County Police Department and Inova Health Systems, has been organized to honor the public safety and military personnel who were killed September 11, 2002.

Supervisor Gross said that she and Chairman Hanley were present at the Government Center on Saturday as bicyclists representing law enforcement, fire and rescue, military, and health care professionals gathered for the departure to New York City for the "*Ride to Remember*." The cyclists will travel as a unit from the World Trade Center site in New York City to the Pentagon in Arlington, Virginia. The approximately 250 mile trip will take place over a three day period. They will arrive at the Pentagon on September 11, 2002.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to invite organizers of the "*Ride to Remember*" to appear before the Board, at a date to be determined, to tell the Board about their experiences, and to be recognized for their efforts. Without objection, it was so ordered.

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

6. **PROCLAMATION DESIGNATING SEPTEMBER 11 - 17, 2002, AS "CIVIC PARTICIPATION WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Connolly moved approval of the Proclamation to designate September 11-17, 2002, as "*Civic Participation Week*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Kauffman being out of the room.

7. **CERTIFICATES OF RECOGNITION PRESENTED TO THE ODYSSEY OF THE MIND TEAMS** (Tape 1)

Supervisor Frey moved approval of the Certificates of Recognition presented to the Odyssey of the Mind Teams, Teams A and B, from Bull Run Elementary School for their accomplishments. The motion, which was multiply seconded, carried by unanimous vote.

8. **PROCLAMATION DESIGNATING SEPTEMBER 23 - 27, 2002, AS "SUBSTANCE ABUSE AWARENESS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate September 23-27, 2002, as "*Substance Abuse Awareness Week*" in Fairfax County. Supervisor Connolly and Supervisor Gross jointly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO THE PLANNING COMMITTEE FOR THE OLDER ADULT EXPO** (Tapes 1-2)

Supervisor Gross moved approval of the Certificate to Recognition presented to the planning committee for the Older Adult Expo for its contribution to the older adult population. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

10. **PROCLAMATION DESIGNATING SEPTEMBER 15 THROUGH OCTOBER 15 AS "HISPANIC HERITAGE MONTH" IN FAIRFAX COUNTY** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate September 15 through October 15, 2002, as "*Hispanic Heritage Month*" in Fairfax County. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

11. **PROCLAMATION DESIGNATING THE MONTH OF SEPTEMBER AS "FOOD SAFETY EDUCATION MONTH" IN FAIRFAX COUNTY** (Tape 2)

Chairman Hanley moved approval of the Proclamation to designate the month of September as "*Food Safety Education Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

12. **10 A.M. – PUBLIC HEARING ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY) 2002 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2003 REVISED BUDGET PLAN**
(Tapes 2-4)

(SAR)
(FPR)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issue of August 27, 2002.

Discussion ensued with input from Anthony H. Griffin, County Executive; Susan Datta, Director, Department of Management and Budget; Sheriff Stan Barry; and Edward L. Long, Jr., Chief Financial Officer.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide, before conclusion of the public hearing, the approximate number of inmates being housed in the County jail. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Discussion ensued with input from Mr. Barry, Ms. Datta, and Mr. Griffin.

Following the public hearing, which included testimony by two speakers, Chairman Hanley recognized the presence of Jane K. Strauss, Chairman of the Budget Committee, Fairfax County School Board, and welcomed her to the Board Auditorium.

Following additional discussion, with input from Mr. Long, Supervisor Bulova moved adoption of Supplemental Appropriation Resolution AS 03022 and Amendment to the Fiscal Planning Resolution AS 03901 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 \$602,455 which represents 0.03 percent of the FY 2002 Revised Budget Plan General Fund Disbursements. Supervisor Hyland seconded the motion.

Following discussion, with input from Mr. Long, Ms. Strauss, and Ms. Datta, the question was called on the motion and it **CARRIED** by a recorded 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 voting "NAY."

Supervisor Bulova called the Board's attention to handwritten page five, and noted that the Revenue Stabilization Fund is not yet fully funded. When it is fully funded the balance will be \$74,000,000. Therefore, she moved approval of the transfer of 40 percent of the Available Balance or \$240,983 to the Revenue Stabilization Fund. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Based on the Board's adopted budget guidelines, Supervisor Bulova moved approval of the allocation of \$180,736, or 50 percent of the remaining balance, to the Schools to support non-recurring requirements. The balance after this adjustment is \$180,736. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Bulova noted that the issue of radar units is not being funded as part of Carryover, however, Sheriff Barry has offered to donate radar units from the Sheriff's Office to the Police Department.

Following discussion with input from Mr. Griffin, Supervisor Bulova asked unanimous consent that the Board direct the Police Chief to purchase additional radar units out of seized assets. Without objection, it was so ordered.

Supervisor Bulova said the events of September 11, 2001, highlighted the necessity of enhancing the readiness to respond to public safety emergencies. As a result, she moved:

- Approval of the consideration item in the amount of \$51,318 to Volunteer Fairfax to support an information database which will be essential in the coordination of volunteers in the event of a community or medical emergency.
- That \$43,640 of the \$1,477,500 previously allocated by the Board for a pedestrian safety review, be allocated directly toward capital pedestrian safety improvements in the Route One corridor. According to the Department of Transportation, at the current time with the anticipated schedule, this is an amount that can be reallocated without jeopardizing the intent and scope of the project.
- That the balance after these adjustments, which is \$129,418, be placed in a Set-Aside reserve to be available for FY 2003 or FY 2004 requirements.

Supervisor Kauffman seconded the motion.

Following discussion, Supervisor McConnell moved that the Board direct staff to return with an accurate count of how many LIDAR (Light Detection and Ranging) units the Police Department currently possesses. Without objection, it was so ordered.

Following further discussion, Chairman Hanley called the Board's attention to Handwritten Page 12 of the Agenda Item and noted that the Police Department purchased four LIDAR units from seized assets in FY 2002, and has been authorized to purchase ten additional units in FY 2003. Therefore, she relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the accounting of appropriate kinds of radar and LIDAR units be provided at the next Board meeting. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Gross moved to amend Supervisor Bulova's motion to add \$24,610 to help support the Water Quality Specialist position of the Soil and Water Conservation District. Supervisor Hyland seconded the motion.

Following discussion with input from Mr. Griffin, Supervisor Bulova clarified that her motion to approve \$51,318 to Volunteer Fairfax was a one-time non-recurring item.

Following further discussion, the question was called on Supervisor Gross' amendment to the motion and it **FAILED** by a recorded vote of six, Supervisor Gross, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

The question was called on the main motion, as clarified, and it **CARRIED** by a recorded vote of nine, Supervisor Mendelsohn voting "NAY."

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 Connolly seconded the motion.

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

Supervisor Bulova moved that the Board authorize the addition of four merit positions for the Department of Tax Administration to supplement delinquent tax collection efforts. The staff costs and associated revenue gain associated with this action will be included in a future quarterly review. Supervisor McConnell seconded the motion.

Following discussion, with input from Mr. Long, Supervisor Connolly asked to amend the motion, that the Board direct staff to provide a report at the time of the budget cycle regarding whether expectations were met in terms of relationship between staff and the projected increase in revenue. This was accepted.

The question was called on the motion, as amended, and it **CARRIED** by a recorded vote of seven, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley voting "NAY."

Supervisor Bulova moved that the Board approve adjustments within Fund 307, Sidewalk Construction, to fund construction of the Terra Centre Elementary School trail in the amount of \$16,000. Funding of \$5,000 is available as a result of some redirection of funds within Project W00100, Braddock District Walkways. Additional funding of \$11,000 will be reallocated from the Chairman's allocation in Project W01000, At-Large District Walkways Contingency, to support construction of this new trail. Supervisor McConnell and Supervisor Mendelsohn jointly seconded the motion.

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

PW:pw

13. **10:15 A.M. – APPOINTMENTS TO 2002 FALL BOND REFERENDUM COMMITTEE** (Tape 5)

(APPTS)
(BACs)

Chairman Hanley moved the appointment of Mr. Mark D. Sickles as the At-Large Chairman's Representative to the 2002 Fall Bond Referendum Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Mendelsohn moved the appointment of Mr. Christopher M. Cole as the Dranesville District Representative to the 2002 Fall Bond Referendum Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the appointment of Mr. Jerry D. Duane as the Hunter Mill District Representative to the 2002 Fall Bond Referendum Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the appointment of Mr. Harry Glasgow as the Lee District Representative to the 2002 Fall Bond Referendum Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Frank Cihak as the Mount Vernon District Representative to the 2002 Fall Bond Referendum Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the appointment of Ms. Carol Ann Hawn as the Sully District Representative to the 2002 Fall Bond Referendum Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

CONFIRMATIONS:

Supervisor Mendelsohn moved the confirmations of the following appointments to the 2002 Fall Bond Referendum Committee:

- Mr. Brian Gordon as the Fairfax County Chamber of Commerce Representative
- Mr. Arthur D. Wells as the Federation of Citizens Associations Representative
- Ms. Connie Houston as the League of Women Voters Representative

Supervisor McConnell seconded the motion and it carried by a unanimous vote.

The Board deferred the appointments of the Mason and Springfield District Representatives to the 2002 Fall Bond Referendum Committee.

SBE:sbe

14. **ADMINISTRATIVE ITEMS** (Tape 6)

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

Chairman Hanley called the Board's attention to Admin 2 – Board of Supervisors' Meeting Schedule for Calendar Year 2003 and discussion ensued.

Supervisor Hyland asked to amend the motion to direct staff to schedule a meeting for November 17, 2003, and eliminate the proposed November 10 and November 24, 2003, Board meetings. This was accepted.

Discussion ensued regarding the scheduling of the Budget Markup Session in April 2003. Anthony H. Griffin, County Executive, noted that, by law, the Board must adopt the budget by May 1, 2003.

Supervisor Connolly called the Board's attention to Admin 8 – Authorization for the Fairfax County Police Department (FCPD) to Apply to the Department of Criminal Justice Services to Continue Grant Funding of the V-Stop Someplace

Safe Program and discussion ensued with input from Carroll Ellis, Director, Criminal Services Section, FCPD.

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

ADMIN 1 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individuals, identified with their registration numbers, as Plans Examiners:

- Victor A. Arnole, PE (223)
- Ronald M. Schirato (224)
- Weldon Spurling, II (225)
- Leon F. Lyles (226)
- Bijan Sistani (227)
- C. Ryan Connor (228)
- Brian Raymond Thomas (229)

ADMIN 2 – BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 2003

(NOTE: Earlier in the meeting action was taken on this item. See page 9.)

Amended and adopted the Board meeting schedule for January through December 2003.

ADMIN 3 – INSTALLATION OF A MULTI-WAY STOP AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION'S (DOT) RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (BRADDOCK DISTRICT)

- Endorsed the installation of a multi-way stop as part of DOT's R-TAP at Paynes Church Drive and Broadwater Drive (Braddock District).
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 4 – RESOLUTION TO INSTALL "WATCH FOR CHILDREN" SIGNS AS PART OF THE FAIRFAX COUNTY RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (MOUNT VERNON AND SPRINGFIELD DISTRICTS)

(Rs)

- Adopted the Resolutions endorsing the installation of "Watch for Children" signs as part of the Department of Transportation's R-TAP at the following locations:
 - Huntington Avenue (Mount Vernon District)
 - Karmich Street (Springfield District)
 - Sydenstricker Road (Springfield District)
 - Huntsman Boulevard (Springfield District)
 - Cottontail Court (Springfield District)
 - Conservation Drive (Springfield District)

ADMIN 5 – APPROVAL OF TRAFFIC-CALMING MEASURES FOR KIMBERWICKE ROAD AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION'S (DOT) RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (DRANESVILLE DISTRICT)

- Endorsed the traffic-calming plan for Kimberwicke Road as proposed by DOT and the Virginia Department of Transportation (VDOT), consisting of the following measures:
 - Multi-way stop installed at the intersection of Kimberwicke Road and Martingale Drive
 - One raised crosswalk installed at the intersection of Kimberwicke Road and Riding Ridge Place
- Directed staff to request VDOT to install the approved measures as soon as possible.

ADMIN 6 – PROPOSED STREET NAME CHANGE FROM PRC DRIVE TO TYSONS MCLEAN DRIVE (DRANESVILLE DISTRICT)

Approved the street name change in the Official Street Names and Property Numbering Atlas from PRC Drive (Tax Map Number 030-1) to Tysons McLean

Drive to become effective in 30 days in accordance with Section 102-1-9 of the Code of the County of Fairfax.

ADMIN 7 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, LEE, MOUNT VERNON, PROVIDENCE, SPRINGFIELD, 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>
Rhinehart Property	Hunter Mill	Dunn Meadow Road Route 6941 Dunn Meadow Court Leesburg Pike Route 7 Additional ROW Only
Sycamore Lakes, Section 5	Hunter Mill	Dakota Lakes Drive Route 8997 Sycamore Lakes Cove Piney Point Place
First Addition to Skyline Homes	Lee	Old Franconia Road Route 5228 Additional ROW Only
Bush Hill Woods, Section 16	Lee	Barbmor Court Route 8448
Raceway Farms, Section 6	Mount Vernon	Tiddle Way Route 7643
Madrillon Farms	Providence	Wolftrap Road Route 696 Additional ROW Only Lord Fairfax Road Route 837 Additional ROW Only
Cardinal Hill 3	Springfield	Rolling Spring Court Center Road Route 797 Additional ROW Only

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
The Manors of Ox Hunt	Springfield	Viewcrest Drive Route 8150 Chapel Oak Drive Route 7925
Centre Village	Sully	Upper Ridge Drive Route 8349

ADMIN 8 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) TO CONTINUE GRANT FUNDING OF THE V-STOP SOMEPLACE SAFE PROGRAM

(NOTE: Earlier in the meeting there was a brief discussion of this item. See page 9.)

Approved the FCPD's application to the Virginia DCJS in the amount of \$54,437 for the continuation of the V-STOP Someplace Safe Program. This includes \$40,827 from DCJS and a local cash match of \$13,610.

ADMIN 9 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) OF REVENUE BONDS FOR TRINITY CHRISTIAN SCHOOL OF FAIRFAX, INCOPORATED (BRADDOCK DISTRICT)

- (R) Adopted the Resolution approving the issuance of EDA bonds to assist the Trinity Christian School in financing or refinancing pursuant to the Plan of Financing by Trinity Christian School of Fairfax, Incorporated, authorizing the issuance of up to \$5,000,000.

ADMIN 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03041 FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (VDRPT) TO DEVELOP AN INTELLIGENT TRANSPORTATION SYSTEMS PLAN FOR THE FAIRFAX CONNECTOR

- (SAR)
- Approved SAR AS 03041 in the amount of \$100,000 for DOT to accept grant funding from VDRPT. This includes \$95,000 in State Public Transportation Grant funds and \$5,000 in Fiscal Year 2003 local cash match.
 - Authorized the Director of DOT to sign the necessary grant documents to execute this grant.

ADMIN 11 – 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 JEFFERSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 27 (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 7, 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, expanding the Jefferson RPPD, District 27.

ADMIN 12 – 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 LEE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 32 (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 7, 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, expanding the Lee RPPD, District 32.

ADMIN 13 – 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 LAKE BRADDOCK RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 5 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 7, 2002, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the Lake Braddock RPPD, District 5.

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 7, 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, expanding the Annandale RPPD, District 14.

ADMIN 15 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON A SEGMENT OF CENTREVILLE ROAD (ROUTE 657) AND VACATE AND ABANDON A PORTION OF SQUIRREL HILL ROAD (ROUTE 820) (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 7, 2002, at 3:30 p.m.** to consider a proposal to abandon a segment of Centreville Road (Route 657) and vacate and abandon a portion of Squirrel Hill Road (Route 820).

ADMIN 16 – 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 WEST SPRINGFIELD RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 7 (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 7, 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, expanding the West Springfield RPPD, District 7.

ADMIN 17 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 99-Y-016, SOUTHWESTERN YOUTH ASSOCIATION (SULLY DISTRICT)

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 99-Y-016 to July 24, 2003, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 18 – 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 to commence construction for Special Exception Application SE 96-B-010 to September 9, 2003, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 19 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-H-060, CHESAPEAKE HEALTHCARE CORPORATION (HUNTER MILL DISTRICT)

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 98-H-060 to July 10, 2004, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 20 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (MOUNT VERNON AND SULLY DISTRICTS)

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

- Application 2232-V02-16 to December 9, 2002
- Application 2232-Y02-17 to December 9, 2002

ADMIN 21 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03043 FOR THE FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA EMPLOYMENT COMMISSION FOR RAPID RESPONSE ACTIVITIES INCLUDING INTENSIVE EMPLOYMENT COUNSELING, TRAINING, AND JOB PLACEMENT SERVICES TO AREA RESIDENTS AFFECTED BY RECENT UNEXPECTED JOB LOSSES

(SAR) Approved SAR AS 03043 for DFS to accept grant funds in the amount of \$300,000 from VEC for the Rapid Response Program. No local cash match is required.

ADMIN 22 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING AND DESIGNATION OF AN ADVISORY BOARD TO REVIEW AND COMMENT ON THE PROPOSED USE OF FUNDS RECEIVED BY THE POLICE DEPARTMENT UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) PROGRAM

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **September 23, 2002, at 3:30 p.m.** to consider the use of funds received by the Police Department under the LLEBG program.
 - Designated the following individuals to serve as members of the advisory board:
 - John T. Frey, Clerk of the Circuit Court
 - Tom Hurney, Representative, Reston Citizen Advisory Council
 - Ray Morrogh, Deputy Commonwealth's Attorney

- Fred Ellis, Director, Office of Security and Risk Management, Fairfax County Public Schools
- Major Audrey Slyman, Commander, Internal Affairs Bureau, Police Department

ADMIN 23 – AUTHORIZATION FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO APPLY TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR A NATIONAL URBAN SEARCH AND RESCUE RESPONSE SYSTEM WEAPONS OF MASS DESTRUCTION ADMINISTRATIVE PREPAREDNESS GRANT

Authorized FRD to apply for funds from FEMA in the amount of \$740,000 to enhance the operational readiness of Virginia Task Force One to respond to incidents involving weapons of mass destruction. No local cash match is required.

15. **A-1 – AUTHORIZATION TO PUBLISH DELINQUENT REAL ESTATE, PERSONAL PROPERTY, AND BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSES DELINQUENCY LIST FOR TAX YEAR 2001 (FISCAL YEAR 2002)** (Tape 6)

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

- Authorize staff to make available for public review the list of delinquent real estate, personal property, and business, professional and occupational license taxes. Staff would make these lists available for public reference in County libraries. In addition, staff from the Department of Tax Administration (DTA) would coordinate with the Department of Information Technology to begin posting delinquent taxes to the Internet in FY 2003.
- Direct staff to return the lists of Tax Year 2001 delinquent taxes to the DTA to continue collection of taxes as provided by law.

Supervisor Gross seconded the motion.

Discussion followed, with input from Kevin C. Greenlief, Director, DTA.

Supervisor Hudgins moved to amend the motion to delete the authorization of the posting of such lists to the Internet. Supervisor Mendelsohn seconded the amendment to the motion.

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

The question was called on the main motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Connolly voting "NAY."

16. **A-2 – APPROVAL FOR THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION (DOT) TO IMPLEMENT A FAIRFAX CONNECTOR BUS ADVERTISING PROGRAM** (Tape 6)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and approve DOT's request to:

- Issue a Request for Proposal (RFP) for an advertising contractor.
- Implement an Action Plan that will result in a FAIRFAX CONNECTOR Bus Advertising Program.

Supervisor Connolly seconded the motion.

Discussion followed with input from James V. McGettrick, Assistant County Attorney, and Anthony H. Griffin, County Executive.

Supervisor Kauffman clarified that the motion included the directive to staff to place on the agenda of a future Board meeting the RFP and the adoption of advertising policy standards prior to releasing the RFP.

The question was called on the motion, as clarified, which carried by unanimous vote.

17. **A-3 – APPROVAL OF A RESOLUTION ENDORSING THE ISSUANCE OF BONDS FOR CATEGORY THREE PROJECTS IN THE NORTHERN VIRGINIA TRANSPORTATION DISTRICT (NVTD) PROGRAM** (Tape 6)

(Bonds)
(R)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the issuance of bonds by the Commonwealth Transportation Board to finance the cost of Category Three Projects in the NVTD program.

Following discussion, Supervisor McConnell seconded the motion.

Following a brief discussion, 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."

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

18. **C-1 – 2002 VIRGINIA MUNICIPAL LEAGUE (VML) ANNUAL CONFERENCE** (Tape 6)

The Board next considered an item contained in the Board Agenda dated September 9, 2002, regarding the designation of delegates to represent the County at the VML Annual Conference.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Hyland moved that the Board designate:

- Chairman Hanley as the voting delegate
- Susan E. Mittereder, Legislative Assistant, as the alternate voting delegate

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

19. **I-1 – CERTIFICATION OF FAIRFAX COUNTY'S INVESTMENT POLICY BY THE MUNICIPAL TREASURER'S ASSOCIATION (MTA) OF THE UNITED STATES (US) AND CANADA** (Tape 6)

The Board next considered an item contained in the Board Agenda dated September 9, 2002, announcing that for the fourth consecutive year, Fairfax County's Investment Policy has been certified by the MTA of the US and Canada.

Chairman Hanley noted that the County is the only local Government in the Commonwealth to be awarded the certification in Fiscal Year 2002 and she congratulated Robert L. Mears, Director, Department of Finance.

20. **I-2 – ARCHITECTURAL/ENGINEERING CONTRACT FOR PHASE I DESIGN SERVICES – OAKTON COMMUNITY LIBRARY (PROVIDENCE DISTRICT)** (Tape 6)

The Board next considered an item contained in the Board Agenda dated September 9, 2002, requesting authorization for staff to award a contract to Phillips Swager Associates in the amount of \$173,625 for full design and construction administration services for the Oakton Community Library Project, Project 004839, within Fund 302, Library Construction.

Supervisor Connolly asked unanimous consent that the Board direct staff to ensure that there is community input for the design of this facility as the project progresses. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

21. **I-3 – CONTRACT AWARD – ADULT DETENTION CENTER ELEVATOR CONTROLS (PROVIDENCE DISTRICT)** (Tape 6)

The Board next considered an item contained in the Board Agenda dated September 9, 2002, requesting authorization for staff to award a contract to ESI Companies, Incorporated, in the amount of \$112,961 for construction of the Adult Detention Center Elevator Controls, Project 89A001, in Fund 311, County Bond Construction.

The staff was directed administratively to proceed as proposed.

22. **I-4 – CONTRACT AWARD – PROVISION OF HIV/AIDS MEDICAL SERVICES TO INDIGENT RESIDENTS OF FAIRFAX COUNTY** (Tape 6)

The Board next considered an item contained in the Board Agenda dated September 9, 2002, requesting authorization for staff to award a contract to Inova Health System in the amount of \$124,500 to provide HIV/AIDS medical services to indigent residents of the County.

The staff was directed administratively to proceed as proposed.

23. **I-5 – FISCAL YEAR (FY) 2004 REGIONAL SURFACE TRANSPORTATION (RST) PROGRAM AND CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM PROJECTS** (Tape 6)

The Board next considered an item contained in the Board Agenda dated September 9, 2002, requesting:

- Board endorsement of the RST and CMAQ program projects.
- Authorization for staff to pursue funding for FY 2004 for the projects.

Following discussion with input from Young Ho Chang, Director, Department of Transportation, the staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

24. **EARLY START FOR THE SEPTEMBER 23, 2002, BOARD MEETING** (Tape 7)

Following a query to Merni Fitzgerald, Director, Office of Public Affairs, regarding the number of presentations for the next meeting, Chairman Hanley stated that the September 23, 2002, meeting would begin at 8:30 a.m.

25. **CHILDHELP USA CHILDREN'S CENTER OF VIRGINIA** (Tape 7)

With reference to her written Board Matter on Childhelp USA Children's Center of Virginia, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board endorse Childhelp USA's application for Federal assistance and authorize the County Executive to convey to the appropriate parties this endorsement. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

26. **REAPPOINTMENTS TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY (WASA)** (Tape 7)

Chairman Hanley said that the two-year terms for the County's appointees to the WASA are expiring. Therefore, Chairman Hanley moved the reappointment of:

- Anthony H. Griffin, County Executive, as the Primary Representative to WASA.
- John Wesley White, Director, Department of Public Works and Environmental Services, as the Alternate Representative to WASA.

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

27. **"DISABILITY EMPLOYMENT AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 7)

Chairman Hanley said that traditionally October is celebrated as National Disability Employment Awareness Month. To recognize Fairfax County citizens with disabilities and their contributions to mainstream community life, Chairman Hanley moved that the Board direct staff to invite representatives from the Office of Equity Programs and the Disability Services Board to the September 23, 2002, meeting to receive a proclamation declaring October as "*Disability Employment Awareness Month*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

28. **"LONG TERM CARE AWARENESS WEEK" IN FAIRFAX COUNTY** (Tape 7)

Chairman Hanley said that Citizens for Long Term Care, a national coalition of consumers, providers, insurers, workers, and professionals has designated October 1-7, 2002, as Long Term Care Awareness Week. Included in the coalition are AARP, the Alzheimer's Association, Arc of the United States, and the American Association of Homes and Services for the Aging.

Therefore, Chairman Hanley moved that the Board direct staff to invite the appropriate representatives to appear before the Board on September 23, 2002, to receive a proclamation declaring the week of October 1-7, 2002, as "*Long Term Care Awareness Week*" in Fairfax County. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

A brief discussion ensued regarding the number of presentations and the 8:30 a.m. commencement time for the September 23, 2002, meeting.

29. **"RACE EQUALITY WEEK" IN FAIRFAX COUNTY** (Tape 7)

Chairman Hanley stated that the National League of Cities has designated September 23-29, 2002, as its third annual Race Equality Week. The League is committed to eliminating all forms of racism in local communities and to showcase local programs promoting racial equality.

Therefore, Chairman Hanley moved that the Board direct staff to prepare and send the proclamation declaring the week of September 23-29, 2002, as "*Race Equality Week*" in Fairfax County. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

30. **"VOLUNTEERFEST DAY" IN FAIRFAX COUNTY** (Tape 7)

Chairman Hanley said that Volunteer Fairfax will sponsor the eighth annual VolunteerFest, Saturday, October 26, 2002. This year's theme is "Service in our Schools." Working in partnership with the Fairfax County Public Schools, volunteers will work to provide hands-on support at school facilities throughout the County.

Chairman Hanley moved that the Board direct staff to:

- Invite the appropriate representatives from Volunteer Fairfax and Fairfax County Public Schools to appear before the Board on October 7, 2002, to receive a proclamation recognizing October 26, 2002, as "*VolunteerFest Day*" in Fairfax County.
- Publicize VolunteerFest.

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

31. **BYLAWS FOR BOARDS, AUTHORITIES, COMMISSIONS, AND COMMITTEES (BACs)** (Tape 7)

Chairman Hanley called the Board's attention to the Clerk's response to a June 17, 2002, Board request for bylaws for all BACs. She commended the Clerk's Office for its efforts.

32. **FAIRFAX SYMPHONY ORCHESTRA FOUNDATION (FSOF)** (Tape 7)

Chairman Hanley called the Board's attention to a letter from Thomas O. Lawson, President, FSOF, regarding funds held by the Northern Virginia Community Foundation (NVCF) for the benefit of the Orchestra. In 1986 the Board appropriated funds to the NVCF as a repository for interest to be used by the Symphony. Because the Symphony has since created its own foundation, FSOF, as a separate 501(c)(3) corporation to receive funds that could be used for the benefit of the Orchestra, the Symphony is now requesting that the FSOF hold the funds currently held by the NVCF.

Accordingly, Chairman Hanley moved that the Board direct staff to write to the NVCF to request that it transfer the referenced funds to the FSOF. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

33. **REQUEST FROM ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)** (Tape 7)

Chairman Hanley called the Board's attention to a letter from Robert D. McLaren, Chairman, EQAC, regarding notification of the local government following environmental incidents such as a raw sewage spill. Accordingly, she moved that the Board direct staff to prepare and send a strong letter of concern to the Commonwealth of Virginia's Department of Environmental Quality advising it of the urgent need to provide notification to the local government where an event occurs when an environmental event happens. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

34. **LEGISLATIVE ITEMS** (Tape 7)

Chairman Hanley stated that she had received three requests for referral to the Board's Legislative Committee. Accordingly, she asked unanimous consent that the Board refer to the Legislative Committee the legislative positions of the following:

- Environmental Quality Advisory Council, regarding tree conservation legislation
- Community Action Advisory Board, regarding the use of additional state Community Service Block Grant funds and Federal Temporary Assistance for Needy Families funds for community action programs Statewide
- County of Isle of Wight, regarding enabling legislation for counties to impose a cigarette tax

Without objection, it was so ordered.

(NOTE: Later in the meeting, there was a brief comment regarding the County of Isle of Wight. See Clerk's Summary Item CL#37.)

35. **FIRE AND RESCUE RETIREMENT ASSOCIATION GOLF TOURNAMENT** (Tape 7)

Chairman Hanley reminded the Board that it was the time of year for the annual Fire and Rescue Retirement Association Golf Tournament. She moved that the Board sponsor a hole for a \$300 contribution at \$25/person including the County Executive and County Attorney. This motion, the second to which was indistinguishable, carried by a vote of nine, Supervisor McConnell being out of the room.

36. **COUNTY TOUR MAPS** (Tape 7)

Chairman Hanley stated that the Economic Development Authority recently distributed *Explore Fairfax County* maps.

37. **COUNTY OF ISLE OF WIGHT** (Tape 7)

(NOTE: Earlier in the meeting, the Board took action to refer to the Legislative Committee a proposal by the County of Isle of Wight. See Clerk's Summary Item CL#35.)

With reference to the County of Isle of Wight, Supervisor Connolly pointed out that its county attorney is Mr. Crook.

38. **EMERGENCY MANAGEMENT INITIATIVES** (Tape 7)

Chairman Hanley noted that the Board received the County's Emergency Management Initiatives memorandum last week. She commended the County Executive for his efforts.

Discussion ensued with input from Anthony H. Griffin, County Executive.

39. **SCHOOL DIVISION REQUEST FOR PROPOSAL (RFP) REGARDING REAL ESTATE ADVISORY SERVICES** (Tape 7)

Chairman Hanley distributed copies of a School Division RFP dated July 19, 2002, for real estate advisory services. She called the Board's attention to pages 25-27 of the RFP under the Heading "Surplus Sites."

Following discussion, with input from David P. Bobzien, County Attorney, Chairman Hanley asked unanimous consent that the Board direct staff to request the following information from the Schools regarding the surplus sites:

- Whether the list is complete
- How these properties were acquired, whether by proffer, action of the Board of Supervisors, purchase by the Board of Supervisors (and, if so, how) or purchase by the School Board
- Whether there are any conditions on the use of the properties
- Which sites have any development potential given residential density
- The number of ball fields being used by the Park Authority at the referenced schools
- Whether there was discussion with City of Fairfax officials regarding the referenced facilities located within the city as well as discussion with Town of Herndon officials regarding facilities there

Following discussion, Supervisor McConnell asked to amend the request to comprehensively inventory and review County-owned property as well, and this was accepted.

Supervisor Hudgins asked unanimous consent that the Board direct staff to determine whether the School Board leases property and, if so, provide the budgetary impact. Without objection, it was so ordered.

Following further discussion, the request, as amended, was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

40. **PARK AUTHORITY SITES RECEIVE PRESTIGIOUS DESIGNATIONS**
(Tape 7)

Supervisor Mendelsohn announced that the American Association of Museums (AAM) has accredited three Fairfax County Park Authority sites with prestigious designations. Colvin Run Mill Historic Site and Sully Plantation Historic Site have been reaccredited, and Green Spring Gardens Park has received that designation for the first time.

Supervisor Mendelsohn noted that these designations represent the highest level of professional museum recognition for the Park Authority sites and is a particular

point of pride. AAM accreditation is an exhaustive process, which began over two years ago for these properties and included site visits by the AAM Visiting Committee. Only 39 museums throughout the Commonwealth share this honor.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to invite members of the Park Authority Board and senior staff to appear before the Board at a date to be determined to be recognized for this significant accomplishment. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova being out of the room.

41. **UNDERGROUND UTILITIES** (Tape 7)

Supervisor Mendelsohn said that since 1988, one of the major goals of the McLean community has been to underground the utilities in its Community Business Center. In the last year, the Board has accepted proffers from a number of developers to supplement funding from a previously approved \$2 million bond to accomplish this goal. In addition, one other developer has proffered to underground utilities on land not under its control. After a recent land use case in which the Board accepted a \$250,000 proffer from Exxon Corporation to underground utilities at the corner of Chain Bridge Road and Old Dominion Drive, Supervisor Mendelsohn initiated a meeting with Dominion Virginia Power to request a concurrent design process to ensure that undergrounding could be coordinated with the site plan review process. During that meeting, Dominion Virginia Power officials stated that they would not agree to co-locate any utility easement in the Virginia Department of Transportation (VDOT) right-of-way, including under the existing sidewalk. In fact, its representatives stated that Virginia Power would require an additional 15-foot right-of-way on any private property where undergrounding was required.

Supervisor Mendelsohn noted that in older parts of the County, especially in revitalization districts, this requirement will effectively render impossible the undergrounding of overhead utilities. In McLean, for example, a 15-foot private easement along Chain Bridge Road would run through the lobbies of several existing business and would be perilously close to the underground gasoline storage tanks of two service stations. In addition, it will be necessary to secure and possibly to purchase easements from all affected businesses, adding two years and an additional financial burden to an already cumbersome process. This requirement presents as an undue burden on localities, particularly the Revitalization Districts of Fairfax County.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct the County Executive to:

- Initiate discussions with Dominion Virginia Power and VDOT on this matter and that it be referred to the Revitalization Policy Committee for further clarification.

- Determine whether the requirement for an additional 15-foot private easement is codified in some fashion or whether it is a policy decision of Virginia Power that is regulated by the State Corporation Commission.
- Investigate whether this requirement was met when the City of Falls Church undergrounded its utilities.

Without objection, it was so ordered.

A brief discussion ensued with input from Anthony H. Griffin, County Executive, who indicated that the additional easement is not a requirement.

42. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) EARNS NATIONAL TEAM EXCELLENCE AWARD** (Tape 7)

Supervisor Mendelsohn announced that the American Association State Highway and Transportation Officials awarded one its prestigious Exemplary Partner awards to VDOT for its accomplishments in bringing the Fairfax County Parkway into service more than eight months ahead of schedule. He commended VDOT for this coordinated effort.

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

Chairman Hanley announced that the Board would recess in ten minutes, at 1:50 p.m., to have lunch prior to the 2:30 Memorial Grove dedication ceremony. Remaining Board Matters would be completed later in the meeting.

44. **ANNANDALE CHRISTIAN COMMUNITY FOR ACTION (ACCA) OBSERVES ITS THIRTY-FIFTH ANNIVERSARY** (Tape 7)

Supervisor Gross said that ACCA will observe its thirty-fifth anniversary of its founding on October 1, 2002. Under the leadership of Fred and Emily Ruffing, ACCA was formed in 1967 by a group of residents who were concerned about 13 children who were about to lose day care because their parents' income was slightly more than the \$3,000 poverty line for a family of four. The ACCA Day Care Center today is an exemplary program for childhood education. Although the catalyst for its founding was the day care needs of 13 children, ACCA established a broad range of services, in cooperation with 26 churches, to assist families facing emergency situations and help the needy in Annandale, Bailey's Crossroads, and Culmore.

Supervisor Gross moved that the Board issue a proclamation honoring ACCA for its 35 years of service to the community, and present it to ACCA's president and board members at the Board meeting scheduled for September 23, 2002. Supervisor Bulova seconded the motion.

A brief discussion ensued regarding the number of presentations for that meeting with input from Merni Fitzgerald, Director, Office of Public Affairs.

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

45. **NOTIFICATION TO REVITALIZATION GROUPS OF BY-RIGHT DEVELOPMENT PLANS** (Tape 7)

Supervisor Gross said that it has been the practice that land use applications in revitalization areas requiring Board approval have been directed to various County sanctioned citizen revitalization groups for review and comment. At the present time, there is not a corresponding directive for the forwarding of by-right development plans to revitalization groups. In some instances, by-right development plans are forwarded by the Department of Public Works and Environmental Services (DPWES) to the relevant revitalization organization. However, this is not a standard practice. Supervisor Gross said that although revitalization groups do not have any ultimate authority in the approval of by-right site plans, it has been her experience that revitalization groups can often provide valuable input to developers as to the specific goals of revitalization efforts.

To give revitalization groups another opportunity to further goals of revitalization, Supervisor Gross moved that the Board direct DPWES to forward a copy of any by-right development site plan located within a County revitalization area to the pertinent revitalization organization as a standard practice. Chairman Hanley seconded the motion.

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

46. **HUMAN RESOURCE AWARD FOR EXCELLENCE** (Tape 7)

Supervisor Gross reminded the Board that the County received a grade of 'A' by *Governing* magazine and one of the areas graded was human resources. She announced that the International Personnel Management Association (IPMA), the largest international non-profit membership organization for public sector human resource organizations, has awarded this year's large agency award to the County's Department of Human Resources. She cited some of the department's innovations.

Accordingly, Supervisor Gross asked unanimous consent that the Board direct staff to invite staff from the Department of Human Resources to appear before the Board at an appropriate time to show off the IPMA award and receive the Board's appreciation. Without objection, it was so ordered.

47. **PUBLIC HEARING DEFERRALS** (Tape 7)

Supervisor Connolly announced his intent to defer at the appropriate time later in the meeting the public hearings for the following applications:

- Rezoning Application RZ 2001-PR-054
- Leasing of a Portion of County-Owned Property at Fairfax County Fire Station #29 at 1560 Spring Hill Road to Tysons Firehouse LLC
- Rezoning Application RZ 2001-PR-053
- Special Exception Application SE 2002-PR-018

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items CL#63, CL#64, and CL#70.)

48. **RED CROSS REPORT REGARDING FAIRFAX COUNTY** (Tape 7)

Supervisor Connolly noted that last week the Board received copies of a report documenting the status of the Red Cross service delivery in the County. He stated that he was troubled by two aspects of the report, the statistics on volunteers and the incorrect name used for the County.

Supervisor Connolly indicated in 2000, at his request, he received updated revised statistics on the number of volunteers in the County. This year's document reports growth in the number of volunteers, yet the number is lower than the revised statistics he received in 2000.

Supervisor Connolly also noted that the report refers to the County's government center as the Fairfax/Falls Church Government Center. A Red Cross press release refers to the "Fairfax/Falls Church Government."

Accordingly, Supervisor Connolly asked unanimous consent that the Board direct staff to send a letter to the National Capital Chapter of the Red Cross explaining that this is not the Fairfax/Falls Church Government and that the name of the government remains Fairfax County. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was another Board Matter regarding the Red Cross. See Clerk's Summary Item CL#50.)

49. **REQUEST FOR LETTER TO VIRGINIA HOUSING DEVELOPMENT AUTHORITY (VHDA)** (Tape 7)

Supervisor Connolly stated that in January of this year the VHDA awarded a commitment of \$2.1 million in below-market mortgage funds under the

Sponsoring Partnerships and Revitalizing Communities program to the County's Department of Housing and Community Development (DHCD). The funds are to be used to encourage reinvestment in residential areas near the County's commercial revitalization areas. This initiative was intended to provide mortgage financing to households with low to moderate incomes. It offers homeownership opportunities to first-time homebuyers and to households now renting that are ready to move up to homeownership. According to DHCD, the program has been actively promoted, but has proven difficult to implement in the County and in Northern Virginia due to the maximum loan amounts awarded. The maximum VHDA loan amount is \$171,800 for existing properties, a limit that has not been adjusted since 1994. According to the Northern Virginia Association of Realtors' August Market Sales Report, the average cost of a County single family home is \$324,379. Supervisor Connolly asserted that as many homes begin to age, it is essential to promote the upkeep of older homes.

Accordingly, Supervisor Connolly asked unanimous consent that the Board direct staff to write to VHDA expressing the Board's concerns about the need to adjust this limit to reflect the current market conditions. Without objection, it was so ordered.

50. **AMERICAN RED CROSS** (Tape 7)

(NOTE: Earlier in the meeting, the Board took action regarding a Red Cross report. See Clerk's Summary Item CL#48.)

Supervisor Connolly called the Board's attention to a map that was attached to a fundraising letter from the National Capital Chapter of the American Red Cross. He cited his concern about the chapter's "DC-centric" focus and in the past he has expressed concerns whether it understands the County's needs.

Supervisor Connolly said that in light of a retrospective of the events of September 11, 2001, the referenced fundraising letter reinforces his concerns because the map shows no reference to a Pentagon, Arlington, or even a Virginia 9-11 effort by the Red Cross.

PMH:pmh

51. **REQUEST THAT MR. PETER H. BRINITZER BE RECOGNIZED BY THE BOARD** (Tape 8)

Supervisor Hyland moved that the Board direct staff to invite Mr. Peter Brinitzer to appear before the Board on September 23, 2002, to be recognized for his extraordinary record of service to his community and the County of Fairfax. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

52. **REQUEST FOR WAIVER OF THE FEES FOR THE SHOWMOBILE FOR THE SACRAMENTO NEIGHBORHOOD CENTER EVENT** (Tape 8)

Supervisor Hyland moved:

- Waiver of the fees for the Showmobile for the Sacramento Neighborhood Center on Saturday, September 21, 2002.
- That the Board direct the Office of Public Affairs to publicize this event.

Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

53. **POHICK EPISCOPAL CHURCH FIFTY-SEVENTH ANNUAL COUNTRY FAIR** (Tape 8)

Supervisor Hyland moved waiver of the temporary special use permit fee for the Pohick Episcopal Church's fifty-seventh annual country fair. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

54. **THE LORTON WORKHOUSE ARTS CENTER COMPREHENSIVE PLAN PROPOSAL** (Tape 8)

Supervisor Hyland noted that the Lorton Arts Foundation, a non-profit community based group, has formed to develop adaptive reuses for Laurel Hill and is proposing to create the Lorton Workhouse Arts Center on approximately 40 acres of the 2,323 acres. He referred to his written Board Matter that outlines the Foundation's proposal.

Therefore, Supervisor Hyland moved that the Board:

- Consider this proposal immediately and refer it to staff for review and recommendations to make this happen.
- Direct staff to report with recommendations as to whether this proposal should be advanced sooner than the Comprehensive Plan Task Force moves it forward.

Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

55. **SWIM FOR LIBERTY** (Tape 8)

Supervisor Hyland said that there would be a Swim for Liberty with Benoit "Ben" Lecomte. Ben is a world-class marathon swimmer who in 1998 successfully

completed the Trans-Atlantic, 3,716-mile solo swim from Cape Cod, Massachusetts to Quiberon, France in 72 days for cancer research.

Supervisor Hyland said that on September 11, Ben Lecomte will begin his swim in Washington, DC and about a month later will end his swim at the Statue of Liberty. He added Mr. Lecomte is doing this because of his connection with France and the United States.

To honor and support Mr. Lecomte's tribute, Supervisor Hyland moved that the Board direct staff to prepare a Resolution in honor of the Benoit "Ben" Lecomte Swim for Liberty. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

56. **WAIVER OF FEES FOR THE SHOWMOBILE AND TRASH REMOVAL FOR CENTREVILLE DAY** (Tape 8)

Supervisor Frey moved waiver of the fees for the Showmobile and the trash removal fees for Centreville Day on Saturday, September 14, 2002. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

57. **WEST VIEW DRIVE - INCLUSION OF RIGHT-OF-WAY** (Tape 8)

Supervisor Frey said that the Board recently approved a special exception for Burger King and Chevy Chase Bank. He said that there has been an application filed immediately adjacent to it by Dennis and Karen Hogge for a Wendy's and Midas Muffler on Tax Map Number 54-4((1)) 65, 66, 67, and 68 within the land area of the Hogge application.

Therefore, Supervisor Frey moved that the Board:

- Authorize the inclusion of a half-section of West View Drive adjacent to Tax Map Number 54-4((1)) 65, 66, 67, and 68 within the land area of the Hogge application.
- Direct staff to prepare and process the necessary vacation/abandonment applications for West View Drive.

This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of the zoning application in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

58. **CLOSURE OF HORSE STABLES** (Tape 8)

Supervisor Frey said that the Bay Ridge Stable closed in Centreville and a stable in Great Falls closed. He noted that there has been a significant loss of space for horse owners to stable their horses and conduct riding lessons.

Therefore, Supervisor Frey moved that the Board direct the Park Authority to work with horse owners and property owners to review this need. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

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

Chairman Hanley announced that the Board would begin its procession at 2:30 p.m. from the forum to the area where the Board will plant a grove. Following the planting the Board will hold its closed session followed by public hearings and the remaining Board Matters.

60. **RECESS/CLOSED SESSION** (Tape 8)

At 1:50 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).
 1. Approval of Resolution Agreement Between the U.S. Army Corps of Engineers and Fairfax County Department of Public Works and Environmental Services in Connection With the Indian Run Phase IVB Drainage Improvements (Mason District)

2. *Board of Supervisors v. Governors Run, L.P., et al.*, At Law No. 201904 (Fx. Co. Cir. Ct.) (Sully District)
3. *Richard M. Robertson v. The Board of Supervisors of Fairfax County, et al.*, In Chancery No. 160618 (Fx. Co. Cir. Ct.) (Dranesville District)
4. *Jimmie K. Walker and Margie L. Walker v. Fairfax County Board of Supervisors and Fairfax County*, At Law No. 204529 (Fx. Co. Cir. Ct.) (Lee District)
5. *Fairfax County Park Authority v. DRW, Inc., et al.*, At Law No. 188947 (Fx. Co. Cir. Ct.) (Mason District)
6. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Susan C. Beck and Louis Kobus, Jr.*, In Chancery No. 173551 (Fx. Co. Cir. Ct.) (Lee District)
7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Mohammad J. Abdlaez*, In Chancery No. 178786 (Fx. Co. Cir. Ct.) (Mason District)
8. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Ruby V. Fast and Garde Morris O. Johnson*, In Chancery No. 148675 (Fx. Co. Cir. Ct.) (Mount Vernon District)
9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. William A. Clark and Susan L. Clark*, In Chancery No. 177023 (Fx. Co. Cir. Ct.) (Springfield District)
10. *Jane W. Gwinn, Fairfax County Zoning Administrator v. C. J. Hall*, In Chancery No. 178757 (Fx. Co. Cir. Ct.) (Lee District)
11. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Ved P. Gupta and*

Ajaib S. Toor, In Chancery No. 178658 (Fx. Co. Cir. Ct.) (Lee District)

12. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Joseph G. Bonzano, et al.*, In Chancery No. 179735 (Fx. Co. Cir. Ct.) (Springfield District)
13. *Board of Supervisors v. Batman/McNair Associates, L.P., et al.*, At Law No. 196409 (Fx. Co. Cir. Ct.) (Hunter Mill District)
14. *Board of Supervisors of Fairfax County, Virginia v. Jasey B. Briley, et al.*, At Law No. 204373 (Fx. Co. Cir. Ct.) (Mason District)
15. *Board of Supervisors v. Cousins Properties Incorporated, et al.*, At Law No. 206688 (Fx. Co. Cir. Ct.) (Providence District)

And in addition:

- Cox Cable Franchise Agreement
- Board of Supervisors, et al. v. Board of Zoning Appeals; Law Number 197380
- Cochran, et al. v. Board of Zoning Appeals, et al.; Law Number 207043

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

PW:pw

At 4:30 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

61. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 9)

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 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."

62. **APPROVAL OF THE RESOLUTION AGREEMENT BETWEEN THE US ARMY CORPS OF ENGINEERS AND THE FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES IN CONNECTION WITH THE INDIAN RUN PHASE IV-B DRAINAGE IMPROVEMENTS** (Tape 9)

Supervisor Gross moved that the Board approve the Resolution Agreement between the US Army Corps of Engineers and the Fairfax County Government Department of Public Works and Environmental Services in connection with the Indian Run Phase IV-B Drainage Improvements. Supervisor Connolly seconded the motion, which carried by unanimous vote.

AGENDA ITEMS

63. **3 P.M. – PH ON REZONING APPLICATION RZ 2001-PR-054 (D.R. HORTON, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 2001-PR-054 until **September 23, 2002, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by unanimous vote.

64. **3:30 P.M. – PH REGARDING THE LEASING OF A PORTION OF COUNTY-OWNED PROPERTY AT FAIRFAX COUNTY FIRE STATION NUMBER 29 AT 1560 SPRING HILL ROAD TO TYSONS FIREHOUSE LLC (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing regarding the leasing of a portion of County-owned property at Fairfax County Fire Station Number 29 at 1560 Spring Hill Road to Tysons Firehouse LLC until **September 23, 2002, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by unanimous vote.

65. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), SECTION 3-3-20 REGARDING GRANDFATHERING MEMBERSHIP IN THE UNIFORMED RETIREMENT SYSTEM FOR DEPUTY SHERIFFS WORKING AS CORRECTIONAL HEALTH NURSES** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of August 22 and August 29, 2002.

Following the public hearing, Peter Andreoli, Deputy County Attorney, presented the staff recommendation.

Supervisor Gross moved adoption of the proposed revisions to the Code of the County of Fairfax, Chapter 3 (County Employees), Section 3-3-20, regarding grandfathering membership in the Uniformed Retirement System for Deputy Sheriffs working as Correction Health Nurses. Supervisor Bulova and Supervisor Connolly jointly seconded the motion, which 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.

66. **3:30 P.M. – PH TO REPEAL CHAPTER 8 (SECURITY ALARM SYSTEMS) OF THE CODE OF THE COUNTY OF FAIRFAX** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of August 22 and August 29, 2002.

Following the public hearing, Peter Andreoli, Deputy County Attorney, presented the staff recommendation.

Supervisor Connolly moved to repeal Chapter 8 (Security Alarm Systems), of the Code of the County of Fairfax. Supervisor Bulova seconded the motion, which 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.

DMB:dmb

67. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW** (Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of August 22 and August 29, 2002.

Following the public hearing, discussion ensued with input from Robert M. Ross, Assistant County Attorney, and Ieva B. Paul, Staff, Fairfax County Police Department.

Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey,

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

68. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ENABLING THE INSTALLATION OF SPECIAL YIELD TO PEDESTRIANS IN CROSSWALK SIGNS AND TO UPDATE THE ORDINANCE FOR FAILURE OF MOTORISTS TO YIELD THE RIGHT-OF-WAY TO PEDESTRIANS** (Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of August 22 and August 29, 2002.

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved adoption of the Ordinance amending the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Sections 82-9-2, 82-9-6, and 82-9-7, to provide for higher penalties for certain crosswalk violations and to update those sections concerning the use of electric personal assistive devices and electric bicycles on public sidewalks, and increasing the penalty for such traffic infractions. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

69. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-C-089 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 00-Y-017 (AXAR MANAGEMENT, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

Both applications pertain to property generally located at the southwest corner of the intersection of Centerview Drive and Thunderbolt Place, Tax Map 34-4 ((12)) C2.

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

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

Following the public hearing, Denise Thomas, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 79-C-089, subject to the proffer statement dated June 13, 2002. Supervisor Hudgins seconded the motion, and it carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 00-Y-017, subject to the development conditions dated June 12, 2002. Supervisor Hudgins seconded the motion, and it carried by a vote of nine, Chairman Hanley being out of the room.

70. **4 P.M. – PH ON REZONING APPLICATION RZ 2001-PR-053 AND SPECIAL EXCEPTION APPLICATION SE 2002-PR-018 (JEFFERSON INVESTMENT GROUP, INCORPORATED) (PROVIDENCE DISTRICT)**
(Tape 10)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 2001-PR-053 and Special Exception Application SE 2002-PR-018 (Jefferson Investment Group, Incorporated) until **September 23, 2002, at 3:30 p.m.** Supervisor Hudgins seconded the motion and it carried by a vote of nine, Chairman Hanley being out of the room.

71. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-D-022 (NOVA ENTERPRISES LLP) (DRANESVILLE DISTRICT)** (Tape 10)

The application property is located at 1100 Dranesville Road, Tax Map 6-3 ((1)) 11.

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

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

Following the public hearing, Supervisor Mendelsohn moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Frey and Chairman Hanley being out of the room.

Supervisor Mendelsohn moved:

- Approval of Special Exception Application SE 01-D-022, subject to the development conditions dated August 30, 2002.
- Modification of the transitional screening requirement and waiver of the barrier requirement to the east.

- Modification of Additional Standard 10 for Housing for the Elderly to permit a 37.5 foot rear yard, in accordance with the SE Plat.

Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Frey and Chairman Hanley being out of the room.

72. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2001-MA-047 AND SPECIAL EXCEPTION APPLICATION SE 01-M-044 (BILLIE BRYAN MACKEY, TRUSTEE FOR THE MARIE F. BRYAN TRUST) (MASON DISTRICT)** (Tape 10)

- (O) The Rezoning Application RZ 2001-MA-047 property is located approximately 450 feet west of the Arlington County line on the south side of Arlington Boulevard, Tax Map 51-4 ((1)) 11.

The Special Exception SE 01-M-044 property is located at 6025 Arlington Boulevard, Tax Map 51-4 ((1)) 11 pt.

Mr. William B. Lawson, Jr. reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by two speakers, Denise Thomas, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MA-047, from the R-3 District to the PDH-8 District, subject to the proffers dated August 26, 2002.
- Approval of Special Exception Application SE 01-M-044, subject to the development conditions dated August 7, 2002.

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

Supervisor Gross moved:

- Modification of the transitional screening requirements to the south in favor of the existing vegetation.
- Waiver of the barrier requirement to the south.
- Waiver of the minimum P-District size requirement.

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

ADDITIONAL BOARD MATTERS

PMH:pmh

73. **EXPEDITIOUS AND CONCURRENT PROCESS FOR PLANS ASSOCIATED WITH SALLIE MAE, INCORPORATED** (Tape 11)

Supervisor Hudgins said that Sallie Mae, Incorporated, which currently has its headquarters in Reston on Sunset Hills Road across from Plaza America, has announced plans to construct a new headquarters building in the Urban Core of the Reston Town Center on property located east of Town Center Parkway, south of Bluemont Way, and north of the W&OD Trail. The property is also known as Tax Map 17-3(91))3A (pt.). Another well-known corporate citizen will be taking over Sallie Mae's old space, bringing with it hundreds of jobs. The timing of these moves is critical to both companies.

Supervisor Hudgins said that a bus transfer station for the Reston Town Center, planned and funded by the County for many years, is to be constructed adjacent to the new Sallie Mae facilities. The station will be a permanent home for buses picking up and delivering riders to the mixed-use environment of the Town Center. Designs for the bus transfer stations will be incorporated into the plans for the Sallie Mae facility submitted to the County for review and approval.

Supervisor Hudgins noted that Sallie Mae must file and process a PRC plan and site plan with the County and has requested Board approval for concurrent processing of its PRC plan and site plan. She added that these facilities are welcome additions to the Reston Town Center and a major benefit to the County residents and businesses.

Therefore, Supervisor Hudgins moved that the Board direct staff to expedite and concurrently process the PRC plan and site plan associated with Sallie Mae's new corporate headquarters. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, 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 six, Supervisor Connolly, Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

74. **REQUEST FOR WAIVER OF FEES ASSOCIATED WITH THE VIENNA VOLUNTEER FIRE DEPARTMENT** (Tape 11)

Supervisor Hudgins said that the Vienna Volunteer Fire Department has requested a waiver for the County review and inspection fees for the remainder of its fire station renovation project. She added that when the first phase of the renovation was completed last year, she requested and the Board approved waiver of the standard County fees associated with the approval of such renovations.

Therefore, Supervisor Hudgins moved waiver of the County review and inspection fees associated with this project. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

75. **"OVARIAN CANCER AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 11)

Supervisor Hudgins said that the Northern Virginia Division of the National Ovarian Cancer Coalition will promote Ovarian cancer awareness activities during the month of September 2002.

Therefore, Supervisor Hudgins moved that the Board:

- Declare September 2002 as "*Ovarian Cancer Awareness Month*" in Fairfax County.
- Direct staff to invite the Northern Virginia Division of the National Ovarian Cancer Coalition to appear before the Board to be recognized for raising the awareness of ovarian cancer through promoting education regarding its risks and symptoms.
- Direct staff to provide the proclamation to the Coalition before it appears before the Board.

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

76. **THIRD ANNUAL RESTON MULTICULTURAL FESTIVAL** (Tape 11)

Supervisor Hudgins announced that the Third Annual Reston Multicultural Festival will be held on Saturday, September 21, 2002, at 10 a.m. until 6 p.m. at

the Lake Ann Village Plaza, Reston. There will be entertainment, food, children's activities, cultural displays, arts and crafts.

Supervisor Hudgins invited everyone to attend.

77. **MOZART'S REQUIEM** (Tape 11)

Supervisor Hudgins noted that on September 10, 2002, at the Reston Community Center located on Colts Neck Road at 7 p.m., Mozart's Requiem will be presented. She added that there is a fee of \$9.

Supervisor Hudgins invited everyone to attend.

78. **NINETEENTH ANNUAL TRIATHLON** (Tape 11)

Supervisor Hudgins noted that Chairman Hanley attended the take-off for the Nineteenth Annual Triathlon. Supervisor Hudgins said that she participated in the awards program.

79. **REQUEST FOR CERTIFICATE OF APPRECIATION FOR NOVGOROD ALLIANCE AND THE MEMBERS OF NOVGOROD MEDICAL ALLIANCE** (Tape 11)

Supervisor Bulova said that since 1992, more than 225 health care professionals and others in the Northern Virginia community have joined to help the Russian community of Veliky Novgorod (Novgorod the Great). That effort resulted in the creation of the Novgorod Alliance, a non-profit organization of volunteers interested in sharing their professional expertise, organizational efforts, friendship, and commitment to improving the communication between the Russian and American people. Through exchange visits, educational conferences, the exchange of medical information, expansion of communications efforts, donation of medical and pharmaceutical supplies, and donation of arts and crafts supplies, the Alliance members have become more knowledgeable about the Russian people and their culture. Those members who have visited Novgorod have a better understanding of the challenges and difficulties that the Russian people are facing in the twenty-first century.

The Novgorod Alliance has helped form the Novgorod Medical Alliance, which has already done several community projects to make its presence known in the Novgorod community. Both alliances financially supported the opening of the Rachmaninov Centre for Music in June of this year and sponsored two young musicians from Northern Virginia to participate in the Rachmaninov Festival and the opening of the Centre. The alliances initiated a medical program for 75 underserved children, including physical examinations and medical treatment by volunteer physicians. The alliances are working actively with the medical, social service, and non-profit communities to serve young people graduating from orphanages by exposing them to normal family life and teaching them basic life

skills. In June 2001, the first Russian-American Medical Conference in Novgorod discussed ophthalmology and related issues.

The Novgorod Alliance celebrates its ten-year anniversary this year. That anniversary will be celebrated in Novgorod and Northern Virginia. In October, a delegation from the Novgorod Medical Alliance will visit Fairfax County to study business management for private pediatric clinics.

Therefore, Supervisor Bulova moved that the Board direct staff to invite the members of the Novgorod Alliance and the visiting members of the Novgorod Medical Alliance to appear before the Board to be presented with a certificate and to be thanked and recognized for their ten years of excellent contributions. Supervisor Hudgins seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

NV:nv

80. **FEE WAIVER REQUEST FOR USE OF SHOWMOBILE BY THE FRANCONIA MUSEUM** (Tape 12)

Supervisor Kauffman said that the Franconia History Museum is sponsoring a day of music, speakers, and exhibits at Franconia Elementary School on October 19, 2002, from 10 a.m. - 3 p.m. Its organizers have reserved the County Showmobile for the event.

In recognition of the contribution to community spirit that Franconia History Day brings, Supervisor Kauffman moved waiver of the Showmobile fee for the event. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

81. **ITEMS DISTRIBUTED BY DAVID LYONS OF SAFE CROSSINGS** (Tape 12)

(NOTE: Earlier in the meeting, David Lyons addressed the Board during the public hearing on the Carryover Budget Review. See Clerk's Summary Item CL#12.)

Supervisor Kauffman called the Board's attention to items distributed earlier in the meeting by David Lyons (Speaker #1) representing Safe Crossings and identified them as reflective wristbands.

82. **REQUEST FOR CONCURRENT AND SIMULTANEOUS PROCESSING IN CONJUNCTION WITH SPECIAL EXCEPTION APPLICATION FILED ON PROPERTY IDENTIFIED AS 55-4 ((1)) 2** (Tape 12)

Supervisor McConnell said that Clifford and Madonna Taylor are long-term owners of property identified among the Fairfax County tax map records as 55-4 ((1)) 2. The Taylors have recently filed a special exception application for a plant nursery as the prior approval has expired. To allow the Taylors to bring the property into compliance as soon as possible, a request was submitted for concurrent processing.

Accordingly, Supervisor McConnell moved that the Board direct the Director of the Department of Public Works and Environmental Services to accept for concurrent and simultaneous processing a site plan, or any other plans or drawings as may be necessary, in conjunction with the special exception filed on property identified as 55-4 ((1)) 2. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

83. **FEE WAIVER REQUEST FOR USE OF SHOWMOBILE BY THE MASON DISTRICT PARK FESTIVAL** (Tape 12)

Supervisor Gross announced that Saturday, September 28, 2002, is the twenty-third annual Mason District Park Festival. She moved that the Board waive the Showmobile fee for this event. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

84. **BOARD RECESS** (Tape 12)

At 5:20 p.m. the Board recessed briefly, and at 6 p.m., reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

AGENDA ITEMS

85. **6 P.M. – PH ON PROPOSED POLICY PLAN AMENDMENT S01-CW-18CP REGARDING APPENDIX NINE OF THE POLICY PLAN: CRITERIA FOR ASSIGNMENT OF APPROPRIATE RESIDENTIAL DEVELOPMENT DENSITY** (Tape 13-17)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of August 22 and August 29, 2002.

Following the public hearing, which included testimony by 34 speakers, Barbara A. Byron, Director, Zoning Evaluation Division (ZED), Department of

Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Extensive discussion ensued with input from Ms. Byron; Walter Alcorn, Commissioner At-Large, Planning Commission; Karen J. Harwood, Deputy County Attorney; James P. Zook, Director, DPZ; and Peter H. Braham, Senior Staff Coordinator, ZED, DPZ.

Chairman Hanley stated that she had a number of items to submit for the record from realtors, the Pre-Planning Commission, and others asking the Board to do this but suggesting that they should have a higher cost per student in the implementation part.

Supervisor Frey stated that he had items to submit for the record from the West Fairfax County Civic Association.

Supervisor Bulova stated that she had items to submit for the record with recent ones stating that money raised for school construction should not be used for other uses and also in favor of the modification to our proffer system.

Supervisor Mendelsohn stated that he had 24 letters and emails to submit for the record that he characterized as a mixture of everything from the Board giving the schools all the money they can, to not approve this proposed policy plan amendment, and that the Board assure that when they approve the bicycles and pedestrians section to include equestrian.

Supervisor Connolly stated that he had a number of emails and letters to submit for the record.

Following additional discussion, Supervisor Kauffman moved:

- Approval of Policy Plan Amendment S01-CW-18CP and replacement of Appendix 9 of the Policy Plan as recommended by the Planning Commission on July 24, 2002. The effective date for the amendment be December 10, 2002, so that pending applications which will be decided by the Board this year will continue to be evaluated under the currently existing criteria.
- Adoption of the implementation approach recommended by the Planning Commission on July 24, 2002, with the exception that the methodology should be reviewed for applicability and relevance and adjusted as necessary in 18 months by the Board and annually thereafter.
- Direction to staff to study the current critical housing trust fund system to investigate whether there should be a contribution expectation set or developed for non-residential development.

Supervisor Hyland seconded the motion.

Supervisor Connolly asked to amend the motion to change the terminology on handwritten page 23, "Residential Development Criteria," in the middle of the second paragraph beginning with the sentence "Depending upon the circumstances," by replacing it with "Depending upon extraordinary circumstances."

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to read "If there are extraordinary circumstances." This was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Connolly asked to amend the main motion on handwritten page 24, Item b), to add another bullet stating "Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas." This was accepted.

Supervisor Bulova asked to amend the motion to add after "...outfall areas" the text "encourage utility collocation where feasible." This was accepted.

Supervisor Connolly asked to amend the main motion on handwritten page 25, under subtitle 2, "Neighborhood Context," to:

- Delete the "or" in the next to the last sentence.
- Add an "or" and semicolon at the end of the last sentence.
- Add another item to read "whether access to an infill development is through an existing neighborhood."

This was accepted.

Supervisor Connolly asked to amend the main motion on handwritten page 25, under subtitle 3, "Environment," Item c), to replace the terminology "Developments should minimize off-site impacts on water quality" with the text "Developments should not have an adverse impact on off-site water quality." This was accepted.

Following discussion with input from Noel H. Kaplan, Staff, DPZ, Supervisor Connolly withdrew his motion. This was accepted.

Supervisor Connolly asked to amend the main motion on handwritten page 27, under Item c), second bulleted item, add after "...adjoining parcels" the text "so long as it does not generate a cut-through traffic problem."

Supervisor Mendelsohn asked to amend the motion to replace the terminology at the beginning of the second bulleted item with "When appropriate...." This was accepted.

Supervisor Connolly asked to amend the main motion on handwritten page 27, under Item e), to replace all references to "pedestrian/bicycle" with "non-motorized." This was accepted.

Supervisor Gross asked to amend the main motion to change the effective date for the amendment to be implemented to January 7, 2003. This was accepted.

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

86. **BOARD ADJOURNMENT** (Tape 17)

At 11 p.m., the Board adjourned.

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