

**SBE:sbe**

The meeting was called to order at 9:30 a.m. with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 10:20 a.m.

Others present were Robert J. O'Neill, Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Barbara M. Jenkins, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

## **BOARD MATTERS**

2. **MOMENT OF REFLECTION FOR ALL THE VOLUNTEERS WHO HAVE VOLUNTEERED MANY HOURS IN SO MANY DIFFERENT WAYS IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley asked that the Board remember and express its appreciation to all the volunteers in Fairfax County who have given their time to make the County the wonderful place it is to live.

3. **MOMENT OF SILENCE FOR THE LATE MR. ROBERT CURRY** (Tape 1)

Supervisor Dix asked that Board Members remember in their thoughts and prayers the family of Robert Curry, long time employee of the Town of Vienna and a volunteer, who died this past week.

4. **COMPUTER SYSTEM PROBLEMS IN POSTING TAX PAYMENTS TODAY** (Tape 2)

Supervisor Frey stated that several citizens paying their personal property tax complained to him this morning about problems with the computer system. In posting their tax payments for today, staff was stamping receipts with tomorrow's date. He asked

unanimous consent that the Board direct the County Executive to examine this problem and report later this morning with the status of the computers and how staff is coping with this problem. Without objection, it was so ordered.

(NOTE: Later in the meeting, information was presented on this item. See Clerk's Summary Item CL#13.)

### AGENDA ITEMS

5. **PROCLAMATION DESIGNATING OCTOBER 25, 1997 AS "VOLUNTEER FEST DAY" IN FAIRFAX COUNTY** (Tape 2)

Supervisor Mendelsohn moved approval of the Proclamation designating October 25, 1997 as "**Volunteer Fest Day**" in Fairfax County. This motion was seconded jointly by Supervisor Connolly and Supervisor Hyland and carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Mendelsohn stated that if anyone would like to get involved in "**Volunteer Fest Day**," on October 25, 1997 they should call the Volunteer Center at (703) 246-3460.

6. **CERTIFICATES OF RECOGNITION PRESENTED TO SOUTH LAKES HIGH SCHOOL BASEBALL TEAM** (Tape 2)

Supervisor Dix moved approval of the Certificate of Recognition presented to the South Lakes High School Baseball Team for winning the Regional Championship. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

7. **CERTIFICATES OF RECOGNITION PRESENTED TO: THE 12 YEAR OLD VIENNA STARS GIRLS SOFTBALL TEAM; THE 14 YEAR OLD VIENNA SHAMROCKS GIRLS SOFTBALL TEAM; AND THE 18 YEAR OLD VIENNA SHAMROCKS GIRLS SOFTBALL TEAM** (Tape 2)

Supervisor Dix moved approval of the Certificate of Recognition presented to the 12 year old Vienna Stars Girls Softball Team for winning the PONY National Championships in its division. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Dix recognized and welcomed to the Board Auditorium Horace and Paul Caffi, who helped develop the girls softball program. Supervisor Dix stated that a field in Vienna is named for one of them and expressed appreciation to them for all their efforts in this project.

Supervisor Dix moved approval of the Certificate of Recognition presented to the 14 year old Vienna Shamrocks Girls Softball Team for winning the PONY National Championships in its division. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Dix moved approval of the Certificate of Recognition presented to the 18 year old Vienna Shamrocks Girls Softball Team for winning the PONY National Championships in its division. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Connolly being out of the room, Supervisor McConnell not yet having arrived.

8. **PROCLAMATION DESIGNATING THE MONTH OF OCTOBER 1997 AS "SAVE TODAY FOR TOMORROW" AND OCTOBER 8, 1997 AS "SAVE TODAY" IN FAIRFAX COUNTY** (Tape 2)

Supervisor Dix moved approval of the Proclamation designating the month of October 1997 as "**SAVE Today for Tomorrow**" and October 8, 1997 as "**SAVE Today**" in Fairfax County. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Connolly being out of the room and Supervisor McConnell not yet having arrived.

9. **PROCLAMATION DESIGNATING THE MONTH OF OCTOBER 1997 AS "FAIRFAX-FALLS CHURCH UNITED WAY MONTH" IN FAIRFAX COUNTY** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating the month of October 1997 as "**Fairfax-Falls Church United Way Month**" in Fairfax County. This motion was seconded jointly by Supervisor Dix and Supervisor Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

10. **RESOLUTION IN RECOGNITION OF FAIRFAX OPPORTUNITIES UNLIMITED ON THE OCCASION OF ITS 25TH ANNIVERSARY** (Tape 2)

Chairman Hanley moved adoption of the Resolution in recognition of Fairfax Opportunities Unlimited on the occasion of its 25th anniversary. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **PROCLAMATION DESIGNATING THE WEEK OF OCTOBER 19 THROUGH OCTOBER 25, 1997 AS "BRAIN TUMOR AWARENESS WEEK" IN FAIRFAX COUNTY** (Tapes 2-3)

Supervisor Mendelsohn and Supervisor Hyland jointly moved approval of the Proclamation designating the week of October 19 through October 25, 1997 as "**Brain Tumor Awareness Week**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

12. **PROCLAMATION DESIGNATING THE WEEK OF OCTOBER 12 THROUGH OCTOBER 18, 1997 AS "INTERNATIONAL HISTORY WEEK" IN FAIRFAX COUNTY** (Tape 3)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating the week of October 12 through October 18, 1997 as "**International History Week**" in Fairfax County. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Dix being out of the room.

Vice-Chairman returned the gavel to Chairman Hanley.

#### **ADDITIONAL BOARD MATTER**

13. **COMPUTER SYSTEM PROBLEMS IN POSTING TAX PAYMENTS TODAY**  
(Tape 3)

(NOTE: Earlier in the meeting, this issue was raised. See Clerk's Summary Item CL#4.)

Robert J. O'Neill, Jr., County Executive, reported that the Department of Tax Administration's (DTA) computer system was now working correctly and customers are being served efficiently. Anyone who was inconvenienced early this morning can have the penalty waived if the inconvenience was caused by the lack of service caused by the computers.

Following discussion, Supervisor Hyland stated that he had received a call from a constituent over the weekend, who was told by staff that she could use her credit card to make the payment of her taxes. The constituent gave the credit card number and then determined later, after checking with the credit card issuer, that the charge did not go through. Supervisor Hyland stated that the constituent was concerned that there would be a penalty if the charge was posted after the due date.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to examine this situation and he said that he would provide the important information concerning this to the proper person. Without objection, it was so ordered.

14. ADMINISTRATIVE ITEMS (Tape 3)

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

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to consider separately Administrative Item 12 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 43 (Food and Food-Service Establishments) to Replace with a New Chapter 43.1 and Establish a New Permit and Permit Fee, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn called the Board's attention to Administrative Item 11 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal Districts) Regarding the Guidelines for Establishing Local Districts and a brief discussion ensued with input from Barbara A. Byron, Director, Zoning Evaluation Division (ZED), Office of Comprehensive Planning (OCP), and Phyllis A. Wilson, Staff Coordinator, ZED, OCP.

Chairman Hanley called the Board's attention to Administrative Item 5 - Authorization for the Fairfax-Falls Church Community Services Board to Apply to the Department of Criminal Justice Services for a Grant for a Public Inebriate Diversion Program and a brief discussion ensued with input from Joan N. Volpe, Deputy Director, Fairfax-Falls Church Community Services Board.

Chairman Hanley called the Board's attention to Administrative 10 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) Regarding Notification Requirements and Identifying Soil Characteristic. She noted that on handwritten page three of the Memorandum to the Board dated October 6, 1977 it states ". . . written notices also provided to the applicable Board of Supervisors' member." Chairman Hanley asked unanimous consent that the Board direct staff to add the Chairman to the notification list. Without objection, it was so ordered.

The question was called on the motion to approve the Administrative Items, as amended, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE DISTRICT)**

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated October 6, 1997 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Esquire-Hicks	Dranesville	Strine Drive, Route 2827 Old Chesterbrook Road, Route 690, Additional right-of-way only

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

Authorized the extension of the review period for the three Public Facility Review Applications listed in the Memorandum to the Board dated October 6, 1997 until April 6, 1998 to ensure compliance with the 60-day review requirement mandated by Section 15.1-456 of the *Code of Virginia*.

**ADMIN 3 - DEDICATION AND ADDITION OF A PORTION OF NORTHBOURNE DRIVE AND ADDITION OF A PORTION OF STRINGFELLOW ROAD (SULLY DISTRICT)**

- (R)
- Authorized the adoption of a Resolution dedicating a portion of Northbourne Drive (Route 6935) for use by the Virginia Department of Transportation (VDOT); and
  - Requested the Commonwealth Transportation Board (CTB) to add portions of Northbourne Drive and Stringfellow Road (Route 645) to the State Secondary System of Highways.

**ADMIN 4 - AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO SUBMIT GRANT APPLICATION TO THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR FUNDING TO CONTINUE "SOMEPLACE SAFE," A POLICE RESPONSE TO COMBAT DOMESTIC VIOLENCE**

Authorized the Fairfax County Police Department to submit a grant application in the amount of \$157,932 to the Department of Criminal Justice Services for funding to continue "Someplace Safe," a unique police response for domestic violence victims. A 25 percent cash or in-kind match is required; however, contributions of in-kind services, equipment, and supplies totaling \$54,697 provided by the Police Department will more than satisfy the required match.

**ADMIN 5 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY TO THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR A GRANT FOR A PUBLIC INEBRIATE DIVERSION PROGRAM**

(NOTE: Earlier in the meeting, the Board discussed this item. See page five.)

Authorized the Alcohol and Drug Services (ADS) of the Fairfax-Falls Church Community Services Board (CSB) to submit a grant application in the amount of \$225,409 to the Department of Criminal Justice Services for funding to develop a pilot program of public inebriate diversion. The pilot program is expected to run for three years, to June 30, 2000, with funding provided by the General Assembly in continuing grant allocations, and will educate citizens, agencies, and organizations in the community on a new treatment oriented option for intoxicated persons.

**ADMIN 6 - ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON BEHALF OF BALMAR, INCORPORATED (PROVIDENCE DISTRICT)**

- (R) Adopted a Resolution approving the issuance of a bond issue by the Fairfax County Economic Development Authority (EDA) on behalf of Balmar, Incorporated, to assist in the financing of the acquisition, construction, renovating and equipping of a manufacturing facility and office building consisting of approximately 35,000 square feet to be located at 2818 Fallfax Drive in Merrifield, Providence District.

**ADMIN 7 - RESPONSE BY MEDIA GENERAL CABLE OF FAIRFAX COUNTY, INCORPORATED, TO THE COUNTY'S PENDING REQUEST FOR A RENEWAL PROPOSAL FOR CABLE TELEVISION FRANCHISES (COUNTYWIDE)**

- (R) Adopted a Resolution providing a suitable promise of confidentiality for the treatment of certain proprietary information expected from Media General Cable of Fairfax County, Incorporated (Media General), to facilitate Media General's planned response to the County's pending request for a proposal to renew franchised cable television service.

**ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE JEFFERSON FIRE STATION TO WASHINGTON DC SMSA LIMITED PARTNERSHIP (MASON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 27, 1997 at 4:30 p.m.** regarding the proposed leasing of County-owned property located at the Jefferson Fire Station, 3101 Hodge Place, Tax Map Number 50-3((04))B, to Washington DC SMSA Limited Partnership for the purpose of installing a cellular communications base station.

**ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE**

**ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE FAIRHAVEN PHASE VII PROJECT (MOUNT VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 27, 1997 at 4:00 p.m.** on the acquisition of certain land rights necessary for the construction of Project 003848, Fairhaven Phase VII.

**ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) REGARDING NOTIFICATION REQUIREMENTS AND IDENTIFYING SOIL CHARACTERISTICS**

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

Authorized the advertisement of a public hearing to be held before the Planning Commission on November 6, 1997 at 8:15 p.m., and before the Board on **November 24, 1997 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) regarding notification requirements and identifying soil characteristics.

**ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS) REGARDING THE GUIDELINES FOR ESTABLISHING LOCAL DISTRICTS**

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page five.)

Authorized the advertisement of a public hearing to be held before the Planning Commission on November 6, 1997 and before the Board on **December 8, 1997 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal Districts) regarding the guidelines for establishing local districts.

**ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 43 (FOOD AND FOOD-SERVICE ESTABLISHMENTS) TO REPLACE WITH A NEW CHAPTER 43.1 AND ESTABLISH A NEW PERMIT AND PERMIT FEE**

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#15.)



15. **ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 43 (FOOD AND FOOD-SERVICE ESTABLISHMENTS) TO REPLACE WITH A NEW CHAPTER 43.1 AND ESTABLISH A NEW PERMIT AND PERMIT FEE** (Tape 3)

- (A) Chairman Hanley called the Board's attention to Administrative 12 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 43 (Food and Food-Service Establishments to Replace with a New Chapter 43.1 and Establish a New Permit and Permit Fee, and discussion ensued with input from Dennis Hill, Director, Environmental Health Administration, Department of Health.

Supervisor Dix stated that correspondence with the Restaurant Association of Metropolitan Washington indicated that they would like to have a chance to review the final language before it is adopted. Therefore, Supervisor Dix requested that as the Board authorizes this public hearing, that the Board takes the initiative to send copies of the proposals to the Restaurant Association and other organizations that might be appropriately disposed of offering comment on the final product.

Supervisor Hyland moved that the Board:

- Authorize the advertisement of a public hearing to be held before the Board on **November 17, 1997 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 43 (Food and Food-Service Establishments) to:
  - Replace with a new Chapter 43.1 containing requirements based on a new federal model for the handling of food and food-service establishments;
  - Establish a new permit and permit fee which will be used to fund educational activities to be provided to all permitted food service establishments; and
- Direct staff to send copies of the proposed amendments to the Restaurant Association and other appropriate organizations for comment.

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

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16. **A-1 - APPROVAL TO DONATE A SURPLUS COUNTY-OWNED PUMPER TO THE MOUNT VERNON ESTATE (MOUNT VERNON DISTRICT)** (Tape 4)

On motion of Supervisor Hyland, seconded by Supervisor Kauffman, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the donation of a surplus 1981 Pumper to the Mount Vernon Estate.

17. **A-2 - SERVICE ADJUSTMENTS TO FAIRFAX CONNECTOR ROUTES 202, 203, 301, 311, AND 20A (COUNTYWIDE)** (Tape 4)

Supervisor Kauffman moved that the Board:

- Approve the changes to Route 20A as outlined in the Memorandum to the Board dated October 6, 1997; and
- Defer the other changes to bus service.

This motion was seconded by Supervisor Connolly.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, and Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn voting "NAY."

Following further discussion, Supervisor Frey moved that the Board direct staff to provide Board Members with a status report on ridership six months after the changes are instituted. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

18. **A-3 - APPROVAL TO ESTABLISH AN ADMINISTRATIVE AIDE POSITION TO ADMINISTER SECTION EIGHT CERTIFICATES OR VOUCHERS FOR UNASSISTED LOW INCOME RESIDENTS OF A PRESERVATION ELIGIBLE PROJECT - ELDEN TERRACE (DRANESVILLE DISTRICT)** (Tape 4)

On motion of Supervisor Mendelsohn, seconded by Supervisor Kauffman, and carried by unanimous vote, the Board concurred in the recommendation of staff to establish an Administrative Aide Position in Subfund 071 in the Section Eight program in the Department of Housing and Community Development (HCD) to assist in administering additional Section Eight certificates for approximately 100-120 additional families facing increased rent burdens as a result of owner action to prepare a United States (US) Department of Housing and Urban Development (HUD) insured mortgage.

19. **A-4 - AUTHORIZATION TO FILE TESTIMONY TO THE STATE CORPORATION COMMISSION (SCC) IN VIRGINIA POWER'S 1995 ANNUAL INFORMATIONAL FILING AND ALTERNATIVE REGULATORY PLAN, SCC CASE NUMBERS PUE960036 AND PUE960296** (Tape 4)

Supervisor Bulova moved that the Board concur in the recommendation of staff and authorize the Department of Consumer Affairs and the County Attorney's Office to file testimony with the State Corporation Commission (SCC) in Case Numbers PUE960036 and PUE960296. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, and Steve Sinclair, Utilities Analyst, Department of Consumer Affairs, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Frey and Supervisor Mendelsohn voting "NAY."

20. **A-5 - AUTHORIZATION TO SUBMIT COMMENTS TO THE FEDERAL COMMUNICATIONS COMMISSION (FCC) IN THE MATTER OF PREEMPTION OF STATE AND LOCAL ZONING AND LAND USE RESTRICTIONS ON THE SITING, PLACEMENT AND CONSTRUCTION OF BROADCAST STATION TRANSMISSION FACILITIES (MM DOCKET NUMBER 97-182) (COUNTYWIDE)** (Tape 4)

Chairman Hanley announced that Action Item A-5 regarding Comments in the Matter of Preemption of State and Local Zoning and Land Use Restrictions on Siting, Placement and Construction of Broadcast Station Transmission Facilities, MM Docket Number 97-182 ("Comments"), had been withdrawn by staff.

21. **A-6 - APPROVAL TO MAKE MODIFICATIONS TO THE INTERIOR OF THE RESTON COMMUNITY CENTER TO ACCOMMODATE ADDITIONAL WORK STATION/STORAGE SPACE REQUIREMENTS (HUNTER MILL DISTRICT)** (Tape 4)

Supervisor Dix moved that the Board concur in the recommendation of staff and approve the expenditure of funds for a renovation project that will solve a long identified shortfall in additional work station/storage space. This motion was seconded by Chairman Hanley.

Supervisor Dix introduced Edward F. Grillo, Jr., the new Executive Director of the Reston Community Center and warmly welcomed him to the Board Auditorium.

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

22. **C-1 - 1997 VIRGINIA ASSOCIATION OF COUNTIES' (VACo) ANNUAL MEETING** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated October 6, 1997 regarding the designation of a voting delegate and alternate voting delegate to represent the County at the Virginia Association of Counties' (VACo) annual meeting.

Supervisor Hyland moved to designate:

- Chairman Hanley as the Voting Delegate to represent the County at the VACo annual meeting; and
- Supervisor Connolly and Supervisor Hyland as Alternate Voting Delegates to represent the County at the VACo annual meeting.

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

23. **I-1 - TRUCK VIOLATIONS JEOPARDIZE TRANSPORTATION SAFETY** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated October 6, 1997 presenting the following staff recommendations regarding:

- How greater compliance with safety and maintenance regulations for trucks and trailers moving through Fairfax County's streets and highways could be ensured; and
- The reaching out to the trucking industry to determine if it can be made more responsible in this matter.

Following discussion, with input from Captain Robert R. Beach, Commander, Traffic Division, Operations Support Bureau, Police Department, Supervisor McConnell moved that the Board direct staff to write a letter to the Governor requesting additional State officers in the Motor Carrier Safety Section to be trained and possibly placed in Fairfax County. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Mendelsohn being out of the room.

24. **I-2 - REPORT ON THE USE OF INTERPRETERS IN CIVIL CASES IN THE 19TH JUDICIAL CIRCUIT AND DISTRICT COURTS** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated October 6, 1997 requesting authorization for staff to forward the report on civil interpreters to the Supreme Court for its consideration.

The staff was directed administratively to proceed as proposed.

25. **I-3 - APPROVAL OF AN OPERATION AND MAINTENANCE AGREEMENT FOR A NONSTANDARD STREET LIGHTING SYSTEM (SULLY DISTRICT)**  
(Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated October 6, 1997 requesting authorization for staff to execute the Nonstandard Street Lighting System Perpetual Operation and Maintenance Agreement for the Avion Development and subsequent agreements with developers for nonstandard street lighting systems provided the systems meet the provisions contained in the Public Facilities Manual (PFM).

The staff was directed administratively to proceed as proposed.

26. **I-4 - PILOT PROGRAM WITH AUTO DEALERS TO FACILITATE ISSUANCE OF COUNTY DECALS** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated October 6, 1997 presenting the feasibility of allowing automobile dealers to acquire County decals on behalf of their customers when a vehicle is purchased.

27. **I-5 - BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL) TAX EXCLUSION FOR SOFTWARE DEVELOPMENT** (Tapes 4-5)

The Board next considered an item contained in the Memorandum to the Board dated October 6, 1997 presenting the staff review of which jurisdictions have adopted a Business, Professional and Occupational License (BPOL) tax exclusion for gross receipts generated by software development companies.

Following discussion, with input from Kevin C. Greenlief, Director, Department of Tax Administration (DTA), Supervisor Dix moved that the Board authorize advertisement of a public hearing to be held before the Board on this matter for November 17, 1997 at 4:00 p.m. This motion was seconded by Supervisor Frey.

Following further discussion, with input from Mr. Greenlief, Supervisor Bulova moved a substitute motion to have the public hearing on this matter in conjunction with the Fiscal Year (FY) 1999 Budget. This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked unanimous consent that staff be directed to provide Board Members with information regarding the number of companies who stand to benefit from the BPOL exemption, to include the following:

- Amount of tax relief each will receive;
- Number of employees for each; and
- How long these companies have been in Fairfax County.

Without objection, it was so ordered.

Following further discussion, the question was called on the substitute motion which **FAILED** by a recorded vote of six, Supervisor Bulova, Supervisor Gross, Supervisor Hyland and Supervisor Kauffman voting “**AYE.**”

Following further discussion, with input from Catherine A. Chianese, Assistant to the County Executive, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to:

- Consider the authorization of the advertisement of the public hearing on October 27, 1997, for a public hearing to be held before the Board on November 24, 1997; and
- Direct staff to include information in the advertisement requested by Board Members with an analysis of options for effective dates and flexibility in exemptions.

Following discussion, with input from Michael A. Long, Assistant County Attorney, this amendment to the motion was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Hyland voting “**NAY.**”

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

### **ADDITIONAL BOARD MATTERS**

28. **THE FAIRFAX COMMITTEE OF 100 CELEBRATES 20 YEARS OF OPERATION** (Tape 5)

Chairman Hanley announced that the Fairfax Committee of 100 is celebrating its 20th year of operation in 1997. For the past 20 years, the Committee has addressed relevant issues important to its members and the Fairfax County community.

To recognize the 20th anniversary of the Fairfax Committee of 100, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to prepare a proclamation and invite the appropriate members of the Committee to appear before the Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

29. **ROBERT’S RULES OF ORDER GOVERNING MOTIONS TO AMEND SUBSTITUTE MOTIONS** (Tape 5)

Chairman Hanley distributed information to Board Members from *Robert’s Rules of Order* that governs motions to amend substitute motions as addressed in Section 12, paragraph 3(b).

30. **TELECOMMUNICATIONS ISSUES** (Tape 5)

Chairman Hanley informed Board Members that, in looking at today's Board Package, Board Members may have noticed that a number of telecommunications issues are being considered. There are items ranging from cable franchise renewal to proposed testimony for the Federal Communications Commission (FCC) on preemption of local land use policies in siting digital television towers. This afternoon the Board will consider yet another monopole land use case. While all of these items might generally be described as telecommunications issues, the Board has received staff reports and recommendations from the Department of Consumer Affairs, the Office of Comprehensive Planning (OCP), the Department of Environmental Management (DEM), the County Attorney and the Legislative liaison. Recent issues regarding monopole placement and access to rights of way involved the Office of Transportation staff as well as the Virginia Department of Transportation (VDOT).

While it is clear that there is already a great deal of information sharing and informal coordination among agencies tasked with dealing with telecommunications issues, Chairman Hanley stated her belief that it would be helpful to formalize that process.

Therefore, Chairman Hanley asked unanimous consent that the Board direct the County Executive to establish an interagency team to develop a coordinated plan and response to these and related issues. This group should work in close coordination with Peter F. Murphy, Jr., Chairman of the Planning Commission Telecommunications Task Force. Without objection, it was so ordered.

Supervisor Connolly announced that a Legislative Committee meeting to discuss telecommunications has been tentatively scheduled for Friday, October 17 at 3:30 p.m.

31. **UPGRADING THE COUNTY'S PERSONAL COMPUTER STOCK** (Tape 5)

Chairman Hanley reminded Board Members that as the County continues to upgrade its personal computer stock, some of the 486 computers are being replaced this fiscal year. While these older computers may no longer meet the needs of the County's new and improved business processes, they still have significant value as teaching tools and could certainly be of use to community based organizations who may be running simpler and more basic computer applications that still meet their needs. The issue of what happens to Fairfax County computers after they are replaced has been raised during Budget discussions for the last several years.

Chairman Hanley asked unanimous consent that the Board direct staff to provide an update on what has been done with older computers as they have been replaced and what is planned for those computers that will be replaced during Fiscal Year (FY) 1998. Without objection, it was so ordered.

32. **JOINT RESOLUTION FROM THE FAIRFAX COUNTY TREE COMMISSION AND THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL** (Tape 5)

Chairman Hanley informed Board Members that the Tree Commission and the Environmental Quality Advisory Council (EQAC) have submitted a joint resolution (attached) to the Board for consideration. This joint resolution, copies of which were distributed to the Board, addresses the concern that tree surveys are not required to be submitted with a request for a Rezoning, Special Exception, Special Permit, or Variance.

Therefore, Chairman Hanley moved that the Board direct staff to review this joint resolution and submit recommendations for its implementation by November 17, 1997. This motion was seconded by Supervisor Mendelsohn.

Supervisor McConnell asked to amend the motion to direct staff to provide Board Members with the approximate cost of the surveys, and this was accepted.

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

33. **NORTHERN VIRGINIA REGIONAL PARTNERSHIP AWARD** (Tape 5)

Chairman Hanley informed Board Members that the Northern Virginia Regional Partnership, in which Fairfax County participates, has been awarded a \$2.4 million economic development incentive grant under the Regional Competitiveness Act of 1996. The Northern Virginia grant, the largest of seven grants awarded to regional partnerships statewide, will be used to address some of the needs of the region's changing high-technology workforce.

Chairman Hanley stated that she distributed copies of press releases issued by the Northern Virginia Regional Partnership and the Governor's office.

34. **MONTGOMERY COUNTY'S PLAN FOR MANAGING WHITE TAIL DEER** (Tape 5)

Chairman Hanley announced that she had copies of information from Montgomery County Maryland regarding its plan for managing white tail deer and would be happy to share it with Board Members.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

35. **51ST ANNUAL VIENNA HALLOWEEN PARADE** (Tape 5)

Supervisor Dix reminded Board Members that once again the Vienna Regional Chamber of Commerce will be hosting the Town of Vienna Halloween Parade on October 29 at 7:00 p.m. The theme this year is "Celebrate with Music" and highlights bands from around the area.

Supervisor Dix invited Board Members and citizens of the County to come to the Town of Vienna to enjoy what has become a truly enjoyable annual tradition.



36. **WASHINGTON REGIONAL ALCOHOL PROGRAM'S SIGNAGE REGARDING DRUNK DRIVING** (Tape 5)

Supervisor Dix asked unanimous consent that the Board direct staff to investigate the possibility of installing signage around the County in memory of a citizen's family member lost in a drunk driving accident as a public awareness effort. Without objection, it was so ordered.

37. **APPROPRIATE SIGNAGE AND MAPPING INFORMATION RECOGNIZING THE RESTON AREA** (Tape 5)

Supervisor Dix referred to an article in the *Washington Post* regarding the lack of adequate signage and map information in the Reston area and asked unanimous consent that the Board direct staff to review the issue of developing appropriate signage and mapping information to properly acknowledge the area. Without objection, it was so ordered.

38. **PERSONAL PROPERTY TAX ISSUE** (Tape 5)

Supervisor Dix moved adoption of the Resolution distributed to the Board supporting the concept of tax relief for Fairfax County's citizens from the personal property tax on motor vehicles, assuming that all revenues would be replaced by the State on a dollar for dollar basis, and that the source of those revenues would have no other adverse impacts upon existing sources of revenue and/or the existing authorities therein. This motion was seconded by Supervisor Frey.

Supervisor Connolly moved a substitute motion in the form of a "Statement of Fiscal Principles," distributed to the Board, opposing any legislative proposal that fails to identify and guarantee, by statute, a full revenue replacement for any local tax proposed to be reduced or eliminated. This motion was seconded by Supervisor Hyland.

Following further discussion, the question was called on the substitute motion which **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

The question was then called on the main motion, as substituted, which **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

PMH:pmh

39. **INTENT TO DEFER CONSIDERATION OF APPEAL OF AN ARCHITECTURAL REVIEW BOARD (ARB) DECISION, COLVIN RUN MILL HISTORIC OVERLAY DISTRICT (DRANESVILLE DISTRICT)** (Tape 6)

Supervisor Mendelsohn announced his intent, later in the meeting at the appropriate time, to defer consideration of the appeal of an Architectural Review Board (ARB) decision on Colvin Run Mill Historic Overlay District until October 27, 1997 at 3:00 p.m.

(NOTE: Later in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#67.)

40. **TOWN MEETINGS IN DRANESVILLE DISTRICT** (Tape 6)

Supervisor Mendelsohn announced that the next series of Town Meetings in Dranesville District are scheduled as follows:

- October 14, 1997 at the McLean Community Center in McLean;
- October 15, 1997 at the Grange in Great Falls; and
- October 16, 1997 at the Herndon Town Council Chambers in Herndon.

The meetings will begin at 7:30 p.m.

41. **USE BY THE COUNTY OF SIGNS AND BANNERS** (Tape 6)

Supervisor Frey noted that he had received the response from David P. Bobzien, County Attorney, on the use by the County of signs and banners as he requested in a Board Matter on September 22, 1997.

Following input from Mr. Bobzien, Supervisor Frey moved that the Board direct staff to report with a program for implementation for next year to inform the public of events such as the Fairfax Fair, Fall for Fairfax Festival, and the tax deadline that does not include the use of sign boards. This motion was seconded by Supervisor Mendelsohn.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to include a request for input from the Celebrate Fairfax, Incorporated, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

For purposes of clarification, Supervisor Frey stated that his motion included not using banners.

Supervisor Hyland asked to amend the motion to direct staff to contact other jurisdictions to determine how they handle these kind of activities, and this was accepted.

Chairman Hanley relinquished the Chair to Vice-Chairman Hanley and asked to amend the motion to direct staff to report with information on how the local cities and towns use banners for activities, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

Supervisor Gross asked unanimous consent that the Board direct staff to include Clean Fairfax in these discussions. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that the Board direct staff to remove the tax signs by tomorrow, and, following input from Robert J. O'Neill, Jr., County Executive, without objection, it was so ordered.

42. **EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITIES APPLICATION 456-L97-9** (Tape 6)

Supervisor Kauffman said that Cellular One Baltimore/Washington has submitted an application for a monopole and has requested an extension of the application period to allow time to work out a co-location.

Therefore, Supervisor Kauffman moved that Board grant an application period extension of six months for Public Facilities Application 456-L97-9. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

43. **TOWN MEETING** (Tape 6)

Supervisor Kauffman expressed his appreciation to Chairman Hanley and Supervisor Hyland for attending the recent Lee District Town meeting.

44. **1998 WORLD CONGRESS ON INFORMATION TECHNOLOGY** (Tape 6)

Supervisor Connolly said that he has discussed with the Fairfax County Chamber of Commerce the benefits of promoting the prestigious 1998 World Congress on Information Technology in various ways. The long term benefit to Fairfax County of recognition as a hub of information technology business and emphasis on the importance of this one time international event warrant exploration.

Supervisor Connolly moved that the Board direct staff to explore with the Chamber, the Economic Development Authority (EDA), and the World Congress the possibility of installing such signs in strategic locations, including a discussion of how such a project could be best funded. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

45. **UPDATE ON DOUGLASS STREET SIGN** (Tape 6)

Supervisor Connolly referred to his request to have a street sign in the James Lee Community corrected due to the misspelling of Frederick Douglass' last name. He announced that the Douglass Street sign and tax map page denoting this street have been corrected.

46. **ALTERNATIVE TO THE USE OF 911 FOR NON-EMERGENCY CALLS**  
(Tape 6)

Supervisor Connolly referred to press reports on the use of an alternative to 911 for non-emergency calls from citizens to local government. He asked that this issue be referred to staff for a report in the form of an Information Item. Without objection, it was so ordered.

NV:nv

47. **INFLEXIBILITY IN THE ZONING ORDINANCE REGARDING REVITALIZATION** (Tape 7)

Supervisor Gross stated that in examining ways to accommodate and encourage redevelopment in older commercial areas, she found an instance where the County Code acts as a hindrance to these efforts. The provisions of Article 13 of the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) do not allow for waivers or modifications of transitional screening and barrier requirements to the extent which may be necessary with redevelopment. The lack of this flexibility has proven problematic for some redevelopment projects in Mason District and, in some cases, it has inhibited the revitalization efforts of commercial areas. Design constraints on some redevelopment sites do not allow for the provision of the full screening requirements.

Therefore, Supervisor Gross asked unanimous consent that the Board:

- Refer this issue to the County Attorney's Office for review; and
- Direct staff to place consideration of Section 13 of the Zoning Ordinance on the agenda for the Development Process Committee work plan meeting which will be scheduled in early 1998.

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

48. **ANNANDALE FALL FESTIVAL PARADE AND ANNANDALE DAYS** (Tape 7)

Supervisor Gross announced that the Annandale Fall Festival Parade will be held on Saturday, October 25, 1997. The parade begins at 10:00 a.m., proceeding west down Columbia Pike into the heart of downtown Annandale. She invited all residents of Annandale, Mason District, and the County to attend.

Supervisor Gross invited everyone to the celebration of Annandale Days on the south side of Little River Turnpike following the conclusion of the parade. This is a community block party featuring crafts, local restaurants, and live entertainment.

49. **FRIENDS OF GEORGE MASON REGIONAL LIBRARY'S SEMI-ANNUAL USED BOOKS SALE** (Tape 7)

Supervisor Gross announced that the Friends of George Mason Regional Library will hold their semi-annual used book sale on Saturday, October 25, 1997 from 10:00 a.m. until 5:00 p.m., and Sunday, October 26, 1997 from 12:00 noon until 5:00 p.m. The sale will be held at the Mason Governmental Center on Columbia Pike instead of its usual location at the library because of its renovation. She urged everyone to support the library and come to one of the best used book sales in the region.

Supervisor Gross reminded everyone that for all library services the on-site temporary facility at George Mason Regional Library is open during the library's regular hours and it does offer the majority of the library's collections and services. She reported that the renovations are ahead of schedule and under budget.

Chairman Hanley raised the issue of the location of the sign detailing the Library's renovations and there was a brief discussion regarding relocating the sign to face Little River Turnpike.

50. **COST OF TELEPHONE CALLS FROM PUBLIC PAY PHONES MAY INCREASE** (Tape 7)

Supervisor Gross distributed to the Board copies of a news release from the State Corporation Commission (SCC) regarding public pay telephones. She noted that on October 7, 1997 the SCC loses its authority to regulate pay phone rates for local coin calls because of a Federal Communications Commission (FCC) preemption of this issue from the states. The SCC opposes this FCC initiative and may file an appeal to the United States (US) Supreme Court in opposition. The current 25¢ charge for local calls of unlimited duration will change because there will no longer be any regulation.

Supervisor Gross moved that the Board authorize the Chairman to write a letter to the Congressional Delegation expressing the Board's concern about this action by the FCC. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being out of the room.

51. **NATIONAL BUSINESS WOMEN'S WEEK** (Tape 7)

Supervisor Bulova stated that National Business Women's Week will be celebrated across the country the week of October 20th. The Northern Region of the Virginia Federation of Business and Professional Women's Clubs (VFBPWC) will be participating in the observance.

Supervisor Bulova noted that the Northern Region of the VFBPWC has contributed to the quality of life in the County particularly through their service to women of all ages. Their activities include projects to encourage citizen participation in government and civic affairs, community health outreach programs, and educational and scholarship programs.

Accordingly, Supervisor Bulova moved that the Board direct staff to issue a Proclamation recognizing the week of October 20 through 26, 1997 as "*National Business Women's Week*" in Fairfax County and commending the Northern Region of the VFBPWC for their service to the community. She noted that the Proclamation will be read at a reception in recognition of National Business Women's Week to be held by the Northern Region of the VFBPWC on Friday, October 24, 1997 at the Tower Club. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

52. **APPOINTMENT TO THE AIRPORTS ADVISORY COMMITTEE** (Tape 7)

(APPT)

Supervisor Bulova moved the appointment of Mr. Dan Shoemaker as the Braddock District Representative to the Airports Advisory Committee. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

53. **INTERCHANGE IMPROVEMENTS AT I-495 AND ROUTE 236** (Tape 7)

With reference to a Board Matter she presented on June 9, 1997 regarding this interchange, Supervisor Bulova asked unanimous consent that the Board direct staff to report regarding the safety improvements to the interchange at I-495 (Capital Beltway) and Route 236 (Little River Turnpike). Without objection, it was so ordered.

54. **BRADDOCK DISTRICT NEWSLETTER PUBLICIZING A TOWN MEETING ON OCTOBER 28, 1997** (Tape 7)

Supervisor Bulova called the Board's attention to copies of her Braddock District newsletter which publicizes a Town Meeting scheduled for October 28, 1997. The meeting will focus on changes for the 21st century and the issue of diversity. She encouraged everyone to attend or watch on Channel 16.

55. **PROCLAMATION OF OCTOBER AS INTERNATIONAL CREDIT UNION MONTH** (Tape 7)

With reference to his written Board Matters, Supervisor Hyland said that credit unions are member-owned, not-for-profit financial institutions that serve people all over the world to help them improve their way of life and the standard of living in their communities. He noted that although the request for this Proclamation was sent to him through the Fairfax County Employees Credit Union (FCECU), credit unions worldwide will be celebrating October 16 as International Credit Union Day and are requesting that the month of October 1997 be proclaimed as International Credit Union Month.

Accordingly, Supervisor Hyland moved that the Board approve and adopt the Proclamation distributed to the Members of the Board recognizing the significance of credit unions by recognizing the FCECU on International Credit Union Day on October 16, 1997 and proclaiming October 1997 as *“International Credit Union Month”* in Fairfax County. This motion was seconded by Supervisor Gross and carried by unanimous vote.

He noted that there is a pending case before the United States (US) Supreme Court regarding the status of credit unions which will be argued today.

56. **“SLURRY SEAL LACKS APPEAL”** (Tape 7)

With reference to his written Board Matter on the subject and in addition to a recent article appearing in the *Mount Vernon Gazette*, Supervisor Hyland stated that he has received a number of calls and letters on the subject of slurry seal, a process used by the Virginia Department of Transportation (VDOT) to help preserve asphalt paved streets throughout Fairfax County. Unfortunately, what represents maintenance to the VDOT, results in complaints by citizens of the Mount Vernon District.

Supervisor Hyland stated that it seems that the use of slurry seal in their communities have in the past and continue to evoke complaints about the messiness of the substance as it is picked up by automobiles and tracked into homes where the homeowner experiences stains on carpets and floors. In one neighborhood, VDOT repaved the streets only to return two and one-half years later to apply slurry seal.

Accordingly, Supervisor Hyland moved that the Board direct staff to request that VDOT discontinue its use of slurry seal in the Mount Vernon District until it has determined the effectiveness of another product or alternative which is not as messy as the slurry seal used in the current maintenance program. This motion was seconded by Supervisor Kauffman.

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

57. **LENDING PROGRAM FOR SMALL BUSINESSES** (Tape 7)

Supervisor Hyland distributed to the Board copies of an article by David Osborne and Peter Plastrik referencing a state-organized and managed program called the Capital Access Program (CAP) which helps finance small businesses especially those which traditional lending institutions might not consider, smaller riskier firms which often have limited access to financial resources.

The program, which began in Michigan in 1986, helps banks overcome the risks of small business lending by creating a financial reserve to cover losses from bad loans. Between them, the bank and the borrower place from 3 to 7 percent of the loan amount into the bank's reserve account. The state then matches their contribution. Virginia is one of at least 17 other states that have copied the program.

Accordingly, Supervisor Hyland asked unanimous consent that the Board refer this item to the County Executive to obtain more detailed information on the Capital Access Program in Virginia and make the information available to the Board, Economic Development Authority (EDA), the Office of Management and Budget (OMB), local small businesses, and Chambers of Commerce throughout the County to determine if it is of benefit and can be utilized in the County. Without objection, it was so ordered.

58. **PROCLAMATION REGARDING VIRGINIA'S FAMOUS AND HISTORIC TREES DAY** (Tape 7)

Supervisor Hyland referred to his written Board Matter regarding Historic Trees Days across the United States (US). American Forests, founded in 1875, is the nation's oldest non-profit conservation organization and identifies trees that stand as the last living witnesses to lives and events that have shaped American history. The purpose of Historic Trees Days across the US is to raise awareness for the program and make these trees available for educational programs, community projects, and the general public.

Accordingly, Supervisor Hyland moved that the Board proclaim October 9, 1997 as "*Historic Trees Day*" in Fairfax County. This motion, the second to which was indistinguishable, carried by a vote of nine, Supervisor Dix being out of the room.

59. **MORE PUBLIC EXPOSURE FOR PUBLIC HEARINGS** (Tape 7)

Supervisor Hyland referred to a letter from John LaJeunesse, President of Raceway Farms Home Owners Association, in which he asked for consideration of use of the County's Internet Web site for publicizing County public hearings pertaining to Boards, Authorities and Commissions (BACs).

Following a brief discussion, Supervisor Hyland asked unanimous consent that the Board direct staff to report with additional ways to advertise public hearings held by BACs to include establishing a page on the County's Web site. Without objection, it was so ordered.

60. **APPOINTMENT TO THE FAIRFAX AREA DISABILITY SERVICES BOARD**



(Tape 7)

(APPT)

Supervisor McConnell moved the appointment of Ms. Brenda Trask as the Springfield District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

61. **YATES FORD ROAD** (Tape 7)

(R) Supervisor McConnell reminded the Board that the Virginia Department of Transportation (VDOT) has been working closely with the residents of Yates Ford Road and her office regarding the paving of this road, Project Number 0612-029-P91,C503. VDOT held a public hearing on September 12, 1997 followed by several community workshops resulting in extensive modifications to the original plan. VDOT has addressed most of the concerns of the adjacent property owners and has agreed to continue to work with them and the surrounding communities during construction, which is scheduled to begin in August, 1998.

Therefore, Supervisor McConnell moved that the Board adopt the Resolution, copies of which were distributed to the Board, for this project to move forward in an expeditious manner. The Resolution confirms the Board's support of the use of secondary construction funds to finance the improvements and the demonstration project on Yates Ford Road and acknowledges that traffic calming features and speed humps incorporated in the revised Yates Ford Road Project design is designated a demonstration project. This motion was seconded by Chairman Hanley and carried by a unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

62. **LOUD NOISE FROM VEHICLE STEREOS** (Tape 7)

Supervisor McConnell stated that a constituent expressed concern over loud music emanating from car radios.

Following a brief discussion, with input from David P. Bobzien, County Attorney, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to recirculate the Noise Ordinance. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor McConnell asked unanimous consent that the Board direct staff to address this issue and provide suggestions for enforcement. Without objection, it was so ordered.

63. **INTENT TO DEFER THE PUBLIC HEARING ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S95-CW-2CP: LOWER POTOMAC LAND USE CITIZENS ADVISORY COMMITTEE'S RECOMMENDATIONS FOR LAUREL HILL COMMUNITY PLANNING SECTOR (LP1) CURRENTLY KNOWN AS THE DISTRICT OF COLUMBIA CORRECTIONAL FACILITY COMMUNITY PLANNING SECTOR (LP1) (MOUNT VERNON DISTRICT)** (Tape 7)

Supervisor Hyland announced his intent to defer the 4:30 p.m. public hearing on proposed Out-of-Turn Plan Amendment S95-CW-2CP: Lower Potomac Land Use Citizens Advisory Committee's Recommendations for Laurel Hill Community Planning Sector (LP1) Currently Known as the District of Columbia Correctional Facility Community Planning Sector (LP1) (Mount Vernon District) until October 27, 1997 at 4:30 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#92.)

64. **RECESS/EXECUTIVE SESSION** (Tape 7)

At 1:45 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting and in addition:

- In re: Violation of Terms of a Storm Drainage Easement by R. Edward and Arezu G. Ingle, Owners of Property Located at 2101 Arrowleaf Drive;
- Status of Erroneous Tax Assessment Litigation; and
- *Board of Supervisors of Fairfax County, Virginia, et al. versus Manohar Gulati and Kamlesh Gulati, At Law Number 156145.*

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

Chairman Hanley announced that Executive Session would begin at 2:30 p.m. following a break for lunch.

**AR:ar**

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

**ACTIONS FROM EXECUTIVE SESSION****65. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION (Tape 8)**

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

**66. AUTHORIZATION TO REJECT SETTLEMENT OFFER OF RESPONDENTS IN BOARD OF SUPERVISORS VERSUS GULATI, AT LAW NUMBER 156145 (Tape 8)**

Supervisor Mendelsohn moved that the Board:

- Authorize the County Attorney to reject the settlement offer of the respondents in the case of *Board of Supervisors versus Gulati*, At Law Number 156145; and
- Authorize the County Attorney to settle this matter in accordance with the terms and conditions outlined by the County Attorney in Executive Session.

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

**67. 3:00 P.M. - CONSIDERATION OF APPEAL OF AN ARCHITECTURAL REVIEW BOARD (ARB) DECISION, COLVIN RUN MILL HISTORIC OVERLAY DISTRICT (DRANESVILLE DISTRICT) (Tape 8)**

Supervisor Mendelsohn moved to defer consideration of the appeal of an Architectural Review Board (ARB) decision on Colvin Run Mill Historic Overlay District until **October 27, 1997 at 3:00 p.m.** This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**68. 3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 24 (BINGO GAMES AND RAFFLES) AND CHAPTER 112 (ZONING ORDINANCE) (Tape 8)**

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 24 (Bingo Games and Raffles) and Chapter 112 (Zoning Ordinance) to delete all regulations relating to bingo games and raffles **to become effective on October 7, 1997 at 12:01 a.m.** This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix\* and Supervisor Mendelsohn being out of the room.

(NOTE: \*Later in the meeting, Supervisor Dix asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#70.)

69. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING RECODIFICATION OF TITLE 15.1 OF THE CODE OF VIRGINIA TO TITLE 15.2** (Tape 8)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding recodification of Title 15.1 of the *Code of Virginia* to Title 15.2 **to become effective on December 1, 1997 at 12:01 a.m.** This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

70. **REQUEST TO RECORD VOTE** (Tape 8)

Supervisor Dix asked unanimous consent to be recorded as voting "AYE" on the proposed amendments to the Code of the County of Fairfax, Chapter 24 (Bingo Games and Raffles) and Chapter 112 (Zoning Ordinance). Without objection, it was so ordered.

71. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING EDITORIAL REVISIONS** (Tape 8)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding editorial revisions, with the one revision recommended by the Planning Commission as set forth in Attachment One, **to become effective on October 7, 1997 at 12:01 a.m.** This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

72. **3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - CENTREVILLE ROAD/KINROSS CIRCLE (SULLY DISTRICT)**  
(Tape 8)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, and with the understanding that staff is still attempting to negotiate the acquisition of this property, Supervisor Frey moved adoption of the Resolution authorizing the acquisition of interests in real property necessary for the construction of County Road Bond Project 064164 - Centreville Road/Kinross Circle. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room.

73. **3:30 P.M. - PH REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE MOTT COMMUNITY CENTER (12111 BRADDOCK ROAD, FAIRFAX) TO AMERICAN PERSONAL COMMUNICATIONS (APC) REALTY AND EQUIPMENT COMPANY, L.L.C. (SPRINGFIELD DISTRICT)**  
(Tape 8)

Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, and input from David P. Bobzien, County Attorney, Supervisor McConnell moved that the Board authorize the County Executive to execute a lease with American Personal Communications (APC) Realty and Equipment Company, L.L.C. for a portion of the property at the Mott Community Center, 12111 Braddock Road, Tax Map Number 67-1((01)) 35, for the purpose of installing a telecommunications base station and monopole, as revised by the County Attorney. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

74. **3:30 P.M. - PH REGARDING A LEASE AMENDMENT TO THE LEASE OF COUNTY-OWNED PROPERTY AT THE KINGSTOWNE FIRE STATION, 7936 TELEGRAPH ROAD, TO AMERICAN PERSONAL COMMUNICATIONS (APC) REALTY AND EQUIPMENT COMPANY, L.L.C. (LEE DISTRICT)** (Tape 8)

Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, Supervisor Kauffman moved that the Board authorize the County Executive to execute a lease with American Personal Communications (APC) Realty and Equipment Company, L.L.C. at the Kingstowne Fire Station, 7936 Telegraph Road, Tax Map Number 100-1((01))16, for the purpose of installing additional equipment and antennas on the existing telecommunications base station and monopole. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

75. **3:30 P.M. - PH REGARDING A LEASE AMENDMENT APPLICABLE TO THE LEASE OF COUNTY-OWNED PROPERTY LOCATED AT THE CHANTILLY FIRE STATION, 14005 VERNON STREET, CHANTILLY TO AMERICAN PERSONAL COMMUNICATIONS (APC) REALTY AND EQUIPMENT COMPANY, L.L.C. (SULLY DISTRICT)** (Tape 8)

Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, Supervisor Frey moved that the Board authorize the County Executive to execute a lease amendment with American Personal Communications (APC) Realty and Equipment Company, L.L.C. at the Chantilly Fire Station, 14005 Vernon Street, Chantilly, Tax Map Number 34-4((6))61, for the purpose of installing additional equipment and antennas on the existing telecommunications base station and monopole. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Mendelsohn being out of the room.

76. **3:30 P.M. - PH REGARDING A LEASE AMENDMENT TO THE LEASE OF COUNTY-OWNED PROPERTY AT THE MASSEY BUILDING COMPLEX, 4100 CHAIN BRIDGE ROAD, TO AMERICAN PERSONAL COMMUNICATIONS (APC) REALTY AND EQUIPMENT COMPANY, L.L.C. (PROVIDENCE DISTRICT)** (Tape 8)

Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of September 25, 1997.



Following the public hearing, Supervisor Connolly moved that the Board authorize the County Executive to execute a lease addendum with American Personal Communications (APC) Realty and Equipment Company, L.L.C., at the Massey Building, Tax Map Number 57-4((1))14, for the purpose of installing additional telecommunications equipment and antennae on the subject property in general accordance with the terms and conditions outlined in the staff report. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

**AM:am****77. BOARD RECESS (Tape 9)**

At 3:50 p.m., the Board recessed, and at 4:00 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Connolly, and with Chairman Hanley presiding.

**ADDITIONAL BOARD MATTERS****78. SCHEDULE OF MEETINGS REGARDING TELECOMMUNICATION ISSUES (Tape 9)**

Supervisor Dix reminded the Board that meetings regarding telecommunication issues have been scheduled for October 17, October 24, and November 3, 1997.

**79. AREA PLANS REVIEW HEARINGS (Tape 9)**

Chairman Hanley reminded the Board that the Area Plans Review hearings will be held in the evening on October 27, November 17, November 24, and December 8, 1997.

**80. REVITALIZATION POLICY COMMITTEE MEETING (Tape 9)**

Supervisor Hyland reminded the Board that there is a Revitalization Policy Committee meeting scheduled for October 7, 1997 from 9:00 a.m. until 12:00 noon.

**AGENDA ITEMS****81. 4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 79-S-031-2 (MCDONALD'S CORPORATION) (SPRINGFIELD DISTRICT) (Tape 9)**

Supervisor McConnell moved to defer the public hearing on Special Exception Amendment Application SEA 79-S-031-2 until **November 17, 1997 at 3:30 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Connolly being out of the room.



82. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-S-022 (THE TRUSTEES OF THE FAIRFAX BAPTIST TEMPLE) (SPRINGFIELD DISTRICT)** (Tape 9)

Supervisor McConnell moved to defer the public hearing on Special Exception Application SE 97-S-22 until **November 17, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Connolly being out of the room.

83. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-V-010 (MOBIL OIL CORPORATION) (MOUNT VERNON DISTRICT)** (Tape 9)

Ms. Marie B. Travesky reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Connolly being out of the room.

Supervisor Hyland moved approval of Special Exception Application SE 97-V-010 subject to the development conditions dated September 12, 1997, with the following modifications:

- Condition Number 10 should read:
  - "A travel aisle connection consistent with the connection shown on the applicant's Special Exception Plats dated February 25, 1997 and March 5, 1997, shall be provided on the applicant's Site Plan. This connection shall be constructed at such time as access to the travel aisle can be obtained"; and
- Add Condition Number 12 which should read:
  - "Irrespective of language in Note Number Six on page two of three of the Special Exception Plat dated August 14, 1997, there shall be a maximum of four MPDs on the site."

This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Connolly being out of the room.

Supervisor Hyland moved waiver of the trail along the western property line. This

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

84. **4:00 P.M. - PH ON A PROPOSAL TO ABANDON A PORTION OF PENROSE PLACE (SULLY DISTRICT)** (Tape 9)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, with input from Scott Winn, Assistant County Attorney, Supervisor Frey moved adoption of the Ordinance abandoning a portion of Penrose Place (Route 911). This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly being out of the room.

85. **4:00 P.M. - BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD), APPENDIX G, TO EXPAND THE ROBINSON RPPD, DISTRICT 17 (BRADDOCK DISTRICT)** (Tape 9)

- (O) [NOTE: On September 8, 1997, the Board held the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Robinson Residential Permit Parking District (RPPD) but deferred decision until October 6, 1997.]

Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking District (RPPD), Appendix G, to expand the Robinson RPPD, District 17, to include Holden Street (Route 4895) from Sideburn Road (Route 653) to Concordia Street (Route 4893). This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly and Supervisor Dix being out of the room.

86. **BOARD RECESS** (Tape 9)

At 4:10 p.m., the Board recessed, and at 4:30 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Connolly and Supervisor Dix, and with Chairman Hanley presiding.

87. **4:30 P.M. - PH ON PROPOSED APPROVAL OF BONDS TO BE ISSUED BY THE ANNANDALE VOLUNTEER FIRE DEPARTMENT, INCORPORATED (MASON DISTRICT)** (Tape 9)

(Bonds)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 18 and September 25, 1997.

Following the public hearing, with input from David P. Bobzien, County Attorney, Supervisor Gross moved approval of the issuance of the bonds and the designation of the Annandale Volunteer Fire Department, Incorporated as the primary service provider within the designated service area. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Dix, and Supervisor McConnell being out of the room.

88. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-Y-025 (MAZUR AND MYER INCORPORATED, DBA THE WEEKEND FURNITURE STORE) (SULLY DISTRICT)** (Tape 9)

Mr. John E. Mazur reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Gregg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 97-Y-025 subject to the development conditions dated October 6, 1997 with the following modification:

- The elimination of Development Condition Number Four pertaining to the parking requirements.

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

89. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SPECIAL EXCEPTION APPLICATION SE 97-Y-026 (RWW AND ASSOCIATES, INCORPORATED) (SULLY DISTRICT)** (Tape 9)

Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

Mr. Fox 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, Susan Johnson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 97-Y-026 subject to the development conditions dated October 6, 1997. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Connolly and Supervisor Dix being out of the room.

Supervisor Frey moved:

- Modification of the transitional screening requirement along the north, east, and west boundaries to that indicated on the Special Exception Plat and subject to the proposed development conditions as revised; and
- Waiver of the barrier requirement along the eastern boundary of the site.

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

90. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-Y-031 (CENTREVILLE WASHINGTON GOLF CENTER, INCORPORATED) (SULLY DISTRICT)** (Tape 9)

Mr. James L. McCormack reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Bengtson, DeBell and Elkins Ltd.

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

- In excess of \$200 from Bengtson, DeBell and Elkins Ltd.

Following the public hearing, Gregg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 97-Y-031 subject to the development conditions dated August 20, 1997. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Connolly being out of the room.

91. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-Y-023 (COSTCO COMPANY, INCORPORATED) (SULLY DISTRICT)** (Tapes 9-10)

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

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

**WELCOME TO VIRGINIA STATE SENATOR  
RICHARD L. SASLAW**

Chairman Hanley recognized the presence of Virginia State Senator Richard L. Saslaw, and warmly welcomed him to the Board Auditorium.

Following the public hearing, which included testimony by one speaker, Brian Davis, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Frey moved **denial** of Special Exception Application SE 97-Y-023. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

92. **4:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S95-CW-2CP: LOWER POTOMAC LAND USE CITIZENS ADVISORY COMMITTEE'S RECOMMENDATIONS FOR LAUREL HILL COMMUNITY PLANNING SECTOR (LP1) CURRENTLY KNOWN AS THE DISTRICT OF COLUMBIA CORRECTIONAL FACILITY COMMUNITY PLANNING SECTOR (LP1) (MOUNT VERNON DISTRICT)** (Tape 10)

Supervisor Hyland moved to defer the public hearing on Out-of-Turn Plan Amendment Application S95-CW-2CP until **October 27, 1997 at 4:30 p.m.** This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Connolly and Supervisor McConnell being out of the room.

93. **BOARD ADJOURNMENT** (Tape 10)

At 5:40 p.m., the Board adjourned.