

AM:am

The meeting was called to order at 9:50 a.m. with all Members being present, and with Chairman Hanley presiding.

Others present were William J. Leidinger, 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.

2. **PRIVATE FIRST CLASS (PFC) DAVID QUARTO, FAIRFAX COUNTY OFFICE OF THE SHERIFF, WAS RECENTLY INJURED IN A TRAFFIC ACCIDENT**
(Tape 1)

Chairman Hanley stated that Private First Class (PFC) David Quarto, Fairfax County Office of the Sheriff, was recently involved in a traffic accident. Due to the severeness of his injuries and his anticipated medical care, the Sheriff's Office is requesting support from the citizens of the community. Chairman Hanley asked that Board Members remember him in their thoughts.

3. **MOMENT OF SILENCE FOR THE FAMILIES AND VICTIMS OF TRANS WORLD AIRWAYS (TWA) FLIGHT 800; THE JOHNSON FAMILY FROM SPRINGFIELD; AND DETECTIVE THOMAS SOLTOW, FAIRFAX COUNTY POLICE DEPARTMENT** (Tape 1)

Chairman Hanley asked that the Board remember in their thoughts the families and friends of the victims of Trans World Airways (TWA) Flight 800 and the Johnson family from Springfield who were also aboard the plane.

Supervisor Dix asked that the Board also remember Detective Thomas Soltow, Fairfax County Police Department, who recently died.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO THE HERNDON HIGH SCHOOL BOYS' SOCCER TEAM** (Tape 1)

Supervisor Mendelsohn presented Certificates of Recognition to the Herndon High School Boys' Soccer Team for winning the Concord District and Northern Region Championships.

Chairman Hanley asked that the Board remember in their thoughts Steve Fletcher, a member of the soccer team, who was recently involved in a swimming accident which resulted in a broken neck.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO THE HERNDON HIGH SCHOOL BOYS' BASEBALL TEAM** (Tape 1)

Supervisor Mendelsohn presented Certificates of Recognition to the Herndon High School Boys' Baseball Team for winning the Concord District and Northern Region Championships.

6. **CERTIFICATES OF RECOGNITION PRESENTED TO THE MCLEAN HIGH SCHOOL GIRLS' LACROSSE TEAM** (Tape 1)

Supervisor Mendelsohn presented Certificates of Recognition to the McLean High School Girls' Lacrosse Team for winning the Liberty District and Northern Region Championships.

7. **CERTIFICATES OF RECOGNITION PRESENTED TO THE LANGLEY HIGH SCHOOL GIRLS' SOFTBALL TEAM** (Tape 1)

Supervisor Mendelsohn presented Certificates of Recognition to the Langley High School Girls' Softball Team for tying for the Liberty District Championship and for being runner-up Regional Champions, advancing to the Quarterfinals of the State Championship.

8. **PROCLAMATION DESIGNATING AUGUST 6, 1996 AS "NATIONAL NIGHT OUT" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to Colonel M. Douglas Scott, Chief, Police Department, designating August 6, 1996 as "**National Night Out**" in Fairfax County. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. **CERTIFICATES OF RECOGNITION PRESENTED TO THE RECIPIENTS OF THE NATIONAL ASSOCIATION OF COUNTIES (NACo) ACHIEVEMENT AWARDS AND I-1 - FAIRFAX COUNTY WINS EIGHT NATIONAL AWARDS**
(Tapes 1-2)

The Board next considered an Item contained in the Memorandum to the Board dated July 22, 1996 highlighting the eight 1996 National Achievement Awards presented to Fairfax County by the National Association of Counties (NACo).

Chairman Hanley presented the Certificates of Recognition the following recipients of the National Association of Counties (NACo) Achievement Awards:

- Park Authority for *Nottoway Park Accessible Garden Plots*. The recipients were Thomas B. White, Jr., Joanne Malone, and Jim Heberlein;
- Purchasing and Supply Management Agency and Department of Information Technology for *Information Network/Bulletin Board*. The recipients were Rick Moriarty and Ray Herold;
- Department of Environmental Management for *A New Approach to Plan Review, Permits and Inspections*. The recipients were Irving Birmingham, Sophie Zager, and Edward Jankiewicz;
- Department of Tax Administration for *Central Information Team (CIT) Merger*. The recipients were Kevin Greenlief, Bob Breads, and Donna May;
- Community and Recreation Services for *Saturday Morning Integrated Leisure Experience (SMILE)*. The recipients were Pat Franckewitz, Nickie Wheeler, Wes Kendrick, and Leonard Gunsior;
- Mental Health, Mental Retardation and Alcohol and Drug Services Board of Fairfax-Falls Church for *New Generations*. The recipients were Joan Volpe, Tim Harmon, Dick Kunkel, Ray Burmester, and Marilyn Bates;
- Department of General Services for *Scheduled Repair and Maintenance (SCRAM) Team*. The recipient was Tom Dorman; and
- Office of Management and Budget for *1995 Rental Housing Complex Census Analysis*. The recipients were Edward Long, Sonja Vaughn, and Anne Cahill.

Supervisor Dix asked unanimous consent that the Board direct staff to provide:

- The criteria for entry into the *New Generations* Program; and
- Information as to whether there is a system that tracks the outcomes of this program.

Without objection, it was so ordered.

10. **PROCLAMATION DESIGNATING JULY 22, 1996 AS “MIKE SCULLY DAY” IN FAIRFAX COUNTY** (Tape 2)

Supervisor Dix moved approval of the Proclamation designating July 22, 1996 as “Mike Scully Day” in Fairfax County. Mike Scully, a reporter for the *Journal Newspapers*, is leaving his position to attend graduate school. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

CM:cm

11. **ADDITIONAL ACTION ITEM IN PACKAGE** (Tape 3)

Chairman Hanley called the Board’s attention to Action Item, A-6 - Adoption of Emergency Amendments to Chapter 6 (Weapons) of the Fairfax County Code Relating to Registration for the Discharge of Firearms (Countywide), which was distributed to Board Members earlier in the meeting.

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk’s Summary Item CL#20.)

12. **LETTER FROM THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (Tape 3)

Chairman Hanley announced that she was distributing to Board Members, for discussion during her Board Matters, a copy of a letter she received from the Fairfax County Redevelopment and Housing Authority (FCRHA) concerning the reimbursement of compensation to members of the Authority.

(NOTE: Later in the meeting, this item was discussed. See Clerk’s Summary Item CL#38.)

13. **10:00 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 3)

(BACs)

(APPTS)

ADVISORY SOCIAL SERVICES BOARD

Chairman Hanley moved the appointment of Ms. Ellen Graves as the At-Large Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Kauffman moved the appointment of Ms. Marianne Goodman as the Lee District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Edith Smith as the Springfield District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointments of the Mason and the Sully District Representatives to the Advisory Social Services Board were deferred.)

AIRPORTS ADVISORY COMMITTEE

Supervisor Gross moved the appointment of Mr. Alan E. Mayer as the Mason District Representative to the Airports Advisory Committee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: The appointment of the Sully District Representative to the Airports Advisory Committee was deferred.)

ARCHITECTURAL REVIEW BOARD

Supervisor Kauffman moved the reappointment of Mr. Richard O'Brien as an At-Large (Architect) Representative to the Architectural Review Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

[NOTE: The appointment of one At-Large (Architect) Representative to the Architectural Review Board was deferred.]

BOARD OF BUILDING CODE APPEALS

Supervisor Frey moved the appointment of Mr. Thomas R. Hyland as an At-Large Representative to the Board of Building Code Appeals. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Supervisor Mendelsohn moved the appointment of Mr. James H. Falk, Jr. as an At-Large (Attorney) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY (CHAS) COORDINATING COMMITTEE

[NOTE: The appointment of the Mason District Representative to the Comprehensive Housing Affordability Strategy (CHAS) Coordinating Committee was deferred.]

CHILD CARE ADVISORY COUNCIL

Supervisor Bulova moved the reappointment of Ms. Janet Reimer as the Braddock District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Mendelsohn moved the reappointment of Ms. Marilyn Wilson as the Dranesville District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Dix moved the reappointment of Ms. Leslie Braunstein as the Hunter Mill District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Jane Snyder as the Mason District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Joanne McCoy as the Springfield District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

COMMISSION ON AGING

Supervisor Gross moved the appointment of Mr. Richard E. Risk as the Mason District Representative to the Commission on Aging. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

CONFIRMATION:

Supervisor Hyland moved that the Board confirm the following appointment to the Commission on Organ and Tissue Donation and Transplantation:

- Ms. Toni Webb to fill the unexpired term of Ms. Marcella Corbett as the Washington Regional Transplant Consortium (WRTC) Representative.

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

Supervisor Hyland asked unanimous consent that the Board direct staff to prepare the appropriate letter and Certificate of Appreciation to Ms. Corbett thanking her for her service to Fairfax County on the Commission on Organ and Tissue Donation and Transplantation. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct staff to include the resignation of the Religious Community Representative from the Commission on Organ and Tissue Donation and Transplantation on the next Upcoming Appointment listing. Without objection, it was so ordered.

COMMUNITY ACTION ADVISORY BOARD

Supervisor Frey announced that Ms. Bethany Hall-Long, the Sully District Representative to the Community Action Advisory Board (CAAB) has resigned and moved out of the area and asked unanimous consent that the Board direct staff to prepare the appropriate letter and Certificate of Appreciation thanking her for her service to Fairfax County on the CAAB. Without objection, it was so ordered.

(NOTE: The appointment of the Sully District Representative to the Community Action Advisory Board was deferred.)

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Supervisor Mendelsohn moved the reappointment of Mr. Dale Adams as the Dranesville District Representative to the Community Development Advisory Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Connolly moved the reappointment of Mr. Henry Rodriguez as the Providence District Representative to the Community Development Advisory Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

[NOTE: The appointment of the Mason District (Bailey's Conservation Area)

Representative to the Community Development Advisory Committee was deferred.] Following a brief discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to include the reappointment history of appointees on the Upcoming Appointment listing. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

COMMUNITY IMPROVEMENT COMMITTEE

(NOTE: The appointments of the Dranesville and the Mason District Representatives to the Community Improvement Committee were deferred.)

ENGINEERING STANDARDS REVIEW COMMITTEE

CONFIRMATION:

Supervisor Hyland moved that the Board confirm the following appointment to the Engineering Standards Review Committee:

- Mr. William C. Putnam as the National Association of Industrial and Office Properties (NAIOP) Representative.

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

HEALTH CARE ADVISORY BOARD

Chairman Hanley moved the appointment of Dr. Timothy E. Yarboro as the At-Large Representative to the Health Care Advisory Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

HUMAN RIGHTS COMMISSION

Supervisor Dix moved the reappointment of the following At-Large Representatives to the Human Rights Commission:

- Ms. Elana Dietz; and
- Mr. Monroe Freeman.

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

Supervisor McConnell moved the reappointment of Mr. Jon Strother as an At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

(NOTE: The appointments of two At-Large Representatives to the Human Rights Commission were deferred.)

HUMAN SERVICES COUNCIL

(NOTE: The appointment of the Springfield District Representative to the Human Services Council was deferred.)

JUVENILE COURT CITIZEN ADVISORY COUNCIL

(NOTE: The appointment of the Mason District Representative to the Juvenile Court Citizen Advisory Council was deferred.)

LIBRARY BOARD

(NOTE: The appointment of the Sully District Representative to the Library Board was deferred.)

NORTHERN VIRGINIA PRIVATE INDUSTRY COUNCIL

CONFIRMATIONS:

Supervisor Mendelsohn moved that the Board confirm the following reappointments to the Northern Virginia Private Industry Council:

- Mr. Daniel Stabile as the City of Falls Church Representative;
- Mr. Willam P. Butterfield as a Fairfax County Representative;
- Mr. Earnie Ferreira as a Fairfax County Representative;
and
- Mr. Gene Mebane as a Fairfax County Representative.

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

PARK AUTHORITY

(NOTE: The appointment of the Springfield District Representative to the Park Authority was deferred.)

PLUMBING ADVISORY BOARD

Supervisor McConnell moved the reappointment of the following individuals to the Plumbing Advisory Board:

- Mr. James Strickler as an At-Large (Professional Engineer) Representative;
- Mr. Everett Long as an At-Large (Limited Master Plumber) Representative; and
- Mr. Gerald Kassalow as an At-Large (Resident of Fairfax County) Representative.

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

[NOTE: The appointments of the At-Large (Class A Plumbing Contractor), the At-Large (Class B Plumbing Contractor), and the At-Large (Plumbing Tradesman) Representatives to the Plumbing Advisory Board were deferred.]

SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION

Supervisor Mendelsohn moved the appointment of Mr. Samuel S. Shin as the Dranesville District Representative to the Small and Minority Business Enterprise Program Advisory Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointments of the Mason, Mount Vernon, and Sully District Representatives to the Small and Minority Business Enterprise Program Advisory Commission were deferred.)

UNIFORMED RETIREMENT SYSTEM BOARD

Supervisor Hyland moved the reappointment of Mr. Vincent Boland as the At-Large (Citizen) Representative to the Uniformed Retirement System Board. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

VOLUNTEER FIRE COMMISSION**CONFIRMATIONS:**

Supervisor Connolly moved that the Board confirm the following reappointments to the Volunteer Fire Commission:

- Mr. Alan Caldwell as the Volunteer Chiefs' Association Representative;
- Mr. William Cline as the Zone I Representative; and
- Mr. John F.X. Ryan as the Zone II Representative.

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

AD-HOCS**CITIZENS ADVISORY COMMITTEE ON SOLID WASTE**

(NOTE: The appointment of the At-Large Representative to the Citizens Advisory Committee on Solid Waste was deferred.)

CONFIRMATION:

Supervisor Connolly moved that the Board confirm the following reappointment to the Citizens Advisory Committee on Solid Waste:

- Mr. David N. Petersen as the Fairfax County Public Schools Representative.

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

ADDITIONAL APPOINTMENTS**ATHLETIC COUNCIL**

Chairman Hanley announced that Mr. George Komar recently complied with the financial disclosure requirement and moved that he be reappointed as the Youth Basketball Council (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

HISTORY COMMISSION

Supervisor Frey moved the appointment of Mr. Larry Moore to fill the unexpired term of Mr. Lewis Leigh, Jr., as an At-Large (Citizen) Representative to the History Commission.

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

AR:ar14. **ADMINISTRATIVE ITEMS** (Tape 4)

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

Supervisor Kauffman called the Board's attention to Administrative Item 1 - Streets Into the Secondary System (Hunter Mill, Mount Vernon, Springfield and Sully Districts) and, restating a previous request, asked unanimous consent that the Board direct staff to provide, as expeditiously as possible, the status of Manchester Boulevard's acceptance into the State System. Without objection, it was so ordered.

Supervisor Frey called the Board's attention to Administrative Item 8 - Supplemental Appropriation Resolution (SAR) AS 97019 for the Department of Family Services Supplemental Assistance for Facilities to Assist the Homeless (SAFAH) Program. He referred to page 30 of the Memorandum to the Board dated July 22, 1996, and asked unanimous consent that the Board direct staff to provide a breakdown of the 40 families who have been assisted since this project began, specifically:

- How many families are in private housing without assistance; and
- How many families have moved into permanent County-assisted housing.

Following input from Suzanne C. Manzo, Director, Department of Family Services, without objection, it was so ordered.

The question was called on the motion 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 (HUNTER MILL, MOUNT VERNON, SPRINGFIELD AND SULLY DISTRICTS)

- (R) (NOTE: Earlier in the meeting, the Board requested information related to this item. See page 12.)

Approved the request that certain streets listed in the Memorandum to the Board dated July 22, 1996 be recommended into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Reston, Section 73, Block 6	Hunter Mill	Woodbrook Lane
Beechwood Clusters	Mount Vernon	Silverdale Road, Route 7035 Silverdale Court
Crosspointe, Section 9	Springfield	Oak Chase Circle Autumn Oak Court Forest Shadow Way Oak Chase Court Cross Oaks Lane Silverbrook Road, Route 600, Additional Right-of-way only
Hampton Station	Springfield	Hampton Station Court Ox Road, Route 123, Additional Right-of-way only
Green Trails, Section 4A and 4B	Sully	Palisades Drive Creek Run Drive
Lafayette Business Center	Sully	Pleasant Valley Road, Route 609, (Four lanes) Lafayette Center Drive, (East Loop) Lafayette Center Drive, (West Loop)

Lafayette Business Center (Continued)	Sully	Enterprise Court Technology Court Blue Spring Drive, Route 609, Additional Right-of-way only
The Estates at Leeton Manor, Section 1	Sully	Lewis Leigh Court Walney Road, Route 657, Additional Right-of-way only
Weltman Estates,	Sully	Eagle Tavern Lane, Route 8584 Meherrin Drive, Route 8580 Vine Cottage Drive

ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-S-077, MOBIL OIL CORPORATION (SULLY DISTRICT)

- (AT) Approved the request for 48 months of additional time to commence construction for Special Exception Amendment Application SEA 88-S-077 until June 6, 2000, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 - ADDITIONAL TIME TO ESTABLISH THE USE FOR SPECIAL EXCEPTION APPLICATION SE 93-Y-043, OX MEADOW PROPERTIES, INCORPORATED (SULLY DISTRICT)

- (AT) Approved the request for 18 months of additional time to establish the use for Special Exception Application SE 93-Y-043 until April 11, 1998, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-S-028, RENTHOTEL CHANTILLY, L.L.C. (SULLY DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Amendment Application SEA 87-S-028 until January 24, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF SUPERVISORS AND THE SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION (SFDC), JULY 1, 1996 TO JUNE 30, 1998 (LEE AND MOUNT VERNON DISTRICTS)

Approved the Memorandum of Understanding between the Board and the Southeast Fairfax Development Corporation (SFDC) for the period July 1, 1996 to June 30, 1998, and authorized the Chairman to sign the Memorandum on behalf of the County.

ADMIN 6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97017 FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES' 1996 SUMMER LUNCH PROGRAM FOR CHILDREN

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97017 in the amount of \$83,110, including \$77,009 in United States Department of Agriculture (USDA) funds and \$6,101 in local cash match for the Summer Lunch Program for Children during the grant period June 24, 1996 to August 30, 1996.

ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) 97018 FOR THE DEPARTMENT OF FAMILY SERVICES VIRGINIA SHELTER SUPPORT GRANT PROGRAM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97018 in the amount of \$71,985 as provided under the Fiscal Year (FY) 1997 Virginia SHAR E Shelter Support Grant (SSG) Program for continued provision of health

care service s to shelter residen ts throug h a progra m admini stered jointly by the Health Depart ment and the Depart ment of Family Service s (DFS) for the period July 1, 1996 throug h June 30, 1997.

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) 97019 FOR THE DEPARTMENT OF FAMILY SERVICES SUPPLEMENTAL ASSISTANCE FOR FACILITIES TO ASSIST THE HOMELESS (SAFAH) PROGRAM

(SAR) (NOTE: Earlier in the meeting, there was a request for additional information. See page 12.)

Approved Supplemental Appropriation Resolution (SAR) AS 97019 in the amount of \$79,104 from the United States (U.S.) Department of Housing and Urban Development (HUD) through the Virginia Department of Housing and Community Development (VHCD) for continued provision of aftercare services to successful graduates of the Department of Family Services (DFS) Transitional Housing Program.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD), TO EXPAND THE ROBINSON RPPD, DISTRICT 17 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 9, 1996 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking Districts (RPPD), to expand the Robinson RPPD, District 17, to include the following streets:
- Pumphrey Drive (Route 4818) from Pumphrey Court (Route 5489) to Spring Rock Court (Route 5490);
 - Pumphrey Drive (Route 4818) from Spring Rock Court (Route 5490) to Commonwealth Boulevard (Route 4801); and
 - Spring Rock Court (Route 5490) from Pumphrey Drive (Route 4818) to the end.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 17.1, SECTIONS 4-17.1-5 THROUGH 4-17.1-8; 4-17.1-10 AND 4-17.1-12 RELATING TO THE PRORATION OF PERSONAL PROPERTY TAXES ON MOBILE HOMES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 9, 1996 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 17.1, Sections 4-17.1-5 through 4-17.1-8; 4-17.1-10 and 4-17.1-12 relating to the proration of personal property taxes on mobile homes and certain housekeeping changes relating to the filing of personal property tax returns and the payment of personal property taxes.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING THE ESTABLISHMENT OF A NEW USE OF SERVICE STATION/MINI-MART

- (A)
- (R) Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 23, 1996, and before the Board on **November 25, 1996 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding the establishment of a new use of service station/mini-mart which would be allowed by Special Exception or development plan approval in the C-5 through C-9 Districts, I-5, I-6, PDH, PDC and PRC Districts, and to amend the current definition of service station to provide for a limited retail sales area.
15. **A-1 - DELINQUENT REAL ESTATE, PERSONAL PROPERTY, AND BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSE (BPOL) TAX**

LISTS FOR 1994 AND 1995 (Tape 4)

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

- Approve the publication of lists of delinquent real estate, personal property, and business, professional and occupational license (BPOL) taxes; and
- Authorize the Department of Tax Administration to continue collection of 1994 and 1995 delinquent taxes.

This motion was seconded by Supervisor Frey.

Following discussion, with input from David P. Bobzien, County Attorney; Kevin C. Greenlief, Director, Department of Tax Administration; and Mary Drickey Craig, Senior Assistant County Attorney; Supervisor Hyland asked unanimous consent that the Board direct staff to provide each Board Member with a copy of the delinquent tax lists.

Supervisor Bulova asked to amend the request with a notation for staff to contact each Board Member and ascertain whether they would like to receive a copy of the lists, and this was accepted.

Without objection, the request, as amended, was so ordered.

Following additional discussion and further input from Mr. Greenlief, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Connolly and Supervisor Kauffman voting "NAY."

16. **A-2 - ORGANIZATIONAL AND STAFFING EVALUATION STUDY** (Tape 4)

Supervisor Bulova moved that the Board concur in the recommendation of staff and approve a contract extension in the amount of \$100,000 for KPMG Peat Marwick to conduct an organizational and staffing evaluation of County government to begin in August 1996 with completion anticipated in four months. This motion was seconded by Supervisor Connolly.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Kauffman asked to amend the motion to direct staff to provide the Board's Reorganization Subcommittee with a report on the actual scope of the contract, following the initial interviews, and this was accepted.

Supervisor Hyland asked to amend the motion to direct the County Executive to submit to each Board Member copies of letters from KPMG Peat Marwick relating to the actual scope of the contract, and this was accepted.

With the understanding that the information requested by Supervisor Hyland would be forthcoming later in the day, the question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

17. **A-3 - APPROVAL TO AMEND RESTON COMMUNITY CENTER FISCAL YEAR (FY) 1997 BUDGET FOR OPERATION OF PROFFERED COMMUNITY USE SPACE (HUNTER MILL DISTRICT)** (Tape 4)

Supervisor Dix moved that the Board concur in the recommendation of staff and approve an increase of the Reston Community Center's Fiscal Year (FY) 1997 Adopted Budget Plan expenditures by \$267,677 for the operation of proffered community use space at the Spectrum Development in Reston, Virginia. The proposed expenditures will be funded by increased revenues of \$128,331 and \$139,346 from the Subfund 180 fund balance. This motion was seconded by Supervisor McConnell.

Following discussion, with input from Bryn C. Pavek, Executive Director, Reston Community Center, the question was called on the motion which carried by unanimous vote.

Supervisor Dix acknowledged the presence of John Hannigan, Chairman, Reston Community Center Board of Governors, and welcomed him to the Board Auditorium.

18. **A-4 - AUTHORIZATION TO AWARD \$50,000 FROM THE PREDEVELOPMENT FUND TO OLDE SALEM VILLAGE HOUSING CORPORATION, A 501(C)(3) AFFILIATE OF ARLINGTON HOUSING CORPORATION FOR THE PURPOSES OF CONDUCTING PRELIMINARY STUDIES RELATED TO THE ACQUISITION AND REHABILITATION OF OLDE SALEM VILLAGE (MASON DISTRICT)** (Tape 4)

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Gross moved that the Board defer action on the authorization for award of \$50,000 from the Predevelopment Fund, Subfund 182, Housing Trust Fund, to Olde Salem Village Housing Corporation until after Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Board Summary Item CL#84.)

19. **A-5 - ADOPTION OF A RESOLUTION DIRECTING THE PREPARATION OF A CONSERVATION PLAN FOR LEEHIGH VILLAGE (SULLY DISTRICT)** (Tape 4)

(R) Supervisor Frey moved that the Board concur in the recommendation of staff and:

- Adopt the Resolution finding the Leehigh Village study area eligible for conservation in accordance with Title 36 of the *Code of Virginia* of 1950, as amended; and
- Direct the Fairfax County Redevelopment and Housing Authority (FCRHA) to prepare a Conservation Plan for the Leehigh Village study area.

This motion was seconded by Supervisor McConnell.

Following discussion, the question was called on the motion 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."

20. **A-6 - ADOPTION OF EMERGENCY AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS), SECTIONS 6-1-1 and 6-1-3, RELATING TO REGISTRATION FOR THE DISCHARGE OF FIREARMS (COUNTYWIDE)** (Tape 4)

- (O) Supervisor Dix moved that the Board concur in the recommendation of staff and adopt the emergency amendments to the Code of the County of Fairfax, Chapter 6 (Weapons), Sections 6-1-1 and 6-1-3, **to become effective immediately**, to extend registration permits for the discharge of firearms that expired on June 30, 1996, and to provide that the issuance of such permits shall be under the direct purview of the Director of Animal Control. This motion was seconded by Supervisor Bulova.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion 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."

21. **C-1 - BOARD CONSIDERATION OF THE REGULATORY REVIEW PLAN OF THE ECONOMIC ADVISORY COMMISSION (EAC)** (Tapes 4-5)

Supervisor McConnell moved approval of the Regulatory Review Plan as submitted by the Economic Advisory Commission (EAC). This motion was seconded by Chairman Hanley.

Following a presentation of the Regulatory Review Plan by Michael S. Horwatt, Member of the Economic Advisory Commission's (EAC) Regulatory Subcommittee, and input from William J. Leidinger, County Executive, Supervisor Mendelsohn referred to the fourth bullet on page 55 and asked to amend the motion to change the language to reflect staff's intent to focus on both the ordinances and the regulations concurrently, not one without the other, and this was accepted.

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

22. **I-1 - FAIRFAX COUNTY WINS EIGHT NATIONAL AWARDS** (No Tape)

(NOTE: Earlier in the meeting, special recognition was given to these awards. See Clerk's Summary Item CL#9.)

23. **I-2** -

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The Board next considered an Item contained in the Memorandum to the Board dated July 22, 1996 requesting authorization for the Director of the Department of Tax Administration to sign an agreement with Tax Assist, a third party financing program, as a means of assisting citizens in the payment of local taxes.

The staff was directed administratively to proceed as proposed.

24. **I-3 - BOARD OF ZONING APPEALS (BZA) "CITIZEN FRIENDLY" MEASURES (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated July 22, 1996 providing staff response regarding the costs and other considerations that are involved with three items pertaining to the Board of Zoning Appeals (BZA) as follows:

- Broadcasting BZA meetings either live or delayed on the County's Cable Television Channel;
- Having motions and conditions made available to the public, by mail or in person, both before and after decisions are made; and
- Printing BZA decisions in the *Weekly Agenda*.

Supervisor Connolly moved that the Board direct the County Executive to proceed with a plan for broadcasting BZA meetings either live or delayed on the County's Cable Television Channel. This motion was seconded by Supervisor Kauffman.

Following discussion, with input from Gail C. Eskew, Chief Programming Division, Department of Consumer Affairs, Supervisor Dix asked unanimous consent that the Board direct the County Executive to examine other activities affiliated with the County government which might benefit from similar broadcasting. Without objection, it was so ordered.

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

25. **I-4 - AWARD OF CONTRACT - RESTON EAST AT WIEHLE AVENUE PARK AND RIDE (HUNTER MILL DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated July 22, 1996 requesting authorization for staff to award a contract to New Construction, Incorporated, in the amount of \$1,688,570, for the construction of Project 90A008, Reston East at Wiehle Avenue Park and Ride, Subfund 471, County Bond Construction.

The staff was directed administratively to proceed as proposed.

26. **I-5 - APPROVAL OF A CONTRACT ADDENDUM WITH DEWBERRY AND DAVIS FOR THE OPERATION OF THE KINGSTOWNE ENVIRONMENTAL MONITORING PROGRAM (LEE DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated July 22, 1996 requesting authorization for staff to award a contract addendum to Dewberry and Davis in the amount of \$85,584, for the continuation of a water quality monitoring program on Dogue Creek, upstream from Huntley Meadows Park, Project L00034, Kingstowne Environmental Monitoring Program, Subfund 468, Public Works Construction, for the period August 1, 1996 to July 31, 1997.

The staff was directed administratively to proceed as proposed.

27. **I-6 - PROVISION OF EQUIPMENT BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO MITIGATE HAZARDOUS MATERIALS INCIDENTS ON FAIRFAX COUNTY HIGHWAYS** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated July 22, 1996 requesting authorization for staff to accept the donation of specialized equipment and supplies from the Virginia Department of Transportation (VDOT) for the mitigation of hazardous materials incidents on highways.

The staff was directed administratively to proceed as proposed.

BOARD MATTERS

28. **CHANGING BOARD MEETING DATE OF OCTOBER 7 TO OCTOBER 14, 1996**
(Tape 5)

Because the Northern Virginia Transportation Commission (NVTC) is receiving an award at the October 7, 1996 meeting of the American Public Transit Association (APTA), Chairman Hanley noted that several Board Members will be absent on that date.

Chairman Hanley suggested that Board Members review their calendars and consider the possibility of changing the Board meeting scheduled for October 7 to October 14, 1996. She stated that she would defer consideration of this matter until later in the meeting. (NOTE: Later in the meeting, action was taken by the Board to reschedule the meeting to

October 14, 1996. See Clerk's Summary Item CL#83.)

29. **VOLUME I OF THE ADOPTED BUDGET PLAN** (Tape 5)

Chairman Hanley called the Board's attention to the absence of Volume I of the Adopted Budget Plan. She relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to:

- Review its decision not to reprint Volume I; and
- Discuss this matter with the Board prior to the printing of next year's Final Adopted Budget Plan.

Without objection, it was so ordered.

30. **FINGERPRINTING OF APPLICANTS FOR CONCEALED WEAPON PERMITS**
(Tape 5)

Chairman Hanley noted that, according to recent press reports, the Federal Bureau of Investigations (FBI) had stopped checking the fingerprints of applicants for concealed weapon permits in Virginia because the General Assembly had not passed a law authorizing criminal background checks for purposes other than criminal investigations. More recently, the FBI resumed the check, extending the "grace period" under which the checks have been conducted until March 1, 1997 to give the legislature another opportunity to pass the necessary legislation.

Because the FBI fingerprint database is by far the most comprehensive available with the ability to detect crimes applicants may have committed in other jurisdictions using different names, and is such a valuable tool for the local law enforcement officials who are charged with the job of issuing these permits, Chairman Hanley asked unanimous consent that the Board refer this matter to the Legislative Subcommittee for its consideration in developing the 1997 legislative package. Without objection, it was so ordered.

31. **FEDERAL GRANT FUNDING FOR SERVICES TO REFUGEES** (Tape 5)

Chairman Hanley stated that in a recent meeting with representatives of Kurdish Human Rights Watch, it came to her attention that the Commonwealth of Virginia's Department of Social Services has elected not to apply for more than \$10.8 million in Federal grant funding for services to refugees. She noted that it is her understanding that Arlington County has arranged with the Department of Social Services to apply directly for similar grant funds for refugee services and that the deadline for applications was July 15, 1996. Nevertheless, given Fairfax County's substantial refugee population, and its status as a donor jurisdiction by virtue of its very high median household income to the Federal Government, Chairman Hanley moved that the Board direct staff to:

- Work with officials of Virginia's Department of Social Services to determine what opportunities still exist for Fairfax County to apply

for these grant funds directly, and to do everything possible to obtain any Federal funding available to serve the needs of its refugee population; and

- Work with State officials to determine if there are other opportunities for the State to seek Federal grant funding that the State has elected not to pursue, and likewise to determine whether the County can apply directly for the return of these Federal taxpayer dollars.

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

32. **FAIRFAX COUNTY COMMISSION FOR WOMEN'S 25TH ANNIVERSARY CELEBRATION IN SEPTEMBER 1996** (Tape 5)

(BACs)

Chairman Hanley moved that the Board direct staff to invite representatives of the Fairfax County Commission for Women to appear before the Board on September 9, 1996 in recognition of the celebration of its 25th Anniversary. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

33. **TURN OFF THE VIOLENCE CAMPAIGN** (Tape 5)

Chairman Hanley noted that the Turn Off the Violence Campaign is a week-long series of events and activities in October which promote nonviolence. This year's theme is "The Ripple Effects of Violence" with a focus on violence against women and children, workplace violence, and youth perpetrated violence.

Chairman Hanley moved that the Board direct staff to:

- Prepare a Proclamation designating the week of October 5-12, 1996 as "**Northern Virginia Turn Off the Violence Week;**" and
- Invite the Northern Virginia Turn Off the Violence Coalition to appear before the Board on September 30, 1996 to receive this Proclamation.

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

34. **RECOGNITION OF JAMES F. JENKINS, LIEUTENANT COLONEL (RET.), UPON HIS RESIGNATION FROM THE COMPREHENSIVE HOUSING AFFORDABLE STRATEGY (CHAS) COMMITTEE AND THE CONSOLIDATED PLAN REVIEW COMMITTEE (CPRC)** (Tape 5)

(BACs)

Chairman Hanley stated that it is her understanding that James F. Jenkins, Lieutenant Colonel (Ret.), has submitted a letter of resignation from the Comprehensive Housing Affordable Strategy (CHAS) Committee and the Consolidated Plan Review Committee (CPRC) due to personal reasons.

Therefore, Chairman Hanley asked unanimous consent that the Board direct staff to invite Mr. Jenkins to appear before the Board on September 9, 1996 to receive a Certificate of Recognition for his many years of service to the citizens of Fairfax County.

This service includes his early involvement in establishing the Tenant-Landlord Commission, more than 23 years of continuous volunteer service and leadership with the United Way, and many contributions in development of strategies in housing and homeless policies. Without objection, it was so ordered.

35. **LETTER TO THE VIRGINIA BOARD FOR CONTRACTORS** (Tape 5)

Chairman Hanley called the Board's attention to her Board Matter containing a letter to the Virginia Board for Contractors, prepared by the Director, Department of Environmental Management (DEM) for her signature, expressing the County's support for House Joint Resolution (HJR) 205.

Following a query from Supervisor Dix, Chairman Hanley noted that the Board would confer with Irving Birmingham, Director, DEM, and defer this matter for consideration later in the meeting.

(NOTE: Later in the meeting, action was taken by the Board on this matter. See Clerk's Summary Item CL#72.)

36. **APPLICATION FOR THE CONSTRUCTION OF A WIRELESS DIGITAL COMMUNICATIONS NETWORK BY METROCOM, INCORPORATED** (Tape 5)

Chairman Hanley stated on June 24, 1996, Metrocom, Incorporated, completed its submittal of an application pursuant to Section 15.1-456 of the *Code of Virginia* to construct a wireless digital communications network for Countywide deployment on existing light poles located in public rights-of-way. To accommodate its consideration by the Planning Commission, Chairman Hanley moved that the Board extend the application review period for this application until October 22, 1996. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

37. **STATE HOUSING BOARD TOUR OF GOVERNMENT CENTER** (Tape 5)

Chairman Hanley announced that the State Housing Board, presently on its annual retreat, is scheduled to tour the Government Center today beginning at 12:30 p.m.

38. **LETTER FROM CHAIRMAN OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (Tape 5)

(BACs)

(NOTE: Earlier in the meeting, this letter was mentioned. See Clerk's Summary Item CL#12.)

Chairman Hanley called the Board's attention to a letter from the Chairman of the Fairfax County Redevelopment and Housing Authority (FCRHA) indicating that FCRHA has in its budget a line item for each Commissioner to be compensated for their services out of their non-General Fund money.

Supervisor Connolly asked unanimous consent that the Board refer this matter to the Budget Subcommittee for its review and comments. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

39. **APPLICATION BY AT&T WIRELESS SERVICES TO CONSTRUCT A TELECOMMUNICATIONS FACILITY ON A ROOFTOP LOCATED AT 12355 SUNRISE VALLEY DRIVE** (Tape 5)

Supervisor Dix stated that on June 4, 1996, AT&T Wireless Services submitted an application pursuant to Section 15.1-456 of the *Code of Virginia* to construct a telecommunications facility on the rooftop of an office building in Sunrise Valley Plaza, located at 12355 Sunrise Valley Drive. To accommodate additional review time, Supervisor Dix moved that the Board extend the application review period for this application until January 22, 1997. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

40. **LETTER FROM THE CHESAPEAKE BAY LOCAL GOVERNMENT ADVISORY COMMITTEE** (Tape 5)

Supervisor Dix called the Board's attention to a letter circulated to Board Members dated July 1, 1996 from Gary Allen, Chair of the Chesapeake Bay Local Government Advisory Committee, addressing a program on Chesapeake Bay Partner Communities. He asked unanimous consent that the Board refer this matter to staff for its review and consideration as to whether Fairfax County wants to apply to be designated under this program. Without objection, it was so ordered.

41. **LETTER FROM CHARLES V. PENA, EXECUTIVE DIRECTOR, MOTHERS AGAINST DRUNK DRIVING (MADD)** (Tape 5)

Supervisor Dix asked unanimous consent that the Board refer to staff for its review and consideration a letter from Charles V. Pena, Executive Director, Mothers Against Drunk Driving (MADD) regarding office space issues. Without objection, it was so ordered.

42. **LACK OF BUS SERVICE AND JUVENILE CRIME ISSUES IN THE COUNTY** (Tape 5)

With reference to the recent reduction of bus service in the Reston area, Supervisor Dix asked unanimous consent that the Board direct the Office of Transportation and the Department of Recreation and Community Services to work with the Director of "The Pit" at the Reston Teen Center and Supervisor Dix's staff to determine whether there are any alternatives which might be utilized to provide access to this facility. Without objection, it was so ordered.

43. **REQUEST FOR RECOGNITION OF DISTRICT IV LITTLE LEAGUE CHAMPIONS** (Tapes 5-6)

Supervisor Dix asked unanimous consent that the Board direct staff to invite the Vienna Little League nine and 10 year olds, and the 11 and 12 year olds, who are both District IV Champions, to appear before the Board at its first meeting in September 1996 to be appropriately recognized for their achievements. Without objection, it was so ordered.

PMH:pmh

44. **CONCURRENT PROCESSING REQUESTED FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-V-088** (Tape 7)

Supervisor Hyland stated that Proffered Condition Amendment Application PCA 88-V-088, scheduled to be heard by the Board on August 5, 1996, seeks approval of the establishment of a pet grooming establishment in an existing structure on property which was previously rezoned to C-5 to allow a combined retail/office use. The property is located at 8369 Richmond Highway and has not been used or maintained for a number of years. The pet grooming establishment is proposed as a Phase I use until market conditions warrant development of the Proffered Development Plan as Phase II.

To allow the DEM review to proceed, Supervisor Hyland moved that the Board authorize concurrent processing of the parking tabulations and building plans with Proffered Condition Amendment Application PCA 88-V-088. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

45. **HONORABLE MENTION TO ZONING EVALUATION DIVISION (ZED), OFFICE OF COMPREHENSIVE PLANNING (OCP)** (Tape 7)

Supervisor Hyland stated that he was delighted to share with the Board a letter of praise recently sent to Barbara Byron, Director, Zoning Evaluation Division (ZED), Office of Comprehensive Planning (OCP), from the development community.

Supervisor Hyland noted that Louis Genuario, Sr., of Genuario Properties, Incorporated wrote a glowing letter acknowledging the "careful and thorough work" done by ZED staff with special appreciation given to Peter Braham.

Accordingly, Supervisor Hyland expressed his appreciation to the Director of ZED and her staff for their collective efforts for a job well done parallel with outstanding customer satisfaction and a further thumbs-up to Peter Braham.

Supervisor Hyland asked unanimous consent that the Board direct staff to place a copy of this Board Matter and the letter from Mr. Genuario in Mr. Braham's personnel file. Without objection, it was so ordered.

46. **PROCLAMATION DESIGNATING AUGUST 11, 1996 AS "BEN ETTLEMAN DAY" IN FAIRFAX COUNTY** (Tape 7)

With reference to the many contributions of Mr. Ben Ettleman and Davis Industries to the greater Lorton community, Supervisor Hyland moved that the Board direct staff to prepare a Proclamation designating August 11, 1996 as "**Ben Ettleman Day**" in Fairfax County. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

47. **FAIRFAX CONNECTOR CONNECTION - ROUTE 303** (Tape 7)

Supervisor Hyland called the Board's attention to his proposal on February 12, 1996 for staff review of a Connector rush hour bus (Route 303) termination point and consideration of providing service to Gunston Square, which is located approximately one-tenth of a mile from that point. Supervisor Hyland noted that the Board supported this request.

Supervisor Hyland stated that the additional ridership on Route 303 would help offset the annual cost of \$18,000 if service is extended to Gunston Square. The additional ridership would generate \$12,000 in additional annual revenue, leaving a \$6,000 cost to the County to extend the service.

Supervisor Hyland noted that Gunston Square is still in the throes of construction and when completed, it is his belief that ridership will substantially increase once more, thus further offsetting the net cost to the County Connector bus operations for this route.

Accordingly, Supervisor Hyland moved that the Board direct staff to include this item for consideration during the Carryover budget allocation proceedings. This motion was seconded by Supervisor Kauffman.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked to amend the motion to include directing staff to provide an analysis of the effect of additional development, and this was accepted. Supervisor Bulova asked to amend the motion to direct staff to provide the analysis prior to inclusion of this item as a Consideration item, and this was accepted.

Supervisor Kauffman asked to amend the motion to include extension of bus service to the IMP Building, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

48. **REQUEST FOR MODIFICATION TO THE WEEKLY AGENDA** (Tape 7)

Supervisor Hyland referred to the Board's Agenda published in the *Weekly Agenda* and said that it did not contain enough detail in the County Executive items.

With input from Jean White, Director, Office of Public Affairs, Supervisor Hyland asked unanimous consent that the Board direct staff to include information advising citizens where they can get additional information about these items. Without objection, it was so ordered.

49. **REVITALIZATION SEMINAR** (Tape 7)

Supervisor Kauffman stated that the Revitalization Seminar was a success and he commended staff and those involved with the seminar.

Supervisor Kauffman said that he has been working with the United Community Ministries, Incorporated (UCM) to address issues such as maintenance and graffiti issues along the Route One corridor. Therefore, he moved that the Board send an endorsement letter to the United States (U.S.) Department of Health and Human Services for a work enterprise grant. This motion was seconded by Supervisor Hyland.

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

(NOTE: Later in the meeting, there was additional discussion regarding the Revitalization Seminar. See Clerk's Summary Item CL#54.)

50. **FRANCONIA UNITED METHODIST CHURCH CELEBRATES ITS 100TH ANNIVERSARY** (Tape 7)

Supervisor Kauffman announced that the Franconia United Methodist Church will celebrate its 100th anniversary on September 22, 1996. He distributed to Board Members a brief history of the church.

Supervisor Kauffman moved that the Board direct staff to invite members of the Franconia United Methodist Church congregation to appear before the Board on September 30, 1996 to recognize this event. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Connolly, Supervisor Frey, and Supervisor McConnell being out of the room.

51. **OUT-OF-TURN PLAN AMENDMENT TO AMEND THE PLAN FOR THE PROPERTY WHICH IS THE SUBJECT OF PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-L-030-9 AND CERTAIN ADJACENT PARCELS** (Tape 7)

Supervisor Kauffman moved that the Board direct staff to prepare an Out-of-Turn Plan Amendment to amend the Plan language for the property which is the subject of Proffered Condition Amendment Application PCA 82-L-030-9 and certain adjacent parcels identified as Tax Map Reference 91-3((9))1, 2, and 3.

Supervisor Kauffman stated that the purpose of the Plan Amendment would be to permit some secondary commercial uses on the subject property in conjunction with the elderly housing and similar uses already provided in the Plan. The Plan Amendment should also permit elderly housing and similar uses on the referenced parcels at densities similar to the adjacent property.

Supervisor Kauffman further moved that the Board direct staff to time the submission of its report to the Planning Commission so that a Board public hearing on this Plan Amendment can be held on November 18, 1996. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room.

52. **REQUEST FOR EXTENSION OF REVIEW TIME FOR PUBLIC FACILITIES APPLICATION SUBMITTED BY BELL ATLANTIC NYNEX MOBILE, INCORPORATED AND CELLULAR ONE** (Tape 7)

Supervisor Kauffman said that on June 4, 1996, Bell Atlantic NYNEX Mobile, Incorporated and Cellular One submitted an application pursuant to Section 15.1-456 of the *Code of Virginia* to install a telecommunications facility for each on the existing radio tower located at 3900 San Landry Place.

Supervisor Kauffman moved that the Board extend the application review period for this application until January 22, 1997. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Bulova and Supervisor Mendelsohn being out of the room.

53. **KIOSK PILOT PROJECT UPDATE** (Tape 7)

Supervisor Kauffman expressed his appreciation to staff for providing an update on the upgrade and expansion of the KIOSK Pilot Project. He asked unanimous consent that the Board direct staff to provide an update regarding the payment of services with credit cards other than with the *Discover* credit card. Without objection, it was so ordered.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board refer issues relating to the tax assist program to the Legislative Subcommittee. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

54. **REVITALIZATION SEMINAR** (Tape 7)

(NOTE: Earlier in the meeting there was discussion regarding the Revitalization Seminar. See Clerk's Summary Item CL#49.)

Supervisor Gross commended staff on their participation in the Revitalization Seminar that was held in the Government Center this past Saturday.

55. **REQUEST FOR EXTENSION OF REVIEW TIME FOR PUBLIC FACILITIES APPLICATION REGARDING THE BAILEY'S COMMUNITY CENTER, AND THE HIGHER HORIZONS DAY CARE CENTER** (Tape 7)

Supervisor Gross said that on June 3, 1996 the Fairfax County Department of Housing and Community Development (HCD) submitted an application pursuant to Section 15.1-456 of the *Code of Virginia* to construct a 6,500 square foot addition to the Bailey's Community Center, and to construct an 8,000 square foot addition to the Higher Horizons Day Care Center, both located at 5920 Summers Lane.

Supervisor Gross moved that the Board extend the application review period for this application until January 22, 1997. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Bulova being out of the room.

56. **WINTER STORM TRAVEL GUIDE** (Tape 7)

Supervisor Gross said that she attended the Human Services and Public Safety Policy Committee meeting of the Metropolitan Washington Council of Governments (COG). She said that at this meeting, committee members received a draft edition of a proposed "Winter Storm Travel Guide." She distributed copies of the guide to the Board.

Supervisor Gross noted that different severities of winter storms would be associated with different numbers of penguins. She suggested a one--penguin day up to a five-penguin

day. These penguins will tell residents what travel conditions to expect, including when plows should arrive and how mass transit will be affected. COG has requested comments on this draft. She added that the Board and staff can send their comments to COG.

NV:nv

57. **LOCAL OLYMPIC ATHLETES** (Tape 8)

Supervisor Mendelsohn presented the following list of Olympic athletes from different parts of the County:

- Dranesville District:
 - Seth Greisinger, Baseball, McLean;
 - David Stephens, Track and Field (Javelin), Herndon;
 - Staci Wilson, Women's Soccer, Herndon;
- Hunter Mill District:
 - Grant Hill, Men's Basketball, Reston;
- Springfield District:
 - Mia Hamm, Women's Soccer, Burke;
 - Sharon Hanson, Track and Field (Heptathlon), Fairfax Station;
 - Julie Henner, Track and Field (1500 Meters), Annandale; and
 - Allen Johnson, Track and Field (110 Meter Hurdles), Burke.

58. **FAIRFAX COUNTY COURT TOUR PROGRAM** (Tape 8)

Supervisor Mendelsohn presented correspondence to highlight the Fairfax County Court Tour Program, co-sponsored by the Schools and the Fairfax Bar Foundation, which provided more than 1000 eighth graders with a unique perspective of the County justice system this year. He commended the Sheriff's Office for conducting the tour of the Adult Detention Center.

59. **COMMENDATION OF MS. GILLIAN KILBERG** (Tape 8)

Supervisor Mendelsohn commended McLean resident Ms. Gillian Kilberg for her superb efforts on the behalf of underprivileged children in the County with Grandma Rita's Children, Incorporated. Accordingly, he asked unanimous consent that the Board invite Ms. Kilberg to appear before the Board on August 5, 1996 to be recognized for her fine humanitarian efforts giving selflessly of her own assets. He stated that she should be recognized as a positive example of youth in the County. Without objection, it was so ordered.

60. **NO BOARD MATTERS FOR BRADDOCK DISTRICT SUPERVISOR BULOVA**
(Tape 8)

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

61. **EXTENSION OF REVIEW TIME FOR PUBLIC FACILITIES APPLICATION FOR TELECOMMUNICATIONS FACILITY AT FAIR OAKS HOSPITAL**
(Tape 8)

Supervisor Frey stated that on June 4, 1996 AT&T Wireless Services submitted a Public Facilities Application pursuant to *Code of Virginia* Section 15.1-456 to install a telecommunications facility on the rooftop of Fair Oaks Hospital. To accommodate the necessary review time, he moved that the Board extend the application review period for this application until January 22, 1997. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Dix being out of the room.

62. **CONCURRENT AND SIMULTANEOUS PROCESSING OF PLANS ASSOCIATED WITH REZONING APPLICATION RZ 95-Y-051, WALNEY ESTATES** (Tape 8)

Supervisor Frey moved that the Board direct staff to concurrently and simultaneously process the preliminary and final Subdivision Plans and any associated Subdivision or Site Plan documents related to approved Rezoning Application RZ 95-Y-051, known as Walney Estates. The property is located on Tax Map Number 44-4((10)) Parcel 26. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Dix being out of the room.

63. **RECOGNITION OF MS. HETTIE HERVEY** (Tape 8)

(BACs)

Supervisor Frey announced that Hettie Hervey, Chairman, Environmental Quality Advisory Council (EQAC), and longtime active citizen, is leaving the County. Accordingly, he asked unanimous consent that the Board direct staff to invite Ms. Hervey to appear before the Board on August 5, 1996 to be thanked for her years of service to the County. Without objection, it was so ordered.

64. **MISLEADING SOLICITATIONS REGARDING DRINKING WATER** (Tape 8)

Supervisor Frey explained that Sully District residents called to his attention a solicitation letter from Harris Enterprises selling water purification. He stated his belief that this letter is inflammatory and misleading regarding the County's water. Chairman Hanley noted, for the record, that the County's water has been pure and that the current problems in connection with the District of Columbia (DC) water distribution are problems in the DC distribution part of the Washington Aqueduct Division and Dalecarlia Water Treatment Plant and are not problems for those who receive water from the Falls Church Water System.

Supervisor Frey asked unanimous consent that the Board forward the solicitation letter to staff to determine:

- If there is anything in this letter which can be construed as misleading or intentionally inflammatory; and
- Whether there is any action that can be taken to prevent the distribution of such a document.

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

65. **CLIFTON FARMS DEVELOPER DEFAULT** (Tape 8)

Supervisor Frey explained a problem in the Clifton Farms Developer Default situation. The Board had accepted a settlement last fall with the Artery Corporation, but because of the harsh winter, work could not begin and there is now significant deterioration to the project. The current estimate is an additional \$225,000 over and above the \$235,000 settlement. Accordingly, Supervisor Frey moved that the Board direct staff to include this item as a Consideration Item in the Carryover budget. This motion was seconded by Supervisor Hyland.

Supervisor Bulova, Chairman, Board's Budget Committee, asked unanimous consent to direct staff to provide an analysis of this item before the Board's acceptance of it as a consideration item on August 5, 1996. Without objection, it was so ordered.

66. **INTENT TO DEFER PUBLIC HEARINGS** (Tape 8)

Supervisor Connolly stated his intent to defer, at the appropriate time later in the meeting, the following public hearings:

- Out-of-Turn Plan Amendment Application S96-II-VI (Wells Property/Centex Homes), currently scheduled before the Board at 3:30 p.m. this afternoon, until August 5, 1996 at 5:30 p.m. This deferral was necessitated by a deferral of the decision by the Planning Commission which is now scheduled for July 25, 1996; and

- Proffered Condition Amendment Application PCA 87-P-038 and Special Exception Application SE 96-P-004 (Atlantic Homestead Village, Incorporated), currently scheduled before the Board at 4:30 p.m. this afternoon, until August 5, 1996 at 5:30 p.m. This deferral is necessary because of the applicant's late filing of a revised affidavit.

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items CL#81 and CL#92.)

67. **CONSOLIDATION OF OVERLAPPING SERVICES BETWEEN THE FAIRFAX COUNTY POLICE AND THE SHERIFF'S OFFICE** (Tape 8)

Supervisor Connolly explained that he had met with the County Executive regarding the sharing of responsibilities between the Sheriff's Office and the Police Department. He noted that the Sheriff and Chief of Police have been meeting regarding this issue. Accordingly, Supervisor Connolly moved that the Board direct the County Executive to:

- Meet with Chief of Police and the Sheriff to explore areas of possible consolidation of services, including lock-up and prisoner processing and delivery of summonses; and
- Report with any potential savings they might have identified.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to report to the Board's Reorganization Subcommittee, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Connolly amended his motion to direct staff to report to the Board's Reorganization Subcommittee and/or the Board's Budget Committee, and this was accepted.

This motion, as amended, was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

68. **TOM DOLAN WINS GOLD MEDAL AT OLYMPICS** (Tape 8)

Supervisor Connolly noted that Tom Dolan, son of Bill Dolan who ran for Statewide office a few years ago, won a gold medal at the Olympics over the weekend. Supervisor Connolly extended a warm congratulations to him, his family, and his friends on this achievement.

69. **APPRECIATION OF THE DEPARTMENT OF PUBLIC WORKS (DPW)** (Tape 8)

Supervisor Connolly expressed his appreciation to John di Zerega, Director, Department of Public Works (DPW), and DPW staff for their around-the-clock cleanups as a result of recent severe weather and tornadoes.

70. **RECOGNITION OF MR. LEWIS LEIGH, JR.** (Tape 8)

(BACs)

Supervisor McConnell reported that Mr. Lewis Leigh, Jr., a long-time resident of Centreville, has recently announced his resignation from the History Commission and the Agricultural and Forestal District Advisory Committee because he is moving out of the County. Though Mr. Leigh represented the Sully District in recent years on the History Commission, she stated that his commitment to community service supersedes his service since the Sully District was created. His commitment is exemplified by his service since 1983 on the Agricultural and Forestal District Advisory Committee. As well, she noted that Mr. Leigh's input and insight in the planning process and history of Centreville was a positive influence during her terms when she represented the Centreville area as Supervisor.

Accordingly, with Supervisor Frey's support, Supervisor McConnell asked unanimous consent that the Board direct staff to invite Mr. Leigh to appear before the Board to be recognized and thanked for his years of service to the County. Without objection, it was so ordered.

71. **TRANSPORTATION ADVISORY COMMISSION (TAC) PROPOSAL REGARDING THE SPOT IMPROVEMENT PROGRAM** (Tape 8)

Supervisor McConnell stated that she received a memorandum from the Transportation Advisory Commission (TAC), copies of which were sent to each member of the Board, recommending a reallocation of the funds approved by the Board in 1995 for transportation spot improvements. The TAC recommends that these funds be allocated to a revised program of spot improvements which include additional spot projects prioritized by the TAC as requested by the Board. The revised program can be funded utilizing the same \$2.18 million of Road Bond funds previously approved by the Board, and no new funding is being requested.

Accordingly, Supervisor McConnell moved that the Board direct staff to review the TAC proposal and return to the Board with recommendations as soon as possible. This motion was seconded by Chairman Hanley.

In reference to the widening of Creek Crossing Road at Ridge Lane which is recommended for deletion, Supervisor Dix asked to amend the motion to direct staff to work with his office to discuss this matter further to determine whether there are any other options to deal with the safety issues related to this item, and this was accepted.

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

72. **LETTER TO VIRGINIA BOARD OF CONTRACTORS** (Tape 8)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#35.)

Following a briefing by Irving Birmingham, Director, Department of Environmental Management (DEM), regarding a proposed letter from the Board of Supervisors to the Virginia Board of Contractors in support of House Joint Resolution (HJR) 205 which requests consideration of a technical knowledge section for licensure examinations for Class A and B contractors, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board authorize her to sign and send the letter. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

73. **RECESS/EXECUTIVE SESSION** (Tape 8)

At 2:00 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, and in addition:

- *Board of Supervisors of Fairfax County versus Lauanders, et al.*, At Law Number 93886;
- Status of Erroneous Tax Assessment Litigation and Tax District Collections in the Route 28 Corridor; and
- County Indemnification Resolution.

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

AM:am

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

ACTIONS FROM EXECUTIVE SESSION

74. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 9)

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 Kauffman 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."

75. **AUTHORIZATION FOR THE COUNTY ATTORNEY TO COMMENCE LEGAL PROCEEDINGS TO COLLECT DELINQUENT REAL ESTATE TAXES** (Tape 9)

Supervisor Connolly moved that the Board authorize the County Attorney to commence legal proceedings to collect any delinquent real estate taxes referred to the Office of the County Attorney for collection as deemed appropriate by the County Attorney. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

76. **AUTHORIZATION FOR AN APPEAL OF FCS BUILDING ASSOCIATION VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW NUMBER 128900** (Tape 9)

Supervisor Mendelsohn moved that the Board authorize the appeal of FCS Building Association versus Board of Supervisors of Fairfax County, At Law Number 128900 according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Frey and carried by unanimous vote.

SBE:sbe

77. **3:30 P.M. - PH ON REZONING APPLICATION RZ 96-D-004 (PINE HILL PARTNERS, L.C.) (DRANESVILLE DISTRICT)** (Tape 10)

(O) Ms. Meaghan S. Kiefer reaffirmed the validity of the affidavit for the record.

Ms. Kiefer 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.

Chairman Hanley disclosed that Mr. James Webster Dyke, Jr. served on the Hanley for

Chairman Finance Committee.

Supervisor Connolly disclosed that Mr. James Webster Dyke, Jr. served on the Connolly for Supervisor Finance Committee.

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

Supervisor Mendelsohn moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-D-004 be amended from the R-1 to the R-4 District subject to the execution of the proffers dated April 18, 1996. This motion was seconded jointly by Supervisor Hyland and Supervisor McConnell and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

78. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-L-018 (GUM SPRINGS COMMUNITY DEVELOPMENT CORPORATION) (LEE DISTRICT)**
(Tape 10)

Mr. Ronald N. Kirkpatrick reaffirmed the validity of the affidavit for the record.

Mr. Kirkpatrick 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, Donna McNeally, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Application SE 96-L-018 subject to the development conditions dated June 26, 1996; and
- Reaffirmation of the waivers and modifications of transitional screening, barrier, interior parking lot landscaping, peripheral parking lot landscaping, open space and stormwater management approved pursuant to Waiver Number 1154 with the proviso that these waivers and modifications should be reexamined if and when future site improvements are proposed at the Mount Vernon Shopping Center.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey, Supervisor Gross, and Supervisor Mendelsohn being out of the room.

79. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-V-072 (STEVE**

VALENTINE) (MOUNT VERNON DISTRICT) (Tape 10)

Mr. Steve Valentine reaffirmed the validity of the affidavit for the record.

Mr. Valentine 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 Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved approval of Special Exception Application SE 95-V-072 subject to the development conditions contained in Appendix One of the Staff Report, dated July 11, 1996, with the addition of the following new condition:

- Condition Number 14: "Stormwater drainage shall be directed to ditches through the use of pipes, swales or other devices as determined by the Department of Environmental Management (DEM). Any fill area on the site shall be so graded or have drains installed such that normal rainfall will not flow over the filled area onto adjacent properties."

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

80. **3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 95-P-014 (MAYFAIR PARTNERS, L.P.) (PROVIDENCE DISTRICT)** (Tape 10)

Mr. Bernard M. Fagelson reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Bernard M. Fagelson.

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

- In excess of \$200 from Mr. Bernard M. Fagelson.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Bernard M. Fagelson.

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

Supervisor Connolly moved:

- Approval of Special Exception Amendment Application SEA 95-P-014 subject to the development conditions dated July 3, 1996; and
- Approval of a waiver of paragraph 5A of Section 9-505 of the Zoning Ordinance which requires that such use be an integral design element of a site plan for an industrial building.

This motion was seconded jointly by Supervisor Bulova and Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

81. **3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-II-V1 FOR THE AREA SOUTH OF LEE HIGHWAY, SURROUNDING THE MERRIFIELD FIRE STATION IN THE LEE COMMUNITY PLANNING SECTOR (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing on Proposed Out-of-Turn Amendment S96-II-V1 for the area south of Lee Highway, surrounding the Merrifield Fire Station in the Lee Community Planning Sector until **August 5, 1996 at 5:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

82. **3:30 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-III-2P NORTHEAST OF THE INTERSECTION OF OX ROAD AND ZION DRIVE (BRADDOCK DISTRICT)** (Tape 10)

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 July 5 and July 12, 1996.

Following the public hearing, which included testimony by four speakers, Supervisor Bulova moved approval of the Out-of-Turn Amendment S96-III-2P as contained on page three of the staff report dated July 3, 1996 . This motion was seconded by Supervisor Gross and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

ADDITIONAL BOARD MATTER

83. **RESCHEDULING OF THE OCTOBER 7, 1996 BOARD MEETING** (Tape 10)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#28.)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved to reschedule the October 7, 1996 Board Meeting to **October 14, 1996**. This motion was seconded by Vice-Chairman Hyland and carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

84. **A-4 - AUTHORIZATION TO AWARD \$50,000 FROM THE PREDEVELOPMENT FUND TO OLDE SALEM VILLAGE HOUSING CORPORATION, A 501(C)(3) AFFILIATE OF ARLINGTON HOUSING CORPORATION FOR THE PURPOSES OF CONDUCTING PRELIMINARY STUDIES RELATED TO THE ACQUISITION AND REHABILITATION OF OLDE SALEM VILLAGE (MASON DISTRICT)** (Tape 10)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#18.)

Following discussion, with input from staff and Luann Frederick, Representative, Arlington Housing Corporation, Supervisor Gross moved that the Board concur in the recommendation of staff and authorize the award of \$50,000 from the Predevelopment Fund, Subfund 182, Housing Trust Fund, to Olde Salem Village Housing Corporation for the purposes of conducting preliminary studies related to the acquisition and rehabilitation of Olde Salem Village. This motion was seconded by Supervisor Kauffman and **CARRIED** by a recorded vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

85. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-M-009 (MARY E. OLIVER; THE WOODROW W. OLIVER MARITAL TRUST; ANNE, INCORPORATED; AND CLAUDE, INCORPORATED) (MASON DISTRICT)** (Tapes 10-11)

Mr. John L. McBride reaffirmed the validity of the affidavit for the record.

Mr. McBride 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, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 96-M-009 subject to the development conditions dated May 29, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

86. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 [LOCAL AGRICULTURAL AND FORESTAL DISTRICT (A&F)] AGRICULTURAL AND FORESTAL APPLICATION AR 87-V-001 (GARY D. AND CHARLOTTE J. KNIPLING) (MOUNT VERNON DISTRICT)** (Tape 11)

Supervisor Hyland moved to defer the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 115 [Local Agricultural and Forestal (A&F) Districts Ordinance], Appendix F, to renew the Schreiner A&F District until **August 5, 1996 at 5:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

87. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-089-2 (JERRY'S FORD, INCORPORATED) (MASON DISTRICT)** (Tape 11)

Mr. E. Andrew Keeney reaffirmed the validity of the affidavit for the record.

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

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 84-M-089-2 subject to the revised development conditions dated June 13, 1996;
- Modification of the interior parking lot landscaping requirement; and
- Modification of the transitional screening and barrier requirements along the northern parameter of the site, subject to the proposed development conditions.

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

Supervisor Gross moved that the Board direct staff to process the resultant Site Plan and building permit reviews concurrently. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

CM:cm

88. **4:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-IV-LP1 FOR SUB-UNIT G6 OF THE LORTON-SOUTH ROUTE ONE COMMUNITY PLANNING SECTOR (MOUNT VERNON DISTRICT)** (Tape 12)

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 July 5 and July 12, 1996.

Following the public hearing, which included testimony by five speakers, Supervisor Hyland moved approval of Out-of-Turn Plan Amendment S96-IV-LP1 as shown on pages four and five of the staff report. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

89. **4:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-IV-S1 FOR THE HUNTER TRACT NORTH OF FRANCONIA-SPRINGFIELD PARKWAY AND HOOES ROAD BETWEEN RIDGEWAY DRIVE AND ACCOTINK CREEK IN THE SPRINGVALE COMMUNITY PLANNING SECTOR (LEE DISTRICT)** (Tape 12)

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 July 5 and July 12, 1996.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S96-IV-S1 as shown on pages five through six of the staff report dated July 3, 1996. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Frey, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

90. **4:00 P.M. - PH TO CONSIDER ADOPTION OF THE PROPOSED UNCODIFIED ORDINANCE REGARDING BASIC SERVICE RATES AND EQUIPMENT AND INSTALLATION CHARGES FOR MEDIA GENERAL CABLE OF FAIRFAX COUNTY, INCORPORATED (COUNTYWIDE)** (Tapes 12-13)
- (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 June 28 and July 5, 1996.

Following a presentation by Ronald B. Mallard, Director, Department of Consumer Affairs, with input from Michael H. Long, Assistant County Attorney, a question and answer period ensued among Board Members and staff.

Following the public hearing, which included testimony by four speakers, Supervisor Dix moved that the Board concur in the findings and recommendations of staff and adopt the proposed uncodified Ordinance containing basic service rates and equipment and installation charges for Media General Cable of Fairfax, Incorporated (MGC) based on cost justifications submitted by MGC pursuant to Federal Communications Commission (FCC) rate regulations, **to become effective on August 1, 1996.** 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 Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

Following further discussion, Supervisor Gross moved that the Board direct staff to:

- Address in the Ordinance amendment being prepared for the Board the recent revisions to the FCC's cable rate rules, language to discontinue bringing before the Board this type of formula driven, administrative rate adjustment;
- Add language that will ensure an orderly in-house procedure for reviewing rate schedules; and
- Add a procedure to the Ordinance for notifying Board Members of schedule changes.

This motion was seconded by Supervisor Connolly.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to also direct staff to develop a routine method of notifying Board Members of the kinds of issues raised by Mr John Hillman, Speaker One, regarding complaints and disconnects that result from schedule changes, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Bulova asked unanimous consent that the Board direct staff to forward

information to Mr. Hillman regarding the mission of the Subcommittee that was established to address issues of cable competition. Without objection, it was so ordered.

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

91. **4:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-IV-MV1 FOR LAND UNIT NUMBER TWO OF SUBURBAN NEIGHBORHOOD AREAS BETWEEN BEACON/GROVETON AND HYBLA VALLEY/GUM SPRINGS COMMUNITY BUSINESS CENTERS IN THE ROUTE ONE CORRIDOR (LEE DISTRICT)** (Tapes 13-14)

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 July 5 and July 12, 1996.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S96-IV-MV1 as shown on pages five through six of the staff report dated June 12, 1996. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Frey being out of the room.

92. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-P-038 AND SPECIAL EXCEPTION APPLICATION SE 96-P-004 (ATLANTIC HOMESTEAD VILLAGE, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 14)

Supervisor Connolly moved to defer the public hearings on Proffered Condition Amendment Application PCA 87-C-038 and Special Exception Application SE 96-P-004 be deferred until **August 5, 1996 at 5:30 p.m.** This motion was seconded by Supervisor Bulova.

Supervisor Gross disclosed that she served on the INOVA Health Care Services Board but is not listed on the affidavit.

Supervisor Bulova disclosed that she served on the INOVA Health Care Services Board.

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

93. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-C-060-6 (BATMAN COMPANY, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 14)

Following a brief discussion regarding the affidavit, with input from David P. Bobzien, County Attorney; George A. Symanski, Jr., Assistant County Attorney; and Bette L. Zirkle, Legal Assistant; Supervisor Dix moved to defer the public hearing on Proffered Condition Amendment Application PCA 87-C-060-6 until **August 5, 1996 at 5:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Hyland being out of the room.

94. **4:30 P.M. - BOARD DECISION ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-III-UP1 FOR LAND UNIT F OF THE RESTON-HERNDON SUBURBAN CENTER, INCLUDING THE SHERATON RESTON HOTEL SITE (HUNTER MILL DISTRICT) AND PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING USES ALLOWED IN THE CONVENTION/CONFERENCE CENTER DESIGNATION OF THE PRC DISTRICT** (Tape 14)

- (O) (NOTE: On June 17, 1996, the Board deferred the public hearing on this item until July 8, 1996. On July 8, 1996, the Board held a public hearing on this item and deferred its decision until July 22, 1996)

Following a brief presentation by Jane W. Gwinn, Zoning Administrator/Division Director, Zoning Administration Division, Office of Comprehensive Planning (OCP), Supervisor Dix moved approval of Out-of-Turn Plan Amendment S96-III-UP1, as amended by the Planning Commission, with the following modifications:

- To amend Item Seven under the land use and design elements so that the last clause reads: “ ... and that buildings on the south have a maximum height of no greater than 70 feet above Sunrise Valley Drive as measured from the finished grade at the existing entrance to the Sheraton Reston Hotel. This modification clarifies that buildings along Sunrise Valley Drive can be no higher than 70 feet above the fixed point along the road and specifies that fixed point at approximately mid-way between the lowest and highest points of the site frontage on Sunrise Valley Drive as the point from which the 70 feet height is to be measured.”
- To amend Item One under the transportation elements so that the first bullet reads: “An additional west bound lane on Sunrise Valley Drive between Colts Neck Drive and Reston Parkway through the provision of a new dedicated right turn lane and the conversion of the existing right turn

lane to a through lane with construction of the new
right

turn lane to commence on issuance of a building permit for any development other than renovation of or an expansion of up to 25,000 square feet of the existing hotel. This change allows for renovation to the existing hotel prior to the execution of the mixed use development.”

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

Supervisor Dix moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise the uses allowed in a Convention/Conference Center designation of the PRC District as recommended by the Planning Commission **to become effective on July 23, 1996 at 12:01 a.m.** This motion was seconded by Supervisor Frey 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.”

ADDITIONAL BOARD MATTER

95. **ANNUAL FIRE AND RESCUE RETIREMENT ASSOCIATION GOLF TOURNAMENT** (Tape 14)

Chairman Hanley announced that the Annual Fire and Rescue Retirement Association Golf Tournament will be held on July 29, 1996 at the Chantilly Country Club in Centreville and stated that she will coordinate the collection efforts from Board Members for this event.

96. **BOARD ADJOURNMENT** (Tape 14)

At 8:15 p.m., the Board adjourned.