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The meeting was called to order at 9:35 a.m. with all Members being present, with the exception of Supervisor Bulova, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor Frey arrived at 9:40 a.m.

Supervisor McConnell arrived at 9:45 a.m.

Supervisor Bulova arrived at 10:30 a.m.

Supervisor Kauffman was absent from the entire meeting.

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.

BOARD MATTERS

2. **SUPERVISOR KAUFFMAN'S SON, ETHAN GABRIEL KAUFFMAN, BORN ON AUGUST 2, 1996** (Tape 1)

Chairman Hanley announced that on August 2, 1996 a son, Ethan Gabriel Kauffman, was born to Supervisor and Mrs. Dana Kauffman. He weighed 6 pounds, 15 ounces, and has blue eyes and reddish blonde hair.

On behalf of the Board, Chairman Hanley congratulated Supervisor and Mrs. Kauffman and wished them and baby Ethan Gabriel the best.

3. **LAST MEETING UNTIL SEPTEMBER** (Tape 1)

Chairman Hanley announced that this was the last Board Meeting until September 9, 1996.

Chairman Hanley also expressed her concern for Supervisor Mendelsohn's wife who was not feeling well and hoped that she was feeling better soon. Chairman Hanley stated that because of this illness, Supervisor Mendelsohn may leave the Board Meeting early.

4. **VIENNA AMERICAN NINE AND 10 YEAR OLDS LITTLE LEAGUE ALL STARS** (Tape 1)

Supervisor Dix stated that the Vienna American Nine and 10 year olds All Stars are State Champions for 1996 and that his son was a member of the team.

5. **CELEBRATION OF WEDDING ANNIVERSARIES AND A BIRTHDAY OVER THE BOARD'S AUGUST RECESS** (Tape 1)

Chairman Hanley stated that Supervisor Connolly would be celebrating a Wedding Anniversary and Supervisor Hyland would be celebrating a Birthday while the Board was on recess and she wished them both the best.

Supervisor Connolly noted that Chairman Hanley was also celebrating a Wedding Anniversary while the Board is recessed and wished her the best.

6. **RECOGNITION OF KATRINA DELVAUX, OF GIRL SCOUT TROOP 1050, WHO WILL BE ASSISTING SUPERVISOR GROSS** (Tape 1)

Supervisor Gross recognized the presence of Katrina Delvaux, of Girl Scout Troop 1050, who will be assisting her this month at the Mason District Governmental Center and warmly welcomed her to the Board Auditorium.

(NOTE: Later in the meeting, Supervisor Bulova also introduced a Girl Scout who will be interning in her office. See Clerk's Summary Item CL#20.)

AGENDA ITEMS

7. **PRESENTATION OF BOOK "VOICES OF CHANTILLY" BY MS. MARGARET PECK AND MR. PORTER HUTCHISON** (Tape 1)

Ms. Margaret Peck and Mr. Porter Hutchison presented to each Board Member a copy of the book "Voices of Chantilly" which they and 22 others wrote of their recollections of earlier times in Chantilly.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. J. SIDNEY HOLLAND** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to Mr. J. Sidney Holland for 20 years of service as a representative of the Mason District on the Fairfax County Human Rights Commission. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova not yet having arrived, Supervisor Kauffman being absent.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. CAROL LINDSAY** (Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Ms. Carol Lindsay for winning the award for Best Paper at the seventh annual Group Systems Users Group Conference. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Bulova not yet having arrived, Supervisor Kauffman being absent.

10. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. WILLIAM CASTRO** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. William Castro for his years of service as a representative on the Fairfax County Tenant Landlord Commission. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova not yet having arrived, Supervisor Kauffman being absent.

11. **PROCLAMATION DESIGNATING THE MONTH OF SEPTEMBER 1996 AS "BONE MARROW AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Frey moved approval of the Proclamation presented to Ms. Kristine Metter designating the month of September 1996 as "**Bone Marrow Awareness Month**" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova not yet having arrived, Supervisor Kauffman being absent.

12. **CERTIFICATE OF RECOGNITION PRESENTED TO THE JAMES LEE SPORTS CLUB** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to Ms. Becky Stotts, President of the James Lee Sports Club, for celebrating their fifth anniversary. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Frey and Supervisor Mendelsohn being out of the room, Supervisor Bulova not yet having arrived, Supervisor Kauffman being absent.

13. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. HETTIE HERVEY**
(Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Ms. Hettie Hervey for her years of service on the Environmental Quality Advisory Council (EQAC), and as a long time active citizen in Fairfax County. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Mendelsohn being out of the room, Supervisor Bulova not yet having arrived, Supervisor Kauffman being absent.

14. **CERTIFICATE OF RECOGNITION PRESENTED TO THE FAIRFAX COUNTY OFFICE OF FINANCE AND SUSAN S. PLANCHON, DIRECTOR** (Tape 1)

Chairman Hanley stated that she had received a Certificate of Achievement for Excellence in financial reporting presented to the County of Fairfax, Virginia for its Comprehensive Annual Financial Report for the fiscal year ending June 30, 1995.

Chairman Hanley also stated that Susan S. Planchon could not be present in the Board Auditorium this morning but she wanted to recognize her and all the efforts she has put in for Fairfax County to be so recognized.

15. **CERTIFICATE OF RECOGNITION PRESENTED TO FAIRFAX COUNTY RESIDENTS WHO PARTICIPATED IN THE 1996 SUMMER OLYMPIC GAMES** (Tape 1)

Supervisor Mendelsohn stated that because of the lateness of the closing ceremonies at the 1996 Summer Olympic Games and team requirements, the County residents who participated in the Olympic Games had not yet arrived home.

Supervisor Mendelsohn stated that there were eight Fairfax County athletes in the Olympics, five of whom won medals, four of which were gold, and he congratulated the athletes from the County.

Chairman Hanley stated that the athletes would be invited to appear before the Board in the Fall so they can be recognized.

16. **CERTIFICATE OF RECOGNITION PRESENTED TO LORRAINE LAVET**
(Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Ms. Lorraine Lavat for her service as President of the Fairfax County Chamber of Commerce to assume the post of Executive Vice President and Chief Operating Officer of the American Electronics Association (AEA). This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova not yet having arrived, Supervisor Kauffman being absent.

17. **PROCLAMATION DESIGNATING AUGUST 5, 1996 AS "ROBERTA HOLLAND DAY IN FAIRFAX COUNTY** (Tapes 1-2)

(Verbatim)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating August 5, 1996 as "**Roberta Holland Day**" in Fairfax County. Ms. Holland, a reporter with the *Fairfax Journal*, is leaving the area to accept a position as a journalist at the Quincy, Massachusetts *Patriot Ledger*. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Kauffman being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide a verbatim transcript of this item to be forwarded to Ms. Holland. Without objection, it was so ordered.

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18. **10:00 A.M. - PRESENTATION BY THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) OF ITS ANNUAL REPORT ON THE ENVIRONMENT** (Tape 3)

Mary Wolfe, Vice-Chairman, Environmental Quality Advisory Council (EQAC) presented the 1996 Annual Report on the Environment.

Following the presentation and Board discussion, Supervisor Dix moved that the Board refer the recommendations contained in the report, which would require enabling legislation, to the Legislative Subcommittee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Kauffman being absent.

Supervisor Hyland moved that the Board:

- Refer EQAC's Annual Report on the Environment and its recommendations to staff; and
- Direct staff to review the report and submit comments to the Environmental Subcommittee, with particular emphasis on the issues surrounding stormwater management.

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

19. **10:15 A.M. - PRESENTATION BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) ON SNOW REMOVAL** (Tape 3)

Thomas Farley, Northern Virginia District Administrator, Virginia Department of Transportation (VDOT), presented a report on snow removal.

A question and answer period ensued among Board Members and Mr. Farley.

ADDITIONAL BOARD MATTER

20. **INTRODUCTION OF GIRL SCOUT FRANCES COFFEY** (Tape 4)

Supervisor Bulova introduced Frances Coffey, a Girl Scout intern from her office. Chairman Hanley warmly welcomed her to the Board Auditorium.

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

Supervisor Hyland moved approval of the Administrative Items with the exception of:

- Admin 4 - Proposed Memorandum of Understanding (MOU) Between the Board of Supervisors of Fairfax County and the Fairfax County Library Board;
- Admin 7 - Supplemental Appropriation Resolution (SAR) AS 97020 for the Program Year (PY) 1996 Department of Family Services Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program;
- Admin 11 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 7.1 [Business, Professional and Occupational License (BPOL) Tax], Based on Changes Adopted by the 1996 General Assembly; and
- Admin 14 - Supplemental Appropriation Resolution (SAR) AS 97025 for the Office of Transportation Employer Outreach Program (Countywide).

This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Kauffman being absent.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE AND SPRINGFIELD DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated August 5, 1996 be recommended into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Woodlea Mill, Dranesville Section 2		Orlo Drive, Route 3634 Brookewood Court
R. M. Baer	Dranesville	Reynolds Street, Route 2742
Clayton's Grove	Springfield	Claychin Court Wooden Spoke Road, Route 6886 Lee Chapel Road, Route 643, Additional right-of-way only

ADMIN 2 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF MARSHALL STREET AND JEFFERSON AVENUE, AND MARSHALL STREET AND CHESTNUT AVENUE (PROVIDENCE DISTRICT)

Approved the endorsement of the installation of multi-way stops at the following intersections:

- Marshall Street (Route 1717) and Jefferson Avenue (Route 1723);
- Marshall Street (Route 1717) and Chestnut Avenue (Route 1725);
and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 3 - EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITIES (456) APPLICATIONS

Approved extension of the review period for the 14 specific Public Facilities (456) applications listed in the Memorandum to the Board dated August 5, 1996, to a date of January 31, 1997, to ensure adequate flexibility in fulfilling all review requirements of the applications and avoid the need for requesting incremental extensions at a later date.

ADMIN 4 - PROPOSED MEMORANDUM OF UNDERSTANDING (MOU)

BETWEEN THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY AND THE FAIRFAX COUNTY LIBRARY BOARD

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Items CL#21 and CL#133.)

ADMIN 5 - FAIRFAX COUNTY DEPARTMENT OF COMMUNITY AND RECREATION SERVICES' GRANT CONTINUATION APPLICATION TO THE VIRGINIA INSTITUTE FOR DEVELOPMENTAL DISABILITIES, RESPITE RESOURCE PROJECT GRANT

Approved the Department of Community and Recreation Services' grant continuation application in the amount of \$15,010 to the Virginia Institute for Developmental Disabilities, Respite Resource Project Grant for the period of September 30, 1996 to September 29, 1997.

ADMIN 6 - FAIRFAX COUNTY DEPARTMENT OF COMMUNITY AND RECREATION SERVICES' GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, SECRETARY OF PUBLIC SAFETY, COMMUNITY YOUTH VIOLENCE AND SUBSTANCE ABUSE PREVENTION GRANT

Approved the Department of Community and Recreation Services' grant application in the amount of \$10,000 to the Office of the Governor, Secretary of Public Safety, for a Community Youth Violence and Substance Abuse Prevention Grant to begin upon notification of award by September 30, 1996 and end June 30, 1997.

ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97020 FOR THE PROGRAM YEAR (PY) 1996 DEPARTMENT OF FAMILY SERVICES ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE (EDWAA) PROGRAM

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#22.)

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97021 FOR THE PROGRAM YEAR (PY) 1996 DEPARTMENT OF FAMILY SERVICES JOB TRAINING PARTNERSHIP ACT (JTPA) ADULT AND YOUTH PROGRAMS

(SAR) Approved the Supplemental Appropriation Resolution (SAR) AS 97021 for the Program Year (PY) 1996 Department of Family Services Job Training Partnership Act (JTPA) Programs totaling \$481,555 for the period July 1, 1996 through June 30, 1997.

ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97022 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT VIRGINIA SEXUAL ASSAULT CRISIS CENTER SERVICES GRANT

(SAR) Approved the Supplemental Appropriation Resolution (SAR) AS 97022 for the Fairfax-Falls Church Community Services Board (CSB) to accept \$39,970 in continuation grant funding from the Virginia Department of Health for sexual assault counseling services with the Fairfax Victim Assistance Network (VAN) through June 30, 1997.

ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97024 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT \$46,667 IN NEIGHBORHOOD PREVENTION INITIATIVE FUNDS FROM THE WASHINGTON/BALTIMORE HIGH INTENSITY DRUG TRAFFICKING AREA

(SAR) Approved the Supplemental Appropriation Resolution (SAR) AS 97024 for the Alcohol and Drug Services (ADS) of the Fairfax-Falls Church Community Services Board (CSB) to accept \$46,667 from Washington-Baltimore High Intensity Drug Trafficking Area as part of their Neighborhood Prevention Initiative to establish and hire a merit grant status Substance Abuse Counselor II position to provide intensive prevention services in Centreville.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 7.1 [BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL) TAX], BASED ON CHANGES ADOPTED BY THE 1996 GENERAL ASSEMBLY

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#23.)

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS) RELATING TO HUNTING AND TO THE REGISTRATION OF PROPERTY FOR THE DISCHARGE OF FIREARMS (COUNTYWIDE)

(A) Authorized the advertisement of a public hearing **to be held on September 9, 1996 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 6 (Weapons), Sections 6-1-1 and 6-1-3, relating to registration statements for the discharge of firearms and to provide that the issuance of such permits shall be under the direct purview of the Director of Animal Control. The proposed amendments are intended to replace the Emergency Ordinance, adopted by the Board on July 22, 1996, with permanent amendments.

ADMIN 13 - FISCAL YEAR (FY) 1996 APPROPRIATION ADJUSTMENT

(SAR) Authorized staff to:

- Process payment vouchers for items previously approved and appropriated in Fiscal Year (FY) 1996 for the interim period from July 1, 1996 until the Board approves the FY 1996 Carryover Review which is scheduled for action on September 9, 1996; and
- Process Supplemental Appropriation Resolution (SAR) AS 96073 for two Other Funds requiring additional appropriations for FY 1996.

This action does not adjust the FY 1996 approved expenditure level for all funds but merely reallocates unspent funds from agencies and other funds which realized a positive balance to agencies and other funds requiring an additional appropriation.

ADMIN 14 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97025 FOR THE OFFICE OF TRANSPORTATION EMPLOYER OUTREACH PROGRAM (COUNTYWIDE)

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#24.)

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1997 REVISED BUDGET PLAN

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#25.)

21. **ADMIN 4 - PROPOSED MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY AND THE FAIRFAX COUNTY LIBRARY BOARD** (Tape 4)

Following discussion, with input from Verdiana L. Haywood, Deputy County Executive for Human Services; Peter D. Andreoli, Jr., Senior Assistant County Attorney; and Hal Sheikh, Risk Manager, Risk Management Division, Office of Finance; Supervisor Hyland moved that the Board defer action on the proposed Memorandum of Understanding (MOU) between the Board of Supervisors and the Library Board until later in the meeting. This motion was seconded by Supervisor Frey.

Supervisor Dix asked to amend the motion to direct staff to provide the costs involved should the Board proceed with this MOU, and this was accepted.

Supervisor Mendelsohn asked to amend the motion to direct staff to examine the appointing authority of the Library Board to determine:

- Is the Library Board unique in having this authority; and
- Do other Boards and Commissions have this appointing authority?

This was accepted.

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

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#133.)

22. **ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97020 FOR THE PROGRAM YEAR (PY) 1996 DEPARTMENT OF FAMILY SERVICES ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE (EDWAA) PROGRAM** (Tape 4)

(SAR) Supervisor Dix disclosed that he does some consulting for a firm that is involved in the business of out sourcing, although that is not the area where his particular expertise exists.

Following discussion, with input William J. Leidinger, County Executive, Supervisor Dix asked unanimous consent that the Board direct staff to provide information regarding:

- Inclusion of private sector participation in the process of the out placement and counseling activity; and
- Whether County employees who may be impacted by the present Reduction in Force (RIF) process are permitted to take advantage of this program.

Without objection, it was so ordered.

Supervisor Connolly moved approval of Supplemental Appropriation Resolution (SAR) AS 97020 for the Program Year (PY) 1996 for the Department of Family Services Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program totaling \$1,173,648 for the period July 1, 1996 through June 30, 1997. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Kauffman being absent.

23. ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 7.1 [BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL) TAX], BASED ON CHANGES ADOPTED BY THE 1996 GENERAL ASSEMBLY (Tape 4)

(A) Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board authorize the advertisement of a public hearing **to be held on September 9, 1996 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 7.1 [Business, Professional and Occupational License (BPOL) Tax], to adopt changes as required under Chapter 720 of the 1996 Acts of the General Assembly, with the following amendment:

- The fee for all businesses from \$50,000 to \$99,999 will be **\$50** instead of \$100.

This motion was seconded by Supervisor Dix.

Following discussion, with input from Kevin C. Greenlief, Director, Department of Tax Administration, the question was called on the motion, as amended, which carried by a vote of nine, Supervisor Kauffman being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

24. ADMIN 14 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97025 FOR THE OFFICE OF TRANSPORTATION EMPLOYER OUTREACH PROGRAM (COUNTYWIDE) (Tape 4)

(SAR) Following discussion, with input from William J. Leidinger, County Executive; Shiva K. Pant, Director, Office of Transportation (OT); and Andrew J. Szakos, Chief, Transit Operations Division, OT; Supervisor Dix asked unanimous consent that the Board direct staff to provide detailed information on:

- The roll of Fairfax County in the grant for the Employer Outreach Program in the parts that are not covered by the Transportation Management Association (TMA); and
- The specific implementation of the six parts of the contract with the TMAs.

Without objection, it was so

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Supervisor Hyland moved approval of Supplemental Appropriation Resolution (SAR) AS 97025 in the amount of \$126,469 for the Office of Transportation Employer Outreach Program and authorized the use of existing grant monies currently appropriated in Subfund 107, Federal/State Grant Fund, in the amount of \$80,000 for the Employer Outreach Program. This motion was seconded by Supervisor McConnell.

Following further discussion and input from Mr. Leidinger, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Dix and Supervisor Frey voting "NAY," Supervisor Kauffman being absent.

25. **ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1997 REVISED BUDGET PLAN; C-1 - CONTINUATION OF THE NEW GENERATIONS PROGRAM OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB); AND C-2 - EXTENSIONS OF FAIRFAX CONNECTOR ROUTES 303 AND 105 TO SERVE GUNSTON SQUARE AND IMP BUILDING (LEE AND MOUNT VERNON DISTRICTS)**
(Tapes 4-5)

- (A) Supervisor Hyland moved that the Board reconsider Admin 15 - Authorization to Advertise a Public Hearing to Amend the Appropriation Level in the Fiscal Year (FY) 1997 Revised Budget Plan. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Kauffman being absent.

Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board on **September 9, 1996 at 10:00 a.m.** to increase the appropriation level in the Fiscal Year (FY) 1996 Revised Budget Plan to encompass both the County and the Schools' FY 1996 Carryover Reviews. This motion was seconded by Supervisor Hyland.

Supervisor Frey moved to amend the motion to include \$235,000 for the Clifton Farms Developer Default as a Consideration Item at Budget Carryover. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Edward L. Long, Jr., Director, Office of Management and Budget (OMB), the question was called on the motion which carried by a vote of nine, Supervisor Kauffman being absent.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide information, before the end of day, on the specific school hours for clinic aides at the County's special needs schools. Without objection, it was so ordered.

Supervisor Hyland moved to amend the motion to include C-2 - Extensions of Fairfax Connector Routes 303 and 105 to Serve Gunston Square and the IMP Building (Lee and Mount Vernon Districts) as a Consideration Item at Budget Carryover. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Kauffman being absent.

Supervisor Hyland moved to amend the motion to include \$10,000 as a match to the State's \$35,000 for a Park Authority position as a Consideration Item at Budget Carryover. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Kauffman being absent.

Supervisor Hyland moved to amend the motion to include \$114,000 for the reopening of two (north and south) tax offices as a Consideration Item at Budget Carryover. This motion was seconded by Supervisor Mendelsohn.

Following discussion, the question was called on the motion which **FAILED** by a recorded vote of six, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn voting "AYE," Supervisor Kauffman being absent.

Supervisor Connolly moved to amend the motion to include \$159,264, as outlined in C-1 - Continuation of the New Generations Program of the Fairfax-Falls Church Community Services Board, as a Consideration Item at Budget Carryover. This motion was seconded by Supervisor Dix.

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(Tape 5)

Following discussion, with input from James A. Thur, Executive Director, Fairfax-Falls Church Community Services Board (CSB) and Richard L. Kunkel, Director, Alcohol and Drug Services, CSB, the question was called on the amendment which carried by a vote of nine, Supervisor Kauffman being absent.

The question was then called on the main motion to advertise, as amended, which carried by a vote of nine, Supervisor Kauffman being absent.

Following further discussion, Supervisor Bulova moved that the Board direct staff to organize a delegation to meet with members of Congress regarding concerns about accelerated loss of federal funding to women substance abusers and their children. This delegation would include one or more CSB Board Members, a parent advocate, a client, staff members and one or more representatives from the Board of Supervisors. This motion was seconded by Supervisor Hyland.

Following further discussion, Supervisor Dix moved to amend the motion to direct staff to draft a letter, signed by the Chairman of the Board of Supervisors, expressing the Board's concerns on issues directly related to the Center for Substance Abuse Prevention (CSAP) grant as well as other federal grant programs that are being left for local governments to assume. This motion was seconded by Supervisor Mendelsohn.

Following further discussion, the question was called on the amendment, which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Kauffman being absent.

The question was then called on the main motion, as amended, which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Kauffman being absent.

Supervisor Dix asked unanimous consent that the Board direct staff to request the School system to provide the Board with information regarding what transpired at its FY 1996 Carryover Review. Without objection, it was so ordered.

26. **A-1 REALLOCATION OF FUNDS FOR THE TRANSPORTATION ADVISORY COMMISSION (TAC) RECOMMENDED COUNTYWIDE TRANSPORTATION SPOT IMPROVEMENT PROGRAM (COUNTYWIDE)** (Tape 5)

- (R) On motion of Supervisor McConnell, seconded by Supervisor Mendelsohn, and carried by a vote of eight, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly being out of the room, Supervisor Kauffman being absent, the Board concurred in the recommendation of staff and adopted the Resolution approving the reallocation of previously designated Road Bond funds in the amount of \$2,180,000 to the updated Transportation Advisory Commission 's (TAC) recommended list of spot improvements.

Supervisor Dix stated that there would be continuing discussions regarding methods to address the safety issues related to Project Two on page 62 of the Memorandum to the Board dated August 5, 1996, Creek Crossing Road at Ridge Lane.

27. **A-2 - APPROVAL TO DONATE A COUNTY-OWNED VAN TO FOOD FOR OTHERS, INCORPORATED** (Tape 5)

Following a lengthy discussion, with input from William J. Leidinger, County Executive; Verdia C. Haywood, Deputy County Executive for Human Services; William O. Howland, Jr., Director, Office of Administration for Human Services; and Fred K. Kramer, Director, Department of General Services; Supervisor Connolly moved that the Board:

- Approve the donation of a 1995 Ford cargo van to Food for Others, Incorporated, as recommended by staff; and
- Add a reverter clause to the agreement.

This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

28. **A-3 - BOARD RESOLUTION OPPOSING PROPOSED REGULATIONS GOVERNING SMALL WASTE DISPOSAL UNITS (COUNTYWIDE)** (Tape 5)

- (R) On motion of Supervisor Hyland, seconded by Supervisor Bulova, and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Mendelsohn being out of the room, Supervisor Kauffman

being absent, the Board concurred in the recommendation of staff and adopted the Resolution in opposition to the Virginia Waste Management Board's proposed Regulation Nine VAC 20-101-70, Exemption of small waste disposal units for vegetative wastes from land clearing.

29. **A-4 - CHANGES TO THE FAIRFAX COUNTY PURCHASING RESOLUTION**
(Tape 5)

On motion of Supervisor Connolly, seconded by Supervisor Bulova, and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent, the Board concurred in the recommendation of staff and approved the changes to the Fairfax County Purchasing Resolution as outlined in the Memorandum to the Board dated August 5, 1996.

30. **A-5 - SELECTION OF PARK-AND-RIDE SITE AT INTERSTATE-66 AND STRINGFELLOW ROAD (SULLY DISTRICT)** (Tape 5)

On motion of Supervisor Frey, seconded by Supervisor Hyland, and carried by a vote of seven, Supervisor Dix and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent, the Board concurred in the recommendation of staff and selected a site for the Stringfellow Road Park-and-Ride Lot as outlined in the Memorandum to the Board dated August 5, 1996.

31. **C-1 - CONTINUATION OF THE NEW GENERATIONS PROGRAM OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB)** (No Tape)

(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#25.)

32. **C-2 - EXTENSIONS OF FAIRFAX CONNECTOR ROUTES 303 AND 105 TO SERVE GUNSTON SQUARE AND THE IMP BUILDING (LEE AND MOUNT VERNON DISTRICTS)** (No Tape)

(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#25.)

33. **C-3 - PURCHASE OF RIGHTS-OF-WAY AND EASEMENTS VACATED OR ABANDONED BY THE COUNTY (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 regarding consideration of a Policy to require, as a condition of vacation or abandonment of County streets, alleys, easements, and other public ways, abutting property owners to purchase the property interests which they acquire as a result of a vacation or abandonment.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation

(OT); Michael Daily, Transit Operations Division, OT; David P. Bobzien, County Attorney; and Karen Harwood, Assistant County Attorney; Supervisor Frey moved that the Board refer this issue to staff to develop appropriate criteria for the Board to consider when selling vacations or easements. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Kauffman being absent.

34. **C-4 - BOARD CONSIDERATION OF THE RECOMMENDATIONS FOR A COMMUNITY-BASED AGENCY FUNDING SUPPORT POLICY** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 regarding consideration of the Community-Based Funding Policy goals, seven Policy recommendations and Policy objectives; and the composition and work plan of an ad-hoc citizen's implementation review committee.

Following discussion, Supervisor Hyland moved that the Board proceed with the implementation plan. This motion was seconded by Supervisor Connolly.

Following discussion, with input from Verdia C. Haywood, Deputy County Executive for Human Services, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to include representatives on the committee from the following groups in addition to those listed on page 93:

- The Fairfax-Falls Church Community Services Board (CSB);
- The Child Care Advisory Council;
- The Disability Services Board;
- The Health Care Advisory Board; and
- The Commission on Aging.

This was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

35. **I-1 - FAIRFAX COUNTY CHANNEL 16 NAMED BEST GOVERNMENT CABLE TELEVISION STATION IN THE COUNTRY** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 announcing that Fairfax County's Government Channel 16 was recently honored by the Alliance for Community Media as the best government access cable television station in the country in 1996.

36. **I-2 - FINAL ALLOCATION OF FUNDS FOR THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SIX-YEAR INTERSTATE, PRIMARY, URBAN, AND TRANSIT IMPROVEMENT PROGRAM FOR FISCAL YEARS (FY) 1997 THROUGH 2002 (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 presenting an update of the action taken by the Commonwealth Transportation Board (CTB) regarding the County's recent testimony on the allocation of funds in the Interstate, Primary, Urban, and Transit Improvement Program.

37. **I-3 - POLICY GUIDANCE ON BUS SERVICE CHANGES IN THE AREA OF THE FRANCONIA-SPRINGFIELD METRORAIL STATION (BRADDOCK, LEE, MOUNT VERNON AND SPRINGFIELD DISTRICTS)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to perform the Franconia-Springfield bus planning utilizing the planning objectives and schedule as outlined in the Memorandum to the Board.

Following discussion, Supervisor Hyland stated that he was entering comments into the record for Supervisor Dana Kauffman, Lee District, indicating his strong support of the changes.

The staff was directed administratively to proceed as proposed.

38. **I-4 - SCHEDULING OF BOARD DECISION ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING GROUP EIGHT TEMPORARY SPECIAL PERMIT USE OF TEMPORARY MOBILE AND/OR LAND BASED TELECOMMUNICATION TESTING FACILITIES** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to proceed to schedule the Board decision and additional public hearings on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Group Eight Temporary Special Permit Use of Temporary Mobile and/or Land Based Telecommunication Testing Facilities as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

39. **I-5 - COUNTY HOLIDAY SCHEDULE -- CALENDAR YEAR 1997** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 presenting the proposed County holiday schedule for calendar year 1997.

Following discussion, Chairman Hanley announced that this item would be deferred until later in the meeting.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#134.)

40. **I-6 - AWARD OF CONTRACTS DURING BOARD OF SUPERVISORS' RECESS**
(Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for the County Executive or the appropriate Deputy County Executive to continue to approve street acceptance items and award contracts while the Board is in recess.

The staff was directed administratively to proceed as proposed.

41. **I-7 - CONTRACT AWARD - CONSTRUCTION OF AN ADMINISTRATIVE FACILITY AND RELATED IMPROVEMENTS AT LAKE ACCOTINK PARK (BRADDOCK DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to:

- Award a contract to Kendall/Virginia, Incorporated, in the amount of \$510,663 for construction of an administrative facility and related improvements at Lake Accotink Park as a part of Project 475288, Maintenance Facilities, in Subfund 451, Park Authority Bond Construction; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

42. **I-8 - CONTRACT AWARD - CONSTRUCTION OF WALNEY POND/BIG ROCKY RUN STREAM VALLEY TRAIL INTERPRETIVE SIGNAGE AT ELLANOR C. LAWRENCE PARK (SULLY DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to:

- Award a contract to Golden Construction, Incorporated, in the amount of \$42,264 for construction of Walney Pond/Big Rocky Run Stream Valley Trail interpretive signage at Ellanor C. Lawrence Park as Project 004698, Ellanor C. Lawrence Park in Subfund 950, Park Authority Capital Improvement Trust Fund; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

43. **I-9 - ENGINEERING CONTRACT AWARD TO CAMP, DRESSER AND MCKEE FOR ENGINEERING SERVICES REQUIRED TO DEVELOP A STORMWATER UTILITY USER FEE PROGRAM FOR FAIRFAX COUNTY (COUNTYWIDE)** (Tapes 5-6)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to award a contract to Camp, Dresser and McKee in the amount of \$293,804 for Phase I of a Stormwater Utility Program for Fairfax County in Subfund 468, Project Z00017, Stormwater Utility Program.

Following discussion, with input from John W. di Zerega, Director, Department of Public Works, staff was directed administratively to proceed as proposed.

44. **I-10 - AWARD OF CONTRACT - VIRGINIA HILLS PHASE III STORM DRAINAGE IMPROVEMENTS (LEE DISTRICT)** (Tape 6)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to award a contract to Granja Contracting, Incorporated, in the amount of \$620,780.50 for construction of Project X00078, Virginia Hills Phase III Storm Drainage Improvements, in Subfund 470, Storm Drainage Bond Construction.

The staff was directed administratively to proceed as proposed.

45. **I-11 - AWARD OF CONTRACT - VALLEY VIEW DRIVE STORM DRAINAGE IMPROVEMENTS (LEE DISTRICT)** (Tape 6)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to award a contract to Owens and Dove, Incorporated, in the amount of \$313,500 for the construction of Project CA0264, Valley

View Drive Storm Drainage Improvements, in Subfund 490, Pro Rata Share Storm Drainage Construction.

The staff was directed administratively to proceed as proposed.

46. **I-12 - APPROVAL OF A LETTER TO THE UNITED STATES (U.S.) ARMY CORPS OF ENGINEERS TRANSMITTING FAIRFAX COUNTY COMMENTS REGARDING PROPOSED CHANGES TO THE NATIONWIDE PERMIT PROGRAM USED TO IMPLEMENT SECTION 404 OF THE CLEAN WATER ACT (COUNTYWIDE)** (Tape 6)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to proceed to transmit the letter contained in the Memorandum to the Board to the Corps of Engineers containing comments regarding proposed Nationwide permit changes.

The staff was directed administratively to proceed as proposed.

47. **I-13 - AWARD OF CONTRACT FOR TAX COMPUTER SYSTEMS MODERNIZATION PROJECT** (Tape 6)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to complete negotiations and proceed to make the appropriate awards of a contract to Sabre, SII and AMS for Phase I of the Tax Commuter Systems Modernization Project.

Following discussion, with input from Kevin C. Greenlief, Director, Department of Tax Administration, staff was directed administratively to proceed as proposed.

48. **I-14 - ADDITIONAL SELECTED HIRING ACTIONS TO ENSURE SUPPORT OF FISCAL YEAR (FY) 1997 BUDGET APPROVED SERVICES AND FUNCTIONS (COUNTYWIDE)** (Tape 6)

The Board next considered an Item contained in the Memorandum to the Board dated August 5, 1996 requesting authorization for staff to proceed with the recruitment and hiring for vacant positions as outlined in Attachment I of the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

49. **RECESS/EXECUTIVE SESSION** (Tape 6)

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:

- *First Union National Bank of Virginia versus Board of Supervisors of Fairfax County*, At Law Number 133802;
- Board of Zoning Appeals' (BZA) Reversal of the Zoning Administrator's Determination in A 96-P-003 - Richard Daniel Pell (Captain Pell's Fairfax Crab House);
- *Board of Supervisors of Fairfax County versus Lauanders, et al.*, At Law Number 93886;
- Status of Current and Proposed Agreements with Certain County Authorities for the Provision of Personnel Services;
- County Contracts with Gum Springs Community Development Corporation, Incorporated;
- Draft Procedural Memorandum 149, Use of the Governmental Center Complex; Rita Warren;
- IFB60087521; Police Directed Towing Services Contract; and
- Legal Issues Surrounding Proposed Memorandum of Understanding Between the Board of Supervisors of Fairfax County and the Fairfax County Library Board.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Kauffman being absent.

AR:ar

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

ACTIONS FROM EXECUTIVE SESSION50. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 7)

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 Frey and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Kauffman being absent.

51. **AUTHORIZATION FOR COUNTY EXECUTIVE TO EXERCISE THE OPTION TO PURCHASE THE CRIMINAL JUSTICE ACADEMY BUILDING** (Tape 7)

Because of the Board's August recess and the need of County staff to have sufficient time to prepare for settlement, Supervisor Frey moved that the Board authorize the County Executive to exercise the option to purchase the Criminal Justice Academy Building from 1994 I.L.C. and to take all actions necessary to complete the purchase. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Kauffman being absent.

52. **AUTHORIZATION FOR SETTLEMENT OF W.N.B. CORPORATION VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 134757** (Tape 7)

Supervisor Frey moved that the Board authorize the settlement of *W.N.B. Corporation versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 134757, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Kauffman being absent.

53. **AUTHORIZATION FOR SETTLEMENT OF W.N.B. CORPORATION VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 134755** (Tape 7)

Supervisor Frey moved that the Board authorize the settlement of *W.N.B. Corporation versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 134755, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Kauffman being absent.

54. **AUTHORIZATION FOR BOARD OF SUPERVISORS TO JOIN THE ZONING ADMINISTRATOR IN A LAWSUIT REGARDING THE DETERMINATION IN APPEAL APPLICATION A 96-B-0019** (Tape 7)

Supervisor Bulova moved that the Board join the Zoning Administrator in a lawsuit regarding Board of Zoning Appeals' (BZA) Reversal of the Zoning Administrator's Determination in Appeal Application A 96-B-0019--Storage America, Incorporated/Premier Car Rental, Incorporated, as outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Kauffman being absent.

55. **AUTHORIZATION FOR SETTLEMENT OF CAPITAL CARE ADMINISTRATIVE SERVICES, INCORPORATED VERSUS FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 128902** (Tape 7)

Supervisor Hyland moved that the Board authorize the settlement of *Capital Care Administrative Services, Incorporated versus Fairfax County, Virginia, At Law Number 128902*, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Kauffman being absent.

56. **AUTHORIZATION FOR SETTLEMENT OF CAPITAL CARE ADMINISTRATIVE SERVICES, INCORPORATED VERSUS FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 128882** (Tape 7)

Supervisor Hyland moved that the Board authorize the settlement of *Capital Care Administrative Services, Incorporated versus Fairfax County, Virginia, At Law Number 128882*, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Kauffman being absent.

57. **AUTHORIZATION FOR SETTLEMENT OF FAIRFAX RIDGE LIMITED PARTNERSHIP VERSUS THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 137773** (Tape 7)

Supervisor Connolly moved that the Board authorize the settlement of *Fairfax Ridge Limited Partnership versus the Board of Supervisors of Fairfax County, Virginia, At Law Number 137773*, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Kauffman being absent.

58. **AUTHORIZATION FOR SETTLEMENT OF FIRST UNION NATIONAL BANK OF VIRGINIA VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 133802** (Tape 7)

Supervisor Connolly moved that the Board authorize the settlement of *First Union National Bank of Virginia versus the Board of Supervisors of Fairfax County, Virginia*, At Law Number 133802, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Kauffman being absent.

59. **AUTHORIZATION TO JOIN THE ZONING ADMINISTRATOR IN FILING SUIT TO OVERTURN BOARD OF ZONING APPEALS' (BZA) DECISION IN APPEAL APPLICATION A 96-P-003**
(Tape 7)

Supervisor Connolly moved that the Board join the Zoning Administrator in filing suit to overturn the Board of Zoning Appeals' (BZA) decision in Appeal Application A 96-P-003, Richard Daniel Pell, which reversed the Zoning Administrator's decision. This motion was seconded by Chairman Hanley and **CARRIED** by a recorded vote of eight, Supervisor Dix voting "NAY," Supervisor Kauffman being absent.

ADDITIONAL BOARD MATTER

60. **RECEIPT OF REVISED AFFIDAVITS IN SUPPLEMENTAL BOARD PACKAGE DISTRIBUTED LAST FRIDAY** (Tape 7)

Supervisor Connolly noted that several land-use applications scheduled to be heard today have revised affidavits that were distributed in the supplemental Board package previously distributed to the Board. Although that is in technical violation of the Board's Policy, all seven of the affidavits have no substantive change whatsoever and all are contained in the supplemental package.

Accordingly, Supervisor Connolly moved that the Board accept those affidavits and continue to hold the scheduled public hearings this afternoon. This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Kauffman being absent.

Chairman Hanley clarified that the supplemental Board package did arrive at Board Members' offices last Friday, thus allowing Board Members the opportunity to review these affidavits on Friday.

SBE:sbe

61. 3:30 P.M. - PH ON REZONING APPLICATION RZ 96-Y-001 (LINCOLN PROPERTY COMPANY, SOUTHWEST, INCORPORATED) (SULLY DISTRICT) (Tape 8)
- (O) Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker 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 the following campaign contribution which she had received:

- In excess of \$200 from Mr. Dean S. Wilson.

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-Y-001 be amended from the R-1 and Water Supply Protection Overlay Districts to the PDH-20 and Water Supply Protection Overlay Districts subject to the execution of the proffers dated July 25, 1996. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor McConnell and Chairman Hanley being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved modification of the transitional screening and barrier requirements along the southern property boundary in accordance with paragraph three of Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE" Supervisor McConnell and Chairman Hanley being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved approval of the request for a waiver of paragraph one of Section 2-414 of the Zoning Ordinance. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor McConnell and Chairman Hanley being out of the room, Supervisor Kauffman being absent.

62. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-D-023 (NANCY D. ROBINSON) (DRANESVILLE DISTRICT)** (Tape 8)

Mr. Michael S. Horwatt reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by three speakers, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved approval of Special Exception Application SE 96-D-023 subject to the development conditions dated August 5, 1996. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Chairman Hanley being out of the room, Supervisor Kauffman being absent.

Supervisor Mendelsohn moved waiver of paragraph two of Section 2-0103 of the Public Facilities Manual (PFM) to allow all pipestem lots. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Chairman Hanley being out of the room, Supervisor Kauffman being absent.

63. **3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 90-S-007 (UPPER OCCOQUAN SEWAGE AUTHORITY) (SULLY DISTRICT)** (Tape 8)

Mr. Millard H. Robbins reaffirmed the validity of the affidavit for the record.

Mr. Robbins 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 Frey moved approval of Special Exception Amendment Application SEA 90-S-007 subject to the development conditions dated July 31, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved modification of the transitional screening requirements along a portion of the western, southern, and northern boundaries and the modification of the barrier requirements around the entire site. This motion was seconded by Supervisor Bulova, and carried by a vote of six, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room, Supervisor Kauffman being absent.

64. **3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-II-M1 FOR SUB-UNIT S-1 OF THE TYSONS CORNER URBAN CENTER (PROVIDENCE DISTRICT)** (Tape 8)

Supervisor Connolly moved to defer the public hearing on Proposed Out-of-Turn Plan Amendment S96-II-M1 until **September 9, 1996 at 4:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor McConnell and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

65. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) AND THE PUBLIC FACILITIES MANUAL (PFM) REGARDING THE PROVISION OF AN ACCESSIBILITY IMPROVEMENT FOR PERSONS WITH DISABILITIES** (Tape 8)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 18 and July 25, 1996.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) and the Public Facilities Manual (PFM) to revise the accessibility provisions for persons with disabilities **to become effective on August 6, 1996 at 12:01 a.m.** This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, and Supervisor Kauffman being absent.

66. **3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-II-M1 FOR SUB-UNIT S-1 OF THE TYSONS CORNER URBAN CENTER (PROVIDENCE DISTRICT)** (NoTape)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#64.)

67. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-Y-056 (DARRELL H HILDRETH) (SULLY DISTRICT)** (Tape 8)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 94-Y-056 until **September 9, 1996 at 5:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

68. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 76-S-003-2 (RALPH G. LOUK) (SULLY DISTRICT)** (Tape 8)

Mr. David S. Houston reaffirmed the validity of the affidavit for the record.

Mr. Houston 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.

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

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 76-S-003-2 subject to the executed proffers dated July 23, 1996. This motion was seconded by Supervisor Bulova and carried by a recorded vote of five, Supervisor McConnell abstaining, Supervisor Connolly, Supervisor Hyland, and Supervisor

Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved waiver of the transitional screening and barrier requirements along the western and northern boundaries. This motion was seconded by Supervisor Dix, and carried by a recorded vote of five, Supervisor McConnell abstaining, Supervisor Connolly, Supervisor Hyland, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved modification of the transitional screening requirements along the eastern boundary. This motion was seconded by Supervisor Dix and carried by a recorded vote of five, Supervisor McConnell abstaining, Supervisor Connolly, Supervisor Hyland, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved to waiver of the service drive requirement along Route 28. This motion was seconded by Supervisor Dix and carried by a recorded vote of five, Supervisor McConnell abstaining, Supervisor Connolly, Supervisor Hyland, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

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

- In excess of \$200 from Mr. Charles P. Johnson.

Supervisor Frey moved that any Site Plans submitted for Parcels A and C be returned to the Planning Commission for their review prior to approval of any Site Plan on Parcels A and C. This motion was seconded by Supervisor Dix, carried by a recorded vote of five, Supervisor McConnell abstaining, Supervisor Connolly, Supervisor Hyland, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

69. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-H-016 (RESTON LAND CORPORATION) (HUNTER MILL DISTRICT)** (Tape 8)

Mr. John J. Bellaschi reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. James C. Cleveland.

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

Following the public hearing, Donna McNeally, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning

Commission recommendations.

Supervisor Dix moved approval of Special Exception Application SE 96-H-016 subject to the development conditions dated July 10, 1996. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Hyland and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

70. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-Y-011 (PREMIUM DISTRIBUTORS OF VIRGINIA, INCORPORATED) (SULLY DISTRICT)** (Tape 8)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved approval of Special Exception Application SE 96-Y-011 subject to the development conditions dated July 10, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Connolly and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

71. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 91-D-021 (MAGRUDER AND DIBENEDETTO REAL ESTATE, INCORPORATED) (DRANESVILLE DISTRICT)** (Tape 8)

On behalf of Supervisor Mendelsohn, Supervisor Gross moved to defer the public hearing on Special Exception Application SE 91-D-021 until **September 30, 1996 at 4:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

72. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-M-004 (ANNANDALE VOLUNTEER FIRE DEPARTMENT) (MASON DISTRICT)** (Tape 8)

Mr. Alfred (Trip) Schriver reaffirmed the validity of the affidavit for the record.

Mr. Schriver 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, David Hunter, 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 91-M-004 subject to the development conditions dated August 5, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Mendelsohn being out of the room and Supervisor Kauffman being absent.

Supervisor Gross moved:

- Modification of the transitional screening and barrier requirements along the northern and western boundaries of the site;
- Waiver of the service drive requirements subject to the development conditions; and

- Waiver of all fees related to Department of Environmental Management (DEM) requirements.

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

AM:am

73. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-V-088 (STEVEN CARTER) (MOUNT VERNON DISTRICT)** (Tape 9)

Mr. Steven P. Carter reaffirmed the validity of the affidavit for the record.

Mr. Carter 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.

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

- In excess of \$200 from Mr. John B. Kelso.

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

Supervisor Hyland moved:

- Approval of Proffered Condition Amendment Application PCA 88-V-088 subject to the executed proffers dated July 29, 1996;
- Modification of the transitional screening; and
- Waiver of the barrier requirement along the south and southern half of the eastern property line.

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

74. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-S-068 (PRINCE OF PEACE LUTHERAN CHURCH) (SPRINGFIELD DISTRICT)** (Tape 9)

Ms. Mary T. Flynn reaffirmed the validity of the affidavit for the record.

Ms. Flynn 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.

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

- In excess of \$200 from Mr. John G. Milliken.

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

- In excess of \$200 from Mr. John G. Milliken; and
- In excess of \$200 from Mr. William D. Dolan, III.

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

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

- Consider the suggestion made by the speaker regarding the method of computing land usage of Floor Area Ratio (FAR) by considering a ratio of FAR plus the parking area over the entire area; and
- Consideration of a reduction in parking to prevent tree loss.

Without objection, it was so ordered.

Supervisor McConnell moved approval of Special Exception Application SE 95-S-068 subject to the development conditions dated July 31, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor McConnell moved modification of the transitional screening and barrier requirements along the eastern lot line. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor McConnell moved that public funds be used should the fire hydrant located on Keene Mill Road need to be relocated as a result of the turn lane construction. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor McConnell asked unanimous consent that the Board direct staff to request the Prince of Peace Lutheran Church to consider ways to muffle the sound of the air conditioner for the benefit of the neighbors. Without objection, it was so ordered.

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

At 5:45 p.m., the Board recessed, and at 6:00 p.m., reconvened in the Board Auditorium with all Members present, with the exception of Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn, and with Chairman Hanley presiding.

76. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-P-078-8 (INOVA HEALTH CARE SERVICES) (PROVIDENCE DISTRICT)** (Tape 9)

Ms. Susan K. Yantis reaffirmed the validity of the affidavit for the record.

Ms. Yantis 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.

Supervisor Bulova disclosed that she is a trustee for the INOVA Health Care Services Board.

Supervisor Gross disclosed that she is a trustee for the INOVA Health Care Services Board.

Chairman Hanley disclosed that Mr. James W. Dyke served as a member of the Finance Committee for Hanley for Chairman.

Supervisor Connolly disclosed that Mr. James W. Dyke served as a member of the Finance Committee for Connolly for Supervisor.

Following the public hearing, which included testimony by one speaker, Donna McNeally, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved approval of Special Exception Amendment Application SEA 80-P-078-8 subject to the development conditions dated August 1, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Connolly moved modification of the transitional screening and waiver of barriers as approved with Special Exception Application SE 80-P-078 through Special Exception Amendment Application SEA 80-P-078-7 in favor of that shown on the Special Exception Amendment Plat. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

77. **4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE COLEWOOD STREET/WEST OX ROAD/BENNETT ROAD SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (SULLY DISTRICT)** (Tape 9)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 18 and July 25, 1996.

Following the public hearing, Supervisor Frey moved adoption of the Resolution authorizing the acquisition of certain easements necessary for the construction of Project X00823 (T00016) - Colewood Street/West Ox Road/Bennett Road Sanitary Sewer Extension and Improvement Project. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

78. **4:30 P.M. - PH ON THE VACATION OF CULPER ROAD (BRADDOCK DISTRICT)** (Tape 9)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 18 and July 25, 1996.

Following the public hearing, Supervisor Bulova adoption of the Ordinance vacating a portion of Culper Road. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

79. **4:30 P.M. - PH ON A PROPOSAL TO ABANDON A PORTION OF LEGATO ROAD (ROUTE 656) (SULLY DISTRICT)** (Tape 9)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 18 and July 25, 1996.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the Ordinance vacating a portion of Legato Road. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

80. **5:00 P.M. - PH ON REZONING APPLICATION RZ 96-V-003 AND SPECIAL EXCEPTION APPLICATION SE 96-V-008 (RADFORD AVENUE LIMITED**

PARTNERSHIP) (MOUNT VERNON DISTRICT) (Tape 9)

- (O) Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. and Mrs. Louis V. Genuario, Sr.;
- \$100 from Mr. Arthur R. Genuario; and
- \$170 from the Radford Partnership.

Chairman Hanley disclosed that Mr. James W. Dyke, Jr. served as a member of the Finance Committee for Hanley for Chairman.

Supervisor Connolly disclosed that Mr. James W. Dyke, Jr. served as a member of the Finance Committee for Connolly for Supervisor.

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

Supervisor Hyland moved:

- Approval of Special Exception Application SE 96-V-008 subject to the proposed development conditions dated June 13, 1996;
- Modification of the transitional screening yard requirements for Special Exception Application SE 96-V-008 in accordance with the provisions of Section 13-304 of the Zoning Ordinance, subject to the proposed development conditions contained in Appendix Two of the staff report;
- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-V-003 be amended from the C-8, R-2 and Highway Corridor Districts to the R-8 and Highway Corridor Districts subject to the execution of the proffers dated July 8, 1996;

- Waiver of the minimum district requirements for the R-8 District, pursuant to the provisions of Section 9-610 of the Zoning Ordinance; and
- Waiver of the open space requirement for the R-8 District, pursuant to the provisions of Section 9-612 of the Zoning Ordinance.

This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

81. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-Y-012 (NATIONAL RESOURCES, INCORPORATED) (SULLY DISTRICT)** (Tape 9)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by three speakers, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 96-Y-012 subject to the development conditions dated June 26, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved modification of the:

- Service drive requirement along Route 50; and
- Transitional screening and barrier requirements along the southern, eastern and western boundaries to that reflected on the Special Exception Plat.

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

82. **5:00 P.M. - PH ON REZONING APPLICATION RZ 95-Y-016 AND SPECIAL EXCEPTION APPLICATION SE 95-Y-024 (CHANTILLY 50-28 ASSOCIATES LIMITED PARTNERSHIP) (SULLY DISTRICT)** (Tapes 9-10)

(O) Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh 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.

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

- In excess of \$200 from the Glickfield family.

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-Y-016 be amended from the I-3, I-5, C-8, Highway Corridor, Water Supply Protection Overlay, and Airport Noise Impact Overlay Districts to the C-8, Highway Corridor, Water Supply Protection Overlay, and Airport Noise Impact Overlay Districts subject to the execution of the proffers dated August 5, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved approval of Special Exception Application SE 95-Y-024 subject to the development conditions dated June 26, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved waiver of the:

- Service drive requirement along the Route 28 frontage of the site;
and
- Construction of the service drive along the Route 50 frontage of the site.

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

83. **5:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 92-Y-024 (INOVA HEALTH CARE SERVICES) (SULLY DISTRICT)** (Tape 10)

Ms. Susan K. Yantis reaffirmed the validity of the affidavit for the record.

Ms. Yantis 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.

Supervisor Gross disclosed that she is a trustee for the INOVA Health Care Services Board.

Supervisor Bulova disclosed that she is a trustee for the INOVA Health Care Services Board.

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

Supervisor Frey moved approval of Special Exception Amendment Application SEA 92-Y-024 subject to the development conditions dated June 26, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved reaffirmation of the modification of the transitional screening requirements along the northern and western boundaries. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Frey moved:

- Reaffirmation of the modification of the barrier requirements along the western boundary; and
- Waiver of the barrier requirements along the northern boundary.

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

84. **5:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT) AGRICULTURAL AND FORESTAL DISTRICT RENEWAL APPLICATION AR 87-V-003 (ERIC D. COX AND GINA T. RICHARD) (SULLY DISTRICT)** (Tape 10)

- (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 July 18 and July 25, 1996.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), Appendix F-22, to renew the Cox Local Agricultural and Forestal District (Application AR 87-V-003) subject to the revised Ordinance provisions contained in Appendix One of the staff report. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

85. **5:30 P.M. - PH ON REZONING APPLICATION RZ 93-P-015 (YAHYA M. AL-HUSSAIN) (PROVIDENCE DISTRICT)** (Tape 10)

- (O) Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

Mr. Sanders 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 Bulova disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. John Marshall.

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 McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-P-015 be amended from the R-1 District to the R-4 District subject to the execution of the proffers dated July 9, 1996. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

86. **5:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE**

COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT) AGRICULTURAL AND FORESTAL DISTRICT RENEWAL APPLICATION AR 87-V-001 (GARY D. AND CHARLOTTE J. KNIPLING) (MOUNT VERNON DISTRICT) (Tape 10)

- (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 July 18 and July 25, 1996.

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

- In the amount of \$50 from Mr. Gary D. Knipling.

Supervisor Hyland disclosed that Mr. Gary D. Knipling is a Co-Chair of the Mason Neck Overlay Task Force.

The public hearing was held and included testimony by one speaker.

Following discussion, with input by David P. Bobzien, County Attorney, Supervisor Hyland moved:

- Adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), Appendix F-21, to renew the Knipling Local Agricultural and Forestal District (Application AR 87-V-001) subject to the revised Ordinance provisions contained in Appendix One of the staff report; and
- Approval of the request to incorporate an additional 10.53 acres of non-contiguous land into the Knipling Local Agricultural and Forestal District.

This motion was seconded by Supervisor Gross and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

ADDITIONAL BOARD MATTER

87. **WELCOME TO ANTHONY GOMEZ FROM BOY SCOUT TROOP 1140** (Tape 10)

Chairman Hanley recognized the presence of Anthony Gomez, from Boy Scout Troop 1140, and warmly welcomed him to the Board Auditorium.

88. **5:30 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)

(NOTE: On July 22, 1996, the Board deferred the public hearing on this item until August 5, 1996.)

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 18 and July 25, 1996.

The public hearing was held which included testimony by three speakers.

Following discussion, with input by Mark Wheatley, Chief Deputy, Department of Fire and Rescue, Supervisor Connolly moved approval of Out-of-Turn Plan Amendment S96-II-V1 as shown on pages 10 and 12 of the staff report dated June 5, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

89. **ORDERS OF THE DAY** (Tape 10)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that there be a change in the Orders of the Day to hear Public Comment before the public hearing on Proffered Condition Amendment Application PCA 87-C-060-6. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

90. **5:30 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)** (Tapes 10-11)

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker 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.

Supervisor Gross disclosed that she is a trustee for the INOVA Health Care Services Board.

Supervisor Bulova disclosed that she is a trustee for the INOVA Health Care Services Board.

Following the public hearing, which included testimony by one speaker, 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 McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Connolly moved:

- Approval of Proffered Condition Amendment Application PCA 87-P-038 subject to the executed proffers dated June 17, 1996;
- Waiver of the sign requirements to permit a building-mounted sign above the roof line pursuant to Section 9-620 of the Zoning Ordinance;
- Reaffirmation of the previously approved waiver of the service drive requirement along Arlington Boulevard; and
- Reaffirmation the previously granted waiver of the barrier requirement in the vicinity of the entrance to Willow Oaks Corporate Center from Gallows Road.

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

Supervisor Connolly moved:

- Approval of Special Exception Application SE 96-P-004 subject to the development conditions dated July 17, 1996; and
- Modification of the barrier requirement along the southern boundary of the hotel.

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

ADDITIONAL BOARD MATTER

91. **WELCOME TO BOY SCOUTS FROM TROOP 827 AND TYLER RANSINS FROM TROOP 839** (Tape 11)

Supervisor Bulova recognized the presence of Boy Scouts from Troop 827 and Tyler Ransins from Troop 839, and warmly welcomed them to the Board Auditorium.

92. **6:00 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND**

BUSINESSES ON ISSUES OF CONCERN (Tape 11)

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 18 and July 25, 1996.

Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and included testimony by the following speaker:

- Ms. Maria Han regarding prayer in school.

(NOTE: Later in the meeting, two additional speakers presented testimony during Public Comment. See Clerk's Summary Item CL#94.)

93. **5:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-C-060-6 (BATMAN COMPANY, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 11)

Mr. Bahman Batmanghelidj reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Bahman Batmanghelidj.

Supervisor Bulova disclosed that Signal Hill Manor contributed to the Bulova for Supervisor Campaign and Mr. Jim Hill is part owner of Signal Hill Manor.

Following the public hearing, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA 87-C-060-6 subject to the executed proffers dated July 5, 1996. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

Supervisor Dix moved waiver of the 200 square foot privacy yard requirement pursuant to Paragraph Two of Section 6-107 of the Zoning Ordinance in connection with the development of 116 single family attached dwelling units, as shown on Final Development Plan Application FDP 87-C-060-12 dated September 29, 1995, as revised through April 30, 1996, and the approved development conditions dated May 1, 1996. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

94. **CONTINUATION OF THE 6:00 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 11)

(NOTE: Earlier in the meeting, there was additional testimony during Public Comment. See Clerk's Summary Item CL#92.)

There was a continuation of the public hearing which included testimony by the following speakers:

- Ms. Pam Cave regarding the establishment of a Commission on Child Support: and
- Ms. Elizabeth Gordon regarding the cut-off time for mowing.

Following the testimony of Speaker Two, Ms. Pam Cave, Chairman Hanley relinquished the Chair to Acting-Chairman Gross and asked unanimous consent that the Board direct staff to refer to the Child Care Advisory Council the suggestion to establish a Commission on Child Support. Without objection, it was so ordered.

Acting-Chairman Gross returned the gavel to Chairman Hanley.

ADDITIONAL BOARD MATTERS

NV:nv

95. **FIRST VIRGINIA BANK'S SPECIAL EXCEPTION AMENDMENT**

APPLICATION SEA 83-M-098 (Tape 12)

Supervisor Gross informed the Board of First Virginia Bank's Special Exception Amendment Application SEA 83-M-098 for its central Annandale location that has been

recommended for approval by the Planning Commission. First Virginia has twice deferred the Planning Commission's public hearing to provide more time to work with the Annandale Central Business District (CBD) Planning Committee on landscape and streetscape improvements.

Supervisor Gross moved that the Board direct staff to process the Site Plan associated with this case concurrently. This motion should not be construed as a favorable recommendation on the Special Exception Amendment Application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or adopted standards. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

96. **FAIRFAX COUNTY'S POSTAGE METER STAMP** (Tape 12)

Supervisor Gross stated that she had been informed that the County postage-meter is still commemorating the 250th anniversary of the County, which was celebrated in 1992. She noted that the stamp is a wonderful place to proclaim the significance of Fairfax County, and that it is time to replace its message.

Supervisor Gross asserted that among the many contributions this County has made to the country, perhaps none is as important and lasting as its status as the "Home of the Bill of Rights." This motto is well-grounded in history, and the County has used it previously on vehicle decals. This would honor County resident George Mason, but also the many Fairfax County residents who, in the eighteenth century and ever since, have led the fight to protect individual liberties.

Therefore, Supervisor Gross moved that the Board direct staff to take the appropriate actions to change the language on the postage-meter stamp to commemorate Fairfax County as the "Home of the Bill of Rights." This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

97. **AUTHORIZATION FOR AN OUT-OF-TURN PLAN AMENDMENT REGARDING TAX MAP REFERENCE 11-2((1))46** (Tape 12)

Supervisor Dix stated that Miller and Smith is the contract purchaser of a 1.6 acre parcel of land in the County, Tax Map Reference 11-2((1))46, which is currently zoned in the R-E District and planned for low density residential development at .5-1 dwelling units per acre (du/ac). The property is contiguous to existing PRC zoned land in Reston. Miller and Smith would like to rezone this parcel to the PRC District, to make it a continuation of their Vintage Place townhouse development project.

Supervisor Dix moved that the Board authorize an Out-of-Turn Plan Amendment to consider a possible change to the Plan for Tax Map Reference 11-2((1))46. Staff should consider amending the Plan to allow this parcel to be incorporated within the Reston Planned Community. Following a brief discussion, this motion was seconded by Supervisor Frey.

Following discussion regarding the Annual Plan Review (APR), the question was called on the motion which carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

98. **CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 96-H-033 (REMINGTON DEVELOPMENT CORPORATION)** (Tape 12)

Supervisor Dix said that Remington Development Corporation has filed a Special Exception Application to permit an increase in building height for a proposed Embassy Suites Hotel to be located at Woodland Park. The application is currently being reviewed by staff and has a scheduled Planning Commission public hearing date of November 20, 1996.

Supervisor Dix moved that the Board authorize staff to accept the Preliminary and Site Plans for concurrent processing with this Special Exception request. This motion does not relieve the applicant from complying with the provisions of any applicable conditions, regulations or adopted standards, and it does not prejudice the consideration of this Special Exception Application in any way. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

99. **AUTHORIZATION TO ADVERTISE A PUBLIC HEARING BETWEEN THE BOARD AND THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF METROPOLITAN WASHINGTON (YMCA)** (Tape 12)

- (A) Supervisor Dix moved that the Board authorize the advertisement of a public hearing to be held before the Board on **September 30, 1996 at 4:30 p.m.** regarding a modification of the lease dated August 22, 1995 between the Young Men's Christian Association of Metropolitan Washington (YMCA) and the Board. The modification would extend until March 1, 1997, the date for the YMCA to obtain all permits necessary for construction of a recreation/teen center on County-owned property located at Tax Map Reference 17-3((1))1-B in Reston, and to procure all financing commitments with respect thereto, thereby extending the outside date for the YMCA to complete construction to April 15, 1998. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

100. **SUPPORT FOR BARRIOS UNIDOS** (Tape 12)

Supervisor Dix said that last April, people from across the country attended the National Peace Summit sponsored by the National Coalition of Barrios Unidos in Alexandria. Many of the Fairfax County residents who attended were inspired by the organization and

their commitment to ending gang violence and their focus on positive drug and alcohol-free activities for young people. There are now numerous people throughout Fairfax County who are interested in increasing the number of local chapters of this group throughout this region. Special interest has been expressed by the school-community coalitions of Reston, Herndon, Vienna-Madison, Stuart, Annandale, and Mount Vernon.

Supervisor Dix said that it has come to his attention that the Virginia Secretary of Public Safety will be awarding Community Youth Violence and Substance Abuse Prevention Grants for up to \$25,000 through the Federal Safe and Drug-Free School and Communities Act of 1994. The school pyramid coalitions and the Fairfax County Chapter of Barrios Unidos would like to use this money to support local Barrios Unidos groups working with youth in their respective communities, to assist with planned activities such as regional conferences for youth, and to create a youth council which will keep the Barrios Unidos groups connected to each other.

Accompanying the grant proposal, grant applicants must submit letters of support which express a commitment to the proposed initiative and demonstrate community-wide support. Therefore, Supervisor Dix moved that the Board send a letter which will be submitted with the grant proposal to the Virginia Secretary of Public Safety expressing support for Barrios Unidos and this grant application. This motion was seconded by Supervisor Gross.

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

101. **CHILD PLACEMENTS OUTSIDE THE COUNTY** (Tape 12)

Supervisor Dix reminded the Board that at its meeting on June 17, 1996 he had requested some information regarding child placements outside the County. He expressed his appreciation to the County Executive for a response, but he noted that it did not address how much money is spent on this particular program. Accordingly, he asked unanimous consent that the Board direct staff to supplement the current material with some cost information as well as expansion on the criteria information. He noted that in the example he had cited on June 17 he never received any follow-up regarding that particular case. Acknowledging the current financial constraints experienced in the County, he stated that he wanted to know if investments are made in the most prudent fashion to achieve a goal.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request to direct staff to include the source of the fund as well as the expenditure, and this was accepted. Without objection, the request as amended was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

102. **FOOD STAMP DISTRIBUTION** (Tape 12)

Supervisor Dix stated that he had requested some information regarding food stamp distribution in light of the closure of the branch tax offices. He stated his understanding that the North County Human Services Facility would be utilized for food stamp distribution. However, he noted that there was a staff decision to locate this service at a grocery store in Herndon.

Citing several concerns, Supervisor Dix moved that the Board direct staff to review the use of the Human Services Facility in Reston for the distribution of food stamps. This motion was seconded by Chairman Hanley.

Supervisor Bulova asked to amend the motion to change the directive from a review to utilization of the Human Services Facility in Reston for distribution of food stamps, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of seven, Supervisor McConnell and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

103. **4-H FAIR AT FRYING PAN PARK** (Tape 12)

Supervisor Dix expressed his appreciation to Board Members who participated in the 4-H Fair over the weekend. He extended his appreciation to the staff and volunteers who presented this extraordinary event at Frying Pan Park.

PMH:pmh

104. **WOODROW WILSON BRIDGE IMPROVEMENT STUDY UPDATE** (Tape 13)

Supervisor Hyland updated the Board on the Woodrow Wilson Bridge Improvement Study and he said that the Coordination Committee will meet on September 24, 1996 to make its final recommendation among the two alternatives which remain. The Supplemental Draft Environmental Impact Statement (SDEIS) was released on August 2, 1996 and will be available for review shortly thereafter in his office or at the Study and Design Center, 211 North Union Street, Alexandria.

Supervisor Hyland announced that two public hearings will be held on:

- September 4, 1996 at Fort Washington, Maryland; and
- September 5, 1996 at the Holiday Inn Hotel and Suites located at 625 First Street, Alexandria.

For further information, please contact Supervisor Hyland's office or the Woodrow Wilson Bridge Study and Design Center at (703) 519-9800.

105. **LORTON TOWN CENTER REZONING AND PROFFERED CONDITION AMENDMENT REQUEST** (Tape 13)

Supervisor Hyland said that KSI Services, Incorporated, managing partner for South Station LLC has contracted to purchase certain parcels of land that are currently owned by the Richmond, Fredericksburg and Potomac Railroad (RF&P) consisting of 232 acres.

He said that included in that land is 7.32 acres that is owned by the Board and is used for the Virginia Railway Express (VRE) Lorton stop.

Supervisor Hyland explained that the VRE parcel needs to be severed from the RF&P property, without this occurring the application cannot be accepted.

Therefore, Supervisor Hyland moved that the Board authorize South Station LLC, the contract purchaser of 232 acres of RF&P Corporation/Lorton Town Center property, to file a Proffer Condition Amendment Application that allows the process which could ultimately sever 7.32 acres [Tax Map Reference 107-2((1))10A], that is owned by the Board for the Lorton VRE Station from the RF&P property. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

106. **REQUEST FOR REVIEW OF THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)** (Tape 13)

Supervisor Hyland said that according to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Paragraph Four of Section 8004 "Status of Special Permit Uses" and Paragraph Four of Section 9004 "Status of Special Exception Uses" allows administrative approval of minor additions to buildings which are subject to a proffered rezoning, a PDH or PDC Zoning District, a Special Exception, a Special Permit and/or a Variance. There are certain conditions/criteria that must be met. These conditions/criteria must be met by the private sector and the non-profit organizations. For example a "temporary" construction trailer can be added to a site by having administrative review and approval by the Zoning Administrator. He noted that public entities such as schools and the Park Authority do not have to meet the criteria and can go in by right. The Ordinance needs to be examined to find a way that churches can have the same privilege.

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

- Review the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), that would permit certain administrative approval for temporary trailers on church property; and
- Report with its recommendations on September 9, 1996.

Following discussion, without objection, it was so ordered.

107. **CONGRATULATIONS TO MS. SUSAN ALLEN** (Tape 13)

Supervisor Hyland congratulated Ms. Susan Allen of the Park Authority, on her appointment by the Governor to the Joint Subcommittee to study the Future of Virginia's Environment.

Supervisor Hyland noted that of the Joint Subcommittee to study the Future of Virginia's Environment is scheduled to hold its first public hearing in Northern Virginia on Wednesday, August 28, 1996 at 7:00 p.m. at the Northern Virginia Community College (NVCC) Cultural Center, Annandale Campus.

108. **REQUEST EVENING SCHEDULING FOR FAST EDDIE'S** (Tape 13)

Supervisor Hyland said that Fast Eddie's has filed with the Board of Zoning Appeals (BZA) for an amendment to their Special Permit Application to permit longer hours of operation.

Because the applicant has generated considerable public interest, Supervisor Hyland moved that the Board direct staff to request that the public hearing to be scheduled before the BZA be scheduled during evening hours to permit maximum citizen participation. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

109. **REQUEST FOR WAIVER OF FEES FOR HABITAT FOR HUMANITY (HFH)**
(Tape 13)

Supervisor Hyland noted that Habitat for Humanity (HFH) has two projects under construction, one on Memorial Street in Mount Vernon and one on Patrick Street in Alexandria. He said that an arsonist started a fire on the project on Patrick Street which was destroyed. HFH is currently beginning to prepare for construction of an eight unit townhouse development on Lockheed Boulevard in Lee District. Due to the loss suffered on the Patrick Street project, and the financial consequences to this organization which provides affordable housing in accordance with the County's goals, Supervisor Hyland moved that the Board direct staff to waive all fees associated with the construction of the eight townhouses on Lockheed Boulevard, if the fees are waivable and permissible. This motion was seconded by Supervisor Connolly.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which carried by a vote of seven, Supervisor McConnell and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

110. **UTILIZATION OF VOLUNTEERS IN FIRE STATIONS** (Tape 13)

Supervisor Hyland referred to an article in the *Washington Post* and the *Fairfax Journal* regarding the utilization of volunteers in fire stations. He said that the articles indicated that the stations are completely manned by volunteers for entire shifts.

Supervisor Hyland asked unanimous consent that the Board refer this issue to staff to ensure that there are paid firefighters as well as volunteers working in the fire stations. Without objection, it was so ordered.

111. **REQUEST THAT THE BOARD BE INFORMED OF THE OUTCOME OF TALKS BETWEEN THE SCHOOL BOARD AND THE LIBRARY BOARD REGARDING HOMEWORK SUPPORT MATERIALS** (Tape 13)

(BACs)

Supervisor Connolly said that because of recent budget cuts, the Library Board has indicated that libraries are increasingly unable to supply Fairfax County students with books and reference material assigned by teachers. In an effort to address this growing problem, the Library Board requested a meeting with the School Board, noting in their most recent correspondence to the Schools that they are now confronted with "irate parents, more than 3,500 "hold/reserves" on assigned titles.... and the expenditure -- in excess of \$50,000 to acquire additional copies of books on the list to meet patron demands."

Supervisor Connolly said that although the need for funds is central to the problem, many interesting and creative ideas were apparently proposed at the meeting. For instance, a proposal was made by the Library Board that schools whose libraries close during the summer, lend the public libraries titles which have been assigned for summer reading. Ideas like these may not fully address the problem, but they represent the kind of creative thinking that can save valuable dollars for taxpayers.

Supervisor Connolly moved that the Board authorize the Chairman to write to the Chairs of both the Library Board and the School Board commending them for this initiative and requesting that the results of this meeting be reported to the Board of Supervisors in connection with the ongoing effort to consolidate services for budgetary savings and efficiency. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

112. **REQUEST TO CLEARLY MARK NEW VOTING PRECINCTS AND POLLING PLACES ON ELECTION DAY** (Tape 13)

Supervisor Connolly said that residents of the Oakton area have expressed concern about the change in precincts and polling places, especially in a presidential election year when voter turnout is heaviest.

Supervisor Connolly moved that the Board direct the Electoral Board to report in September with what measures it is taking to minimize confusion and provide voters with clear information on Election Day. Ideas include:

- Placing a large map at each of the polling places where changes have made on Election Day;
- Outlining the new precincts and indicating the polling places; and

- Providing handouts including directions from one polling place to the other for voters to take with them.

This motion was seconded by Chairman Hanley.

Following discussion, the question was called on the motion which carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

113. **COUNTY POLICE RESPONSE TO THE NEW VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) POLICY ON INCREASED FINES FOR SPEEDING IN RESIDENTIAL NEIGHBORHOODS** (Tape 13)

Supervisor Connolly stated that the Virginia Department of Transportation (VDOT) recently issued a policy on increased fines for speeding in residential neighborhoods. This policy is a powerful tool certain to have a positive impact on the deterrence of speeding. It is centered around the installation of signs that alert motorists to the new maximum penalty of \$200. These signs are to be installed only in neighborhoods that meet the criteria outlined in that policy. That criteria dictates that an area under consideration for these measures must "meet the definition of local residential or collector street" and "have a posted speed limit of 34 miles per hour (mph) or lower."

Supervisor Connolly noted that the Board must petition the State to install the signs, as it does when it wishes other traffic control measures to be enacted. However, as with all traffic control measures, it is the responsibility of the County to enforce and notify its citizens about them.

Supervisor Connolly moved that the Board:

- Take every opportunity, in town meetings, newsletters and the Cable Channel to inform County residents of this policy; and
- Direct the Chief of Police to review this policy and provide the Board with opinions on how it will be enforced and what its impact will be.

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

114. **SCHEDULING OF THE PUBLIC HEARING FOR REZONING APPLICATION RZ 95-P-061 AND A REQUEST FOR CONCURRENT AND SIMULTANEOUS PROCESSING** (Tape 13)

Supervisor Connolly said that J.A. Loveless has submitted Rezoning Application RZ 95-P-061 on 8.91 acres in the Grays Oakton Community. To address community concerns the applicant has agreed to make significant changes to the proposed Generalized Development Plan (GDP). As a result, the application will not proceed to a decision before the Planning Commission until September 11, 1996.

Supervisor Connolly noted that the applicant has requested a public hearing to be scheduled before the Board to facilitate the processing of this application. In addition, the applicant wishes to have the ability to begin the subdivision process with the Department of Environmental Management (DEM).

Supervisor Connolly moved that the Board direct staff to:

- Schedule Rezoning Application RZ 95-P-061 for a public hearing before the Board on September 30, 1996; and
- Accept for concurrent and simultaneous processing any plats, plans and drawings as may be appropriate in conjunction with this application.

This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the application in any way. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

115. **REQUEST FOR CONCURRENT PROCESSING OF NECESSARY PLANS, PLATS AND DRAWINGS ASSOCIATED WITH A SPECIAL EXCEPTION APPLICATION FILED BY CITIBANK F.S.B.** (Tape 13)

Supervisor Connolly said that Citibank F.S.B. is preparing to file a Special Exception application for a freestanding drive-in bank on an existing vacant parcel located in the Tysons Corner area. The proposed use is in conformance with the recommendations of the Plan.

Supervisor Connolly noted that the applicant wishes to submit the necessary plans to staff for review as soon as possible to facilitate the construction process.

Supervisor Connolly moved that the Board direct staff to accept the necessary plans, plats and drawings for concurrent processing with this Special Exception Application. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the application in any way. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and

Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

116. **PLANNING COMMISSION TO HOLD WORK SESSION TO REVIEW THE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112, (ZONING ORDINANCE) REGARDING TELECOMMUNICATIONS REGULATIONS** (Tape 13)

Supervisor Connolly commended the Planning Commission for scheduling a Work Session to review the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding telecommunications regulations. Public hearings on this matter have been scheduled before the Planning Commission on October 23, 1996 and before the Board on November 18, 1996.

Supervisor Connolly announced that the Planning Commission has scheduled the Work Session for October 1, 1996 at 8:15 p.m. in the Board Auditorium of the Government Center. Although the Work Session will not include public participation, it is an opportunity for citizens to learn more about this issue prior to the public hearings. He noted that residents are welcome to attend the Work Session or watch the proceedings on Channel 16.

117. **"FILL THE BOOT DAYS" IN FAIRFAX COUNTY** (Tape 13)

- (R) Supervisor Connolly announced that annually there is a special drive in Fairfax County sponsored by the Department of Fire and Rescue to help the Muscular Dystrophy Association which is the "Fill the Boot Drive." He circulated copies of an updated Resolution declaring September 1 and 2, 1996 as "**Fill the Boot Days**" in Fairfax County. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

118. **AIRPORT NOISE OVERLAY DISTRICT** (Tape 13)

- (R) Supervisor Frey distributed to Board Members a copy of a Resolution prepared by staff regarding the amendments to the Plan and the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding updated noise contours for the Washington Dulles International Airport.

Therefore Supervisor Frey moved that the Board adopt the Resolution to:

- Initiate a Board's Own Motion Rezoning Application for the Airport Noise Overlay District so as to permit the amendment of the Airport Noise Contours consistent with that proposed in the Plan and amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance); and
- Direct staff to schedule this action to occur concurrently with the proposed amendments to the Plan and to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance).

This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Frey indicated that he was working to schedule a Workshop on this issue.

The question was called on the motion which carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

119. **YEAR-END BALANCES REGARDING SUPERVISORS' BUDGETS - SUPERVISOR MICHAEL FREY, SULLY DISTRICT "MOST FRUGAL"** (Tape 13)

Supervisor Frey referred to the Year-End Balances and Supervisors' budgets and pointed out that he was the "Most Frugal." He noted that the Chairman was second and Supervisor Connolly noted that he was third.

120. **AUDIT PREPARED FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) "EVALUATION OF SPECIFIC HOUSING DEVELOPMENT AND PUBLIC SERVICE ORGANIZATIONS"** (Tape 13)

Supervisor Frey said that he obtained a copy of a report dated April 12, 1995 for the Fairfax County Redevelopment and Housing Authority (FCRHA) called the *Evaluation of Specific Housing Development and Public Service Organizations*. He noted that it is an audit of five housing development corporations and five public service, non-profit corporations. He said that he had been unaware of this extensive and detailed report.

Supervisor Frey asked unanimous consent that the Board refer this issue to the County Executive to determine:

- What happened when this report was given to the FCRHA; and
- Why this report was not forwarded to Board Members.

Supervisor Dix asked to amend the request to direct staff to provide Board Members with a copy of the report, and this was accepted.

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

121. **NO BOARD MATTERS FOR SUPERVISOR STUART MENDELSON, DRANESVILLE DISTRICT** (Tape 13)

On behalf of Supervisor Mendelsohn, Chairman Hanley announced that he had no Board Matters to present today.

122. **FAIRFAX COUNTY/PRINCE WILLIAM COUNTY JOINT SUBCOMMITTEE'S CONSIDERATION OF NORTH-SOUTH TRANSPORTATION NEEDS** (Tape 13)

On behalf of Supervisor McConnell, Supervisor Bulova reported that the Fairfax County/Prince William County Joint Subcommittee has been considering solutions to meet the transportation needs of north-south traffic. At its July 30, 1996 meeting the Subcommittee asked the Virginia Department of Transportation (VDOT), in conjunction with staff from Fairfax and Prince William, respectively, to provide origin-destination information that will assist the Subcommittee in its policy decisions.

Supervisor Bulova noted that the Transportation Advisory Commission (TAC) chaired a Citizen Working Group on the Western Crossing issue last year. Don Emerson, TAC Chairman, co-chaired the I-95 Corridor Study. The TAC members have followed the issues, information, and data related to the bi-county problem over the years and they have an historical perspective and professional transportation expertise to contribute to the current effort.

Accordingly, Supervisor Bulova moved that the Board direct the TAC to work with VDOT and the Office of Transportation (OT) as OT coordinates with VDOT and Prince William County staff to provide origin and destination information to the Subcommittee. This motion was seconded by Supervisor Frey.

Supervisor Frey asked to amend the motion to include:

- The Board sending a letter to Secretary Martinez indicating that the Board agrees with this course of action and that it hopes that he and VDOT find the funding to complete a study; and
- That this either be a separate letter sent by each of the Boards or one letter sent on behalf of both Boards.

This was accepted.

The question was called on the motion, as amended, which carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

123. **TELECOMMUNICATIONS FACILITY ON THE SITE OF THE MOTT COMMUNITY CENTER** (Tape 13)

On behalf of Supervisor McConnell, Supervisor Bulova stated that American Personal Communications (APC) is preparing to file a Special Permit Amendment Application to locate a telecommunications facility on the site of the Mott Community Center located near the intersection of Braddock Road and the Fairfax County Parkway. On June 26, 1996 the Planning Commission determined that this proposal satisfies Section 15.1-456 of the *Code of Virginia* and, therefore, satisfies the location, character, and extent provisions of the Comprehensive Plan. She noted that the community did not express opposition at the public hearing.

Accordingly, Supervisor Bulova moved that the Board direct the Director of the Department of Environmental Management (DEM) to simultaneously process any required Site Plan and/or building permits with the Special Permit Amendment Application. She noted that this motion in no way prejudices consideration of the applications, nor does this action relieve the applicant from complying with all applicable provisions. This motion was seconded by Supervisor Gross and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

124. **NO BOARD MATTERS FOR SUPERVISOR SHARON BULOVA, BRADDOCK DISTRICT** (Tape 13)

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

NV:nv

125. **CANCELLATION OF THE BOARD MEETING SCHEDULED FOR NOVEMBER 25, 1996** (Tape 14)

Chairman Hanley noted that the Planning Commission has deferred its public hearings for the Annual Plan Review (APR) resulting in a later date (January, 1997) for the Board's consideration of this item. Accordingly, Chairman Hanley relinquished the Chair to Acting- Chairman Dix and moved that the Board **cancel** the Board meeting scheduled for November 25, 1996. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

126. **CORRESPONDENCE RECEIVED BY CHAIRMAN HANLEY** (Tape 14)

Chairman Hanley circulated to the Board copies of the following correspondence she had received:

- A memorandum from Walter D. Webdale, Director, Department of Housing and Community Development (HCD) which was discussed in the Housing Subcommittee meeting earlier in the morning;

- A report on welfare reform from the Child Care Advisory Council; and
- A letter from Judy Isom, Chair, Juvenile Court Citizen Advisory Council, to acknowledge the outstanding efforts of County Employees.

127. **DRAFT LETTER REGARDING FLOW CONTROL** (Tape 14)

Chairman Hanley called the Board's attention to a draft letter regarding the issue of flow control and moved that the Board direct staff to send this letter to the Energy and Water Development Subcommittee House Members and the local and State House Members. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

128. **HISPANIC HERITAGE MONTH** (Tape 14)

Chairman Hanley stated that September 15-October 15 is traditionally celebrated as "Hispanic Heritage Month" to recognize the history, concerns, contributions, and achievements of Hispanic Americans. In conjunction with the national observance the Office of Equity Programs has requested that a Proclamation and presentation take place at the September 30, 1996 Board meeting. A special event will be held in the Government Center forum on September 18.

Accordingly, Chairman Hanley moved that the Board direct staff to invite representatives to appear before the Board on September 30, 1996 to accept the Proclamation. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

129. **OZONE RED ALERT FREE BUS RIDES** (Tape 14)

Chairman Hanley stated that she had circulated to the Board copies of the staff response regarding the cost of providing free bus rides on Ozone Red Alert days.

130. **REINSTATEMENT OF MEMBERS OF BOARDS, AUTHORITIES, AND COMMISSIONS (BACS)** (Tape 14)

(BACs)

Noting that these individuals had now complied with the financial disclosure requirement, Chairman Hanley moved that the Board reinstate the following members of Boards, Authorities, and Commissions (BACs):

- Whitney Wagner, Board of Building Code Appeals;
- Martha Glennan, Disability Services Board;

- Carl Neuberg, Architectural Review Board;
- Dennis Baughan, Athletic Council;
- Ivan Cole, CHAS Coordinating Committee; and
- Joseph Launder, Agricultural and Forestal Districts Advisory Committee.

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

131. **ORGANIZATIONAL STUDY** (Tape 14)

Chairman Hanley called the Board's attention to letters she had received from the Federation of Citizen Associations and Peat Marwick, respectively, regarding the organizational and staffing evaluation of the County. She asked unanimous consent that the Board direct staff to circulate the report to citizens once it is completed to provide them the opportunity to review it and submit written suggestions. Without objection, it was so ordered.

132. **DELINQUENT TAXPAYERS** (Tape 14)

Chairman Hanley stated that a newspaper now has the capability to put the list of delinquent taxpayers online if the County would provide the information on a disk. She noted that they are willing to provide this service at no cost. Noting that the County has no policy on this issue and that in the past the County would publish these names in a newspaper as paid advertisements, she stated that the newspaper has asked the County to waive the \$750 cost of providing the information on disks.

Accordingly, Chairman Hanley moved that the Board direct staff to supply the requested information at no cost. This motion was seconded by Supervisor Bulova.

Following discussion regarding the updating of the information, Chairman Hanley withdrew the motion.

Chairman Hanley asked unanimous consent that the Board direct staff to recommend the frequency of updates and how old the data must be before it is released.

Following discussion, with input from David P. Bobzien, County Attorney, Chairman Hanley amended her request to direct staff to work with the publication and the Chairman's Office to develop an agreement regarding updating the information. Without objection, the request, as amended, was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

133. **ADMIN 4 - PROPOSED MEMORANDUM OF UNDERSTANDING (MOU)**

BETWEEN THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY AND THE FAIRFAX COUNTY LIBRARY BOARD (Tape 14)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#21.)

Chairman Hanley called the Board's attention to Admin 4 - Proposed Memorandum of Understanding (MOU) Between the Board of Supervisors of Fairfax County and the Fairfax County Library Board.

Supervisor Connolly moved that the Board approve the proposed Memorandum of Understanding (MOU) between the Board of Supervisors and the Library Board, as amended earlier in the meeting, documenting the existing policies and procedures related to personnel administration, grievance system, legal counsel and representation, indemnification of officers and employees, and workers' compensation. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

134. **I-5 - COUNTY HOLIDAY SCHEDULE -- CALENDAR YEAR 1997** (Tape 14)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#39.)

Chairman Hanley called the Board's attention to I-5 - County Holiday Schedule -- Calendar Year 1997 presenting the proposed County holiday schedule for calendar year 1997. She noted that she had received a letter from a member of the Employee Advisory Council (EAC) regarding the combination of the Martin Luther King, Jr. Day and the Inauguration holidays and a proposal to grant a holiday on December 26, 1997.

Following discussion, Supervisor Connolly moved that the Board approve the proposed County holiday schedule for calendar year 1997 as contained in the Memorandum to the Board dated August 5, 1996 with the addition of a holiday on Friday, December 26, 1997. This motion was seconded by Supervisor Gross.

Following further discussion, Supervisor Dix asked to amend the motion to direct staff to request a reaction from the EAC on this proposal prior to decision on this issue, and this was accepted.

Supervisor Bulova asked to amend the motion to direct staff to provide a reaction also, and this was accepted.

Supervisor Frey asked to amend the motion to direct staff to provide the Federal and State plans also, and this was accepted.

Supervisor Gross asked to amend the motion to direct staff to correct the typographical error regarding the Veterans' Day/Thanksgiving Holidays, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of six,

Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room, Supervisor Kauffman being absent.

135. **HAPPY SUMMER!** (Tape 14)

Chairman Hanley wished everyone a happy summer and alerted the Board that there would be many upcoming Subcommittee meetings scheduled in September.

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

At 9:10 p.m., the Board adjourned.