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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 Frey and Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor Frey arrived at 9:40 a.m.

Supervisor McConnell arrived at 9:40 a.m.

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. **FRIGID TEMPERATURE IN THE BOARD AUDITORIUM** (Tape 1)

Chairman Hanley announced that the Board Auditorium was very cold and cautioned anyone attending the meeting to dress warmly.

3. **MOMENT OF SILENCE FOR MOUNT VERNON DISTRICT SUPERVISOR HYLAND AND FAMILY ON THE DEATH OF HIS SISTER** (Tape 1)

Chairman Hanley asked that the Board join her in a moment of silence for Supervisor Hyland and his family on the death of his sister early this morning. Chairman Hanley also asked the Board to remember the Hyland Family in their thoughts and prayers.

AGENDA ITEMS4. **PROCLAMATION DESIGNATING NOVEMBER 1996 AS "NATIVE AMERICAN MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to LaGretta Butler, Hope S. Khodaei, and Russell Leigh designating November 1996 as "**Native American Month**" in Fairfax County. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Frey and Supervisor McConnell not yet having arrived.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO THE SOUTH LAKES WIND ENSEMBLE** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to William A. Harper, Principal, South Lakes High School; Charles T. Franklin, Band Director, South Lakes High School; and members of the South Lakes Wind Ensemble for being selected to participate in the 1997 National Concert Band Festival. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey not yet having arrived.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO KEVIN GREENLIEF, DIRECTOR, DEPARTMENT OF TAX ADMINISTRATION, AND STAFF** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Kevin Greenlief, Director, Department of Tax Administration, and staff for their efforts during the SMILES campaign. This motion was seconded by Supervisor Dix and carried by unanimous vote.

7. **ORDERS OF THE DAY** (Tape 1)

Chairman Hanley announced a change in the Orders of the Day. The Board would proceed with the next two 10:00 a.m. items, Presentation by the United States (U.S.) Department of the Interior Fish and Wildlife Service of \$91,000 Revenue Sharing Check for the Mason Neck National Wildlife Refuge in Lorton, Virginia and the 1996 Exceptional Design Awards Ceremony, then recess for an Executive Session.

8. **10:00 A.M. - PRESENTATION BY THE UNITED STATES (U.S.) DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE OF \$91,000 REVENUE SHARING CHECK FOR THE MASON NECK NATIONAL WILDLIFE REFUGE IN LORTON, VIRGINIA** (Tape 1)

J. Frederick Milton, Refuge Manager, United States (U.S.) Fish and Wildlife Service, Department of the Interior, presented a revenue sharing check in the amount of \$91,000 for the Mason Neck National Wildlife Refuge, Lorton, Virginia to Chairman Hanley and Supervisor Hyland.

9. **10:00 A.M. - 1996 EXCEPTIONAL DESIGN AWARDS CEREMONY (COUNTYWIDE)** (Tape 1)

The 1996 Exceptional Design Awards were presented by Carl E. Neuberg, AIA, Chairman, Design Jury, as follows:

Merit Award: A House along the Edge of a Ridge - The Greenwood Residence in Great Falls (Residential, Single Family Detached).
Architect: Susan Woodward Notkins, Architects, PC
Owner/Developer: Gary Greenwood
Year Built: 1995.

Honorable
Mention: Fairfax County Boys Probation House in Fairfax
(Institutional)
Architect: Gauthier, Alvarado and Associates, Incorporated
Owner/Developer: Fairfax County Board of Supervisors
Year Built: 1996.

Honorable
Mention: Ragan Oaks Apartments
(Affordable Housing Development)
Architect: Collins and Kronstadt Architects
Owner/Developer: Fairfax County Redevelopment and Housing Authority
Year Built: 1996.

10. **RECESS/EXECUTIVE SESSION** (Tape 1)

At 10:15 a.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of certain personnel matters enumerated in *Virginia Code* Section 2.1-344, paragraph one. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

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At 3:10 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

ADDITIONAL BOARD MATTER

11. **DEPARTURE OF MOUNT VERNON DISTRICT SUPERVISOR HYLAND**
(Tape 2)

(NOTE: Earlier in the meeting, the death of Supervisor Hyland's sister was announced. See Clerk's Summary Item CL#3.)

Chairman Hanley announced that, due to the death of his sister, Supervisor Hyland had departed from the meeting to catch an out-of-town flight to be with his mother.

ACTIONS FROM EXECUTIVE SESSION

12. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 2)

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

13. **TERMINATION OF CONTRACT WITH WILLIAM J. LEIDINGER, COUNTY EXECUTIVE** (Tape 2)

Supervisor Gross moved that the Board terminate the contract with William J. Leidinger, County Executive, effective close-of-business today under the provisions of Section 8a of his contract. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of seven, Supervisor Frey and Supervisor McConnell voting "NAY," Supervisor Hyland being out of the room.

14. **APPOINTMENT OF ANTHONY H. GRIFFIN AS ACTING COUNTY EXECUTIVE** (Tape 2)

Supervisor Gross moved the appointment of Anthony H. Griffin, formerly Deputy County Executive for Planning and Development, as Acting County Executive effective October 29, 1996 at an annual salary of \$120,000 as the Board searches for a permanent replacement. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of seven, Supervisor Frey and Supervisor McConnell abstaining, Supervisor Hyland being out of the room.

Supervisor Frey stated, for the record, that he had full confidence in Mr. Griffin, but his abstention reflected his belief that there should not be a vacancy. Supervisor McConnell noted the same belief.

AR:ar

15. **ADMINISTRATIVE ITEMS** (Tape 3)

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

Following a query from Supervisor Kauffman, on behalf of Supervisor Hyland, regarding the timing involved in the submission of Administrative Item 14 - Fairfax County Police Department Grant Application to the Department of State Police for Funding Under the Held Eliminate Automobile Theft (H.E.A.T.) Program, the question was called on the motion which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland being out of the room.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (MOUNT VERNON AND SULLY DISTRICTS)

(R) Approved the request that certain streets listed in the Memorandum to the Board dated October 28, 1996 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
The Manors at Mount Vernon	Mount Vernon	Lakeshire Drive, Route 3700 Simsbury Place Riverton Lane Centerbrook Place Marble Dale Court

Wright's Overlook Phase II	Mount Vernon Davis Drive Route 8097 Wright's Hollow Lane
Chantilly Highlands, Section 12	Sully Cobra Drive, Route 8382 Elliott An Court Taylor Makenzye Court Amy Way Jeannie Anna Court
Rockpointe, Section 3	Sully Rockpointe Drive, Route 7982 Sandy Point Lane Graphite Court Pebblestone Court Feldspar Court Rockpointe Court

**ADMIN 2 - EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITIES
(456) REVIEW APPLICATIONS**

Approved an extension of the review period for the seven Public Facilities (456) Review Applications listed in the Memorandum to the Board dated October 28, 1996, to a date of April 28, 1997.

**ADMIN 3 - INSTALLATION OF MULTI-WAY STOPS AT THE
INTERSECTIONS OF VILLA PARK ROAD AND SUPREME COURT, AND BEN
FRANKLIN ROAD AND WESLEY ROAD (LEE DISTRICT)**

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

- Villa Park Road (Route 5596) and Supreme Court (private);
- Ben Franklin Road (Route 1132) and Wesley Road (Route 3011);
and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of multi-way stops and install these signs at the earliest possible date.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE CONSOLIDATED PLAN: PROPOSED ONE YEAR ACTION PLAN FOR FISCAL YEAR (FY) 1998

- (A) Authorized the advertisement of a public hearing to be held before the Board on December 2, 1996 at 7:00 p.m. on the Consolidated Plan: Proposed One Year Action Plan for Fiscal Year (FY) 1998 as prepared by the Consolidated Plan Review Committee (CPRC). This hearing will provide an opportunity for citizens to comment on housing and community development needs and fair housing issues in Fairfax County.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE DEDICATION OF COUNTY-OWNED PROPERTY LOCATED AT WIEHLE AVENUE TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR ROAD IMPROVEMENTS (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on December 9, 1996 at 4:00 p.m. regarding the dedication of a portion of County-owned property, Tax Map Number 17-4((01))17A, to the Virginia Department of Transportation (VDOT) and directed staff to notify adjacent landowners of the public hearing by certified mail.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) AND PUBLIC FACILITIES MANUAL (PFM) REGARDING CLOSURE OF THE SOIL SCIENCE OFFICE (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on November 20, 1996 at 8:15 p.m. and before the Board on December 2, 1996 at 3:30 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) and Public Facilities Manual (PFM) regarding closure of the Soil Science Office.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 112 (ZONING ORDINANCE) REGARDING PRELIMINARY SUBDIVISION PLATS AND DEVELOPMENT PLANS (COUNTYWIDE)

- (A)(R) Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 21, 1996 at 8:15 p.m. and before the Board on December 9, 1996 at 3:30 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) and Chapter 112 (Zoning Ordinance) regarding preliminary subdivision plats

and development plans.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING MISCELLANEOUS PROVISIONS (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on November 21, 1996 at 8:15 p.m., and before the Board on December 9, 1996 at 3:30 p.m. on proposed amendments to the Public Facilities Manual (PFM) regarding miscellaneous provisions.

ADMIN 9 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR A STOP VIOLENCE AGAINST WOMEN PROGRAM GRANT

Authorized the Fairfax-Falls Church Community Services Board (CSB) to apply to the Virginia Department of Criminal Justice Services for a STOP Violence Against Women Program grant in the amount of \$136,997.

ADMIN 10 - AUTHORIZATION OF GRANT APPLICATION SUBMITTED BY THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT SERVICES FOR THE SERVICES TRAINING OFFICERS PROSECUTION (STOP) VIOLENCE AGAINST WOMEN GRANT PROGRAM

Authorized the Juvenile and Domestic Relations Court Services to apply to the Department of Criminal Justice Services for the STOP Violence Against Women Grant Program in the amount of \$118,346.

ADMIN 11 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR A VIRGINIA DEPARTMENT OF SOCIAL SERVICES DOMESTIC VIOLENCE PROGRAM GRANT

Authorized the Fairfax-Falls Church Community Services Board (CSB) to apply for a \$6,500 Virginia Department of Social Services Domestic Violence Program grant.

ADMIN 12 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT \$501,156 FOR EARLY INTERVENTION SERVICES FOR INFANTS AND TODDLERS

Authorized the Fairfax-Falls Church Community Services Board (CSB) to accept \$501,156 from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) for early intervention services for

infants and toddlers with disabilities and their families.

ADMIN 13 - FAIRFAX COUNTY PUBLIC LIBRARY GRANT APPLICATION TO THE VIRGINIA ASSISTIVE TECHNOLOGY SYSTEM TO ADAPT THE COUNTY RESIDENT INFORMATION SERVICE (CRIS) KIOSKS FOR USE BY CITIZENS WITH VISUAL AND READING IMPAIRMENTS

Approved the Fairfax County Public Library's application for \$11,285 in Virginia Assistive Technologies System funds to provide software licensing, hardware adaptations and software integration to the County Resident Information Service (CRIS) kiosks.

ADMIN 14 - FAIRFAX COUNTY POLICE DEPARTMENT GRANT APPLICATION TO THE DEPARTMENT OF STATE POLICE FOR FUNDING UNDER THE HELP ELIMINATE AUTOMOBILE THEFT (H.E.A.T.) PROGRAM

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

Approved the Fairfax County Police Department's application to the Department of State Police in the amount of \$9,597 for funding under the Help Eliminate Automobile Theft (H.E.A.T.) Program.

16. A-1 - VIRGINIA RAILWAY EXPRESS (VRE) PURCHASE OF BI-LEVEL RAIL CARS (COUNTYWIDE) (Tape 3)

Supervisor Bulova moved that the Board defer action on the Resolution *Approving Issuance of Bonds for Virginal Railway Express (VRE)* to allow additional time for discussion with staff. This motion was seconded by Supervisor Connolly.

Supervisor Bulova asked to amend her motion with a notation that action on this item by the Northern Virginia Transportation Commission (NVTC) will be deferred pending action by the Board, and this was accepted.

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

17. A-2 - ABANDONMENT OF A PORTION OF LEGATO ROAD (ROUTE 656) (SULLY DISTRICT) (Tape 3)

(R) On motion of Supervisor Frey, seconded by Supervisor Dix, and carried by a vote nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE,"

Supervisor Hyland being out of the room, the Board concurred in the recommendation of staff and adopted the Resolution abandoning a portion of Legato Road.

18. C-1 - PROPOSED PILOT OPERATION OF THE MOUNT VERNON AND MASON SUBSTATION LOCK-UP FACILITIES BY THE FAIRFAX COUNTY OFFICE OF THE SHERIFF (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 requesting authorization for staff to conduct pilot operations of the Mount Vernon and Mason substation lock-up facilities.

Following discussion, with input from James A. Vickery, Chief Deputy Sheriff, Office of the Sheriff, and Dana S. Libby, Major, Division I, Patrol Bureau, Police Department, Supervisor Connolly moved adoption of Alternative C:

- Sheriff to assume operations in April 1997 utilizing Public Safety Academy graduates (i.e. no overtime) at a cost of \$10,000.

This motion was seconded by Supervisor Frey.

Following additional discussion, Supervisor Kauffman asked to amend the motion to add an assurance that the seven new officer positions will not be lost. This amendment was accepted by Supervisor Connolly.

Following notation by the seconder of the motion (Supervisor Frey) that he could not accept the amendment, Supervisor Kauffman moved a substitute motion that the seven officers previously allotted to these operations not be removed, but instead remain as officers available for community enforcement, with a cost implication of \$372,600. This motion died for lack of a second.

After further discussion, Acting-Chairman Dix clarified the motion before the Board as:

- Adoption of Alternative C which states that the Sheriff is to assume operations in April 1997 utilizing Public Safety Academy graduates at a cost of \$10,000. This amount will return to the Board as a mandated Consideration Item at Mid-Year Budget Review.

The question was called on the motion which carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

ADDITIONAL BOARD MATTER

19. WELCOME TO BOY SCOUT TROOP 1169 (Tape 3)

Acting-Chairman Dix recognized the presence the Boy Scout Troop 1169, Den Four (Weebloes), from Armstrong Elementary School working on their Citizenship Badges and warmly welcomed them to the Board Auditorium.

20. **C-2 - IMPLEMENTATION OF A BLIGHT ABATEMENT PROGRAM (COUNTYWIDE)** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 requesting authorization for staff to utilize State enabling legislation to initiate a spot blight abatement program Countywide.

Following discussion, Supervisor Connolly moved that the Board defer action on this item until November 18, 1996. This motion was seconded by Supervisor Kauffman.

Following discussion, Supervisor Frey asked to amend the motion to direct staff to provide additional information on the time estimates for this program, and this was accepted.

Supervisor Bulova asked to amend the motion to direct staff to respond to the questions concerning the costs involved and submit this information to the Legislative Subcommittee for review, and this was accepted.

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

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21. **I-1 - MAINTENANCE FUNDING FOR COMMERCIAL REVITALIZATION AREAS (COUNTYWIDE)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 requesting authorization for staff to include capital projects under the Commercial Revitalization Program (CRP) as a Consideration Item at the Board meeting scheduled for November 18, 1996.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Kauffman moved that the Board:

- Refer this item on maintenance and revitalization areas to the Planning Commission, the Redevelopment and Housing Authority (RHA) and the Economic Development Authority (EDA) for their consideration and recommendation to the Board; and
- Direct staff to schedule this as a Consideration Item at the Board meeting of December 2, 1996.

This motion was seconded by Supervisor Bulova.

Following further discussion, Acting-Chairman Dix relinquished the Chair to Acting-Chairman Bulova and asked to amend the motion to add the Economic Advisory Committee to the list, and this was accepted. Acting-Chairman Bulova returned the gavel to Chairman Hanley.

Following further discussion, Supervisor Mendelsohn moved to amend the motion to have these bodies review not only the maintenance aspects, but the overall policy of moving ahead in the revitalization, whether to do it in designated pilot areas or in broader County-wide areas. The second to this motion was inaudible.

Following further discussion, with input from John W. di Zerega, Director, Department of Public Works, the question was called on the amendment which **FAILED** by a recorded vote of five, Supervisor Dix and Supervisor Mendelsohn voting "AYE," Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

The question was then called on the main motion, as previously amended, which carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

22. **I-2 - DEVELOPMENT OF AN ECONOMIC INDEX FOR FAIRFAX COUNTY**
(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 requesting authorization for staff to discuss with the Economic Advisory Commission (EAC) alternatives outlined in the Memorandum to the Board regarding developing a Fairfax County economic index.

Following discussion, staff was directed administratively to proceed as proposed.

23. **I-3 - INEQUITIES IN THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) AND NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) ALLOCATION FORMULAS (COUNTYWIDE)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 presenting the current inequities in the Washington Metropolitan Area Transit Authority (WMATA) and Northern Virginia Transportation Commission (NVTC) allocation formulas.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, and Shiva K. Pant, Director, Office of Transportation, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked unanimous consent that the Board direct staff to provide Board Members with information regarding analysis on the specific routes. Without objection, it was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

24. **ORDERS OF THE DAY** (Tape 4)

Chairman Hanley announced that immediately following the County Executive's Items the Board would proceed with the land use cases.

25. **I-4 - PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 456-M96-14, FAIRFAX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) (MASON DISTRICT)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 presenting the Planning Commission Action regarding Public Facilities Application 456-M96-14 Fairfax County Department of Housing and Community Development (HCD) to expand the Baileys Community Center and the Higher Horizons Day Care Center. The Commission voted to approve this Application, citing that it met the *Code of Virginia*, Section 15.1-456 criteria of character, location, and extent, and was in substantial accord with the County's Comprehensive Plan.

The staff was directed administratively to proceed as proposed.

26. **I-5 - APPROVAL OF CONTRACT EXTENSION FOR LIFE CYCLE TECHNOLOGY, INCORPORATED FOR EXPERT ASSISTANCE IN COMPUTER SYSTEMS PLANNING AND APPLICATION DEVELOPMENT OF THE LAND DEVELOPMENT SYSTEM FOR THE PLANNING AND DEVELOPMENT AGENCIES** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 requesting authorization for staff to conclude negotiations and execute a contract amendment with Life Cycle Technology Incorporated to reflect an increase of \$1,000,000.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, and Peter W. Korinis, Chief Information Officer/Director, Department of Information Technology, staff was directed administratively to proceed as proposed.

27. **INTENT TO DEFER PUBLIC HEARINGS AND CHANGE IN ORDERS OF THE DAY** (Tape 4)

Chairman Hanley announced the Board's intent to defer the public hearings on Out-of-Turn Plan Amendment S96-I-A1 and Special Exception Application SE 95-M-026, respectively.

In addition, Chairman Hanley announced a change in Orders of the Day. Following the afternoon public hearings, the Board would proceed with Board Matters followed by the evening public hearings.

After a brief discussion, Chairman Hanley announced the Board's intent to hold an Executive Session after Board Matters and prior to the evening public hearings.

(NOTE: Later in the meeting, the above-referenced public hearings were formally deferred. See Clerk's Summary Items CL#30 and CL#31.)

28. **I-6 - AWARD OF CONTRACT FOR THE OPERATION OF HUMAN SERVICES PROGRAMS IN SOUTH COUNTY** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 requesting authorization for staff to proceed with the award of a contract for:

- New Choices Program to the Center for Multicultural Human Services in the amount of \$62,896;
- Resource Advisory Program to Northern Virginia Family Services in the amount of \$86,739;
- Community and Family Initiatives (Area Six - Gum Springs) Program to Northern Virginia Urban League in the amount of \$68,666; and
- Surplus Food Program to United Community Ministries in the amount of \$12,721.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Connolly asked unanimous consent that the Board defer this item until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#57.)

29. **I-7 - ADDITIONAL SELECTED HIRING ACTIONS TO ENSURE SUPPORT OF FISCAL YEAR (FY) 1997 BUDGET APPROVED SERVICES AND FUNCTIONS (COUNTYWIDE)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 requesting authorization for staff to proceed with the recruitment and hiring for 75 vacant positions identified in Attachment One as being critical in providing direct service to the community as well as supporting the County's direct service operations.

The staff was directed administratively to proceed as proposed.

AM:am

30. **3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-I-A1 FOR LAND BETWEEN THE LEEWOOD NURSING HOME AND THE SCHOOL FOR CONTEMPORARY EDUCATION ON BRADDOCK ROAD (MASON DISTRICT)** (Tape 5)

Supervisor Gross moved to defer the public hearing on the Out-of-Turn Plan Amendment S96-I-A1 until **November 18, 1996 at 5:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

31. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-M-026 (MCDONALD'S CORPORATION) (MASON DISTRICT)** (Tape 5)

Supervisor Gross moved to defer indefinitely the public hearing on Special Exception Application SE 95-M-026. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor, Hyland, and Supervisor McConnell being out of the room.

32. **4:00 P.M. - PH ON THE VACATION OF A PORTION OF OAKTON DRIVE (PROVIDENCE DISTRICT)** (Tape 5)

Supervisor Connolly moved to defer the public hearing on the vacation of a portion of Oakton Drive until **November 18, 1996 at 5:00 p.m.** This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Hyland being out of the room.

33. **3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-II-F2 FOR SUB-UNIT 01 OF THE FAIRFAX CENTER AREA (SULLY DISTRICT)** (Tape 5)

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 October 11 and October 18, 1996.

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved to defer Board decision on Out-of-Turn Plan Amendment S96-II-F2 until **November 18, 1996 at 5:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Connolly and Supervisor Hyland being out of the room.

34. **4:00 P.M. - PH ON THE VACATION OF A 10 FOOT WIDE TRAIL EASEMENT IN THE WOODSTREAM SUBDIVISION AND BOARD ADOPTION OF A RESOLUTION TO ABANDON AND ACCEPT PORTIONS OF POHICK ROAD (ROUTE 641) (SPRINGFIELD DISTRICT)** (Tape 5)

Supervisor McConnell moved to defer the public hearing on the vacation of 10-foot wide trail easement in the Woodstream Subdivision until **November 18, 1996 at 5:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Kauffman being out of the room.

35. **3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-I-A1 FOR LAND BETWEEN THE LEEWOOD NURSING HOME AND THE SCHOOL FOR CONTEMPORARY EDUCATION ON BRADDOCK ROAD (MASON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this public hearing. See Clerk's Summary Item CL#30.)

36. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING EROSION AND SEDIMENT CONTROL** (Tape 5)

Supervisor Dix moved to defer the public hearing on the proposed amendments to the Public Facilities Manual (PFM) until **November 18, 1996 at 5:00 p.m.** This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

37. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-L-020-11 (KINGSTOWNE COMMERCIAL, L.P./KINGSTOWNE SHOPPING CENTER LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tape 5)

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. William D. Dolan III; and
- In excess of \$200 from Mr. Warren Halle of Kingstowne Commercial, Limited Partnership.

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

Supervisor Kauffman moved:

- Approval of Proffered Condition Amendment Application PCA 84-L-020-11 subject to the executed proffers dated October 7, 1996; and
- Modification of the transitional screening yard requirements and waiver of the barrier requirements.

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

38. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-H-029 (FOX MILL SUITES, L.L.C.) (HUNTER MILL DISTRICT)** (Tape 5)

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

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

Following the public hearing, Denise James, Senior Staff Coordinator, 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-029 subject to the development conditions dated October 23, 1996. This motion was seconded by Chairman Hanley and carried by a vote of six, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Supervisor McConnell being out of the room.

39. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-M-026 (MCDONALD'S CORPORATION) (MASON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to indefinitely defer this public hearing. See Clerk's Summary Item CL#31.)

40. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD), APPENDIX G, TO ESTABLISH THE WOODSON RPPD, DISTRICT 22 (BRADDOCK DISTRICT)** (Tape 5)
- (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 October 11 and October 18, 1996.

Following the public hearing, which included testimony by five speakers, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking Districts (RPPD), Appendix G, to establish the Woodson RPPD, District 22, **to become effective upon adoption.** This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Hyland, Supervisor Mendelsohn, and Supervisor McConnell being out of the room.

41. **4:00 P.M. - PH ON THE VACATION OF A PORTION OF OAKTON DRIVE (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this public hearing. See Clerk's Summary Item CL#32.)

42. **4:00 P.M. - PH ON THE VACATION OF A 10 FOOT WIDE TRAIL EASEMENT IN THE WOODSTREAM SUBDIVISION AND BOARD ADOPTION OF A RESOLUTION TO ABANDON AND ACCEPT PORTIONS OF POHICK ROAD (ROUTE 641) (SPRINGFIELD DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#34.)

43. **4:00 P.M. - PH ON THE PROPOSED CREATION/ENLARGEMENT/DE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE, LEE, MASON AND PROVIDENCE DISTRICTS)** (Tape 5)

- (Rs) 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 October 11 and October 18, 1996.

Following the public hearing, Supervisor Gross moved adoption of the Resolutions to Create/Enlarge/De-Create Small and Local Sanitary Districts within Dranesville, Lee, Mason and Providence Districts for refuse and leaf collection services as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>ServiceRecommendation</u>
Local District A-2 within Small District 1 within Dranesville District	Enlarge	Refuse Approve
Local District E within Small District 1 within Dranesville District	Enlarge	Refuse Approve and Leaf
Local District D within Small District 1 within Lee District	Create	Refuse Approve and Leaf
Local District E within Small District 1 within Mason District (Federal Hill)	De-Create	Refuse Approve
Small District 1 within Providence District	Enlarge	Refuse Approve and Leaf

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

44. **4:30 P.M. - PH ON REZONING APPLICATION RZ 96-L-005 AND SPECIAL EXCEPTION APPLICATION SE 96-L-034 (SPRINGFIELD CAMPUS, L.L.C.) (LEE DISTRICT)** (Tapes 5-6)

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

Supervisor Kauffman moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-L-005 be amended from the R-1 District to the R-3 and PDH-2 Districts subject to the execution of the proffers dated October 24, 1996; the Planning Commission having previously approved Final Development Plan Application FDP 96-L-005 on August 1, 1996 and the Conceptual Development Plan for the PDH-2 District be approved subject to the following development condition:
 - The pedestrian connection from the east may be relocated from its current location in accordance with the provisions of Section 16-403 of the Zoning Ordinance.
- Approval of Special Exception Application SE 96-L-034, subject to the revised development conditions dated October 14, 1996;
- Modification to the provisions of paragraph two of Section 9-306 of the Zoning Ordinance to permit nursing facilities to be used by persons other than residents of independent living units in accordance with the proffers;
- Waiver of the requirement that an elderly housing project in a low density residential area be sponsored by a non-profit or a limited distribution entity as provided in paragraph six of Section 9-306 of the Zoning Ordinance;
- Modification of the transitional screening yard and barrier requirements for the Continuing Care Retirement Community approved pursuant to Special Exception Application SE 96-L-034 to that shown on the Special Exception Plat as modified by the proffers; and
- Modification of the requirements of paragraph eight of Section 9-306, of the Zoning Ordinance, regarding the administration of the Affordable Dwelling Unit Program (ADU) for the Continuing Care Retirement Community approved pursuant to Special Exception Application SE 96-L-034 to allow that requirement to be administered in accordance with the proffers associated with Rezoning Application RZ 96-L-005.

This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

At 5:50 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:

- *Nationwide Health Properties, Incorporated versus Board of Supervisors of Fairfax County*, At Law Number 148232;
- *Reston Property Investors, Limited Partnership versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 134036;
- *Sheila Patterson versus County of Fairfax*, Civil Action Number 93-788-A;
- Procedural Memorandum 149; Regulations for Public Use of Facilities and Ground at the Fairfax County Government Center Complex;
- Proposed Agreement between Upper Occoquan Sewage Authority (UOSA) and the City of Manassas;
- NOVEC Line Relocation at Confederate Ridge - Section One;
- *Marc Alexander, et al., versus Prince George's County, et al.*, Number 95-2978, 4th Circuit United States Court of Appeals;
- County Contracts with Gum Springs Development Corporation, Incorporated; and
- *Sunrise Valley Schools, Incorporated versus the County of Fairfax*, In Chancery Number 143804.

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

SBE:sbe

At 7:45 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Hyland and Supervisor McConnell, and with Chairman Hanley presiding.

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

Chairman Hanley announced a change in Orders of the Day. The Board would proceed with Items from Executive Session, Public Comment, a brief presentation on the Community-Based Agency Funding Process, and then the public hearing on the Community-Based Agency Funding Process.

47. **ABSENCE OF SUPERVISOR HYLAND AND SUPERVISOR MCCONNELL FROM EVENING MEETING** (Tape 7)

Chairman Hanley announced that Supervisor Hyland would not be present at the meeting this evening because of the death of his sister. She added that Supervisor McConnell went home ill and would not be present at the meeting this evening.

ADDITIONAL ACTIONS FROM EXECUTIVE SESSION

48. **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 eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland and Supervisor McConnell being out of the room.

49. **AUTHORIZATION OF SETTLEMENT OF FOURTH GWR REFG, INCORPORATED, ET AL., VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA** (Tape 7)

Supervisor Frey moved that the Board authorize settlement in the matter of *Fourth GWR REFG, Incorporated, et al., versus Board of Supervisors of Fairfax County, Virginia*, at Law number 148605, in accordance with the terms outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

50. **AUTHORIZATION OF SETTLEMENT OF WESTFIELD CORPORATE CENTER ASSOCIATES, L. P., ET AL., VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY** (Tape 7)

Supervisor Frey moved that the Board authorize settlement in the matter of *Westfield Corporate Center Associates, L. P., et al., versus Board of Supervisors of Fairfax County*, At Law Number 129006, in accordance with the terms outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

51. **AUTHORIZATION TO ISSUE A ONE-TIME PERMIT FOR THE PROPOSED RELOCATION OF NORTHERN VIRGINIA ELECTRIC CO-OP DISTRIBUTION LINES IN CONFEDERATE RIDGE** (Tape 7)

Supervisor Frey called the Board's attention to the issue they previously discussed regarding Northern Virginia Electric Co-op (NOVEC) and the desire, by the citizens, to have an overhead distribution line moved out of their backyards in Confederate Ridge. NOVEC wants to relocate the line but will not agree to sign the standard permit form because it takes away the rights they believe they currently have in the prescriptive easement where the line is presently located. NOVEC has committed, in writing, that if the County would agree to a non-standard permit, that they would not consider this one project as precedential to any other dealings with Fairfax County.

Because of the unique and special circumstances involving this proposed relocation, and the benefit it would provide to long-time residents in Confederate Ridge and future residents in Compton Ridge, Supervisor Frey moved that the Board authorize staff to issue a one-time permit for the proposed relocation of NOVEC distribution lines in Confederate Ridge which would delete the aspect of revocation from the permit language upon submission of an application by NOVEC for this specific project. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

52. **AUTHORIZATION OF SETTLEMENT OF RESTON PROPERTY INVESTORS, LIMITED PARTNERSHIP VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA** (Tape 7)

Supervisor Dix moved that the Board authorize settlement in the matter of *Reston Property Investors, Limited Partnership versus Board of*

Supervisors of Fairfax County

,
Virginia,
At Law
Number

134036

, in
accordance
with
the
terms
outlined
by
the
County
Attorney
in
Executive
Session.

This
motion
was
seconded
by
Supervisor
Frey
and
carried
by a
vote of
eight,
Supervisor
Hyland
and
Supervisor
McConnell

being
out of
the
room

53. **AUTHORIZATION OF SETTLEMENT OF W. H. TYSONS PAGE CORPORATION VERSUS COUNTY OF FAIRFAX** (Tape 7)

Supervisor Dix moved that the Board authorize settlement in the matter of *W. H. Tysons Page Corporation versus County of Fairfax*, At Law Number 128956, in accordance with the terms outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

54. **AUTHORIZATION OF SETTLEMENT OF NATIONWIDE HEALTH PROPERTIES, INCORPORATED VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY** (Tape 7)

Supervisor Gross moved that the Board authorize settlement in the matter of *Nationwide Health Properties Incorporated versus Board of Supervisors of Fairfax County*, At Law Number 148232, in accordance with the terms outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

55. **DESIGNATION OF ACTING-COUNTY EXECUTIVE ANTHONY H. GRIFFIN TO SIGN CHECKS IN LIEU OF CHAIRMAN OF THE BOARD OF SUPERVISORS** (Tape 7)

Supervisor Gross moved that the Board designate Acting County Executive Anthony H. Griffin to sign County checks in lieu of the Chairman of the Board of Supervisors pursuant to *Virginia Code* Section 15.1-766(e). This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

56. **BOARD NAMES JOHN W. DI ZEREGA AS ACTING DEPUTY COUNTY EXECUTIVE FOR PLANNING AND DEVELOPMENT** (Tape 7)

Supervisor Gross moved that the Board designate John W. di Zerega, Director, Department of Public Works (DPW), to fill the position as Acting Deputy County Executive for Planning and Development at the request of the Board of Supervisors. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

AM:am

57. **I-6 - AWARD OF CONTRACT FOR THE OPERATION OF HUMAN SERVICES PROGRAMS IN SOUTH COUNTY** (Tape 7)

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

The Board next considered an Item contained in the Memorandum to the Board dated October 28, 1996 requesting authorization for staff to proceed with the award of a

contract for:

- New Choices Program to the Center for Multicultural Human Services in the amount of \$62,896;
- Resource Advisory Program to Northern Virginia Family services in the amount of \$86,739;
- Community and Family Initiatives (Area Six - Gum Springs) Program to Northern Virginia Urban League in the amount of \$68,666; and
- Surplus Food Program to United Community Ministries in the amount of \$12,721.

Supervisor Kauffman moved that the Board authorize the Chairman to respond on behalf of the Board to a letter received from the Reverend Kenny Smith of the National Association For the Advancement of Colored People (NAACP). This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

The staff was directed administratively to proceed as proposed.

58. **7:00 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 8)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 11 and October 18, 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 speakers:

- Mr. Arturo Estrada regarding Fastran Transportation;
- Mr. Robert Clark regarding financing confusion in Fairfax County;

- Dr. Faraj Ardalan regarding Peoples Empowerment Network and the need to change County Codes regarding taxicab licenses;
- Mr. Morris Myers regarding full time Supervisors proposal;
- Ms. Azita Ahn regarding taxicab licenses; and
- Mr. S. Sadeghi regarding taxicab licenses.

59. **7:00 P.M. - PH ON THE FUNDING PRIORITIES FOR THE COMMUNITY-BASED AGENCY FUNDING PROCESS** (Tapes 8-9)

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 October 11 and October 18, 1996.

A presentation was given by Marlene Blum of the Community-Based Agency Funding Policy Committee (FPC).

Following the public hearing, which included testimony by 14 speakers, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and moved that the Board approve the recommendations for the funding priorities for the Community-Based Agency Funding Process for Fiscal Year (FY) 1998 as found in Attachment One of the Memorandum to the Board. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

CM:cm

ADDITIONAL BOARD MATTERS

60. **PUBLIC HEARING ON CABLE TELEVISION REFRANCHISING** (Tape 10)

Chairman Hanley announced that the Consumer Protection Commission (CPC) has scheduled public hearings on cable television refranchising for November 19, 1996. This is the first opportunity citizens will have to provide their input on Media General's past performance and to make suggestions for improving the current franchise agreement.

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked unanimous consent that the Board direct staff to publicize this important public hearing on Channel 16, the County Bulletin Board, Web Page, and all other available media. Without objection, it was so ordered.

61. **WORLD AIDS DAY** (Tape 10)

Chairman Hanley announced that Sunday, December 1, 1996 is World AIDS Day. She moved that the Board direct staff to:

- Prepare a Resolution to be presented at the November 18, 1996 Board meeting proclaiming December 1, 1996 as "**AIDS Awareness Day in Fairfax County**" to coincide with World AIDS Day; and
- Arrange for a County resident living with AIDS to accept the Proclamation.

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

62. **DRUG ELIMINATION GRANT FUNDS FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)** (Tape 10)

Chairman Hanley stated that it has been brought to her attention that the Fairfax County Redevelopment and Housing Authority (FCRHA) will not receive any Drug Elimination Grant Funds from the United States (U.S.) Department of Housing and Urban Development (HUD) for the next fiscal year. Fairfax County is the only jurisdiction in the region that is not expected to receive these grant funds. Since the initiation of the grant in 1991, this grant has paid for more than \$500,000 in additional police presence on public housing developments in Reston, Falls Church, Centreville, Fairfax, and West Ford. In addition to increased police presence, these funds are used to support an array of community-based prevention programs to combat drug use and sales in public housing sites. Loss of these funds will jeopardize the County's efforts to keep its housing safe for its residents.

Chairman Hanley moved that the Board direct staff to send a letter to the Secretary of the HUD, Henry Cisneros, conveying the Board's objection to any loss of funds in the next fiscal year and requesting a reconsideration of this funding based on HUD's own recognition of the County's outstanding performance for the past five years in eliminating drug use and sales in public housing. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

63. **AWARDS FOR THE HOUSING AUTHORITY AND THE FAIRFAX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT** (Tape 10)

Chairman Hanley informed the Board of a ceremony in Washington, D.C. on Thursday, October 3, 1996 in which the Fairfax County Redevelopment and Housing Authority (FCRHA) was honored as one of the top housing authorities in the nation. The FCRHA and

the Department of Housing and Community Development (DHCD) received a **Housing Performance Award**, conferred by the United States (U.S.) Department of Housing and Urban Development (HUD) annually to a select number of housing authorities to acknowledge their “outstanding accomplishments in providing decent, safe and affordable housing.”

Chairman Hanley stated that Fairfax County was recognized in the category of **Sustained Performance Awards**. The award was conferred for achieving a score of 90 or above (out of 100 points) under the Public Housing Management Assessment Program, thereby earning the coveted designation of “higher performer” for the fifth year in a row. The annual audit covers such areas as modernization of public housing stock, housing management and maintenance, financial management and housing development. The FCRHA continues to excel in all areas.

Chairman Hanley congratulated both the FCRHA and the DHCD for this award.

64. **40TH ANNIVERSARY OF THE ECONOMIC DEVELOPMENT IN THE COUNTY** (Tape 10)

Chairman Hanley reported that on October 10, 1956, the Board adopted a Resolution creating an Economic and Industrial Development Committee. She noted that this year marks the 40th anniversary of economic development in the County.

Accordingly, in honor of this milestone, Chairman Hanley moved that the Board direct staff to:

- Prepare a Proclamation for the Economic Development Authority (EDA) extending the Board’s congratulation to all those persons, past and present, who have contributed to the economic development of the County and the creation of a world class, vital economy that benefits all of its citizens; and
- Invite EDA staff to appear before the Board to receive this Proclamation.

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

65. **SUBSTANCE ABUSE AWARENESS WEEK** (Tape 10)

Chairman Hanley stated that the Fairfax-Falls Church Community Services Board Alcohol and Drug Services has requested that the County designate the week of November 18-22, 1996 as Substance Abuse Awareness Week. This is the 15th anniversary of Substance Abuse Week and as such it offers the community a unique opportunity to increase its knowledge and awareness of available programs to treat substance abuse.

Accordingly, Chairman Hanley moved that the Board direct staff to:

- Prepare a Proclamation acknowledging November 17-23, 1996 as "**Drug and Alcohol Awareness Week**" in Fairfax County; and
- Invite the appropriate individuals to appear before the Board to accept the Proclamation.

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

66. **PROPOSED REVISIONS TO THE FIRE PROGRAMS, POLICIES AND CODES**
(Tape 10)

Chairman Hanley explained that at Friday's meeting of the Legislative Committee, and at today's meeting, she distributed copies of the comments from the Fire and Rescue Department on the proposed revisions to the Fire Programs, Policies, and Codes to the Board to consider them for endorsement.

Accordingly, Chairman Hanley moved that the Board endorse the comments on proposed revisions to the Fire Programs, Policies, and Codes prepared by the Fire and Rescue Department. This motion was seconded by Supervisor Gross.

Following discussion, the question was called on the motion which **CARRIED** by a recorded vote of six, Supervisor Dix and Supervisor Mendelsohn abstaining, Supervisor Hyland and Supervisor McConnell being out of the room.

67. **AVAILABILITY OF MEDIA GENERAL CABLE CHANNEL 39** (Tape 10)

Chairman Hanley called the Board's attention to a letter she had received from School Board Chairman Kristen Amundson, copies of which were distributed to the Board. Ms. Amundson was requesting \$413,000 of Media General Cable funds be used to make Media General Cable Channel 39, currently a closed circuit "teacher's channel," available for home reception. Such a change would enable parents to tune in to many of the same programs that their children's teachers view, improving their understanding of what goes on in their schools and classroom. Chairman Hanley stated her understanding that there is a substantial balance available in Subfund 157.

Accordingly, Chairman Hanley moved that the Board direct staff to prepare a Consideration Item for the availability of Media General Cable Channel 39 for the Fiscal Year (FY) 1997 Midyear Review. This motion was seconded by Supervisor Bulova.

Following discussion, Acting-Chairman Dix relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board direct staff to provide information regarding:

- The current balance available in subfund 157;
- What the proposed uses of this channel are;
- How many channels the schools will have that is directly related to providing school information; and
- How much is spent on those channels.

Without objection, it was so ordered.

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

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

68. **JAMES MADISON HIGH SCHOOL MARCHING BAND AWARDS** (Tape 10)

Supervisor Dix announced that the James Madison High School Marching Band has had an extraordinary Fall of 1996. The marching band, under the leadership of Tom Bianchi, has been Grand Champion or Second Grand Champion in four band contests which it has entered. These contests include the Virginia Showcase of Bands Competition, the Hermitage Classic, the Charlottesville Cavalcade of Bands, and the Oakton Classic. The band has received first place honors in the AAA Band category in all four of these competitions, as well as numerous other "best in competition" recognitions.

Supervisor Dix moved that the Board recognize the hard work and outstanding achievements of the James Madison High School Marching Band by presenting an appropriate Certificate of Recognition at the Board meeting on November 18, 1996. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board direct staff to check the schedule for musical groups to present noon time holiday concerts in the Atrium. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

69. **RESTON COMMUNITY CENTER PREFERENCE POLL RESULTS** (Tape 10)

(APPTS)

Supervisor Dix announced that the annual preference poll for members of the Reston Community Center Board of Governors was held on Saturday, October 19, 1996. Based on the results of that preference poll, Supervisor Dix moved the confirmation of the following individuals to the Reston Community Center Board of Governors:

Adult Members (three year terms from November 1, 1996 to October 31, 1999):

- Ms. Jodie Gray;
- Ms. Ruth C. Overton; and
- Ms. Jo Ann Rose.

Youth Members (one year terms from November 1, 1996 to October 31, 1997):

- Ms. Dawn Garcia; and
- Mr. James R. Lambert.

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

70. **REVIEW OF THE TOWN CENTER CONCEPT PLANS FOR THE ORACLE AND BDM DEVELOPMENTS IN RESTON** (Tape 10)

Supervisor Dix informed Board members of Oracle's recent plans for corporate relocation, consolidation and expansion within the 23 acres known as Reston Section 95, Block 2, located in the northeast corner of the intersection of Dulles Toll Road, Reston Parkway and Sunset Hills Road. Oracle proposed to construct, initially, a 220,000 square foot office building. This site has approval for, and Oracle anticipates, ultimately building a campus of 725,000 square feet of office development. The initial building, site developments and land for the Oracle Development itself will cost approximately \$48-\$50 million. Oracle anticipates close to 1,000 employees within its first phase, with ultimate development potential for between 3,000 to 4,000 employees over the next 10 years.

Supervisor Dix further announced that BDM Developments in Reston also recently announced plans to relocate their corporate offices to the northwest corner of the Toll Road, Reston Parkway, and Sunset Hills Road within the 15 acres known as Reston Section 939. BDM proposes to construct its office campus in phases. The initial building will probably consist of approximately 250,000 square feet and 1,000 employees. The cost of this initial phase is estimated to be approximately \$50 million. BDM has the capability to add an additional building for a total of 425,000 square feet of development on that site.

Supervisor Dix stated that along with these two major development projects, Reston Land will be constructing the related transportation improvements along Sunset Hills Road. It is proposing improvements to Reston Parkway which will include additional lane capacity and bridging Reston Parkway over the WOD trail. The estimated value of these transportation improvements associated with the economic development prospects announcements in along the order of \$6 million. Oracle and BDM's decisions to relocate to Reston and Dulles Corridor are based in part on our commitment to work closely with these corporations and County staff to ensure that the County's review process will proceed on a time track that will accommodate their needs while fulfilling all of the obligations of the County process.

Therefore Supervisor Dix moved that the Board direct staff to:

- Expedite the review of the Town Center Concept Plans for the Oracle and BDM developments in Reston;
- Concurrently process the Town Center Concept Plans, the PRC Site Plans and related public improvement plans for the Oracle and BDM projects; and
- Accept application for the review of these projects under the County's modified processing procedures in accordance with the Board's adopted eligibility criteria.

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

PMH:pmh

71. **NEW YORK YANKEES WIN THE WORLD SERIES** (Tape 11)

Supervisor Mendelsohn noted that the New York Yankees won the World Series and in jest suggested that they be invited to appear before the Board to be honored for their accomplishment.

72. **VOLUNTEERFEST IN THE DRANESVILLE DISTRICT** (Tape 11)

Supervisor Mendelsohn acknowledged the individuals who volunteered in the Dranesville District on Saturday. He noted that at least 861 volunteers contributed 4,543 hours and worked on 58 projects.

(NOTE: Later in the meeting, there was additional discussion regarding VolunteerFest. See Clerk's Summary Items CL#77 and CL#84.)

73. **RICK WORMELI, SEVENTH GRADE ENGLISH TEACHER AT HERNDON MIDDLE SCHOOL TO BE HONORED** (Tape 11)

Supervisor Mendelsohn moved that the Board direct staff to invite Rick Wormeli, a seventh grade English teacher on the Academia Nuts team at Herndon Middle School, to appear before the Board on November 18, 1996 to be recognized for being chosen as one of the 36 teachers nationwide to be honored by "The Walt Disney Company and McDonald's Present the American Teacher Awards." This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Supervisor Mendelsohn noted that Mr. Wormeli is one of the three finalist in the English category. The program will have its world television premiere on the Disney Channel on December 14, 1996. Mr. Wormeli will be profiled on the Disney Channel subsequent to this show.

74. **NO BOARD MATTERS FOR LEE DISTRICT SUPERVISOR DANA KAUFFMAN** (Tape 11)

Supervisor Kauffman announced that he had no Board Matters to present today. He noted that later in the meeting at the appropriate time, he would present Board Matters on behalf of Supervisor Hyland.

(NOTE: Later in the meeting, Supervisor Kauffman presented Board Matters for Supervisor Hyland. See Clerk's Summary Items CL#78 through CL#82.)

75. **SCHOOL/COUNTY COOPERATION MEETING** (Tape 11)

Supervisor Bulova reminded Board Members of the School/County cooperation meeting scheduled for November 6, 1996. She said that the Reorganization Subcommittee meeting will also be held in conjunction with the School/County cooperation meeting. This meeting is scheduled from 9:00 a.m. until 11:00 a.m.

76. **SUPERVISOR BULOVA TO PRESENT SUPERVISOR MCCONNELL'S BOARD MATTERS** (Tape 11)

Supervisor Bulova announced that later in the meeting, at the appropriate time, she would present Board Matters on behalf of Supervisor McConnell.

(NOTE: Later in the meeting, Supervisor Bulova presented Board Matters for Supervisor McConnell. See Clerk's Summary Items CL#89 through CL#91.)

77. **LETTERS OF APPRECIATION TO ALL VOLUNTEERS WHO PARTICIPATED IN THE VOLUNTEERFEST** (Tape 11)

(NOTE: Earlier in the meeting, there was discussion regarding VolunteerFest. See Clerk's Summary Item CL#72.)

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked unanimous consent that the Board direct the Chairman to send letters of appreciation to the volunteers who participated in the VolunteerFest. Without objection, it was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, there was additional discussion regarding VolunteerFest. See Clerk's Summary Item CL#84.)

78. **JOINT REQUEST TO HAVE COUNTY ATTORNEY INVESTIGATE POSSIBILITY OF TAKING LEGAL ACTION AGAINST ROUTE ONE MOTEL OWNERS** (Tape 11)

On behalf of Supervisor Hyland, Supervisor Kauffman stated that he and Supervisor Hyland have had concerns over the state of rundown motels on the Route One Corridor, not only from the standpoint of appearance but because of the tawdry activities which are spawned at these locations.

Accordingly, on behalf of Supervisor Hyland, Supervisor Kauffman asked unanimous consent that the Board direct staff to determine if there is a legal basis on which to bring these motel owners into court because the uses exercised in their facilities are not the ones for which they were originally intended and granted permission to operate, constitute a public nuisance and are a threat to the public health and safety of the community. Without objection, it was so ordered.

79. **JOINT REQUEST TO TERMINATE COUNTY'S HOUSING OF PERSONS IN ROUTE ONE MOTELS** (Tape 11)

On behalf of Supervisor Hyland, Supervisor Kauffman moved that the Board direct staff to:

- Determine whether any motel in the Route One Corridor is being used by any County agency for the purpose of housing persons;
- Report its findings at the Board meeting scheduled for November 18, 1996; and
- If that is the case, terminate this practice immediately.

This motion was seconded by Supervisor Gross.

Following discussion, the question was called on the motion which carried by a vote of

six, Supervisor Dix, Supervisor Hyland, Supervisor Mendelsohn, and Supervisor McConnell being out of the room.

80. **A LOT OF PEOPLE...A LOT OF TRASH = A LOT OF COMPETITION** (Tape 11)

On behalf of Supervisor Hyland, Supervisor Kauffman referred to Supervisor Hyland's written Board Matters and asked unanimous consent that the Board direct staff to provide a detailed presentation on the issue of solid waste management at the Board meeting scheduled for November 18, 1996 including but not limited to:

- A briefing on the solid waste flow control congressional activities;
- Fairfax County's involvement with that issue;
- The status of the County's solid waste plan and the Citizen's Advisory Committee (CAC) on Solid Waste's influence on that plan;
- What staff is considering relating to the Ogden Martin Agreement with Fairfax County and the Agreement with Virginia Power; what impacts the private landfill tipping fees have on the Ogden Martin incinerator; and
- Making recommendations on what direction the County should take to have a neutral revenue impact on the County's residents.

Following discussion, with input from Catherine A. *Chianese*, Assistant to the County Executive; without objection, it was so ordered.

Following discussion regarding the resignation of members of the CAC, and with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Chairman Hanley relinquished the Chair to Acting-Chairman Dix, and asked unanimous consent that the Board direct staff to address this issue. Without objection, it was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

81. **DECriminalizing A "WHOOPS, I FORGOT"** (Tape 11)

On behalf of Supervisor Hyland, Supervisor Kauffman referred to a letter that Supervisor Hyland had recently received which tells a tale about two dogs and a racoon.

Supervisor Kauffman said that Ms. Cornwell found a dead racoon in her backyard which is occupied by her two dogs. Ms. Cornwell did not know if the racoon was rabid or diseased so she called the Fairfax County Animal Control office asking for an officer to retrieve the

dead racoon and to test it for disease. As part of the duties of the officer, he asked to see the rabies vaccination list for the two dogs. She called her vet only to learn that one vaccine had expired. Also as part of the duties of the officer, Ms. Cornwell was issued a citation. She is not concerned with the citation but she is concerned about something else.

Supervisor Kauffman said that if a similar situation occurs, and the dog of another owner does not have the appropriate shots and the owner knows that if s/he calls the Animal Control office for help, s/he would most likely receive a citation for not having the shots, would that owner actually call the Animal Control Office? Is it fair? Is it the right thing to do...issue a citation to a person who is trying to do the right thing?

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct staff to:

- Review this type of situation, to find a way to decriminalize it; and
- Report with recommendations by the December 9, 1996 Board meeting.

Without objection, it was so ordered.

82. **RAIN GARDENS** (Tape 11)

On behalf of Supervisor Hyland, Supervisor Kauffman said that in Prince George's County, Maryland there is a pilot storm water retention project going on that may be interesting enough to have staff review it. It is affectionately called a rain garden. It works like a Best Management Practices (BMP), but it does not look like a typical dry or wet retention pond. These bioretention facilities are designed to mimic the conditions found on a mature forest floor and are configured to act as a highly permeable sink where stormwater runoff is directed, trapped and treated through the natural ecology.

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

- Review the sites in Prince George's County and the City of Alexandria and to speak with the staffs of Prince George's County's Department of Environmental Resources and Alexandria;
- Report with recommendations on how rain gardens can be implemented in Fairfax County; and
- Include a pilot rain garden site.

Without objection, it was so ordered.

NV:nv

83. **NO BOARD MATTERS FOR MASON DISTRICT SUPERVISOR GROSS**
(Tape 12)

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

84. **VOLUNTEERFEST IN PROVIDENCE DISTRICT** (Tape 12)

(NOTE: Earlier in the meeting, the VolunteerFest was discussed. See Clerk's Summary Items CL#72 and CL#84.)

Supervisor Connolly circulated to the Board copies of the Providence District VolunteerFest brochure. He stated that Providence District had approximately 400 volunteers. He expressed his appreciation to Linda Smith and Dee Horsley, Co-Chairmen for the Steering Committee, and all the other people who participated. He also congratulated the staff of the Volunteer Center for organizing this event.

85. **POLICY REGARDING CRITERIA AND PROCEDURES FOR ESTABLISHING STORM DRAINAGE PROBLEMS AS FUNDABLE PROJECTS** (Tape 12)

Supervisor Connolly explained that in 1977 the Department of Public Works (DPW) established a process regarding the criteria and procedures for establishing storm drainage problems as fundable projects. He noted that there are approximately 700 projects throughout the County that are in the "queue" awaiting future funding. He expressed problems with this system.

Accordingly, Supervisor Connolly moved that the Board direct the Director of the DPW to review the establishment of a policy that includes in his evaluation of drainage project priorities the amount of time the project has been under consideration and to assign the project a corresponding number identifying its rank within a particular category. This motion was seconded by Supervisor Kauffman. Following a brief discussion, the question was called on the motion which carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

86. **SIMULTANEOUS PROCESSING OF THE PRELIMINARY AND FINAL SUBDIVISION PLANS FOR PROPERTY KNOWN AS WOLFTRAP VALE**
(Tape 12)

In reference to property located southeast of the intersection of Wolftrap Road and Silentree Drive, south of Freedom Hill Elementary School, Supervisor Connolly stated that Stanley Martin, owner of the property, has been pursuing Subdivision Plan approval to allow construction of five single family homes on two acres of land. Plan review was delayed pending resolution of engineering issues pertaining to an off-site storm water management pond maintained by the County.

Because resolution of these issues caused the applicant to lose approximately five months in processing time, Supervisor Connolly moved that the Board approve simultaneous processing of the Preliminary and Final Subdivision Plans for the property known as Wolftrap Vale, Section Two, (Fairfax County Plan Number 8800-SD-02). This motion was seconded by Supervisor Gross and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

87. **ROBBERY AT TYSONS CORNER SHOPPING CENTER** (Tape 12)

Supervisor Connolly reported that on October 17, 1996 the Providence District experienced a bank robbery at the Tysons Corner Shopping Center. The robbery occurred at Riggs Bank and a masked suspect attempted to flee on foot through the third level parking garage. After spotting the parked police cruiser that Officer Troy Payne was in, and which Recruit Gary Beavers was standing near, the suspect opened fire, hitting the cruiser in several places. Officer Payne rolled out of the cruiser and opened fire on the suspect who was fatally wounded. Officer Payne sustained a wound in his upper arm, but has recovered and is back on duty at the McLean Station. Recruit Beavers was uninjured.

Accordingly, Supervisor Connolly moved that the Board direct staff to:

- Prepare a Certificate of Appreciation to be presented to Officer Payne and Recruit Beavers at a later time, as deemed appropriate by them and their supervisors, to express the Board's appreciation to these men for their diligent action and personal courage in protecting the citizens of the County.

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

88. **POLICE OVERTIME FOR CAMPAIGN EVENTS** (Tape 12)

Supervisor Frey stated that on Friday, October 25, 1996 the President of the United States (US) appeared at a campaign rally at Lee High School. He also noted that Presidential Candidate Senator Robert Dole campaigned at Interstate Van Lines in the County. He stated that the Police Department incurred significant overtime for crowd control for the President's visit.

Supervisor Frey expressed his belief that it is inappropriate for the County taxpayers to pay for campaign events. Accordingly, he asked unanimous consent that the Board direct staff to:

- Provide an accounting of the funds expended for both events;
- Provide this information on November 18, 1996; and
- Seek appropriate reimbursement.

Supervisor Connolly asked to amend the request to direct staff to provide the following

information:

- The history of presidential visits to the County during the last decade including the campaign seasons and what the practice has been; and
- The attendant cost estimates associated with those previous presidential campaign visits.

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

89. **PERSONAL PROPERTY TAX RATE FOR POLICE AUXILIARY PERSONNEL WHO LEASE THEIR VEHICLES** (Tape 12)

On behalf of Supervisor McConnell, Supervisor Bulova pointed out a discrepancy in the County's tax code. She reminded the Board that Police Auxiliary and Fire and Rescue Auxiliary personnel who own their vehicles are allowed a lower tax rate on their vehicles. Earlier this year, the General Assembly empowered counties to extend this lower tax rate to Fire and Rescue Auxiliary personnel who lease their vehicles.

On behalf of Supervisor McConnell, Supervisor Bulova moved that the Board refer to the Legislative Committee a proposal to consider seeking legislation to extend authorization for enacting a lower personal property tax rate for Police Auxiliary personnel who lease their vehicles. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

90. **DEVELOPER DEFAULT PROJECT IN THE SPRING FOREST SUBDIVISION** (Tape 12)

On behalf of Supervisor McConnell, Supervisor Bulova explained a situation regarding a developer default project in the Spring Forest Subdivision. Property owners in the area oppose the installation of the picnic area, horseshoe pits, and a trail as had been required in the development proffer conditions.

To address the desires of the Spring Forest community, and to provide a final resolution of this developer default project, Supervisor Bulova, on behalf of Supervisor McConnell, moved that the Board initiate a Board's Own Motion Proffered Condition Amendment Application to Rezoning Application RZ 77-S-143 to delete development proffer conditions number five and seven related to the installation of the picnic area, horseshoe pits, and a trail by adopting the Resolution circulated to the Board.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked unanimous consent that the Board:

- Refer this item for staff for its review; and

- Direct staff to provide a recommendation on November 18, 1996.

Without objection, it was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

91. **RECOGNITION OF ECUMENICAL COMMUNITY HELPING OTHERS (ECHO) FOR OUTSTANDING COMMUNITY SERVICE** (Tape 12)

Supervisor Bulova, on behalf of Supervisor McConnell and Supervisor Kauffman, asked unanimous consent that the Board direct staff to invite the Ecumenical Community Helping Others (ECHO), to appear before the Board to be recognized for outstanding community service to the Springfield and Burke communities. ECHO was selected to receive the Governor's Award for Service and Volunteerism for the Commonwealth of Virginia. ECHO consists of 200 volunteers from 25 churches and the only synagogue in the Springfield and Burke communities. Without objection, the request was so ordered.

92. **BOARD ADJOURNMENT** (Tape 12)

At 10:25 p.m., the Board adjourned.