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The meeting was called to order at 9:05 a.m., with all Members being present, and with Chairman Hanley presiding.

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

BOARD MATTER

2. MOMENT OF SILENCE (Tape 1)

Chairman Hanley asked everyone to remember in their thoughts and prayers the people in Kosovo who have been driven from their homes during the war.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to work with non-profit agencies throughout the County in preparation for a possible influx of refugees to Fairfax County and the Washington Metropolitan Area. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Kauffman asked the Board to remember in their thoughts and prayers the late Mr. Joe Dove who recently died. Mr. Dove began his service to the County in 1949 and as one of Fairfax County's 13 original career firefighters from the Penn Daw Station, he served until 1981.

AGENDA ITEMS3. **ORDERS OF THE DAY** (Tape 1)

Chairman Hanley announced that there would be a change in the order of the presentations due to the late arrival of some of those receiving recognition.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO THE SOUTH LAKES HIGH SCHOOL BOYS' SWIM TEAM** (Tape 1)

Supervisor Dix moved approval of the Certificates of Recognition presented to the South Lakes High School Boys' Swim Team for winning the AAA State Championship. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Kauffman being out of the room.

5. **LATE ARRIVAL OF MR. GEORGE STANFORD, VOLUNTEER PHOTOGRAPHER** (Tape 1)

Chairman Hanley announced the late arrival of Mr. George Stanford, the volunteer photographer with the wide-angle lens, and stated that the smaller groups will receive their presentations first.

6. **RESOLUTION TO RECOGNIZE MR. WALTER L. MESS ON THE OCCASION OF HIS FORTIETH YEAR OF SERVICE AS A FOUNDING MEMBER OF THE NORTHERN VIRGINIA REGIONAL PARK AUTHORITY** (Tape 1)

Chairman Hanley recognized the presence of Jean Packard, member of the Northern Virginia Regional Park Authority (NVRPA) and former Board Chairman, and welcomed her to the Board Auditorium.

Chairman Hanley relinquished the Chair to Acting-Chairman Kauffman and moved adoption of the Resolution recognizing Mr. Walter L. Mess on the occasion of his fortieth year of service as a founding member of the NVRPA. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

7. **PROCLAMATION DESIGNATING THE MONTH OF APRIL 1999 AS "CHILD ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation designating April 1999 as "Child Abuse Prevention Month" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

8. **CERTIFICATES OF RECOGNITION PRESENTED TO THE VOLUNTEERS WHO ASSISTED IN THE INDEXING OF THE LIBRARY HISTORY OF NEWSPAPER STORIES DATING BACK TO 1785** (Tape 1)

Chairman Hanley moved approval of the Certificates of Recognition presented to the volunteers who assisted in the indexing of the library history of newspaper stories dating back to 1785. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Dix being out of the room.

Acting-Chairman Kauffman returned the gavel to Chairman Hanley.

9. **CERTIFICATES OF RECOGNITION PRESENTED TO THE WEST SPRINGFIELD HIGH SCHOOL GIRLS' BASKETBALL TEAM** (Tape 1)

Supervisor McConnell moved approval of the Certificates of Recognition presented to the West Springfield High School Girls' Basketball Team for winning the Virginia State Championship. Supervisor Dix seconded the motion and it carried by unanimous vote.

10. **PROCLAMATION DESIGNATING APRIL 1999 AS "FAIR HOUSING MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating April 1999 as "**Fair Housing Month**" in Fairfax County. Supervisor Dix seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. ELANA DIETZ FOR HER YEARS OF SERVICE TO THE HUMAN RIGHTS COMMISSION** (Tape 1)

- (BACs) Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Elana Dietz for her years of service to the Human Rights Commission. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

12. **PROCLAMATION DESIGNATING THE WEEK OF APRIL 4 – APRIL 10, 1999 AS "BUILDING SAFETY WEEK" IN FAIRFAX COUNTY AND INFORMATION ITEM I-1 INTERNATIONAL BUILDING SAFETY WEEK** (Tapes 1-2)

Chairman Hanley called the Board's attention to Information Item 1 – International Building Safety Week.

The Board next considered an item contained in the Memorandum to the Board dated April 5, 1999, announcing that the week of April 4-10, 1999, is International

Building Safety Week and that the Department of Public Works and Environmental Services (DPW&ES) is conducting a campaign to promote and increase public awareness of building safety in Fairfax County.

Supervisor Frey moved approval of the Proclamation designating the week of April 4 – April 10, 1999, as “**Building Safety Week**” in Fairfax County. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

(NOTE: Upon returning to the meeting, Supervisor Connolly asked to be recorded as voting “AYE” on this item.)

13. **RESOLUTION TO RECOGNIZE THE WASHINGTON GAS/COLUMBIA ENERGY GROUP FOR ITS DONATION OF \$60,000 TO THE FAIRFAX COUNTY PUBLIC LIBRARY FOUNDATION** (Tape 2)

Supervisor Dix moved adoption of the Resolution recognizing the Washington Gas/Columbia Energy Group for its donation of \$60,000 to the Fairfax County Public Library Foundation. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

14. **9:30 A.M. – PRESENTATION BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) OF ITS ANNUAL REPORT** (Tape 2)

Patricia M. Woolsey, Chairman, Fairfax County Economic Development Authority (EDA), presented the EDA annual report.

There was a discussion following the presentation.

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

Supervisor Bulova moved approval of the Administrative Items. Supervisor Mendelsohn seconded the motion.

Supervisor Kauffman called the Board’s attention to Administrative Item 5 – Authorization for the Fairfax County Police Department to Apply to the Virginia Department of Motor Vehicles (DMV) for Grant Funds for a Traffic Enforcement and Educational Evaluation Program, and a discussion ensued with input from Colonel J. Thomas Manger, Chief of Police.

Supervisor Connolly called the Board’s attention to Administrative Item 8 – Authorization for the Department of Family Services to Submit a Grant Application for Foster/Adoptive Parent Recruitment, Training, and Retention, and for Child Welfare Staff Training, and a discussion ensued with input from Robert J. O’Neill, Jr., County Executive.

Supervisor McConnell called the Board's attention to Administrative Item 11 – Authorization to Advertise a Public Hearing Regarding the Conveyance of County-Owned Property to the Fairfax County Park Authority and Approval of a Conveyance of Land Agreement Between the Board of Supervisors and the Fairfax County Park Authority (Countywide), and a discussion ensued with input from David P. Bobzien, County Attorney, and Robert L. Howell, Deputy County Attorney.

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

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, HUNTER MILL, LEE, PROVIDENCE, SPRINGFIELD AND SULLY DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated April 5, 1999, be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Woodland Meadows Estates	Braddock	Woodland Meadows Court Woodland Way, Route 4693, Additional Right-of-way only Braddock Road, Route 620, Additional Right-of-way only
Deercrest Meadow	Hunter Mill	Deercrest Meadow Place
Oakbrook Knolls, Section 2	Lee	Valley View Drive, Route 718
Holly Crest, Section 2	Providence	Holly Manor Drive, Route 8506
Holly Crest, Section 3	Providence	Hillsman Street, Route 3487 Holly Bush Way

Waples Glen	Providence	Waples Glen Court Waples Mill Road, Route 664, Additional Right of-way only
Wheatland Farms, Section 2	Providence	Wheatland Farms Drive, Route 8840 Wheatland Farms Court Tradewind Drive
Barrington, Section 5	Springfield	Braymore Circle, Route 8771 Glenbarr Court Willfield Court Thornfield Court
Edgewater, Section 3	Springfield	Deckhand Drive Lakehaven Court, Additional Right-of-way only
Reiser Property	Sully	Feldspar Court, Route 7986

ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS

Authorized the extension of the review periods for the two 2232 Public Facility Review Applications as listed in the Memorandum to the Board dated April 5, 1999, until July 25, 1999, to ensure compliance with the review requirements mandated by Section 15.2-2232 of the *Code of Virginia*.

ADMIN 3 – INSTALLATION OF A MULTI-WAY STOP AT FERN LANE AND IVYDALE DRIVE (MASON DISTRICT)

- Endorsed the installation of a multi-way stop at the following intersection:
 - Fern Lane and Ivydale Drive.
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stop and install these signs at the earliest possible date.

ADMIN 4 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO APPLY FOR FUNDING FROM THE BUREAU OF JUSTICE ASSISTANCE FOR THE PURCHASE OF BULLETPROOF VESTS

Authorized the Fairfax County Police Department to apply for a Federal Fiscal Year (FY) 1999 grant in the amount of \$131,138 from the Bureau of Justice Assistance, United States (US) Department of Justice, for the purchase of 250 ballistic vests under the Bulletproof Vest Partnership Grant Act of 1998. This grant requires one-half (\$65,569) to be paid through a local cash match.

ADMIN 5 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO APPLY TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS FOR A TRAFFIC ENFORCEMENT AND EDUCATIONAL EVALUATION PROGRAM

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

Authorized the Fairfax County Police Department to apply for a grant in the amount of \$26,400 from the Virginia Department of Motor Vehicles (DMV) to fund the equipment and personnel costs necessary to implement a Traffic Enforcement and Educational Evaluation Program. The local in-kind match requirement will be satisfied through currently budgeted administration, training, and routine enforcement activities.

ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99059 FOR THE DEPARTMENT OF HEALTH'S COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT TITLE I GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99059 in the amount of \$61,230 to appropriate a Comprehensive AIDS Resources Emergency (CARE) Act grant award administered by the Northern Virginia Planning District Commission (NVPDC). The source of funding for this grant is the United States (US) Department of Health and Human Services. There is no local cash match requirement.

ADMIN 7 – AUTHORIZATION FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT TO SUBMIT A CONTINUATION GRANT PROPOSAL TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO CONTINUE THE MAXIMIZE ATTENDANCE PROGRAM, AN INTENSIVE SUPERVISION PROGRAM FOR ADJUDICATED TRUANTS

Authorized the Juvenile and Domestic Relations District Court to submit a continuation grant proposal in the amount of \$65,839 for the Fairfax County Juvenile and Domestic Relations District Court's Maximize Attendance Program, an

intensive supervision program for adjudicated truants. A local cash match of \$22,438 is included in the Fiscal Year (FY) 2000 reserve for anticipated grant awards and reserve for anticipated local cash match.

ADMIN 8 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES TO SUBMIT A GRANT APPLICATION FOR FOSTER/ADOPTIVE PARENT RECRUITMENT, TRAINING, AND RETENTION, AND FOR CHILD WELFARE STAFF TRAINING

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

Authorized the Department of Family Services (DFS) to submit a grant application in the amount of \$408,922 for the recruitment, training, and retention of foster and adoptive parents and expanded training for child welfare staff. Upon approval, an increase of \$59,192 to the Fiscal Year (FY) reserve for anticipated local cash match will be included as part of the Add-On Package.

ADMIN 9 – AUTHORIZATION FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT TO SUBMIT A GRANT PROPOSAL TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO ESTABLISH INTENSIVE AFTERCARE SUPERVISION COMPONENTS FOR THE TRANSITIONAL LIVING PROGRAM AT THE BOYS PROBATION HOUSE AND FOR THE ALPHA AND BETA POST-DISPOSITIONAL TREATMENT PROGRAMS AT THE JUVENILE DETENTION CENTER

Authorized the Juvenile and Domestic Relations District Court to submit a grant proposal in the amount of \$75,000 to the Virginia Department of Criminal Justice Services to establish intensive aftercare supervision components for the Boys Probation House Transitional Living Program and for the post-dispositional treatment programs in the Juvenile Detention Center. No local cash match is required.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT – CENTREVILLE ROAD/BARNSFIELD ROAD SPOT IMPROVEMENT (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 26, 1999, at 3:30 p.m.** on the acquisition of certain land rights necessary for the construction of County Road Bond Project – Centreville Road/Barnsfield Road Spot Improvement (Sully District).

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE FAIRFAX COUNTY PARK AUTHORITY AND APPROVAL OF A CONVEYANCE OF LAND AGREEMENT BETWEEN THE BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY PARK AUTHORITY

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

Authorized the advertisement of a public hearing to be held before the Board on **May 10, 1999, at 3:30 p.m.** regarding:

- Proposed conveyance of County-owned property to the Fairfax County Park Authority.
- Waiver of County Policy requiring notification of adjacent property owners by certified mail of the public hearing.
- Authorization for the Chairman to execute the Conveyance of Land Agreement.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - NUTLEY STREET (PROVIDENCE DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **April 26, 1999, at 4:30 p.m.** on the acquisition of interests in real property necessary for the construction of County Road Project 064209 - Nutley Street.

16. **A-1 – CARRINGTON REGIONAL POND PRO RATA SHARE REIMBURSEMENT AGREEMENT (DRANESVILLE DISTRICT)** (Tape 3)

Supervisor Mendelsohn moved that the Board concur in the recommendation of staff and authorize the execution of an agreement to reimburse Edgemoore-Jarrett, LP, from pro rata share collections for the engineering, design, easement dedication, and construction of the Carrington Regional Stormwater Management Pond within the Carrington development. Supervisor Connolly seconded the motion.

Following discussion regarding the clearing and slope issue, with input from John Wesley White, Director Department of Public Works and Environmental Services (DPW&ES), and Ronald Kirkpatrick, DPW&ES, the question was called on the motion which carried by unanimous vote.

17. **A-2 - MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS AND THE MCLEAN REVITALIZATION CORPORATION (MRC) (COUNTYWIDE)** (Tape 3)

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

- Approve the Memorandum of Understanding (MOU) between the Board and the McLean Revitalization Corporation for a period through January 1, 2005.
- Authorize the Chairman to sign the MOU on behalf of the Board.

Supervisor Connolly seconded the motion, and following discussion, with input from Robert J. O'Neill, Jr., County Executive, and David P. Bobzien, County Attorney, the question was called on the motion and it carried by unanimous vote.

18. **I-1 – INTERNATIONAL BUILDING SAFETY WEEK** (No Tape)

(NOTE: Earlier in the meeting, the Board observed “Building Safety Week” with a Proclamation. See Clerk’s Summary Item CL#12.)

19. **I-2 – CONTRACT AMENDMENT – ANNUAL CONTRACT FOR SURVEY SUPPORT SERVICES (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated April 5, 1999, requesting authorization for staff to award a contract amendment to Rice Associates in the amount of \$95,000 for land surveying services for County capital projects, as well as for other County agencies as requested.

The staff was directed administratively to proceed as proposed.

20. **I-3 – CONTRACT AWARD – PRESCRIBED MEDICATIONS** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated April 5, 1999, requesting authorization for staff to finalize negotiations and award a contract to Giant of Maryland, Incorporated for qualified, licensed pharmacies to serve the prescribed medication needs of clients participating in multiple human services programs at the Department of Health, the Fairfax-Falls Church Community Services Board (CSB) and the Department of Family Services.

The staff was directed administratively to proceed as proposed.

21. **I-4 - DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) SUBMISSION OF AN APPLICATION FOR SECTION EIGHT VOUCHERS UNDER THE WELFARE TO WORK NOTIFICATION OF FUNDING AVAILABILITY** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated April 5, 1999, informing it that the Fairfax County Redevelopment and Housing Authority (FCRHA) has authorized submission of an application for Section Eight funds for up to 50 vouchers to provide tenant-based rental assistance to help eligible families make the transition from welfare to work.

There was a brief discussion of this item.

22. **I-5 - REQUEST FOR PROPOSALS (RFP) TO OBTAIN CONSULTANT SERVICES TO ASSIST WITH A MARKET PAY AND BENEFITS STUDY AND REVISIONS TO THE COUNTY'S PERFORMANCE MANAGEMENT SYSTEM** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated April 5, 1999, requesting authorization for staff to finalize the Request for Proposals (RFP) contained in the Memorandum to the Board for the market pay and benefits study and revisions to the County's performance management system and proceed with actions necessary for issuance of solicitation.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, the staff was directed administratively to proceed as proposed.

23. **I-6 - A STUDY OF ALCOHOL AND DRUG ABUSE AMONG THE YOUTH OF FAIRFAX COUNTY** (Tapes 3-4)

The Board next considered an item contained in the Memorandum to the Board dated April 5, 1999, requesting authorization to proceed to implement the recommendations as found in the document "*A Study of Alcohol and Drug Abuse Among the Youth of Fairfax County*," Section V, with the exception of number three which, because of the significant fiscal implications, needs to be part of the considerations for the Fiscal Year (FY) 2001 Budget.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, and Colonel J. Thomas Manger, Chief of Police, Supervisor Connolly asked unanimous consent that the Board schedule a meeting of the Human Services Subcommittee to discuss alcohol and drug abuse among the youth of the County and the waiting list for the treatment centers. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to provide a funding update on the grant for the position at the Centreville/Chantilly Coalition. Without objection, it was so ordered.

Supervisor McConnell asked unanimous consent that the Board invite a representative from Schools to participate in the meeting of the Human Services Subcommittee. Without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Board invite the Partnership on Youth to participate in the Subcommittee meeting. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

24. **I-7 – AUTHORIZATION OF AN AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE DEVELOPMENT AND ADMINISTRATION OF THE MASON NECK TRAIL (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated April 5, 1999, requesting authorization for staff to proceed to:

- Execute an agreement with the Virginia Department of Transportation (VDOT) for the development and administration of the Mason Neck Trail. Funding in the amount of \$50,000 is available in Project WOO600, Mount Vernon District Trails.
- Execute the four other VDOT agreements, when received from VDOT, contingent upon funding availability and approval by the County Attorney's Office.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

25. **INCLUSION OF SULLY SENIOR CENTER AS CONSIDERATION ITEM IN BUDGET REVIEW** (Tape 4)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to include the Sully Senior Center Budget Addendum in the amount of \$237,249 as a Consideration Item in the budget review. Without objection, it was so ordered.

26. **LINK TO WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) WEB SITE** (Tape 4)

Chairman Hanley noted that, in exploring the County's web page, it is very difficult to navigate to pages that link to the Washington Metropolitan Area Transit Authority (WMATA) website. As part of Metro's Smart Fare program, fare media are now available for purchase online through the WMATA home page.

Chairman Hanley asked unanimous consent that the Board direct staff to include some prominent links to the WMATA site on the County Home Page. Some suggestions would be on the first page of the County's Transportation Site and on the page of links to other local and regional government entities. Without objection, it was so ordered.

27. **PROCLAMATION DESIGNATING MAY 1999 AS "ASIAN/PACIFIC AMERICAN HERITAGE MONTH" IN FAIRFAX COUNTY** (Tape 4)

Chairman Hanley moved that the Board direct staff to invite representatives from the Office of Equity Programs and the Asian/Pacific American community to appear before the Board on May 10, 1999, to receive a Proclamation designating May 1999 as "**Asian/Pacific American Heritage Month**" in Fairfax County. Supervisor Dix seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

28. **PROCLAMATION DESIGNATING APRIL 25 – MAY 1, 1999 AS "NATIONAL CRIME VICTIMS' RIGHTS WEEK" IN FAIRFAX COUNTY** (Tape 4)

Chairman Hanley moved that the Board direct staff to invite representatives from the Office of Victim Services to appear before the Board on April 26, 1999, to receive a Proclamation designating April 25 - May 1, 1999, as "**National Crime Victims Rights Week**" in Fairfax County. Supervisor Dix seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

29. **LETTER TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REGARDING TEA-21 LEGISLATION** (Tape 4)

Chairman Hanley noted that it was her understanding that there is a provision where federal funds can be "flexed" from highway to transit. She added that this may or may not be project-specific. She moved that the Board direct staff to draft a letter to the Virginia Department of Transportation (VDOT) inquiring how TEA-21 legislation works with respect to flex spending in Virginia and what funds are available to be "flexed." Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

30. **WAYS TO MAINTAIN AND IMPROVE THE QUALITY OF THE COUNTY'S STREAMS** (Tape 4)

Chairman Hanley stated that the Environment Committee of the Planning Commission has been studying possible changes to the Policy Plan to find ways to maintain and improve the quality of the County's streams. This committee has been working with representatives of the Environmental Quality Advisory Commission (EQAC) since last fall on this issue and has recently held informational meetings on this topic with representatives of several County organizations, including the Northern Virginia Building and Industry Association (NVBIA), the Fairfax County

Chamber of Commerce, the Fairfax County Federation of Citizens Associations, the Park Authority staff, and staff from the Department of Public Works and Environmental Services (DPW&ES).

Chairman Hanley noted that the Policy Plan carefully defines the County's Environmental Quality Corridor (EQC) Policy. This Policy has been successful in protecting sensitive environmental areas from disturbance. The Policy Plan offers less guidance, however, for how areas outside the EQC should be developed and managed to reduce the impact of development on streams.

The County staff is preparing a report documenting the discussions among participants at the Planning Commission's Environment Committee meetings. There are a number of suggestions around which participants have achieved general consensus.

With a notation that making sure the County's policies and guidance are up to date and are adequately protecting the County's streams is one of her top priorities, Chairman Hanley moved that the Board direct staff to respond with draft language for advertisement of an Out-of-Turn Policy Plan Amendment which draws from the recent discussions held in the Planning Commission's Environment Committee meeting. Supervisor Connolly seconded the motion.

Supervisor Kauffman asked to amend the motion to include positive language in an effort to examine by-right categories. This amendment was not accepted since staff is already reviewing the by-right categories, which will be considered as a separate issue.

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

31. **SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION** (Tape 4)

(BACs) Chairman Hanley moved that the Board direct staff to:

- Review the request from the Small and Minority Business Enterprise Program Advisory Commission for changes in the Commission and amendments to its by laws.
- Forward recommendations in the form of a Consideration Item to the Board.

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

32. **SECOND ANNUAL CHARITY GOLF TOURNAMENT TO BE SPONSORED BY THE FAIRFAX COUNTY POLICE ASSOCIATION ON MAY 25, 1999, AT THE SOUTH RIDING GOLFERS' CLUB** (Tape 4)

Chairman Hanley referred to a letter from the Fairfax County Police Association regarding the second annual Charity Golf Tournament to be held on May 25, 1999, at the South Riding Golfers' Club and asked unanimous consent that the Board Members as a whole donate \$300 to this event. Without objection, it was so ordered.

33. **PROCLAMATION DESIGNATING JUNE 1999 AS "SAFE GRADUATION MONTH" IN FAIRFAX COUNTY** (Tape 4)

Chairman Hanley referred to a letter from the Northern Virginia Project Graduation, an umbrella organization for all-night alcohol/drug-free celebrations and asked unanimous consent that the Board direct staff to:

- Publicize this event to the communities, parents, and youth of the County.
- Invite representatives of the organization to appear before the Board at the last meeting in May to receive a Proclamation designating June 1999 as "**Safe Graduation Month**" in Fairfax County.

Without objection, it was so ordered.

34. **NATIONAL LEAGUE OF CITIES "PAUSE FOR THE PLEDGE OF ALLEGIANCE"** (Tape 4)

Chairman Hanley called the Board's attention to a letter from the National League of Cities regarding the celebration of the twentieth annual national "Pause for the Pledge of Allegiance" on Monday, June 14, 1999, at 7 p.m., as part of Flag Day observances.

35. **CERTIFICATE OF RECOGNITION TO BE PRESENTED AS PART OF NATIONAL PUBLIC WORKS WEEK MAY 16-22, 1999** (Tape 4)

Chairman Hanley moved that the Board direct staff to invite representatives of the Department of Public Works and Environmental Services (DPW&ES) to appear before the Board on May 10, 1999, to receive a Certificate of Recognition in observance of National Public Works Week May 16 – 22, 1999. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

36. **TREE CITY, USA** (Tape 4)

Chairman Hanley noted that Fairfax County has once again been named a "Tree City, USA" for 1998, the sixteenth year in a row.

37. **SECOND TOLL BOOTH ON WESTBOUND DULLES TOLL ROAD** (Tape 4)

Chairman Hanley moved that the Board direct staff to request the Virginia Department of Transportation (VDOT) to proceed with the construction of the second toll booth on westbound Dulles Toll Road at Springhill Road, using revenue from the surplus tolls. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

38. **LOUDOUN COUNTY PUBLIC HEARING TO OBTAIN CITIZEN AND ADJACENT JURISDICTION COMMENTS REGARDING THE PROPOSED VACATION OF A PORTION OF DEDICATED STREET RIGHT-OF-WAY KNOWN AS SOUTH FILMORE STREET EXTENDED** (Tape 4)

Chairman Hanley asked unanimous consent that the Board direct staff to prepare and submit comments at the Loudoun County public hearing regarding a proposed vacation of a portion of dedicated street right-of-way known as South Filmore Street Extended. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

39. **JAMES MADISON HIGH SCHOOL FORENSIC TEAM STATE CHAMPIONS** (Tape 4)

Supervisor Dix noted that on Saturday, March 20, 1999, in Charlottesville, Virginia, the James Madison High School Forensic Team won the State Championship for the sixth consecutive year. Fifteen students, under the guidance of their coach Curt Summers, participated which was the largest group to compete from Madison. This team won by the greatest margin in the State's history.

Accordingly, Supervisor Dix moved that the Board direct staff to invite Mr. Summers and the Forensic Team to appear before the Board on May 10, 1999, to be recognized for their outstanding accomplishments. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board begin the meeting of April 26, 1999, at 9 a.m. instead of 9:30 a.m. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

40. **TERRASET ELEMENTARY SCHOOL WINS FOREST OF FIFTY CONTEST** (Tape 4)

Supervisor Dix announced that Terraset Elementary School is the winner of the *Forest of Fifty* contest and will be representing the state of Virginia in honoring the memory of the first President, George Washington, on Thursday, May 6, 1999, at Mount Vernon. This nation-wide competition was designed to introduce students to

the character and ingenuity of George Washington as a leader, agricultural pioneer, and land conservationist.

The *Forest of Fifty* program, which is jointly sponsored by Educational Field Studies and the National Tree Trust, allows Mount Vernon to replace trees that have been damaged or lost due to severe weather and wildlife. Schools representing each of the 50 states will plant a tree in an area that Washington himself designed as his "hanging wood" location on the east side of the mansion overlooking the Potomac River.

Following a notation that student representatives from grades K-6 will attend and will have their projects on display at Mount Vernon, Supervisor Dix moved that the Board direct staff to invite Principal Carol Bradley, Assistant Principal Lydian Bumper, and student representatives to appear before the Board at a future date to be congratulated for their outstanding achievements with a Certificate of Recognition in recognition of their efforts. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

41. **USE OF THE COUNTY SHOWMOBILE FOR THE VIENNA HALLOWEEN PARADE** (Tape 4)

Supervisor Dix noted that, although October is still a long way off, the Vienna Regional Chamber of Commerce is already making preparations for the Town of Vienna's annual Halloween Parade. The Vienna Halloween Parade continues to endure as one of autumn's great family traditions in Fairfax County. This year's event will mark Vienna's fifty-third consecutive year of hosting the Halloween Parade.

As the Vienna Regional Chamber of Commerce has reserved the use of the County Showmobile for the annual Vienna Halloween Parade, Supervisor Dix moved that the Board direct staff to waive the Showmobile's fee for the parade. Supervisor Mendelsohn seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

42. **PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-C-054 (WESTERRA RESTON, LLC)** (Tape 4)

Supervisor Dix moved that Board direct staff to schedule a public hearing to be held before the Board on **May 10, 1999, at 4 p.m.** on Proffered Condition Amendment Application PCA 86-C-054. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

43. **PUBLIC HEARING ON REZONING APPLICATION RZ 1998-HM-063, AND PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 80-C-086 AND PCA 83-C-069 (WESTERRA RESTON, LLC, BOSTON PROPERTIES LIMITED PARTNERSHIP)** (Tape 4)

Supervisor Dix moved that the Board direct staff to schedule a public hearing to be held before the Board on **May 10, 1999, at 4:30 p.m.** on Rezoning Application

RZ 1998-HM-063 and Proffered Condition Amendment Applications PCA 80-C-086 and PCA 83-C-069. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

44. **PROCLAMATION DESIGNATING MAY 1-8, 1999, AS “NATIONAL SAFE KIDS WEEK” IN FAIRFAX** (Tape 4)

Supervisor Dix stated that the National Safe KIDS Campaign was founded in 1987 to prevent the needless loss of life and human potential that results from injury. In January of 1992, the Fairfax County SAFE KIDS Coalition was established, which is a network of business, County agencies, and individuals that volunteer their time to create safer homes and communities for our children.

This year, National SAFE KIDS Week is slated for May 1 – 8, 1999. On May 1, 1999, recognized as SAFE KIDS Day, the focus will be on car safety seat checks at 10 locations throughout Fairfax County.

Accordingly, Supervisor Dix moved that the Board direct staff to invite Ms. Nicki Bazaco and other members of the SAFE KIDS Coalition to appear before the Board on April 26, 1999, to receive a Proclamation designating the week of May 1-8, 1999, as “**National SAFE KIDS Week**” in Fairfax and recognizing this important Countywide effort. Supervisor Mendelsohn seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

45. **APPOINTMENT OF PASTOR DAVID WRIGHT AS THE HUNTER MILL DISTRICT REPRESENTATIVE TO THE JUVENILE COURT CITIZEN ADVISORY COUNCIL** (Tape 4)

(APPT) Supervisor Dix moved the appointment of Pastor David Wright as the Hunter Mill District Representative to the Juvenile Court Citizen Advisory Council. Supervisor Mendelsohn seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Gross clarified that this appointment is not to be confused with her recent appointment of a different Mr. David Wright (to the Community Action Advisory Board).

46. **APPOINTMENT OF MS. MARILYN GOULD AS THE HUNTER MILL DISTRICT REPRESENTATIVE TO THE MILLENNIUM COMMITTEE** (Tape 4)

(APPT) Supervisor Dix moved the appointment of Ms. Marilyn Gould as the Hunter Mill District Representative to the Millennium Committee. Supervisor Mendelsohn seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

47. **ATHLETIC FIELDS** (Tape 4)

Supervisor Dix referred to a recent article in the Metro Section of *The Washington Post* entitled, "Fairfax's Hard Line on County Ballfields," subtitled, "Fines, Patrols Used to Halt Preseason Play."

Accordingly, Supervisor Dix asked unanimous consent that the Board direct staff to examine and follow-up with information on the following:

- Increasing costs of referees and official for youth sports programs, which drives up registration fees, thereby affecting the affordability for certain population groups within the County.
- Consider the potential of establishing a Youth Sports Scholarship Fund, which would expand access to low-income and economically disadvantaged families.
- Include as a Consideration Item during upcoming Budget Review the establishment of a matching fund which would invite other groups to work with the County on a partnership basis for improvements and development of new outdoor field facilities.
- Request Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley to join Supervisor Dix in a review of the possibility that the Lorton Facility might be an appropriate location for the development of some additional outdoor recreation facilities, both practice and game facilities.
- Review the "Adopt-A-Field" Program to determine if there is a more user friendly approach which would invite organizations to be more involved and take over the maintenance requirements of this program.
- Examine the entire field maintenance issue, i.e. how is it done, is there a better way, does the County have a consistent program with the Park Authority facilities, School facilities, and other facilities.
- Examine the issue of hiring people to be "field cops" – how is the County addressing this particular matter and how can it be handled in a more sensitive manner.

Without objection, it was so ordered.

PMH:pmh

48. **INFORMATION ON THE TASK FORCE INITIATIVE TO REDUCE THE IMPACT OF GANGS AND YOUTH VIOLENCE ON COMMUNITIES IN THE COMMONWEALTH** (Tape 5)

Supervisor Mendelsohn said that over the last year, he has had the opportunity to work closely with Attorney General Mark Earley on his Task Force initiative to reduce the impact of gangs and youth violence on communities in the Commonwealth. He reported that a number of Task Force recommendations were recently approved by the General Assembly, including requirements for restitution and public service, closer coordination with the schools, and release of information about juveniles convicted of violent offenses.

Supervisor Mendelsohn said that with the Task Force initiative, the Attorney General has recently launched a new outreach effort designed to assist at risk youth in Virginia. The new program involves recruitment of 2,000 new mentors, tutors and coaches for youth by the Year 2000. Part of this effort includes identifying those local organizations already involved in mentoring youth in Fairfax County. He asked unanimous consent that the Board direct staff to assemble a list of ongoing county programs which meet that description and make it available to the Attorney General's office. Without objection, it was so ordered. He also recommended that the list be provided to the Volunteer Center as a source of information of volunteers interested in working with youth.

Supervisor Mendelsohn said that the Attorney General is hosting a *Faith Summit for Virginia's Future* on April 13 in Richmond. The purpose of this gathering is to encourage Virginia's communities of faith to recruit volunteers to work with youth in existing programs and to consider establishing their own neighborhoods based on initiatives. He recommended that the Faith Communities Planning Group consider a similar gathering to highlight local initiatives which affirm the promise and self-worth of Fairfax County children.

49. **GOVERNING BOARD OF THE MCLEAN COMMUNITY CENTER** (Tape 5)

(BACs) Supervisor Mendelsohn said that the following residents of Small District One of Dranesville District have successfully petitioned to become candidates and to have their names placed on the ballot for election to the Governing Board of the McLean Community Center at the election to be held on Saturday, May 15, 1999, from 9 a.m. until 5 p.m. at Lewinsville Park, 1659 Chain Bridge Road.

Adult Candidates:

- Jan Auerbach, 8633 Overlook Road, McLean, VA 22102
- Dorothy Hassan, 7020 Hector Road, McLean, VA 22101
- Anita M. Herrera, 900 Saigon Road, Mclean, VA 22102
- Gregg A. Pane, 6654 Madison-McLean Drive, McLean, VA 22101
- Caroline Pickens, 7009 Girard Street, McLean, VA 22101

Youth Candidates:

- Tori Hogan, 1205 Colonial Road, McLean, VA 22101
(Langley High School area)
- Andrea Jacobs, 8309 Hunting Hill Lane, McLean, VA 22101
(Langley High School area)
- Ryan Bennet, 2052 Kirby Road, McLean, VA 22101
(McLean High School area)

50. **SUBSTANCE ABUSE COUNSELOR POSITIONS AS A CONSIDERATION ITEM TO BE INCLUDED AS PART OF THE FISCAL YEAR (FY) 2000 BUDGET** (Tape 5)

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to include as a Consideration Item as part of the Fiscal Year (FY) 2000 Budget the amount of \$133,630 to provide three Substance Abuse Counselors to provide services for Fairfax County middle and high school students. Without objection, it was so ordered.

51. **FAIRFAX COUNTY OFFICE OF PARTNERSHIPS AS A CONSIDERATION ITEM TO BE INCLUDED AS PART OF THE FISCAL YEAR (FY) 2000 BUDGET** (Tape 5)

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to include as a Consideration Item as part of the Fiscal Year (FY) 2000 Budget the Fairfax County Office of Partnerships in the amount of \$106,200 to provide three additional case managers for the Medical Care for Children Partnership. Without objection, it was so ordered.

52. **FAIRFAX PUBLIC LAW LIBRARY** (Tape 5)

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to include as a Consideration Item as part of the Fiscal Year (FY) 2000 Budget funding for the Fairfax Public Law Library. Without objection, it was so ordered.

53. **INTENT TO DEFER THE PUBLIC HEARING ON RZ 1998-PR-027 (HEARTHSTONE/VANGUARD JOINT VENTURETION)** (Tape 5)

Supervisor Connolly announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 1998-PR-027 until April 26, 1999, at 4 p.m.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item CL#85.)

54. **INTENT TO DEFER THE PUBLIC HEARING ON RZ 1998-PR-046 and SPECIAL EXCEPTION APPLICATION SE 98-P-045 (MANOR CARE HEALTH SERVICES, INCORPORATED)** (Tape 5)

Supervisor Connolly announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 1998-PR-046 and Special Exception Application SE 98-P-045 until May 24, 1999, at 4:30 p.m.

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item CL#88.)

55. **TREE RELOCATION** (Tape 5)

Supervisor Connolly said that the University of Virginia (UVA) Foundation is transplanting 3,000 trees to simulate a woodland effect along a four-lane highway that runs through a new research and development campus. The trees are being removed from a number of on-site land bays that are under development.

Supervisor Connolly asked unanimous consent that the Board direct the County Executive to direct staff to gather additional information on the tree relocation procedure and determine if it is a process that could be more widely used in future developments in the County. Following discussion, without objection, it was so ordered.

56. **INFORMATION ON THE DEVELOPMENT PROCESS FOR RELIGIOUS AND NON-PROFIT ORGANIZATIONS ON THE WEB** (Tape 5)

Supervisor Connolly said that Fairfax County held a forum to acquaint members of places of worship or non-profit institutions with the County's development process. The forum provided those who attended with a great deal of useful information about the zoning, Site Plan and building processes. In addition, the forum supplied attendees with relevant extracts from the Zoning Ordinance, information on Special Permits and Special Exceptions, and a list of useful County contacts and phone numbers. In an effort to inform those citizens who were unable to attend the forum, he stated it may be helpful to place pertinent information from the forum on the County's web page.

Supervisor Connolly asked unanimous consent that the Board direct the staff to place a link on the County's website to provide quick and easy access to relevant information religious and non-profit institutions may be seeking with regard to the development process in Fairfax County.

Following a query from Chairman Hanley, Supervisor Connolly clarified that the request was to direct staff to include the information on its website. Without objection, the request, as amended, was so ordered.

57. **JAMES LEE COMMUNITY CENTER** (Tape 5)

Supervisor Connolly said that based on a meeting in his office last week relating to the James Lee renovation, he asked unanimous consent that the Board direct the Chairman to contact the Chairman of the Park Authority Board and ask the following:

- Is the Park Authority aware of the proposed expansion of the James Lee Center?
- Is expanded space proposed to be used by the Park Authority in the Authority's master plan?
- Has the Park Authority allocated funds for the proposed expansion of the facility, and if so, how much?

Without objection, it was so ordered.

58. **THE ZONE TEEN CENTER - WALK-A-THON FOR BREAST CANCER RESEARCH** (Tape 5)

Supervisor Bulova said that on Saturday, March 20, 1999, she and Supervisor Gross had the opportunity to attend the opening ceremony of a Walk-A-Thon organized by members of the Zone Teen Center in the Braddock District and students in the Peer Mediation Program at Annandale High School. The purpose of the Walk-A-Thon was to bring attention to and raise money for Breast Cancer Research.

Supervisor Bulova referred to her written Board Matter and noted the primary organizers of the event. She moved that the Board direct staff to invite Kimberly Montes, Jennifer Bacigalupi and Rei Mahmoodm, along with Michelle Chapman-Campbell and others who worked to make the Walk-A-Thon such a success, to appear before the Board to be recognized for this impressive event. Supervisor Dix seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

59. **ARTS COUNCIL AS A CONSIDERATION ITEM TO BE INCLUDED AS PART OF THE FISCAL YEAR (FY) 2000 BUDGET** (Tape 5)

Supervisor Bulova asked unanimous consent that the Board direct staff to include as a Consideration Item as part of the Fiscal Year (FY) 2000 Budget the Arts Council to increase the arts funding category from \$60,000 to \$200,000. Without objection, it was so ordered.

60. **VIDEO PROJECT** (Tape 5)

Chairman Hanley noted that the funding for the video project that came through the cable fund was no longer funded. She relinquished the Chair to Vice-Chairman

Hyland and asked unanimous consent that the Board direct staff to determine if the video project is can still be funded out of the cable fund. Without objection, it was so ordered.

61. **ARTS COUNCIL RENT** (Tape 5)

Chairman Hanley asked unanimous consent that the Board direct staff to review the issue of the rent which the Arts Council pays to the Park Authority. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

62. **CONCURRENT PROCESSING FOR THE HERMIS CORPORATION - WINGATE INN AT DULLES BUSINESS PARK** (Tape 5)

Supervisor Frey said that the Hermis Corporation has filed a Proffered Condition Amendment and Special Exception applications for property located the Dulles Business Park to construct a hotel. Under the terms of the franchise agreement, the applicant stands to receive substantial financial assistance from the parent company if construction has begun prior to November 1999. The zoning applications have been submitted and the applicant is preparing the site plan. To meet their timeline, the applicant has requested that the Board authorize concurrent processing of the zoning application and the related site plans. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

63. **SULLY PLACE SIGN WAIVER** (Tape 5)

Supervisor Frey said that earlier this year, he made motions for expedited and concurrent processing for the Sully Limited Partnership to assist them in securing approval for a pylon sign for the Sully Place Shopping Center at the corner of Route 50 and Metrotech Drive. This sign, coupled with other physical changes, is a concerted effort to improve the visibility of the Center, improve access to the Center, and boost the economic viability of the Center.

Supervisor Frey noted that the Planning Commission public hearing on the sign request has been scheduled for June 2, 1999. To meet demands by prospective tenants, Supervisor Frey moved that the Board direct staff to schedule a public hearing to be held before the Board on June 7, 1999. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

NV:nv

64. **MADISON LANE SECTION 3 SUBDIVISION PLAT ERROR** (Tape 6)

Supervisor Gross explained that because of an engineering error on the Madison Lane Section 3 subdivision plat, certain units within the development do not meet the minimum yard requirements. A resubdivision of these lots will correct the error,

but will result in a minor reduction in open space of about 253 square feet for the entire development. She stated that the Zoning Administrator has reviewed the subdivision plats and original rezoning application for the property and has indicated that this reduction will not cause the project to be in noncompliance with the approved zoning for the property, including the required open space. This action cannot be performed administratively.

To allow the approval and recordation of the revised plat for Section 3, Supervisor Gross moved that the Board refuse the offer of the open space for the Madison Lane subdivision, as provided for in paragraph four of Section 2-704 of the Zoning Ordinance. Supervisor Dix seconded the motion, which carried by unanimous vote.

65. **MIXING BOWL CONSTRUCTION** (Tape 6)

Supervisor Kauffman called the Board's attention to an article in *The Washington Post* on Saturday, April 3, 1999, that described the City of Falls Church's consideration of stiffer traffic penalties on streets that are used as cut-through routes. In relation to cut-through traffic resulting from the mixing bowl (the Springfield interchange at I-95/I-495/I-295) construction, Supervisor Kauffman asked unanimous consent that the Board direct staff to examine the possibility of imposing stiffer penalties for speeding on the affected streets. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to update the Board of its action in 1997 regarding the change in State law allowing the imposition of stiffer penalties. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following discussion, Supervisor Kauffman announced that construction has begun and he urged interested parties to check the website and the local newspapers and find possible alternative routes.

66. **HIGH OCCUPANCY VEHICLE (HOV) LANES ON I-95** (Tape 6)

Supervisor Kauffman noted that a member of the local state delegation is asking to ease the HOV restrictions from HOV-3 to HOV-2 during mixing bowl construction on I-95. He asserted that such an action would result in gridlock.

A brief discussion ensued.

67. **EXPEDITED PUBLIC HEARING DATE FOR DAVIS GENERAL STORE IN CLIFTON** (Tape 6)

Supervisor McConnell stated that she has been contacted by the owners of the Davis General Store in Clifton who are awaiting final approval of their final site plan prior to submission of their special exception application in which they propose plant sales at this location. She said that staff informed her that newly-filed land use

applications are being scheduled for September 1999 and beyond. She asserted that these public hearing dates pose a hardship on a business with seasonal sales.

Accordingly, Supervisor McConnell moved that the Board authorize staff to schedule an expedited public hearing date for the Davis General Store special exception application once this application is made. This action does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the County's consideration of this application in any way. This motion, the second to which was indistinguishable, carried by a vote of nine, Supervisor Dix being out of the room.

68. **EXTENSION OF THE TIME PERIOD FOR FINAL SUBDIVISION PLAT APPROVAL FOR THE PROPERTY LOCATED AT 8447 LEE ALAN DRIVE**
(Tape 6)

Supervisor McConnell reminded the Board that at its meeting on June 3, 1996, it approved Public Street Frontage Waiver Number 015948 to allow the subdivision of an 8.8-acre, R-1 parcel located at 8447 Lee Alan Drive into two lots, one containing 4 acres and the other approximately 4.8 acres. As a Board condition of the approval, the applicants, the Shafers, had to obtain final subdivision plat approval within one year after Board of Zoning Appeals (BZA) approval of a lot width variance, provided that the period could be extended by the Board of Supervisors.

Supervisor McConnell stated that the BZA approved the Shafers' variance application in November 1996 and on August 3, 1998, the Board of Supervisors extended the time for final subdivision plat approval to April 1, 1999, with the proviso that the plat had to be recorded by May 28, 1999. The Shafers have not yet obtained approval of their subdivision plat and have requested another extension of the time for final approval.

Accordingly, Supervisor McConnell moved that the Board extend the time period for final subdivision plat approval for the property at 8447 Lee Alan Drive to October 1, 1999, under the conditions approved by the Board when it approved Public Street Frontage Waiver Number 015948, provided the final subdivision plat is recorded on or before November 30, 1999. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

69. **GOING BEYOND THE CALL OF DUTY: RECOGNITION OF PATRICIA "TIA" BREEDING, THERAPIST AT THE MOUNT VERNON CENTER FOR COMMUNITY MENTAL HEALTH** (Tape 6)

With reference to his written Board Matter entitled "Going Beyond the Call of Duty," Supervisor Hyland asked unanimous consent that the Board direct staff to invite Patricia "Tia" Breeding, mental health therapist at the Mount Vernon Center for Community Mental Health, to appear before the Board on April 26, 1999, to be recognized for her extraordinary efforts following the deaths of four homeless persons in a fire in an abandoned house. Without objection, it was so ordered.

70. **SEWER LINE REPLACEMENT CREATES UNUSUAL EXPENSE FOR HOMEOWNER** (Tape 6)

Supervisor Hyland called the Board's attention to his written Board Matter regarding an unusual situation regarding the replacement of a lateral sewer line that runs under a culvert in the Virginia Department of Transportation right-of-way. The cost is more than double the normal expense for a homeowner. Accordingly, Supervisor Hyland asked unanimous consent that the Board refer this item to staff for review and recommendations. Without objection, it was so ordered.

71. **LEGISLATIVE ALERT FROM THE NATIONAL ASSOCIATION OF COUNTIES (NACo) REGARDING THE TOBACCO SETTLEMENT** (Tape 6)

Supervisor Hyland called the Board's attention to a legislative alert from NACo regarding the prevention of federal recoupment of states' tobacco settlement funds. The language in Senate bill S. 544 would prohibit the federal recoupment of the states' funds, but House bill, H.R. 1141 would not. Accordingly, he asked unanimous consent that the Board direct staff to send a letter, under the Chairman's signature, to both Congressman Wolf and Congressman Moran requesting support of the senate language in the final conference committee action. Without objection, it was so ordered.

72. **ANNOUNCEMENT REGARDING EXECUTIVE SESSION** (Tape 6)

Following input from David P. Bobzien, County Attorney, Chairman Hanley announced that following the proper motion and vote, Executive Session would commence at 2:30 p.m. for about an hour.

73. **REQUEST FOR CONSIDERATION ITEM REGARDING A 20-YEAR L-STEP FOR POLICE** (Tape 6)

Jointly with Supervisor Bulova, Supervisor Connolly asked unanimous consent that the Board direct staff to prepare a Consideration Item to add a 20-year L-step for police officers. Without objection, it was so ordered.

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

At 1:10 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting. Supervisor Bulova seconded the motion and it carried by unanimous vote.

SBE:sbe

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

ACTIONS FROM EXECUTIVE SESSION75. **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 Dix and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

76. **AUTHORIZATION FOR THE COUNTY ATTORNEY TO PETITION THE FAIRFAX COUNTY GENERAL DISTRICT COURT FOR A SUBPOENA ON BEHALF OF THE HUMAN RIGHTS COMMISSION IN FRAZIER VERSUS FAIRFAX PROTECTION LIMITED, HRC #97184E, EEOC #10D970250** (Tape 7)

Supervisor Hyland moved that the Board authorize the County Attorney to petition the Fairfax County District Court for a subpoena on behalf of the Human Rights Commission in *Frazier versus Fairfax Protection, Limited* HRC #97184E, EEOC #10D970250, according to the terms and conditions outlined by the County Attorney in Executive Session. Supervisor Bulova seconded the motion.

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

77. **AUTHORIZATION FOR THE COUNTY ATTORNEY TO PETITION THE FAIRFAX COUNTY GENERAL DISTRICT COURT FOR A SUBPOENA ON BEHALF OF THE HUMAN RIGHTS COMMISSION IN MILLER VERSUS AMERICAN TELEPHONE AND TELEGRAPH COMPANY, HRC #98065E, EEOC #10D980173** (Tape 7)

Supervisor Hyland moved that the Board authorize the County Attorney to petition the Fairfax County General District Court for a subpoena on behalf of the Human Rights Commission in *Miller versus American Telephone and Telegraph Company*, HRC #98065E, EEOC #10D980173, according to the terms and conditions outlined by the County Attorney in Executive Session. Supervisor Bulova seconded the motion.

Supervisor Dix moved a substitute motion that the Board authorize the County Attorney to contact the government relations representative for American Telephone and Telegraph (AT&T) requesting assistance in securing support for the necessary

information in order to proceed with the matter that is involving this before authorizing a subpoena to be issued. Supervisor McConnell seconded the motion.

Discussion ensued with input from David P. Bobzien, County Attorney.

Supervisor Hyland asked to amend the substitute motion to consider contact with the representatives of AT&T and, failing a response, to obtain the desired information within a period of seven days on a voluntary basis, then the subpoena would go forward and be issued.

This amendment to the substitute motion was not accepted.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved an amendment to the substitute motion. The amendment to the substitute is to contact the government relations officer of AT & T requesting the information and, failing a successful response within a period of 14 days, rather than seven, then the County Attorney's Office would be authorized to proceed and issue the subpoena without returning to the Board. Supervisor Kauffman seconded this amendment.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The question was called on the substitute motion, as amended, and it **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

78. **AUTHORIZATION FOR THE COUNTY ATTORNEY TO PETITION THE FAIRFAX COUNTY GENERAL DISTRICT COURT FOR A SUBPOENA ON BEHALF OF THE HUMAN RIGHTS COMMISSION IN JOSEPH VERSUS ARGENBRIGHT SECURITY, INCORPORATED, HRC #98077E, EEOC #10D980191** (Tape 7)

Supervisor Hyland moved that the Board authorize the County Attorney to petition the Fairfax County General District Court for a subpoena on behalf of the Human Rights Commission in *Joseph versus Argenbright Security, Incorporated*, HRC #98077E, EEOC #10D980191, according to the terms and conditions outlined by the County Attorney in Executive Session. Supervisor Bulova seconded the motion and it **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY."

AGENDA ITEMS79. **3:30 P.M. - PH ON THE FISCAL YEAR (FY) 2000 EFFECTIVE TAX RATE INCREASE** (Tape 7)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issue of March 18, 1999.

Following the public hearing, and discussion with input from Robert J. O'Neill, Jr., County Executive, and Edward L. Long, Jr., Director, Department of Management and Budget, Supervisor Bulova moved that the Board defer decision on the Fiscal Year (FY) 2000 effective tax rate increase. Supervisor Connolly seconded the motion and it carried by unanimous vote.

80. **3:30 P.M. - PH ON THE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), ARTICLE 10, CHARGES TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES (COUNTYWIDE)** (Tape 7)

A Certificate of Publication was 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 March 11 and March 18, 1999.

Following the public hearing, Supervisor Bulova moved that the Board defer decision on the proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), to revise the sewer service charges and the availability fees until April 26, 1999. Supervisor Connolly seconded the motion and it carried by unanimous vote.

81. **3:30 P.M. - PH FOR THE ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE, LEE, AND PROVIDENCE DISTRICTS)** (Tape 7)

(Rs) A Certificate of Publication was 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 March 18 and March 25, 1999.

Following the public hearing, Supervisor Connolly moved that the Board adopt the proposed Resolutions for the Creation, Enlargement, De-Creation/Re-Creation of Small and Local Sanitary Districts within the Dranesville, Lee, and Providence Districts for refuse and leaf collection service as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District A-6-1 Within Small District 1	Enlarge	Refuse & Leaf	Approve

Within Dranesville
District
(1960 Rockingham Street)

Local District C Within Small District 1 Within Lee District (5601 Brookland Road)	Enlarge	Refuse & Leaf	Approve
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Local District C Within Small District 1 Within Lee District (5824 Jane Way)	Enlarge	Refuse & Leaf	Approve
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Small District 1 Within Providence District (2257 & 2253 Senseney Lane)	Enlarge	Refuse & Leaf	Approve
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Small District 2 Within Providence District (3739 Prince William Drive)	Enlarge	Leaf	Approve
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Supervisor Bulova seconded the motion and it carried by unanimous vote.

82. **3:30 P.M. - BOARD DECISION ON SPECIAL EXCEPTION APPLICATION SE 97-Y-058 (VIRGINIA TOWERS, LC) (SULLY DISTRICT)** (Tape 7)

(NOTE: On March 8, 1999, the Board held a public hearing on this application, and deferred decision to March 22, 1999. On March 22, the Board deferred decision to April 5, 1999.)

Supervisor Frey moved approval of Special Exception Application SE 97-Y-058 subject to the development conditions dated January 13, 1999, with the following two changes:

- Condition number five be amended to allow a maximum height of 150 feet.
- Condition number 12 be amended to read "require a minimum of two users, one of which may be the County."

Supervisor Dix seconded the motion.

Supervisor Hyland asked to amend the motion to require, in Condition 12, a minimum of two users, one of which must be Fairfax County, and this was accepted.

Discussion ensued with input from Dr. Robert K. Sutton, Superintendent, Manassas National Battlefield Park.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, and Supervisor Gross voting "NAY," Chairman Hanley abstaining.

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

83. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 98-Y-056 (THE MARK WINKLER COMPANY) (SULLY DISTRICT)** (Tape 7)

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.

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

- In excess of \$200 from The Mark Winkler Company.

Following the public hearing, Jackie Blue, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 98-Y-056 subject to the development conditions dated April 5, 1999. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

84. **ADDITIONAL ACTION ON SPECIAL EXCEPTION APPLICATION SE 97-Y-058 (VIRGINIA TOWERS, LC) (SULLY DISTRICT)** (Tape 7)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#82.)

In regard to Special Exception Application SE 97-Y-058, Supervisor Frey moved modification of the transitional screening and barrier requirements along the western side of the proposed site, as described in the proposed development conditions. Supervisor McConnell seconded the motion and it **CARRIED** by a recorded vote of four, Supervisor Bulova, Supervisor Connolly, and Supervisor Gross voting "NAY," Chairman Hanley abstaining, Supervisor Dix and Supervisor Mendelsohn being out of the room.

85. **3:30 P.M. – PH ON REZONING APPLICATION RZ 1998-PR-027 (HEARTHSTONE VANGUARD JOINT VENTURE) (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1998-PR-027 until **April 26, 1999, at 4 p.m.** Supervisor McConnell seconded the motion, which carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

86. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-SP-054 (COSCAN WASHINGTON, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 7)

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 McConnell disclosed the following campaign contribution which she had received:

- In excess of \$200 from Coscan Washington, Incorporated.

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

- In excess of \$200 from Mr. Stephen A. Bannester of Carlyle Real Estate Services, LC.

Following the public hearing, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-SP-054 from the R-1 District to the R-3 District, subject to the execution of proffers consistent with those dated March 15, 1999.
- Waiver of the sidewalk requirement along Burke Lake Road.

Supervisor Bulova and Supervisor Kauffman jointly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Connolly, Supervisor Dix, Supervisor Mendelsohn, and

Chairman Hanley being out of the room.

87. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-060 (BOARD OF SUPERVISORS' OWN MOTION) (SULLY DISTRICT)** (Tape 7)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 1998-SU-060 until **May 10, 1999, at 4 p.m.** Supervisor McConnell seconded the motion which carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

88. **4 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-046 AND SPECIAL EXCEPTION APPLICATION SE 98-P-045 (MANORCARE HEALTH SERVICES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1998-PR-046 and Special Exception Application SE 98-P-045 until **May 24, 1999, at 4:30 p.m.** Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

89. **4 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-V-072-3 (BRYANT EARLY LEARNING CENTER) (MOUNT VERNON DISTRICT)** (Tape 7)

Ms. Sharon Kelso reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Catherine Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

On behalf of Supervisor Hyland, Supervisor Kauffman moved:

- Approval of Special Exception Amendment Application SEA 86-V-072-3, subject to the development conditions dated February 18, 1999.
- Modification of the transitional screening requirements along the north, east, and west property lines to that shown on the Special Exception Amendment Application (SEA) Plat.
- Waiver of the barrier requirements along the north, east, and west property lines.

Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

90. **4 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-051 (J.A. LOVELESS HOMES, INCORPORATED) (PROVIDENCE DISTRICT)**
(Tapes 7-8)

- (O) Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Discussion followed, with input from Bruce G. Nassimbeni, Chief, Site Review Branch, Office of Site Development Services.

Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-PR-051 be amended from the R-1 District to the PDH-4 District, subject to the execution of the proffers dated March 31, 1999. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Vice-Chairman Hyland voting "AYE," Supervisor Bulova, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

AM:am

91. **4 P.M. - BOARD DECISION ON THE VACATION OF PORTIONS OF H STREET (MOUNT VERNON DISTRICT)** (Tape 9)

- (O) (NOTE: On December 7, 1998, the Board held a public hearing on this application, and deferred decision to January 11, 1999. On January 11, the Board deferred decision to January 25, 1999. On January 25, the Board deferred decision to February 8, 1999. On February 8, the Board deferred decision to February 22, 1999. On February 22, the Board deferred decision to March 22, 1999. On March 22 the Board deferred decision to April 5, 1999.)

Supervisor Hyland moved adoption of the Ordinance vacating the portion of H Street east of 11th Street and west of the 11th Street alley. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Vice-Chairman Hyland voting "AYE," Supervisor Bulova, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

92. **4 P.M. – BOARD DECISION ON PUBLIC STREET FRONTAGE WAIVER REQUEST FOR BENJAMIN G. MASON PROPERTY, LOT 1-C (PROVIDENCE DISTRICT)** (Tape 9)

(NOTE: On March 22, 1999, the Board held a public hearing on this waiver request and deferred decision to April 5, 1999.)

Supervisor Connolly moved approval of the request for a waiver of the public street frontage requirement for a proposed subdivision of the property owned by Benjamin G. Mason located at 7604 Rudyard Street, Falls Church, Virginia, Public Street Waiver Number 017372, Tax Map Number 40-3-001-28, subject to the conditions recommended by the Planning Commission with the following modifications:

- The owner of the proposed lot fronting on Dunford Drive shall repair Dunford Drive to the existing condition subsequent to any construction activity.
- The applicant shall relocate the purported 10-foot sanitary easement to the northwest property line of the proposed Parcel A.

Supervisor McConnell seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor Mendelsohn voting "NAY," Supervisor Bulova and Chairman Hanley being out of the room.

93. **4 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD PROJECT - OLD RESTON AVENUE (HUNTER MILL DISTRICT)** (Tape 9)

(R) A Certificate of Publication was 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 March 18 and March 25, 1999.

Following the public hearing there was discussion with input from Larry Ichter, Chief, Road Improvement Branch, Office of Road Program Management, Department of Public Works and Environmental Services (DPW&ES). Supervisor Dix asked unanimous consent that the Board direct staff to examine the intersection of Old Reston Avenue and Temporary Road to determine whether any traffic management activity is required. Without objection, it was so ordered.

Supervisor Dix moved adoption of the Resolution authorizing the acquisition of the necessary property interests for the construction of County Road Project 064195 - Old Reston Avenue. Supervisor Mendelsohn seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn and Vice-Chairman Hyland voting "AYE," Supervisor Connolly, Supervisor McConnell, and Chairman Hanley being out of the room.

94. **4 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 DISTRICT (RPPD), TO EXPAND THE JEFFERSON RPPD, DISTRICT 27 (MASON DISTRICT)** (Tape 9)

- (O) A Certificate of Publication was 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 March 18 and March 25, 1999.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking District (RPPD), Appendix G, to expand the Jefferson RPPD, District 27, to include the north side only of Randolph Drive (Route 2912) between Wenruth Place (Route 3617) and Braddock Road (Route 620). Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

95. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-448-18 (COSCAN WASHINGTON, INCORPORATED) (LEE DISTRICT)** (Tape 9)

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

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

Following the public hearing, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved approval of Proffered Condition Amendment Application PCA C-448-18 subject to the executed proffers dated March 19, 1999. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

96. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-LE-039 (CARR-SKYLINE, LLC) (LEE DISTRICT)** (Tapes 9-10)

- (O) Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by nine speakers, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-LE-039 from the R-4 and R-1 Districts to the PDH-4 District subject to the execution of the proffers dated February 11, 1999.
- Waiver of the street and cul-de-sac grades and the cul-de-sac radius to that shown on the Final Development Plan (FDP).
- Waiver to permit the number of pipestem lots to exceed 20 percent.
- That the Board direct the Director of the Department of Public Works and Environmental Services (DPW&ES) to return the final subdivision plans and findings of the Geotechnical Review Board to the Planning Commission for administrative review prior to the issuance of the final subdivision plan permit.
- Direct the Director of DPW&ES to review the Rinker-Detweiler Report and the McGinnis Report concurrently with the site plan review.

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

Supervisor Kauffman moved that the Board direct the Director of DPW&ES give careful consideration to the problems associated with the Turnberry Mews pond and stormwater plans before any decision is reached regarding bond release on those plans. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

97. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-015 (B&D PROPERTIES, LP AND LAFAYETTE PROPERTIES, LLC) (SULLY DISTRICT)** (Tape 10)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 1998-SU-015 until **May 10, 1999, at 4:30 p.m.** Supervisor Dix seconded the motion and it carried by a vote of nine, and Supervisor McConnell being out of the room.

98. **5 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION
PCA 74-3-087 (RICHARD M. ROBERTSON) (DRANESVILLE DISTRICT)**
(Tapes 10-11)

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.

Following the public hearing, which included testimony by four speakers, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn endorsed the comments made by Judith W. Downer, Dranesville District Planning Commissioner, as contained in the Planning Commission's verbatim transcript dated January 8, 1998.

Supervisor Mendelsohn moved denial of Proffered Condition Amendment Application PCA 74-3-087. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

99. **5 P.M. – PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY
OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) REGARDING
THE REAL ESTATE TAX ABATEMENT ORDINANCE** (Tape 11)

- (O) A Certificate of Publication was 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 March 18 and March 25, 1999.

Following the public hearing, Supervisor Hyland moved adoption of Alternative A to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), regarding the Real Estate Tax Abatement Ordinance. Supervisor Dix seconded the motion.

Supervisor Bulova moved a substitute motion that Alternative A apply Countywide for residential property but be restricted to the Revitalization Districts for commercial property. This motion died for lack of a second.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved a substitute motion to adopt Alternative B. Supervisor Bulova seconded the motion.

The question was called on the substitute motion and it **FAILED** by a recorded vote of seven, Supervisor Bulova, Supervisor Gross, and Chairman Hanley voting "AYE."

The question was called on the main motion (Alternative A) and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

At 7:10 p.m., the Board recessed, and at 7:35 p.m., reconvened in the Board Auditorium with all Members present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

ADDITIONAL BOARD MATTER

101. **WELCOME TO BOY SCOUTS FROM TROOP 827** (Tape 12)

Chairman Hanley recognized the presence of Boy Scouts from Troop 827, and warmly welcomed them to the Board Auditorium.

AGENDA ITEM

102. **7:30 P.M. - PH ON THE PROPOSED FISCAL YEAR (FY) 2000 FISCAL PLAN (BUDGET); COUNTY'S AND SCHOOLS' PROPOSED FY 1997 THIRD QUARTER REVIEW; AND CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FY 2000-2004 (WITH FUTURE FISCAL YEARS TO 2007)** (Tapes 12-15)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of March 19, 1999:

- Proposed adoption of the County's and Schools' proposed Fiscal Year (FY) 2000 Fiscal Plan (Budget).
- Proposed County and Schools' FY 1999 Third Quarter Review.
- Proposed Capital Improvement Program (CIP) for the Fiscal Years 2000-2004 (with future years to 2007)

Welcome to Boy Scouts from Troop 893 (Tape 12)

Chairman Hanley recognized the presence of Boy Scouts from Troop 893, and warmly welcomed them to the Board Auditorium.

Funding for Metropolitan Washington EAR (Tapes 14-15)

Following the testimony of Dr. Margaret Pfanstiehl (Speaker 43), Supervisor Gross asked unanimous consent that the Board direct staff to determine why the promised funding for Fiscal Year (FY) 1999 has not been received by the Metropolitan Washington EAR. Without objection, it was so ordered.

The public hearing was held, with testimony presented by 44 speakers, and scheduled for continuation on Tuesday, April 6, 1999 at 7:30 p.m.

ADDITIONAL BOARD MATTERS103. **INOVA MOUNT VERNON HOSPITAL** (Tape 15)

Supervisor Hyland stated that INOVA Health Care Services wants to file a Special Exception Amendment Application concerning the INOVA Mount Vernon Hospital. The purpose of this application is to permit the development of an assisted living facility; however, staff has determined that a Special Exception Application must be filed for the whole complex because the original SE included the entire complex. Supervisor Hyland further stated that INOVA Health Care Services has requested that the Board allow the filing of an SEA application for the property.

Therefore, Supervisor Hyland moved that the Board consent to the filing of an SEA on behalf of the INOVA Health Care Services for property identified on Fairfax County Tax Map 102-1 ((14)) which is owned by the Board. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

104. **ACCELERATION OF ROUTE 123 WIDENING PROJECT IN TYSONS CORNER** (Tape 15)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to formally determine whether the proposal for West*Group to fund the design of the segment of Dolley Madison Boulevard (Route 123) between I-495 and the Dulles Connector Road and obtain credit against future contributions is consistent with the intent of the proffers which govern these contributions and will therefore not require adjusting the proffers. Assuming that the funding of this design can be creditable against future contribution commitments, Chairman Hanley further moved that the Board:

- Endorse the concept of West*Group performing the design of these improvements.
- Direct staff to prepare an agreement with West*Group and any other necessary documentation to complete the design of the Route 123 project on an accelerated basis, with the cost of the design to be credited against future monetary contributions to the Tysons' Fund.

- To avoid delay in the execution of this agreement, authorize the County Executive to execute the agreement on behalf of the Board at such time as the County Attorney, the Director of the Department of Transportation (DOT), and the Director of the Zoning Evaluation Division of the Department of Planning and Zoning (DPZ) are satisfied that the agreement is acceptable as to content and form.

This motion was seconded by Supervisor Connolly.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

105. **BOARD RECESS** (Tape 15)

At 10:40 p.m., the Board recessed until April 6, 1999 at 7:30 p.m. for continuation of the following public hearings:

- Proposed adoption of the County's and Schools' proposed Fiscal Year (FY) 2000 Fiscal Plan (Budget).
- Proposed County and Schools' FY 1999 Third Quarter Review.
- Proposed Capital Improvement Program (CIP) for the Fiscal Years 2000-2004 (with future years to 2007).