



# **CLERK'S BOARD SUMMARY**

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**MONDAY  
November 19, 2001**

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**01-23**

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**PW:pw**

The meeting was called to order at 9:10 a.m., with all Members being present, with the exception of Supervisor Frey, and with Chairman Hanley presiding.

Supervisor Frey arrived at 9:15 a.m.

Others present were Anthony H. Griffin, 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**

1. **MOMENT OF SILENCE** (Tape 1)

Supervisor Gross asked everyone to keep in thoughts for a speedy recovery Mike Zak, Mason District Representative to the Commission on Organ and Tissue Donation and Transplantation. Mr. Zak had been on the kidney waiting list for six years and nine months and recently underwent a successful kidney transplant. Supervisor Gross emphasized that organ donation and tissue transplantation is a very worthy and needed activity. She urged everyone to mark the donation designation on driver's licenses and to advise family and friends.

### **AGENDA ITEMS**

2. **CERTIFICATE OF RECOGNITION PRESENTED TO STUDENTS OF  
CRESTWOOD ELEMENTARY SCHOOL** (Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to students of Crestwood Elementary School for their work and generosity in raising money for the Americans' Fund for Afghan children. Supervisor McConnell seconded the motion and it carried by unanimous vote.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO THE WELCH SISTERS AND RAMAN SETHI** (Tape 1)

Supervisor Gross moved approval of the Certificates of Recognition presented to:

- The Welch Sisters: Ashley, Aubrey, Alana and Alyssa
- Lieutenant Colonel and Mrs. Tracy Welch
- Raman Sethi, owner, Pinecrest Exxon

for their initiative, "Wash America: To Wash Away the Hurt," in the aftermath of the terrorist attacks of September 11. Supervisor Connolly seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. BONNIE WHITE RUPP** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Ms. Bonnie White Rupp for being named the Virginia State Reading Teacher Association's "Teacher of the Year." Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

**ADDITIONAL BOARD MATTER**

5. **WELCOME TO NEW STAFF REPORTER FROM THE CONNECTION NEWSPAPERS** (Tape 1)

Supervisor Connolly welcomed the new staff reporter, Michael O'Connell, from *The Connection* Newspapers.

**AGENDA ITEMS**

6. **RESOLUTION PRESENTED TO THE HOLMES RUN ACRES COMMUNITY** (Tape 1)

Supervisor Connolly moved approval of the Resolution honoring the fiftieth anniversary of the Holmes Run Acres community. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. JACK EVANS**  
(Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. Jack Evans for his sustained commitment to President George Washington's Mount Vernon estate and gardens. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO THE RESTON MULTI-CULTURAL FESTIVAL COMMITTEE AND REPRESENTATIVES OF THE RESTON POLICE STATION** (Tape 1)

Supervisor Hudgins moved approval of the Certificates of Recognition presented to the Reston Festival Committee and representatives of the Reston Police station for their work on behalf of this year's festival. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

9. **RESOLUTION OF COMMENDATION PRESENTED TO THE DOMESTIC VIOLENCE COALITION** (Tapes 1-2)

Supervisor Gross moved adoption of the Resolution commending the Domestic Violence Coalition for its work, past and present. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisors Frey and Hyland being out of the room.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board request the coalition submit to the Board prior to the budget review suggestions and recommendations on coordination of program responses. Without objection, it was so ordered.

Vice-Chairman returned the gavel to Chairman Hanley.

10. **PROCLAMATION DESIGNATING THE MONTH OF NOVEMBER AS "AMERICAN INDIAN HERITAGE MONTH" IN FAIRFAX COUNTY**  
(Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating November as "*American Indian Heritage Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **10 A.M. – PRESENTATION BY THE FAIRFAX AREA COMMISSION ON AGING'S (FACA) OUTSTANDING SERVICES AWARD** (Tape 2)

Richard Risk, Chairman, FACA, presented the Louis B. Wagner Lifetime Achievement Award for outstanding volunteer service to older adults to Ms. Sheila Epstein.

12. **10:15 A.M. – PRESENTATION BY THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC) OF ITS ANNUAL REPORT** (Tape 2)

Robert McLaren, Chairman, EQAC, presented its annual report and discussion ensued.

Supervisor Mendelsohn announced that EQAC would be holding its annual public hearing on December 12, 2001, at 7:30 p.m. at the Government Center regarding the report and/or concerns about the environment. Accordingly, he asked unanimous consent that the Board direct the staff of the Office of Public Affairs to publicize this public hearing. Without objection, it was so ordered.

**ADDITIONAL BOARD MATTER**

13. **TENTATIVE VIRGINIA TRANSPORTATION DEVELOPMENT PLAN (VTDP)** (Tape 2)

Because a full Board was not present at the dais for Board appointments, Chairman Hanley took the opportunity to call the Board's attention to a memorandum from Young Ho Chang, Director, Department of Transportation, regarding the VTDP, which she would discuss during her Board Matters. She encouraged members to review it.

(NOTE: Later in the meeting the Board discussed the VTDP. See Clerk's Summary Item CL#38.)

**AGENDA ITEMS**

14. **10:35 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 2)

(APPTS)  
(BACs)

**ADVISORY SOCIAL SERVICES BOARD**

The Board deferred the appointment of the Lee District Representative to the Advisory Social Services Board.

**AIRPORTS ADVISORY COMMITTEE**

The Board deferred the appointment of the Springfield District Representative to the Airports Advisory Committee.

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD**

The Board deferred the appointment of the At-Large #6 Representative to the Alcohol Safety Action Program Local Policy Board.

**ATHLETIC COUNCIL**

Supervisor Bulova moved the appointment of Mr. Augustus Chidester to fill the unexpired term of Mr. Rodney C. Renner as the Braddock District Alternate #2 Representative to the Athletic Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large (Diverse Population) Representative to the Athletic Council.

**BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)**

Supervisor Frey moved the re-appointment of Mr. James Winston Bray as the At-Large Citizen Representative to the Board of Equalization of Real Estate Assessments. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the re-appointment of Mr. Richard F. Mortimer as the Appraiser #1 Representative to the Board of Equalization of Real Estate Assessments. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Chairman Hanley moved the re-appointment of Ms. Gloria J. Crawford as the Attorney #2 Representative to the Board of Equalization of Real Estate Assessments. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**CHARACTER COUNTS! TASK FORCE**

The Board deferred the appointment of the Sully District Representative to the Character Counts! Task Force.

**CHILD CARE ADVISORY COUNCIL**

The Board deferred the appointment of the Springfield District Representative to the Child Care Advisory Council.

**CIVIL SERVICE COMMISSION**

Supervisor Frey moved the re-appointment of Ms. Audrey F. Morton as the At-Large #1 Representative to the Civil Service Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

**COMMISSION FOR WOMEN**

The Board deferred the appointment of the Mason District Representative to the Commission for Women.

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION**

(NOTE: Earlier in the meeting the Board mentioned a member of this Commission. See Clerk's Summary Item CL#1.)

The Board deferred the appointments of the At-Large (Minority) Representative and Springfield District Representatives to the Commission on Organ and Tissue Donation and Transplantation.

**COMMUNITY ACTION ADVISORY BOARD**

The Board deferred the appointments of the Dranesville and Mason District Representatives to the Community Action Advisory Board.

**COMMUNITY IMPROVEMENT COMMITTEE**

The Board deferred the appointments of the Braddock, Dranesville, Mason (Fairdale Community), Providence, Springfield, and Sully District Representatives to the Community Improvement Committee.

**CRIMINAL JUSTICE ADVISORY BOARD**

The Board deferred the appointments of the Mason and Springfield District Representatives to the Criminal Justice Advisory Board.

**ECONOMIC DEVELOPMENT AUTHORITY (EDA)**

Chairman Hanley moved the appointment of Mr. Ronald C. Johnson to fill the unexpired term of Mr. Todd A. Stottlemeyer as the At-Large Citizen Representative to the Economic Development Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

Chairman Hanley moved the appointment of Mr. John W. Foust to fill the unexpired term of Mr. James Elder as the At-Large #2 Representative to the Environmental Quality Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Springfield and Sully District Representatives to the Environmental Quality Advisory Council.

**FAIRFAX AREA DISABILITY SERVICES BOARD**

Supervisor Mendelsohn moved the re-appointment of Ms. Martha Glennan as the Dranesville District Representative to the Fairfax Area Disability Services Board. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Louis V. Genuario, Sr. as the Mount Vernon District Representative to the Fairfax Area Disability Services Board. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large and Springfield District Representatives to the Fairfax Area Disability Services Board.

**HISTORY COMMISSION**

Supervisor Hyland moved the re-appointment of Ms. Irma A. Clifton as the At-Large #2 Representative to the History Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffmann moved the re-appointment of Ms. Sue Patterson as the At-Large #3 Representative to the History Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Ms. Edith M. Sprouse as the Archaeologist Representative to the History Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Chairman Hanley moved the re-appointment of Ms. Elise Ruff Murray as the Citizen #3 Representative to the History Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the re-appointment of Ms. Naomi D. Zeavin as the Historian #1 Representative to the History Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Mr. Mayo S. Stuntz as the Historian #2 Representative to the History Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**HUMAN RIGHTS COMMISSION**

The Board deferred the appointment of the At-Large #12 Representative to the Human Rights Commission.

**HUMAN SERVICES COUNCIL**

Supervisor Bulova moved the appointment of Mr. Ray Steele as the Braddock District #1 Representative to the Human Services Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**INDUSTRIAL DEVELOPMENT AUTHORITY**

The Board deferred the appointment of the At-Large #5 Representative to the Industrial Development Authority.

**INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**

Supervisor Frey moved the re-appointment of Mr. John G. Grady as the Sully District Representative to the Information Technology Policy Advisory Committee. This motion, the second to which was indistinguishable, carried by unanimous vote.

The Board deferred the appointment of the Springfield District Representative to the Information Technology Policy Advisory Committee.

**JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT CITIZENS ADVISORY COUNCIL**

The Board deferred the appointment of the Sully District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council.

**NORTHERN VIRGINIA TRANSPORTATION COORDINATING COUNCIL CITIZEN ADVISORY COMMITTEE**

Supervisor Hudgins moved the appointment of Mr. Joseph R. Stowers as the At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

**OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**

The Board deferred the appointment of the At-Large #5 Representative to the Oversight Committee on Drinking and Driving.

**PARK AUTHORITY**

Chairman Hanley moved the appointment of Mr. Phillip A. Niedzielski-Eichner as the At-Large #2 Representative to the Park Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.



**PLANNING COMMISSION**

Supervisor Hyland moved the re-appointment of Mr. John R. Byers as the Mount Vernon District Representative to the Planning Commission. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Hunter Mill District Representative to the Planning Commission.

**ROAD VIEWERS BOARD**

Supervisor Hyland moved the re-appointment of Mr. Daniel P. Moon as an At-Large #1 Representative to the Road Viewers Board. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Mr. Arthur L. Nalls as an At-Large #3 Representative to the Road Viewers Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the re-appointment of Mr. Richard J. Bochner as an At-Large #5 Representative to the Road Viewers Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large #2 and At-Large #4 Representatives to the Road Viewers Board.

**TENANT LANDLORD COMMISSION**

The Board deferred the appointment of the Tenant Member #1 Representative to the Tenant Landlord Commission.

**TREE COMMISSION**

The Board deferred the appointments of the Springfield and Sully District Representatives to the Tree Commission.

**UNIFORMED RETIREMENT SYSTEM****CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment to the Uniformed Retirement System:

- Mr. Charles E. Forneck as the Elected Uniformed Employee Representative

Supervisor Connolly seconded the motion, which carried by unanimous vote.

### **WATER AUTHORITY**

The Board deferred the appointment of the Dranesville District Representative to the Water Authority.

### **WETLANDS BOARD**

Supervisor Hyland moved the re-appointment of Mr. David F. Geneson as the Mount Vernon #2 Representative to the Wetlands Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

### **YOUTH BASKETBALL COUNCIL ADVISORY BOARD**

#### **CONFIRMATION:**

Supervisor Connolly moved the confirmation of the following appointment to the Youth Basketball Council Advisory Board:

- Ms. Michelle Chapman-Campbell as the David R. Pinn Recreation Center Representative

Supervisor Bulova seconded the motion, which carried by unanimous vote.

### **ADHOC COMMITTEES**

#### **ANIMAL CARE AND CONTROL COMMITTEE**

The Board deferred the appointment of the Dranesville District Representative to the Animal Care and Control Committee.

#### **HEALTH AND MEDICAL CARE DELIVERY TASK FORCE**

The Board deferred the appointments of the Braddock, Mason, Springfield, and Sully District Representatives to the Health and Medical Care Delivery Task Force.

#### **TELECOMMUNICATIONS (“MONOPOLES”) LAND USE TASK FORCE**

The Board deferred the appointment of the Hunter Mill District Representative to the Telecommunications (“Monopoles”) Land Use Task Force.

(NOTE: Later in the meeting the Board made an additional appointment. See Clerk’s Summary Item CL#44.)

DS:ds

15. ADMINISTRATIVE ITEMS (Tape 3)

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

Supervisor Connolly called the Board's attention to Admin 7 - Supplemental Appropriation Resolution AS 02040 for the Department of Family Services to Accept Share Shelter Support Grant Funding and discussion ensued with input from Dana W. Paige, Director, Department of Family Services.

Supervisor Connolly called the Board's attention to Admin 8 - Authorization to Advertise a Public Hearing to Consider Requests from Eight Private Entities for Special Legislation to Obtain an Exemption from County Property Taxes and discussion ensued with input from Michael Long, Senior Assistant County Attorney.

Supervisor Connolly called the Board's attention to Admin 22 - Authorization for the Juvenile and Domestic Relations District Court to Submit a Grant Application to the Virginia Department of Criminal Justice Services to Enhance Supervision and Treatment Services to Juvenile Offenders Under the Age of 14 Years and stated that on handwritten page 17, the total for local mileage should be \$780 instead of \$1,170. He then called the Board's attention to Admin 21 - Authorization for the Juvenile and Domestic Relations District Court to Submit a Grant Application to the Virginia Department of Criminal Justice Services to Enhance Supervision and Treatment to Juvenile Sex Offenders on Probation or Parole in the Community and stated that on handwritten page one the Local Mileage total reflected the correct amount of \$780, therefore, the total for the grant application for Admin 22 should be \$250,575 instead of \$250,965.

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

**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) REGARDING RELOCATING THE POLLING PLACE FOR BELVOIR PRECINCT (MOUNT VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 3, 2001, at 3:30 p.m.** to consider the proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District), regarding relocating the polling place for Belvoir Precinct from the Fort Belvoir Elementary School to the Kingstowne Library.

**ADMIN 2 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02045 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT A SUPPLEMENTAL GRANT AWARD FROM THE US AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID), BUREAU FOR HUMANITARIAN RESPONSE, OFFICE OF FOREIGN DISASTER ASSISTANCE (OFDA), TO SUPPORT THE INTERNATIONAL URBAN SEARCH AND RESCUE PROGRAM**

- (SAR) Approved SAR AS 02045 in the amount of \$605,052 for the FRD to accept funding as part of a recent modification and continuation of the Cooperative Agreement with USAID/OFDA to enhance the FRD's program management capability for local, national, and international search and rescue operations. A local cash match of \$51,320 is necessary to support the estimated cost of salary expenses over what is provided through the grant award. Matching funds are available in the Fiscal Year 2002 Reserve for Anticipated Grant awards in Fund 102, Federal/State Grant fund.

**ADMIN 3 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, LEE, PROVIDENCE, AND SULLY DISTRICTS)**

- (R) Approved the request that the streets listed below be accepted into the Secondary System.

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Victoria Farms Section 2	Hunter Mill	Victoria Farms Lane Route 6744 Johns Hollow Road Forest Maple Road
South Meadows Phase 1	Lee	Cyrene Boulevard Fordson Road Route 779 Additional ROW Only
Hunting Hills Section 4	Providence	Bonds Ridge Court
Clifton Crest Section 2	Sully	Jarist Drive Route 8283 Jarist Court

Woodlands of Fair Lakes  
Section 3

Sully

Maple Mountain Drive  
Tulip Leaf Court  
Arrowhead Park Drive  
Route 645  
Additional ROW Only  
Stringfellow Road  
Route 645  
Additional ROW Only

**ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02042 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO  
ACCEPT FUNDS FROM THE VIRGINIA EMPLOYMENT  
COMMISSION (VEC) FOR RAPID RESPONSE ACTIVITIES RELATED  
TO INTENSIVE EMPLOYMENT COUNSELING, TRAINING, AND JOB  
PLACEMENT SERVICES**

(SAR) Approved SAR AS 02042 in the amount of \$300,000 for DFS to accept funds from the VEC for rapid response services in conjunction with the existing Dislocated Worker grant program. No local cash match is required.

**ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02043 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO  
ACCEPT FUNDS FROM THE VIRGINIA EMPLOYMENT  
COMMISSION (VEC) TO CONTINUE THE METRO TECH PROGRAM**

(SAR) Approved SAR AS 02043 in the amount of \$541,754 for DFS to accept funds from the VEC to continue the delivery of existing employment and training services to employers and job seekers in high technology fields. No local cash match is required.

**ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02044 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO  
ACCEPT FUNDS FROM THE DEPARTMENT OF LABOR TO ADDRESS  
THE DISPROPORTIONATE UNEMPLOYMENT AND  
UNDEREMPLOYMENT OF PEOPLE WITH DISABILITIES**

(SAR) Approved SAR AS 02044 in the amount of \$594,509 for DFS to accept funds from the Department of Labor to provide disabled individuals increased access to employment options, and to provide employment support services. No local cash match is required.

**ADMIN 7 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02040 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO  
ACCEPT SHARE SHELTER SUPPORT GRANT (SSG) FUNDING**

(SAR) (NOTE: Earlier in the meeting there was a brief discussion of this item. See page 11.)

Approved SAR AS 02040 in the amount of \$74,980 for DFS to accept SSG grant funding. This funding is being made available through the Virginia Department of Housing and Community Development (DHCD) to support the County's emergency homeless shelter program. An additional \$143,440 in Federal/State Temporary Assistance for Need Families funding is available from DHCD. No local cash match is required.

**ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING  
TO CONSIDER REQUESTS FROM EIGHT PRIVATE ENTITIES FOR  
SPECIAL LEGISLATION TO OBTAIN AN EXEMPTION FROM  
COUNTY PROPERTY TAXES**

(A) (NOTE: Earlier in the meeting there was a brief discussion of this item. See page 11.)

Authorized the advertisement of a public hearing to be held before the Board on **December 3, 2001, at 6 p.m.** to consider requests from the following eight private organizations for special State legislation to obtain an exemption from County property taxes:

- Cottontail Swim and Racquet Club, Incorporated
- Friends of Crossroads, Incorporated
- Hunter Mill Swim and Racquet Club, Incorporated
- Kings West Swim Club, Incorporated
- Lutheran Social Services of the National Capital Area, Incorporated
- Marian Homes
- Tysons-Briar, Incorporated T/A Cardinal Hill Swim and Racquet Club
- Vienna Aquatic Club, Incorporated

**ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02041 TO ACCEPT \$228,847 IN PROJECT RESILIENCE  
COUNSELING - IMMEDIATE SERVICE FUNDS FROM THE FEDERAL  
EMERGENCY MANAGEMENT AGENCY**

- (SAR) Approved SAR AS 02041 in the amount of \$228,847 for the CSB to accept funds through the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services for Federal Project Resilience crisis counseling.

**ADMIN 10 – COPS IN SCHOOLS GRANT AWARD TO THE FAIRFAX  
COUNTY POLICE DEPARTMENT (FCPD) FROM THE US  
DEPARTMENT OF JUSTICE (DOJ), OFFICE OF COMMUNITY  
ORIENTED POLICING SERVICES (COPS)**

Authorized the FCPD to accept a \$750,000 COPS in Schools grant from the DOJ to hire, train, and support 6/6.0 SYE additional sworn law enforcement officers. A local cash match of \$1,192,342 will be required during the 36 month grant period, for a total program cost of \$1,942,342.

**ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING  
ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC),  
APPENDIX G, ESTABLISHING THE WEST POTOMAC RESIDENTIAL  
PERMIT PARKING DISTRICT (RPPD), DISTRICT 36 (MOUNT  
VERNON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 7, 2002, at 3:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, establishing the West Potomac RPPD, District 36.

**ADMIN 12 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION  
FOR SPECIAL EXCEPTION AMENDMENT APPLICATION  
SEA 98-M-028, LINCOLNIA EDUCATIONAL FOUNDATION,  
INCORPORATED (MASON DISTRICT)**

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Amendment Application SEA 98-M-028 to April 16, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 13 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION  
FOR SPECIAL EXCEPTION APPLICATION SE 98-V-049, AMERADA  
HESS CORPORATION (MOUNT VERNON DISTRICT)**

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 98-V-049 to August 22, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 14 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 95-S-015, BURKE VILLAGE CENTER ASSOCIATES LIMITED PARTNERSHIP (SPRINGFIELD DISTRICT)**

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 95-S-015 to October 30, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 15 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-Y-056, THE MARK WINKLER COMPANY (SULLY DISTRICT)**

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 98-Y-056 to April 5, 2004, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 16 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-C-031-4, DULLES HOTEL CORPORATION (SULLY DISTRICT)**

- (AT) Approved the request for 12 months of additional time for Special Exception Amendment Application SEA 82-C-031-4 to October 26, 2002, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 17 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (DRANESVILLE, HUNTER MILL, LEE, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)**

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

- Application 2232-D01-23 to January 18, 2002
- Application 2232-S01-24 to January 27, 2002
- Application 2232-V01-25 to February 1, 2002
- Application FS-H01-53 to March 2, 2002
- Application FS-S01-54 to March 2, 2002
- Application FS-L01-55 to March 2, 2002



**ADMIN 18 – AUTHORIZATION FOR THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) TO APPLY FOR A CHESAPEAKE BAY LOCAL ASSISTANCE DEPARTMENT (CBLAD) COMPETITIVE GRANT**

Approved DPWES' submission of an application for grant funds in the amount of \$50,000 to the CBLAD for a grant to continue developing education and outreach programs that implement the goals of the Chesapeake Bay Preservation Act in the County. A local cash match of \$50,000 is required.

**ADMIN 19 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS**

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on December 3, 1001, at 6 p.m. to solicit comments and input on the proposed Fiscal Year 2002 Transportation Enhancement Projects.
  - Authorized the posting of the notice of intent to conduct a public hearing.

**ADMIN 20 – AUTHORIZATION TO REALLOCATE \$50,000 WITHIN THE HOUSING TRUST FUND FOR LEGAL EXPENSES AT LITTLE RIVER GLEN II (BRADDOCK DISTRICT)**

Authorized the encumbrance of \$50,000, in Fund 144, the Housing Trust Fund, for legal services for the Little River Glen II project.

**ADMIN 21 – AUTHORIZATION FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT (JDRDC) TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) TO ENHANCE SUPERVISION AND TREATMENT TO JUVENILE SEX OFFENDERS ON PROBATION OR PAROLE IN THE COMMUNITY**

(NOTE: Earlier in the meeting there was a brief discussion of this item. See page 11.)

Authorized the JDRDC to submit a grant application in the amount of \$175,375 to DCJS for funding for its Juvenile Sex Offender Treatment Enhancement Program. An additional \$44,280 in existing Fiscal Year 2002 agency contract funds have been budgeted for treatment services for this population, resulting in a total of \$219,659 in funds targeted for this population.

**ADMIN 22 – AUTHORIZATION FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT (JDRDC) TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) TO ENHANCE SUPERVISION AND TREATMENT SERVICES TO JUVENILE OFFENDERS UNDER THE AGE OF 14 YEARS**

(NOTE: Earlier in the meeting there was a brief discussion of this item. See page 11.)

Authorized JDRDC to submit a grant proposal in the amount of \$249,795 to the DCJS for funding for the development and implementation of a Young Offender Program. An additional \$1,170 in existing Fiscal Year 2002 agency funds will be utilized in support of this program, resulting in a total of \$250,965 in funds targeted to enhance services to juvenile offenders under the age of 14 years.

**ADMIN 23 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF COUNTY-OWNED PROPERTY KNOWN AS A PORTION OF THE HOLLADAY PROPERTY AT 1301 SPRING HILL ROAD TO MCLEAN YOUTH INCORPORATED FOR ATHLETIC FIELD USE (DRANESVILLE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 3, 2001, at 4:30 p.m.** regarding the proposed leasing of County-owned property known as a portion of the "Holladay Property" at 1301 Spring Hill Road (Tax Map 29-1-0020 Parcel C) to McLean Youth Incorporated, for the purpose of games, practices, clinics, and other activities consistent with youth sports or community-related activities.

16. **A-1 – APPROVAL OF AN AMENDMENT TO THE INTERJURISDICTIONAL SOLID WASTE FACILITY USE AGREEMENT BETWEEN FAIRFAX COUNTY AND PRINCE WILLIAM COUNTY** (Tape 3)

On motion of Supervisor Bulova, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the amendment to the Agreement between Fairfax County and Prince William County regarding solid waste disposal.

17. **A-2 – APPROVAL OF A PARKING REDUCTION REQUEST FOR THE MERRIFIELD METRO CENTER MULTI-FAMILY RESIDENTIAL DEVELOPMENT (PROVIDENCE DISTRICT)** (Tape 3)

Following discussion, Supervisor Connolly moved that the Board defer action on this item until the Marriott Parking Reduction study is completed, and both items be returned to the Board concurrently. Chairman Hanley seconded the motion.

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

18. **A-3 – APPROVAL OF A PROPOSED CONTRACT AGREEMENT WITH DOMINION VIRGINIA POWER ON ELECTRIC RATES AND SERVICES** (Tape 3)

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

- Approve the agreement with Dominion Virginia Power on rates for electric service covering the seven year period July 1, 2000, to June 30, 2007, as recommended by the Virginia Municipal League/Virginia Association of Counties negotiating committee.
- Authorize the County Executive to execute the agreement on the Board's behalf.

Supervisor Bulova seconded the motion.

Supervisor Connolly asked to amend the motion that the Board direct the Office of Public Affairs to issue a press release informing the public of the rate reduction resulting from this agreement, and this was accepted.

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

19. **A-4 – ENDORSEMENT OF DESIGN PLANS FOR A PARK-AND-RIDE FACILITY ON GAMBRILL ROAD (ROUTE 640) AT THE FAIRFAX COUNTY PARKWAY (ROUTE 7100) (MOUNT VERNON DISTRICT)** (Tape 3)

Following discussion, Supervisor Hyland moved that the Board deny the request to endorse the design plans for a park-and-ride facility located at the intersection of Gambrill Road and the Fairfax County Parkway, including roadway, trail, and drainage improvements as presented at the Virginia Department of Transportation (VDOT) public hearing June 5, 2001. Supervisor Kauffman seconded the motion.

Discussion ensued with input from Katharine Ichter, Chief, Capital Projects and Operations Division, Department of Transportation.

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

- Endorse the design plans for a park-and ride facility located at the intersection of Gambrill Road and the Fairfax County Parkway, including roadway, trail, and drainage improvements as presented

at the Virginia Department of Transportation (VDOT) public hearing June 5, 2001.

- Direct staff to pay the \$640,000 local cash match for this project.

Supervisor Bulova seconded the motion.

Further discussion ensued with input from Ms. Ichter.

The question was called on the substitute motion and it **CARRIED** by a recorded vote of eight, Supervisor Hyland and Supervisor Kauffman voting "NAY."

Following further discussion the question was called on the main motion, as substituted, and it **CARRIED** by a recorded vote of nine, Supervisor Hyland voting "NAY."

Supervisor Bulova noted that the Virginia Department of Transportation's (VDOT) Park and Ride brochure shows some of the park-and-ride facilities being located in Prince William County, but they are actually located in Fairfax County.

Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to work with VDOT to ensure that its brochure correctly reflects where the park-and-ride facilities are located. Without objection, it was so ordered.

20. **A-5 – ADOPTION OF A RESOLUTION CONCURRING WITH AN INDUCEMENT RESOLUTION OF THE CITY OF ALEXANDRIA INDUSTRIAL DEVELOPMENT AUTHORITY REGARDING A POOLED LOAN PROGRAM APPLICATION OF THE AMERICAN COLLEGE OF RADIOLOGY** (Tape 3)

- (R) On motion of Supervisor Hudgins, seconded by Supervisor Bulova, and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," the Board concurred in the recommendation of staff and adopted the Resolution concurring with an inducement resolution of the Industrial Development Authority of the City of Alexandria relating to a pooled loan program application by the American College of Radiology located at 1891 Preston Drive, Reston, Virginia.

21. **A-6 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE BY THE FAIRFAX COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY (IDA) OF ITS HEALTH CARE REVENUE BONDS** (Tape 3)

- (R) Supervisor Connolly moved that the Board concur in the recommendation of staff and adopt the Resolution approving the issuance by the IDA of its Health Care Revenue Bonds (Inova Health System Project) Series 2001, in an aggregate

principal amount not to exceed \$200,000,000. Supervisor Bulova seconded the motion.

Supervisor Gross disclosed that she represents the County on the Inova Health Systems Board.

Supervisor Frey disclosed that he represents the County on the Inova Health Systems Board.

Supervisor McConnell disclosed that she represents the County on the Inova Health Systems Board.

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

22. **A-7 – ACCEPTANCE OF CONGESTION MITIGATION AND AIR QUALITY GRANT TO PURCHASE AND INSTALL BUS STOP IMPROVEMENTS, INCLUDING BUS SHELTERS, PADS, AND/OR BENCHES** (Tape 3)

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

- Endorse the installation of approximately 64 bus shelters, pads, and/or benches at the locations identified in the Memorandum to the Board.
- Authorize the County Executive to execute a project administration agreement, in general conformity with, Agreement for Purchase and Installation of Bus Passenger Waiting Shelters by the County, between the County and the Virginia Department of Transportation for the use of Congestion Mitigation Air Quality (CMAQ) funds. As part of this agreement, the County will commit to \$230,000 in local funds to match the \$920,000 CMAQ funds.

Supervisor Connolly seconded the motion.

Discussion ensued with input from Tom Biesiadny, Head, Coordination and Funding Section, Department of Transportation, and Ronald N. Kirkpatrick, Director, Planning and Design Division, Department of Public Works and Environmental Services.

Supervisor McConnell asked that unanimous consent that the Board direct staff to put Springfield on the list to receive shelters. Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct the County Executive to provide a quarterly information item providing an update on the progress of each bus shelter. Vice-Chairman Hyland seconded the motion.

Supervisor Frey asked to amend the motion that the Board direct the County Executive to also provide how many shelters could have been provided if there were no paperwork, and this was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor McConnell moved that the Board direct staff to:

- Discuss with Board members suggested improvements to the processes used by the Virginia Department of Transportation.
- Provide the Board with a draft report at a Board meeting for approval and submission to the Governor-Elect.

Supervisor Kauffman seconded the motion.

Supervisor Hudgins asked to amend the motion that the Board direct staff to include the Transportation Advisory Committee in the discussions, and this was accepted.

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

23. **A-8 – REFERRAL OF THE CASH PROFFER GUIDELINES FEASIBILITY STUDY TO THE PLANNING COMMISSION FOR CONSIDERATION IN CONTEXT OF ITS REVIEW OF THE RESIDENTIAL DEVELOPMENT CRITERIA** (Tapes 3-4)

Supervisor Connolly moved that the Board concur in the recommendation of staff and refer the Cash Proffer Guidelines Feasibility Study to the Planning Commission for its consideration within the context of its comprehensive review of the Residential Development Criteria. Supervisor Bulova seconded the motion.

Following discussion, Supervisor Kauffman moved a substitute motion that the Board:

- Refer the Cash Proffer Guidelines Feasibility Study to the Planning Commission for its consideration within the context of its comprehensive review of the Residential Development Criteria.
- Direct staff to move expeditiously to employ a consultant to refine the cash proffer design amounts on a parallel track with the work of the Planning Commission. By doing this, both refined criteria and refined cash proffers would be available for possible implementation by the Board in August or September 2002.

Supervisor Hyland seconded the motion.

Discussion ensued with input from James P. Zook, Director, Department of Planning and Zoning.

The question was called on the substitute motion and it **FAILED** by a recorded vote of six, Supervisor Hudgins, Supervisor Bulova, Supervisor Hyland, and Supervisor Kauffman voting "AYE."

Following further discussion with input from Mr. Zook, Supervisor Kauffman asked to amend the main motion that the Board authorize staff to proceed with the RFP process, based on the Planning Commission's final (or interim) recommendation. Chairman Hanley seconded the motion.

Further discussion ensued with input from Anthony H. Griffin, County Executive.

The question was called on the amendment and it **CARRIED** by a recorded vote of eight, Supervisor McConnell and Supervisor Mendelsohn voting "NAY."

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

24. **C-1 – APPEAL OF SECTION 15.2-2232 DETERMINATION – 2232-P00-13, VERIZON WIRELESS (PROVIDENCE DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated November 19, 2001, regarding the appeal by Verizon Wireless (formerly Bell Atlantic Mobile, Incorporated).

Discussion ensued with input from J. Patrick Taves, Deputy County Attorney.

Supervisor Connolly moved that the Board:

- Approve an additional extension up to and including January 10, 2002, for the Board's consideration of Public Facilities Application 2232-P00-13.
- Defer consideration of the appeal of Public Facilities Application 2232-P00-13 until the Board meeting scheduled for January 7, 2002.

Supervisor Gross seconded the motion and it carried by unanimous vote.

25. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-D01-18, VERIZON WIRELESS (DRANESVILLE DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated November 19, 2001, announcing the Planning Commission's approval of Public Facilities Application 2232-D01-18.

26. **I-2 – INTERSTATE-95 (I-95) ENERGY/RESOURCE RECOVERY FACILITY - NATIONAL AWARD** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated November 19, 2001, announcing that the I-95 Energy/Resource Recovery Facility has received the 2001 Waste-to-Energy Excellence Gold Award from the Solid Waste Association of North America.

Discussion ensued with input from Joyce Doughty, Director, Solid Waste Disposal and Resource Recovery Division, Department of Public Works and Environmental Services.

27. **I-3 – ARCHITECTURAL/ENGINEERING CONTRACT AWARD - TRAINING FACILITIES STUDY FOR FIRE AND RESCUE ACADEMY IMPROVEMENTS** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated November 19, 2001, requesting authorization for staff to award a contract to Teng and Associates, Incorporated, in the amount of \$223,220 to perform a Training Facility Study, a needs assessment, and a long-term business plan for the Fire and Rescue Department training facilities. Funds are currently available in Project 009073, Fire and Rescue Academy Improvements, in Subfund 312, Public Safety Construction.

The staff was directed administratively to proceed as proposed.



28. **I-4 – ENGINEERING CONTRACT AWARD - DESIGN OF IMPROVEMENTS TO THE ROUTE 50/WAPLES MILL ROAD INTERSECTION (PROVIDENCE AND SPRINGFIELD DISTRICTS)**  
(Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated November 19, 2001, requesting authorization for staff to award a contract to Parsons Transportation Group, Incorporated, in the amount of \$1,066,898 for the design work of at-grade and grade-separated interchange improvements, in Project 007701, Route 50/Waples Mill Road in Fund 301, Contributed Roadway Improvements.

The staff was directed administratively to proceed as proposed.

29. **I-5 – SCHEDULE OF POLICY PLAN REVIEW FOR PUBLIC FACILITIES, PARKS AND RECREATION, AND TRANSPORTATION SECTIONS** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated November 19, 2001, requesting authorization for staff to implement the review of the public facilities, parks and recreation, and transportation sections of the Policy Plan in accordance with the schedule approved by the Planning Commission and further modified by staff.

A brief discussion ensued with input from Fred R. Selden, Director, Planning Division, Department of Planning and Zoning.

The staff was directed administratively to proceed as proposed.

### **ADDITIONAL BOARD MATTERS**

**NV:nv**

30. **AIDS AWARENESS WEEK** (Tape 5)

Chairman Hanley stated that the Health Care Advisory Board requested that December 3-9, 2001, be recognized as AIDS Awareness Week in conjunction with the December 1, 2001, recognition of World AIDS Day. Therefore, she relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to:

- Prepare a proclamation to recognize “*AIDS Awareness Week*” in Fairfax County.
- Invite the appropriate representatives from the community to accept the proclamation at the December 3, 2001, meeting.

Vice-Chairman Hyland seconded the motion, which carried by unanimous vote.

31. **PEARL HARBOR REMEMBRANCE DAY** (Tape 5)

Chairman Hanley said that the Pearl Harbor Survivors Association asked that the County follow the provisions of Public Law 103-308 and observe December 7 as National Pearl Harbor Remembrance Day. The law urges all the United States flags to fly at half-staff in honor of the individuals who died as a result of their service at Pearl Harbor. As the nation recognizes the sixtieth anniversary of Pearl Harbor Day, she moved that the Board direct staff to:

- Prepare a proclamation and invite representatives from the Pearl Harbor Survivors Association to accept the proclamation at the December 3, 2001, Board meeting.
- In observance of December 7 as Pearl Harbor Remembrance Day, urge all residents to fly the United States flag at half staff, including the flags at all County facilities.

Supervisor Connolly seconded the motion and asked to amend it to include an invitation to Mr. Joseph "Gus" Gustafarro, who was a Pearl Harbor survivor and was also present at Tokyo Bay for the surrender. This was accepted.

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

32. **RECOGNITION OF COUNTY EMPLOYEES FOR THEIR LIFESAVING ACTION** (Tape 5)

Chairman Hanley stated that during the morning of August 22, 1001, Michael Campbell, a Fastran employee, passed out in the weight room at the Government Center. Three County employees, Candy Brown, Sarah West, and Rita Kaufman, utilized the newly installed automated external defibrillator, which had been placed in service on August 3, 2001. Through their efforts, Mr. Campbell was resuscitated. To recognize their lifesaving action, she moved that the Board direct staff to invite these quick-thinking employees to appear before the Board on December 3, 2001, to receive certificates of recognition. Vice-Chairman Hyland seconded the motion.

Following discussion, Chairman Hanley acknowledged that these employees had been recognized in a previous Board Matter presented by Supervisor Hudgins, but had not yet appeared before the Board.

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

Chairman Hanley noted that automated external defibrillators are being installed around the Government Center.

33. **OX HILL BATTLEFIELD PARK** (Tape 5)

Chairman Hanley stated that Mr. Ed Wentzel of the Chantilly Battlefield Association had contacted her in June regarding his concern that the Park Authority planned to spend only \$50,000 for improvements to the Ox Hill Battlefield Park when Centennial Gateway Limited Partnership had specifically proffered \$110,000 for that purpose. The property is at the corner of Monument Drive and West Ox Road. The Bonds and Agreements Branch of the Department of Public Works and Environmental Services received the proffer of \$118,360, adjusted for inflation, on December 19, 1994.

Chairman Hanley stated there has been considerable discussion between her office, Civil War enthusiasts, and Park Authority staff as to whether the implementation of the proffer is correct. She said that Paul Baldino, Executive Director, Park Authority, sent a memorandum to her that clarified the funding process that led to the misunderstanding. Separate from the proffer, the Park Authority set aside \$50,000 for capital improvements in 1998. It appears that the original proffered funds were never transferred to the Park Authority.

Accordingly, Chairman Hanley moved that the Board direct staff to transfer the original \$118,360 to the Park Authority with the direction that funds be used for the purpose for which they were intended and proffered to provide improvements for the park. Supervisor Connolly and Supervisor McConnell jointly seconded the motion.

Following discussion, Chairman Hanley asked to amend the motion to direct the Park Authority to develop a Master Plan for this park in consultation with the appropriate groups and this was accepted.

Chairman Hanley noted that given this misunderstanding almost seven years after the funds were made available to the County, it is more important than ever that the County have a reliable proffer tracking system.

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

34. **EXPEDITING RAIL TRANSIT TO DULLES** (Tape 5)

Chairman Hanley stated that at the October 22, 2001, Board meeting she distributed copies of a letter from the local Congressional Delegation to Transportation Secretary Norman Mineta which expressed support for expediting rail transit to Dulles International Airport. In response, the Board approved a motion to also send a letter to Secretary Mineta supporting this effort. She noted that she had not yet received that draft letter from staff.

Chairman Hanley distributed copies of a press release from Congressman Frank Wolf's office stating that on November 14, 2001, the full House Appropriations Committee approved language directing the Federal Transit Administration to work with the Commonwealth of Virginia and local governing bodies in the region to develop and implement a financing plan for expediting rail to Washington Dulles International Airport.

Accordingly, Chairman Hanley moved that the Board direct staff to prepare and send a letter to the Congressional Delegation under her signature supporting Congressman Wolf's efforts to obtain federal assistance for Northern Virginia to expedite rail to Dulles. Supervisor Connolly and Supervisor Hudgins jointly seconded the motion.

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

35. **STATE BUDGET ALERTS** (Tape 5)

Chairman Hanley shared State budget updates she had received from both the Virginia Municipal League and the Virginia Association of Counties.

36. **FAIRFAX COUNTY'S WRITTEN INVESTMENT POLICY CERTIFIED FOR THIRD CONSECUTIVE YEAR** (Tape 5)

Chairman Hanley congratulated staff on the fact that the County's written investment policy was certified for the third consecutive year and she circulated a press release on the topic.

37. **ENVIRONMENTAL QUALITY ADVISORY COUNCIL'S (EQAC) RESOLUTION ON NATIVE TREES** (Tape 5)

Chairman Hanley circulated EQAC's resolution concerning the use of native trees at County facilities.

38. **TENTATIVE VIRGINIA TRANSPORTATION DEVELOPMENT PLAN (VTDP)** (Tape 5)

(NOTE: Earlier in the meeting there was a brief discussion regarding this item. See Clerk's Summary Item CL#13.)

Chairman Hanley called the Board's attention to a memorandum from Young Ho Chang, Director, Department of Transportation dated November 16, 2001, regarding the tentative VTDP (formerly known as the Six Year Improvement Program). She noted that the Commonwealth Transportation Board would be conducting a public hearing on the VTDP on December 6, 2001, in Richmond.

Following discussion, with input from Mr. Chang, Chairman Hanley moved that the Board direct staff to present at the December 3, 2001, Board meeting proposed testimony for the public hearing on December 6. She noted that the testimony should include a request for the effect of revised revenue estimates and an explanation of the feasibility category.

Following a lengthy discussion, with input from Mr. Chang, Supervisor Connolly seconded the motion, which carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

39. **NO BOARD MATTERS FOR SUPERVISOR MENDELSON** (Tape 6)

Supervisor Mendelsohn announced that he had no Board Matters to present today.

40. **REQUEST FOR CERTIFICATE OF RECOGNITION** (Tape 6)

Supervisor Frey announced that Steve Brown has resigned from his position as the Vice President of Inova Health System and Administrator of Inova Fairfax Hospital.

Supervisor Frey asked unanimous consent that the Board direct staff invite Mr. Brown to appear before the Board on December 3, 2001, to recognize him for his many contributions to Inova and Fairfax County. Without objection, it was so ordered.

41. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR MR. ROBERT L. MOORE** (Tape 6)

Supervisor Frey announced that Robert L. Moore, Chief, Transportation Planning Division, Department of Transportation, is retiring.

Supervisor Frey asked unanimous consent that the Board direct staff to invite Mr. Moore to appear before the Board to receive a Certificate of Recognition for his years of service. Without objection, it was so ordered.

42. **CUB RUN PUMP STATION IMPROVEMENTS EXPEDITED BOARD DATE/CONCURRENT PROCESSING** (Tape 6)

Supervisor Frey said that the Upper Occoquan Sewage Authority (UOSA) has submitted a special exception application to permit capacity improvements to the Cub Run Pump Station to accommodate rapidly increasing flows from development in the Cub Run watershed. To address these improvements as soon as possible, UOSA has requested that the Board schedule a public hearing and that the Department of Public Works and Environmental Services (DPWES)

concurrently process the special exception application with the site plans. Staff has reviewed the application and it is in harmony with the Comprehensive Plan.

Accordingly, Supervisor Frey moved that the Board:

- Authorize the scheduling of the public hearing for the Cub Run Pump Station improvements to occur as soon as possible after the Planning Commission public hearing.
- Direct DPWES to concurrently process the site plans associated with the above-referenced application.

The applicants understand that this motion will not prejudice the consideration of the application in any way. Supervisor Connolly seconded the motion and it carried by unanimous vote.

43. **CLUSTER DEVELOPMENT – STANLEY-MARTIN HOMEBUILDING, LLC** (Tape 6)

Supervisor Frey said that Mount Gilead and the surrounding area are historically significant in Centreville. Stanley-Martin Homebuilding has applied for a rezoning to permit a cluster development of 47 homes in this area. The property is adjacent to the historic Saint John's Episcopal Church, and there are rare Civil War embankments preserved on the property. The applicant has worked closely with staff on the design features of the project, as well as the preservation of the Civil War earthworks. The applicant has shown good faith in working hard to preserve the earthworks and to design the homes with respect paid to the historic quality of the area, especially as part of the property lies within the Centreville Historic District. To accommodate changes in the design to ensure preservation of the earthworks, the applicant agreed to defer the Planning Commission public hearing date until December.

Accordingly, Supervisor Frey moved that the Board authorize the scheduling of the public hearing to be held before the Board for the first Board date in January 2002 regarding this project. Supervisor Bulova seconded the motion and it carried by unanimous vote.

44. **APPOINTMENT TO THE SIGN TASK FORCE** (Tape 6)

(APPT) Supervisor Frey moved the appointment of Mr. Pat Lawless as the Sully District Representative to the Sign Task Force to fill the unexpired term of Mr. Scott McDonald. Supervisor McConnell seconded the motion and it carried by unanimous vote.

45. **CITIZENS ADVISORY BOARD REGARDING ROUTE 29 AND THE MANASSAS NATIONAL BATTLEFIELD** (Tape 6)

Supervisor Frey said that the US Department of Transportation of Federal Highway Administration is moving forward with the environmental impact study process for work in the vicinity of Route 29 and the Manassas National Battlefield. It has been suggested that a citizens advisory board be created including all of the affected jurisdictions.

Supervisor Frey moved that the Board designate Mr. Dick Frank and Ms. Judith Hesinger to represent Fairfax County on the new advisory board. Chairman Hanley seconded the motion and it carried by unanimous vote.

46. **NORTHERN REGIONAL FINAL** (Tape 6)

Supervisor Frey announced that the Northern Region Final for football is occurring on Saturday, November 24, 2001, between Centreville High School and Robinson Secondary School.

47. **BOARD OF SUPERVISORS BUDGETS** (Tape 6)

Supervisor Frey said that at the recent Inventory of County Activities, Programs and Services meeting the County Executive provided details on his direction to staff to implement cutbacks in this year's funding level. He noted that he included in his recommendations a five percent reduction in spending in the Board of Supervisors account.

Supervisor Frey moved that the Board:

- Live within the five percent reduction that has been ordered for the County agencies.
- For accounting purposes the budget will not be consolidated as one cost center but as ten accounts with each Supervisor's account treated as a separate account.

Chairman Hanley seconded the motion.

Following discussion, the question was called on the motion which **FAILED** by a recorded of six, Supervisor Bulova, Supervisor Frey, Supervisor Hyland, and Chairman Hanley voting "AYE."

48. **ESTABLISHMENT OF THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD): WAIVER OF THE NUMBER OF CONTIGUOUS PARKING SPACES** (Tape 6)

Supervisor Bulova said that parking on residential streets in Annandale Terrace has become a problem and staff has determined that the area falls under the Code provisions for the creation of a RPPD. She said that she forwarded to the Department of Transportation (DOT) petitions for the establishment of the Annandale Terrace RPPD on the following streets:

- McWhorter Place from Weyburn Drive to Medford Drive
- McWhorter Place from Medford Drive to the east end
- Medford Drive from McWhorter Place to Madeira Place
- Weyburn Drive from McWhorter Place to Weyburn Court
- Weyburn Court from Weyburn Drive to the end

The one criterion that is not met at this location is that the District must be a minimum size of 100 contiguous parking spaces. However, it meets the purpose and intent of the ordinance. The proposed District includes about 86 parking spaces, which is close to meeting the minimum size criterion, and has a significant parking problem. To proceed with the request, the required number of contiguous parking spaces would need to be waived by the Board.

Therefore, Supervisor Bulova moved that the Board waive the number of spaces and direct staff to proceed as expeditiously as possible. Supervisor Connolly seconded the motion and it carried by unanimous vote.

49. **CERTIFICATE OF RECOGNITION FOR MR. JOHN CALLAGHAN**  
(Tape 6)

Supervisor Hudgins said that John Callaghan, Director of the Housing Management Division of the Fairfax County Department of Housing and Community Development, is retiring after 26 years of service to the County.

Supervisor Hudgins moved that the Board direct staff to invite Mr. Callaghan to appear before the Board to be recognized for his service to the County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.



50. **PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-C-080**  
(Tape 6)

Supervisor Hudgins said that Patton, Harris, Rust, and Associates have filed a proffered condition amendment on behalf of the Fairfax County Park Authority to amend the proffers and the approved generalized development plan to reflect public park development instead of single family residential at Stratton Woods in Reston. Stratton Woods Park has been approved through the 2232 Process and the Fairfax County Park Authority Master Plan process to achieve community consensus.

Therefore, Supervisor Hudgins moved that the Board direct staff in the Department of Public Works and Environmental Services to review and process the site and building plans for Tax Map 25-2((1)) 4, 5, 6, and 7 concurrently with the review of Proffered Condition Amendment Application PCA 88-C-080. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards and does not prejudice the consideration of this application in any way. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Hyland being out of the room.

51. **STORM DRAINS** (Tape 6)

Supervisor Hudgins said that the November 2001 *Vienna Newsletter* published an article titled "Storm Drains Aren't Trash Cans." It highlighted the fact that storm drains do not lead to wastewater treatment facilities, but into local streams and eventually into the Chesapeake Bay. Often times, this misconception leads individuals to place in storm drains items such as antifreeze, motor oil, paint, and animal and yard waste. With fall comes the fall of leaves and often lawn services personnel mistake storm drainage areas as a place for disposing of leaf waste.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to publish the article to raise Fairfax County's residents and lawn service companies awareness of protecting the Chesapeake Bay and understanding that storm drains are designed for water runoff only. Without objection, it was so ordered.

52. **REQUEST FOR CERTIFICATE OF RECOGNITION OF MS. MARY ANN GATTON** (Tape 6)

Supervisor Hudgins said that the Greater Washington Reading Council has named Mary Anne Gatton the Reading Teacher of the Year for the Washington Metropolitan Area. Ms. Gatton has been a reading teacher at Floris Elementary School for four years. Her service to the students of Floris Elementary School has been invaluable and this award only serves to reiterate that fact.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Ms. Gatton to appear before the Board to be recognized for her outstanding accomplishment as Reading Teacher of the Year. Without objection, it was so ordered.

53. **REQUEST FOR PROCLAMATION FOR THE GREATER RESTON CHAMBER OF COMMERCE (GRCC)** (Tape 6)

Supervisor Hudgins said that the GRCC is an integral part of the Hunter Mill District community that not only promotes and is an advocate for businesses, but also has been a leader in the community.

Supervisor Hudgins noted that January 2002 begins the twentieth year of what began as the Reston Board of Commerce. Since that time GRCC has grown to be the business voice for the second largest concentration of business in Virginia, with more than 1,100 corporate members, a 34 member Board of Directors and a staff of six. GRCC is a volunteer driven organization. In addition, GRCC has been a partner in promoting pride in the community through its support of Reston Interfaith and hosting a variety of community programs such as Ethics Day and Expo 2001.

Additionally, December 2001, marks the two-year anniversary of GRCC's Incubator Program. The Incubator Program is designed to provide small and relatively new companies with the basic business support that they need; including office space, business connections and mentoring to grow their business. After two years, the program has had 17 successful companies creating 35 Fairfax County jobs.

Therefore, Supervisor Hudgins moved that the Board direct staff to invite the GRCC to appear before the Board on December 3, 2001, to receive a proclamation celebrating its twentieth anniversary, two year Incubator Program anniversary, and the contributions made to the Hunter Mill District and Fairfax County. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.

54. **ROLLING WOODS, LLC AND BROOKFIELD WASHINGTON, INCORPORATED** (Tape 6)

Supervisor McConnell said that Rolling Woods LLC and Brookfield Washington, Incorporated are the contract purchasers of 7.37 acres of land located in the northwest quadrant of the intersection of Hunter Village Drive and Gerardia Court and identified as tax map 89-4((1))21 and 22D. They have filed a Proffered Condition Amendment Application/Final Development Plan Amendment Application PCA C-402-8/FDPA C-402-6 to change the approved use from a medical care facility to housing for the elderly. The applicants proposed to develop this parcel into four residential buildings containing 87 dwelling units.

Therefore, Supervisor McConnell moved that the Board direct staff to process the site plan and building plans for this housing project concurrently with the processing of Proffered Condition Amendment Application/Final Development Plan Amendment Application PCA C-402-8/FDPA C-402-6). This motion does not relieve the applicants from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. The applicant acknowledges that pursuit of concurrent processing shall be at the applicant's own risk. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.

NV:nv

55. **SENIORS ON THE GO** (Tape 7)

Supervisor Gross expressed appreciation to staff for providing an electronic link to the "Seniors on the Go" from the Area Agency on Aging's website. She had raised this issue on September 10, 2001.

56. **PERSONAL PROPERTY TAXES** (Tape 7)

Supervisor Gross said that a senior citizen who recently tried to pay her personal property tax at the kiosk at the Mason District Governmental Center, finally realized that even if her taxes were paid, she couldn't obtain her County decal in time to avoid the enforcement deadline. She concluded that the only way to obtain a decal immediately was to pay her tax at the County Government Center.

Supervisor Gross noted that what caused the confusion was a yellow insert that accompanied the notice from the Department of Tax Administration. The insert provides payment alternatives, but nowhere does it indicate that the only way to obtain the decal immediately is to pay at the County Government Center in Fairfax. She said that future mailings and other informational material should make clear that the only way to obtain a decal immediately is to pay your personal property tax in person at the Fairfax County Government Center located at 12000 Government Center Parkway.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Director of the Department of Tax Administration to clarify this information when the next personal property tax bills are mailed. Without objection, it was so ordered.

57. **COX COMMUNICATIONS CABLE TELEVISION SERVICE** (Tape 7)

Supervisor Gross called the Board's attention to her written Board Matter regarding Cox Cable as well as a memorandum from Ron Mallard, Director, Department of Cable Communications and Consumer Protection regarding cable television complaints that was distributed earlier in the day in response to a request from Supervisor Connolly. She said that the long-promised Cox

Revolution has gone sadly awry. What Cox's top management promised as a smooth and seamless transition from Media General to a superior quality digital signal turned out to be a series of nightmares. Residents are experiencing great difficulties in obtaining cable services they are paying for. Customer service can be confused, inept, and unresponsive. Technicians are not well trained. As Cox's rates increase, so do complaints. Constituents are frustrated and angry and hold the Board responsible for the failure of the Cox leadership to provide reliable cable service with adequate customer support.

Supervisor Gross said that the Cox Revolution has been in progress for many months now, but there is no end in sight for consumer problems and constituent complaints. When Cox officials first came before the Board, they made many promises, assuring the Board that it was a responsive company and that customer service was paramount. She asserted that they went back to Atlanta assuming that Fairfax County residents would not notice that service was degrading while costs went up.

Therefore, Supervisor Gross moved that the Board issue an invitation to the Cox Communications leaders from Atlanta who appeared before this Board in July 1999 to appear before it again and present Cox's plans to address these customer and constituent concerns. Supervisor Kauffman seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide information as to whether the statistics provided in the attachment to Mr. Mallard's memorandum included an unduplicated count of complaints. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hyland.

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

58. **"TELECOMMUNITY" ALLIANCE** (Tape 7)

Supervisor Connolly called the Board attention to his written Board Matter regarding local governments' interest in the development of competitive telecommunications services. He said that the TeleCommUnity Alliance, a non-profit organization, has recently been established by several local governments and national organizations to provide lobbying on Capitol Hill on telecommunication issues. Montgomery County, Maryland; the National League of Cities; National Association of Counties; and the US Conference of Mayors; and a number of others have indicated their interest in becoming members of the TeleCommUnity Alliance. These national associations have expressed the urgent need to have a stronger voice in Congress dealing with the specific subjects related to telecommunications. Although they participate in a limited manner on

some telecom legislation, they recognize their inability to have a significant influence on the outcome of most telecom legislation that affects local governments.

Supervisor Connolly said that Fairfax County should become an active member of the TeleCommUnity Alliance, especially in view of local problems with telecom services, as well as the County's close proximity to Capital Hill. Membership in the Alliance is \$.05 per capita per year (or approximately \$48,000 for Fairfax County). This amount is available in the County's Cable franchise special fund and can be used for membership with no impact on the General Fund. Additionally, this does not need to be a recurring expense to the County; the Board can choose not to belong in future years. That decision can be made each year based upon its view of the value of its investment in the Alliance and how effectively the Alliance has influenced telecommunications legislation.

Supervisor Connolly moved that the Board direct staff to have Fairfax County become a member of TeleCommUnity Alliance and authorize an expenditure of up to \$50,000 from the Cable Fund 105 for this purpose. Supervisor Gross seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Kauffman asked unanimous consent that the Board direct staff to provide the following information:

- For what Cable Fund 105 is used
- Any legal restrictions on the use of Fund 105
- The fund balance for Fund 105

Without objection, it was so ordered.

Following further discussion, with input from Mr. Griffin, the question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor Mendelsohn voting "NAY," Chairman Hanley and Supervisor McConnell being out of the room.

59. **FIREFIGHTER COMBAT CHALLENGE TEAM** (Tape 7)

Supervisor Connolly noted that in July of this year members of the Fairfax County Men's Firefighter Combat Challenge Team came before the Board to be recognized for their achievement in winning the ESPN Broadcast Firefighter Relay Competition held at Potomac Mills.

Supervisor Connolly announced that the Fairfax County Men's Firefighter Combat Challenge Team has returned from the World Championships held in

Memphis in early November. It now holds the title of World Champions in the Relay Competition.

Therefore, Supervisor Connolly moved that the Board direct staff to invite Chief Stinnette and the members of the Men's Combat Challenge Team to appear before the Board to be recognized for this outstanding achievement. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

60. **WILSON AVENUE ABANDONMENT PUBLIC HEARING** (Tape 7)

Supervisor Connolly said that last year he worked with Winchester Homes and the Hunting Hills community to ensure that the by right development Winchester Homes was initiating in Oakton would fit into the existing community. Winchester Homes agreed to design their new subdivision so that their new roads would not connect to Bonds Ridge Court. This design choice precluded the possibility of the creation of a cut-through between Hunter Mill Road, the new development and the existing Hunting Hills Community.

Supervisor Connolly said that as a result of the adoption of this plan a portion of the right-of-way that would have been used to connect the new subdivision is no longer needed. Winchester Homes has requested that the Board abandon and convey a small portion of Wilson Avenue so that Winchester Homes can incorporate the area into their subdivision. Winchester Homes has additionally asked that they be given a Board public hearing date before February of 2002.

Supervisor Connolly moved that the Board:

- Authorize the advertisement of a public hearing to be held before the Board regarding the abandonment and conveyance of a small portion of Wilson Avenue to Winchester Homes.
- Direct staff to schedule a public hearing to be held before the Board on January 28, 2002.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

61. **TYSONS II LAND COMPANY FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 84-D-049-7** (Tape 7)

Supervisor Connolly said that Tysons II Land Company, LLC is in the process of initiating the construction of a new office building that had been previously approved in Tysons Corner. Supervisor Connolly moved that the Board:

- Approve concurrent processing for the property which is the subject of Final Development Plan Amendment Application FDPA 84-D-049-7.
- Direct the Director of the Department of Public Works and Environmental Services to accept and review site plan and minor site plan submissions pertaining to this property. This motion should not be construed as a favorable recommendation on this application, nor does this motion relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or standards.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

62. **PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE ELDERLY** (Tape 7)

Supervisor Connolly said that he has recently been contacted regarding the Zoning Ordinance that allows a special exception for housing for the elderly and provides density incentives for developers who provide housing for the elderly. The Fairfax County Zoning Ordinance defines housing for the elderly as housing for persons who are 62 years of age or older and couples where either the husband or the wife is 62 years of age or over. Of the jurisdictions within the Northern Virginia area, Fairfax County is the only jurisdiction that sets the age for elderly housing at 62 years. Loudoun County, Prince William County, and the City of Alexandria elderly housing is set at 55 years. The federal definition for senior housing sets the minimum age at 55 years.

Supervisor Connolly moved that the Board direct:

- The Zoning Administrator to initiate a Zoning Ordinance Amendment to consider amending Section 9-306, Additional Standards for Housing for the Elderly, to reduce the minimum age associated with the housing for the elderly from 62 years of age to 55 years of age.
- Staff to prepare the analysis and schedule public hearings on this proposed Zoning Ordinance Amendment before the Board by November 2002.

Supervisor Gross seconded the motion.

Following discussion, Supervisor Connolly changed his motion to a unanimous consent request to place this item on the agenda for consideration at the February

meeting of the Development Process Committee. Without objection, it was so ordered.

63. **APPROVAL OF LETTER FROM THE BOARD TO THE CONGRESSIONAL DELEGATION** (Tape 7)

Supervisor Connolly referred to a draft letter from the Board to the members of the Virginia's Congressional delegation endorsing S. 940, and H.R. 1990, An Act To Leave No Child Behind. The legislation was reviewed by the Board's Legislative Committee on September 28, 2001, and the Committee recommended Board support. The legislation would expand access to basic needs programs such as nutrition, housing and health care, and increase opportunities for children through Head Start and day care initiatives.

Therefore, Supervisor Connolly moved that Board direct staff to send this letter of support for S. 940 and H.R. 1990, An Act to Leave No Child Behind, to the members of the Virginia Congressional delegation and request them to co-sponsor and support the legislation. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

64. **PROVIDENCE DISTRICT VOLUNTEERFEST** (Tape 7)

Supervisor Connolly distributed to the Board copies of this year's Providence District VolunteerFest and he discussed the success of the event. He expressed appreciation to all involved.

65. **CROSSROADS PROGRAM CELEBRATES THIRTIETH ANNIVERSARY** (Tape 7)

Supervisor Kauffman announced that the Crossroads program recently celebrated its thirtieth anniversary of providing services to Fairfax County residents who are struggling to break free of various forms of substance abuse. Crossroads House, the first residential drug abuse program in the County, opened its doors in March 1971. Today it has programs for both adults and youth. Residents who graduate from these programs obtain the needed skills and strategies to remain abstinent from drug and alcohol.

Accordingly, Supervisor Kauffman moved that the Board direct staff to invite Steve Grossman, Director of Adult Services for Crossroads, and other Crossroads staff to appear before the Board to be recognized for their efforts. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

66. **MEMORIAL GARDEN** (Tape 7)

Supervisor Kauffman said that many individuals and organizations have been moved to action by the recent terrorist attacks on the nation. In Lee District Lynn



Hiltajczuk, who lives in the Greater Wilton Woods neighborhood, has taken the initiative to create a memorial garden to honor the innocent victims of the terrorist attacks, their families, and all others affected by these events. The garden will be located on Ivanhoe Lane and will be a park-like setting that will serve as a memorial and as a refuge for those seeking a quiet moment for reflection. He asserted that there is great community support for this endeavor from local residents and businesses.

Accordingly, Supervisor Kauffman moved that the Board direct the staff of the Office of Public Affairs to invite Ms. Hiltajczuk and other members of the community to appear before the Board at a future meeting for formal recognition. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

67. **CONGRATULATIONS TO WOODLEY HILLS ELEMENTARY SCHOOL**  
(Tape 7)

Supervisor Hyland stated that recently *The Washington Post* carried news that Woodley Hills Elementary School had been selected as one of eight 2001 National Schools of Character which recognizes the school's work to encourage the social, ethical, and academic development of its students through character education. National Schools of Character is an annual program that recognizes schools demonstrating outstanding character-education initiatives that produce positive results in student behavior, the school environment and academic performance.

Accordingly, Supervisor Hyland moved that the Board direct staff to invite Ms. Vesilind, principal of Woodley Hills Elementary School, and members of her staff responsible for winning the award to appear before the Board for recognition of their significant accomplishments. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

68. **RESOLUTION IN SUPPORT OF BELLE HAVEN MARINA** (Tape 7)

(R) Supervisor Hyland called the Board's attention to a copy of a resolution which he prepared on behalf of his continued support of the Belle Haven Marina – its continued operations and eventual reconstruction. It was brought to his attention that governing bodies of other jurisdictions wish to follow Fairfax County's lead in this matter and the formal resolution will help them in this effort.

Accordingly, Supervisor Hyland moved that the Board adopt the referenced Resolution for the Chairman's signature and direct staff to send this Resolution to the Northern Virginia Congressional Delegation and the National Park Service. Supervisor Kauffman seconded the motion.

Following a brief discussion, the question was called on the motion, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey,

Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

69. **PUBLIC HEARING DATE FOR PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION PCA 91-L-016-2/FDPA 91-L-016** (Tape 7)

Supervisor Hyland made reference to his written Board Matter which stated that on April 12, 2001, the Fairfax County Redevelopment and Housing Authority submitted an application to amend the proffers and final development plan for Rezoning Application RZ 91-L-016 to replace 36 multifamily units with 23 market-rate townhouses. The application had been delayed along the way, but is now scheduled for a public hearing before the Planning Commission on January 10, 2002.

Supervisor Hyland moved that the Board direct staff to schedule the public hearing for Proffered Condition Amendment Application PCA 91-L-016-2 to be held before the Board on January 28, 2002. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

70. **SPECIAL EXCEPTION APPLICATION SE 01-V-033** (Tape 7)

Supervisor Hyland referred to his written Board Matter on the subject of Special Exception Application SE 01-V-033 which had been submitted by Mr. and Mrs. Audet. Accordingly, in view of the circumstances described by the Audets, Supervisor Hyland moved that the Board direct staff to schedule the public hearing to be held before the Board on December 3, 2001. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

71. **SUPER ULTRA LOW EMISSION VEHICLES** (Tape 7)

Supervisor Hyland reminded the Board that during the July 23, 2001, meeting, the Board unanimously passed a motion by Chairman Hanley which included the development of a vehicle plan to establish the minimum number of Sport-Utility Vehicles required by County operations. This motion was made because, by 2005, this region may be out of compliance with the clean air plan adopted by the Transportation Planning Board.

Supervisor Hyland said that recent advances made by the automobile industry have made possible several Super Ultra Low Emission Vehicles (SULEVs). Two of these SULEVs are the Honda Insight and the Toyota Prius. These vehicles utilize a hybrid gasoline/electric system which does not require special fuels nor fueling facilities.

Therefore, Supervisor Hyland moved that the Board direct staff to examine the purchase of this type of hybrid vehicle as replacements are made in the County fleet. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

There was a brief discussion regarding the fact that these hybrid vehicles can be driven on High Occupancy Vehicles (HOV) lanes with a single occupant.

72. **MOTION TO DECLINE OFFER OF DEDICATION OF COMMON OPEN SPACE IN WORTHINGTON WOODS** (Tape 7)

Supervisor Hyland referred to his written Board Matter regarding a motion to decline an offer of common open space in the amount of 2,629 square feet. Beazer Homes, the developer of Section Three of Worthington Woods, proposes a resubdivision of that section that would delete a portion of the common open space shown on the current recorded plat and convert it into two additional lots. Staff has reviewed the property and determined that the County does not want the land that would be proffered.

Supervisor Hyland said that since this common open space is of no real value to the County, he moved that the Board, pursuant to Section 2-702(4) of the Zoning Ordinance, decline the offer of dedication of the 2,629 square feet of common open space as more particularly described in the Resubdivision Plat as presented to the Board. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

73. **RECESS/CLOSED SESSION** (Tape 7)

At 2 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.1-344(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.1-344(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.1-344(A)(7).

1. *Thanh Van Tran v. Jane W. Gwinn, Fairfax County Zoning Administrator*, Record No. 002810 (Va. Sup. Ct.) (Sully District)
2. Improper Transfer of Affordable Dwelling Unit, 4562 Penny Tree Place (Sully District)
3. *Fred Garrison, D.V.M. v. County of Fairfax, Virginia*, In Chancery No. 174694 (Fx. Co. Cir. Ct.) (Sully District)
4. *Fred Garrison, D.V.M. v. County of Fairfax, Virginia*, In Chancery No. 174695 (Fx. Co. Cir. Ct.) (Sully District)
5. *Board of Supervisors v. Mohammed Aliabadi, et al.*, At Law No. 195386 (Fx. Co. Cir. Ct.) (Springfield District)
6. In Re The Grievance of Eileen Wollstadt (Fx. Co. Civil Service Commission)
7. *Lucy Sharon Mae Anthony v. Fairfax County Department of Family Services and Fairfax County Board of Supervisors*, Record No. 2938-00-4 (Ct. App. Va.)
8. *Zofia A. Zager, Fairfax County Building Official, and Director, Fairfax County Office of Building Code Services v. State Building Code Technical Review Board and Avalon Homes*, At Law No. 199142 (Fx. Co. Cir. Ct.) (Dranesville District)
9. *Virginia A. Foley v. County of Fairfax, Virginia*, Civil Action No. 01-1611-A (E.D. Va.)
10. *Georgia Foster v. Fairfax County, et al.*, Civil Action No. 00-2083-A (E.D. Va.)
11. *Board of Supervisors v. InterActive Builders, Inc.*, At Law No. 193345 (Fx. Co. Cir. Ct.) (Sully District)

12. *John Wesley White, Director, Fairfax County Department of Public Works and Environmental Services v. Ross A. Weaver Revocable Trust, Rebecca G. McGowan, Rosalie Youngworth, and Cheri Foster*, In Chancery No. 170214 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Guillermo Hernandez and Becky S. Hernandez*, In Chancery No. 174996 (Fx. Co. Cir. Ct.) (Lee District)
14. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Armando and Mercedes Castro*, In Chancery No. 174971 (Fx. Co. Cir. Ct.) (Mason District)
15. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Campbell & Ferrara Nurseries, Inc., and John C. Ferrara and Edward E. Campbell*, In Chancery No. 174932 (Fx. Co. Cir. Ct.) (Mason District)
16. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Thecla C. Schulz and Coletta L. Schulz*, In Chancery No. 175110 (Fx. Co. Cir. Ct.) (Mason District)
17. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Christine Wilson and Alex E. Wilson*, Case No. 01-27151 (Fx. Co. Gen. Dist. Ct.) (Lee District)
18. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Lawrence Adusei and Margaret Adusei*, Case No. 01-26510 (Fx. Co. Gen. Dist. Ct.) (Providence District)
19. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Klemens Tomczyk and Barbara Tomczyk*, Case No. 01-27149 (Fx. Co. Gen. Dist. Ct.) (Lee District)
20. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Shahrouz Sharifaie-Arabi*

*and Laleh Zohori*, Case No. 01-27152 (Fx. Co. Gen. Dist. Ct.) (Springfield District)

21. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Reynaldo D. Ventura*, Case No. 01-27476 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
22. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Ardon E. Nichols, II*, Case No. 01-27150 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

and in addition:

- County of Fairfax, Virginia, et al. Versus Jon D. Luria and Ellen K. Luria, In Chancery Number 1711238

Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

74. **DEFERRAL OF PUBLIC HEARINGS** (Tape 7)

Supervisor Frey announced his intent to defer the 3 p.m. public hearing for the proposed Out-of-Turn Plan Amendment S00-III-UP2 for Land Unit D-1 in the Dulles Suburban Center ("Middleton Farms") and asked unanimous consent that the Board direct staff to notify the speakers planning to testify at the hearing. Without objection, it was so ordered.

Chairman Hanley announced the Board's intent to defer the 5 p.m. public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding dry cleaning establishments/laundries ("Dry Clean Depot") because the Planning Commission had not yet made a recommendation.

Chairman Hanley announced the Board's intent to defer the 3:30 p.m. public hearing on Special Exception Amendment Application SEA 91-0L-053-5 for the Washington Metropolitan Area Transit Authority.

**SBE:sbe**

At 3:15 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

**ACTION FROM CLOSED SESSION**75. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 8)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

(NOTE: Later in the meeting there was an additional action from closed session. See Clerk's Summary Item CL#96.)

**AGENDA ITEMS**76. **3 P.M. – BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), AND CHAPTER 112 (ZONING ORDINANCE) REGARDING COMMONLY ACCEPTED PETS** (Tape 8)

(NOTE: The public hearing on this item was held on October 1, 2001, and decision deferred until November 19, 2001.)

Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax:

- Chapter 41 (Animals and Fowl), as advertised
- Chapter 112 (Zoning Ordinance), as recommended by the Planning Commission

regarding commonly accepted pets, with an effective date of November 20, 2001, at 12:01 a.m. Supervisor Kauffman seconded the motion.

Following discussion, Supervisor Mendelsohn moved to amend the motion to allow hermit crabs, but **NOT** hedgehogs. Supervisor Bulova seconded the amendment to the motion and it **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

The question was called on the main motion (to allow both hermit crabs and hedgehogs as pets) and it **FAILED** by a recorded vote of five, Supervisor Connolly, Supervisor Hudgins, and Supervisor Hyland, and Supervisor Kauffman voting "AYE," Supervisor McConnell being out of the room.

Supervisor Hyland ask unanimous consent that the Board direct staff to publicize the fact that even though hedgehogs are not prohibited from being sold in the County, it is illegal for a Fairfax County resident to keep a hedgehog as a pet in Fairfax County. Without objection, it was so ordered.

77. **3 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S00-III-UP2 FOR LAND UNIT D-1 IN THE DULLES SUBURBAN CENTER (HUNTER MILL AND SULLY DISTRICTS)** (Tape 8)

(NOTE: At the October 22, 2001, Board meeting the public hearing on this item was deferred until November 19, 2001.)

Supervisor Frey moved to defer indefinitely the public hearing on Out-of-Turn Plan Amendment S00-III-UP2 for Land Unit D-1 in the Dulles Suburban Center. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

78. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL), REGARDING RESPONSIBLE LAND DISTURBER CERTIFICATION** (Tape 8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 1 and November 8, 2001.

Following the public hearing Supervisor Hudgins moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 104 (Erosion and Sedimentation Control), regarding "Responsible Land Disturber" certification. Supervisor Gross seconded the motion.

Following discussion, with input from John Friedman, Engineer III, Code Analysis Division, Department Public Works and Environmental Services, Supervisor Connolly stated that it was a State law that everyone, including individual land owners, would be required to comply with this provision of the ordinance which stated that anyone and everyone disturbing land in excess of 2500 square feet requires an erosion and sedimentation control plan. Supervisor Connolly asked unanimous consent that the Board direct staff to take appropriate measures to ensure that when the County is implementing this requirement that all applicants are made aware that this is a State law. Without objection, it was so ordered.



The question was called on the motion which carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

79. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-L-029 (ENTERPRISE LEASING COMPANY D/B/A ENTERPRISE RENT-A-CAR) (LEE DISTRICT)** (Tape 8)

The application property is located at 7520 Richmond Highway, Tax Map 92-4 ((1)) 66C.

Mr. John C. McGranahan, Jr. reaffirmed the validity of the affidavit for the record.

Mr. McGranahan 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, Charles Burnham, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Application SE 01-L-029, subject to the revised development conditions dated November 15, 2001.
- Waiver of the loading space requirements; waiver of the trail requirement along the frontage of Richmond Highway; and waiver of the peripheral parking lot landscaping requirements on the northern, southern, and eastern property lines.
- Waiver of the site plan or minor site plan requirement of Article 17.201 of the Zoning Ordinance in accordance with the revised proposed development conditions.

Supervisor Hudgins seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

80. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-L-053-5 (WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY) (LEE DISTRICT)** (Tape 8)

Supervisor Kauffman moved that the Board defer the public hearing on Special Exception Amendment Application SEA 91-L-053-5 until **December 3, 2001, at 3 p.m.** Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

81. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-S-077-2, AND SPECIAL EXCEPTION APPLICATION SE 01-Y-031 (GUY A. AND ANGELA K. PAOLOZZI) (SULLY DISTRICT)** (Tape 8)

The Proffered Condition Amendment Application PCA 81-S-077-2 property is located on the south side of Lee Jackson Memorial Highway, approximately 400 feet east of its intersection with Chantilly Road, Tax Map 34-4 ((1)) 58, 59, and 60D.

The Special Exception Application SE 01-Y-031 property is located at 13661 and 13663 Lee Jackson Memorial Highway, Tax Map 34-4 ((1)) 58, 59, and 60D.

Mr. William B. Lawson, Jr. 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, which included testimony by seven speakers, Fran Burnszynski, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Discussion ensued with input from Mr. Lawson; Guy A. Paolozzi, applicant; and Mr. Burnszynski.

Supervisor Frey moved to defer decision on Proffered Condition Amendment Application PCA 81-S-077-2 and Special Exception Application SE 01-Y-031 until **December 3, 2001, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

82. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-L-053-5 (WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY) (LEE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting action was taken on this public hearing. See Clerk's Board Summary Item CL#80.)

**DMB:dmb**

83. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S00-III-UP1 FOR THE DRANESVILLE ROAD/WOODSON DRIVE AREA (DRANESVILLE DISTRICT)** (Tape 9)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 1 and November 8, 2001.

Following the public hearing, Supervisor Mendelsohn moved approval of Out-of-Turn Plan Amendment S00-III-UP12 as shown on pages six and seven of the staff report dated October 10, 2001. Vice-Chairman Hyland seconded the motion and it carried by a vote of seven, Supervisor Gross, Supervisor McConnell, and Chairman Hanley being out of the room.

84. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 80-P-042 (COXCOM, INCORPORATED, D/B/A COX COMMUNICATIONS OF NORTHERN VIRGINIA) (PROVIDENCE DISTRICT)** (Tape 9)

The application property is located on the west side of Gallows Road, approximately 400 feet north of Wolf Trap Road, Tax Map 39-2 ((8)) 3.

Ms. Inda E. Stagg reaffirmed the validity of the affidavit for the record.

Ms. Stagg 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, Charles Burnham, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Approval of Proffered Condition Amendment Application PCA 80-P-042, pursuant to the proffers dated November 13, 2001.

- Modification of transitional screening on the eastern and western property lines to that depicted on the generalized development plan.
- Waiver of the barrier on all property lines.

Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

85. **4 P.M. – PH ON REZONING APPLICATION RZ 2001-MV-018 (D.R. HORTON, INCORPORATED) (MOUNT VERNON DISTRICT)** (Tape 9)

- (O) The application property is located on the east side of Telegraph Road, approximately 800 feet north of its intersection with Richmond Highway, Tax Map 108-1 ((1)) 17 and 18.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin 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, Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Bulova and moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Frey seconded the motion and it carried by a vote of six, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-MV-018, from the R-1 and HD Districts to the PDH-5 and HD Districts, subject to editorial changes to Notes 22 and 23 on the plan, and subject also to the proffers dated October 18, 2001.
- Modification of the open space requirement to permit a reduction in the required open space to 33 percent, until such time as the public street connection of Telegraph Road is removed.
- Approval of a variance to permit a fence with maximum height of eight feet to be located in the yards adjacent to Telegraph Road, pursuant to Section 16-401 of the Zoning Ordinance.

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

Acting-Chairman Bulova returned the gavel to Vice-Chairman Hyland.

86. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-PR-052 (DECOROUS INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 9)

- (O) The application property is located on the east side of Woodford Road, approximately 500 feet north of its intersection with Wolftrap Road, Tax Map 39-1 ((1)) 37.

Mr. McCauley Arnold reaffirmed the validity of the affidavit for the record.

Mr. Arnold 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 one speaker, Charles Burnham, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Connolly moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-PR-052, be amended from the R-1 District to the R-3 District, subject to the proffers consistent with those labeled Alternative A, and dated October 23, 2001. Supervisor Bulova seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hudgins, Supervisor Kauffman, Vice-Chairman Hyland voting "AYE," Supervisor Gross, Supervisor Hudgins, Supervisor McConnell, and Chairman Hanley being out of the room.

87. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 21 (DRANESVILLE DISTRICT)** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 1 and November 8, 2001.

Following the public hearing, which included testimony by four speakers, Supervisor Mendelsohn moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the McLean RPPD, District 21, to include Bonheim Court from Westmoreland Street (Route 693) to the end.
- Authorization for staff be authorized to coordinate the installation of signage with the Virginia Department of Transportation as well as the development since Bonheim Court is dedicated for public street purposes but has not yet been accepted into the State Secondary System.

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

88. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX M, EXPANDING THE MANCHESTER LAKES RESTRICTED PARKING DISTRICT (RPD), DISTRICT 2 (LEE DISTRICT)** (Tape 9)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 1 and November 8, 2001.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix M, expanding the Manchester Lakes RPD, District 2, encompassing Manchester Lakes Drive from Manchester Boulevard (east intersection), south to the cul-de-sac, inclusive. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Vice-Chairman Hyland voting "AYE," Supervisor Hudgins, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

89. **4:30 P.M. – PH ON REZONING APPLICATION RZ 1998-SU-013 (CHANTILLY PARK, LC) (SULLY DISTRICT)** (Tape 9)

- (O) The application property is located on the east side of Centreville Road, across from the east terminus of Skyhawk Drive, Tax Map 34-4 ((1)) 9.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin 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 one speaker, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 1998-SU-013, from the R-1 and WS Districts to the PDH-20 and WS Districts, subject to the proffers dated October 17, 2001.
- Modification of the transitional screening and barrier requirements on the northern property boundaries in favor of that shown on the Conceptual Development Plan/Final Development Plan.

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

90. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 95-V-072 (BRUCE M. MACHANIC) (MOUNT VERNON DISTRICT)** (Tape 9)

The application property is located at 6412 Wood Haven Road, Tax Map 83-4 ((2)) (36) 31, 32, and 32A.

Mr. Bruce M. Machanic reaffirmed the validity of the affidavit for the record.

Mr. Mechanic 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, Cathy Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion, Vice-Chairman Hyland relinquished the Chair to Acting-Chairman McConnell and moved approval of Special Exception Amendment Application SEA 95-V-072, subject to the development conditions dated October 3, 2001. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Gross, and Chairman Hanley being out of the room.

Acting-Chairman McConnell returned the gavel to Vice-Chairman Hyland.

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

At 5:20 p.m., the Board recessed briefly, and at 5:25 p.m., reconvened in the Board Auditorium with all Members present, with the exception of Supervisor Hudgins and Supervisor Hyland, and with Chairman Hanley presiding.

92. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-P-043 (WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 01-P-043 until **December 3, 2001, at 3 p.m.** Chairman Hanley seconded the motion and it carried a vote of eight, Supervisor Hudgins and Supervisor Hyland being out of the room.

93. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING DRY CLEANING ESTABLISHMENTS/LAUNDRIES (COUNTYWIDE)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding dry cleaning establishments/laundries, until **January 28, 2002, at 5 p.m.** Supervisor Bulova seconded the motion and it carried a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor Hyland being out of the room.

94. **5:30 P.M. – PH TO RECEIVE COMMENT FROM CITIZENS ON THE PROPOSED LEGISLATIVE PROGRAM THAT THE COUNTY WILL PRESENT TO THE 2002 VIRGINIA GENERAL ASSEMBLY** (Tapes 9-11)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of November 1 and November 8, 2001.

Following the public hearing, which included testimony by 29 speakers, Chairman Hanley closed the public hearing but announced that the written record would remain open for comments until the next Board meeting scheduled for



December 3, 2001, when the proposed Legislative Program that the County will present to the 2002 Virginia General Assembly will be adopted.

Supervisor Connolly announced that there is another Legislative Committee meeting scheduled for November 26, 2001.

Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and asked unanimous consent that the Board direct staff to draft positions and report before the November 26 Legislative meeting on the Funding Ratio (50-40-10) and Transportation Allocation issues. Without objection, it was so ordered.

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

### **ADDITIONAL BOARD MATTER**

95. **INVENTORY OF COUNTY ACTIVITIES, PROGRAMS, AND SERVICES (ICAPS) MEETING** (Tape 11)

Supervisor Bulova announced that the next ICAPS meeting will be November 26, 2001, at 9 a.m. until 4 p.m. in the Government Center Conference Rooms 9 and 10.

### **ADDITIONAL ACTION FROM CLOSED SESSION**

96. **AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING LAND BAY A** (Tape 11)

- (A) Supervisor Frey moved that the Board authorize the Clerk to the Board of Supervisors to advertise a public hearing to be held on December 3, 2001, in accordance with Virginia Code Ann § 15.2-1800 (Michie Supp. 2001) regarding a proposed sale by the Board of Supervisors to Fair Lakes Metropolitan Square, LLC and Fair Lakes Metropolitan Square II, LLC of land commonly known as Land Bay A as identified on Fairfax County Tax Map Number 55-2((1)) 15, excluding therefrom a portion of such land intended to be used for a police forensic facility, for a purchase price of \$15,000,000.

Supervisor Connolly seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor McConnell voting "NAY," Supervisor Hyland being out of the room.

97. **BOARD ADJOURNMENT** (Tape 11)

At 7:15 p.m., the Board adjourned.

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