



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
February 24, 2003**

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04-03

DMB:dmb

The meeting was called to order at 9:20 a.m., with all Members being present, and with Chairman Hanley presiding.

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 MATTERS

1. **CONGRATULATIONS AND THANK YOU TO COUNTY EMPLOYEES**
(Tape 1)

Chairman Hanley congratulated and thanked County employees who worked this past week to dig out the libraries, police stations, and fire stations from the heavy snowfalls and then also coped with the flooding afterwards.

(NOTE: Later in the meeting, the Board discussed many snow-related items. See Clerk's Summary Items CL#33, CL#35, CL#42, CL#46.)

2. **CONGRATULATIONS TO THE COUNTY EXECUTIVE** (Tape 1)

Chairman Hanley congratulated Anthony H. Griffin, County Executive, for being named the 2003 "Stone Practitioner Award" winner by the Section on Intergovernmental Administration and Management of the American Society for Public Administration, which seeks to promote and encourage the study, understanding, and improvement of the intergovernmental system, its

infrastructure, and related cooperative and coordinative efforts of all levels of government and the private sector.

3. **CONGRATULATIONS TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (Tape 1)

Chairman Hanley congratulated the FCRHA for earning a Public Housing Assessment System high rating of 94 points out of a possible 100 from the US Department of Housing and Urban Development (HUD). The scoring system serves as an evaluation tool that HUD uses to measure a housing authority's annual performance.

4. **BIRTHDAY WISHES FOR MERNI FITZGERALD** (Tape 1)

Chairman Hanley said that Merni Fitzgerald, Director, Office of Public Affairs, was celebrating a birthday today, and on behalf of the Board wished her a very happy birthday, and many more.

5. **SNOW DAMAGE TO FLORIS ELEMENTARY SCHOOL IN HUNTER MILL DISTRICT** (Tape 1)

Supervisor Hudgins said that the Floris Elementary School in Hunter Mill District is struggling through the change of schedule as a result of the structure failure of one wing of the school due to snow damage. She asked everyone to keep in mind the staff and community that is struggling with getting the school operational again.

(NOTE: Later in the meeting, Supervisor Hudgins announced a meeting for parents of Floris Elementary School students. See Clerk's Summary Item CL#47.)

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

Supervisor Bulova asked everyone to remember in thoughts and prayers the family of Ms. Anna Sheads Millner who died last week. She said that the Sheads family are natives of the Burke area and that Ms. Millner was a founder and very active member of the Burke Historical Society and will be missed.

Supervisor Frey asked everyone to remember in thoughts and prayers the family of Mr. Julian "Jay" Bolton who died last week. Mr. Bolton was active in the West Fairfax County Civic Association and Izaak Walton League. He had lived in the Centreville area since the early 70s and had been involved in the community for a long time and will be missed.

Supervisor Hyland asked everyone to remember in thoughts and prayers the family of Ms. Dorell "Pat" Berg who was the founder and first director of United Community Ministries in 1969. He said that Ms. Berg made an incredible contribution to those in need in the Mount Vernon community and will be missed.

Supervisor McConnell asked everyone to remember in thoughts and prayers the family of Ms. Ruby Banks who was a retired schoolteacher in the Springfield community. She said that Ms. Banks worked for years with the gifted and talented and gave so much to community services, and she will be missed.

Supervisor Gross asked everyone to remember in thoughts and prayers the family of Ms. Annabel Seidman who was a longtime resident of the County; however, her contributions are nationwide. Ms. Seidman was a leader for many years in ensuring that people who are in nursing homes had their rights maintained, and she will be missed.

Supervisor Connolly asked everyone to remember in thoughts and prayers the family, and especially the daughter, of Margaret and Paul Cook who were murdered in their home in Providence District earlier this week. Supervisor Hudgins asked that the First Baptist of Vienna Church and members of the community who are grieving with the Cook family also be remembered in thoughts and prayers.

AGENDA ITEMS

7. **CERTIFICATE OF RECOGNITION PRESENTED TO OAKTON HIGH SCHOOL FOOTBALL TEAM** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to members of the Oakton High School Football team for their accomplishments. Chairman Hanley seconded the motion and it carried by unanimous vote.

8. **PROCLAMATION DESIGNATING MARCH AS "WOMEN'S HISTORY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate March as "*Women's History Month*" in Fairfax County. The motion was multiply seconded and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING MARCH AS "DEVELOPMENTAL DISABILITIES INCLUSION MONTH" IN FAIRFAX COUNTY** (Tape 1)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#11.)

10. **PROCLAMATION DESIGNATING MARCH AS "PURCHASING MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation to designate March as "*Purchasing Month*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Frey being out of the room.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Connolly returned to the dais and asked to be recorded as voting "AYE" on this motion.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **PROCLAMATION DESIGNATING MARCH AS "DEVELOPMENTAL DISABILITIES INCLUSION MONTH" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Bulova moved approval of the Proclamation to designate March as "*Developmental Disabilities Inclusion Month*" in Fairfax County. The motion was multiply seconded and it carried by a vote of nine, Supervisor Frey being out of the room.

12. **10 A.M. – PRESENTATION BY THE COUNTY EXECUTIVE ON THE RECOMMENDED FISCAL YEAR (FY) 2004 BUDGET** (Tapes 1-4)

Anthony H. Griffin, County Executive, presented the Recommended FY 2004 Budget, and announced that the entire FY 2003 Advertised Budget Plan is available on the County's website, www.fairfaxcounty.gov/dmb, and also on CD-ROM.

Discussion ensued with input from Mr. Griffin; Edward L. Long, Jr., Chief Financial Officer; and Susan Datta, Director, Department of Management and Budget (DMB).

Supervisor Frey referenced Real Estate Revenues: Equalization Components on page 20 of the FY 2004 Advertised Budget Plan, and said that changes in types of housing are broken down by a percentage, but apartments are not included in that because they are assessed as commercial property. Supervisor Frey asked unanimous consent that the Board direct staff to redo the chart and add rental apartments to the condominiums to create a category of multi-family, which will give a complete picture of the types of housing units and how many of each make up the housing stock. Without objection, it was so ordered.

Following additional discussion, with input from Mr. Long, Supervisor Hyland referenced page 49, Target Collectors Program, of the FY 2004 Advertised Budget Plan, and asked unanimous consent that the Board direct staff to provide information regarding how much the County collects as a result of the program. Without objection, it was so ordered.

Following additional discussion, with input from Mr. Griffin and Mr. Long, Supervisor Hyland asked unanimous consent that the Board direct staff to provide information regarding the impact on the County's ability to collect the amounts of income that have been collected in the past if 13 Target Collectors positions are reduced. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide information regarding how much of the Target Collectors Program is contracted out. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Kauffman referenced page 37, Support for Transportation, of the FY 2004 Advertised Budget Plan, and asked unanimous consent that the Board direct staff to provide information regarding the ages of the County's connector buses. Without objection, it was so ordered.

Following discussion, with input from Mr. Long, Supervisor Bulova asked unanimous consent that the Board direct staff to provide information on the annual breakdown of the replacement costs of buses for the FAIRFAX CONNECTOR. Without objection, it was so ordered.

Following discussion, with input from Mr. Griffin, Supervisor Gross referenced the Target Collectors Program on page 49, and the elimination of the 13 Target tax collector positions and asked unanimous consent that the Board direct staff to provide information in writing regarding the procedures to report and refer inquiries from the public. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that the Board direct staff to provide information regarding how much revenue per dollar the County receives from the State for FY 2004. Without objection, it was so ordered.

Supervisor Gross referenced page 48, Reductions, of the FY 2004 Advertised Budget Plan, and asked unanimous consent that the Board direct staff to provide information in writing regarding the processes and policy in the Department of Human Resources guidelines of how the reduction of the 114 staff positions will be handled for the individual employee. Without objection, it was so ordered.

Following discussion, with input from Mr. Griffin, Supervisor Connolly referenced page 22, Impact on Typical Fairfax County Household, of the FY 2004 Advertised Budget Plan, and asked unanimous consent that the Board direct staff to provide a chart today, if possible, that shows the total taxes, including personal property and not just real estate, paid to the County. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to determine if non-residential use permit fees such as commercial and business are included in the fee structure and to consider charges for uncompensated services to other jurisdictions that the County provides. Without objection, it was so ordered.

Supervisor Hudgins referenced the Mental Retardation Program graduates in terms of the 19 funded and the 75 not funded and asked unanimous consent that the Board direct staff to provide information regarding the differential in the cost of funding the 19 versus the 75. Without objection, it was so ordered.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide information regarding the Elderly and Disabled Tax Relief Program in terms of the cost of raising it to the maximum that the State will allow. Without objection, it was so ordered.

Supervisor Bulova distributed the draft Budget Committee Agenda to the Board and noted that today is the Budget Presentation. She announced that the Budget and a tax rate will be advertised at the March 10, 2003, Board meeting, and what is advertised will be the ceiling. She said that the proposed March 12, 2003, Budget Workshop is in conflict with other Board Members' schedules; consequently, Catherine Chianese, Assistant to the County Executive, will coordinate the meeting agenda with Members.

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#74.)

Supervisor Bulova announced that two community budget workshops have been scheduled to be held at the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia in Conference Rooms 9 and 10, from 9 a.m. to no later than noon on Saturday, March 15, 2003, and Saturday, March 22, 2003, respectively.

Supervisor Hyland asked unanimous consent that the Board direct staff to determine the feasibility of telecasting both workshops on the County's Cable Channel 16 for citizens who cannot attend the meetings. Without objection, it was so ordered.

13. **10:30 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 4)

Supervisor Connolly, Chairman of the Board's Legislative Committee, presented a report on the General Assembly activities.

Following discussion, Supervisor Connolly moved adoption of the Legislative Report dated February 24, 2003. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

PW:pw

14. **10:45 A.M. – APPOINTMENTS TO CITIZENS BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 5)

(APPTS)
(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

The Board deferred the appointment of the Braddock District Representative to the A. Heath Onthank Memorial Award Selection Committee.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Sully District Representative to the Animal Services Advisory Commission.

ATHLETIC COUNCIL

Supervisor Mendelsohn moved the appointment of Mr. Michael D. Champness to fill the unexpired term of Mr. Roger H. Smith as the Dranesville District Alternate Representative to the Athletic Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

BOARD OF BUILDING CODE APPEALS

Supervisor Frey moved the reappointment of Ms. Jennifer A. Grove-Bradshaw as the Design Professional #2 Representative to the Board of Building Code Appeals. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Michael F. LeMay as the Design Professional #5 Representative to the Board of Building Code Appeals. Supervisor McConnell seconded the motion, which carried by unanimous vote.

CELEBRATE FAIRFAX, INCORPORATED BOARD OF DIRECTORS

The Board deferred the appointment of the At-Large #4 Representative to the Celebrate Fairfax, Incorporated Board of Directors.

CHILD CARE ADVISORY COUNCIL

Supervisor Frey moved the appointment of Ms. Carol Vennergrund as the Sully District Representative to the Child Care Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Supervisor Gross moved the appointment of Ms. Susan L. Humphreys to fill the unexpired term of Ms. Angela Gilliam Wheeler as the Medical Community Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

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

COMMUNITY ACTION ADVISORY BOARD

Supervisor Kauffman moved the reappointment of Ms. Delores Jones Baskfield as the Lee District Representative to the Community Action Advisory Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the At-Large Chairman's Representative and the Dranesville and Mason District Representatives to the Community Action Advisory Board.

CONSUMER PROTECTION COMMISSION

Supervisor Mendelsohn moved the appointment of Mr. James J. Mrowka to fill the unexpired term of Ms. Ann McNabb as the Fairfax County Resident #6 Representative to the Consumer Protection Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Fairfax County Resident #7 Representative to the Consumer Protection Commission.

CRIMINAL JUSTICE ADVISORY BOARD

Supervisor Hudgins moved the reappointment of Mr. Gregory W. Copeland as the Hunter Mill District Representative to the Criminal Justice Advisory Board. Chairman Hanley seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hudgins moved the confirmation of the following appointment to the Criminal Justice Advisory Board:

- Ms. Therese Martin as the League of Women Voters of the Fairfax Area Representative

Chairman Hanley seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Mason District Representative to the Criminal Justice Advisory Board.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

The Board deferred the appointment of the Hunter Mill District Representative to the Environmental Quality Advisory Council.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Sully District Representative to the Fairfax Area Disability Services Board.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL**CONFIRMATIONS:**

Supervisor Mendelsohn moved the confirmation of the following appointments to the Fairfax Community Long Term Care Coordinating Council:

- Dr. Rebecca Vargas-Jackson as a Business Representative
- The Reverend Kathleen Mary Ritz Monge as a Community Representative
- Mr. Theodore W. Nell as a Community Representative

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

FAIRFAX COUNTY CONSTRUCTION TRADES ADVISORY BOARD

The Board deferred the appointments of the Gas Fitter Tradesman, HVAC Tradesman #1 and #2, and Plumbing Tradesman #1 and #2 Representatives to the Fairfax County Construction Trades Advisory Board.

FAIRFAX COUNTY SMALL BUSINESS COMMISSION

The Board deferred the appointment of the At-Large #3 Representative to the Fairfax County Small Business Commission.

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Sully District Representative to the Health Care Advisory Board.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**CONFIRMATION:**

Supervisor Connolly moved the confirmation of the following appointment to the Oversight Committee on Drinking and Driving:

- Lieutenant Douglas Byrd as the Office of the Sheriff Representative

This motion, the second to which was inaudible, carried by a unanimous vote.

The Board deferred the appointment of the Hunter Mill District Representative to the Oversight Committee on Drinking and Driving.

POLICE OFFICERS RETIREMENT SYSTEM BOARD

The Board deferred the appointment of the Citizen At-Large #2 Representative to the Police Officers Retirement System Board.

TENANT LANDLORD COMMISSION

The Board deferred the appointments of the Condominium and Tenant Member #3 Representatives to the Tenant Landlord Commission.

UPPER OCCOQUAN SEWAGE AUTHORITY AND ALEXANDRIA SANITATION AUTHORITY BOARD OF DIRECTORS**CONFIRMATIONS:**

Supervisor Frey moved the confirmation of the following appointments to the Upper Occoquan Sewage Authority:

- Mr. Richard Gozikowski as the Fairfax County #1 Representative

- Mr. Shahram Mohsenin as the Fairfax County #1 Alternate Representative

This motion, the second to which was inaudible, carried by a unanimous vote.

Supervisor Hudgins moved the confirmation of the following appointment to the Alexandria Sanitation Authority Board of Directors:

- Mr. Shahram Mohsenin as the Fairfax County Representative

This motion, the second to which was inaudible, carried by a unanimous vote.

AD HOC COMMITTEES

LAUREL HILL ADAPTIVE REUSE PLAN ADVISORY COMMITTEE

Supervisor Kauffman moved the appointment of Mr. Brian Scott Tishuk to fill the unexpired term of Mr. Frank O. Strobel as the Lee District Representative to the Laurel Hill Adaptive Reuse Plan Advisory Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

ADDITIONAL APPOINTMENT

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

Supervisor Gross moved the appointment of Mr. Christopher T. O'Brien to fill the unexpired term of Mr. Bunyan Bryant as the Mason District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

DS:ds

15. **ADMINISTRATIVE ITEMS** (Tape 6)

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

Supervisor Kauffman called the Board's attention to Admin 6 – Additional Time to Commence Construction for Special Exception Application SE 98-L-057, Springfield East, LC (Lee District) and discussion ensued with input from Kevin J. Guinaw, Chief, Special Projects/Applications Management Branch, Zoning Evaluation Division, Department of Planning and Zoning.

Supervisor Kauffman called the Board's attention to Admin 11 – Authorization to Advertise a Public Hearing on the Proposed Consolidated Plan One Year Action Plan for Fiscal Year 2004 and a brief discussion ensued.

Supervisor Kauffman called the Board's attention to Admin 15 – Supplemental Appropriation Resolution AS 03076 for the Fairfax County Police Department to Accept a "Creating a Culture of Integrity" Grant from the US Department of Justice, Office of Community Oriented Policing Services and discussion ensued with input from Major Robert Callahan, Commander of Internal Affairs Bureau, Police Department.

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 THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD PROJECT – LEESBURG PIKE (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 24, 2003, at 3:30 p.m.** on the acquisition of certain land rights necessary for the construction of Project 064231 – Leesburg Pike, in Fund 304, Primary and Secondary Road Bond Construction.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE CLIFTON ROAD PROJECT (SPRINGFIELD AND SULLY DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 24, 2003, at 3:30 p.m.** on the acquisition of certain land rights necessary for the construction of Project 008802 – Clifton Road, in Fund 301 - Developer Contributed Roadway Improvement Funds.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON SEGMENTS OF SPARGER STREET (ROUTE 3177) AND VACATE A SEGMENT OF ALEXANDER STREET (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 24, 2003, at 4 p.m.** to consider the vacation and abandonment of segments of Sparger Street (Route 3177) and the vacation of a segment of Alexander Street.

ADMIN 4 – RESOLUTION TO INSTALL A "WATCH FOR CHILDREN" SIGN ON EVANGEL DRIVE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (SPRINGFIELD DISTRICT)

- (R) Adopted the Resolution endorsing the installation of a "Watch for Children" sign on Evangel Drive (Springfield District) as part of the Department of Transportation's R-TAP.

ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTIONS (SAR) AS 03078, 03079, AND 03080 FOR THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) AND PATHWAY HOMES TO ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR SHELTER PLUS CARE GRANTS

- (SAR) Approved the following:

- SAR AS 03078 in the amount of \$610,800 for the 2002 grant award
- SAR AS 03079 in the amount of \$157,584 for the 1995 renewal grant award
- SAR AS 03080 in the amount of \$118,080 for the 1996 renewal grant award

to continue providing funding of permanent supportive housing for adults with disabilities. The total of these three grant awards is \$886,464. No local cash match is required.

ADMIN 6 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 98-L-057, SPRINGFIELD EAST, LC (LEE DISTRICT)

- (AT) (NOTE: Earlier in the meeting there was discussion regarding this item. See page 11.)

Approved the request for six months of additional time to commence construction for Special Exception Application SE 98-L-057 to July 26, 2003, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 7 – ADDITIONAL TIME TO ESTABLISH THE USE FOR SPECIAL EXCEPTION APPLICATION SE 93-Y-035, CENTREVILLE LAND CORPORATION/TARMAC MID-ATLANTIC, INCORPORATED (SULLY DISTRICT)

- (AT) Approved the request for 12 months of additional time to establish the use for Special Exception Application SE 93-Y-035 to December 22, 2003, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 8 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 00-Y-005, DAMON HARWOOD, INCORPORATED (SPRINGFIELD DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 00-Y-005 to July 24, 2005, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 9 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING TEMPORARY CONSTRUCTION/CONTRACTOR SIGNS

- (A)(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 3, 2003, and before the Board on **May 19, 2003, at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to consider allowing small temporary construction/contractor signs advertising home improvements to individual dwelling units.

ADMIN 10 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING SIGNS FOR PLACES OF WORSHIP

- (A)(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on March 20, 2003, and before the Board on **April 28, 2003, at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to consider allowing a second freestanding sign when more than one place of worship congregation shares space in the same facility.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED CONSOLIDATED PLAN ONE YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2004

- (A) (NOTE: Earlier in the meeting there was discussion regarding this item. See page 12.)

Authorized the advertisement of a public hearing to be held before the Board on **March 24, 2003, at 7 p.m.** on the Proposed Consolidated Plan One Year Action Plan for FY 2004.

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 12023 WAPLES MILL ROAD (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 24, 2003, at 3:30 p.m.** to consider adoption of a Spot Blight Abatement Ordinance for 12023 Waples Mill Road [Tax Map Number 046-1-((05))-0001].

ADMIN 13 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING HOUSING FOR THE ELDERLY AND OTHER RELATED PROVISIONS

- (A)(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 3, 2003, and before the Board on **May 19, 2003, at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to consider revising the housing for elderly special exception provisions and other related provisions.

ADMIN 14 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 84-V-062, PAUL SPRINGS RETIREMENT CENTER (MOUNT VERNON DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 84-V-062 to March 13, 2005, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 15 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 03076 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT
(FCPD) TO ACCEPT A "CREATING A CULTURE OF INTEGRITY"
GRANT FROM THE US DEPARTMENT OF JUSTICE (DOJ), OFFICE
OF COMMUNITY ORIENTED POLICING SERVICES (COPS)**

(SAR) (NOTE: Earlier in the meeting there was discussion regarding this item. See page 12.)

Approved SAR AS 03076 for the FCPD to accept \$125,000 from the US DOJ, COPS for a "Creating a Culture of Integrity" grant. No local cash match is required.

**ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING
ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC),
SECTION 82-12-8, TO ALLOW VEHICLE DECAL ISSUANCE TO
TAXPAYERS ON PAYMENT PLANS**

(A) Authorized the advertisement of a public hearing to be held before the Board on **March 10, 2003, at 4 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-12-8, to consider allowing the issuance of vehicle decals to certain taxpayers on delinquent tax or ticket payment plans.

**ADMIN 17 – STREETS INTO THE SECONDARY SYSTEM
(DRANESVILLE AND HUNTER MILL DISTRICTS)**

(R) Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Bryan Pond	Dranesville	Bryan Pond Court Towlston Road Route 676
McNair Farms, Frying Pan Road, Phase 1	Hunter Mill	Frying Pan Road Route 608
McNair Farms, Frying Pan Road, Phase 2	Hunter Mill	Frying Pan Road Route 608 Greg Roy Lane Route 665 Fox Mill Road Route 665

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
McNair Farms Drive & Thomas Jefferson Drive	Hunter Mill	Fox Mill Road Route 665 Fox Mill Road Route 665 Additional ROW Only Fox Mill Road Route 665 Additional ROW Only
McNair Farms West, Section 2	Hunter Mill	Old Centreville Road Route 7772 McNair Farms Drive Route 8728
Monroe Manor, Section 4		Monroe Street Route 666 Monroe Manor Drive Fox Hound Court Curved Iron Road Route 8543 Monroe Street Route 666 Additional ROW Only

ADMIN 18 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), SECTION 3-3-37.2, REGARDING DETERIORATION OF DISABILITY/SUBSEQUENT DISABILITY

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 24, 2003, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Section 3-3-37.2, regarding deterioration of disability/subsequent disability.

ADMIN 19 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLES 2, 3, AND 7, REGARDING TECHNICAL CHANGES TO UPDATE INTERNAL REVENUE SERVICE (IRS) QUALIFICATION STATUS OF THE FAIRFAX COUNTY RETIREMENT SYSTEMS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 24, 2003, at 4:30 p.m.** to consider proposed amendments to the Code of

the County of Fairfax, Chapter 3 (County Employees), Articles 2, 3, and 7, regarding technical changes to update IRS qualifications.

ADMIN 20 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03081 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT CONTINUED GRANT FUNDING ON BEHALF OF THE NORTHERN VIRGINIA WORKFORCE INVESTMENT BOARD (NVWIB) FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) TO CONTINUE THE WELFARE-TO-WORK PROGRAM

- (SAR) Approved SAR AS 03081 in the amount of \$60,640 for DFS to accept continued grant funding on behalf of NVWIB from VDSS to continue to provide intensive employment services to persons participating in the Welfare-to-Work program. No local cash match is required.

ADMIN 21 – AUTHORIZATION TO APPLY FOR FEDERAL FUNDING FOR THE EARLY HEAD START PROGRAM WITHIN THE DEPARTMENT OF FAMILY SERVICES/OFFICE FOR CHILDREN (DFS/OC)

Authorized DFS/OC to apply for funding from the US Department of Health and Human Services (DHHS) in the amount of \$2,049,173 to provide comprehensive Early Head Start services. Of this total, \$1,567,338 is from DHHS; \$90,000 is from the US Department of Agriculture; \$182,898 is the local cash match; and an in-kind contribution of \$208,937, which will be met through existing resources and other non-cash contributions.

16. **A-1 – APPROVAL OF FISCAL YEAR (FY) 2003 BOARD OF ROAD VIEWERS (BORV) PROGRAM RECOMMENDATIONS (PROVIDENCE DISTRICT)** (Tape 6)

Supervisor Connolly moved that the Board concur in the recommendation of staff and approve the FY 2003 recommendation of BORV as contained in the BORV Report. Chairman Hanley seconded the motion.

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

17. **A-2 – CONSIDERATION OF PROPOSED CHANGES TO THE MISS UTILITY PROGRAM** (Tape 6)

Supervisor Gross moved that the Board refer this item to the Consumer Protection Commission for its review and recommendation, and report with its findings at the meeting scheduled for March 10, 2003. Supervisor Connolly and Supervisor Hudgins jointly seconded the motion.

Following discussion, with input from Dennis Bates, Senior Assistant County Attorney, Chairman Hanley clarified that this item was being referred to the Consumer Protection Agency because the commission may not have a regular meeting scheduled before the next Board meeting.

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

18. **A-3 – APPROVAL OF THE NUMBER OF TAXICAB CERTIFICATES TO BE AUTHORIZED IN 2003** (Tape 6)

Supervisor Connolly moved that the Board concur in the recommendation of staff and deny authorization of additional taxicab certificates this year. Supervisor Bulova seconded the motion.

Following discussion, with input from Carolyn A. Quetsch, Director, Consumer Protection Division, Department of Cable Communications and Consumer Protection, the question was called on the motion and it carried by unanimous vote.

19. **A-4 – APPROVAL OF FAIRFAX COUNTY PROCEDURES REGARDING REQUESTS MADE PURSUANT TO THE PUBLIC-PRIVATE EDUCATION FACILITIES AND INFRASTRUCTURES ACT OF 2002** (Tape 6)

Supervisor Connolly moved that the Board concur in the recommendation of staff and approve the procedures set forth in the document entitled "Fairfax County Procedures Regarding Requests Made Pursuant to the Public-Private Educational Facilities and Infrastructures Act of 2002" to become effective immediately. These procedures are in accordance with the "Public-Private Educational Facilities and Infrastructures Act of 2002," enacted into the *Code of Virginia* on July 1, 2002. Supervisor McConnell seconded the motion.

Discussion ensued with input from James V. McGettrick, Assistant County Attorney, and Cathy A. Muse, Director, Department of Purchasing and Supply Management.

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

20. **A-5 – APPROVAL OF A COST SHARING AGREEMENT BETWEEN FAIRFAX COUNTY AND LANDMARK PROPERTY DEVELOPMENT, LLC TO REPLACE A SEVERELY DETERIORATED SANITARY SEWER LINE (MASON DISTRICT)** (Tape 6)

On motion of Supervisor Gross, seconded by Supervisor Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Approved a cost sharing agreement between the County and Landmark Property Development, LLC to replace a severely deteriorated sanitary sewer line.
- Authorized the County Executive to sign the agreement on behalf of the Board.

21. **A-6 – APPROVAL OF TESTIMONY FOR A VIRGINIA DEPARTMENT OF TRANSPORTATION PUBLIC HEARING ON THE SIX-YEAR PROGRAM FOR HIGHWAY AND TRANSIT FUNDS FOR FISCAL YEAR (FY) 2004 THROUGH FY 2009** (Tape 6)

Supervisor Connolly moved that the Board concur in the recommendation of staff and take the actions as outlined in the Board Agenda Item dated February 24, 2003.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to reiterate its standpoint regarding not increasing toll fees. Without objection, it was so ordered.

Following discussion, with input from Young Ho Chang, Director, Department of Transportation, Supervisor Connolly called the Board's attention to handwritten page one of the Board Agenda Item, Capital Beltway, and amended his motion to include that the Board direct staff to reiterate its previous correspondence regarding high occupancy toll lanes on the Beltway as a substitute for some of the widening because it minimizes impact. This was accepted.

Supervisor Frey called the Board's attention to handwritten page five of the Board Agenda Item, Primary Projects in Virginia Transportation Six-Year Program Which Need Additional Funding, Under Design, and clarified that the Tri-County Parkway (Route 28 Bypass) is not currently under design. He noted that the Environmental Impact Study is being done, and a range of corridors is still being studied.

Following additional discussion, with input from Mr. Chang, the question was called on the motion, as amended, and it carried by unanimous vote.

22. **C-1 – AMENDMENT TO REAFFIRMATION PROCEDURE FOR AFFIDAVITS AT BOARD HEARINGS** (Tape 6)

(P) The Board next considered an item contained in the Board Agenda dated February 24, 2003, regarding an amendment to the Board's Policy regarding the reaffirmation procedure for affidavits in land use cases.

Supervisor Connolly moved approval of the procedures as outlined, with the changes contained on pages 82 and 83 of the Board Agenda Item dated

February 24, 2003, regarding the procedure for affidavits in land use cases. Supervisor Gross seconded the motion.

Supervisor Connolly clarified that his motion included the proviso that the new procedure would first apply to any affidavits submitted for public hearing in land use cases to be heard before the Board on March 24, 2003.

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

23. **I-1 – CONTRACT AWARD – ANNUAL CONTRACT FOR GEOTECHNICAL ENGINEERING AND TESTING SERVICES** (Tape 6)

The Board next considered an item contained in the Board Agenda dated February 24, 2003, requesting authorization for staff to award a contract to Engineering Consulting Services, Limited, in the amount of \$200,000 for geotechnical engineering and testing services on various County projects which are being designed by County staff and/or when these services are not part of a design contract with an outside firm.

The staff was directed administratively to proceed as proposed.

24. **I-2 – STATE CORPORATION COMMISSION (SCC) ISSUES FINAL ORDER ON THE PETITION OF WASHINGTON GAS LIGHT COMPANY FOR APPROVAL OF A PLAN TO REMEDY BILLING ERRORS, STATE CORPORATION COMMISSION (SCC) CASE NUMBER PUE-2002-00178 (COUNTYWIDE)** (Tape 6)

The Board next considered an item contained in the Board Agenda dated February 24, 2003, regarding the SCC's final order on the Washington Gas Light Company's billing errors.

A brief discussion ensued.

25. **I-3 – CONTRACT AWARD – ANNUAL CONTRACT FOR BUS SHELTERS, BENCHES, AND PADS (COUNTYWIDE)** (Tape 6)

The Board next considered an item contained in the Board Agenda dated February 24, 2003, requesting authorization to award a contract to Sagres Construction Corporation, in the amount of \$196,655 for the installation of bus shelters, benches, concrete pads, and other related miscellaneous items.

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

26. **I-4 – CONTRACT AWARD – ARCHITECT AND ENGINEERING SERVICES** (Tape 6)

The Board next considered an item contained in the Board Agenda dated February 24, 2003, requesting authorization to award a contract to Shaffer, Wilson, Sarver, and Gray, in the amount of \$300,000 for architect and engineering services in the 140-plus buildings in the County.

The staff was directed administratively to proceed as proposed.

27. **I-5 – CONTRACT AWARD – FINANCIAL SERVICES, MANAGING UNDERWRITER (SOUTH COUNTY PUBLIC FACILITIES PROJECT)** (Tape 6)

The Board next considered an item contained in the Board Agenda dated February 24, 2003, requesting authorization to award a contract to Morgan Keegan and Company, Incorporated, for financial services, managing underwriter. Compensation for underwriter services will be provided only from bond proceeds after completion of the sale. The final compensation amount is determined after the sale is sized and the actual amount of bonds sold is determined.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

28. **AMERICAN RED CROSS MONTH** (Tape 6)

Chairman Hanley stated that the Month of March is nationally recognized as American Red Cross Month. The National Capital Chapter of the American Red Cross has requested that the County recognize the "Together We Prepare" emergency preparedness campaign to encourage community awareness for disaster planning.

Therefore, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the American Red Cross to appear before the Board at the March 10, 2003, meeting to receive a proclamation declaring March as "*Red Cross Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide an information item on progress being made by the National Capital Chapter of the Red Cross regarding concerns raised in the past. Without objection, it was so ordered.

29. **MANASSAS NATIONAL BATTLEFIELD PARK BYPASS** (Tape 6)

Chairman Hanley said that a federally mandated study is now underway by the Federal Highway Administration (FHWA) to develop alternatives that would allow for the closure of the portions of both Routes 29 and 234 that currently transect the Battlefield Park and to provide alternatives for the traffic currently traveling through the park. The project is supported by public law that mandates the study of closure of both Routes 29 and 234.

She said citizens have worked closely with the Virginia Department of Transportation and the TriCounty Parkway Location Study, Environmental Impact Study, but many questions have surfaced regarding the federal Manassas Battlefield Park Bypass process. Therefore, she asked unanimous consent that the Board direct staff to return with the following information:

- Provide accurate maps for proposed alignments that include the location of current communities, especially Fairfax National Estates and the Ridings of Virginia Run, both of which are located in the County.
- Can the federal government build the bypass even if it is not on the County's comprehensive plan?
- Is the project on the region's Constrained Long Range Plan? If the federal government is going to build it, does it have to be?
- What interaction does County staff currently have with FHWA on this proposal?

Without objection, the request was so ordered.

30. **CIVIL WAR SITES** (Tape 6)

Chairman Hanley stated that she received a copy of the County's Civil War Sites Inventory. She said that it is a fascinating piece of work demonstrating how the County's history is being preserved. On behalf of the Board, she congratulated staff from the Park Authority who worked on it.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

31. **CONCURRENT PROCESSING OF PLANS FOR REZONING APPLICATION RZ 2002-SP-033 (SPRINGFIELD DISTRICT)** (Tape 7)

Supervisor McConnell said that pending Rezoning Application RZ 2002-SP-033 is a request to rezone four parcels of land along Braddock Road, tax map numbers

66-2(1))11, 12, 13, 14. The applicant has requested concurrent processing of the subdivision plan to ensure certain contractual obligations are met.

Therefore, Supervisor McConnell moved that the Board approve concurrent processing of the subdivision plan and engineering approvals associated with pending Rezoning Application RZ 2002-SP-033. 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. Supervisor Connolly seconded the motion and it carried by unanimous vote.

32. **SPRINT PCS/APS REALTY AND EQUIPMENT COMPANY, LLC AND THE ANNANDALE VOLUNTEER FIRE DEPARTMENT - PUBLIC FACILITIES APPLICATION 2232 M02-10 AND SPECIAL EXCEPTION APPLICATION SE 2002-MA-020 (MASON DISTRICT)** (Tape 7)

Supervisor Gross said that Sprint PCS and the Annandale Volunteer Fire Department have filed a special exception application for the property identified as Tax Map number 58-4((1))62. She added that this application has been heard by the Planning Commission and is scheduled to be heard by the Board on March 24, 2003. The applicant has been prepared for a February Board public hearing, but due to a scheduling error, has been delayed. To facilitate the process, the applicants have requested that the required minor site plan be reviewed concurrently while they await their new Board date.

Therefore, Supervisor Gross moved that the Board direct staff to permit processing of the minor site plan associated with this application concurrently. This motion should not be construed as a favorable recommendation on the special exception application by the Board, and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

33. **ERRORS IN VIRGINIA DEPARTMENT OF TRANSPORTATION'S (VDOT) STREET NAME DATA BASE** (Tape 7)

Supervisor Bulova noted that area residents are still digging out from the recent storm and forecasters are predicting more snow to come. She said that an important item to be added to the agenda is the problem with streets missing from the VDOT database.

Supervisor Bulova noted that she heard from a number of residents who called in their streets to VDOT and were told that their streets were not in the State system. For residents who have lived on these streets for 40 years and have had their streets plowed in the past, this news came as a shock. Residents' disbelief grew after they checked and confirmed that their streets have route numbers.

Supervisor Bulova said that in some cases, the name was entered incorrectly into VDOT's database. For example, Argonne was entered as Augonne. She referred to her written Board Matter and outlined other examples of errors in VDOT's system.

Therefore, Supervisor Bulova moved that the Board direct staff to work with VDOT to assist in updating and correcting the street list as soon as possible. Supervisor Connolly seconded the motion.

Following discussion, Chairman Hanley asked to amend the motion to direct staff to prepare a letter on behalf of the Board indicating that County staff will work with VDOT staff on this issue, and this was accepted.

Following discussion, with input from Anthony H. Griffin, County Executive, the question was called on the motion, as amended, and it carried by a vote of nine, Supervisor McConnell being out of the room.

(NOTE: Later in the meeting the Board discussed other snow removal issues. See Clerk's Summary Items CL#35, CL#42, and CL#46.)

34.

NORTHERN VIRGINIA MEDIATION SERVICES (NVMS) AND MARCH AS ALTERNATIVE DISPUTE RESOLUTION (ADR) MONTH (Tape 7)

Supervisor Bulova said that on a number of occasions, her office has used the services of a community resource that is sometimes able to work miracles. NVMS, an affiliate of the Institute for Conflict Analysis and Resolution at George Mason University, is a non-profit organization, managed by a volunteer board of directors and its staff of six. Mediation and training services are provided by more than 100 professionals who work with NVMS as mediators, trainers, facilitators, program designers, and project coordinators. NVMS has mediated more than 4500 cases and worked with many courts and federal agencies in the region to assist in the development, design, and/or operation of mediation programs.

Supervisor Bulova said that NVMS is committed to the idea that every problem is best resolved directly by the people who are affected. NVMS have provided to help individual citizens, courts, churches, schools, employers, tenants, and landlords in a manner affordable to everyone, without regard of ability to pay.

Supervisor Bulova moved that the Board direct staff to invite NVMS to appear before the Board on March 10, 2003, so that it can be recognized for its work in the community. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Bulova said that March is officially Alternative Dispute Resolution (ADR) Month in the State of Virginia, and will be recognized as such by the governor.

Therefore, Supervisor Bulova moved that the Board direct staff to invite the Fairfax County ADR Program to appear before the Board on March 10, 2003, to receive a separate proclamation that recognizes March as Alternative Dispute Resolution Month. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

35. **LEARNING FROM THE BLIZZARD OF 2003** (Tape 7)

(NOTE: Earlier in the meeting this issue was discussed. See Clerk's Summary Item CL#33.)

Supervisor Connolly said that the Virginia Department of Transportation (VDOT) performed well during the recent snowstorm.

Supervisor Connolly moved that the Board direct the County Executive to:

- Contact VDOT and provide guidance for the Board on VDOT policy related to snow removal of neighborhood streets.
- Obtain information on the process VDOT utilizes to assign the thousands of neighborhood streets within the County to subcontractors.
- Obtain information on the plan and/or schedule VDOT attempts to have their contractors adhere to.
- Obtain information regarding VDOT's policy for plowing cul-de-sacs versus regular neighborhood streets.
- Obtain information regarding the steps VDOT takes to remedy the situation once it learns that it missed a street.
- Provide the Board with any appropriate recommendations for how snow removal might be better managed in the future.
- To relate the Board's suggestion that VDOT consider using tips to residents to facilitate snow removal operations including, where feasible, moving parked cars from the street onto private driveways.

The second to this motion was inaudible.

Following discussion, Supervisor Hyland asked to amend the motion to direct staff to inquire with VDOT as to why some subdivisions were not plowed, and this was accepted.

Supervisor Kauffman asked to amend the motion to direct staff to remind developers of new subdivisions in which the roads have not been turned over to VDOT for maintenance and repair to make arrangements to remove snow, and this was accepted.

Supervisor Hudgins briefly addressed the issue of new developments not in the VDOT system and still being under bond.

Supervisor Gross asked to amend the motion to include better coordination with the Police Department regarding snow removal, and this was accepted.

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

(NOTE: Later in the meeting there was additional discussion regarding this item. See Clerk's Summary Items CL#42 and CL#46.)

36. **WASHINGTON AREA CONFERENCE ON TELEWORK (WACOT) 2003**
(Tape 7)

Supervisor Connolly referred to his written Board Matter regarding the WACOT 2003 and announced that this year's conference will be held on March 27 at the Holiday Inn Silver Spring in Montgomery County. This year's conference theme will be "Better Work Through Telework; Increasing Profitability and Productivity in Today's Business Environment."

Supervisor Connolly asked unanimous consent that the Board direct the Office of Public Affairs to assist in publicizing WACOT 2003, through Channel 16, press releases, and other outreach efforts. Without objection, it was so ordered.

37. **AUTHORIZATION OF AN OUT-OF-TURN PLAN AMENDMENT - LIFE WITH CANCER PROGRAM (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly referred to his written Board Matters and noted that there is a development proposal related to the Life with Cancer Program that is affiliated with Inova Health System.

Supervisor Connolly moved that the Board:

- Direct staff to work with his office, representatives of the Pine Ridge Community, and representatives of the proposed development to formulate an Out-of-Turn Plan Amendment for Sub-units L2, L3, and L4 of the Merrifield Suburban Center.

- Direct staff to schedule public hearings for the Out-of-Turn Plan amendment and the related zoning application prior to the August recess.
- Authorize the applicant to include Pennell Street and Williams Drive right-of-ways in the forthcoming rezoning application.

This motion does not prejudice in any way the consideration of this plan amendment and zoning application. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor McConnell, Supervisor Mendelsohn being out of the room.

38. **EXPEDITED AND CONCURRENT PROCESSING FOR ALZHEIMER'S FAMILY DAY CARE CENTER (AFDC) (PROVIDENCE DISTRICT)**
(Tape 7)

Supervisor Connolly said that AFDC located at 2036 Westmoreland Street in the City of Falls Church is the applicant for a special exception, which requests permission to use premises located at 2830 Fallfax Drive, Falls Church as a Category 3 adult day care center. AFDC's current lease will terminate in December 2003, making it necessary for it to relocate to a new facility.

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

- Proceed with expedited and concurrent processing of this application.
- Schedule this application for a public hearing to be held before the Board at the next available date after the Planning Commission hearing.

This motion does not relieve AFDC from compliance with the provisions of all applicable ordinances, regulations, and adopted standards and does not prejudice in any way the consideration of this special exception. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor McConnell, Supervisor Mendelsohn being out of the room.

39. **FOURTH ANNUAL PROVIDENCE DISTRICT ENVIRONMENTAL WORKSHOP** (Tape 7)

Supervisor Connolly announced the Fourth Annual Providence District Environmental Workshop scheduled for Saturday, April 5, 2003, at Luther Jackson Middle School located at 3020 Gallows Road, Falls Church, from 9 a.m. until noon.

Supervisor Connolly asked unanimous consent that the Board direct the Office of Public Affairs to provide publicity about this event, using Channel 16 and a press release. Without objection, it was so ordered.

NV:nv

40. **PUBLIC HEARING DEFERRALS** (Tape 8)

Supervisor Kauffman announced his intent to defer the following public hearings until 3 p.m. on March 10, 2003:

- Rezoning Application RZ 1998-LE-064
- Special Exception Application SE 01-L-020
- Special Exception Amendment Application SEA 91-L-053-4
- Special Exception Amendment Application SEA 91-L-054-3
- The Acquisition of Certain Land Rights Necessary for the Construction of County Road Project – Telegraph Road/Florence Lane

Supervisor Kauffman also announced his intent to defer the public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding affordable dwelling units in mid-rise multiple family dwellings.

(NOTE: Later in the meeting, the Board formally deferred these public hearings. See Clerk's Summary Items CL#55, CL#57, and CL#65.)

41. **AUTHORIZATION OF THE FILING OF A REZONING APPLICATION IN THE NAME OF CHRISTOPHER COMPANIES (LEE DISTRICT)**
(Tape 8)

Supervisor Kauffman stated that Christopher Companies is preparing to file a rezoning application in Lee District after successfully receiving Area Plans Review (APR) approval of a Comprehensive Plan change through the APR process. The APR nomination was approved by the Lee District Land Use Committee, Planning Commission, and the Board, and the applicant is now prepared to file a subsequent rezoning application that is in harmony with the new adopted Plan language. This application necessitates the vacation and/or abandonment of portions of the existing right-of-way currently known as Villa Street.

Accordingly, Supervisor Kauffman moved that the Board authorize the filing of a rezoning application in the name of Christopher Management, Incorporated on portions of right-of-way currently known as Villa Street. He noted that approval of this motion shall not prejudice the rezoning application and does not relieve the applicant from compliance with any ordinances, codes, or adopted standards in any way. Supervisor Hyland seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

42. **SNOW REMOVAL FROM PEDESTRIAN WALKWAYS** (Tape 8)

(NOTE: Earlier in the meeting, the Board discussed snow removal. See Clerk's Summary Items CL#33 and CL#35.)

Supervisor Hudgins commended the Virginia Department of Transportation (VDOT) for its snow removal from the streets following the heavy snow accumulation from the February 15, 2003, snowstorm. She noted, however, that those residents who walk, bicycle, and use public transit face serious impediments. Several constituents called her office to express concerns about the dangerous conditions at bus stops. Since residents are encouraged to use public transportation as much as possible to relieve road congestion, particularly in inclement weather, she expressed her belief that more should be done to make conditions safe for pedestrians. She noted that the current standard is unacceptable because snow removal on streets makes conditions worse for pedestrians.

Accordingly, Supervisor Hudgins moved that the Board direct staff to work with the Department of Public Works and Environmental Services, the Department of Transportation, and VDOT to determine what strategies can be taken to assist how snow removal from walkways, particularly at bus stops, can be accomplished to assist pedestrians using public transit after snowstorms. Supervisor Bulova seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

(NOTE: Later in the meeting, the Board took additional action regarding snow removal. See Clerk's Summary Item CL#46.)

43. **SCHEDULING OF PUBLIC HEARINGS FOR APPLICATIONS FOR BRE/VCD ASSOCIATES, LLC (HUNTER MILL DISTRICT)** (Tape 8)

Supervisor Hudgins stated that BRE/VCD Associates, LLC filed applications to allow for a drive-through bank, the expansion of existing buildings, the change in hours of operation of a previously approved special exception use, and a change in circulation, parking, and access for the Village Center at Dulles. Because of the contractual obligations and timelines relating to the drive-in bank, the applicant is requesting an expedited Board date for the public hearing.

Accordingly, Supervisor Hudgins moved that the Board authorize a Board public hearing date for the first available date following the Planning Commission's recommendation for Proffered Condition Amendment Applications PCA 88-C-091-08 and PCA 88-C-039-08, Special Exception Amendment Application SEA 89-C-027-09, and Rezoning Application RZ 2002-HM-044. She noted that 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, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

44. **RECOGNITION OF SOUTH LAKES HIGH SCHOOL'S THEATER ARTS DEPARTMENT (HUNTER MILL DISTRICT)** (Tape 8)

Supervisor Hudgins announced that the South Lakes High School Theater Arts Department will take its act on the road this summer, traveling to Beijing, China for the first annual ACT festival. While in Beijing, the group plans to perform "Singin' in the Rain." The trip will run from June 28 to July 12, and students will participate in a number of cross-cultural workshops and view performances. The trip will be paid for through extensive fundraising in the coming months. South Lakes High School encourages County residents to support the China trip by attending its May performances of "Singin' in the Rain."

Accordingly, Supervisor Hudgins moved that the Board direct staff to invite members of South Lakes High School Theater Arts Department who will be traveling to China to appear before the Board for recognition of their noble efforts to explore diversity in theater arts and to share the arts of the County with other cultures. Chairman Hanley seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

45. **RECOGNITION OF ALICIA "ALI" HARDER, A STUDENT AT BUZZ ALDRIN ELEMENTARY SCHOOL (HUNTER MILL DISTRICT)** (Tape 8)

Supervisor Hudgins announced that Alicia "Ali" Harder, an 11-year-old student at Buzz Aldrin Elementary School in Reston, raised approximately \$10,000 over the past five years for the Embry Rucker Community Shelter. Ali began her work as a 7-year-old second grader after a visit to the shelter. At that time, Ali decided that she wanted to do something to help the homeless children at the shelter.

Supervisor Hudgins referenced her written Board Matter that described Ali's fundraising efforts.

Accordingly, Supervisor Hudgins moved that the Board direct staff to invite Ali Harder to be recognized before the Board for her outstanding work for the Embry Rucker Community Shelter. Chairman Hanley seconded the motion,

which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

46. **SNOW REMOVAL FOR NEW DEVELOPMENTS STILL ON BOND**
(Tape 8)

(NOTE: Earlier in the meeting, the Board took action regarding snow removal issues. See Clerk's Summary Items CL#33, CL#35, and CL#42.)

With reference to her written Board Matter on the subject, Supervisor Hudgins moved that the Board direct staff to do the following:

- Review the procedures for snow removal for developments that are still on bond and have streets that have not been accepted into the Virginia Department of Transportation State system.
- Address procedures for enforcement of road maintenance obligations for developments still under bond and determine what recourse is available to homeowners for non-compliance as part of this review.

Supervisor Kauffman seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

47. **COMMUNITY MEETING REGARDING FLORIS ELEMENTARY SCHOOL (HUNTER MILL DISTRICT)** (Tape 8)

(NOTE: Earlier in the meeting, Supervisor Hudgins announced that Floris Elementary School sustained structural damage due to the snowstorm and subsequent rains. See Clerk's Summary Item CL#5.)

Supervisor Hudgins announced a community meeting for the parents of Floris Elementary School students. It will be held at 7 p.m. at Rachel Carson Middle School.

48. **CANCELLATION OF SCHOOL SPORTS EVENTS** (Tape 8)

Supervisor Frey stated that he had received calls from concerned parents and coaches regarding the way the School Division handled the rescheduling of school sports because of the snow. He said that apparently wrestling tournaments and some gymnastics events were canceled, but basketball events were rescheduled.

Accordingly, Supervisor Frey asked unanimous consent that the Board direct staff to inquire of the School Division as to the justification for how the sports schedule was adjusted. Without objection, it was so ordered.

49. **MODIFIED PROCESSING FOR BELLE HAVEN COUNTRY CLUB (MOUNT VERNON DISTRICT)** (Tape 8)

With reference to his written Board Matters, Supervisor Hyland stated the first one is a request by the Belle Haven Country Club for modified processing for Site Plan 4526-SP-03. He noted that he received a long letter from Ms. Jane Kelsey that provided justification. This request was made after a long delay following successful negotiations for a trail along Fort Hunt Road.

Accordingly, Supervisor Hyland moved that the Board approve modified processing for Site Plan 4526-SP-03. Supervisor Hudgins seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

50. **PAYROLL DEDUCTIONS FOR RETIRED COUNTY EMPLOYEES** (Tape 8)

Supervisor Hyland stated that he had a request from a retiree regarding the prohibition for participating in certain payroll deductions, such as US Savings Bonds and the annual Combined Charitable Campaign. Supervisor Hyland asked unanimous consent that the Board direct staff to review this matter and report with justification for this policy. Without objection, it was so ordered.

51. **RESOLUTION FOR MS. JEANNE GRAY PAIGE** (Tape 8)

(R) Supervisor Hyland moved adoption of the Resolution honoring Ms. Jeanne Gray Paige for her lifelong services to enhance the quality of lives in the Gum Springs Community. He would present this to her at a ceremony in the Mount Vernon District. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting, "AYE," Supervisor McConnell and Supervisor Mendelsohn being out of the room.

52. **LORTON ARTS FOUNDATION RECEIVES FUNDS** (Tape 8)

Supervisor Hyland announced that as part of the federal Omnibus Government Appropriations Act, the Lorton Arts Foundation will be receiving approximately \$130,000 in seed money in reference to the Lorton Workhouse Facility.

53. **RECESS/CLOSED SESSION** (Tape 8)

At 2:05 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 § 2.2-3711(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 § 2.2-3711(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 § 2.2-3711(A)(7).
 1. *Mary Ellen Blevins v. Board of Supervisors of Fairfax County, Virginia, et al.*, In Chancery No. 182209 (Fx. Co. Cir. Ct.) (Springfield District)
 2. *Carol S. Koehne v. Board of Zoning Appeals of Fairfax County, and Trustees of the Kings Chapel*, At Law No. 211070 (Fx. Co. Cir. Ct.) (Springfield District)
 3. *Dr. Hyung Kon Kim, et al. v. Board of Zoning Appeals of Fairfax County, Virginia*, At Law No. 198559 (Fx. Co. Cir. Ct.) (Braddock District)
 4. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Crystal Allen*, Case No. 02-36926 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

And in addition:

- *Zofia A. Zager versus Rukhsana Khalid, et al*; Chancery Number 179443.

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

Chairman Hanley announced that closed session would convene at 2:30 p.m.

SBE:sbe

At 3:40 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

54. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 9)

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."

AGENDA ITEMS

55. **3 P.M. – PH ON REZONING APPLICATION RZ 1998-LE-064, SPECIAL EXCEPTION APPLICATION SE 01-L-020, AND SPECIAL EXCEPTION AMENDMENT APPLICATIONS SEA 91-L-053-4 AND SEA 91-L-054-3 (SPRINGFIELD EAST, LC) (LEE DISTRICT)** (Tape 9)

Supervisor Kauffman moved to defer the public hearing on Rezoning Application RZ 1998-LE-064, Special Exception Application SE 01-L-020, and Special Exception Amendment Applications SEA 91-L-053-4 and SEA 91-L-054-3 until **March 10, 2003, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide only new information for these applications on March 10, 2003. Board Members will keep the current staff reports. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

56. **3:30 P.M. – PH TO OBTAIN CITIZEN INPUT FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES' GRANT APPLICATION TO THE COMMONWEALTH OF VIRGINIA FOR FUNDING UNDER THE FEDERAL TRANSIT ADMINISTRATION (FTA) SECTION 5310 PROGRAM FOR TEN REPLACEMENT VEHICLES**

(Tape 9)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issue of February 14, 2003.

Following the public hearing, Supervisor Gross moved that the Board approve the Department of Community and Recreation Services' submission of a Grant Application to the Commonwealth of Virginia for funding under the FTA Section 5310 Program for ten replacement vehicles. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Mendelsohn being out of the room.

57. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING AFFORDABLE DWELLING UNITS IN MID-RISE MULTIPLE FAMILY DWELLINGS** (Tape 9)

Supervisor Hudgins moved to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding Affordable Dwelling Units in Mid-Rise Multiple Family Dwellings until **April 28, 2003, at 4 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Mendelsohn being out of the room.

58. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2002-PR-040 (FAIRFAX PLAZA COMPANY, LP) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 2002-PR-040 until **March 24, 2003, at 3 p.m.** Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Mendelsohn being out of the room.

59. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-089-3 (JERRY'S FORD, INCORPORATED) (MASON DISTRICT)** (Tape 9)

Supervisor Gross moved to defer the public hearing on Special Exception Amendment Application SEA 84-M-089-3 until **March 24, 2003, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Bulova and Supervisor Mendelsohn being out of the room.

PW:pw

60. **BOARD RECESS** (Tape 10)

At 3:50 p.m. the Board recessed briefly, and at 3:55 p.m., reconvened with all Members being present, with the exception of Supervisor Bulova, Supervisor Connolly, Supervisor Hudgins, and Supervisor Kauffman and with Chairman Hanley presiding.

ADDITIONAL BOARD MATTERS

61. **WELCOME TO TIGER CUB SCOUT PACK 1540 FROM NAVY ELEMENTARY SCHOOL** (Tape 10)

Chairman Hanley recognized the presence of members of Tiger Cub Scout Pack 1540 from Navy Elementary School, and their leader Mr. Todd Rowley. Chairman Hanley warmly welcomed them to the Board Auditorium.

62. **WELCOME TO TROOP 160 FROM HERNDON** (Tape 10)

Chairman Hanley recognized the presence of members of Troop 160 from the Sully District in Herndon. Chairman Hanley warmly welcomed them to the Board Auditorium.

63. **MEMORANDUM FROM COUNTY ATTORNEY REGARDING THE STATUS OF THE LAWSUIT CHALLENGING THE ENVIRONMENTAL PROTECTION AGENCY (EPA) CLEAN AIR ACT RULEMAKING** (Tape 10)

Chairman Hanley noted that the Board received a memorandum from the County Attorney regarding the status of the lawsuit challenging the EPA Clean Air Act Rulemaking indicating that the Virginia Attorney General opposed the petitioners' request.

AGENDA ITEMS

64. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-P-011-2 (LOYAL ORDER OF VIENNA MOOSE LODGE NUMBER 1896, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 10)

The application property is located at 9616 Courthouse Road, Tax Map 48-1 ((1)) 62.

Ms. Lori R. Greenlief reaffirmed the validity of the affidavit for the record.

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

Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Hudgins being out of the room.

Supervisor Connolly moved:

- Approval of Special Exception Amendment Application SEA 83-P-011-2, subject to the development conditions dated February 21, 2003, and as further amended to change the time to establish the use from 18 months to 30 months.
- Modification of the transitional screening requirement around the entire site, waiver of the barrier requirement along the southern property boundary, and modification of the barrier requirement along the north, east and west in favor of the existing fencing and existing vegetation, as modified by the proposed development conditions, as amended.
- Waiver of the interior parking lot landscaping to that shown on the SEA plat.

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

65. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD PROJECT – TELEGRAPH ROAD/FLORENCE LANE (LEE DISTRICT)**
(Tape 10)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 6 and February 13, 2003.

Supervisor Kauffman moved to defer the public hearing on the acquisition of certain land rights necessary for the construction of County road project - Telegraph Road/Florence Lane until **March 10, 2003, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Hudgins being out of the room.

66. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), EXPANDING THE GRAHAM RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 34 (PROVIDENCE DISTRICT)**
(Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 6 and February 13, 2003.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), expanding the Graham RPPD, District 34. The proposed District expansion includes the following street blocks:

- Arlington Boulevard Service Drive (Route 2382) north side from Wallace Drive (Route 2383) to Fredsen Place (Route 2387)
- Residential part of Arlington Boulevard Service Drive north side from Fredsen Place to Graham Road (Route 1720)
- Fredsen Place from Arlington Boulevard to the end

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

67. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), EXPANDING THE BROYHILL PARK RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 28 (MASON DISTRICT)**
(Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 6 and February 13, 2003.

Following the public hearing, which included testimony by four speakers, Hamid Majdi, staff, Department of Transportation, presented the staff recommendations.

Discussion ensued with input from Mr. Majdi.

Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), expanding the

Broyhill RPPD, District 28. The proposed District expansion includes the following street blocks:

- Parkwood Terrace (Route 2495) from Holly Hill Drive (Route 2860) to Carol Lane (Route 2439)
- Zenith Court (Route 2861) from Parkwood Terrace to the end

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

Supervisor Gross asked unanimous consent that the Board direct staff to continue to monitor what the impact will be on the neighbors on Kenney Drive and follow up with appropriate action. Without objection, it was so ordered.

Further discussion ensued with input from Mr. Majdi.

68. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)**
(Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 6 and February 13, 2003.

Following the public hearing, which included testimony by four speakers, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), expanding the Robinson RPPD, District 17. The proposed District expansion includes the following street block:

- Concordia Street (Route 4893) from Holden Street (Route 4895) to Gadsen Drive (Route 4871)

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

69. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTIONS 82-1-32, 82-5A-12, AND 82-5B-7** (Tape 10)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 6 and February 13, 2003.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-32, Supplemental enforcement of parking; Section 82-5A-12, Enforcement and penalties in residential permit parking districts; and Section 82-5B-7, Enforcement and penalties for parking watercraft, boat trailers, etceteras, in certain areas. Supervisor Connolly further moved that the Board direct staff to periodically review these fines and provide appropriate recommendations to the Board. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

70. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2002-DR-012 (BETTY M. MEADOWS) (DRANESVILLE DISTRICT)** (Tapes 10-11)

(NOTE: At its October 28, 2002, meeting the Board deferred the public hearing on this item until November 18, 2002. At its November 18, 2002, meeting the Board deferred the public hearing on this item until December 9, 2002. At its December 9, 2002, meeting the Board deferred the public hearing on this item until January 6, 2003. At its January 6, 2003, meeting the Board held a public hearing on this item and deferred decision until January 27, 2003. A public hearing was re-advertised on this item for February 24, 2003.)

The application property is located at 11254 Leesburg Pike, Tax Map 11-2 ((1)) 22C.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by five speakers, Tracy Swagler, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Following discussion with input from Ms. Swagler, Supervisor Mendelsohn moved:

- Approval of Special Exception Application SE 2002-DR-012, subject to the development conditions dated February 23, 2003.
- Modification of the transitional screening and barrier requirements on the northern, eastern, and western property boundaries to that shown on the SE plat, as conditioned.
- Modification of the interior parking lot landscaping and waive the peripheral parking lot landscaping, as shown in the SE plat.
- Waiver of the service drive requirement.
- Modification of additional Standard 5 to allow buildings to be located closer than 100 feet from a property line.
- Modification of additional Standard 6 to allow parking to be located less than 50 feet from the property line.
- Modification of additional Standard 9 to allow reduction in parking to that shown on the SE plat.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Frey being out of the room.

71. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2002-SP-004 (EQUITY HOMES, LP) AND SPECIAL EXCEPTION APPLICATION SE 2002-SP-032 (CLIFFORD A. TAYLOR AND MADONNA E. TAYLOR) (SPRINGFIELD DISTRICT)** (Tape 11)

(O) The Rezoning Application RZ 2002-SP-004 property is located on the north side of Route 29, approximately 200 feet west of Willowmeade Drive, Tax Map 55-4 ((1)) 1, 2, 3, 4A, 5, and 6.

The Special Exception Application SE 2002-SP-032 property is located at 12908 Lee Highway, Tax Map 55-4 ((1)) 2 pt.

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, Supervisor McConnell moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

Supervisor McConnell moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2002-SP-004, from the R-1 and WS Districts to the R-2 and WS Districts, subject to the proffers dated February 3, 2003.
- Modification of the Public Facilities Manual to permit a trail in lieu of a sidewalk and waiver of the service drive requirement along Lee Highway.
- Approval of Special Exception Application SE 2002-SP-032, subject to the development conditions dated February 12, 2003.
- Modification of the transitional screening requirements and waiver of the barrier requirement for the perimeter of the site in favor of the existing vegetation and landscaping shown on the SE plat; and waiver of the interior parking lot landscaping requirement.
- Modification of additional Standard 4 to permit a plant nursery on 2.1 acres.
- Modification of additional Standard 5 to permit a building structure 50 feet from an abutting residential district as shown on the SE plat.
- Modification of additional Standard 6 to permit off-street parking ten feet from an abutting residential district as shown the SE plat.
- Modification of additional Standard 9 to permit 50 parking spaces as shown on the SE plat.

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

72. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-053 (BP PRODUCTS NORTH AMERICA, INCORPORATED) (MASON DISTRICT)** (Tape 11)

The application property is located at 6540 Edsall Road, Tax Map 80-2 ((1)) 58.

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

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

Following the public hearing, Denise Thomas, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Application SE 01-M-053, subject to the development conditions dated January 15, 2003.
- Waiver of the requested waiver on the interior parking lot landscaping requirement as requested by the applicant and supported by the staff.

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

73. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 11)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of February 6 and February 13, 2003.

The public hearing was held and no one testified.

ADDITIONAL BOARD MATTER

74. **NEW SCHEDULE FOR BUDGET COMMITTEE** (Tape 11)

(NOTE: Earlier in the meeting, the Board discussed the schedule for the Budget Committee meetings. See Clerk's Summary Item CL#12.)

Supervisor Bulova called the Board's attention to a new schedule for the Budget Committee that staff distributed, which outlined the Budget Committee and community workshop schedule as follows:

- Saturday, March 15, 2003, 9 a.m.: Community Budget Workshop on FY 2004 Budget
- Monday, March 17, 2003, 10 a.m.: The agenda will include Fiscal Dynamics in the County, State Budget Issues, Fairfax County Public Schools, Fee Increases/Reductions/Redesigns - Teen Center Redesign, FY 2004 Consideration Items, and Questions and Answers.
- Saturday, March 22, 2003, 9 a.m.: Community Budget Workshop on the FY 2004 Budget
- Monday, March 31, 2003, 9:30 a.m.: The agenda will include a Report from Human Services Council, Fee Increases/Reductions/Redesigns - Athletic Field Maintenance Program, FY 2004-2008 Capital Improvement Program, FY 2003 Third Quarter Review, FY 2004 Consideration Items, and Questions and Answers.
- Friday, April 18, 2003, 3 p.m.: The agenda will include FY 2004 Add-On Package, Review of Proposed Adjustments to the FY 2004 Advertised Budget, Review of Proposed Adjustments to the FY 2004-2008 Capital Improvement Program, Other Issues, and Questions and Answers.

Supervisor Mendelsohn noted that on March 31, 2003, he would be participating as a justice at Langley High School's Case Day and will not be present for that Budget Committee meeting.

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

At 5:45 p.m., the Board adjourned.

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