



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
June 11, 2001**

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01-14

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The meeting was called to order at 9:40 a.m., with all Members being present, with the exception of Supervisor Bulova and Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor Bulova arrived at 9:45 a.m.

Supervisor McConnell arrived in time to participate in closed session.

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. **THANKS TO COUNTY AND SCHOOL EMPLOYEES WHO VOLUNTEERED AT CELEBRATE FAIRFAX JUNE 8 - 10, 2001** (Tape 1)

Chairman Hanley, on behalf of the Board, thanked all the County and schools employees who volunteered at Celebrate Fairfax on June 8 - 10, 2001.

(NOTE: Later in the meeting additional action was taken on this item. See Clerk's Summary Item CL#42.)

2. **UNVEILING OF NEW COUNTY WEBSITE** (Tape 1)

Chairman Hanley announced that the County's new website has been unveiled, and encouraged everyone to view the site. She said that it was an exciting new easy-to-use website.

3. **NORTH POINT FIRE STATION** (Tape 1)

Chairman Hanley said that she, along with Supervisor Hudgins and Supervisor Mendelsohn, had attended a ribbon cutting ceremony for the North Point Fire Station.

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

Chairman Hanley asked everyone to remember in thoughts and prayers the widow of Major James G. Dunton, who died last week, at the age of 101. She said that Major Dunton had made the news most recently on the eightieth anniversary of the end of World War I, when he was recognized and received the legion of honor from the French. He was an important part of the Providence District community.

Supervisor Hudgins asked everyone to remember in thoughts and prayers the family of H. Lewis Joyce, who passed away on May 29, 2001. He lived in Herndon, but worked in the Herndon/Reston area with the youth and founding scholarships for disadvantaged youths.

Supervisor Connolly said that this morning at 7:15 a.m. central standard time Timothy McVeigh was executed, the first federal prisoner to be executed in over 30 years. He said that many of the Board Members who served on the Board six years ago when the tragedy in Oklahoma City occurred remember the somber moment of welcoming back the members of the County Urban Fire and Rescue Squad, who went to Oklahoma to assist the victims and their families. He asked everyone to keep in thoughts the families of the 168 victims who died in that tragedy.

Supervisor Frey asked everyone to remember in thoughts and prayers the family of Mr. Larry Spear, who died very quickly of a brain tumor several weeks ago. He had moved from the Bailey's Crossroads area several years ago to start a florist business in Centreville.

5. **INTRODUCTIONS OF NEW INTERNS/STAFF** (Tape 1)

Supervisor Hyland introduced Ms. Madelyn Weaver, a new intern in his office. Supervisor Hyland and the Board warmly welcomed her to the Board Auditorium.

Chairman Hanley introduced Ms. Hanieh Saberinia from James Madison University who is an intern in her office. Chairman Hanley and the Board warmly welcomed her to the Board Auditorium.

Supervisor Connolly introduced Ms. Sarah Goldman, a new staff member in his office who will be handling transportation issues. Supervisor Connolly and the Board warmly welcomed her to the Board Auditorium.

AGENDA ITEMS

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. CARL BLY**
(Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Carl Bly, Centreville High School band director, for more than 30 years of teaching instrumental music. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

7. **RESOLUTION OF RECOGNITION PRESENTED TO MR. FRANK MEHM**
(Tape 1)

Supervisor Mendelsohn moved approval of the Resolution of Recognition presented to Mr. Frank Mehm for 20 years of service as principal at Hutchison Elementary School. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Connolly and Supervisor Hyland being out of the room, Supervisor McConnell not yet having arrived.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. DORIS LEADBETTER**
(Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Ms. Doris Leadbetter for her years of service as the Dranesville District Representative to the Athletic Council. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Connolly and Supervisor Hyland being out of the room, Supervisor McConnell not yet having arrived.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. PRENTICE CHRISTIAN**
(Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Prentice Christian, retiring after 30 years of service, the past seven years as principal of Langston Hughes Middle School. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Connolly being out of the room, Supervisor McConnell not yet having arrived.

10. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. KATIE MCLEAN**
(Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Ms. Katie McLean for drafting legislation to increase fines for littering in State parks. Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Hudgins and Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

11. **CERTIFICATE OF RECOGNITION PRESENTED TO SHELTER HOUSE**
(Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to Shelter House for 20 years of service to homeless County families. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

12. **PROCLAMATION TO DECLARE JUNE 16 AS "HEPATITIS AWARENESS DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation declaring June 16 as "*Hepatitis Awareness Day*" in Fairfax County. Supervisor Connolly and Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

Discussion ensued with input from Dr. Linda Fisher, Director, Health Department. Dr. Fisher said that individuals wishing to get more information regarding Hepatitis C could call the Virginia Department of Health hotline at 1-800-533-4148, or contact their local Health Department regarding symptoms, and/or testing.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

NV:nv

13. **10 A.M. - APPOINTMENTS TO THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD** (Tape 2)

(BACs)
(APPTS)

(NOTE: The Board announced the names of the following nominees at its meeting on May 21, 2001.)

Chairman Hanley moved the re-appointment of Mr. David Redman as the At-Large #2 Representative to the Fairfax-Falls Church Community Services Board. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Gross moved the re-appointment of Ms. Luz Diago as the Mason District Representative to the Fairfax-Falls Church Community Services Board. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Hyland moved the appointment of Ms. Frances Hicks as the Mount Vernon District Representative to the Fairfax-Falls Church Community Services Board. Supervisor Connolly seconded the motion, which carried by a vote of

eight, Supervisor Frey being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Frey moved the re-appointment of Mr. John Stephens as the Sully District Representative to the Fairfax-Falls Church Community Services Board. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

ADDITIONAL BOARD MATTER

14. **APPOINTMENT TO THE WATER AUTHORITY** (Tape 2)

(APPT) Supervisor Connolly moved the re-appointment of Ms. Connie Houston as the Providence District Representative to the Water Authority. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

AGENDA ITEMS

SBE:sbe

15. **ADMINISTRATIVE ITEMS** (Tape 2)

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

Anthony H. Griffin, County Executive, withdrew Admin 20- Authorization to Advertise a Public Hearing Regarding the Leasing of a Portion of County-Owned Property at Fairfax County Fire Station #29 at 1560 Springhill Road to Tysons Firehouse LLC from consideration.

Chairman Hanley called the Board's attention to Admin 3 - Supplemental Appropriation Resolution AS 01076 for the Health Department's Cardiovascular Disease Project under the Preventive Health and Health Services Block Grant from the Virginia Department of Health and discussion ensued with input from Mary Jo Ivan, Coordinator, Cardiovascular Disease Program, Department of Health. Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board:

- Refer the issue of the equal allocation of block grant funds by district to the Board's Legislative Committee.
- Direct staff to provide some history on this issue, as well as names of the influential officials.

Following discussion, with input from Ms. Ivan, Chairman Hanley amended her request to also direct staff to:

- Take inventory of funding formulas.
- Provide a report of State issues in Human Services.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn called the Board's attention to Admin 11 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax by Enacting Chapter 69.1 (Water Recreation Facilities Ordinance) and Repealing Chapter 69 (Swimming Pool Ordinance) and discussion ensued with input from Dennis Hill, Director, Environmental Health Administration, and Marc Mordue, Environmental Health Specialist II, Health Department.

Supervisor Connolly called the Board's attention to Admin 18 - Supplemental Appropriation Resolutions AS 02001, AS 02002, and AS 02003 for the Department of Family Services to Accept Funds from the Virginia Employment Commission to Continue Activities under the Workforce Investment Act (WIA) Adult, Youth and Dislocated Worker Programs and discussion ensued with input from Anthony H. Griffin, County Executive, and Dana W. Paige, Director, Department of Family Services.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct Mr. Paige to prepare and circulate all the WIA and Work Force Investment Board information to the Board. Without objection, it was so ordered.

The question was called on the motion to approve the Administrative Items, with the exception of Admin. 20, and it 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 not yet having arrived.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

ADMIN 1 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO APPLY FOR SUPPORTIVE SERVICES AND ANTI-CRIME GRANTS UNDER THE HOUSING AND URBAN DEVELOPMENT'S (HUD) SUPER NOTICE OF FUNDING AVAILABILITY (SUPER NOFA)

Authorized the FCRHA to submit three grant applications under the HUD Super NOFA in an amount not to exceed \$465,000. These grant opportunities directly

support the FCRHA Strategic Plan in its relationship to the Housing and Self-Sufficiency goals. No local cash match is required.

(NOTE: Later in the meeting the Board took further action on this item. See Clerk's Summary Item CL#16.)

ADMIN 2 – AUTHORIZATION FOR THE PARK AUTHORITY TO APPLY FOR VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) RECREATIONAL ACCESS PROGRAM FUNDS FOR ROAD AND BIKEWAY ACCESS IMPROVEMENTS TO STRATTON WOODS PARK (HUNTER MILL DISTRICT)

- (R) Adopted the Resolution authorizing the Park Authority to request VDOT Recreational Access Funds in the amount of \$370,000 for road and bikeway access improvements to Stratton Woods Park.

ADMIN 3 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01076 FOR THE HEALTH DEPARTMENT'S CARDIOVASCULAR DISEASE PROJECT UNDER THE PREVENTIVE HEALTH AND HEALTH SERVICES (PHHS) BLOCK GRANT FROM THE VIRGINIA DEPARTMENT OF HEALTH (VDH)

- (SAR) (NOTE: Earlier in the meeting additional action was taken on this item. See page 5.)

Approved SAR AS 01076 in the amount of \$35,307 for the Health Department's cardiovascular disease project under the PHHS block grant from VDH. This grant award will allow the Health Department to continue a program that targets minority populations in communities that have limited access to health care; lack financial resources; and have significant health risk factors for cardiovascular disease. No local cash match is required.

ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01074 FOR THE HEALTH DEPARTMENT'S ANONYMOUS HUMAN IMMUNODEFICIENCY VIRUS (HIV) TESTING SITE GRANT

- (SAR) Approved SAR AS 01074 in the amount of \$18,000 for the Health Department's Anonymous HIV Testing Site Grant. No local cash match is required.

ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01075 FOR THE HEALTH DEPARTMENT'S MINORITY ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) PROJECT GRANT

- (SAR) Approved SAR AS 01075 in the amount of \$120,245 in Virginia Department of Health grant funds to the Health Department for Minority AIDS Prevention/Education projects. No local cash match is required.

ADMIN 6 – SUPPLEMENTAL APPROPRIATION RESOLUTION AS 01079 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT A GRANT AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO SUPPORT THE URBAN SEARCH AND RESCUE (US&R) PROGRAM

(SAR)

Approved SAR AS 01079 in the amount of \$150,000 for FRD to accept funding from FEMA to support the US&R Program. No local cash match is required.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE REQUEST FOR A DEDICATION OF A PORTION OF COUNTY-OWNED LAND TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) (SULLY DISTRICT)

(A)

- Authorized the advertisement of a public hearing to be held before the Board on **July 9, 2001, at 3:30 p.m.** regarding the dedication of a portion of land at the Chantilly Fire Station, Tax Map Number 34-4 ((6)) parcel 60 to VDOT.
- Directed staff to notify adjacent property owners of the public hearing by certified mail.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE CRIMINAL JUSTICE TRAINING CENTER TO APC REALTY AND EQUIPMENT COMPANY (SULLY DISTRICT)

(A)

Authorized the advertisement of a public hearing to be held before the Board on **July 23, 2001, at 3:30 p.m.** regarding the proposed leasing of County-owned property at the Criminal Justice Training Center, 3721 Stonecroft Boulevard, Tax Map 34-1 ((1)) 5, for the purpose of installing a telecommunications base station and monopole.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF COUNTY-OWNED PROPERTY KNOWN AS THE ATHLETIC FIELD ON A PORTION OF THE GREAT FALLS COMMUNITY LIBRARY SITE AT 9830 GEORGETOWN PIKE TO GREAT FALLS LACROSSE ASSOCIATION AND GREAT FALLS SOCCER (DRANESVILLE DISTRICT)

(A)

Authorized the advertisement of a public hearing to be held before the Board on **July 9, 2001, at 4 p.m.** regarding the leasing of County-owned property known as the athletic field on a portion of the Great Falls Community Library site at 9830 Georgetown Pike [Tax Map 13-1 ((1)) 11] to Great Falls Lacrosse Association and Great Falls Soccer (co-tenants) for the purpose of games, practices, clinics, and other activities consistent with youth sports, or community-related activities.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED ISSUANCE OF SEWER REVENUE BONDS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 25, 2001, at 3:30 p.m.** to consider authorizing the issuance of sewer revenue bonds in the estimated maximum amount of \$90 million.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, BY ENACTING CHAPTER 69.1 (WATER RECREATION FACILITIES ORDINANCE) AND REPEALING CHAPTER 69 (SWIMMING POOL ORDINANCE)

- (A) (NOTE: Earlier in the meeting this item was discussed. See page 6.)

Authorized the advertisement of a public hearing to be held before the Board on **June 25, 2001, at 5 p.m.** to consider proposed amendments to the Code of the County of Fairfax, by enacting Chapter 69.1 (Water Recreation Facilities Ordinance) and repealing Chapter 69 (Swimming Pool Ordinance).

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE HAISLIP LANE (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 9, 2001, at 4 p.m.** to consider the vacation of Haislip Lane.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ABANDON A PORTION OF MONROE STREET (ROUTE 666) (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 9, 2001, at 4 p.m.** to consider the abandonment of a portion of Monroe Street.

ADMIN 14 – ADDITION OF A PORTION OF BRADDOCK ROAD AND THE ADDITION AND DISCONTINUANCE OF SEGMENTS OF RUBY DRIVE (SPRINGFIELD AND SULLY DISTRICTS)

- (R) Adopted the Resolution requesting the Commonwealth Transportation Board to:
- Add lanes of Braddock Road to the secondary system.
 - Add and discontinue segments of Ruby Drive to and from the secondary system.

ADMIN 15 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01077 FOR THE FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES TO ACCEPT TITLE III-E OLDER AMERICANS ACT FUNDS FROM THE VIRGINIA DEPARTMENT FOR THE AGING FOR THE FAIRFAX AREA AGENCY ON AGING TO PROVIDE FAMILY CAREGIVER SUPPORT SERVICES

- (SAR) Approved SAR AS 01077 in the amount of \$130,653 for the Title III-E, National Family Caregiver Support Program. The grant award provides funding in the amount of \$97,990, the balance of \$32,663 is a required local cash match.

ADMIN 16 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01078 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) TO CONTINUE THE EXISTING FRAUD FREE PROGRAM

- (SAR) Approved SAR AS 01078 in the amount of \$284,950 for DFS to accept funds from VDSS to continue the existing Fraud Free Program. No local cash match is required.

ADMIN 17 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02004 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) FOR FOSTER AND ADOPTIVE PARENT RECRUITMENT, TRAINING, AND RETENTION

- (SAR) Approved SAR AS 02004 in the amount of \$336,906 for DFS to accept grant funds from VDSS for the renewal of the Foster and Adoptive Parent Training Grant. The total grant budget of \$336,906 includes \$252,679 of Title IV-E Administrative Pass-Through funding and a 25 percent local cash match requirement of \$84,227. The total local cash match will be met through existing funds in the Fiscal Year 2002 local cash match reserve for anticipated awards in Fund 102, Federal/State Grant Fund.

ADMIN 18 – SUPPLEMENTAL APPROPRIATION RESOLUTIONS (SAR) AS 02001, AS 02002, AND AS 02003 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT FUNDS FROM THE VIRGINIA EMPLOYMENT COMMISSION TO CONTINUE ACTIVITIES UNDER THE WORKFORCE INVESTMENT ACT (WIA) ADULT, YOUTH AND DISLOCATED WORKER PROGRAMS

- (SARs) (NOTE: Earlier in the meeting additional action was taken on this item. See page 6.)

Approved SAR AS 02001, AS 02002, and AS 02003 in the amount of \$2,016,174 for DFS to accept funds from the Virginia Employment Commission to continue activities under the WIA Adult, Youth and Dislocated Worker programs. No local cash match is required.

ADMIN 19 – AUTHORIZATION FOR THE CHILD CARE ADVISORY COUNCIL (CCAC) IN CONJUNCTION WITH THE DEPARTMENT OF FAMILY SERVICES/OFFICE FOR CHILDREN TO APPLY FOR FEDERAL GRANT FUNDING UNDER THE EARLY LEARNING OPPORTUNITIES ACT

Authorized the CCAC to submit a competitive application for funding to participate in the Federal Early Learning Opportunities program. This grant is funded by the US Department of Health and Human Services, Administration for Children and Families. The total program cost is \$882,353, which includes a 15 percent local match which will be met through an in-kind contribution from the County.

ADMIN 20 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF A PORTION OF COUNTY-OWNED PROPERTY AT FAIRFAX COUNTY FIRE STATION #29 AT 1560 SPRINGHILL ROAD TO TYSONS FIREHOUSE LLC

(NOTE: Earlier in the meeting this item was withdrawn by staff. See page 5.)

16. **ADMIN 1 - AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO APPLY FOR SUPPORTIVE SERVICES AND ANTI-CRIME GRANTS UNDER THE HOUSING AND URBAN DEVELOPMENT'S (HUD) SUPER NOTICE OF FUNDING AVAILABILITY (SUPER NOFA)** (Tape 2)

(NOTE: Earlier in the meeting, the Board took action on this item. See Clerk's Summary Item CL#15.)

Supervisor Kauffman stated that the Office of the Commonwealth's Attorney is supposed to be moving forward on consultation with staff on a Memorandum of Understanding (MOU) which has to come forward and meet a Friday deadline for submitting the grant application. Supervisor Kauffman asked unanimous consent that the Board direct Anthony H. Griffin, County Executive, to follow up with Robert F. Horan, Jr., Commonwealth's Attorney, to ensure that the MOU between the Police Department and the Office of the Commonwealth's Attorney is complete so the Board can apply for one of the Grants. Without objection, it was so ordered.

17. **A-1 – SCHOOL BOND REFERENDUM** (Tape 2)

- (R)
(Bonds) Supervisor Mendelsohn moved that the Board concur in the recommendation of staff and adopt the Resolution requesting the Circuit Court to order a special election on November 6, 2001, regarding the issuance of bonds in the amount of \$377,955 million. Supervisor Bulova seconded the motion.

Discussion ensued with input from Thomas Brady, staff, Fairfax County Public Schools and Leonard P. Wales, Assistant Director, Department of Management

and Budget.

Following further discussion, Supervisor Connolly asked unanimous consent that the Board direct staff to provide a recently completed comparison with the Metropolitan Area of Virginia and Fairfax County Public Schools for cost per square foot and the analysis of this report. Without objection, it was so ordered.

The question was called on the motion and it 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 not yet having arrived.

18. **A-2 – APPROVAL OF AWARD OF ADDITIONAL TAXICAB CERTIFICATES** (Tape 2)

On motion of Supervisor Connolly, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor McConnell not yet having arrived, the Board concurred in the recommendation of staff and awarded 36 taxicab certificates, as recommended by the Consumer Protection Commission, to the following:

- Murphy Brothers, Incorporated - 9
- Fairfax Taxi, Incorporated - 7
- L&Z Transportation, Incorporated - 12
- Paul Wallace Management, Incorporated - 8

19. **C-1 – AUTHORIZATION FOR ADDITIONAL SEWER FIXTURE UNITS FOR THE CLIFTON PRESBYTERIAN CHURCH (SPRINGFIELD DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting authorization of a total of 50 sewer fixture units for the Clifton Presbyterian Church in order to make improvements to the Manse.

Supervisor Frey, on behalf of Supervisor McConnell, moved that the Board authorize the Clifton Presbyterian Church to be allocated a total of 50 sewer fixture units for the Church's Manse so that improvements to the facility may be completed. Supervisor Hyland seconded the motion.

Discussion ensued with input from Jimmy D. Jenkins, Director, Wastewater Planning and Monitoring Division, Department of Public Works and Environmental Services.

The question was called on the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

20. **C-2 – APPEAL OF SECTION 15.2-2232 DETERMINATION - PUBLIC FACILITIES APPLICATION 2232-H00-10, VERIZON WIRELESS (HUNTER MILL DISTRICT)** (Tape 2)

(NOTE: On May 21, 2001, the Board deferred its consideration of this appeal until June 11, 2001.)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting Board determination of the appeal by Verizon Wireless of the 2232 determination by the Planning Commission.

Discussion ensued with input from Frank Sterns, representative, Verizon Wireless.

Supervisor Hudgins moved to defer the appeal of Section 15.2-2232 Determination - Public Facilities Application 2232-H00-10, Verizon Wireless until July 23, 2001. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

21. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-P01-5, FAIRFAX COUNTY WATER AUTHORITY (PROVIDENCE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, announcing the Planning Commission's approval of Public Facilities Application 2232-P01-5.

22. **I-2 – CONTRACT AWARD – WESTMORELAND STREET (ROUTE 693)/KIRBY ROAD (ROUTE 695) SPOT IMPROVEMENT (DRANESVILLE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting authorization for staff to award a contract to Merit Contractors, Incorporated, in the amount of \$178,864.40 for construction of Project 064198, Westmoreland Street (Route 693)/Kirby Road (Route 695) Spot Improvement, in Fund 304, Primary and Secondary Road Bond Construction.

Discussion ensued with input from Larry Ichter, Chief, Transportation Design Branch, Department of Public Works and Environmental Services.

The staff was directed administratively to proceed as proposed.

23. **I-3 – DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPWES) TO PROCEED WITH EXECUTION OF A WATERSHED PROTECTION AND RESTORATION STUDY THROUGH A CHESAPEAKE BAY LOCAL ASSISTANCE DEPARTMENT GRANT** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting authorization for staff to execute a contract with Chesapeake Bay Local Assistance Department.

The staff was directed administratively to proceed as proposed.

24. **I-4 – CONTRACT AWARD – OAKTON FIRE STATION MAINTENANCE SHOP ADDITION (PROVIDENCE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting authorization for staff to:

- Award a contract to NAA Incorporated, in the amount of \$134,900 for the construction of Project 09437, Oakton Fire Station Addition, in Fund 303, County Construction.
- Reallocate funds in the amount of \$30,000 from Fund 302, Project 009429, Security Improvements.

The staff was directed administratively to proceed as proposed.

25. **I-5 – FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD FISCAL YEAR (FY) 2002 FEE SCHEDULE** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting authorization for staff to proceed with the implementation of the FY 2002 Fee Schedule on September 1, 2001.

The staff was directed administratively to proceed as proposed.

26. **I-6 – FAIRFAX COUNTY WINS SEVEN NATIONAL AWARDS** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, announcing that the County has won seven awards for innovative information and communication products and services in the National Association of County Information Officers 2001 Awards of Excellence Program as follows:

- Dulles Express, A Guide to Bus Service and Ridesharing
- ParkNews

- Fairfax County Park Authority's Fiftieth Anniversary Program
- The Reston Community Center Program Guide
- Summer Tech Resource Guide for Girls
- McLean Community Center Twenty-Fifth Anniversary
- Resources

27. **I-7 – FAIRFAX COUNTY COMMENTS REGARDING THE "COMMONWEALTH OF VIRGINIA DRAFT INTERIM NUTRIENT CAP STRATEGY FOR THE SHENANDOAH AND POTOMAC RIVER BASINS" (CAP STRATEGY)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting authorization for staff to transmit the letter with comments regarding the Cap Strategy to the Virginia Department of Conservation and Recreation.

Discussion ensued with input from Kambiz Agazi, Environmental Coordinator, Office of the County Executive, and Noel H. Kaplan, staff, Department of Planning and Zoning.

Following discussion, Chairman Hanley stated that the Board would discuss the matter of the merits of wet ponds versus dry ponds at the next meeting of the Board's Environmental Committee scheduled for July 9, 2001.

The staff was directed administratively to proceed as proposed.

28. **I-8 – CONTRACT AWARD - CONSULTANT SERVICES TO EVALUATE AND PROVIDE TECHNICAL ASSISTANCE FOR ORGANIZATIONAL DEVELOPMENT OF COMMUNITY-BASED NON-PROFIT ORGANIZATIONS** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting authorization for staff to award a contract to Clifton Gunderson, LLP in the amount of \$247,000 for consultant services for technical assistance for organizational development and community-based non-profit organizations that have applied for and/or received funding under the County Consolidated Community Funding Pool.

Discussion ensued with input from Audrey Spencer Horsley, Chief, Resource Development and Compliance, Department of Housing and Community Development.

The staff was directed administratively to proceed as proposed.

29. **I-9 – CONTRACT AWARD – FACILITY CONDITION ASSESSMENT SERVICES** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated June 11, 2001, requesting authorization for staff to award a contract to Applied Management Engineering, Incorporated in the amount of \$200,000 for consultant services to perform facility assessments on general County buildings.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

NV:nv

30. **WELCOME TO MARK McDONALD FROM BOY SCOUT TROOP 146**
(Tape 3)

Chairman Hanley recognized the presence of Mark McDonald from Boy Scout Troop 146 in Chantilly who was working on a merit badge and she warmly welcomed him.

31. **CABLE TELEVISION FEES** (Tape 3)

Chairman Hanley made reference to a memorandum received by Members of the Board on June 7, 2001, from the Department of Telecommunications and Consumer Services regarding written notice from Coxcom that it intends to adjust its rates for cable television services effective July 1, 2001. She distributed to the Board copies of an article entitled "Cable Fee Based on Ad Revenue Challenged" from the June 10, 2001, edition of *The Washington Post*. Accordingly, she relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to:

- Determine whether Media General had been charging the franchise fee or whether this was a new action by Cox Cable.
- Provide a recommendation at the next Board meeting as to whether the County should join Montgomery County, Maryland and other regional governments in their presentation of this issue before the Federal Communications Commission.

Without objection, it was so ordered.

Following discussion, Supervisor Gross asked unanimous consent that the Board direct staff to provide information as to the customer response rates for the first and second quarters of 2001. Without objection, it was so ordered.

Chairman Hanley asked unanimous consent that the Board direct staff to also provide the number of quarters for which the County levied penalties to Cox

Cable for its poor customer response rates and to provide all of the referenced information in one Information Item. Without objection, it was so ordered.

Following further discussion, Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and asked unanimous consent that the Board direct the County Executive to communicate with staff immediately on this issue and, if it is time sensitive, to provide that information later in the day. Without objection, it was so ordered.

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

Supervisor Frey asked unanimous consent that the Board direct staff to provide a brief outline of the funds generated by the franchise fee and how they are expended. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board revisited this issue. See Clerk's Summary Item CL#64.)

32. **METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG) PART 150 ADVISORY COMMITTEE REGARDING NOISE ABATEMENT AT RONALD REAGAN WASHINGTON NATIONAL AIRPORT** (Tape 3)

(APPT) Chairman Hanley distributed copies of a letter from COG inviting the Board's participation in a Part 150 Advisory Committee. The process will develop recommendations to improve noise abatement practices at Ronald Reagan Washington National Airport.

Accordingly, Chairman Hanley asked unanimous consent that Supervisor Hyland serve as the Board's representative on this committee and that Supervisor Mendelsohn serve as the alternate if necessary. Without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct the Board's representative to keep the Board apprised of the impact on other areas of the County of any changes of flight patterns. Without objection, it was so ordered.

33. **LOUDOUN COUNTY COMPREHENSIVE PLAN** (Tape 3)

Chairman Hanley raised the issue of the Loudoun County Comprehensive Plan and the Board's unmet request for a joint map from Fairfax, Loudoun, and Prince William Counties on the plans for the area.

Following discussion, Chairman Hanley asked unanimous consent that the Board direct staff to:

- Review the Loudoun County Comprehensive Plan for its water quality impact on the Occoquan River.

- Circulate a report of that impact to the Board prior to the next Board meeting.

Following discussion, with input from Fred Selden, Director, Planning Division, Department of Planning and Zoning, Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and asked unanimous consent that the Board direct staff to circulate to the Board copies of the comments staff had presented to the Loudoun County Planning Commission on this issue. Without objection, it was so ordered.

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

Chairman Hanley asked unanimous consent that the Board direct staff to schedule a joint Fairfax-Loudoun-Prince William Committee meeting once the tri-county map is finalized. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to provide later in the day a timetable for the completion of the Loudoun County Comprehensive Plan review process. Following input from Mr. Selden, without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to evaluate some of the water quality development regulations used to protect water quality that are not part of Loudoun County's Comprehensive Plan revisions. Without objection, it was so ordered.

34. **TRAIL MAP** (Tape 3)

Chairman Hanley announced that the Accotink Connector Trail opened recently and the Board received a map from the Park Authority about the Cross County Trail. She noted that the map did not provide all of the trail connections Countywide. Accordingly, she asked unanimous consent that the Board direct staff to work with the Northern Virginia Regional Park Authority in the development of a map that can be distributed to persons trying to make connections, such as walking from the Braddock District to the Vienna Metro Station. Without objection, it was so ordered.

Discussion continued briefly.

(NOTE: Later in the meeting, the Board discussed other trail-related issues. See Clerk's Summary Items CL#43, CL#57, CL#58, and CL#59.)

35. **CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING** (Tape 3)

Chairman Hanley announced that she had received notification that the County's Comprehensive Annual Final Report for the Fiscal Year that ended June 30, 2000,

qualifies for Certificate of Achievement for Excellence in Financial Reporting. Noting that the certificate will be sent to Robert L. Mears, Director of Finance, she asked unanimous consent that the Board direct staff to invite him to appear before the Board for formal presentation once the certificate arrives. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PMH:pmh

36. **GROWTH OF GEORGE MASON UNIVERSITY (GMU)** (Tape 4)

Supervisor Mendelsohn said that GMU has grown significantly in the past two decades. He noted that the current fiscal impasse in the General Assembly has, and will continue to have, serious consequences for all of the Commonwealth's universities and colleges.

First among the impacts of this fiscal impasse will be the inability of GMU to meet the needs of Northern Virginia. Currently, the University meets those needs by admitting increasingly more students and graduating increasingly more highly qualified students, many of whom remain and work in Fairfax County. Applicants are drawn to GMU because of the quality of its programs, and it is imperative that the quality of those programs is not allowed to fall below a competitive level. In this regard, the most immediate need is the construction of "Academic IV" on the Fairfax campus. This high tech, wired classroom building significantly enhances the capabilities of the University to deliver courses in all disciplines. Moreover, construction of this new space will enable much needed renovation of older buildings for which there is currently no alternative space to hold classes. Although "Academic IV" was fully funded in the 2000-2002 Biennium Budget, funds to begin construction were among those expenditures that were withheld to "balance the budget."

The bid received for construction of "Academic IV" is below the projected costs, and the contractor has extended its bid for a third time. That bid expires on June 15, 2001, and the estimated cost of rebidding the construction is at least \$500,000. Absent the release of funds to begin construction of this critical project, GMU will be unable to construct a building it desperately needs, will lose the opportunity to renovate other classroom buildings, and the Commonwealth will incur a half million dollar increase in costs for the rebidding process.

Therefore, Supervisor Mendelsohn moved that the Board:

- Support a release of the funds necessary to complete construction of "Academic IV" on the Fairfax campus of GMU.
- Direct the Chairman to send a letter to the Governor urging the release of those funds.

- Take this action with all dispatch to ensure attention to this matter by the Governor before the June 15, 2001, deadline for expiration of the pending construction bid.

Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

37. **EDGEMORE LAND LLC** (Tape 4)

Supervisor Mendelsohn said that Edgemore Land LLC is the applicant for Rezoning Application RZ-01-DR-01 to rezone the Davis Property in Herndon. The applicant has worked very cooperatively with the community and has requested concurrent processing.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to proceed with concurrent processing of this application. This motion does not relieve the applicant from compliance with the provisions of any and all applicable ordinances, regulations, or adopted standards and does not constitute support by the Board for the rezoning application. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

38. **MCLEAN HIGH SCHOOL CONCERT BAND** (Tape 4)

Supervisor Mendelsohn announced that the McLean High School Concert Band, under the direction of Mr. Jim Kirchenbauer, has been awarded the Sudler Flag of Honor by the John Philip Sousa Foundation, which is the nation's most prestigious award for high school concert bands. This year, the McLean High School Concert Band was one of only three high school bands in the entire nation to receive the Sudler Flag of Honor.

Supervisor Mendelsohn said that to receive this honor, these musicians had to demonstrate high standards of excellence in concert programs, superior ratings by adjudicators in concert activities, complete and balanced program of musical activities including concert, solo/ensemble, marching areas, jazz ensemble, performance at professional meetings of significance, and student participation in district, State, and/or honor bands. In addition, to qualify for this honor, Mr. Kirchenbauer had to be an incumbent in his position as Director for at least the past seven years.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to invite Mr. Kirchenbauer, representatives of the Concert Band, representatives of the Band Parents, and Administrators of McLean High School, to appear before the Board on June 25, 2001, to be recognized and congratulated for this significant accomplishment. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

39. **EXPANSION OF THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)** (Tape 4)

Supervisor Bulova said that student parking on residential streets around Robinson Secondary School continues to be a serious problem and expansion of the Robinson RPPD is needed. She said that she has forwarded to the Department of Transportation (DOT) a petition for the expansion of the Robinson RPPD on Gainsborough Drive from Roberts Road to Wheatstone Drive and on Nantucket Court.

To proceed with the request, DOT needs Board approval to waive the filing fees. Therefore, Supervisor Bulova moved that the Board direct staff to waive the fees and to proceed as expeditiously as possible. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

40. **SYMPHONY SPECTACULAR** (Tape 4)

Supervisor Bulova said that on June 3, 2001, the American Youth Philharmonic (AYP) Orchestras will be holding a Symphony Spectacular, an annual event to celebrate the end of their 2000-2001 season. This season marks the anniversary of American Youth String Ensemble Conductor Bonnie Hudson's tenth anniversary with AYP Orchestras.

Supervisor Bulova noted that the AYP Orchestras offers the youngest, most promising string musicians the fundamentals of playing as a gateway to more advanced symphonic literature. The group plays primarily arranged pieces, however, it has progressed to playing original works.

Supervisor Bulova asked unanimous consent that the Board direct staff to prepare a Certificate of Appreciation to be presented to Ms. Hudson for her outstanding contributions to the youth and the musical community. Without objection, it was so ordered.

41. **INVENTORY OF COUNTY ACTIVITIES, PROGRAMS, AND SERVICES (ICAPS)** (Tape 4)

Supervisor Bulova reminded the Board that the Budget Guidelines it adopted called for a review of County activities, programs, and services. Staff has begun this process which will be called ICAPS.

To give the Board time to consider this report, Supervisor Bulova requested Board Members to reserve the following dates on their calendars for workshops:

September 17	9 a.m. until noon	1 p.m. until 4 p.m.
October 29	9 a.m. until noon	1 p.m. until 4 p.m.
November 26	9 a.m. until noon	1 p.m. until 4 p.m.

December 17

9 a.m. until noon

1 p.m. until 4 p.m.

42. **CELEBRATE FAIRFAX** (Tape 4)

(NOTE: Earlier in the meeting this item was discussed. See Clerk's Summary Item CL#1.)

Supervisor Gross noted the various displays by County staff with regard to Celebrate Fairfax. She referred to the quilt that was being assembled by the Department of Systems Management for Human Services. She added that it was building on the community sampler study that was done last fall. She said that they are planning seven quilts to be displayed in Human Services Regional offices.

Supervisor Gross asked unanimous consent that the Board direct staff to also display the quilts at the Government Center. Without objection, it was so ordered.

43. **COLUMBIA PIKE TRAIL** (Tape 4)

Supervisor Gross announced that after many years of effort, the Columbia Pike Trail segment across from the Lake Barcroft Dam is complete. She noted that this is a heavily traveled, yet quite dangerous stretch of Columbia Pike, passing over a steep drop to Holmes Run. This trail segment has been envisioned for decades, but was once thought to be impossible to construct. However, one weekend ago, a 184-foot long prefabricated bridge was dropped into place.

Supervisor Gross said that last weekend was the culmination of a million dollar project which took five years of planning, design, fundraising, and construction. It happened because an incredible array of individuals and organizations worked closely with her office to make it a reality. That list includes:

- Trails Commissioners Ann Bennett and Bunyan Bryant
- A myriad of County staff
- Design engineer Michael Guarino
- Walt Wozniak
- Ron Kirkpatrick
- Inspector Farooq Malik
- Construction manager Sam Lim

- A team effort from the survey branch, office staff, and members of three field crews
- Captain Tom Ryan and the Mason District Police Station
- Virginia Department of Transportation
- Barry Smith with Urban Engineering
- Rustler Construction
- Board Members, especially Chairman Hanley, who generously assisted with both encouragement and financial assistance

44. **EXPEDITED PUBLIC HEARING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA C-696-03 (DSV DULLES FOX MILL LP)** (Tape 4)

Supervisor Hudgins said that DSV Dulles Fox Mill LP has a pending land use application, Proffered Condition Amendment Application PCA C-696-03 to make modifications to existing proffers. The request involves no changes to the uses, intensity, or design.

Supervisor Hudgins moved that the Board approve an expedited Board date and direct staff to schedule a public hearing to be held before the Board on August 6, 2001, for this application. 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. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Frey and Supervisor Kauffman being out of the room, Supervisor McConnell not yet having arrived.

45. **WAIVER OF FEES ASSOCIATED WITH THE RENOVATION TO THE VIENNA FIRE STATION** (Tape 4)

Supervisor Hudgins said that as part of the overall renovation to the Vienna Fire Station (Company 2), the Vienna Volunteer Fire Department (VVFD) is replacing the front apparatus doors, installing energy efficient windows in the community hall, and replacing the front facade.

Supervisor Hudgins said that VVFD has requested a fee waiver for the County review and inspection fees for the replacement of the front apparatus doors. Replacement of the doors is being done because of the poor quality of the current doors, height restrictions, and energy concerns that are starting to have a negative operational impact on fire and rescue operations. In addition, the replacement of the doors is being done since the wooden doors are beginning to rot and the new fire trucks are experiencing difficulty fitting into the fire station. VVFD plans to

put the project out for the bid in June with the intent of construction being complete in October.

Therefore, Supervisor Hudgins moved that the Board approve the fee waiver for the County review and inspection fees associated with this project. Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Frey and Supervisor Mendelsohn being out of the room, Supervisor McConnell not yet having arrived.

46. **CERTIFICATE OF APPRECIATION TO THE RESTON POLICE STATION AND THE FOX MILL FIRE AND RESCUE STATION 31**
(Tape 4)

Supervisor Hudgins said that recently constituents wrote to her office to express their appreciation to the public safety officers from the Reston Police Station and the Fox Mill Fire and Rescue Station 31 who responded to an emergency call on May 6, 2001.

Supervisor Hudgins said that on May 6, 2001, an unlicensed driver had lost control of her car and crashed through the constituent's home and into their living room. The police, fire and rescue squad, and ambulances immediately arrived on the scene to assist the constituents out of their home. Because part of the home had caved-in, the cave-in team took precautions to avoid any further collapse to the house. Because of the immediate response by the public safety officers, a potentially tragic situation was avoided.

Supervisor Hudgins moved that the Board, on behalf of Stephen and Jean Yednock of 12728 Bradwell Road in Oak Hill, send a Certificate of Appreciation to the Reston District Police Station and the Fox Mill Fire and Rescue Station 31 to express appreciation and support for the well-coordinated efforts and the immediate response given to the Yednocks. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

47. **APPOINTMENT TO THE REVITALIZATION POLICY COMMITTEE**
(Tape 4)

(APPT) Supervisor Hudgins said that Mr. Mike Miller has submitted his resignation from the Revitalization Policy Committee. Ms. Sarah Larson has agreed to replace Mr. Miller as the Hunter Mill District Representative.

Therefore, Supervisor Hudgins moved the appointment of Ms. Sarah Larson to fill the unexpired term of Mr. Miller as the Hunter Mill District Representative to the Revitalization Policy Committee. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

48. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-C-060-8 (HUNTER MILL DISTRICT)** (Tape 4)

Supervisor Hudgins announced her intent, later in the meeting, to defer the public hearing on Proffered Condition Amendment Application PCA 87-C-060-8.

(NOTE: Later in the meeting the public hearing was deferred. See Clerk's Summary Item CL#80.)

49. **FARMER'S MARKET** (Tape 4)

Supervisor Hudgins announced that the farmer's market at Old Town Hall in Vienna began on Saturday, June 9, 2001, and will be open for the remaining Saturdays from 8 a.m. to noon until October 22, 2001.

50. **ALAN WEBB SHATTERS RECORD** (Tape 4)

Supervisor Hudgins announced that South Lakes High School runner Alan Webb shattered more records and she wished him additional success.

51. **FRANCONIA-SPRINGFIELD METRO STATION** (Tape 4)

Supervisor Kauffman said that the Franconia-Springfield Metro station has reached its parking capacity in the few years since its opening. To address current parking shortages and allow for future growth, a 1,000 parking space garage expansion is being planned and designed at this time, with ground-breaking planned for later this year. Putting this much-needed structure in place as soon as possible will benefit the community and particularly those who depend upon Metro.

Therefore, Supervisor Kauffman moved that the Board approve both expedited and concurrent processing of the site plan and related engineering drawings with the Special Exception and process the plans under the Modified Processing Program. This motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or adopted standards in any way. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

52. **LEE NIGHTS** (Tape 4)

Supervisor Kauffman announced that this past Wednesday was the kick-off of Lee Nights event in Lee District Park.

(NOTE: Later in the meeting the Board announced other concert events. See Clerk's Summary Item CL#54.)

53. **REDEDICATION OF THE LUCKY DUCK GOLF COURSE** (Tape 4)

Chairman Hanley announced that she and Supervisor Bulova attended the rededication of the Lucky Duck Golf Course and the new 1929-style carousel.

NV:nv

54. **NOTTAWAY NIGHTS AND OTHER COMMUNITY CONCERT EVENTS**
(Tape 5)

(NOTE: Earlier in the meeting Members of the Board announced another concert event. See Clerk's Summary Item CL#52.)

Supervisor Connolly distributed to the Board copies of the "Nottaway Nights" brochure that provided details of the 2001 free concert series at Nottaway Park in Vienna on Thursdays at 7:30 p.m. during the summer. In addition, on three Wednesday nights, June 20, July 18, and August 15 movies will be presented under the stars. He expressed his appreciation to the volunteer Nottaway Nights Chairman Renate Wade and Ms. Sousesan Frankeberger from the Park Authority for their outstanding efforts. He noted that at the end of the season he will ask that members of the committee appear before the Board for recognition.

Community concert nights are scheduled as follows:

- Nottaway Nights - Thursdays, with movies on Wednesdays
- Lee Nights - Wednesday nights
- Mason District's Spotlight by Starlight - every Sunday, Wednesday, and Friday night
- Braddock Nights - Friday nights at both Lake Accotink and Royal Lake

Supervisor Gross announced that she had some cake left over from the Spotlight by Starlight social last night to share with the Board.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to publicize all of these events collectively on the County's website. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

55. **CITIZEN HANDBOOK** (Tape 5)

With reference to the new Fairfax County Citizen Handbook, Supervisor Connolly asked unanimous consent that the Board direct the County Executive to convey to the Office of Public Affairs and to all those involved in the design and

printing of this excellent booklet, the Board's congratulations for a job well done. Without objection, it was so ordered.

56. **AN OAKTON COMMUNITY PARK** (Tape 5)

Supervisor Connolly made reference to struggles over the years to acquire both a library and park site in the Oakton area. He noted that efforts to acquire a library site proved successful, but acquiring land for a park has been elusive. However, he said that there now is an opportunity to acquire land for a park. He stated that he would add the discussion of this matter to the agenda for closed session.

57. **ACCOTINK CONNECTOR TRAIL** (Tape 5)

(NOTE: Earlier in the meeting, the Board discussed the Accotink Connector Trail. See Clerk's Summary Item CL#34.)

With reference to the Board's earlier discussion of the opening of the Accotink Connector Trail, which was a collaborative effort with the City of Fairfax, Supervisor Connolly asked unanimous consent that the Board direct staff to invite the persons who made this happen to appear before the Board at an appropriate time to be recognized for their efforts. This would include persons from the City of Fairfax, the Park Authority, and other County staff. Without objection, it was so ordered.

58. **TRAIL ADDITIONS** (Tape 5)

Supervisor Connolly asked unanimous consent that the Board direct the staff of Park Authority and the Office of Public Affairs to assemble a comprehensive document (similar to what was prepared regarding park land acquisitions) detailing the improvements and expansions to the trail system. Without objection, it was so ordered.

59. **TRAILS RELATING TO ROUTE 28 IMPROVEMENTS** (Tape 5)

Supervisor Frey stated that it had been called to his attention that as the Virginia Department of Transportation begins the process of working with the successful offer on the Route 28 Public-Private Partnership Act (PPPA) that some citizens believe that no master plan trails will be included as part of that project. Accordingly, he asked unanimous consent that the Board direct staff to review this issue to determine whether the trails included in both the County and Loudoun County Comprehensive Plans are being considered and whether they will be constructed as part of the PPPA. Without objection, it was so ordered.

60. **WAIVER OF SHOWMOBILE FEES FOR THE LORTON COMMUNITY ACTION CENTER (LCAC)** (Tape 5)

Supervisor Hyland moved that the Board direct staff to waive the Showmobile fees for the LCAC on June 16, 2001, as part of the Lorton Days celebration.

Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

61. **CHILD CARE BUSINESSES LOCATED WITHIN HOMEOWNER ASSOCIATIONS WHICH HAVE ESTABLISHED RULES AND REGULATIONS** (Tape 5)

Supervisor Hyland stated that there is still an issue with home-based child care and the County's permitting process. Some communities do not allow home-based child care as part of their formal bylaws and covenants, but the County does not have a process to review that during the permit process. Accordingly, he asked unanimous consent that the Board direct staff to review the possibility of a requirement in the application process for the applicant to present a letter from the homeowners' association stating that the child care is permitted in the home. Without objection, it was so ordered.

62. **RECESS/CLOSED SESSION** (Tape 5)

(NOTE: Earlier in the meeting the Board raised a topic for closed session. See Clerk's Summary Item CL#56.)

At 12:25 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).

- *Jane W. Gwinn, Fairfax County Zoning Administrator v. John Thoburn, Renee Thoburn, Jindo Kim, Younghee Kim, Golf Park, Inc., and Hunter Mill East, L.L.C., In Chancery No. 161908 (Fx. Co. Cir. Ct.) (Hunter Mill District)*
- *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White,*

Director, Department of Public Works and Environmental Services v. Chi Won Hwang, a/k/a Charlie Hwang, Chi Kwon Hwang, a/k/a John Hwang, and Brothers Construction Company, Inc., In Chancery No. 172421 (Fx. Co. Cir. Ct.) (Lee District)

- *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Charlie C. Hwang, John C. Hwang, and Samuel C. Hwang,* In Chancery No. 172341 (Fx. Co. Cir. Ct.) (Lee District)
- *Jane W. Gwinn, Fairfax County Zoning Administrator v. Magdelene A. Baskin, Nancy S. Stone, Conservator for Magdelene A. Baskin, and Keith Matheny,* In Chancery No. 172270 (Fx. Co. Cir. Ct.) (Lee District)
- *Shaker Woods Homeowners Association, Inc. v. Fairfax County, Virginia,* At Law No. 195793 (Fx. Co. Cir. Ct.) (Hunter Mill District)
- *Jane W. Gwinn, Fairfax County Zoning Administrator v. John R. Hall and Anna M. Hall,* In Chancery No. 170554 (Fx. Co. Cir. Ct.) (Braddock District)
- *Jane W. Gwinn, Fairfax County Zoning Administrator v. Emma C. Whitney, Duane Whitney, Edward Whitney, and Leslie Whitney,* In Chancery No. 152580 (Fx. Co. Cir. Ct.) (Providence District)
- *Jane W. Gwinn, Fairfax County Zoning Administrator v. Paul Klaassen and Teresa M. Klaassen,* Case No. 01-12357 (Fx. Co. Gen. Dist. Ct.) (Providence District)
- *Stephen H. Brown, John P. and Enid S. Palazzolo, and Ronald K. Fortin v. Fairfax County Board of Zoning Appeals, et al.,* At Law No. 188002 (Fx. Co. Cir. Ct.) (Providence District)

And in addition:

- Tax System Modernization Project, Contract Number RQ-96-0011716
- *Board of Supervisors of Fairfax County, Virginia, et al., versus Governors Run L.P., et al.*, At Law Number 190532
- *Virginia Code* Section 33.1-352, Signs in the State's Right-of-Way

Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor McConnell not yet having arrived.

Chairman Hanley announced that closed session would convene at 12:50 p.m.

DS:ds

At 2:55 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

63. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 6)

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."

ADDITIONAL BOARD MATTER

64. **CABLE TELEVISION FEES** (Tape 6)

(Note: Earlier in the meeting action was taken on this item. See Clerk's Summary Item CL#31.)

With reference to the Board's earlier discussion regarding cable fees, Chairman Hanley asked staff if there was a time frame on the cable issue. David P. Bobzien, County Attorney, replied that there was not a time deadline, and that staff was reviewing the issue.

Accordingly, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide that information at the next Board meeting, as an Information or Action Item, contingent upon staff recommendation. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

DMB:dmb

65. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-BR-061 (BOURJ LIMITED) (BRADDOCK DISTRICT)** (Tape 7)

(O) The Rezoning Application RZ 2000-BR-061 property is located in the southeast quadrant of the intersection of Little River Turnpike and Heritage Drive, Tax Map 70-2 ((1)) 1A, 9, and 10.

Mr. Carson Lee Fifer, Jr. reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. John T. Debell

Following the public hearing, Amy Parker, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-BR-061, from the C-3, C-4, C-5, HC, and SC Districts to the C-3, C-4, HC, and SC Districts, subject to the proffers dated June 7, 2001.
- Modification of the transitional screening requirements in favor of that shown on the Generalized Development Plan.

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

Supervisor Bulova further moved that the Board:

- Waive all waiting periods associated with this approval.
- Direct staff of the Department of Public Works and Environmental Services to expedite review of the revised site plan associated with this approval and any other submissions related to this project so that the applicant may achieve prompt approval of all permits necessary for the construction to proceed.

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

66. **3 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S00-IV-MV4 FOR THE SKY VIEW DRIVE AREA (LEE DISTRICT)** (Tape 7)

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 May 3 and May 10, 2001.

Following the public hearing, which included testimony by one speaker, Supervisor Kauffman moved adoption of the Out-of-Turn Plan Amendment S00-IV-MV4 with modifications to the plan language included in the document entitled "Motion for Sky View Drive (OTPA S00-IV-MV4)" distributed to Board Members and as recommended by the Planning Commission. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, and Supervisor Hudgins being out of the room.

67. **BOARD RECESS** (Tape 7)

At 3:15 p.m., the Board recessed briefly, and at 3:30 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Frey and Supervisor Hudgins, and with Chairman Hanley presiding.

68. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-006 (PUBLIC STORAGE, INCORPORATED) (MASON DISTRICT)** (Tape 7)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 01-M-006 until **June 25, 2001, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

69. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-008 (RUBY TUESDAY, INCORPORATED) (MASON DISTRICT)** (Tape 7)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 01-M-008 until **June 25, 2001, at 4:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Hudgins being out of the room.

70. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-M-009 (KFC OF AMERICA, INCORPORATED) (MASON DISTRICT)** (Tape 7)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 01-M-009 until **June 25, 2001, at 4:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

71. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) REGARDING PUBLIC STREET FRONTAGE REQUIREMENT AND MINOR ADJUSTMENT OF PROPERTY LINES FOR PROPERTIES ON PRIVATE STREETS** (Tape 7)

- (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 May 24 and May 31, 2001.

Following the public hearing, Supervisor Mendelsohn moved adoption of proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) regarding public street frontage requirement and minor adjustment of property lines for properties on private streets. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hudgins being out of the room.

72. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-11-2 "ADMINISTRATIVE HEARING FOR RELEASE OF MOTOR VEHICLE; DETERMINATION"** (Tape 7)

- (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 May 24 and May 31, 2001.

Following the public hearing, with input from Lieutenant David S. Vice, Traffic Division, Fairfax County Police Department, and Peter D. Andreoli, Senior Assistant County Attorney, Supervisor Connolly moved adoption of proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-11-2 "Administrative Hearing for Release of Motor Vehicle; Determination." Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hudgins being out of the room.

73. **BOARD RECESS** (Tape 7)

At 3:45 p.m., the Board recessed briefly, and at 4 p.m., reconvened in the Board Auditorium with all Members being present with the exception of Supervisor Bulova and Supervisor Mendelsohn, and with Chairman Hanley presiding.

74. **4 P.M. – PH REGARDING THE QUITCLAIM OF A SANITARY SEWER EASEMENT ON LAND OWNED BY EISENHOWER LIMITED LIABILITY COMPANY** (Tape 7)

(R) 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 May 24 and May 31, 2001.

Following the public hearing, Supervisor Kauffman moved that the Board adopt the Resolution authorizing the proposed quitclaim of a sanitary sewer easement on land owned by Eisenhower Limited Liability Company. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Hudgins, and Supervisor Mendelsohn being out of the room.

75. **4 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF CYRANDALL VALLEY ROAD (ROUTE 4948) AND VACATE THISTLE LANE AND A PORTION OF A TEN-FOOT-WIDE WALKWAY (PROVIDENCE DISTRICT)** (Tapes 7-8)

(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 May 24 and May 31, 2001.

Following the public hearing, Michael A. Davis, Department of Transportation, presented the staff and Planning Commission recommendations and noted that the public hearing has been modified to delete the vacation of Thistle Lane.

Supervisor Connolly moved adoption of the:

- Ordinance, Attachment III, vacating a portion of Cyrandall Valley Road and a portion of a ten-foot wide walkway.
- Order, Attachment IV, abandoning a portion of Cyrandall Valley Road.

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

76. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S00-IV-S1 FOR THE CINDER BED ROAD AREA (LEE DISTRICT)** (Tape 8)

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 May 24 and May 31, 2001.

Following the public hearing, Anita L. Capps, Planning Department, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved adoption of Out-of-Turn Plan Amendment S00-IV-S1, Cinder Bed Road, as recommended by the Planning Commission on May 31, 2001, with clarification by staff of the text regarding parcel plan residential use, and Parcels 18, 19, and 24, be added to the Newington Community Planning Sector and removed from the text for the I-95 Industrial Corridor area. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor Mendelsohn being out of the room.

77. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S98-CW-2CP FOR THE MERRIFIELD SUBURBAN CENTER (PROVIDENCE AND MASON DISTRICTS)** (Tapes 8-10)

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 May 24 and May 31, 2001.

Following the public hearing, which included testimony by 38 speakers, Supervisor Connolly moved adoption of Out-of-Turn Plan Amendment S98-CW-2CP as recommended by the Planning Commission with modifications shown on the handout entitled "Motion to Adopt Out-Of-Turn-Plan Amendment S98-CW-2CP with Modifications to the Planning Commission Recommendation" dated June 11, 2001. Supervisor Gross seconded the motion and it carried by unanimous vote.

Supervisor Connolly asked unanimous consent that the Board direct staff to invite the following individuals to appear before the Board to be recognized for their hard work and outstanding contribution to Fairfax County:

- Robert Mortensen, Chair, Merrifield Suburban Center Land Use Task Force, Gary Hurst, Task Force Co-Chairman, and all other members of the Task Force
- Staff members who worked with the Task Force, Planning Commission, and Providence District staff
- Hilary Zahm, formerly of the Providence District Supervisor's staff

- Sterling R. Wheeler, Branch Chief, Policy Planning and Plan Development Branch, Planning Division, Department of Planning and Zoning (DPZ)
- Charlene M. Fuhrman-Schultz, Planner, DPZ
- Clara Quintero Johnson, Planner, DPZ
- Robert O. Owolabi, Branch Chief, Long Range Planning, Transportation Planning Division, Department of Transportation, (DOT)
- Stander Sandhu, Long Range Planning, Transportation Planning Division, DOT
- William Ference, Senior Program Manager, Revitalization Division, Department of Housing and Community Development

Without objection it was so ordered.

78. **4:30 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON PORTIONS OF IDYLWOOD ROAD (ROUTE 695) (PROVIDENCE DISTRICT)** (Tape 10)

- (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 May 24 and May 31, 2001.

Following the public hearing, Supervisor Connolly moved adoption of the:

- Ordinance vacating a portion of Idylwood Road
- Order abandoning a portion of Idylwood Road

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

79. **4:30 P.M. – PH ON A PROPOSAL TO ABANDON A PORTION OF NALLS ROAD (MOUNT VERNON DISTRICT)** (Tape 10)

- (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 May 24 and May 31, 2001.

Following the public hearing, Supervisor Hyland moved adoption of the Order abandoning a portion of Nalls Road. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

80. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-C-060-8 (BATMAN/MCNAIR ASSOCIATES, LP) (HUNTER MILL DISTRICT)** (Tape 10)

Supervisor Hudgins moved to defer the public hearing on Proffered Condition Amendment Application PCA 87-C-060-8 until **August 6, 2001, at 3 p.m.** Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

81. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 76-M-112-2 (SEVEN OAKS II HOMEOWNERS ASSOCIATION) (MASON DISTRICT)** (Tape 10)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved to defer the public hearing on Proffered Condition Amendment Application PCA 76-M-112-2 until **June 25, 2001, at 5:30 p.m.** Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

82. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 99-D-043 (COMMUNITY WIRELESS STRUCTURES II, LLC) (DRANESVILLE DISTRICT)** (Tapes 10-12)

The Special Exception Application SE 99-D-043 property is located at 1089 Liberty Meeting Court, Tax Map 6-4 ((1)) 66B, 70A; 6-4 ((14)) A.

Michelle A. Rosati reaffirmed the validity of the affidavit for the record.

Ms. Rosati 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 25 speakers, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Special Exception Application SE 99-D-043, subject to the development conditions dated May 31, 2001.
- Modification of the transitional screening requirements along the southern and western boundaries in favor of the existing vegetation.

Supervisor McConnell seconded the motion.

Following discussion, the question was called on the motion and it **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hudgins and Supervisor Hyland voting "NAY."

83. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 76-M-112-2 (SEVEN OAKS II HOMEOWNERS ASSOCIATION) (MASON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#81.)

84. **5 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-P-021-3 (GESHER JEWISH DAY SCHOOL OF NORTHERN VIRGINIA, JEWISH COMMUNITY CENTER OF NORTHERN VIRGINIA) (MASON DISTRICT)** (Tapes 12-13)

The Special Exception Amendment Application SEA 81-P-021-3 property is located at 8900 Little River Turnpike, Tax Map 58-4 ((1)) 65A.

Ms. Marie B. Travesky reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Gross moved approval of Special Exception Amendment Application SEA 81-P-021-3, as recommended by the Planning Commission, subject to the development conditions dated April 26, 2001, revised as follows:

- In the second line of the first paragraph, correct the phrase "In the number of the Gesher School" to "In the name of the Gesher School."
- In Condition 31, replace the first sentence with the following: "The approval of the portion of the Special Exception Amendment SEA 81-P-021-3 for the private school of general education will be valid until July 1, 2003."

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

85. **5 P.M. – PH ON REZONING APPLICATION RZ 1999-MV-053 (JCE, INCORPORATED) (MOUNT VERNON DISTRICT)** (Tape 13)

- (O) The Rezoning Application RZ 1999-MV-053 property is located on the east side of Silverbrook Road, approximately 1,000 feet north of its intersection with Plaskett Lane, Tax Map 107-1 ((1)) 1.

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, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 1999-MV-053, from the R-1 District to the PDH-8 District, subject to the proffers dated May 15, 2001, consistent with those contained in Attachment 2 of the staff report addendum.
- Waiver of the maximum length of private streets, pursuant to Section 11-302 of the Zoning Ordinance.
- Authorization to release funds from the Lorton Area Road Fund for interim improvements to Silverbrook Road as addressed in the draft proffers for Rezoning Application RZ 1999-MV-053.

Supervisor Kauffman seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman,

Supervisor McConnell, and Supervisor Mendelsohn, voting "AYE," Chairman Hanley voting "NAY."

86. **5 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 98-D-023 (SUNRISE/INOVA MCLEAN ASSISTED LIVING LLC) (DRANESVILLE DISTRICT)** (Tape 13)

The Special Exception Amendment Application SEA 98-D-023 property is located on the east side of Springhill Road, north of the Dulles Airport Access and Toll Roads, Tax Map 29-1 ((20)) A (formerly 55).

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

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

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

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

Supervisor McConnell disclosed that she represents the County on the Board of Trustees of the Inova Health System Foundation.

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

- In excess of \$200 from Mr. Dario O. Marquez, Jr.

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

- In excess of \$200 from Mr. Dario O. Marquez, Jr.

Following the public hearing, Cathy Belgin, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Special Exception Amendment Application SEA 98-D-023, subject to the development conditions contained in Attachment I of the staff report addendum.
- Waiver of additional standard number 6 requiring sponsorship by a non-profit or limited distribution facility.

- Modification of additional standard number 2 to permit the accessory care units to be occupied by person other than residents of the elderly housing units for a period of three years from the issuance of the residential use permit or non-residential use permit, whichever is deemed to be appropriate.
- Waiver of the barrier requirement and modification of the transitional screening requirement on all peripheries in favor of the landscaping shown on the special exception amendment (SEA) plat.
- Modification of the loading requirement in favor of that shown on the SEA plat.

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

87. **5:30 P.M. – PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) REGARDING THE REAPPORTIONMENT ALTERNATIVES SUBMITTED TO THE BOARD BY THE CITIZENS ADVISORY COMMITTEE ON THE REAPPORTIONMENT OF THE ELECTION DISTRICTS OF THE BOARD OF SUPERVISORS**
(Tapes 13-14)

- (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 May 24 and May 31, 2001.

Following the public hearing, which included testimony by 12 speakers, Supervisor Connolly moved adoption of the proposed Amendment to the Code Of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District) by approving the Citizens Advisory Committee's Plan 9C with the following amendments:

- Move Keene Mill Precinct from Springfield District to Braddock District.
- Restore Hunt Precinct to Springfield District.
- Move West Springfield Precinct from Springfield District to Mount Vernon District.
- Divide Woodlawn Precinct (new boundary description Plan 9C) and restore the northern portion to Lee District.

- Divide Garfield Precinct (new boundary description Plan 9C) and move the southwestern portion from Lee District to Mount Vernon District.
- Divide North Springfield 3 Precinct (new boundary description Plan 9C) and move the northeastern portion from Braddock District to Mason District.
- Eliminate all suggested splits mentioned in the "Note" appearing on Map 9C.

Supervisor Bulova seconded the motion.

Following discussion, Supervisor McConnell asked to amend the motion to keep Hunt Precinct in Mount Vernon District and West Springfield Precinct in Springfield District. Supervisor Hyland 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."

Following discussion, with input from Michael Long, Senior Assistant County Attorney, and Carol Ann Coryell, Secretary, Electoral Board, Supervisor Mendelsohn asked to amend the motion to retain Stuart Precinct in the Dranesville District. Supervisor McConnell seconded the motion.

Following further discussion, the question was called on the motion which **FAILED** by a recorded vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE," Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "NAY."

Following additional discussion, the question was called on the main motion, as amended, which 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."

Supervisor Connolly moved that the Board adopt the document entitled "Attachment to Motion to Approve Reapportionment" that incorporates the changes described in the motion with the amendment. This motion, the second to which was inaudible, 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."

Supervisor Connolly asked unanimous consent that the Board invite the members of the Citizens Advisory Committee and all support staff of various County

Agencies that worked so hard to come before the Board to be recognized for their contribution to this process. Without objection, it was so ordered.

Following discussion, Chairman Hanley expressed appreciation to Supervisor Connolly for all of his time and efforts in working with the Board and committees on the reapportionment of the election districts. She also expressed her appreciation to Board Members.

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

At 10:30 p.m., the Board adjourned.

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