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The meeting was called to order at 9:30 a.m. with all Members being present, and with Chairman Hanley presiding.

Others present were Anthony H. Griffin, Acting County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Barbara M. Jenkins, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

2. **NEW YEAR'S GREETINGS** (Tape 1)

Chairman Hanley welcomed everyone to 1997 and wished everyone a Happy New Year.

3. **CLOSED CAPTIONING OF BOARD MEETINGS** (Tape 1)

Chairman Hanley announced that the Board Meetings will be closed captioned starting today. This captioning will replace the sign language interpretation.

(NOTE: Later in the meeting, an Information Item was presented on captioning. See Clerk's Summary Item CL#20.)

4. **RECENT DEATHS OF COMMUNITY MEMBERS** (Tape 1)

Chairman Hanley announced that the following community members passed away and will be greatly missed:

- Mr. Louis Silver from the Providence District;
- Ms. Lillian Horwatt from the Dranesville District; and
- Ms. Donna McFaul, the County's Cable Traffic Coordinator for the past 10 years.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. JOHN A. KEATING**
(Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Mr. John A. Keating for his years of service as Lee District Representative to the Human Rights Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. LORRAINE FOULDS** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to Ms. Lorraine Foulds for her years of service as Mason District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Frey stated that certain committee members expressed their readiness to enter information regarding trails surveys and inventories into the GIS System and asked unanimous consent that the Board direct staff to assist the Trails Committee in entering data into the GIS System. Without objection, it was so ordered.

7. **RESOLUTION IN RECOGNITION OF MR. JOHN DENOYER** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved adoption of the Resolution in recognition of Mr. John DeNoyer for his years of service on the Environmental Quality Advisory Council (EQAC). This motion was seconded by Vice-Chairman Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO "FAITH IN ACTION"** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to representatives of "Faith in Action," an event which updated churches, synagogues, charitable non-profits and other religious organizations on welfare reform changes. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Connolly being out of the room.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ROBERT V. L. HARTWELL** (Tape 1)

Supervisor Frey presented the Certificate of Recognition to Mr. Robert V. L. Hartwell for his years of service as an At-Large Representative on the Planning Commission.

10. **9:30 A.M. - PRESENTATION BY THE FAIRFAX-FALLS CHURCH UNITED WAY** (Tape 1)

Following a presentation by James F. McGuirk, President, UNISYS Federal Systems

Division, on the Fairfax-Falls Church United Way, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board endorse the efforts of the United Way. This motion was seconded by Supervisor Hyland.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **BOARD ORGANIZATION AND APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AGENCIES, COMMITTEES AND SUBCOMMITTEES**
(Tape 2)

(APPTS)

Supervisor Hyland moved approval of the following appointments to various regional agencies, committees and subcommittees:

**APPOINTMENTS TO VARIOUS REGIONAL AGENCIES, COMMITTEES,
AND SUBCOMMITTEES FOR CALENDAR YEAR 1997**

INTERJURISDICTIONAL COMMITTEES

ALEXANDRIA

Gerald Hyland - Chairman
Penelope Gross
Dana Kauffman

FALLS CHURCH

Gerald Connolly - Chairman
Penelope Gross
Stuart Mendelsohn

ARLINGTON

Penelope Gross - Chairman
Gerald Connolly
Stuart Mendelsohn

FORT BELVOIR

Dana Kauffman - Chairman
Gerald Hyland

DISTRICT OF COLUMBIA

Katherine Hanley - Chairman
Gerald Hyland
Dana Kauffman
Robert Dix

HERNDON

Stuart Mendelsohn - Chairman
Robert Dix

FAIRFAX CITY

Sharon Bulova - Chairman
Katherine Hanley
Gerald Connolly
Michael Frey
Elaine McConnell

LOUDOUN COUNTY

Michael Frey - Chairman
Robert Dix
Stuart Mendelsohn

PRINCE WILLIAM

(includes UOSA, City of Manassas, and City of Manassas Park)

Michael Frey - Chairman
Gerald Hyland
Elaine McConnell

INTERGOVERNMENTAL BOARDS AND COMMITTEES

(including Federal and State)

COUNCIL OF GOVERNMENTS (COG)

C.O.G. BOARD OF DIRECTORS

Katherine Hanley - Principal Sharon Bulova - Alternate
Gerald Connolly - Principal Penelope Gross - Alternate
Robert Dix - Principal Michael Frey - Alternate

C.O.G. METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE

Robert Dix - Principal
Katherine Hanley - Principal
Gerald Hyland - Principal
Gerald Connolly - Alternate

C.O.G. AIRPORT NOISE ABATEMENT

Stuart Mendelsohn - Principal
Michael Frey - Principal

C.O.G. HUMAN SERVICES & PUBLIC SAFETY POLICY COMMITTEE

Penelope Gross - Principal

C.O.G. METROPOLITAN DEVELOPMENT POLICY COMMITTEE

Michael Frey - Principal
Penelope Gross - Principal
Dana Kauffman - Principal

C.O.G. TRANSPORTATION PLANNING BOARD

Katherine Hanley - Principal Dana Kauffman - Alternate
Robert Dix - Principal Gerald Connolly - Alternate

INOVA HEALTH SYSTEMS

IHS HOSPITALS BOARD

Elaine McConnell

Penelope Gross

Sharon Bulova

LIAISON WITH CENTRAL FAIRFAX CHAMBER OF COMMERCE

Sharon Bulova

NORTHERN VIRGINIA PLANNING DISTRICT COMMISSION (NVPDC)

Sharon Bulova Penelope Gross Stuart Mendelsohn

Gerald Connolly Katherine Hanley

Robert Dix Elaine McConnell

NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC)

(including WMATA and VRE Representatives)

Gerald Hyland - Principal (WMATA & VRE)

Robert Dix

Sharon Bulova - Principal (VRE Operation)

Katherine Hanley

Dana Kauffman - Alternate (WMATA) & Principal (VRE Operation)

ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT DISTRICT COMMISSION

Katherine Hanley Michael Frey

Robert Dix Stuart Mendelsohn

TRANSPORTATION COORDINATING COUNCIL

Sharon Bulova Stuart Mendelsohn

Robert Dix Dana Kauffman

Katherine Hanley Gerald Connolly

Gerald Hyland Penelope Gross

VIRGINIA ASSOCIATION OF COUNTIES

(VACo must confirm recommended nominees)

Gerald Hyland

Gerald Connolly

Penelope Gross

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

(Appointed by NVTC. The Board will make recommendations for consideration.)

Gerald Hyland - Principal

Dana Kauffman - Alternate

INTRAGOVERNMENTAL AND OTHER SUBCOMMITTEES

AUDIT COMMITTEE

Katherine Hanley - Chairman
Sharon Bulova
Elaine McConnell

BOARD PROCEDURES

Gerald Connolly - Chairman
Robert Dix

BUDGET POLICY COMMITTEE

(Committee of the Whole)

Sharon Bulova - Chairman
Michael Frey - Vice-Chairman

DEVELOPMENT PROCESS COMMITTEE

(Committee of the Whole)

Michael Frey - Chairman
Penelope Gross - Vice-Chairman

ECONOMIC ADVISORY COMMITTEE

Elaine McConnell - Chairman
Gerald Connolly
Dana Kauffman

ENVIRONMENTAL SUBCOMMITTEE

(Committee of the Whole)

Gerald Hyland - Chairman

FIRE COMMISSION

Gerald Hyland - Chairman

GOVERNMENT REORGANIZATION SUBCOMMITTEE

(Committee of the Whole)

Sharon Bulova - Chairman
Stuart Mendelsohn - Vice-Chairman

HOUSING AND COMMUNITY DEVELOPMENT

(Committee of the Whole)

Dana Kauffman - Chairman
Robert Dix - Vice-Chairman

HUMAN SERVICES

(Committee of the Whole)

Katherine Hanley - Chairman
Penelope Gross - Vice-Chairman

INFORMATION TECHNOLOGY SUBCOMMITTEE

(Committee of the Whole)

Katherine Hanley - Chairman
Robert Dix - Vice-Chairman

INTERNAL AUDIT COMMITTEE

Sharon Bulova - Chairman
Michael Frey - Vice-Chairman

LEGISLATIVE COMMITTEE

(Committee of the Whole)

Robert Dix - Co-Chairman
Gerald Connolly - Co-Chairman

PERSONNEL

(Committee of the Whole)

Penelope Gross - Chairman
Stuart Mendelsohn - Vice-Chairman

TRANSPORTATION SUBCOMMITTEE

(Committee of the Whole)

Elaine McConnell - Chairman
Stuart Mendelsohn - Vice-Chairman

This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

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12. **10:00 A.M. - PUBLIC HEARING ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY) 1997 MIDYEAR REVIEW TO AMEND THE APPROPRIATION IN THE FY 1997 REVISED BUDGET PLAN** (Tapes 3-4)

(SAR)

(FPR)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of December 19, 1996.

Following the public hearing, which included testimony by six speakers, Supervisor Bulova moved approval of Supplemental Appropriation Resolution (SAR) AS 97043 and amendment to the Fiscal Planning Resolution (FPR) AS 97902 which includes the audit, revenue, expenditure, transfer and administrative adjustments (including a Police Crossing Guard at the Louise Archer Elementary School) contained in the County and School's Fiscal Year (FY) 1997 Midyear Review which results in a Combined General Fund Set Aside Reserve of \$25.4 million. This motion was seconded by Supervisor Hyland and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

Supervisor Bulova moved approval of the Consideration Items with the following change:

- Item Three - Sheriff Staffing of Mount Vernon and Mason District Lock-Ups: Change the net cost from \$10,000 to \$138,008, the amount which would be required to implement the pilot program in January to allow for potential State reimbursement to begin in FY 1998 rather than in FY 1999.

This motion was seconded by Supervisor Hyland.

Supervisor Hyland referred to Item One - Economic Development Authority (EDA): Advertising and Promoting the 1998 World Congress and Investors Conference (in the amount of \$875,000) and moved to amend the motion to earmark \$30,000 of this sum to fund the Visitors Center for the remainder of this fiscal year, coupled with the private sector contribution. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Dix asked to amend the motion to consider Item Five - Other Funds - No General Fund Impact - School Request to Provide Home Access to Cable Channel 39 separately, and this was accepted.

Supervisor Dix referred to Item Six - Restoration of Funding for Community Centers (in the amount of \$75,218) and asked to amend the motion to restore the amount to \$80,000, to extend the hours of the Community Centers from 9:00 p.m. to 10:00 p.m. on Friday and Saturday evenings, and this was accepted.

Following a query from Supervisor Mendelsohn regarding Item Seven - Restoration of Clinic Room Aides' Hours at 53 Elementary Schools, and input from Sandra M. Graumann, Assistant Director, Nursing Administration Office, Department of Health, the question was called on the motion to approve the Consideration Items, as amended, which carried by unanimous vote.

Following discussion regarding Item Five, with input from Edward L. Long, Jr., Director, Office of Management and Budget, Supervisor Frey moved to delete the two additional full-time staff positions required to expand this cable programming. This motion died for lack of a second.

Following further discussion, Supervisor Bulova moved approval of Consideration Item Five - Other Funds - No General Fund Impact - School Request to Provide Home Access to Cable Channel 39, including additional equipment and staff resources to expand programming (in the amount of \$413,000). This motion, the second to which was inaudible, **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell voting "NAY."

Supervisor Bulova moved Board appropriation of Federal/State grant awards and adjustments reflected in Attachment IV of the Memorandum to the Board dated January 6, 1997, resulting in a net increase of \$3,778,542 in appropriations to Subfund 107, Federal/State Grant Fund. This motion was seconded by Supervisor Connolly.

Following discussion, with additional input from Mr. Long, Supervisor Dix asked unanimous consent that the Board direct staff to provide a breakdown of the Police Department increase of \$1.2 million. Without objection, it was so ordered.

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

Supervisor Bulova moved approval of adjusting the Managed Reserve to maintain the Reserve at two percent of total Combined General Fund disbursements based on the actions taken by the Board as part of the FY 1997 Midyear Review. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

13. **10:30 A.M. - BOARD DECISION ON THE CONSOLIDATED PLAN: ONE YEAR ACTION PLAN FOR FISCAL YEAR (FY) 1998** (Tape 4)

[NOTE: On December 2, 1996, the public hearing was held on the Consolidated Plan: One Year Action Plan for Fiscal Year (FY) 1998 and decision deferred until January 6, 1997.]

Chairman Hanley noted, for the record, that the numbers reflected in this Board item have been revised since the Board's public hearing due to the receipt of the actual numbers from the United States (US) Department of Housing and Urban Development (HUD).

Supervisor Connolly moved that the Board:

- Adopt the Consolidated Plan: Proposed One Year Action Plan for Fiscal Year (FY) 1998 dated November 4, 1996, as prepared by the Consolidated Plan Review Committee (CPRC) with revisions recommended by the CPRC as outlined in Enclosure One;
- Authorize the Department of Housing and Community Development (HCD) to issue Requests for Proposals (RFPs) for the Affordable Housing Fund and Targeted Public Services for amounts up to those recommended by the CPRC as identified in the Memorandum to the Board dated January 6, 1997; and
- Authorize signature of the Consolidated Plan Certifications required by HUD.

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

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14. **ADMINISTRATIVE ITEMS** (Tape 5)

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

Chairman Hanley called the Board's attention to Administrative Item 14 - Authorization for the Sheriff and Acting County Executive, on Behalf of the Community Criminal Justice Board (CCJB), to Request Funding From the State Compensation Board for the Purchase of Live-Scan Fingerprint Units, and expressed concern that the County's reimbursement is based on a "fiscal stress factor" which is calculated independently for each jurisdiction. The elements of this calculation have not been shared by the Compensation Board.

Supervisor Dix called the Board's attention to Administrative Item 14 - Authorization for the Sheriff and Acting County Executive, on Behalf of the Community Criminal Justice Board (CCJB), to Request Funding from the State Compensation Board for the Purchase of Live-Scan Fingerprint Units and Administrative Item 13 - Supplemental Appropriation Resolution (SAR) AS 97015 for the Fairfax County Sheriff, on behalf of the Community Criminal Justice Board to Accept Grant Funds from the Department of Criminal Justice Services to Support the Criminal Justice Information Technology Project and asked unanimous consent

that the Board direct staff to provide an accounting of the availability of funds in the Office of the Sheriff. Following discussion, with input from James A. Vickery, Chief Deputy Sheriff, and Anthony H. Griffin, Acting County Executive, without objection, the request was so ordered.

Supervisor Frey called the Board's attention to Administrative Item 6 - Authorization to Advertise a Public Hearing Regarding the Leasing of County-Owned Property Located at 5634 Mount Gilead Road and a brief discussion ensued with input from Fred K. Kramer, Director, Department of General Services.

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

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

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated January 6, 1997 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Beverly Manor, Phase I	Dranesville	Beverly Road, Route 1807 Fleetwood Road, Route 1825, Additional right-of-way only
Compton Village, Section II	Sully	Roamer Lane, Route 8614 Roamer Court
Little Rocky Run, Section 60	Sully	Rock Brook Court Whetstone Manor Court

ADMIN 2 - EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITY REVIEW APPLICATIONS

Authorized the extension of the review period for the 10 Public Facility Review Applications listed in the Memorandum to the Board dated January 6, 1997 to a date of July 6, 1997 to ensure compliance with the 60-day review requirement mandated by Section 15.1-456 of the *Code of Virginia*.

ADMIN 3 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF COOL SPRING DRIVE AND WOODACRE STREET (MOUNT VERNON DISTRICT)

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

- Cool Spring Drive (Route 2159) and Woodacre Street (Route 8747); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of multi-way stops and install these signs at the earliest possible date.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY COMMERCIAL REVITALIZATION BOND PROJECT - ROUTE 1 STREETScape (LEE AND MOUNT VERNON DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 27, 1997 at 4:00 p.m.** on the acquisition of interests in real property necessary for the construction of County Commercial Revitalization Bond Project 008914 - Route 1 Streetscape.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF COUNTY-OWNED PROPERTY LOCATED AT 4100 CHAIN BRIDGE ROAD, FAIRFAX, TO AT&T WIRELESS SERVICES (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 27, 1997 at 3:30 p.m.** regarding the proposed leasing of County-owned property located at 4100 Chain Bridge Road, Tax Map Number 57-4((01))14, to AT&T Wireless Services for the purpose of installing telecommunications antennae on the rooftop.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE LEASING OF COUNTY-OWNED PROPERTY LOCATED AT 5634 MOUNT GILEAD ROAD, CENTREVILLE (SULLY DISTRICT)

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

Authorized the advertisement of a public hearing to be held before the Board on **January 27, 1997 at 3:30 p.m.** regarding the proposed leasing of County-owned property located at 5634 Mount Gilead Road, Tax Map Number 54-4((1))-9E, which consists of 3.07 acres of land with a residential structure of 1,728 square feet.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD) TO EXPAND THE ROBINSON RPPD, DISTRICT 17 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 27, 1997 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking Districts (RPPD), Appendix G, to expand the existing Robinson RPPD, District 17, to include Gainsborough Drive (Route 4815) from Orkney Court (Route 5185) to Rodney Court (Route 5186), and Gainsborough Drive (Route 4815) from Cascade Lane (Route 5184) to Lister Court (Route 5183).

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD), TO ESTABLISH THE JEFFERSON RPPD, DISTRICT 27 (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 27, 1997 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking Districts (RPPD), Appendix G, to establish the Jefferson RPPD, District 27.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD) TO EXPAND THE MOUNT VERNON RPPD, DISTRICT 24 (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 27, 1997 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking Districts (RPPD), Appendix G, to expand the existing Mount Vernon RPPD, District 24, to include Nalls Road (Route 6608) from Old Mount Vernon Road (Route 623) to Pram Way (Route 6607); Pram Way (Route 6607) from Nalls Road (Route 6608) to Quisenberry Drive (Route 6605); and Quisenberry Drive (Route 6605) from Gibbs Street (Route 6606) to the end.

ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97048 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO ACCEPT GRANT FUNDING FROM THE BUREAU OF JUSTICE ASSISTANCE UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM

(SAR) Authorized Supplemental Appropriation Resolution (SAR) AS 97048 in the amount of \$213,656 from the Bureau of Justice Assistance to fund overtime costs for the Police Department. Approval of this request will necessitate a local cash match of \$23,739 for which funding is available in Subfund 107, Federal/State Grant Fund.

ADMIN 11 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97049 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ADMINISTERED BY THE VIRGINIA DEPARTMENT OF EMERGENCY SERVICES

(SAR) Authorized Supplemental Appropriation Resolution (SAR) AS 97049 in the amount of \$32,000 from the Federal Emergency Management Agency (FEMA), administered by the Virginia Department of Emergency Services, for the Fire and Rescue Department's Urban Search and Rescue team.

ADMIN 12 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97050 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT A GRANT FROM THE UNITED STATES (U.S.) AGENCY FOR INTERNATIONAL DEVELOPMENT, BUREAU FOR HUMANITARIAN RESPONSE'S OFFICE OF U.S. FOREIGN DISASTER ASSISTANCE

(SAR) Authorized Supplemental Appropriation Resolution (SAR) AS 97050 in the amount of \$120,000 from United States (U.S.) Agency for International Development, Bureau for Humanitarian Response's Office of U.S. Foreign Disaster Assistance, to enhance the Fire and Rescue Department's international search and rescue capabilities.

ADMIN 13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97051 FOR THE FAIRFAX COUNTY SHERIFF, ON BEHALF OF THE COMMUNITY CRIMINAL JUSTICE BOARD (CCJB), TO ACCEPT GRANT FUNDS FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO SUPPORT THE CRIMINAL JUSTICE INFORMATION TECHNOLOGY PROJECT

(SAR) (NOTE: Earlier in the meeting, the Board discussed this item. See page 10.)

Authorized Supplemental Appropriation Resolution (SAR) AS 97051 in the amount of \$350,000 from the Department of Criminal Justice Services for the Fairfax County Sheriff, on behalf of the Community Criminal Justice Board (CCJB), to accept for support of the

Criminal Justice Information Technology Project. A local cash match of \$87,500 is required, which is available from the General Fund budget of the Office of the Sheriff. The funds will be used to upgrade the NOVARIIS system so that it will be able to accept data from live-scan fingerprint equipment.

ADMIN 14 - AUTHORIZATION FOR THE SHERIFF AND ACTING COUNTY EXECUTIVE, ON BEHALF OF THE COMMUNITY CRIMINAL JUSTICE BOARD (CCJB), TO REQUEST FUNDING FROM THE STATE COMPENSATION BOARD FOR THE PURCHASE OF LIVE-SCAN FINGERPRINT UNITS

(NOTE: Earlier in the meeting, the Board discussed this item. See page 10.)

Authorized the Sheriff and the Acting County Executive, on behalf of the Community Criminal Justice Board (CCJB), to request funding from the State Compensation Board for the purchase of up to five live-scan fingerprint units estimated to cost \$75,000 each, for an estimated total of \$375,000. Matching funds estimated to be \$172,200 may be required and will be located within the budget of the Office of the Sheriff.

(NOTE: Later in the meeting, there was additional action regarding this item. See Clerk's Summary Item CL#29.)

15. **A-1 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) ENHANCEMENT PROGRAM PROJECTS (COUNTYWIDE)** (Tape 5)

- (R) [NOTE: On December 9, 1996, the public hearing was held on the Virginia Department of Transportation Enhancement Program Projects (Countywide) and Board decision was deferred until January 6, 1997.]

Supervisor Kauffman moved that the Board concur in the recommendation of staff and adopt the Resolution endorsing the proposed enhancement projects to be submitted to the Commonwealth Transportation Board (CTB) for funding, as outlined in the Memorandum to the Board dated January 6, 1997. This motion was seconded by Supervisor Connolly.

Following discussion, with input from Angela R. Fogle, Transportation Planner III, Office of Transportation, Supervisor Hyland moved to amend the motion to add the trail along Gunston Road as one of the projects to be submitted to the State.

Following discussion, with input from Ms. Fogle, the amendment to the motion died for lack of a second.

Following further discussion, with input from Anthony H. Griffin, Acting County Executive, and Ms. Fogle, Supervisor Dix moved to amend the motion that the Board concur in endorsing the forwarding of the following projects for the Town of Vienna through the Transportation Planning Board (TPB) in addition to the other Fairfax County projects:

- Streetscape improvements between the Church Street and Maple Avenue renovation projects; and
- Inclusion of the Town of Vienna as a site sponsor for identification of the Freeman House/Museum within the Virginia Civil War Trails project.

This amendment was seconded by Supervisor McConnell.

The question was called on the amendment to the motion which carried by a vote of nine, Supervisor Mendelsohn out of the room.

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

16. **A-2 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT FOR THE COMPLETION OF ROBERTS ROAD FROM NELLIE WHITE LANE TO COLLINGHAM DRIVE (BRADDOCK DISTRICT)** (Tape 5)

Supervisor Bulova moved that the Board concur in the recommendation of staff and endorse the Virginia Department of Transportation (VDOT) design plans for the completion of Roberts Road as a reverse-frontage roadway from Nellie White Lane (Route 5191) to Collingham Drive (Route 5480) as presented at the November 19, 1996 public hearing, including the provision of a six-foot asphalt trail on the west side with amendments. This endorsement includes the following comments for VDOT's consideration:

- Review and, where possible, revise the design to reduce impacts to adjacent properties and attempt to save mature trees near the project grading limits;
- Review and, if possible, revise the design to improve drainage and reduce drainage easement impacts near houses on Zion Drive, Willa Mae Court, and Laura Belle Lane;
- Evaluate the need for a traffic signal at the intersection of Roberts Road and Commonwealth Boulevard and, if warranted, install the signal with this project;
- Provide pedestrian actuation at all signalized intersections to allow for safe pedestrian crossings of Roberts Road and side streets;

- Review and, if necessary, provide enhanced pedestrian crossing safety measures throughout the length of Roberts Road with special consideration for the needs of those using neighborhood schools;
- Review and, if necessary, provide improved traffic signage and lane striping at all side street approaches throughout the length of Roberts Road; and
- Examine and, if necessary, implement measures to encourage drivers to obey speed limits, with particular attention given to the location of neighborhood schools.

Supervisor Bulova further moved that the Board direct staff to:

- Delete the paragraph on page 65 as contained in the Memorandum to the Board dated January 6, 1997 in which staff does not recommend the construction of fencing or the planting of trees. (Supervisor Bulova noted that Delegate Jack Rust stated during a walk-through of the area that he will try to secure fencing and/or landscaping at the General Assembly level); and
- Recommend that an all-way stop be considered at the intersection with Collingham Drive.

This motion was seconded by Supervisor McConnell.

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

17. **A-3 - BROOKSIDE DRIVE CUT-THROUGH TRAFFIC (MASON DISTRICT)**
(Tape 5)

(R) On motion of Supervisor Gross, seconded by Supervisor Dix, and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room, the Board concurred in the recommendation of staff and:

- Adopted the Resolution requesting the Virginia Department of Transportation (VDOT) to conduct a review and address possible solutions to the cut-through traffic concerns on Brookside Drive from Little River Turnpike to Braddock Road; and
- Directed staff to provide the necessary documentation with the Resolution.

18. **A-4 - REVISIONS TO CHAPTERS 4, 10 AND 16 OF THE PERSONNEL**

REGULATIONS REGARDING ALLOWANCES GRANTED UNIFORMED FIRE EMPLOYEES, SHIFT DIFFERENTIAL, SICK LEAVE AND THE CODE OF ETHICS (Tape 5)

On motion of Supervisor Gross, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Mendelsohn being out of the room, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 4, 10 and 16 of the Personnel Regulations regarding allowances granted to Uniformed Fire and Rescue Department employees, shift differential, sick leave and the Code of Ethics.

19. **I-1 - RETIREMENT SYSTEMS RECEIVE 1996 PUBLIC PENSION PRINCIPLES ACHIEVEMENT AWARD** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 announcing that the Retirement Systems have been awarded the Public Pension Principles Achievement Award for 1996, which is sponsored by the Public Pension Coordinating Council.

20. **I-2 - CLOSED CAPTIONING OF BOARD OF SUPERVISORS' MEETING ON CHANNEL 16** (Tape 5)

(NOTE: Earlier in the meeting, this item was mentioned. See Clerk's Summary Item CL#3.)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 stating that today's Board meeting is the first meeting to be captioned for the hearing impaired. Closed captions will replace the televised sign language interpreter previously seen in the lower right hand corner of Channel 16 cablecasts at Board of Supervisors' meetings.

A brief discussion ensued.

21. **I-3 - PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 456-V96-8, AT&T WIRELESS SERVICES (MOUNT VERNON DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 outlining the Planning Commission action on Public Facilities Application 456-V96-8, AT&T Wireless Services. The Commission noted that the application was not in accord with the Comprehensive Plan, inasmuch as the subject property is planned for residential use, and suggested that the applicant seek an alternate location for the telecommunications facility, such as the stadium light poles at Mount Vernon High School.

22. **I-4 - ACQUAINTING REPRESENTATIVES OF RELIGIOUS INSTITUTIONS AND NON-PROFIT ORGANIZATIONS WITH FAIRFAX COUNTY'S DEVELOPMENT PROCESS (COUNTYWIDE)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 requesting authorization for staff to proceed to implement a program to invite representatives of religious institutions and non-profit organizations from across the County to attend a general "pre-application" meeting to be held at the Government Center, which will include presentations by staff from the Office of Comprehensive Planning (OCP); the Department of Environmental Management (DEM); the Office of Transportation (OT); and the Virginia Department of Transportation (VDOT) with regard to the special permit, special exception, Site Plan and building plan review processes.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, Supervisor Hyland asked unanimous consent that the Board direct staff to review the idea of designating a particular staff member to serve as a point-of-contact for non-profit organizations. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

23. **I-5 - BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 1997** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 requesting authorization for staff to proceed with the implementation of the proposed Board Meeting Schedule for the entire 1997 Calendar Year.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to schedule a meeting for December 1, 1997.

Following further discussion, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP), Chairman Hanley withdrew her motion and asked unanimous consent that the Board direct staff to provide the Planning Commission's schedule for the Annual Plan Review. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Dix asked unanimous consent that the Board direct staff to examine other options for the Board to consider the Annual Plan Review (APR), if it was determined that additional meeting time was necessary. Without objection, it was so ordered.

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

24. **I-6 - CONTRACT AWARD - CONSTRUCTION OF A MINIATURE GOLF COURSE AND RELATED WORK AT JEFFERSON DISTRICT PARK (PROVIDENCE DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 requesting authorization for the Park Authority to award a contract in the amount of \$422,598 to John Simpson, Incorporated, of Fairfax, Virginia for the construction of a miniature golf course and related work at Jefferson District Park as part of Project 475888, Park Building Renovation, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

25. **I-7 - CONTRACT AWARD - ANNUAL CONTRACT FOR GENERAL UTILITIES CONSTRUCTION SERVICE (COUNTYWIDE)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 requesting authorization for staff to award a contract in the amount of \$492,997.50 to C&F Construction Company for the construction of sidewalks, curb and gutters, driveways, asphalt, and other general construction items. This work will be performed as required on various capital construction projects administered by the Department of Public Works.

The staff was directed administratively to proceed as proposed.

26. **I-8 - CONTRACT AWARD - ANNUAL CONTRACT FOR GEOTECHNICAL ENGINEERING SERVICES (COUNTYWIDE)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 requesting authorization for staff to award a contract in the amount of \$200,000 for Calendar Year 1997 to Law Engineering and Environmental Services, Incorporated, for the provision of geotechnical engineering services on projects authorized by the County.

The staff was directed administratively to proceed as proposed.

27. **I-9 - CONTRACT AWARD FOR A COMMERCIAL REVITALIZATION ANALYSIS (BRADDOCK, MASON, LEE AND MOUNT VERNON DISTRICTS)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated January 6, 1997 requesting authorization for staff to award a contract in the amount of \$200,000 to Robert Charles Lesser and Company and in the amount of \$165,300 to Hunter Interests, Incorporated, with an allowance of approximately 15 percent additional for pass through costs associated with language interpreter services and production of a marketing profile.

Following discussion, with input from Kathleen Mitchell, Director, Division of Revitalization, Department of Housing and Community Development (HCD), staff was directed administratively to proceed as proposed.

BOARD MATTERS

PMH:pmh

28. **APPOINTMENT OF SUPERVISOR GERALD HYLAND AS VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 1997** (Tape 6)

(BACs)

(APPTS)

Supervisor Kauffman moved the appointment of Supervisor Hyland as the Vice-Chairman to the Board of Supervisors. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

29. **ADDITIONAL DISCUSSION REGARDING ADMINISTRATIVE ITEM, ADMIN 14 - AUTHORIZATION FOR THE SHERIFF AND ACTING COUNTY EXECUTIVE, ON BEHALF OF THE COMMUNITY CRIMINAL JUSTICE BOARD (CCJB), TO REQUEST FUNDING FROM THE STATE COMPENSATION BOARD FOR THE PURCHASE OF LIVE-SCAN FINGERPRINT UNITS** (Tape 6)

(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#14.)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland, called the Board's attention to Administrative Item, Admin 14 - Authorization for the Sheriff and Acting County Executive, on behalf of the Community Criminal Justice Board (CCJB), to request funding from the State Compensation Board for the purchase of live-scan fingerprint units, and moved that the Board direct the Acting County Executive to write and inquire of the State Compensation Board the "fiscal stress factor" on this item to determine how the funds will be reapportioned to the Office of the Sheriff. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

30. **REQUEST TO FORWARD INFORMATION TO THE SCHOOL BOARD REGARDING THE ANALYSIS OF THE COST PER PAYROLL CHECK** (Tape 6)

Chairman Hanley asked unanimous consent that the Board direct staff to refer information regarding the analysis of the cost per payroll check to the School Board. Without objection, it was so ordered.

31. **AFRICAN AMERICAN HISTORY MONTH** (Tape 6)

Chairman Hanley noted that February is nationally recognized as African American History Month. In conjunction with federal observances, the Office of Equity Programs requests that Fairfax County observe February as African American History Month.

Therefore, Chairman Hanley moved that the Board direct staff to invite representatives from the Office of Equity Programs and the African American community to appear before the Board on January 27, 1997 to receive a Proclamation declaring African American Month in Fairfax County. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

32. **CABLE REFRANCHISING** (Tape 6)

Chairman Hanley said that as the cable refranchising process continues to progress, Board Members are being asked to answer questions about the process, the current franchise, and cable television service in general with increasing frequency. Many of these questions involve complicated issues or require access to information.

Therefore, Chairman Hanley moved that the Board and the Acting County Executive schedule a cable television/refranchising workshop to give staff an opportunity to make a presentation on these issues, and to answer questions from Board Members. This motion, the second to which was indistinguishable, carried by a vote of nine, Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, there was additional action regarding cable television. See Clerk's Summary Item CL#51.)

33. **MR. RICK WORMELI OF HERNDON HIGH SCHOOL SELECTED AS NATIONAL ENGLISH TEACHER OF THE YEAR** (Tape 6)

Supervisor Mendelsohn announced that Mr. Rich Wormeli of Herndon High School was selected as the National English Teacher of the Year.

34. **ANNOUNCING MOUNT VERNON DISTRICT'S 10TH ANNUAL TOWN MEETING - SATURDAY, JANUARY 25, 1997** (Tape 6)

Supervisor Hyland said that the 10th Annual Town Meeting is scheduled to be held on Saturday, January 25, 1997 at 9:00 a.m. at Mount Vernon High School in the "Little Theatre" Auditorium, 8515 Old Mount Vernon Road.

Supervisor Hyland stated that invited panelists include:

- Board of Supervisors Chairman, Katherine K. Hanley;
- Acting County Executive, Anthony H. Griffin;
- Fairfax County School Superintendent, Dr. Robert Spillane;
- School Board Chairman, Kristen J. Amundson;
- Lee District Supervisor, Dana Kauffman;
- Kathleen Mitchell, Revitalization Director; and
- Toddy Puller, Member of the Virginia House of Delegates - 44th District.

Upon conclusion of the presentations, questions will be taken from the audience.

35. **LEGISLATIVE CONSIDERATION REQUESTED FOR VEHICLES TO TURN ON HEADLAMPS WHEN WINDSHIELD WIPERS ARE OPERATING** (Tape 6)

Supervisor Hyland referred to his written Board Matters regarding the advantage of turning on vehicle headlamps whenever windshield wipers are in operation. He noted that a constituent who is also a safety consultant indicates that having vehicle headlamps on whenever windshield wipers are on could make it much safer on the highways for operators and pedestrians.

Accordingly, Supervisor Hyland asked unanimous consent that this matter be placed on the next agenda of the Legislative Committee for consideration as an item worthy of support by the Board. Without objection, it was so ordered.

36. **ESTABLISHING AN URBAN/RURAL SISTER COUNTY RELATIONSHIP CLOSE TO HOME** (Tape 6)

Supervisor Hyland said that he previously proposed to the Board of Directors of the Virginia Association of Counties (VACo) that a program to match urban and rural, large and small counties in sister-county relationships in Virginia be established.

Supervisor Hyland referred to his written Board Matters regarding this matter and announced that Mr. William B. Kyger, Jr. of the Rockingham County Board of Supervisors and a member of the Board of Directors of VACo has expressed his commitment to propose a sister-county relationship to his Board in the belief that it will be beneficial to his county and Fairfax County.

Accordingly, Supervisor Hyland moved that the Board propose to establish a sister-county relationship with Rockingham County, a predominantly rural jurisdiction and upon receipt of a commitment to enter such relationship from Rockingham County to formalize same with appropriate written documents and ceremony. This motion was seconded by Supervisor Bulova.

Supervisor Bulova congratulated Supervisor Hyland on his efforts and reminded Board Members that Delegate Toddy Miller initiated a sister relationship with rural schools.

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

37. **ISSUES AND CONCERNS REGARDING THE SOUTH FAIRFAX BUSINESS RESOURCE CENTER (SFBRC)** (Tape 6)

Supervisor Hyland stated that the Fairfax County Economic Development Authority (EDA) has expressed interest in becoming the agency with oversight over the South Fairfax Business Resource Center (SFBRC). He expressed concern about the interest on the part of the EDA.

Supervisor Hyland expressed concern that the loan program has not been able to "get off the ground" and it appears that it will be August before the plan is ready. He noted that the United States (US) Department of Housing and Urban Development (HUD) reservation of the funding has been extended to September. He said that by the time the program is ready Fairfax County may not be able to utilize federal funding.

Supervisor Hyland asked unanimous consent that the Board direct staff to report with information as to:

- The number of businesses formed to date with the funds that have been committed; and
- How to get the loan program up and going and ensuring that the federal funding can be utilized.

Without objection, it was so ordered.

38. **REQUEST TO SUPPORT THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION APPLICATION FOR ACCESS ROAD FUNDS TO THE MASON NECK STATE PARK** (Tape 6)

- (R) Supervisor Hyland said that on December 12, 1996, the Grants Administrator for the Department of Conservation and Recreation of the Commonwealth of Virginia wrote requesting the Board's support in their seeking access road funds. Those funds will be used to upgrade an existing roadway that leads to their new education center.

Supervisor Hyland moved that the Board adopt the Resolution which will allow the Commonwealth of Virginia, Department of Conservation and Recreation, to apply for

access road funds to the Mason Neck State Park with the provision that this request will not affect the availability of funds from the State to Fairfax County. The second to this motion was indistinguishable.

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

Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked to amend the motion to direct staff to report with information about recreation access funds and how Fairfax County can obtain funds. Without objection, it was so ordered.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

39. **OPENING OF THE RESTON EAST PARK-AND-RIDE LOT** (Tape 6)

Supervisor Dix announced the opening of the Reston East Park-and-Ride Lot. He expressed appreciation to the Office of Transportation and the Department of Public Works for their efforts. He asked unanimous consent that the Board direct staff and request the Transportation Management Association to:

- Continue to monitor the use of the Reston North and East Park-and-Ride lots; and
- Keep the Board advised as to whether adjustments are needed in the routing of the buses that server those lots.

Without objection, it was so ordered.

40. **TOWN OF VIENNA, CHIEF OF POLICE, DANIEL KERR RELOCATES**
(Tape 6)

Supervisor Dix announced that the Town of Vienna, Chief of Police, Daniel Kerr, is leaving to take a position in Florida. He noted that Chief Kerr is a retired Fairfax County Police Officer.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Chief Kerr to appear before the Board to be recognized for his years of service to the Town of Vienna and Fairfax County. Without objection, it was so ordered.

41. **CHILD SAFETY SEATS** (Tape 6)

Supervisor Dix announced that in Fairfax County over 90 percent of the child safety seats checked have been incorrectly installed which leaves children at risk. Supervisor Dix noted the following data:

- Of 70 seats checked one day, not one was installed correctly.

Several children were actually riding in seats that had previously been recalled by manufacturers for safety reasons; and

- Of 117 seats checked, only three were correctly installed at a recent holiday checkpoint.

Supervisor Dix moved that the Board:

- Direct the Office of Public Affairs to cooperate with the Police Department in their continuing efforts to increase public awareness of this matter; and
- Emphasize the importance of:
 - Correct installation of child safety seats in the back seat; and
 - All children under the age of 12 should always be placed in the back seat of motor vehicles;
- Encourage the media to run public service announcements reminding parents of this important safety factor.

Supervisor Dix stated that should parents or other custodial care givers have questions or concerns about the correct use of child safety seats, they should contact the Fairfax County Police Department at (703) 280-0559.

This motion was seconded by Supervisor Connolly.

Following remarks by Supervisor Connolly, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to request the Public Safety and Humans Services Subcommittee of the Council of Governments (COG) to consider making this campaign a regional effort, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Bob Wall, Master Trainer for the Fairfax County Police Department, commented on the importance of correctly installing child safety seats.

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

42. **EMPLOYER OUTREACH PROGRAM** (Tape 6)

Supervisor Dix stated that he had a copy of a letter from the three transportation management associations regarding the date of submitting proposals for the Employer Outreach Program and he asked unanimous consent that the Board direct staff to report with information regarding this issue.

Following comments by Anthony H. Griffin, Acting County Executive, without objection, the request was so ordered.

43. **CITIZENS ADVISORY COMMITTEE (CAC) ON SOLID WASTE** (Tape 6)

(BACs)

Supervisor Dix stated that he had been advised that there are issues and concerns within the Citizens Advisory Committee (CAC) on Solid Waste and he asked unanimous consent that the Board direct this staff to review these issues. Without objection, it was so ordered.

CM:cm

44. **THE HOLIDAY SPIRIT IN PROVIDENCE DISTRICT** (Tape 7)

Supervisor Connolly stated that in recent weeks Providence District was graced by a series of events that truly exemplify the spirit of the holiday season. A few weeks before the Christmas holidays a grandmother and her seven school aged grandchildren, for whom she is the sole source of support were about to be evicted from public housing. The day the eviction was to be enforced, Sheriff Carl Peed intervened to delay the eviction and give the County time to develop a plan to assist the family. With the assistance of Sheriff Peed, Verdia Haywood, Deputy County Executive for Human Services; John Callaghan of the Department of Housing and Community Development; and Suzanne Manzo, Director, Department of Family Services, a long term plan was put in place to assure housing for this family.

Supervisor Connolly stated that after the housing issue was resolved, Officers Tom Black and Mike Shamblin, and Diane Cameron, School Social Worker, on their own initiative, worked to ensure that this family had the best Christmas possible. They contacted Paxton Van Lines, who agreed to donate three sets of bunk beds, six dressers, over \$100 for Christmas dinner, and gifts for the children. Supervisor Connolly expressed thanks also to Fred Paxton, owner of the company; B.J. Shamblin, Paxton Van Lines Director of Personnel, who also happens to be Officer Shamblin's father; and Larry Porter and Michael Wright, both employees of Paxton Van Lines.

Supervisor Connolly sent his most heartfelt thanks to Mr. Paxton and his employees for this outpouring of generosity.

45. **REDEDICATION OF DOUGLASS AVENUE IN HONOR OF FREDERICK DOUGLASS** (Tape 7)

Supervisor Connolly informed the Board of the need to rededicate Douglas Avenue. For years the street signs reading "Douglas Ave" have stood at the corners of a small, dead-end street in the historic and vibrant Southgate/James Lee community in Providence District. Douglas Avenue may be small, but its significance is not. The street was named for Frederick Douglass, former slave, noted author and the leading spokesman of American Blacks in the 1800s -- whose name is spelled with two "s's" not one, as the street sign now indicates. This mistake was recently discovered by Rick Turman, Chairman of the Historical Society of the City of Falls Church, while he was researching Black history in this area. Mr. Turman petitioned the Falls Church City Council earlier this year, during Black History Month, to correct this unfortunate error on the City side of Douglas Avenue and the signs in the City have been changed. The mistake remains on the County portion of the block, however.

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

- Take the necessary steps to correct this mistake on all maps and records and to have new signs installed so that residents and visitors will take pride in knowing that they are on Frederick Douglass Avenue in the Providence District;
- Expedite this matter so that the corrected sign can be installed to coincide with the celebration of Frederick Douglass' birthday and Black History Month in February; and
- Work with the James Lee Community and Providence District Supervisor's staff on arranging a rededication ceremony of Frederick Douglass Avenue at that time.

This motion was seconded by Supervisor Hyland and carried by unanimous vote.

46. **LUTHER JACKSON MIDDLE SCHOOL SELECTED AS NATIONAL 'SCHOOL OF EXCELLENCE'** (Tape 7)

Supervisor Connolly informed the Board that Luther Jackson Middle School and Principal Michael Doran were honored at the White House last month as one of five schools across the country to receive the '1996 School of Excellence' award by Hispanic Magazine and Ryder Systems, Incorporated. The program honors schools which offer excellence in academic and enrichment programs that target minority students. The selection panel reviewed the criteria including teaching environment, curriculum and instruction, parent and community support and at success indicators including student performance, post-graduate pursuits, graduation rates, students and teacher awards. Such a prestigious award and the work being done at Luther Jackson deserves recognition and support.

Supervisor Connolly asked unanimous consent that the Board direct staff to invite

Dr. Doran, the appropriate staff, and community and business leaders involved in these programs to appear before the Board, as soon as possible, to be recognized. Without objection, it was so ordered.

47. **LAND DEDICATIONS TO THE PARK AUTHORITY** (Tape 7)

Supervisor Connolly informed the Board of an issue involving the conveyance of proffered land to the Park Authority. During the rezoning process applicants proffer to dedicate land to the Park Authority. This proffered land usually transfers first to the Board who then have the responsibility of conveying the land to the Park Authority. Representatives of the Park Authority have expressed concerns regarding a time delay in the conveyance of these lands.

Following a response by Anthony H. Griffin, Acting County Executive, Supervisor Connolly asked unanimous consent that the Board direct staff to report with the number and status of proffered land dedications to the Park Authority presently being held by the Board. Without objection, it was so ordered.

48. **APPOINTMENT OF MR. JOHN BARBA AS THE PROVIDENCE DISTRICT REPRESENTATIVE TO THE TREE COMMISSION** (Tape 7)

(APPT)

Supervisor Connolly moved the appointment of Mr. John Barba as the Providence District Representative to the Tree Commission to fill the unexpired term of Ms. Virginia Darr. This motion was seconded by Chairman Hanley and carried by unanimous vote.

49. **FOLLOW-UP TO THE LEGISLATIVE COMMITTEE MEETING** (Tape 7)

Supervisor Connolly informed the Board that a draft letter has been circulated to Board Members on proposed legislation concerning the use of public property.

Supervisor Connolly moved that the Board approve the letter. This motion was seconded by Supervisor Hyland.

Following a brief discussion, Chairman Hanley expressed her appreciation to Michael Long, Assistant County Attorney, for all of his hard work on the letter.

Supervisor Hyland asked to amend the motion to add a sentence to page two, paragraph one, expressing the idea that whether the property is public or private, firms will still be expected to pay fair rental value, and this was accepted.

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

50. **RESIGNATION OF MS. MAUREEN SCHREINER, ADMINISTRATIVE AIDE TO SUPERVISOR DANA KAUFFMAN, LEE DISTRICT AND INTRODUCTION OF MR. JEFF MCKAY, THE NEW LEE DISTRICT ADMINISTRATIVE AIDE** (Tape 7)

Supervisor Kauffman announced that Ms. Maureen Schreiner will be leaving his office after 10 years of dedicated service to the Lee District and thanked her for her many years of service.

Supervisor Kauffman introduced Mr. Jeff McKay, the new Administrative Aide for the Lee District, who will replace Ms. Schreiner.

51. **CABLE TELEVISION** (Tape 7)

(NOTE: Earlier in the meeting, the Board discussed cable franchising. See Clerk's Summary Item CL#32.)

Supervisor Kauffman informed the Board that the Groveton Civic Association, one of the oldest community associations in Virginia, has made a comprehensive survey of its members and raised some concerns regarding the franchising of the Media General Cable Company. The cost of cable services is important in the communities, especially the older communities in which many residents live on fixed incomes.

As part of the consideration for possible removal of the contract with Media General Cable, Supervisor Kauffman asked unanimous consent that the Board:

- Include a review of how the 1996 Telecommunications Acts affects the County's ability to set guidelines for cable pricing and packaging; and
- Direct the Office of Consumer Affairs to request Media General Cable to participate in a public meeting with the Groveton Civic Association to address their concerns.

Without objection, it was so ordered.

NV:nv

52. **RECONSIDERATION OF AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 112 (ZONING ORDINANCE) REGARDING PRELIMINARY SUBDIVISION PLATS AND DEVELOPMENT PLANS (COUNTYWIDE)** (Tape 8)

- (Os) Supervisor Frey reminded the Board that on December 9, 1996 it adopted amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) and Chapter 112 (Zoning Ordinance) regarding preliminary Subdivision Plats and development plans. He noted that the Zoning Ordinance amendment revised the submission requirements for development plans to add the requirement for plans to be certified by a professional

engineer, architect, landscape architect, or land surveyor. It also affected certain sections of the Zoning Ordinance which had been the subject of another amendment adopted by the Board on December 2, 1996 which added the requirement for development plans to be submitted in both English and metric measurements. He stated that due to a clerical error the amendment adopted on December 9, 1996 did not include the text adopted by the Board the previous week regarding metric measurements. He said that the Zoning Ordinance amendment component consists of two versions, one which shall be effective upon adoption and the second, which includes the metric requirements, with an effective date of August 1, 1997.

Noting that he had consulted with the staff from the Office of Comprehensive Planning (OCP) and the County Attorney's Office, Supervisor Frey moved that the Board reconsider the vote whereby the Subdivision and Zoning Ordinances were amended on December 9, 1996. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Connolly and Supervisor Dix being out of the room.

With reference to a handout entitled "Proposed Amendments to Chapter 101 (Subdivision Ordinance) (to Become Effective Upon Adoption 1/6/97)," Supervisor Frey moved that the Board adopt the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) and Chapter 112 (Zoning Ordinance), regarding preliminary Subdivision Plats and development plans with:

- Version A, to become effective upon adoption, with the following grandfather provision:
 - "Generalized, conceptual or final development plans which were accepted prior to the effective date of this amendment shall be grandfathered from the requirement for the plan to be certified by a professional engineer, architect, landscape architect or land surveyor authorized to practice as such by the State"; and
- Version B of the Zoning Ordinance amendment to become effective August 1, 1997 at 12:01 a.m.

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

Supervisor Frey expressed his appreciation to Jane W. Gwinn, Zoning Administrator, OCP, and the staff in the County Attorney's Office for their assistance in this matter.

53. **SANITARY SEWER LEAKAGE FROM DISTRICT OF COLUMBIA (DC) CORRECTIONAL FACILITY LOCATED IN LORTON, VIRGINIA** (Tape 8)

Supervisor Frey stated that it had been called to his attention that in the last year there have been significant problems with sanitary sewer leakage from the District of Columbia (DC) Correctional Facility located in Lorton, Virginia into the Occoquan River. He expressed his concern regarding the lack of information provided to the Board in a timely fashion.

Accordingly, Supervisor Frey asked unanimous consent that the Board direct staff to provide the Board with an Information Item to include the following:

- A process for notification regarding these spills; and
- A complete report on what happened regarding these incidences and the responses both from the County and the Commonwealth of Virginia.

Following discussion, without objection, it was so ordered.

Following further discussion, Supervisor McConnell noted that she had received a response from the County Executive's Office to an inquiry she had made regarding one of these incidents.

Following further discussion, Supervisor Frey asked unanimous consent that the Board direct staff to provide information regarding the status of the planned hook up of the Lorton Reformatory Sanitary Sewer to the Lower Potomac Wastewater Treatment Plant. Without objection, it was so ordered.

54. **RECOGNITION OF CARDINAL BUSINESS AND PROFESSIONAL WOMEN (CBPW)** (Tape 8)

Citing that the Cardinal Business and Professional Women (CBPW) was chartered in Burke, Virginia on February 14, 1988, Supervisor Bulova provided details as to how the group has contributed to the quality of life in the County, particularly in their service to women of all ages. Accordingly, she moved that the Board direct staff to:

- Invite the officers and members of the CBPW to appear before the Board to be recognized; and
- Prepare a Resolution in appreciation of their contribution to the County and in honor of the approaching anniversary of their charter.

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

55. **GOVERNMENT REORGANIZATION SUBCOMMITTEE MEETING SCHEDULED FOR JANUARY 21, 1997** (Tape 8)

Supervisor Bulova announced that the Board's Government Reorganization Subcommittee's next meeting is scheduled for Tuesday, January 21, 1997 at Green Springs Farm beginning at 9:00 a.m. She noted that the agenda for this all day meeting will include discussion of the recent Peat Marwick study and the search for the new County Executive. She stated that a detailed agenda will be circulated prior to the meeting. Dress will be casual.

56. **INCOME TAX FORMS AVAILABLE AT MASON GOVERNMENTAL CENTER** (Tape 8)

Supervisor Gross announced that because both federal and Virginia income tax forms will not be available at George Mason Regional Library because of its major renovation project, the forms will be available at the Mason Governmental Center 24 hours a day, seven days a week. Federal forms are now available and Virginia forms are due in a few weeks. The most popular forms are on-hand and residents can make copies of the other schedules at 15 cents per page.

57. **PUBLIC COMMENTS SOLICITED REGARDING SEARCH FOR COUNTY EXECUTIVE** (Tape 8)

Supervisor Gross stated that the Board has begun the recruitment process to select a new County Executive and the Search Committee has approved a Request for Proposal (RFP) to select a vendor to lead a national search for candidates for this position.

In an attempt to ensure a thorough and rigorous selection process, Supervisor Gross stated that the Committee is inviting the comments and recommendations from interested parties. The Search Committee will gratefully accept and review input from the public as they develop a candidate profile, incorporating the characteristics required of a new County Executive. She stated that comments may be sent to the County Executive Search Committee at the following address:

12000 Government Center Parkway, Suite 258
Fairfax, Virginia 22035-0037

Supervisor Gross stated that comments will be accepted through close of business on Wednesday, January 22, 1997. She also told Members of the Board that if they have received letters of application from persons who would like to be considered for the position to please forward those letters to her as soon as possible. These letters will be forwarded to the selected vendor who will lead the search.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to issue a press release immediately and post this information on the County's Web site on the Internet. Without objection, it was so ordered.

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

staff, in the information released, to indicate that the Board is requesting comments by January 18, 1997 but to make it clear that the Board will continue to accept public input throughout the process. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Further discussion continued.

58. **LEGAL SERVICES TO THE POOR** (Tape 8)

Supervisor McConnell called the Board's attention to a letter addressed to Mr. Charles Vasaly, Executive Director, Legal Services of Northern Virginia (LSNV), from District Court Judge Ian M. O'Flaherty regarding the inadequate legal representation to the Fairfax poor.

Supervisor McConnell stated that a task force on legal services to the poor was created and a report was submitted to the Fairfax Bar Association Board of Directors and the Board. The report concluded that there is a concern about the legal representation to the Fairfax poor. Accordingly, she asked unanimous consent that the Board direct staff to provide a request for information regarding:

- A follow up to determine how the concerns that were raised in the report will be addressed;
- How the recommendation addressing the LSNV to commit to greater emphasis on individual representation will be implemented;
- How many times LSNV has been in court representing the poor.

Without objection, it was so ordered.

59. **UNPAVED ROADS** (Tape 8)

Supervisor McConnell said that on Thursday, January 2, 1997 the *Washington Post* had an article which stated that Loudoun County was going to request the Virginia Department of Transportation (VDOT) to increase the number of unpaved roads that can be paved as they are, rather than having to meet higher design standards. She asked unanimous consent that the Board defer action scheduled for the next meeting of the Board regarding this issue until the Board learns more about this proposed legislation.

Following a brief discussion regarding the County's one unpaved road, Yates Ford Road, without objection, the request was so ordered.

60. **RENTAL VEHICLES** (Tape 8)

Supervisor McConnell asked unanimous consent that the Board direct staff to provide an update regarding rental vehicles (“U-Hauls”) including how many zoning violation notices have been issued. A brief discussion ensued with input from Anthony H. Griffin, Acting County Executive.

61. **POSTING NAMES OF DELINQUENT TAXPAYERS ON THE INTERNET** (Tape 8)

Chairman Hanley stated that the Board had received a memorandum from the Acting County Executive regarding the issue of posting the names of delinquent taxpayers on the Internet. She relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to present a Consideration Item on this item at the meeting scheduled for January 27, 1997. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

62. **RECESS/EXECUTIVE SESSION** (Tape 8)

At 1:35 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, and in addition:

- *NationsBank, N.A. versus Board of Supervisors of Fairfax County, et al.*, At Law Number 148764;
- *PW Limited Partnership versus Board of Supervisors*, At Law Number 139486;
- *RF &P Corporation versus the Board of Supervisors of Fairfax County, Virginia*, At Law Number 152631;
- *Alex Mehrabi versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 147289;
- *Patricia L. Hennage versus Fairfax County Board of Supervisors, et al.*, Civil Action Number 96-601-A; and
- *Board of Supervisors of Fairfax County, Virginia et al., versus Airline Pilots Association, et al.*, Record Number 961129.

This motion was seconded by Supervisor Hyland and carried by unanimous vote.

AR:ar

At 4:05 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION**63. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION (Tape 9)**

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed, or considered by the Board during the Executive Session. This motion was seconded by Supervisor Frey and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

64. AUTHORIZATION FOR SETTLEMENT OF PW LIMITED PARTNERSHIP VERSUS BOARD OF SUPERVISORS, AT LAW NUMBER 139486 (Tape 9)

Supervisor Frey moved that the Board authorize settlement in the matter of *PW Limited Partnership versus Board of Supervisors, At Law Number 139486*, in accordance with the terms outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

65. AUTHORIZATION FOR SETTLEMENT OF NATIONSBANK, N. A. VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW NUMBER 148764 (Tape 9)

Supervisor Connolly moved that the Board authorize settlement in the matter of *NationsBank, N.A. versus Board of Supervisors of Fairfax County, At Law Number 148764*, in accordance with the terms outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

AM:am

66. **3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE JAMES LEE IMPROVEMENTS, PHASE V PROJECT (PROVIDENCE DISTRICT)** (Tape 10)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved to defer the public hearing on the James Lee Improvements Phase V Project until **February 24, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

67. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) REGARDING THE FILING OF BUSINESS LICENSE APPLICATIONS BY BUSINESSES WITH GROSS RECEIPTS OF \$10,000 OR LESS** (Tape 10)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 19 and December 26, 1996.

Following the public hearing which included testimony by one speaker, and input by Kevin C. Greenlief, Director, Department of Tax Administration, Supervisor Connolly moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) regarding the filing of business license applications by businesses with gross receipts not exceeding \$10,000. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER

68. **AMENDMENT TO THE AGREEMENT FOR STORM WATER MANAGEMENT SYSTEM ON LAND BAY A** (Tape 10)

Supervisor Frey moved that the Board's authorization given on December 9, 1996 to the Acting County Executive to enter into a contract regarding a storm water management facility on Land Bay A be amended to include a provision:

- That the cost of relocating a certain sewer line be the responsibility of FL Promenade L.P. and Overbank L.L.C. ; and

- If the Board conveys all or a substantial portion of Land Bay A to a non-governmental entity then at that time the cost of the relocation without interest up to a maximum of \$100,000 shall be paid by the non-governmental entity to FL Promenade Limited Partnership and Overbank L.L.C.

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

69. **3:30 P.M. - PH ON REZONING APPLICATION RZ 96-V-006 (CURRY DEVELOPMENT, INCORPORATED) (MOUNT VERNON DISTRICT)**
(Tapes 10-11)

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

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

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

- In the amount of \$250 from Washington Gas Light Company;
- In the amount of \$50 in 1994 from Curry Development; and
- In the amount of \$100 in 1995 from Curry Development.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Washington Gas Light Company.

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

- In excess of \$200 from Washington Gas Light Company.

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

- In excess of \$200 from Washington Gas Light Company.

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

- In excess of \$200 from Washington Gas Light Company.

Following the public hearing, which included testimony by 19 speakers, Inda Stagg, Staff

Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved to:

- Defer Board decision on RZ 96-V-006 until **January 27, 1997 at 4:30 p.m.**; and
- Keep the record open for the submission of additional testimony.

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

70. **3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE JAMES LEE PHASE IV PUBLIC IMPROVEMENTS PROJECT (PROVIDENCE DISTRICT)** (Tapes 11-12)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 19 and December 26, 1996.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved to defer Board decision on the acquisition of certain land rights necessary for the construction of Project 003910 - James Lee Phase IV Public Improvements until **February 24, 1997 at 4:00 p.m.** This motion was seconded by Supervisor McConnell and carried by unanimous vote.

71. **3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE JAMES LEE IMPROVEMENTS, PHASE V PROJECT (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this public hearing. See Clerk's Summary Item CL#66.)

72. **3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE GUM SPRINGS PHASE III PROJECT (MOUNT VERNON DISTRICT)** (Tape 12)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 19 and December 26, 1996.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved to:

- Defer Board decision on the acquisition of certain land rights

necessary for the construction of Project 003905- Gum Springs Phase III until **January 27, 1996 at 4:30 p.m.**

- Direct staff to provide Supervisor Hyland with a copy of the appraisal report for the land of Mr. John Douglas.

This motion, the second to which was inaudible, **CARRIED** by a recorded vote of nine, Chairman Hanley voting "NAY."

73. **3:30 P.M. - PH TO CONSIDER REQUESTS FROM: EDSALL PARK SWIM CLUB, INCORPORATED; FAIRFAX COUNTY POLICE ASSOCIATION, INCORPORATED; FOOD FOR OTHERS, INCORPORATED; GOOD SHEPHERD HOUSING AND FAMILY SERVICES, INCORPORATED; HARTWOOD TERRACE, INCORPORATED; LITTLE RIVER GLEN LIMITED PARTNERSHIP; NAVAL SUBMARINE LEAGUE; THE POTOMAC CONSERVANCY, INCORPORATED; PUBLIC BROADCASTING SERVICE; RESOURCES FOR INDEPENDENCE OF VIRGINIA, INCORPORATED; AND RONALD MCDONALD HOUSE CHARITIES OF GREATER WASHINGTON, INCORPORATED FOR EXEMPTION FROM THE PROPERTY TAX (COUNTYWIDE REVENUE IMPACT)** (Tapes 12-13)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of December 26, 1996.

Following the public hearing, which included testimony by six speakers, and input by Kevin C. Greenlief, Director, Department of Tax Administration and Michael H. Long, Assistant County Attorney, Supervisor Dix moved approval of the request from the:

- Edsall Park Swim Club, Incorporated;
- Food for Others, Incorporated;
- Good Shepherd Housing and Family Services, Incorporated;
- Hartwood Terrace, Incorporated;
- Little River Glen Limited Partnership;
- Resources for Independence of Virginia Incorporated;
- Ronald McDonald House Charities of Greater Washington, Incorporated; and
- Fairfax County Police Association;

for special legislation that would confer exemption from Fairfax County property taxes. This motion was seconded by Supervisor Frey.

Supervisor Mendelsohn asked to amend the motion to:

- Defer action on the Potomac Conservancy, Incorporated, and
- Direct staff to meet with the Potomac Conservancy, Incorporated to resolve outstanding issues;

and this was accepted.

Supervisor Hyland asked to amend the motion to include the Public Broadcasting Service for special legislation that would confer exemption from Fairfax County property taxes, and this was accepted.

Supervisor Frey asked to amend the motion to include the Naval Submarine League for special legislation that would confer exemption from Fairfax County property taxes, and this was accepted.

Following discussion, Supervisor Mendelsohn asked to amend the motion to approve the Potomac Conservancy, Incorporated for special legislation that would confer exemption from Fairfax County property taxes, and this was accepted.

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

Supervisor Gross moved that the Board direct staff to:

- To review the criteria for granting tax exemptions and to include a deadline on applications; and
- Report with its findings by September 15, 1997.

This motion was seconded by Chairman Hanley and carried by unanimous vote.

74. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 92-W-007 (BALMORAL ASSOCIATES, L.L.C.) (SPRINGFIELD DISTRICT)** (Tape 13)

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

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

Following the public hearing, which included testimony by one speaker, Elaine Jensen, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Approval of Proffered Condition Amendment Application PCA 92-W-007 and the Generalized Development Plan (GDP) subject to the executed proffers dated December 18, 1996; and
- Waiver of the construction of the stream valley trail along Johnny Moore Creek, subject to proffers as contained in Appendix One, and notes as shown on the GDP.

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

75. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-S-083-3 (SULLY STATION CORPORATION) (SULLY DISTRICT)**
(Tape 13)

Mr. William J. Keefe reaffirmed the validity of the affidavit for the record.

Mr. Keefe 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, Julie Schilling, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 86-S-083-3 subject to the executed proffers dated December 11, 1996; the Planning Commission having previously approved Final Development Plan Amendment Application FDPA 86-S-083-2 on December 11, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Gross, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

76. **4:00 P.M. - PH ON THE VACATION OF A PORTION OF NORTH PARK STREET (PROVIDENCE DISTRICT)** (Tape 13)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 19 and December 26, 1996.

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved adoption of the Ordinance vacating a portion of North Park Street. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, and Acting-Chairman Dix voting "AYE," Supervisor Gross, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

77. **4:00 P.M. -PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD), TO ESTABLISH THE HERNDON RPPD, DISTRICT 26 (DRANESVILLE DISTRICT)** (Tapes 13-14)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 19 and December 26, 1996.

Following the public hearing, which included testimony by seven speakers, Supervisor Mendelsohn moved that the Board:

- Adopt the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking Districts (RPPD), Appendix G, to establish the Herndon RPPD, District 26; and
- Direct staff to set up a meeting between the citizens and students to discuss issues involving student parking in the neighborhood.

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

78. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, (MOTOR VEHICLES AND TRAFFIC) SECTION 82-5-3, AND ADOPTION OF A NEW APPENDIX K, DESIGNATION OF SNOW EMERGENCY ROUTES (COUNTYWIDE)** (Tape 14)

- (Os) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 19 and December 26, 1996.

Following the public hearing, Supervisor Frey moved to:

- Adopt the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5-3, by deleting the reference to a Resolution and adding a new paragraph that references Appendix K, where snow emergency routes are listed;

- Adopt a new Appendix K, Designation of Snow Emergency Routes, **to become effective immediately**; and
- Direct staff to correct the Appendix K list to indicate that all of Prosperity Avenue is included.

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

79. **4:30 P.M. - BOARD DECISION ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-D-097-2 (THE POTOMAC SCHOOL) (DRANESVILLE DISTRICT)** (Tape 14)

(NOTE: On December 2, 1996, the Board held a public hearing on Special Exception Amendment Application SEA 85-D-097-2, but deferred Board decision until December 9, 1996. On December 9, 1996, the Board deferred its decision until January 6, 1997.)

Supervisor Mendelsohn moved:

- Approval of Special Exception Amendment Application SEA 85-D-097-2 subject to the development conditions dated January 6, 1997; and
- Reaffirmation of the waivers and modifications of the barrier and transitional screening requirements to that shown on the Special Exception Plat.

This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

80. **4:30 P.M. - PH ON REZONING APPLICATION RZ 96-H-022 (PULTE HOME CORPORATION AND EAKIN/YOUNGENTOB ASSOCIATES, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 14)

(O) Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Dix moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-H-022 be amended from the R-1, I-4, I-5 and Highway Corridor Districts to the PDH-12 and Highway Corridor Districts subject to the execution of the proffers dated December 19, 1996; the Planning Commission having previously approved Final Development Plan Application FDP 96-H-022 on November 13, 1996; and
- Approval of the Conceptual Development Plan (CDP) subject to the following development condition:
 - "Notwithstanding the note on the Conceptual/Final Development Plan the actual number of parking spaces to be provided within the two acres associated with the Ashgrove House shall be determined through the Park Master Planning Process. It is to be understood that the parking spaces are to be constructed by others and are not the responsibility of the applicant."

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

Supervisor Dix moved:

- Modification of the transitional screening yard and barrier requirements in favor of that shown on the proffered Conceptual and Final Development Plan, in accordance with the provisions of Section 13-304 of the Zoning Ordinance;
- Approval of the requested deviation from the setback requirements along the Dulles Airport Access Road as provided in Section 2-414 of the Zoning Ordinance;
- Waiver of the requirement for a 200 square foot privacy yard, pursuant to the provisions of Section 6-107 of the Zoning Ordinance;
- Waiver of the requirement that private streets be limited to 600 feet in length, in accordance with the provisions of Section 11-303 of the Zoning Ordinance; and
- Waiver of the service drive required along Dulles Airport Toll Road (Route 267).

This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor

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

Supervisor Dix stated that the applicant must file a Final Development Plan Amendment Application related to this application for the sole purpose of getting the Final Development Plan certified such that it will satisfy an amendment to the Subdivision Ordinance that the Board adopted on December 9, 1996. Given this narrow technicality and based on the premise that the amendment is limited solely to the certification of the Final Development Plan, Supervisor Dix moved:

- That the Board direct the Planning Commission to schedule this Final Development Plan Amendment Application at the earliest convenience; and
- That the filing fee for the amendment be reduced to the amount that will cover the advertising posting requirements related to the public hearing and minimal staff as determined by the Director of the Zoning Evaluation Division.

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

81. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-M-036 (BEAUREGARD SQUARE LIMITED PARTNERSHIP) (MASON DISTRICT)**
(Tape 14)

Mr. Anton Yergat reaffirmed the validity of the affidavit for the record.

Mr. Yergat 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, Julie Schilling Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved approval of Special Exception Application SE 96-M-036 subject to the development conditions dated November 6, 1996. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

82. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-H-033 (REMINGTON DEVELOPMENT CORPORATION) (HUNTER MILL DISTRICT)** (Tape 14)

Ms. Susan K. Yantis reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Gregg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved:

- Approval of Special Exception Application SE 96-H-033 subject to the development conditions in Appendix One of the Staff Report;
- Modification of the transitional screening requirement on Centreville Road in favor of that shown on the Special Exception Plat; and
- Waiver of the barrier requirement on Centreville Road.

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

83. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 79-S-122 (AIS SPRINGFIELD LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tape 14)

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.

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

- In excess of \$200 from Bengston, DeBell and Elkin, Ltd.

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

- In the amount of \$200 from Mr. John DeBell.

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

Supervisor Kauffman moved:

- Approval of Special Exception Amendment Application SEA 79-S-122 subject to the development conditions dated November 21, 1996; and
- Reaffirmation of all existing modifications and waivers existing on this site as described in the staff report.

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

84. **4:30 P.M. - PH ON REZONING APPLICATION RZ 96-P-024 (STORAGE USA, INCORPORATED) (PROVIDENCE DISTRICT)** (Tapes 14-15)

- (O) Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by four speakers, Inda Stagg, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-P-024 be amended from the R-1 and Highway Corridor Districts to the I-4 and Highway Corridor Districts subject to the execution of the proffers dated December 11, 1996; and
- Modification of the barrier on the southern and western property lines as shown on the Generalized Development Plan (GDP).

This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Hyland being out of the room.

ADDITIONAL BOARD MATTER85. **ELECTION OF OFFICERS FOR THE CIVIL SERVICE COMMISSION**
(Tape 15)

(BACs)

Chairman Hanley relinquished the Chair to Acting-Chairman Kauffman and moved that the Board approve the election of officers for the Civil Service Commission as follows:

- Carol Lynn Kelley as Chairman; and
- Richard Joseph as Vice-Chairman.

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

Acting-Chairman Kauffman returned the gavel to Chairman Hanley.

86. **RECESS/EXECUTIVE SESSION** (Tape 15)

At 9:30 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of certain personnel matters as provided for in *Virginia Code* Section 2.1-344 (1). This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hyland being out of the room.

NV:nv

At 10:15 p.m., the Board reconvened in the Board auditorium with all members being present with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

ADDITIONAL ACTION FROM EXECUTIVE SESSION87. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 16)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed, or considered by the Board during the Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland being out of the room.

88. **BOARD ADJOURNMENT** (Tape 16)

At 10:15 p.m., the Board adjourned.

