

AM:am

The meeting was called to order at 9:30 a.m. with all Members being present, with the exception of Supervisor McConnell, Supervisor Bulova, and Supervisor Dix, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 9:35 a.m.

Supervisor Bulova and Supervisor Dix were absent from the entire meeting.

Others present were Robert J. O'Neill, Jr., 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.

BOARD MATTERS

2. **NEWLY-APPOINTED COUNTY EXECUTIVE ROBERT J. O'NEILL, JR. WELCOMED** (Tape 1)

Chairman Hanley warmly welcomed Robert J. O'Neill, Jr., County Executive, to his first Board meeting since his appointment as County Executive.

3. **ABSENCE OF BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA AND HUNTER MILL DISTRICT SUPERVISOR ROBERT B. DIX, JR.** (Tape 1)

Chairman Hanley announced that Supervisor Bulova and Supervisor Dix are out of town and will be absent from the entire meeting.

4. **ORDERS OF THE DAY** (Tape 1)

Chairman Hanley announced that, since she will be leaving the meeting to attend a funeral, the Board will recess for lunch early and continue with the Action Items and Board Matters following lunch.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ALAN CALDWELL**
(Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Mr. Alan Caldwell for being selected the 1997 recipient of the Dennis Duffy Citizenship Award. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE POLICE DEPARTMENT'S AUXILIARY UNIT FOR VOLUNTARY SERVICE** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to the Police Department's Auxiliary Unit for many hours of voluntary service which has saved the County over a half million dollars. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MASTER POLICE OFFICER DEMPSEY DEE WILSON** (Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Master Police Officer Dempsey Dee Wilson for 23 years of service with the Fairfax County Police Department. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

8. **PROCLAMATION DESIGNATING AUGUST 4, 1997 AS "DAN MEIER DAY" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Frey moved approval of the Proclamation designating August 4, 1997 as "**Dan Meier Day**" in Fairfax County in recognition of his accomplishments as Head Coach of the Chantilly High School Football Team. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Connolly being out of the room, Supervisor Bulova and Supervisor Dix being absent.

ADDITIONAL BOARD MATTER9. **INTRODUCTION OF CYRUS PYUN, INTERN FOR LEE DISTRICT SUPERVISOR DANA KAUFFMAN** (Tape 1)

Supervisor Kauffman introduced and welcomed Cyrus Pyun, who will be assisting as an intern in his office this summer. Mr. Pyun will be a senior at Edison High School in the fall.

AGENDA ITEMS10. **10:00 A.M. - PRESENTATION BY THE FAIRFAX COUNTY VOLUNTEER FIRE COMMISSION OF ITS ANNUAL REPORT** (Tape 1)

Alan Caldwell, Chairman, Fairfax County Volunteer Fire Commission, presented the Commission's Annual Report.

Following the presentation, there was discussion on this item.

11. **ADMINISTRATIVE ITEMS** (Tape 1)

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

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, PROVIDENCE AND SULLY DISTRICTS)

(R) Approved the request that certain streets listed in the Memorandum to the Board dated August 4, 1997, be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Tyson's Towns/ Amberwood Public Improvements	Hunter Mill	Raglan Road Gosnell Road, Route 939, Additional right-of-way only Wall Street, Route 2736, Additional right-of-way only

		Old Courthouse Road, Route 677, Additional right-of-way only
Old Springhouse Road/ Westgate Industrial Park	Providence	Scotts Crossing Road Old Springhouse Road, Route 3543
Hunt Valley Estates, Sections 2 and 3	Sully	Green Moor Lane Pine Hollow Road
Poplar Tree Estates, Section 7	Sully	Melville Lane, Route 4978 Bare Island Drive Edge Rock Drive Flint Rock Court Edge Rock Court

ADMIN 2 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF EDGELEA ROAD AND BRIGHTLEA DRIVE AND OLEANDER AVENUE AND LOGWAY ROAD (PROVIDENCE DISTRICT)

- Endorsed the installation of multi-way stops at the following intersections:
 - Edgelea Road (Route 783) and Brightlea Drive (Route 5625);
 - Oleander Avenue (Route 5620) and Logway Road (Route 5623); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED UNCODIFIED ORDINANCE TO EXTEND THE CURRENT CABLE TELEVISION FRANCHISE HELD BY MEDIA GENERAL CABLE OF FAIRFAX COUNTY, INCORPORATED, UNTIL MARCH 31, 1998 (NORTH AND SOUTH COUNTY FRANCHISE AREAS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 5:00 p.m.** on a proposed Uncodified Ordinance to extend the current cable television franchise held by Media General Cable of Fairfax County, Incorporated, until March 31, 1998.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON

**PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 7, FAIRFAX COUNTY
POLICE OFFICERS RETIREMENT SYSTEM, TO SUSPEND
SERVICE-CONNECTED DISABILITY BENEFITS FOR UNJUSTIFIED
REFUSAL TO COOPERATE WITH WORKERS' COMPENSATION**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 7, Fairfax County Police Officers Retirement System, to suspend service-connected disability benefits for unjustified refusal by members to cooperate with Workers' Compensation.

**ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON
PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 2, FAIRFAX COUNTY
SUPPLEMENTAL RETIREMENT SYSTEM, AND ARTICLE 3, FAIRFAX
COUNTY UNIFORMED RETIREMENT SYSTEM, TO MODIFY THE
DEFINITION OF THE MEDICAL EXAMINING BOARD**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 2, Fairfax County Supplemental Retirement System, and Article 3, Fairfax County Uniformed Retirement System, to modify the definition of the Medical Examining Board.

**ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON
PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 3, FAIRFAX COUNTY
UNIFORMED RETIREMENT SYSTEM, AND ARTICLE 7, FAIRFAX COUNTY
POLICE OFFICERS RETIREMENT SYSTEM, TO DELETE OBSOLETE
LANGUAGE REGARDING TRANSFERS TO THE FORMER SENIOR
EXECUTIVE SERVICE RETIREMENT PLAN**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 3, Fairfax County Uniformed Retirement System, and Article 7, Fairfax County Police Officers Retirement System, and to delete obsolete language regarding transfers to the former Senior Executive Service Retirement Plan.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 3, FAIRFAX COUNTY UNIFORMED RETIREMENT SYSTEM, REGARDING REVISION OF THE ACTUARIAL REDUCTION TABLE USED TO CALCULATE EARLY RETIREMENT BENEFITS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 3, Fairfax County Uniformed Retirement System, regarding revision of the actuarial reduction table used to calculate early retirement benefits.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED LEASING OF COUNTY-OWNED PROPERTY AT THE MOTT COMMUNITY CENTER TO AMERICAN PERSONAL COMMUNICATIONS (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 4:00 p.m.** on proposed leasing of County-owned property at the Mott Community Center, 12111 Braddock Road, Tax Map Number 67-1((1))35, to American Personal Communications for the purpose of installing a telecommunications base station and monopole, and directed staff to notify the adjacent property owners of the public hearing by certified mail.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING EDITORIAL REVISIONS

- (A)
(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 4, 1997, and before the Board on **October 6, 1997 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding editorial revisions.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING RECODIFICATION OF TITLE 15.1 OF THE CODE OF VIRGINIA TO TITLE 15.2

- (A)
(R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 4, 1997, and before the Board on **October 6, 1997 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding recodification of Title 15.1 of the *Code of Virginia* to Title 15.2.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A JOINT VIRGINIA

DEPARTMENT OF TRANSPORTATION (VDOT)/FAIRFAX COUNTY BOARD OF SUPERVISORS PUBLIC HEARING ON PROPOSED CUT-THROUGH TRAFFIC RESTRICTIONS ON MAPLE BRANCH ROAD (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a joint Virginia Department of Transportation (VDOT)/Fairfax County Board of Supervisors public hearing to be held before the Board on **September 8, 1997 at 4:30 p.m.** to consider a VDOT proposal to limit cut-through traffic on Maple Branch Road.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), APPENDIX G, TO EXPAND THE MCLEAN RPPD, DISTRICT 21

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking District (RPPD), Appendix G, to expand the McLean RPPD, District 21.

ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED VACATION OF PORTIONS OF GENTELE COURT AND MEMORIAL STREET (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 4:00 p.m.** on the proposed vacation of portions of Gentele Court (Route 7261) and Memorial Street (Route 1401).

ADMIN 14 - 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, REGARDING THE EXPANSION OF THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 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 District (RPPD), Appendix G, to expand the Robinson RPPD, District 17.

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1998 REVISED BUDGET PLAN

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 10:00 a.m.** to increase the appropriation level in the Fiscal Year (FY) 1998 Revised Budget Plan to encompass both the County and the Schools' FY 1997 Carryover Reviews.

ADMIN 16 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98028 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT FUNDS FOR A SPECIAL JAIL AND OFFENDER SERVICES INITIATIVE FROM THE VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98028 for the Fairfax-Falls Church Community Services Board (CSB) to accept \$158,406 in Virginia Department of Mental Health, Mental Retardation and Substances Abuse Services Special Jail and Offender Initiative funds to establish and hire three merit-grant substance abuse counselor positions to provide intensive services to incarcerated substance abusers who also have mental health problems.

ADMIN 17 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98027 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT FUNDING FOR JUVENILE CRIMINAL JUSTICE SERVICES FROM THE DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 98027 for the Fairfax-Falls Church Community Services Board (CSB) to accept \$217,471 from the Department of Mental Health, Mental Retardation and Substances Abuse Services. The funds will be utilized to establish four merit-grant positions (4.0 SYE) to provide new treatment services in the Juvenile Detention Center.

ADMIN 18 - EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITY APPLICATIONS

Authorized the extension of the review periods until February 4, 1998 for the following Public Facility Applications:

- 456-Y97-8 - Bell Atlantic NYNEX Mobile;
- 456-L97-9 - Cellular One;
- FS-H97-7 - American Personal Communications (APC);
- FS-L97-49 - APC;

- FS Y97-50 - At&T Wireless Services;
- FS-H97-51 - Bell Atlantic NYNEX Mobile;
- FS D97-52 - APC;
- FS-B97-53 - APC; and
- FS-B97-54 - Bell Atlantic NYNEX Mobile.

ADMIN 19 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING A LEASE AMENDMENT TO THE EXISTING LEASE APPLICABLE TO THE LEASING OF COUNTY-OWNED PROPERTY AT THE KINGSTOWNE FIRE STATION (7936 TELEGRAPH ROAD) TO AMERICAN PERSONAL COMMUNICATIONS (APC) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 4:00 p.m.** regarding the lease amendment to the existing lease applicable to the leasing of County-owned property at the Kingstowne Fire Station, located at 7936 Telegraph Road, to American Personal Communications (APC) for the purpose of installing additional equipment and antennas on the telecommunication base station and monopole.

ADMIN 20 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING A LEASE AMENDMENT TO THE EXISTING LEASE APPLICABLE TO THE LEASING OF COUNTY-OWNED PROPERTY AT THE CHANTILLY FIRE STATION (14005 VERNON STREET) TO AMERICAN PERSONAL COMMUNICATIONS (APC) (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 8, 1997 at 4:00 p.m.** regarding the lease amendment to the existing lease applicable to the leasing of County-owned property at the Chantilly Fire Station, located at 14005 Vernon Street, to American Personal Communications (APC) for the purpose of installing additional equipment and antennas on the telecommunication base station and monopole.

ADMIN 21 - AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES TO APPLY FOR A WELFARE REFORM TRANSPORTATION INITIATIVE (WRTI) GRANT TO PROVIDE TRANSPORTATION SERVICES TO VIRGINIA INITIATIVE FOR EMPLOYMENT NOT WELFARE (VIEW) PARTICIPANTS

Authorized the County Executive to submit the Department of Family Services (DFS) application for up to \$500,000 in State Welfare Reform Transportation Initiative (WRTI) funds to address the transportation needs of Virginia Initiative for Employment Not Welfare (VIEW) program clients.

CM:cm

12. **A-1 - FISCAL YEAR (FY) 1997 APPROPRIATION ADJUSTMENT** (Tape 2)

(SAR) Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, and Edward L. Long, Jr., Director, Office of Management and Budget (OMB), Supervisor Hyland moved that the Board concur in the recommendation of staff and:

- Authorize staff to process payment vouchers for items previously approved and appropriated in Fiscal Year (FY) 1997 for the interim period from July 1 until the Board approves the FY 1997 Carryover Review, which is scheduled for action on September 8, 1997; and
- Approve Supplemental Appropriation Resolution (SAR) AS 97076 for two General Fund agencies and one Other Fund requiring additional appropriations for FY 1997.

This action does not adjust for the FY 1997 approved expenditure level for all funds, but merely reallocates unspent funds from agencies and other funds which realized a positive balance to agencies and other funds requiring an additional appropriation. Since these adjustments do not increase the actual total expenditure level for all funds, a public hearing is not required.

This motion was seconded by Supervisor Connolly and **CARRIED** by a recorded vote of five, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "NAY," Supervisor Bulova and Supervisor Dix being absent.

13. **A-2 - REFUNDING OF METRORAIL PARKING REVENUE BONDS** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board defer this item until later in the meeting. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#36.)

14. **A-3 - ADOPTION OF THE STAFF REPORT AND RECOMMENDATIONS AND AUTHORIZATION TO ISSUE THE REQUEST FOR RENEWAL PROPOSAL TO MEDIA GENERAL CABLE OF FAIRFAX COUNTY, INCORPORATED (COUNTYWIDE)** (Tape 2)

Following discussion, with input from Ronald B. Mallard, Director, Department of Consumer Affairs (DCA), and Walter N. Munster, Jr., Chief, Cable Regulatory Division, DCA, Supervisor Frey moved that the Board concur in the recommendation of staff and adopt the staff report authorizing the issuance of the Request for Franchise Renewal Proposal (RFRP), as part of the formal cable franchise renewal process (47 U.S.C.A. Section 546). This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of seven, Supervisor Mendelsohn voting "NAY," Supervisor Bulova and Supervisor Dix being absent.

15. **A-4 - REVIEW OF THE RED FOX ESTATES SUBDIVISION PLAT AND PLAN (SPRINGFIELD DISTRICT)** (Tape 2)

On motion of Supervisor McConnell, seconded by Supervisor Connolly, and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent, the Board concurred in the recommendation of staff and recommended that the Acting Director of the Department of Environmental Management (DEM) approve the Subdivision Plan for Red Fox Estates in accordance with normal procedures.

16. **A-5 - DELINQUENT REAL ESTATE, PERSONAL PROPERTY, AND BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSES (BPOL) TAX LISTS FOR 1996** (Tape 2)

Supervisor Frey moved that the Board concur in the recommendation of staff and direct staff to:

- Make available lists of delinquent real estate, personal property and Business, Professional and Occupational License (BPOL) taxes for public review in all Fairfax County Regional Public Libraries as done in prior years; and
- Continue collection of taxes on subjects other than real estate until the expiration of the applicable statute of limitations as provided by the *Code of Virginia*.

This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Gross asked unanimous consent that the Board direct staff to provide copies of the lists to Board Members for review. Without objection, it

was so ordered.

Following further discussion, with input from Kevin C. Greenlief, Director, Department of Tax Administration, the question was called on the motion which **CARRIED** by a recorded vote of five, Supervisor Connolly and Supervisor McConnell voting "NAY," Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent.

(NOTE: Later in the meeting, there was additional discussion regarding delinquent taxpayers. See Clerk's Summary Item CL#69.)

17. **A-6 - BOARD APPROVAL OF THE COMMUNITY FUNDING IMPLEMENTATION TEAM'S (CFIT) REPORT** (Tape 2)

On motion of Supervisor Connolly, seconded by Supervisor Kauffman, and carried by a vote of seven, Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent, the Board concurred in the recommendation of staff and approved the final report of the Community Funding Implementation Team (CFIT).

18. **A-7 - ADOPTION OF EMERGENCY ORDINANCE TO TRANSPOSE THE POLLING PLACES FOR SENECA AND FORESTVILLE PRECINCTS** (Tape 2)

(O)(A)

Supervisor Mendelsohn moved that the Board concur in the recommendation of staff and adopt an emergency Ordinance transposing the polling places for Seneca and Forestville precincts and adopt corresponding changes, if any, to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District), Article 2. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent.

Following discussion, with input from Michael H. Long, Assistant County Attorney, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to schedule a public hearing to be held before the Board on September 8, 1997 regarding this issue. Without objection, it was so ordered.

19. **I-1 - FAIRFAX COUNTY WINS TWO NATIONAL ACHIEVEMENT AWARDS** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 announcing that the National Association of Counties (NACo) presented to Fairfax County two 1997 National Achievement Awards for innovative programs:

- Return on Investing - Creative Contracting; and
- Budget Decision Model.

20. **I-2 - PROJECT APPROACH FOR THE PLANNING, DESIGN, AND**

**CONSTRUCTION OF THE BURKE VOLUNTEER FIRE STATION
(SPRINGFIELD DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to continue to implement the project in accordance with the Project Approach for the Planning, Design, and Construction of a New Burke Volunteer Fire Station.

Following a brief discussion, with input from Richard J. Gozikowski, Acting Director, Department of Public Works, staff was directed administratively to proceed as proposed.

21. **I-3 - BOARD OF EQUALIZATION (BOE) CASELOAD AND MEMBERSHIP**
(Tape 2)

(BACs)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for the Board of Equalization (BOE) to proceed under its current budget and operate in Fiscal Year (FY) 1998 the same as it did in FY 1997.

Following a brief discussion, with input Kevin C. Greenlief, Director, Department of Tax Administration, staff was directed administratively to proceed as proposed.

22. **I-4 - PROPOSED REVISIONS TO VIRGINIA'S CHESAPEAKE BAY
PRESERVATION AREA DESIGNATION AND MANAGEMENT
REGULATIONS (COUNTYWIDE)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to:

- Proceed with its review of the proposed revisions to Virginia's Chesapeake Bay Preservation Area Designation and Management Regulations Achievement Awards;
- Prepare comments on this matter for review by the Board; and
- Transmit the proposed revisions to the Regulations to the Environmental Quality Advisory Council (EQAC).

The staff was directed administratively to proceed as proposed.

23. **I-5 - COUNTY HOLIDAY SCHEDULE -- CALENDAR YEAR 1998** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 presenting the holiday schedule for calendar year 1998.

The staff was directed administratively to proceed as proposed.

24. **I-6 - AWARD OF CONTRACTS DURING BOARD OF SUPERVISORS' RECESS**
(Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for the County Executive or the appropriate Deputy County Executive to continue to approve street acceptance items and award contracts while the Board is in recess.

The staff was directed administratively to proceed as proposed.

25. **I-7 - CONTRACT AMENDMENT FOR ARCHITECTURAL SERVICES AND AWARD OF A CONSTRUCTION CONTRACT FOR THE RENOVATION AND EXPANSION OF THE BAILEY'S COMMUNITY CENTER AND HIGHER HORIZONS DAY CARE CENTER (MASON DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to proceed to:

- Award a contract to the SIGAL Construction Corporation in the amount of \$3,145,000 for the renovation and expansion of the Bailey's Community Center and the Higher Horizons Day Care Center in the former Lillian Carey Elementary School; and
- Execute a contract amendment for architectural services with Sheridan, Behm, Eustice and Associates, Limited in the amount of \$140,172 which results in a revised total contract amount of \$348,580.

The staff was directed administratively to proceed as proposed.

26. **I-8 - ADDENDUM TO THE ENGINEERING CONTRACT WITH DE LEUW, CATHER AND COMPANY OF VIRGINIA FOR THE DESIGN OF WIEHLE AVENUE (DRANESVILLE AND HUNTER MILL DISTRICTS)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to award an addendum to the contract for the Wiehle Avenue, Project 006495, in Subfund 463, Primary and Secondary Road Bond Construction to De Leuw, Cather and Company of Virginia in the amount of \$168,450.

The staff was directed administratively to proceed as proposed.

27. **I-9 - CONTRACT AWARD - FAIRHAVEN PUBLIC IMPROVEMENTS - PHASE VI (MOUNT VERNON DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to award a contract to Martin and Gass, Incorporated in the amount of \$619,000 for the construction of the Fairhaven Public Improvements - Phase VI, Project 003848.

The staff was directed administratively to proceed as proposed.

28. **I-10 - CONTRACT AWARD - TASK ORDER NUMBER THREE - LABORATORY MODIFICATIONS AND IMPROVEMENTS (MOUNT VERNON DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to award a contract to Pantech Construction Company, Incorporated in the amount of \$5,896,400 for Task Order Number Three - Laboratory Modifications and Improvements, in Project N00322, Lower Potomac Pollution Control Plant Expansion to 67 MGD, in Subfund 575, Sewer Bond Construction.

The staff was directed administratively to proceed as proposed.

29. **I-11 - CONTRACT AWARD - CONSTRUCTION OF CLUBHOUSE AND RELATED BUILDINGS AT TWIN LAKES GOLF COURSE (SPRINGFIELD DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for the Park Authority to award a contract to Pantech Construction Corporation of Lanham, Maryland in the amount of \$1,831,700 for the construction of a clubhouse and related buildings at Twin Lakes Golf Course as part of Project 004762, Golf Improvements, in Subfund 950, Park Authority Capital Improvement Trust Fund.

The staff was directed administratively to proceed as proposed.

30. **I-12 - CONTRACT AWARD - RENOVATION AND ADDITION TO GREENDALE GOLF COURSE CLUBHOUSE AND RELATED SITE WORK (LEE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to award a contract to Harry Braswell, Incorporated, in the amount of \$378,100 for the renovation and addition to Greendale Golf

Course Clubhouse and related site work as part of Project 475888, Park Building Renovation, in Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

31. **I-13 - PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 456-D96-7, AT&T WIRELESS SERVICES (DRANESVILLE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 presenting the Planning Commission action on Public Facilities Application 456-D96-7.

32. **I-14 - FRANCONIA-SPRINGFIELD BUS SERVICE ADJUSTMENTS (COUNTYWIDE)** (Tape 2)

Vice-Chairman Hyland announced that this item would be deferred until later in the meeting.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#37.)

33. **I-15 - REALLOCATION OF STAFF RESOURCES TO MEET PRIORITIES IN CHILD PROTECTIVE SERVICES AND THE OFFICE OF SYSTEMS MANAGEMENT** (Tape 2)

Vice-Chairman Hyland announced that this item would be deferred until later in the meeting.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#38.)

34. **BUDGET ITEMS TO BE ADDED TO THE CONSIDERATION LIST FOR THE FISCAL YEAR (FY) 1997 CARRYOVER REVIEW** (Tape 2)

[NOTE: Earlier in the meeting, the Board authorized the advertisement of the public hearing on the Fiscal Year (FY) 1997 Carryover Review. See Clerk's Summary Item CL#11.]

Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and moved that the Board add the following to the list of items for the Fiscal Year (FY) 1997 Budget Carryover Review for consideration:

- Supplemental Pay for the Fairfax County Magistrates;
- Portable Metal Detectors at Community Recreation Centers;
- \$25,000 for Freedom House; and

- Streetlight funding.

This motion was seconded by Supervisor McConnell.

Supervisor Mendelsohn asked to amend the motion to also add funding to create a wildlife management position, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of seven, Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent.

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

Inclusion of Battalion Chief's Headquarters in the Renovation of the Annandale Volunteer Fire Department Building

Following discussion, Supervisor Gross stated that the Fire and Rescue Department has requested that a Battalion Chief's headquarters be included in the renovation of the Annandale Volunteer Fire Department building in downtown Annandale. The Department believes it would be advantageous to have the Battalion Chief stationed in this centrally located site, and the renovation of the Annandale volunteer firehouse provides the best possible opportunity to make this move. The cost is estimated at \$60,000. Therefore, Supervisor Gross moved that the Board include this issue as a Consideration Item in the FY 1998 Carryover Budget. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor McConnell and Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent.

Nutley Street Improvements

Supervisor Connolly stated that one of the most vexing problems in his area of the County is a gateway road to the Vienna Metro, that portion of Nutley Street between Route 29 and Route 50 that is privately owned. As far back as 1986 the Board has been on record as recognizing the need for Nutley Street to be acceded into the State road system for maintenance. Because the road was never built to withstand this kind of traffic weight or volume, Nutley is plagued by potholes, especially in the winter.

Therefore, Supervisor Connolly moved that the Board:

- Include as a Consideration Item for the Carryover Budget on the funding of improvements to Nutley Street which would allow it to be accepted into the State system for maintenance, pending final determination of the improvements and the associated costs, the transfer of ownership of Nutley to the State, and a review of possible non-County contributions.

Supervisor Connolly further moved that the Board:

- Direct the County Executive and the County Attorney to work with his staff, Virginia Department of Transportation (VDOT), and Dr. Cy Katzan, the owner, in an effort to come to terms on this project prior to September 8, 1997.

This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor McConnell and Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent.

Street Lights at North Kings Highway near Huntington Metro Station

Supervisor Kauffman informed the Board of a request made concerning street lights in 1995-1996 regarding nine street lights to be added on North Kings Highway near the Huntington Metro Station at an estimated cost of \$12,000 to \$15,000 and moved that this item be added to the list of Consideration Items. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor McConnell and Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent.

(NOTE: Later in the meeting, action was taken by the Board to add other Consideration Items to the FY1997 Carryover Review. See Clerk's Summary Items CL#45 and CL#72.)

35. **BOARD RECESS** (Tape 2)

At 11:05 a.m., the Board recessed and at 12:40 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Bulova and Supervisor Dix, and with Chairman Hanley presiding.

36. **A-2 - REFUNDING OF METRORAIL PARKING REVENUE BONDS** (Tape 3)

(NOTE: Earlier in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#13.)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to:

- Work with Metro staff to review the County's ability to finance additional parking structures at Vienna, as well as other stations depending on the funding capability;
- Review the possibility of combining current funding capability with the refunding of Economic Development Authority (EDA) Metrorail Parking Revenue Bonds into one procedure; and

- Report with recommendations and options.

This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

37. **I-14 - FRANCONIA-SPRINGFIELD BUS SERVICE ADJUSTMENTS (COUNTYWIDE)** (Tape 3)

(NOTE: Earlier in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#32.)

Following discussion, with input from Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, Supervisor Frey moved to defer this item until the Fiscal Year (FY) 1997 Carryover Review in September 1997. This motion was seconded by Supervisor Mendelsohn and **FAILED** by a recorded vote of six, Supervisor Frey and Supervisor Mendelsohn voting "AYE," Supervisor Bulova and Supervisor Dix being absent.

Supervisor Kauffman moved that the Board concur in the recommendation of staff and approve the item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to take the following actions:

- Work with ATE/Ryder to add nine daily bus trips to Route 105, beginning in August 1997. This action will require the Board to approve the Consideration Item in the amount of \$108,000 for Route 105, which has been included in the FY 1997 Carryover Review;
- Work with Supervisor Kauffman to set up a public meeting to discuss low cost options to serve Island Creek. Subsequently, the Board will be asked to approve implementation of a low cost option to serve Island Creek; and
- Take no further action on the Metrobus Route 8E surcharge.

This motion was seconded by Supervisor Connolly and **CARRIED** by a recorded vote of six, Supervisor Frey and Supervisor Mendelsohn voting "NAY," Supervisor Bulova and Supervisor Dix being absent.

38. **I-15 - REALLOCATION OF STAFF RESOURCES TO MEET PRIORITIES IN CHILD PROTECTIVE SERVICES AND THE OFFICE OF SYSTEMS MANAGEMENT** (Tape 3)

(NOTE: Earlier in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#33.)

The Board next considered an item contained in the Memorandum to the Board dated August 4, 1997 requesting authorization for staff to proceed with the reallocation of staff resources to meet priorities in Child Protective Services and the Office of Systems Management.

Following discussion, with input from Dana W. Paige, Acting Director, Department of Family Services, staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

39. **BOARD MATTER ON BEHALF OF SUPERVISOR BULOVA REGARDING SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-B-042 LAKE ACCOTINK PARK** (Tape 3)

On behalf of Supervisor Bulova, Chairman Hanley stated that in 1994, Special Exception Amendment Application SEA 93-B-042 was approved for the core area facilities development of pedestrian and vehicular circulation. For more efficient operation of the site, some changes to this Special Exception need to be made and Special Exception Amendment Application SEA 93-B-042 has been submitted to the Department of Environmental Management (DEM) for review.

So as not to delay this important park project, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and, on behalf of Supervisor Bulova, moved that the Board approve concurrent processing for the expedited review of the Site Plan and Special Exception Amendment Application SEA 93-B-042 for the Lake Accotink Core Area Renovation. This motion should not be construed as a favorable recommendation by the Board for the proposed Site Plan review and Special Exception Amendment Application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

40. **NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH** (Tape 3)

Chairman Hanley informed the Board that October is traditionally designated by the Congress as the National Disability Employment Awareness Month. In conjunction with national observances, Fairfax County will recognize the history, concerns, contributions and achievements of persons with disabilities.

Chairman Hanley moved that the Board direct staff to invite a representative from the Office of Equity Programs and the Disability Services Board to appear before the Board at the October 22, 1997 meeting to receive a Proclamation declaring Disability Employment Awareness Month in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

41. **“CHILDREN PLAYING” SIGNS** (Tape 3)

Chairman Hanley shared a letter she had received regarding the installation and maintenance of signs in Fairfax County alerting motorists that children may be playing nearby and asked unanimous consent that the Board direct staff to make sure the information is circulated so that Board Members are aware of the procedures for implementation. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide information to Board Members regarding the dollar implication involved in the process of having the signs installed. Without objection, it was so ordered.

42. **LETTER CONCERNING THE ISSUE OF THE RABID FOX** (Tape 3)

With reference to a letter she received concerning the rabid fox in the Woodstone Subdivision, Chairman Hanley moved that the Board refer this issue to staff for a response regarding what happened in this situation and what can be done to remedy this type of situation. This motion was seconded by Supervisor Connolly.

Supervisor Connolly asked to amend the motion to direct staff to provide Board Members with information regarding Standard Operating Procedures in the County for responding to such incidents, and this was accepted.

Supervisor Kauffman asked to amend the motion to direct staff to consider offering reduced-cost rabies vaccination clinics in the southeastern area of the County, and this was accepted.

Supervisor Kauffman distributed information to the Board regarding rabies and rabies vaccines in Europe.

Following discussion, the question was called on the motion, as amended, which carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

43. **CHESAPEAKE BAY PROGRAM** (Tape 3)

Chairman Hanley referred to a letter she received from Governor George Allen regarding the Chesapeake Bay Program and asked unanimous consent that this item be referred to staff for a response and that any comments be circulated among Board Members before

being submitted. Without objection, it was so ordered.

44. **LETTER REGARDING TREE PRESERVATION** (Tape 3)

Chairman Hanley shared with Board Members a response to a letter the Board sent to Virginia Power regarding programs to encourage tree preservation.

45. **ADDITIONAL CONSIDERATION ITEM FOR THE CARRYOVER BUDGET REVIEW** (Tape 3)

(NOTE: Earlier in the meeting, additional Considerations Items were added for the Carryover Budget Review. See Clerk's Summary Item CL#34.)

Chairman Hanley called the Board's attention to a letter she received from Montgomery County Executive, Doug Duncan, about Montgomery County's "Code Red -- Ride Free Program." Staff has estimated the annual cost of the program to be \$175,000 to implement this program, assuming seven Ozone Red Alert days per year, with free rides provided in both the morning and evening peak periods on the Fairfax CONNECTOR..

Chairman Hanley moved that the \$175,000 be added as a Consideration Item for the Fiscal Year (FY) 1998 Carryover Budget Review. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

(NOTE: Later in the meeting, an additional Consideration Item was added to the FY 1998 Carryover Budget Review. See Clerk's Summary Item CL#72.)

46. **"TURN OFF THE VIOLENCE" CAMPAIGN** (Tape 3)

Chairman Hanley stated that Fairfax County will again participate in the "Turn Off the Violence" Campaign. The campaign highlights opportunities for the community to work together to promote nonviolence through a week long series of activities and events.

Therefore, Chairman Hanley moved that the Board direct staff to:

- Prepare a Proclamation proclaiming October 4-11, 1997 as "**Turn Off the Violence Week**" in Fairfax County;
- Invite the Northern Virginia Turn Off the Violence Coalition to appear before the Board on September 22, 1997 to receive this Proclamation; and
- Work with the Coalition to assist in providing a "Turn off the Violence" display in the Atrium of the Government Center.

This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

47. **CLOSURE OF THE DISTRICT OF COLUMBIA (DC) DEPARTMENT OF CORRECTIONS FACILITY LOCATED IN LORTON** (Tape 3)

Chairman Hanley reported that this past week Congress and the White House have agreed that the District of Columbia (DC) Department of Corrections Facility Located In Lorton should be closed over a four year period and that the Fairfax County Water Authority would receive 150 acres, 100 acres would go to the County for ballfields, and

the rest would go to the United States (U.S.) Department of the Interior. She noted that in 1995, in anticipation of these land use issues, the Board established a citizen task force to develop a plan for redevelopment if the land passed to private ownership. That proposed Comprehensive Plan Amendment received a favorable recommendation from the Planning Commission and will be forwarded to the Board for public hearing in October.

Citing a desire expressed by Congressman Thomas M. Davis, III, and others to see the entire property “land banked” or left in open space, Chairman Hanley noted that to achieve this, the entire property could either be deeded directly to the County or have that open space restriction placed on it when conveyed to the Department of the Interior.

Therefore, Chairman Hanley moved that the Board direct staff to request the Congressional delegation to convey the:

- Remaining land of the Correctional Facility to the County to be kept as open space and/or park land or put that restriction on it when it is conveyed to the Department of the Interior; and
- Landfill and energy resource recovery facility that the County operates to the County since there is no provision for their disposition in the current legislation.

This motion was seconded by Supervisor Connolly and following discussion, Chairman Hanley clarified that her motion does not bypass the citizen process already in place should this action not occur.

Following further discussion, Supervisor McConnell asked unanimous consent that the Board direct staff to send a letter of appreciation to Congressman James P. Moran and Congressman Thomas M. Davis, III for their efforts and accomplishments with this legislation. Without objection, it was so ordered.

Following continued discussion, Chairman Hanley clarified that the words “park land” in her motion referred to active or passive park land.

The question was called on the motion which carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

48. **MCLEAN LITTLE LEAGUE SENIOR GIRLS ALL-STAR SOFTBALL TEAM WINS THE STATE CHAMPIONSHIP** (Tape 3)

Supervisor Mendelsohn announced that on Friday, July 25, 1997 the McLean Little League Senior Girls All-Star Softball Team won the State Championship in Hampton, defeating

Mechanicsville by a score of 3-2. In light of their accomplishment, Supervisor Mendelsohn moved that the Board direct staff to invite the team to appear before the Board on September 8, 1997 for recognition and congratulations. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

49. **FAIRFAX COUNTY EAGLES BASEBALL TEAM WINS CONTINENTAL AMATEUR BASEBALL ASSOCIATION WORLD SERIES** (Tape 3)

Supervisor Mendelsohn announced that on July 31, 1997, the Fairfax County Eagles, an amateur baseball team comprising students from 14 County high schools, won the Continental Amateur Baseball Association World Series in Canton, Ohio. Accordingly, he moved that the Board direct staff to invite these champions to appear before the Board on September 8, 1997 for recognition and congratulations. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

50. **APPOINTMENTS TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY AND THE COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE** (Tape 3)

(APPTS)

Supervisor Mendelsohn moved the following appointments:

- Mr. Martin R. Dunn to fill the unexpired term of Mr. Leonard S. (Hobie) Mitchell as the Dranesville District Representative to the Fairfax County Redevelopment and Housing Authority;
- Mr. William Niedringhaus to fill the unexpired term of Ms. Margaret-Leigh Eldridge as the Dranesville District (Principal) Representative to the Countywide Non-Motorized Transportation (Trails) Committee; and
- Ms. Katherine Koebel Mull as the Dranesville District (Alternate) Representative to the Countywide Non-Motorized Transportation (Trails) Committee.

This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

51. **SUBDIVISION PLAN FOR PROPERTY ON CREST LANE** (Tape 3)

Supervisor Mendelsohn stated that there is an approximately five-acre parcel located on Crest Lane by the George Washington Parkway, Tax Map Reference 22-4((1)), Parcel 19, which is the subject of a proposed four-lot subdivision plan, as well as pending litigation.

However, through the cooperation and efforts of the property owner, Crest Partners, L.C., as well as the impacted surrounding neighbors, the landowners are now considering a two-lot subdivision of the property.

Accordingly, Supervisor Mendelsohn moved that the Board direct the Department of Environmental Management (DEM) to concurrently process the Preliminary and Final Subdivision Plats (Preliminary Subdivision Plat Number 8816-RP-01-1) and the associated waiver requests, including Public Street Waiver Number 018697. He noted that the landowners and their counsel understand that this motion does not relieve the applicant from complying with the provisions of any applicable conditions, regulations, or adopted standards, and it does not prejudice the consideration of the proposed Public Street Frontage Waiver Request or the pending litigation in any way. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

52. **LEASING OF SPACE WITHIN THE MCLEAN GOVERNMENTAL CENTER FOR THE MCLEAN CHAMBER OF COMMERCE** (Tape 3)

Supervisor Mendelsohn reminded the Board that on June 9, 1997 it approved the leasing of space within the McLean Governmental Center for the McLean Chamber of Commerce to operate a visitors center where citizens, residents, and tourists can learn about many civic, educational, and cultural activities which are available to them. He stated that this office use is providing a public function and is being done on behalf of the Board.

To clarify that this is a public use, Supervisor Mendelsohn moved that, for purposes of the Zoning Ordinance, the McLean Chamber of Commerce's use of office space, in accordance with the approved lease, is being implemented under the direct authority of the Board. This motion was seconded by Supervisor Frey.

Following clarification by David P. Bobzien, County Attorney, the question was called on the motion which carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

53. **LAST DAY OF COUNTY EMPLOYMENT FOR ANDREW KOLAITIS, ADMINISTRATIVE AIDE TO DRANESVILLE DISTRICT SUPERVISOR STUART MENDELSON** (Tape 3)

Supervisor Mendelsohn announced that today is the last day of County employment for his Administrative Aide Andrew Kolaitis. Accordingly, he asked unanimous consent that the Board request Chairman Hanley, on behalf of the entire Board, to write a letter to Mr. Kolaitis and prepare a Certificate of Appreciation in recognition of his years of service. Without objection, it was so ordered.

Chairman Hanley led the Board in a round of applause for Mr. Kolaitis.

PMH:pmh

54. **HECHINGER STORE LOCATED AT 5508 LEESBURG PIKE REQUESTS TO BE REMOVED FROM THE COUNTY'S LEAF COLLECTION SERVICE** (Tape 4)

Supervisor Gross said that the Hechinger store located at 5508 Leesburg Pike in Baileys Crossroads has requested to be removed from the County's leaf collection service. Hechinger is located in a commercial area of the County, zoned in the C-8 District, and the store provides its own cleaning and refuse removal service.

Therefore, Supervisor Gross asked unanimous consent that the Board refer this request to staff to proceed with the consideration process for removal from a leaf collection district. Without objection, it was so ordered.

55. **VACANCY RATE IN TYSONS CORNER** (Tape 4)

Supervisor Connolly said that the *Fairfax Newsletter* recently covered a story on the office vacancy rate in Tysons Corner. This report indicates that the Tysons Corner vacancy rate has dropped to 3.61 percent. This figure demonstrates that the office market is rebounding. He added that KPMG Peat Marwick is scheduled to build a 307,000 square foot building to house its headquarters of 150,000 square feet and anticipates leasing the remaining 157,000 square feet as speculative office. In addition to this proposed construction, Supervisor Connolly met with representatives from the Mark Winkler Company and NADA to discuss their plans to build two speculative office buildings with a combined total of 500,000 square feet of new office space. He added that this is a sign of a rebounding economy in Fairfax County.

56. **APPOINTMENT TO THE COMMISSION ON AGING** (Tape 4)

(APPT)

Supervisor Connolly moved the appointment of Ms. Helene Layman as the Providence District Representative to the Commission on Aging. This motion was seconded by Supervisor Gross and carried by a vote of seven, Supervisor Mendelsohn being out of the room, Supervisor Bulova and Supervisor Dix being absent.

57. **REQUEST TO REMOVE FOUR PROPERTIES FROM THE REFUSE AND LEAF COLLECTION COUNTY SERVICE** (Tape 4)

Supervisor Connolly moved that the Board remove the four properties located 2239, 2240, and 2247 Providence Street and 7604 Maydan Lane of Falls Church from the County Refuse and Leaf Collection System and make it retroactive to January 1, 1997. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Mendelsohn being out of the room, Supervisor Bulova and Supervisor Dix being absent.

58. **PROPOSED CHANGES TO METRORAIL SIGNS** (Tape 4)

Supervisor Connolly said that the Board discussed proposed changes to the names of certain Metrorail stations at its March 10, 1997 meeting. He noted that the Board endorsed changing the name of the Dunn Loring station to "Dunn Loring-Merrifield." He distributed a letter to the Board from the Washington Metropolitan Area Transit Authority (WMATA) requesting County support for the following name changes:

- West Falls Church to "West Falls Church-VT/UVA";
- Dunn Loring to "Dunn Loring-Merrifield"; and
- Vienna to "Vienna-Fairfax."

Supervisor Connolly said that WMATA is requesting a commitment of \$50,000 from Fairfax County towards the cost of changing the name of the Dunn Loring Station.

Therefore, Supervisor Connolly moved that the Board:

- Support the name changes as outlined above;
- Authorize payment of \$50,000 towards the Dunn Loring name change; and
- Direct staff to advise WMATA of these actions.

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

59. **REDESIGN OF THE SHREVE ROAD, PINECASTLE ROAD, AND BUCKLEW DRIVE INTERSECTION** (Tape 4)

- (R) Supervisor Connolly reminded Board Members that on May 16, 1994, the Board endorsed the use of Virginia Department of Transportation (VDOT) incidental construction funding for the redesign of Shreve Road's intersection with Pinecastle Road and Buckelew Drive.

Supervisor Connolly said that the intersection is characterized by a sharp S-curve, a steep grade, and very limited sight distances. Further, the intersection is bisected by the Washington and Old Dominion Trail, which is heavily traveled by in-line skaters, bicyclists, and pedestrians. Also, on one corner of the intersection, is a very popular public swimming pool.

Supervisor Connolly said that he was recently informed that VDOT's Secondary Roads Division determined that this project has increased in scope to the point that it no longer qualifies as an incidental construction project. Further, the project is on "indefinitely deferred status" until the Board moved to include it in the Six-Year Program.

Therefore, Supervisor Connolly moved adoption of the Resolution, in which the Office of Transportation is directed to work with VDOT to include the redesign of the Shreve Road, Pinecastle Road, Buckelew Drive intersection in the update of the Secondary Six-Year Plan. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room, Supervisor Bulova and Supervisor Dix being absent.

60. **NEW 18-HOLE MINI GOLF COURSE OPENS AT JEFFERSON DISTRICT PARK** (Tape 4)

Supervisor Connolly announced that on Saturday, July 26, 1997, Jefferson District Park opened to the public a new 18-hole mini golf course. The official opening ceremony is scheduled for Saturday, August 9, 1997 at 10:00. He invited Board Members to join him for a rousing game on that day.

Supervisor Connolly stated that the hours are from 11:00 a.m. until 10:00 p.m. seven days a week through Labor Day. From Labor Day through October the hours are Monday through Friday 4:00 p.m. until 10:00 p.m. Admission is \$4.00/adults; \$3.00/children.

61. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-W-023; FINAL DEVELOPMENT PLAN APPLICATION FDP 91-W-023-3 AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 91-W-023-1-1 (FAIRFAX COUNTY BOARD OF SUPERVISORS) (PROVIDENCE AND BRADDOCK DISTRICTS)** (Tape 4)

Supervisor Connolly announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Proffered Condition Amendment Application PCA 91-W-023, Final Development Plan Application FDP 91-W-023-3 and Final Development Plan Amendment Application FDPA 91-W-023-1 until October 27, 1997.

(NOTE: Later in the meeting, action was taken to formally defer these applications. See Clerk's Summary Item CL#94.)

62. **RESUBDIVISION/BOUNDARY LINE ADJUSTMENT FOR RANDOM HILLS LAND BAY A3** (Tape 4)

Supervisor Frey stated that he had been asked to assist the residents in Random Hills Land Bay A3 with a resubdivision/boundary line adjustment through conveyance of common space to lot owners. According to the attorney for the residents, the proposed conveyance is a two-foot wide strip of land which would enlarge the townhouse lots and enable the construction of decks.

Supervisor Frey said that through his initial contact with the staff of the Office of Comprehensive Planning (OCP), it was determined that Paragraph 4 of Section 2-702 of the Zoning Ordinance prohibits the disposition of common open space without first offering to dedicate the land to the County.

Accordingly, Supervisor Frey moved that the Board decline the dedication of the two-foot wide strip of land in Random Hills Land Bay 3 as referenced in the May 30, 1997 letter from Gail P. Miller, Esquire, as distributed to the Board. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

63. **SOUTHWESTERN YOUTH ASSOCIATION (SYA) 13 YEAR OLDS WIN VIRGINIA STATE CHAMPIONSHIP** (Tape 4)

Supervisor Frey announced that the Southwestern Youth Association (SYA) 13 year olds won the Virginia State Championship on Friday, July 25, 1997. He asked unanimous consent that the Board direct staff to invite them to appear before the Board to be recognized for their accomplishment. Without objection, it was so ordered.

64. **RESTON AMERICAN LITTLE LEAGUE ALL-STAR TEAM WINS DISTRICT IV STATE CHAMPIONSHIP** (Tape 4)

On behalf of Supervisor Dix, Supervisor Frey announced that the Reston American Little League All-Star Team won the District IV State Championship held in Danville on Friday, August 1, 1997 with a 9-7 victory over Bristol.

On behalf of Supervisor Dix, Supervisor Frey asked unanimous consent that the Board direct staff to invite the Reston American players and coaches to appear before the Board in September to be appropriately honored for their terrific season and their championship performance. Without objection, it was so ordered.

NV:nv

65. **"GENE B. GLICK COMPANY DAY"** (Tape 5)

Supervisor Hyland asked unanimous consent that the Board:

- Proclaim August 29, 1997 as "**Gene B. Glick Company Day**" in Fairfax County to acknowledge contributions of the Glick Company to Lorton; and
- Provide the Proclamation to the Woods of Fairfax Apartments located in Lorton.

Without objection, it was so ordered.

66. **TRUCK VIOLATIONS JEOPARDIZE TRANSPORTATION SAFETY** (Tape 5)

Supervisor Hyland referred to his written Board Matter regarding the joint inspection of commercial motor carriers located on Lorton Road by the Fairfax County Police Department Motor Carrier Safety Section and the Virginia State Police which occurred on July 22, 1997 resulting in 270 violations and 53 summonses issued out of a total of 110 trucks and trailers examined. He stressed his concern about this safety matter.

Supervisor Hyland moved that the issue of inspections of commercial motor carriers being intensified with greater regularity be referred to the Police Department and the County Executive for their review and recommendation as to how greater compliance with safety and maintenance regulations for trucks and trailers moving through Fairfax County's streets and highways, can be ensured, including consideration of reaching out to the trucking industry to determine if it can be made more responsible in this matter. This motion was seconded by Supervisor McConnell.

Supervisor Mendelsohn asked to amend the motion to request assistance from the State and State Police as the first course of action because this is a State function, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

67. **HOUSE ON HUNTINGTON AVENUE SHAKES, RATTLES AND ROLLS** (Tape 5)

Supervisor Hyland said that a constituent recently contacted his office to advise him that during the past six months he and his neighbors have been experiencing severe vibrations resulting from the passage and speed of buses and trucks on Huntington Avenue. He said that roadway and subsurface of the road are defective and patches will not work.

Accordingly, Supervisor Hyland moved that the Board refer this issue to staff to determine what can be done to improve this steadily deteriorating condition immediately at the properties located at 2200 to 2221 Huntington Avenue. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

68. **REQUEST COORDINATION OF REVITALIZATION AND ANNUAL PLAN REVIEW (APR) EFFORTS** (Tape 5)

Supervisor Hyland said that the Commercial Revitalization Area communities are concluding work with consultant teams to develop plans and strategies for attracting investment and redevelopment. These efforts have been scheduled to coincide with the County's Annual Plan Review (APR) since they are likely to result in recommendations for amendments to

the Comprehensive Plan. In response to the scheduling demands of the Board, however, review of these studies by the Revitalization Policy Committee and the Board has been postponed until September. This conflicts with progress on APR nominations which cannot be fully prepared without the guidance and concurrence of these bodies.

Accordingly, Supervisor Hyland moved that the Board direct the County Executive and the Office of Comprehensive Planning (OCP) to work with the Department of Housing and Community Development (HCD) and report on September 8, 1997 with a process which will:

- Allow the revitalization plans to move through the review process in an expeditious manner;
- Resolve the scheduling issues related to the APR process so that the revitalization plans can be considered through the APR process; and
- Provide a time line for the recommended solution.

This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

69. **HOW LONG TAXABLE LIFE?** (Tape 5)

(NOTE: Earlier in the meeting, there was discussion of delinquent taxpayers. See Clerk's Summary Item CL#16.)

Supervisor Hyland noted that he had reviewed the list of delinquent taxpayers on the computer printouts available to the Board outside the main conference room today and was amazed at the length of the list of taxpayers owing the County five dollars or less. He distributed to Board Members a copy of a letter that he received from a citizen who has inquired about the taxable life of two items of personal property which are more than 25 years old.

Supervisor Hyland said that the items specifically referred to in the letter are a boat trailer built in 1964 which the citizen purchased in 1977 for \$800 and a row boat purchased in 1970 for a cost of \$170. Tax on these items result in annual revenue to the County of \$7.31 for the trailer and \$4.22 for the boat. He noted it would seem that somewhere along the line, an item of personal property would reach its maximum useful life and would fail to have tangible value.

Accordingly, Supervisor Hyland asked unanimous consent that the Board refer this issue to staff for review and recommendation as to the efficacy of the present personal property tax requirements and whether they should be changed to reflect a maximum useful taxable life. Without objection, it was so ordered.

Chairman Hanley clarified that the County does not collect for amounts less than five dollars and a brief discussion ensued.

70. **STAFF NEEDED TO ENSURE CONTINUANCE OF COMMUNITY IMPROVEMENT PROGRAM (CIP)** (Tape 5)

(BACs)

Supervisor Hyland said that in recent communications from members of the Community Improvement Program (CIP) Committee, concerns have been expressed about the current lack of sufficient staffing for the Committee and its mission. Just as there exists the need for Revitalization efforts, community improvement plays a critical part in rehabilitating aging parts of the County.

Supervisor Hyland stated that until recently, the CIP had adequate staffing to support the Committee's activities. Because of the value of the CIP, Supervisor Hyland asked unanimous consent that the Board refer this issue to the County Executive to determine how adequate staff support may be provided to meet the needs of the CIP Committee and ensure the continuance of this important program. Without objection, it was so ordered.

71. **LORTON LITTLE LEAGUE REQUESTS DONATION** (Tape 5)

Supervisor Hyland said that the Lorton Little League has requested the Board to consider donating an obsolete tractor which the County would no longer need. Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Park Authority, Department of Public Works Department (DPW), School Board, et cetera to consider the donation of a used tractor to the Lorton Little League for the purpose of maintaining the Lower Potomac Pollution Control Plant softball fields in tournament condition. Without objection, it was so ordered.

72. **STREET LIGHT FUNDING REQUEST** (Tape 5)

(NOTE: Earlier in the meeting, action was taken by the Board to add Consideration Items for the Board's Carryover Review. See Clerk Summary Items CL#34 and CL#45.)

Supervisor Hyland referred to his written Board Matter concerning funding for one street light at the intersection of Silverbrook Road and Silverview Drive and the surrounding area.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Hyland moved that the Board add this item as a Consideration Item in the Carryover Budget. This motion, the second to which was indistinguishable, carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

A brief discussion followed with input from Mr. Griffin.

73. **CITY OF ALEXANDRIA'S ATTEMPT TO COLLECT PERSONAL PROPERTY TAXES** (Tape 5)

Supervisor Hyland referred to his written Board Matter regarding correspondence he received from a County resident about an attempt by the City of Alexandria to collect personal property taxes for a boat. Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Department of Tax Administration to research this issue to determine what, if anything, needs to be clarified between the Virginia Game and Inland Fisheries, the City of Alexandria and Fairfax County regarding the issue the constituent has raised and to report its findings. Without objection, it was so ordered.

A brief discussion ensued.

74. **APPOINTMENT TO THE HUMAN SERVICES COUNCIL** (Tape 5)

(APPT)

Supervisor Hyland moved the appointment of Ms. Maureen McGuire-Kuletz to fill the unexpired term of Mr. Paul Krizak as a Mount Vernon District Representative to the Human Services Council. This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

75. **EXPEDITED PROCESSING FOR REZONING APPLICATION RZ 1997-MV-008** (Tape 5)

Supervisor Hyland moved that the Board direct staff to:

- Expedite the processing for Rezoning Application RZ 1997-MV-008; and
- Schedule the public hearing for this application to be held before the Board on October 27, 1997, with the Planning Commission public hearing being held two weeks prior to that date.

Supervisor Hyland noted that this motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of this application in any way. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

76. **NATIONAL ASSOCIATION OF COUNTIES (NACo) ELECTION** (Tape 5)

Supervisor Hyland expressed his appreciation to Chairman Hanley for placing his name into nomination for First Vice-President of the National Association of Counties (NACo) at its recent conference. He also expressed appreciation to Supervisor Connolly for assisting in that effort. He noted that he won 30 of the 46 states represented and tied in one state, but did not win the overall election.

A brief discussion ensued.

77. **JEFFERSON MANOR COFFEE MUG** (Tape 5)

Supervisor Kauffman displayed a coffee mug he had received from the Jefferson Manor community which is celebrating its 50th anniversary on September 6, 1997.

78. **COMPLETION OF THE FAIRFAX COUNTY PARKWAY THROUGH THE ENGINEERING PROVING GROUNDS (EPG)** (Tape 5)

Supervisor Kauffman distributed to the Board copies of a letter he had written to Paul W. Johnson, Deputy Assistant Secretary of the Army for Installations and Housing, concerning the two-mile missing section of the Fairfax County Parkway. This section prevents the eastern end of the Parkway from linking with Reston. He briefed the Board on the efforts to convey the land at the eastern and southern edges of the Engineering Proving Grounds (EPG) to the County from the Army.

Following discussion, Supervisor Kauffman moved that the Board go on record by sending a letter to Mr. Johnson requesting the outgranting of the land for this segment of the Parkway with copies to the Congressional Delegation. This motion, the second to which was indistinguishable, carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

79. **FRANCONIA-SPRINGFIELD BUS SERVICE CHANGES** (Tape 5)

Supervisor McConnell advised the Board about a bus service issue regarding the Franconia-Springfield bus service changes implemented on June 30, 1997. She noted that both she and Supervisor Bulova have been receiving calls regarding bus service between Burke Centre and the Pentagon, and between Burke Centre and the Franconia-Springfield Metrorail Station. She stated that the Route 18P busses leaving the Pentagon to travel to Burke Centre during the afternoon rush hour are overcrowded. She said that she has discussed the problem with staff from the Virginia Department of Transportation (VDOT) and that they are working with staff from the Washington Metropolitan Area Transportation Authority (WMATA) to examine solutions.

Accordingly, Supervisor McConnell moved that the Board direct staff to:

- Continue working with the staff from WMATA to examine the Route 18P overcrowding situation and decreased frequency of service;
- Review the increased travel time and surcharge issues on the Route 18S; and
- Report to the Board in September regarding these issues.

This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

80. **USE OF THE BOARD'S OWNED PROPERTY FOR DEVELOPMENT OF THE BURKE VOLUNTEER FIRE STATION** (Tape 5)

Supervisor McConnell reminded the Board that the Burke community was impacted by the tragic accidental fire on January 10, 1997 that damaged and resulted in the condemnation of the Burke Volunteer Fire Station located on Burke Lake Road. She stated that staff and the Burke Volunteer Fire and Rescue Department are working together to construct a new facility and return full fire and rescue services to the Burke community.

Supervisor McConnell stated that the preliminary engineering is complete for this development. To fully develop the existing site and meet the Chesapeake Bay Ordinance (CBO), storm water quality measures must be included in the development. Due to the flood plain and limited site area, onsite options to meet the CBO are limited. The Board's owned parcel, Tax Map Reference 78-1-1-22B, which is contiguous to the fire station site, can help serve this purpose. Placing this land in a conservation easement and leaving it in its undisturbed state, will assist the fire station development in meeting the storm water quality requirements. Staff is analyzing the options of making this property available for the volunteers' utilization which will be in accordance with County policies regarding project funding.

Accordingly, Supervisor McConnell moved that the Board:

- Authorize the use of this parcel to meet the development requirements of the Burke Volunteer Fire Station site;
- Direct staff to determine the best means for making this property available for this project;
- Direct staff to schedule a public hearing to be held before the Board on September 22, 1997 regarding the disposition of this property; and
- Direct staff to waive all fees associated with this request.

This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being out of the room.

81. **MENDED HEARTS** (Tape 5)

Supervisor McConnell reported that the Northern Virginia Chapter 200 of Mended Hearts, Incorporated, will host the 1997 Fall Conference of the Mid-Atlantic Region Mended Hearts on October 31-November 2, 1997. Mended Hearts is a national non-profit service organization with headquarters in Dallas, Texas dedicated to the alleviation of trauma associated with heart disease and surgery.

Accordingly, Supervisor McConnell moved that the Board direct staff to present a Proclamation on behalf of the Board designating the week of October 26 as "**Mended Hearts Week**" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

82. **RECESS/EXECUTIVE SESSION** (Tape 5)

At 2:10 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting and in addition:

- *Virginia Center Limited Partnership versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 152951;
- *Nickel, et al., versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 154583;
- *G.V.V. Rao versus County of Fairfax*, Civil Action Number 95-817-A;
- Discussion of matters set forth in *Virginia Code* §§ 2.1-344(A)(5) and (21);
- Status of Erroneous Tax Assessment Litigation; and
- Appeal of the Determination in Public Facilities Application 456-D96-7, AT&T Wireless Services.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

AM:am

At 4:15 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Bulova and Supervisor Dix, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

83. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 6)

Supervisor Gross 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 eight, Supervisor Connolly, Supervisor Frey, Supervisor Gross,

Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova and Supervisor Dix being absent.

84. **AUTHORIZATION OF SETTLEMENT OF NICKEL, ET AL., VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 154583** (Tape 6)

Supervisor Frey moved that the Board authorize the settlement of *Nickel, et al., versus Board of Supervisors of Fairfax County, Virginia* At Law Number 154583, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

85. **AUTHORIZATION TO REJECT THE SETTLEMENT OFFER IN MARTIN MEDIA VERSUS THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, ET AL., IN CHANCERY NUMBER 142160** (Tape 6)

Supervisor Frey moved that the Board reject the settlement offer in *Martin Media versus Board of Supervisors of Fairfax County, Virginia, et al.*, In Chancery Number 142160. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

86. **AUTHORIZATION TO FILE A SUIT AGAINST DAYTON TRANSPORT CORPORATION, HAHN TRANSPORTATION COMPANY, AND JOHN LEZAMA** (Tape 6)

Supervisor Hyland moved that the Board authorize the filing of a suit against Dayton Transport Corporation, Hahn Transportation Company, and John Lezama, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

87. **AUTHORIZATION OF SETTLEMENT OF BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, EX REL. JOSEPH E. KING AND JOSEPH G. GEISEN AND FAIRFAX COUNTY HUMAN RIGHTS COMMISSION EX REL. JOSEPH E. KING AND JOSEPH G. GEISEN VERSUS MARCUS VIRGINIA CORPORATION AT LAW NUMBER 153784** (Tape 6)

Supervisor Hyland moved that the Board authorize the settlement of *Board of Supervisors of the County of Fairfax, Virginia, Ex Rel. Joseph E. King and Joseph G. Geisen and Fairfax County Human Right Commission Ex Rel. Joseph E. King and Joseph G. Geisen versus Marcus Virginia Corporation*, At Law Number 153784, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

88. **AUTHORIZATION OF SETTLEMENT OF VIRGINIA CENTER LIMITED PARTNERSHIP VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 152951** (Tape 6)

Supervisor Connolly moved that the Board authorize the settlement of *Virginia Center Limited Partnership versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 152951, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

AR:ar

89. **3:30 P.M. - PH ON PUBLIC STREET FRONTAGE WAIVER REQUEST FOR THE DORTZBACH PROPERTY, LOT 2, WAIVER NUMBER 017747 (SULLY DISTRICT)** (Tape 7)

Following the public hearing, Supervisor Frey moved approval of the request for a waiver of the public street frontage requirement for a proposed subdivision of the Dortzbach property located at 12330 Bennett Road, Public Street Waiver Application Number 017747, Tax Map Number 36-3-001-11 into two lots subject to the proposed conditions recommended by the Planning Commission with the following additional condition:

- Proposed lots 2A and 2B shall have access from the northeastward pointing outlet road only and shall not have access through the northwestward pointing outlet road.

It should be noted that this application is for a waiver of the public street frontage requirements only and that compliance with all other applicable ordinances and regulations will be required of the proposed subdivision.

This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of six, Chairman Hanley abstaining, Supervisor Connolly being out of the room, Supervisor Bulova and Supervisor Dix being absent.

90. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-M-019 (FIRST UNION BANK OF VIRGINIA - MARYLAND AND WASHINGTON, D C) (MASON DISTRICT)** (Tape 7)

Ms. JoAnne S. Bitner reaffirmed the validity of the affidavit for the record.

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

- In excess of \$200 from Bengtson, DeBell and Elkin, Limited.

Ms. Bitner 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, Gregg Russ, Senior 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 97-M-019 subject to the development conditions contained in Appendix One of the staff report. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

91. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 86-C-029-5 (DULLES CORNER PROPERTIES II LIMITED PARTNERSHIP AND SOLUS SOUTHEAST HOTEL PORTFOLIO LIMITED PARTNERSHIP) AND PCA 88-C-066 (DULLES CORNER PROPERTIES II LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 7)

Mr. Michael J. Giguere reaffirmed the validity of the affidavit for the record.

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

- In excess of \$200 from Mr. Carrington Williams.

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

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

On behalf of Supervisor Dix, Supervisor Frey moved approval of Proffered Condition Amendment Applications PCA 86-C-029-5 and PCA 88-C-066 subject to the executed

proffers dated July 18, 1997, and subject to the proposed Conceptual Development Plan (CDP) conditions contained in Attachment Two of the staff report addendum dated July 10, 1997. This motion was seconded by Supervisor Gross and carried by a vote of six, Supervisor Connolly and Supervisor McConnell being out of the room, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Frey moved reaffirmation of the previously approved waivers and modifications of the barrier and screening requirement in favor of that provided on the CDP dated June 9, 1997. This motion was seconded by Chairman Hanley and carried by a vote of six, Supervisor Connolly and Supervisor McConnell being out of the room, Supervisor Bulova and Supervisor Dix being absent.

92. **4:00 P.M. - JOINT VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)/FAIRFAX COUNTY BOARD OF SUPERVISOR PUBLIC HEARING TO CONSIDER CUT-THROUGH TRAFFIC RESTRICTIONS ON KERNS ROAD (MASON DISTRICT)** (Tape 7)

(Verbatim)

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 July 17 and July 24, 1997.

Following the public hearing, which included testimony by four speakers, Supervisor Gross moved approval of the measures proposed by the Virginia Department of Transportation (VDOT) to install three speed humps on Kerns Road between Annandale Road and Sleepy Hollow Road. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

93. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-D-025 (APC REALTY AND EQUIPMENT COMPANY, LLC) (DRANESVILLE DISTRICT)** (Tape 7)

Ms. Michelle Rosatti reaffirmed the validity of the affidavit for the record.

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

- In excess of \$200 from Mr. Michael S. Horwatt; and
- In excess of \$200 from Mr. Terry Banks.

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

- In excess of \$200 from American Personal Communications II Limited Partnership.

Ms. Rosatti 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, Susan Johnson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved approval of Special Exception Amendment Application SEA 91-D-025 subject to the development conditions dated July 9, 1997. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

94. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-W-023; FINAL DEVELOPMENT PLAN APPLICATION FDP 91-W-023-3 AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 91-W-023-1-1 (FAIRFAX COUNTY BOARD OF SUPERVISORS) (PROVIDENCE AND BRADDOCK DISTRICTS)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on Proffered Condition Amendment Application PCA 91-W-023; Final Development Plan Application FDP 91-W-023-3 and Final Development Plan Amendment Application FDPA 91-W-023-1-1 until **October 27, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

SBE:sbe

95. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 86-P-089-4 AND PCA 86-W-001-7; AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATIONS FDPA 86-P-089 AND FDPA 86-W-001-5 (FL PROMENADE, LIMITED PARTNERSHIP) (SULLY DISTRICT)** (Tape 8)

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

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

Following the public hearing, Susan Johnson, 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-W-001-7 subject to the executed proffers dated July 11, 1997; and
- Approval of Final Development Plan Amendment Application FDPA 86-W-001-5 subject to the proposed development conditions dated July 24, 1997.

This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Frey also moved:

- Approval of Proffered Condition Amendment Application PCA 86-P-089-4 subject to the executed proffers dated July 11, 1997; and
- Approval of Final Development Plan Amendment Application FDPA 86-P-089 subject to the proposed development conditions dated July 24, 1997.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Frey moved approval of:

- Waiver of the barrier requirement along the southern boundary line;
- Modification of the transitional screening; and
- Waiver of the barrier requirement along the northern boundary line.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

96. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING LIMITATIONS ON MOBILE AND LAND BASED TELECOMMUNICATION FACILITIES** (Tape 8)

- (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 July 17 and July 24, 1997.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding limitations on mobile and land based telecommunication facilities **to become effective on August 5, 1997 at 12:01 a.m.** This motion was seconded by Chairman Hanley and carried by a vote of six, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Mendelsohn being out of the room, Supervisor Bulova and Supervisor Dix being absent.

97. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING TRUCK RENTAL ESTABLISHMENTS** (Tape 8)

Supervisor Connolly moved to defer the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding truck rental establishments until **September 22, 1997 at 4:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Frey and Supervisor Mendelsohn being out of the room, Supervisor Bulova and Supervisor Dix being absent.

98. **4:30 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION DPA 85-C-088-2 (TOWN CENTER TOWER, LLC) (HUNTER MILL DISTRICT)** (Tape 8)

Supervisor Connolly, on behalf of Supervisor Dix, moved to defer the public hearing on Development Plan Amendment Application DPA 85-C-088-2 until **September 8, 1997 at 4:30 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Frey and Supervisor Mendelsohn being out of the room, Supervisor Bulova and Supervisor Dix being absent.

99. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-V-033 (MOUNT VERNON COUNTRY CLUB) (MOUNT VERNON DISTRICT)** (Tape 8)

Mr. Jeffrey C. Michel reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Vice-Chairman Hyland relinquished the Chair to Acting-Chairman McConnell and moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Mendelsohn and Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Hyland moved approval of Special Exception Application SE 97-V-033 subject to the development conditions dated July 23, 1997. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Mendelsohn and Chairman Hanley being out of the room, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Hyland asked unanimous consent that the Board direct staff to work with the Mount Vernon Country Club regarding the issue of a drainage easement. Without objection, it was so ordered.

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

100. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 95-P-012 AND SPECIAL EXCEPTION APPLICATION SE 97-P-034 (RONALD MERVIS) (PROVIDENCE DISTRICT)** (Tape 8)

Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved:

- Approval of Proffered Condition Amendment Application PCA 95-P-012 subject to the executed proffers dated August 1, 1997;
- Reaffirmation of the previously granted waiver of minimum lot size; and
- Approval of Special Exception Application SE 97-P-034 subject to the development conditions dated July 17, 1997.

This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

101. **ORDERS OF THE DAY** (Tape 8)

Chairman Hanley announced that at 5:30 p.m., the Board would take a brief recess to attend the Faxfair Scholarship Presentation and that the Board would proceed with the public hearings without scheduled speakers prior to the recess.

102. **4:30 P.M. - PH ON SPECIAL EXCEPTION SE 96-Y-024 (MILDRED K. DEBELL, TRUSTEE) (SULLY DISTRICT)** (Tape 8)

Mr. James A. McCormack reaffirmed the validity of the affidavit for the record.

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

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

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

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

Supervisor Frey moved approval of Special Exception Application SE 96-Y-024 subject to the development conditions dated July 2, 1997. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Frey moved:

- Waiver of the barrier requirement; and
- Modification to the screening requirement adjacent to Route 28, in favor of the modified screening and barrier depicted on the Special Exception (SE) Plat.

This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Frey moved waiver of paragraph one of Section 9-309 to allow a portion of the play area to be located in the front yard as shown on the SE Plat. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Frey moved waiver of the service drive requirement. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

103. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 8 4-L-020-13 (KINGSTOWNE COMMERCIAL, LIMITED PARTNERSHIP) (LEE DISTRICT)** (No Tape)

(Note: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#108.)

104. **4:30 P.M. PH ON REZONING APPLICATION RZ 1997-MV-010 (STONEPOINT, L.C.)(MOUNT VERNON DISTRICT)** (Tape 8)

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

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

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Frey being out of the room, Supervisor Bulova and Supervisor Dix being absent.

Supervisor Hyland moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-MV-010 be amended from the R-1 and R-3 Districts to the R-3 District subject to the execution of the proffers dated June 12, 1997. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room, Supervisor Bulova and Supervisor Dix being absent.

105. **RECESS** (Tape 8)

At 5:35 p.m., the Board recessed to attend the Faxfair Scholarship Presentation and, at 6:00 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Bulova and Supervisor Dix, and with Chairman Hanley presiding.

106. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-L-009 (SYED ASLAM ALI) (LEE DISTRICT)** (Tape 8)

Mr. Thomas R. Williams, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Williams 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, 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 Application SE 97-L-009 subject to the development conditions dated June 18, 1997. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

107. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-L-077 (POTTERS GLEN COMMUNITY ASSOCIATES, INCORPORATED) (LEE DISTRICT)** (Tape 8)

Mr. J. Cully Warren reaffirmed the validity of the affidavit for the record.

Mr. Warren 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, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved approval of Proffered Condition Amendment Application PCA 86-L-077 subject to the executed proffers dated July 9, 1997. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

108. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-L-020-13 (KINGSTOWNE COMMERCIAL, LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tapes 8-10)

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

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

- In the amount of \$200 from Mr. Warren E. Halle, Kingstowne Commercial Limited Partnership.

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.

Following the public hearing, which included testimony by 10 speakers, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.
Supervisor Kauffman moved:

- Approval of Proffered Condition Amendment Application PCA 84-L-020-13 subject to the executed proffers dated August 1, 1997;
- Approval of the Conceptual Development Plan (CDP) as recommended by the Planning Commission;
- Approval of the requested modification of the transitional screening yard and waiver of the barrier requirement along the periphery of the application property; and
- Modification of the transitional screening yard along the boundary of Land Bay O and P with Land Bay V and W, subject to the proffers dated August 1, 1997.

This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Kauffman amended the motion to add the following item:

- Modification of the requirement to provide deciduous trees as interior parking lot landscaping within the Virginia Power easement next to Kingstowne Boulevard.

This was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor Bulova and Supervisor Dix being out of the room.

109. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1997-MV-010 (STONEPOINT, L.C.) (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#104.)

110. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-L-009 (SYED ASLAM ALI) (LEE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#106.)

111. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-L-077 (POTTERS GLEN COMMUNITY ASSOCIATES, INCORPORATED) (LEE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#107.)

112. **5:00 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tapes 10-11)

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 July 17, and July 24, 1997.

Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and included testimony from the following speakers:

- Mr. John Thompson regarding girls' softball facilities;
- Mr. Kevin Norris regarding County field allocations; and
- Mr. Robert Church regarding softball fields for girls.

Following discussion, with input from Wes Michael Kendrick, Director, Department of Community and Recreation Services (DCRS), Supervisor Hyland asked unanimous consent that the Board direct staff to review the contract with the concession stands to determine whether the contract needs to be changed to require concession stands to open upon request or to allow a non-profit group to operate concession stands in the vender's absence. Without objection, it was so ordered.

Supervisor Connolly moved that the Board direct the County Executive to work with the DCRS, the Park Authority, and the School Division to examine funding alternatives for lighting and irrigating the fields at Whittier School, along with a report on the negotiations of the fields at Whittier in reference to what the City of Falls Church intends to do with these fields. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being out of the room.

Supervisor Connolly moved that the Board direct the County Executive to develop a report responding to the concerns that the Board has heard at this Public Comment session and the plan of action for beginning to readdress them including, but not limited to:

- Conversations with the Park Authority about the concession

operation at Wakefield Park and all the County Parks;

- Policy with respect to County high school fields; and
- Current DRCS policies and practices on the discrimination to girls sports, especially softball.

This motion was seconded by Supervisor Mendelsohn.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to include the School Division in this discussion about school fields, and this was accepted.

Chairman Hanley clarified that the motion was to direct the County Executive to provide the Board with a report that answers and explains the questions and issues that were raised during this Public Comment session.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Gross asked to amend the motion to direct the County Executive to engage parents, players, and other interested parties to participate in meetings and discussions on this subject, and this was accepted.

Supervisor Hyland asked to amend the motion to direct staff to include in the report the total number of fields and the total number of fields that are being made available to males and females, and this was accepted.

Supervisor McConnell asked to amend the motion to direct the County Executive to review how concession stands are entwined in the budget of the Park Authority and whether this is something that should be promoted, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor Bulova and Supervisor Dix being absent.

113. **WELCOME ROBERT J. O'NEILL, JR, THE NEW COUNTY EXECUTIVE**
(Tape 11)

(NOTE: Earlier in the meeting, the Board welcomed the new County Executive. See Clerk's Summary Item CL#2.)

Chairman Hanley again welcomed Robert J. O'Neill, Jr., the new County Executive.

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

At 8:10 p.m., the Board adjourned.