



# **CLERK'S BOARD SUMMARY**

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

**MONDAY  
April 29, 2002**

*This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.co.fairfax.va.us/gov/bos/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 703-324-3903 (TTY).*

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**11-02**

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**PW:pw**

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

Supervisor McConnell arrived at 9:20 a.m.

Supervisor Kauffman arrived at 9:25 a.m.

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

### **BOARD MATTER**

1. **LATE ARRIVAL OF BOARD MEMBERS** (Tape 1)

Chairman Hanley noted that there were traffic signal problems on the Fairfax County Parkway and that Board Members traveling on the parkway would be delayed.

### **AGENDA ITEMS**

2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE FIREFIGHTER COMBAT CHALLENGE TEAM** (Tape 1)

Chairman Hanley noted that part of the Fairfax County Fire and Rescue team was currently assisting in the disaster recovery resulting from yesterday's tornado that occurred in LaPlata and Charles County, Maryland.

Supervisor Connolly moved approval of the Certificate of Recognition presented to the Firefighter Combat Challenge Team for its accomplishment. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell not yet having arrived.

3. **PROCLAMATION DESIGNATING MAY 3 AS "BIKE TO WORK DAY" IN FAIRFAX COUNTY AND INFORMATION ITEM I-3 – BICYCLE COMMUTING** (Tape 1)

Supervisor Hudgins moved approval of the Proclamation to designate May 3 as "*Bike to Work Day*" in Fairfax County. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell not yet having arrived.

Supervisor Gross called the Board's attention to Information Item I-3 regarding bicycle commuting.

Supervisor Hudgins announced that the Bike-To-Work Rally will take place Friday, May 3, at the Reston Town Center at 8 a.m.

Supervisor Gross asked unanimous consent that the Board direct staff to provide information on creating decals similar to those provided to the Board by the Washington Area Bicyclist Association, which are currently used by the City of Rockville. The decals are put on the side rearview mirror of their fleet vehicles to remind the drivers to look out for bicyclists. Without objection, it was so ordered.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. MICHELLE PEYSER** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Michelle Peyser, Principal, Franklin Middle School, for her accomplishments. Supervisor Hudgins seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING APRIL 29 - MAY 4 AS "FAIRFAX FILM AND VIDEO FESTIVAL WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate April 29 - May 4 as "*Fairfax Film and Video Festival Week*" in Fairfax County. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO INOVA HEALTH SYSTEM AND THE FAIRFAX COUNTY PUBLIC LIBRARY FOUNDATION** (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and moved approval of the Certificate of Recognition presented to INOVA Health System and the Fairfax County Public Library Foundation for the Health Information Partners Project. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MAKE KIDS SMILE, INCORPORATED AND MR. PETER OGNIBENE** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to Make Kids Smile, Incorporated, and Peter Ognibene, President, for their effort on behalf of the County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

8. **PROCLAMATION DESIGNATING MAY AS "OLDER AMERICANS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Kauffman moved approval of the Proclamation to designate May as "*Older Americans Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING MAY 4 - 11 AS "SAFE KIDS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate May 4 - 11 as "*Safe Kids Week*" in Fairfax County. Supervisor Gross seconded the motion and it carried by unanimous vote.

Supervisor Gross called the Board's attention to a program that INOVA Health Systems is involved in called "Kids Can't Fly." This program helps make the public aware of the tragic results when children fall out of windows that are not properly secured. She asked unanimous consent that the Board direct staff to include that program in a partnership with INOVA Health Systems to continue to publicize that particular issue. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to continue efforts to enforce the bicycle helmet safety law and educate the public about the law. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

SBE:sbe

10. **10 A.M. – BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), ARTICLE 10, REVISING THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES (COUNTYWIDE)** (Tape 2)

(O) (NOTE: The public hearing regarding this item was held on April 8, 2002, and decision deferred until April 29, 2002.)

Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10, Section 2 as follows:

- Subsection (d), Service Charges, to maintain the sewer service charges on a multi year basis as included in the ordinance amendment. The effect of this approval for FY 2003 is a sewer service charge rate of \$2.95 per 1,000 gallons. This is an increase from the FY 2002 service charge of \$2.88 per 1,000 gallons.
- Subsection (a), Availability Charges, to maintain the availability charges on a multi year basis as included in the ordinance amendment. As a result of this motion, the availability fee for a single family residence increases to \$5,247 from \$5,069 in FY 2002.

Supervisor Hyland seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting “AYE.”

11. **10 A.M. – BOARD ADOPTION OF THE FISCAL YEAR (FY) 2003 BUDGET PLAN** (Tape 2)

(APRs) (O)

(FPRs)(R)

(NOTE: The public hearing for this item was held on April 8-10, 2002, and decision scheduled for April 29, 2002.)

Supervisor Bulova stated that having conducted a public hearing in accordance with the *Code of Virginia*, Section 58.1-3321 (B) on the effective tax rate and in order to adopt the tax rates which are necessary to support the FY 2003 budget, she moved adoption of the FY 2003 Tax Rate Resolution adopting tax rates for Fairfax County as detailed in Attachment II of the Board Agenda Item dated April 29, 2002. As a result of this action, the FY 2003 real estate tax rate will be reduced by \$0.02 from \$1.23 per \$100 of assessed value to \$1.21 per \$100 of assessed value. Supervisor Connolly seconded the motion.

Supervisor Hudgins called the Board's attention to the tax rate for Small Tax District 5, as outlined on handwritten page 38 of the Board Agenda dated April 29, 2002. She stated that the Reston Community Center Board of Governors, following continuous examination of its budget, approved a 13 percent reduction in the tax rate for Small Tax District 5. Following an explanatory statement, Supervisor Hudgins moved to amend the motion to reduce the tax rate for Small District 5 from \$0.06 to \$0.052 per \$100 of assessed value. Supervisor Kauffman seconded the amendment to the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

The question was called on the main motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hudgins voting "NAY."

#### **Real Estate Tax Relief for the Elderly and Disabled**

Supervisor Bulova stated that on April 8, 2002, the Board conducted a public hearing on increasing the eligibility criteria for the County's program of providing tax relief to certain elderly and disabled persons, and the Board kept that record open until April 29, 2002. Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), amending Sections 4-14-1, 4-14-2, and 4-14-5.

Supervisor Bulova explained that the proposed ordinance makes two basic changes. First the ordinance will increase the combined net financial worth threshold for applicants from \$150,000 to \$160,000, as discussed by the Board on April 19, 2002. Second, this ordinance will extend the filing period to December 31, 2002, for persons who want to apply for this relief program during the present calendar year. Without such an extension, elderly and disabled persons would be unable to take advantage of the higher financial worth threshold this year because the filing deadline for the present calendar year was April 1, 2002. Supervisor Connolly seconded the motion.

Following discussion, with input from Susan Datta, Director, Department of Management and Budget, and Michael Long, Senior Assistant County Attorney, the question was called on the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**FY 2003 Appropriation Resolution for County Agencies/Funds**

Supervisor Bulova moved adoption of the FY 2003 Appropriation Resolution for Agencies/Funds as reflected in Attachment III of the Board Agenda Item dated April 29, 2002. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**FY 2003 Appropriation Resolution for School Board Funds**

Supervisor Bulova moved adoption of the FY 2003 Appropriation Resolution for School Board Funds as reflected in Attachment IV of the Board Agenda Item dated April 29, 2002. Supervisor Connolly and Supervisor Hyland jointly seconded the motion.

Following discussion, and with reference to a budget update from the School Division's website, Chairman Hanley stated for the record that the schools still have clinic room aides and public health nurses, but not enough public health nurses.

Following further discussion regarding a handout from Supervisor Mendelsohn, and with input from Ms. Datta, the question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

(NOTE: Later in the meeting the Board discussed other school funding issues. See Clerk's Summary Items CL#33 and 42.)

**FY 2003 Fiscal Planning Resolution**

Supervisor Bulova moved adoption of the FY 2003 Fiscal Planning Resolution as reflected in Attachment V of the Board Agenda dated April 29, 2002. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

12. **10 A.M. – BOARD ADOPTION OF THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS (FY) 2003 - 2007 (WITH FUTURE FYs TO 2012)** (Tape 2)

(NOTE: The public hearing for this item was held on April 8-10, 2002, and decision scheduled for April 29, 2002.)

Supervisor Bulova moved adoption of the Advertised CIP for FYs 2003 - 2007 (with future fiscal years to 2012) with amendments, as presented at the Board's budget workshops, as follows:

- Approve a \$60 million Public Safety referendum in fall 2002 including approximately \$29 million for a replacement PSCC/EOC, \$25 million for renovations to the Jennings Judicial Center and \$6 million for priority Fire Station renovations and improvements to include constructing an appropriately located Hazmat facility.
- Increase School Bond sales to \$136.4 million in FY 2003. It is the Board's intention that this action will result in the acceleration of the planning funds for Woodson High School and Glasgow renewal to FY 2003 and will not interfere with the existing placement of projects waiting to be funded. The remaining CIP period will include \$130 million per year for schools bonds sales. Additional increases to school bond sales will be reviewed annually.
- Approve a \$20 million Park referendum in fall 2002 for land acquisition and development. The development funding shall include \$1.4 million for costs associated with the Wakefield Girls Softball Complex.
- Approve a Library construction and renewal bond referendum for fall 2004. Staff should report with recommendations as to referendum amount and specify library projects for consideration.
- Include preliminary planning and scoping funds for Burke and Oakton Libraries at a cost of \$550,000 using one-time General Fund monies to be identified at the FY 2002 Carryover Review, if available.
- Approve a Commercial Revitalization and Neighborhood Improvement bond referendum for fall 2005. Staff should report with recommendations as to referendum amount and specific projects for consideration.
- Revise the language in the Principles of Sound Capital Improvement planning to include a reference to the County's revitalization initiatives.
- Direct staff to review fund balances at the FY 2002 Carryover Review for the purposes of providing funding for the land

acquisition reserve so that the County may take advantage of opportunities that develop during FY 2003.

- Direct staff to continue to enhance the CIP process over the next several months and communicate progress with the Board in the November/December 2002 timeframe.
- Make all necessary adjustments to reflect actions taken during the Board's decision on the *FY 2003 Adopted Budget Plan* that impact the CIP.

Supervisor Bulova asked to amend the fourth bullet as it refers to the Library Construction and Renewal Bond Referendum for fall 2004. Noting that the Library Board has already made a priority the planning and construction of the Burke Center and the Oakton Libraries and other projects as well that would be recommended including some renewal of older libraries, staff should report with recommendations pursuant to the Library Board's recommendation. Supervisor Connolly seconded the motion as amended.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Hudgins moved to amend the motion to include up to \$900,000 for the road improvements to complete the construction of the Stratton Woods Park.

Following a brief discussion, with input from Mr. Griffin, Supervisor Hyland seconded the amendment to the motion for purpose of discussion.

Supervisor Hudgins withdrew her amendment to the motion until the Board receives information previously requested regarding leftover road bond funds from completed projects and this was accepted.

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

13. **10 A.M. – BOARD DECISION ON THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2003**  
(Tape 2)

(NOTE: The public hearing for this item was held on April 8-10, 2002, and decision scheduled for April 29, 2002.)

Discussion ensued, with input from Audrey Spencer-Horsley, Acting Director, Community Development Division, Department of Housing and Community Development.



Supervisor Connolly moved that the Board:

- Adopt the proposed Consolidated Plan One Year Action Plan for FY 2003 as issued by the Consolidated Community Funding Advisory Committee (CCFAC) with funding allocations outlined in the Board Agenda Item dated April 29, 2002.
- Authorize signature of the Consolidated Plan Certifications and federal funding application forms (SF424s) required by the US Department of Housing and Urban Development

The use of the funds identified in the *Proposed Consolidated Plan One Year Action Plan for Fiscal Year (FY) 2003* are summarized in the Board Agenda Item dated April 29, 2002. Supervisor Bulova seconded the motion.

Supervisor Kauffman called the Board's attention to page 25 of the Board Agenda Item dated April 29 2002, and he asked to amend the motion to direct the CCFAC to review the allocation and give revitalization a higher priority particularly in reference to Community Development Block Grant Funds. This was accepted.

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

14. **10 A.M. – BOARD ACTION ON CONSOLIDATED COMMUNITY FUNDING POOL (CCFP) RECOMMENDATIONS FOR FISCAL YEARS (FY) 2003 AND 2004** (Tape 2)

Supervisor Hyland moved that the Board:

- Approve the contract list and associated award of CCFP funds as recommended by the Selection Advisory Committee (SAC) for FY 2003.
- Accept the SAC's recommendations for FY 2004 funding, contingent upon the Board's decisions regarding CCFP appropriation to be determined in the FY 2004 budget process and by the availability of Community Development Block Grant funds for capital projects.
- Approve the recommendation of the SAC for the reallocation of new Federal, State, or local funds, or lapsing project funds, that may be necessary during the course of this and future funding cycles. Funds will be reallocated to awarded projects based on budgeted justifications submitted to the County for review. Funds

will be allocated to support recommended activities in order of the SAC ranking and shall be consistent with the intent of the SAC as noted in SAC minutes and proposal summaries and with all applicable State and Federal requirements.

Supervisor Bulova seconded the motion.

Supervisor Gross called the Board's attention to the Volunteer Home Repair Program (Christmas and Sukkot in April and Hearts and Hammers) by the Robert Pierre Johnson Housing Development and asked unanimous consent that the Board direct staff to invite some of the representatives of the program to appear before the Board to discuss the program and receive a proclamation. Without objection, it was so ordered.

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

#### **ADDITIONAL BOARD MATTER**

##### 15. **EXPRESSIONS OF APPRECIATION TO STAFF** (Tape 2)

Supervisor Connolly expressed appreciation to the County Executive and all the Agency Heads with whom the Board worked in developing the budget and he commended the County Executive for his leadership.

Supervisor Mendelsohn thanked Supervisor Bulova, Board's Budget Chairman, for her efforts. He also expressed appreciation to Rosemary Ryan of his staff for the many hours of research she performed for one of the budget projects.

#### **AGENDA ITEMS**

**PW:pw**

##### 16. **10:30 A.M. – APPOINTMENTS TO CITIZENS BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 3)

(APPTS)  
(BACs)

##### **ADVISORY PLANS EXAMINER BOARD**

##### **CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointments to the Advisory Plans Examiner Board:

- Mr. Richard N. Davis as the Citizen Member Representative

- Mr. Paul J. Kraucunas as the Virginia Department of Transportation Representative

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

#### **AIRPORTS ADVISORY COMMITTEE**

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

#### **ANIMAL SERVICES ADVISORY COMMISSION**

Supervisor Mendelsohn moved the appointment of Ms. Joan Parker as the Dranesville District Representative to the Animal Services Advisory Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Victoria P. Kirby as the Springfield District Representative to the Animal Services Advisory Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

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

#### **ATHLETIC COUNCIL**

Supervisor Kauffman moved the reappointment of Mr. Steven R. Saulnier as the Lee District Alternate Representative to the Athletic Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

#### **BOARD OF BUILDING CODE APPEALS**

The Board deferred the appointment of the Superintendent of Building Construction Representative to the Board of Building Code Appeals.

#### **CHARACTER COUNTS! TASK FORCE**

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

#### **COMMISSION FOR WOMEN**

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

**CHARACTER COUNTS! TASK FORCE**

Supervisor Connolly called the Board's attention to the terms of the Character Counts! Task Force and a brief discussion ensued.

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

Supervisor Hyland moved the appointment of Ms. Barbara B. Helm to fill the unexpired term of Dr. Myriam Eder as the Mount Vernon District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

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

**COMMUNITY ACTION ADVISORY BOARD**

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

**COMMUNITY CRIMINAL JUSTICE BOARD**

Supervisor Hyland moved the appointment of Mr. Dallas W. Shawkey as the At-Large #2 District Representative to the Community Criminal Justice Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**COMMUNITY IMPROVEMENT COMMITTEE**

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

**CONSUMER PROTECTION COMMISSION**

The Board deferred the appointments of the Fairfax County Resident #6 and #7 Representatives to the Consumer Protection Commission.

**COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE**

Supervisor Mendelsohn moved the appointment of Mr. Wade H.B. Smith as the Dranesville District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**CONFIRMATION:**

Supervisor Connolly moved the confirmation of the following appointment to the Countywide Non-Motorized Transportation (Trails) Committee:

- Ms. Rebecca Cate as the Federation of Citizens Associations Representative

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

**CRIMINAL JUSTICE ADVISORY BOARD**

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

**CONFIRMATION:**

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

- Ms. Mary Theresa Flynn as the Town of Vienna Representative

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

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

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

**FAIRFAX AREA DISABILITY SERVICES BOARD**

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

**FAIRFAX COUNTY CONSTRUCTION TRADES ADVISORY BOARD**

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

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide an attachment to the appointments document indicating the people who had previously served on the

Electrical, Mechanical and Plumbing Advisory Boards. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to contact trade groups for possible nominations. Following discussion, with input from Anthony H. Griffin, County Executive, without objection, it was so ordered.

#### **FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

Supervisor McConnell moved the reappointment of Ms. Kathleen May as the Springfield District Representative to the Fairfax-Falls Church Community Services Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Chairman Hanley announced her intent to reappoint Ms. Renee M. Alberts as the At-Large #3 Representative and Ms. Cynthia L. Warger as the At-Large #4 Representative to the Fairfax-Falls Church Community Services Board.

Supervisor Mendelsohn announced his intent to reappoint Ms. Roxann P. Ridley as the Dranesville District Representative to the Fairfax-Falls Church Community Services Board.

#### **HEALTH SYSTEMS AGENCY BOARD**

The Board deferred the appointment of the Provider #4 Representative to the Health Systems Agency Board.

#### **HUMAN RIGHTS COMMISSION**

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

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

Chairman Hanley moved the appointment of Ms. Doreen S. Williams to fill the unexpired term of Ms. Amelia A. Gomez as the At-Large Chairman's Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly and Supervisor Gross jointly seconded the motion, which carried by unanimous vote.

#### **OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**

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

**REDEVELOPMENT AND HOUSING AUTHORITY**

Supervisor Gross moved the reappointment of Ms. Joan Sellers as the Mason District Representative to the Redevelopment and Housing Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Hunter Mill District Representative to the Redevelopment and Housing Authority.

**ROAD VIEWERS BOARD**

The Board deferred the appointment of the At-Large #2 Representative to the Road Viewers Board.

**TENANT LANDLORD COMMISSION**

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

**TREE COMMISSION**

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

**AD HOC COMMITTEES****SIGN TASK FORCE**

The Board deferred the appointment of the Springfield District Representative to the Sign Task Force.

**ADDITIONAL APPOINTMENTS****ECONOMIC DEVELOPMENT AUTHORITY**

Chairman Hanley moved the appointment of Mr. Sudhakar V. Shenoy to fill the unexpired term of Mr. Emmit J. McHenry as the At-Large Citizen #1 Representative to the Economic Development Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**COMMISSION ON AGING**

Supervisor Connolly moved the appointment of Mr. Paul D. Snodgrass to fill the unexpired term of Ms. Helen Layman as the Providence District Representative to the Commission on Aging. Chairman Hanley seconded the motion, which carried by unanimous vote.

DS:ds

17. ADMINISTRATIVE ITEMS (Tape 4)

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

Chairman Hanley called the Board's attention to Admin 6 - Authorization for the Fairfax County Police Department to Apply to the Virginia Department of Motor Vehicles for Grant Funds for a Speed/Racing Abatement Program Grant and Admin 9 - Authorization for the Fairfax County Police Department to Apply to the Virginia Department of Motor Vehicles for Grant Funds to Continue the Smooth Operator Enforcement and Education Program. She relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff from the Department of Transportation to review these programs to determine if there are any "credits" the County can receive. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Gross called the Board's attention to Admin 12 - Additional Time to Commence Construction for Special Exception Amendment Application SEA 98-M-028, Lincolnia Educational Foundation, Incorporated (Mason District). She asked to amend the motion to consider Admin 12 separately, and this was accepted.

Supervisor Gross called the Board's attention to Admin 13 - Streets into the Secondary System (Braddock, Dranesville, Mason, Mount Vernon, Providence, and Sully Districts) and stated that on page 61 of the Board Agenda Item dated April 29, 2002, and on handwritten page 3, the street name should read "**Kloman Street**," not Kolman Street. A brief discussion ensued.

Supervisor Bulova called the Board's attention to Admin 15 - Supplemental Appropriation Resolution AS 03001 for the Department of Family Services to Accept Grant Funds from the Virginia Department of Housing and Community Development for the Share Homeless Intervention Program. Discussion ensued with input from Liz Henry, staff, Department of Family Services.

The question was called on the motion to approve the Administrative Items, as amended, with the exception of Admin 12, and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."



**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY LOCATED AT 13643 SHREVE STREET TO RATCLIFFE ASSOCIATES, LC (SULLY DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 20, 2002, at 4 p.m.** on the conveyance of County-owned property located at 13643 Shreve Street to Ratcliffe Associates, LC.

**ADMIN 2 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS TO CONTINUE A TRAFFIC SAFETY WATCH PROGRAM**

Authorized the FCPD to apply to DMV for a grant in the amount of \$77,000 to continue the Traffic Safety Watch Program. A local in-kind match is required. No additional County funding is required.

**ADMIN 3 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) AND THE FAIRFAX COUNTY OFFICE OF THE SHERIFF (FCOS) TO APPLY TO THE BUREAU OF JUSTICE ASSISTANCE (BJA) FOR GRANT FUNDING FOR THE PURCHASE OF BULLETPROOF VESTS**

Authorized the FCPD and the FCOS to apply for a grant from BJA in the amount of \$151,900 for the purchase of bulletproof vests. The grant will consist of \$75,950 from BJA, and a 50 percent local cash match of \$75,950, for a total cost of \$151,900.

**ADMIN 4 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS FOR A YOUTH ALCOHOL AWARENESS PROGRAM**

Authorized the FCPD to apply to DMV for a grant in the amount of \$29,000 to fund a Youth Alcohol Awareness Program. A local in-kind match is required. No additional County funding is required.

**ADMIN 5 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS TO CONTINUE THE OPERATION KIDS CHILD PASSENGER SAFETY PROGRAM**

Authorized the FCPD to apply to DMV for a grant in the amount of \$50,000 to continue the Operation Kids Child Passenger Safety Program. A local in-kind match is required. No additional County funding is required.

**ADMIN 6 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS FOR A SPEED/RACING ABATEMENT PROGRAM GRANT**

(NOTE: Earlier in the meeting additional action was taken on this item. See page 15.)

Authorized the FCPD to apply to DMV for a grant in the amount of \$99,000 to implement a Speed/Racing Abatement Enforcement/Education Program. A local in-kind match is required. No additional County funding is required.

**ADMIN 7 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS FOR A "BUCKLE UP NOW!" ENFORCEMENT PROGRAM**

Authorized the FCPD to apply to the DMV for a grant in the amount of \$90,000 to start a "Buckle Up Now!" Enforcement Program. A local in-kind match is required. No additional County funding is required.

**ADMIN 8 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS FOR A TRAFFIC CRASH INVESTIGATION AND DATA COLLECTION PROGRAM**

Authorized the FCPD to apply to the DMV for a grant in the amount of \$20,000 for a Traffic Crash Investigation and Data Collection Program. A local in-kind match is required. No additional County funding is required.

**ADMIN 9 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS TO CONTINUE THE SMOOTH OPERATOR ENFORCEMENT AND EDUCATION PROGRAM**

(NOTE: Earlier in the meeting additional action was taken on this item. See page 15.)

Authorized the FCPD to apply to the DMV for a grant in the amount of \$81,000 to continue the Smooth Operator Enforcement/Education Program. A local in-kind match is required. No additional County funding is required.

**ADMIN 10 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) FOR GRANT FUNDS FOR A TRAFFIC MANAGEMENT AND INFORMATION PROGRAM**

Authorized the FCPD to apply to the DMV for a grant in the amount of \$111,600 to initiate a Traffic Management and Information Program. A local in-kind match is required. No additional County funding is required.

**ADMIN 11 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 99-M-026, L&M MUFFLERS, INCORPORATED (MASON DISTRICT)**

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 99-M-026 to October 11, 2004, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

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

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#18.)

**ADMIN 13 – STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, DRANESVILLE, MASON, MOUNT VERNON, PROVIDENCE, AND SULLY DISTRICTS)**

- (R) (NOTE: Earlier in the meeting additional action was taken on this item. See page 16.)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Keys Crossing	Braddock	Shooters Hill Lane Route 5427 Keys Court
Chesterbrook Farm Section 1	Dranesville	Maddux Lane Route 1956 Fielding Lewis Way
Johnson's Garden	Mason	Kloman Street

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
		Route 5978 Little River Turnpike Route 236 Additional ROW Only Woodburn Road Route 236 Additional ROW Only
Johnson's Garden Section 2	Mason	Woodburn Road Route 2799 Additional ROW Only
Gunston Corner Section 4B	Mount Vernon	Plaskett Lane Route 600 Additional ROW Only
Mount Air	Mount Vernon	Fisher Woods Drive Corder Lane Accotink Road Route 637 Additional ROW Only Telegraph Road Route 611 Additional ROW Only
Majestic Knolls	Providence	Majestic Knolls Court Lord Fairfax Road Route 837 Additional ROW Only
Wolftrap Road	Providence	Wolftrap Road
Ox Meadow	Sully	Ox Meadow Drive Ox Meadow Court Oxon Road Route 764 Additional ROW Only

**ADMIN 14 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (PROVIDENCE AND MOUNT VERNON DISTRICTS)**

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

- Application 2232-V02-6 to June 30, 2002
- Application 2232A-P00-5-1 to July 4, 2002

**ADMIN 15 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03001 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE SHARE HOMELESS INTERVENTION PROGRAM**

(SAR) (NOTE: Earlier in the meeting there was discussion regarding this item. See page 16.)

Approved SAR AS 03001 in the amount of \$205,931 for DFS to accept State funding in the amount of \$205,931 to provide continued funding for the SHARE Homeless Intervention Program for Fiscal Year 2003. No local cash match is required.

**ADMIN 16 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02083 FOR THE HEALTH DEPARTMENT'S WOMEN, INFANTS AND CHILDREN (WIC) OBESITY GRANT**

(SAR) Approved SAR AS 02083 in the amount of \$21,377 from the US Department of Agriculture through the Virginia Department of Health for the WIC Obesity Grant. No local cash match is required.

**ADMIN 17 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO APPROVE TWO LONG TERM LEASES WITH BIRMINGHAM GREEN ADULT CARE RESIDENCE, INCORPORATED, IN CONNECTION WITH A GRANT APPLICATION FOR HOUSING AND URBAN DEVELOPMENT (HUD) FUNDING TO REPLACE THE EXISTING ADULT CARE RESIDENCE AT MANASSAS, VIRGINIA**

(A) Authorized the advertisement of a public hearing to be held before the Board on May 6, 2002, regarding two long term leases with Birmingham Green Adult Care Residence in connection with a grant application for HUD funding to replace the existing adult care facility at Manassas, Virginia.

**ADMIN 18 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) TO CONTINUE GRANT FUNDING OF THE VICTIM WITNESS ASSISTANCE PROGRAM**

Authorized the FCPD to apply to DCJS for grants in the amount of \$180,760 for Fiscal Year (FY) 2003 and \$173,455 for FY 2004 to continue the Victim Witness Assistance Program. No local cash match is required, however, due to the

differential between State and local pay scales, a funding deficit of \$77,820 exists in FY 2003 and \$89,378 exists in FY 2004.

18. **ADMIN 12 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 98-M-028, LINCOLNIA EDUCATIONAL FOUNDATION, INCORPORATED (MASON DISTRICT)** (Tape 4)

(AT) (NOTE: Earlier in the meeting there was a brief discussion regarding this item. See page 16.)

Supervisor Gross said that after discussions with the applicants, Lincolnia Educational Foundation, and at her recommendation, they agreed that the request for additional time should be for 12 months instead of six months.

Therefore, Supervisor Gross moved that the Board approve the request for **12** months of additional time to commence construction for Special Exception Amendment Application SEA 98-M-028 to April 16, 2003, pursuant to the provisions of Section 9-015 of the Zoning Ordinance. Supervisor Connolly seconded the motion and it carried by unanimous vote.

19. **A-1 – SALE OF GENERAL OBLIGATION BONDS AND REFUNDING BONDS, SERIES 2002a** (Tape 4)

(Bonds)

(R)

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

- Adopt the Resolution authorizing the issuance of the General Obligation Bonds and General Refunding Bonds, which also authorizes the execution and delivery of a Continuing Disclosure Agreement. This Resolution delegates to the County Executive or the Chief Financial Officer authority to award the bonds to the best bidder.
- Approve the form of the Escrow Agreement for the General Obligation Refunding Bonds.

Supervisor McConnell seconded the motion.

Following discussion, with input from Edward L. Long, Jr., Chief Financial Officer, the question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

20. **A-2 – DESIGNATION OF SUPPLEMENTAL VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FISCAL YEAR (FY) 2002 REVENUE SHARING PROGRAM FUNDS (SPRINGFIELD AND SULLY DISTRICTS)** (Tape 4)

- (R) Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution designating a maximum of \$100,000 in unused VDOT FY 2002 Revenue Sharing Program funds, and a maximum of \$100,000 in matching Fairfax County funds for a maximum of \$200,000 to continue the design of the widening of Lee Highway from four to six lanes between Shirley Gate Road and Old Centreville Road. Supervisor Frey seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to return as soon as possible with information on the next phase of this project. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

21. **A-3 – AUTHORIZATION TO REALLOCATE \$3,404,100 FROM UNDESIGNATED PROJECT, WITHIN FUND 144, HOUSING TRUST FUND, TO SPECIFIC PROJECTS IDENTIFIED IN THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) STRATEGIC PLAN-ACTION PLAN FOR FISCAL YEAR (FY) 2002 (MIDS; LAND ACQUISITION; LITTLE RIVER GLEN III; E-AFFORDABLE FORUMS; MAGNET HOUSING; SECTION 8 INCENTIVES; AND RESERVE FOR EMERGENCIES AND OPPORTUNITIES)** (Tape 4)

Supervisor Connolly moved that the Board concur in the recommendation of staff and authorize reallocation of \$3,404,100 from the Undesignated Project, within Fund 144, Housing Trust Fund, to specific projects outlined in the FCRHA Strategic Plan-Action Plan for FY 2002. Supervisor Bulova and Supervisor Hyland jointly seconded the motion.

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

22. **A-4 – ROUTE 28 FINANCING PLAN** (Tape 4)

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

- Approve the outline of the Route 28 financing plan as outlined in the memorandum contained in the Board Agenda Item dated April 29, 2002.
- Authorize staff to finalize the details.

Supervisor McConnell and Supervisor Mendelsohn jointly seconded the motion.

Discussion ensued with input from Anthony H. Griffin, County Executive, and Leonard P. Wales, Assistant Director, Department of Management and Budget.

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

23. **C-1 – APPEAL OF PROFFER INTERPRETATIONS FOR REZONING APPLICATION RZ 84-L-083 AS SET FORTH IN A NOTICE OF VIOLATION (JIMMIE K. AND MARGIE L. WALKER) (LEE DISTRICT)**  
(Tape 4)

Supervisor Kauffman moved that the Board defer action on the appeal of proffer interpretations for Rezoning Application RZ 84-L-083 until May 6, 2002. Supervisor Hyland seconded the motion and it carried by unanimous vote.

24. **I-1 – CONTRACT AWARD – ANNUAL CONTRACT FOR DAM REPAIRS/RENOVATIONS** (Tape 4)

The Board next considered an item contained in the Board Agenda dated April 29, 2002, requesting authorization for staff to award a contract to Sagres Construction Corporation in the amount of \$1,266,342.50 for the annual contract for Dam Repairs/Renovations.

The staff was directed administratively to proceed as proposed.

25. **I-2 – ENDORSEMENT OF PROPOSED NOISE STUDY SUBMISSION GUIDELINES** (Tape 4)

The Board next considered an item contained in the Board Agenda dated April 29, 2002, requesting endorsement of proposed Noise Study Submission Guidelines which will be used by the Department of Planning and Zoning for noise barrier applications.

The staff was directed administratively to proceed as proposed.

26. **I-3 – BICYCLE COMMUTING** (No Tape)

(NOTE: Earlier in the meeting the Board took action on this item. See Clerk's Summary Item CL#3.)



**ADDITIONAL BOARD MATTERS**

NV:nv

27. **ASIAN/PACIFIC AMERICAN HERITAGE MONTH** (Tape 5)

Chairman Hanley announced that the month of May is nationally recognized as Asian/Pacific American Heritage Month. She relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite the appropriate representatives to appear before the Board at the May 6, 2002, meeting to receive a proclamation declaring May as "*Asian/Pacific American Heritage Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of seven, Supervisor Gross, Supervisor Kauffman, and Supervisor McConnell being out of the room.

There was a brief discussion with input from Merni Fitzgerald, Director, Office of Public Affairs.

28. **PUBLIC WORKS WEEK** (Tape 5)

Chairman Hanley stated that an item on public works week would be presented later in the meeting.

(NOTE: Later in the meeting, this item was presented. See Clerk's Summary Item CL#62.)

29. **SUBSTANCE ABUSE AWARENESS WEEK** (Tape 5)

Chairman Hanley stated that staff from the Alcohol and Drug Services, an agency of the Fairfax-Falls Church Community Services Board, has requested recognition for Substance Abuse Awareness Week. Accordingly, she moved that the Board direct staff to:

- Prepare a Proclamation declaring September 23-27, 2002, as "*Substance Abuse Awareness Week*" in Fairfax County.
- Invite the appropriate representatives to appear before the Board at the September 9, 2002, meeting to receive the Proclamation.

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

30. **MENTAL HEALTH AWARENESS WEEK** (Tape 5)

Chairman Hanley stated that to increase community understanding of serious and persistent mental illness, the Fairfax-Falls Church Community Services Board (CSB) has requested a proclamation to recognize Mental Health Awareness

Week. Accordingly, she moved that the Board direct staff to invite representatives from the CSB to appear before the Board on October 7, 2002, to receive a proclamation declaring October 7-13, 2002, as “*Mental Illness Awareness Week*” in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell being out of the room.

31. **OFFICERS OF ELECTION** (Tape 5)

Chairman Hanley said that to encourage participation in the conduct of elections, the County Board of Elections has requested assistance in promoting community service by becoming an Officer of Election. She noted that there is a nationwide difficulty in recruiting election officers. She said that the Electoral Board Secretary has suggested that the Board of Supervisors promote citizen awareness of the need for election officials. Election Official information could be included in various County and community newsletters and the business community could be encouraged to use internal newsletters to promote this activity among employees.

Accordingly, Chairman Hanley moved that the Board direct staff to develop and distribute a suitable notice for inclusion in all pertinent publications, including all various County newsletters. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell being out of the room.

32. **PUBLIC-PRIVATE PARTNERSHIP TO DEVELOP A FAMILY SHELTER IN THE WESTERN PART OF THE COUNTY** (Tape 5)

Chairman Hanley stated that in its most recent report, the Homeless Oversight Committee again highlighted the need for an additional family shelter in the western part of the County. She noted that previous efforts to find a location were unsuccessful, but stressed the importance of renewing those efforts.

Chairman Hanley said that the Northern Virginia Building Industry Association has expressed interest through its Home Aid organization in being a part of such an effort to provide transitional housing and she indicated that there may be other private groups interested as well. During the budget deliberations, the unallocated balance in the Housing Trust Fund was reported to be \$2 million. With a designation of \$836,000 earlier this morning, there is a balance in excess of \$1 million that is undesignated.

Accordingly, Chairman Hanley moved that the Board:

- Direct the County Executive to:
  - Undertake a public-private partnership to develop a shelter in the western part of the County.

- Identify any appropriate County-owned property that could be an appropriate site.
- Include Home Aid and other groups in the discussions.
- Allocate \$1 million from the Housing Trust Fund for the purpose of developing a shelter.

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

33. **STATE BOARD OF EDUCATION TO HOLD HEARINGS REGARDING THE STANDARDS OF QUALITY (SOQ)** (Tape 5)

(NOTE: Earlier in the meeting, the Board took action on the Fiscal Year 2003 Budget. See Clerk's Summary Item CL#11.)

Chairman Hanley stated that the State Board of Education has begun a series of public hearings for comments on possible proposed changes to the SOQ. She noted that the Board of Supervisors has been on record numerous times stating that the current SOQ are underfunded and the Board has supported recommendations regarding SOQ revisions as made in a November 2001 report by the Joint Legislative Audit and Review Commission. Much of this is contained in the Board's 2002 Legislative Program and was presented to the County Delegation to the General Assembly at the December meeting.

Accordingly, Chairman Hanley moved that the Board present testimony or comments to the State Board of Education expressing the Board's previously adopted positions regarding funding and revisions to the SOQ. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

34. **VIRGINIA MUNICIPAL LEAGUE (VML) COMMITTEES** (Tape 5)

Chairman Hanley stated that the VML mailed to her its list of committees and encouraged participation by all municipalities. She listed the committees as:

- Environmental Quality
- Finance
- General Laws
- Human Development

- Transportation

She asked Board Members to inform her of their interest in serving on any of those committees.

35. **VULCAN MATERIALS NAMED ONE OF MOST ADMIRED COMPANIES** (Tape 5)

Chairman Hanley noted that she had received a letter from Vulcan Materials announcing that it is on the top ten list of America's Most Admired Companies for *Fortune's* twentieth anniversary. Following discussion, she asked unanimous consent that the Board direct staff to draft a letter from the entire Board congratulating this company for its achievement. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**PMH:pmh**

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

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

37. **WAIVER OF FEES FOR DUNN LORING WOODS RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) AND STRATHAVEN PLACE, LEAMORE LANE, AND LOCHMORE LAND RPPD** (Tape 6)

Supervisor Connolly said that citizens from the Dunn Loring Woods community have petitioned for a RPPD on Citadel Place, Carnegie Drive, and Skidmore Circle to improve traffic safety conditions in their neighborhood.

Therefore, Supervisor Connolly moved that the Board waive the required fees for the implementation of RPPDs in these neighborhoods. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

38. **REQUEST FOR EXPEDITIOUS PUBLIC HEARING FOR THE PROFFERED CONDITION AMENDMENT AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATIONS REGARDING PENDERBROOK** (Tape 6)

Supervisor Connolly said that the Penderbrook Community Association anticipates submitting a proffered condition amendment in June.

Supervisor Connolly moved that the Board direct staff to:

- Expedite the public hearing for the proffered condition amendment and final development plan amendment applications for the site improvements at the central recreational complex within Penderbrook, which is located at Tax Map 46-3((1))77 and 46 ((1))75.
- Allow concurrent processing of the proffered condition amendment and final development plan amendment applications and the site improvements at the central recreational complex within Penderbrook identified at the same tax map referenced above.

This action does not prejudice the consideration of this review in any way. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

39. **INVISIBLE PET RESTRAINT FENCES** (Tape 6)

Supervisor Bulova said that a constituent contacted her office about a frightening experience he recently had. He was walking along the sidewalk when a dog came charging at him from behind a house. The dog stopped just short of the sidewalk and continued to bark and growl at him. Another neighbor came along and told him that the dog was behind an invisible fence. Of course by then, he was already badly shaken.

Since the use of these fences is becoming more common and are often used to restrain dogs who are difficult to control, Supervisor Bulova asked unanimous consent that the Board direct staff to research the use and regulation of invisible fences and report with a recommendation regarding whether it is advisable to, and if the Board can, require some kind of signage indicating that an invisible fence is in use. Without objection, it was so ordered.

40. **SALVATION ARMY WEEK** (Tape 6)

Supervisor Bulova said that since its arrival in New York City in the 1860s, the Salvation Army in America has been in the "human business" of helping those who struggle with destitution, drug addiction, and other very "human" ills. Included in her Board Matter is a brief summary of the help they have provided locally just in the past year.

Supervisor Bulova moved that the Board:

- Declare the week of May 13-19, 2002, as "*Salvation Army Week*" in Fairfax County.

- Direct staff to prepare a proclamation to be presented at May 6, 2002, Board meeting to honor this group for the work that they do for the citizens of Fairfax County.

Supervisor Gross seconded the motion.

Following discussion, Supervisor Gross asked unanimous consent that the Adult Rehabilitation Center located in Mason District be invited to the presentation. Without objection, it was so ordered.

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

41. **WAKEFIELD RECenter TO BE RENAMED AT ITS TWENTY-FIFTH ANNIVERSARY CELEBRATION** (Tape 6)

Supervisor Bulova said that on Saturday, May 4, 2002, from 11 a.m. until 4 p.m., Wakefield RECenter will be celebrating its twenty-fifth anniversary by hosting a family activities day. At 2 p.m., a renaming ceremony will occur, which will officially change the name of the Wakefield RECenter to the Audrey Moore RECenter. She noted that Audrey Moore is a former Chairman of the Board of Supervisors who began her 20-year political career in January 1972.

The renaming of the Wakefield RECenter was approved by both the Board of Supervisors and the Park Authority Board, to honor and acknowledge Ms. Moore's contributions to the County particularly in her successful efforts to preserve Wakefield Park.

For more information, please contact the Public Information Office at (703) 324-8662.

A brief discussion ensued.

42. **SCHOOL FUNDING** (Tape 6)

(NOTE: Earlier in the meeting, the Board appropriated funds to the Schools. See Clerk's Summary Item CL#11.)

Supervisor Bulova referred to an article in the *Kentucky Post* on Wednesday, April 17, 2002, regarding school funding.

Supervisor Bulova asked unanimous consent that the Board refer the article to staff for review of funding inequities and the exploration of taking legal action. Without objection, it was so ordered.

43. **WAIVER OF THE FEES FOR THE SHOWMOBILE** (Tape 6)

Supervisor Hudgins said that Reston Interfaith has requested a waiver of the fees for use of the Showmobile on:

- Saturday, August 10, 2002, for the annual Cedar Ridge Fun Day
- Saturday and Sunday, May 25-26, 2002, for Viva Vienna

Therefore, Supervisor Hudgins moved that the Board grant the waiver of the fees for use of the Showmobile by Reston Interfaith at the annual Cedar Ridge Fun Day on Saturday, August 10, 2002, and Viva Vienna on May 25-26, 2002. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

44. **CERTIFICATE OF RECOGNITION FOR MS. EMMA HENRI** (Tape 6)

Supervisor Hudgins noted that Ms. Emma Henri has been a resident of Reston for over 28 years. Even before she moved to the area she was affiliated with the League of Women Voters, joining the organization in Lowell, MA in 1952 and the Reston Day Unit when she and her family moved to Reston in 1974. Supervisor Hudgins referred to her written Board Matter which outlined Ms. Henri's service which has included 50 years of active membership in the League of Women Voters.

Supervisor Hudgins moved that the Board direct staff to invite Ms. Henri to appear before the Board to be recognized for her 50 years of dedicated volunteer service to the League of Women Voters. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

45. **SPECIAL EXCEPTION APPLICATION SE 01-H-049** (Tape 6)

Supervisor Hudgins said that Special Exception Application SE 01-H-049 and 2232 Review Feature Shown Amendment Application FSA-H99-21-1 involve a request by AT&T Wireless Services to replace an existing equipment cabinet and to add two additional cabinets for an existing wireless antenna base station. The existing cabinet measures 3 feet in length, 5 feet in width, and 7 feet in height. The replacement cabinet will be 8 feet in length, 5 feet in width, and 7 feet in height. The additional proposed cabinets, which will be 51 inches in length, 37 inches in width, and 64 inches in height, are proposed to be located on a second concrete pad directly behind the existing pad.

Supervisor Hudgins noted that the existing wireless antenna base station is located on property within the northeast quadrant of the intersection of Baron Cameron Avenue and the Fairfax County Parkway, within the right-of-way (formerly part of Tax Map 17-1((12)) Parcel 8. Title to the right-of-way is in the name of the

Board of Supervisors. County requirements specify that applications on property owned by a party other than the applicant require the endorsement of the property owner before such an application can be heard.

Supervisor Hudgins said that the Board should endorse these applications because the subject applications request replacement of an existing equipment cabinet with a new cabinet that is only slightly larger and two additional smaller cabinets.

Therefore, Supervisor Hudgins moved that the Board endorse the pending applications for this property and authorize the County Executive to sign a notarized statement on behalf of the Board in order to memorialize the Board's endorsement. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

46. **PUBLIC SERVICE WEEK** (Tape 6)

Supervisor Gross announced that Public Service Week will be celebrated May 6-10, 2002. Since 1985, time has been set aside each year to honor the men and women who serve America as federal, state, and local government employees. Especially in the wake of the attacks on America last fall, it is appropriate to pause and reflect about the many ways which government serves the people and how government services make life better for all of us.

To acknowledge and celebrate the efforts and contributions of all Fairfax County government employees, Supervisor Gross moved approval of the proclamation declaring May 6-10, 2002, as *Public Service Recognition Week* in Fairfax County, and invite the appropriate representatives to receive the proclamation on May 6, 2002. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor McConnell being out of the room.

47. **WAIVER OF THE FEES FOR USE OF THE SHOWMOBILE** (Tape 6)

Supervisor Gross announced that on May 17, 2002, the Annandale Post Office will hold a dedication ceremony and celebration to name the post office for former Congressman Stan Parris. Annandale Postmistress Theresa Hardy will preside over the ceremonies and she has reserved the County's Showmobile for the day.

In a spirit of cooperation with the local post office and its employees, Supervisor Gross moved that the snowmobile fee for this event be waived. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor McConnell being out of the room.

(NOTE: Later in the meeting the Board discussed another post office dedication. See Clerk's Summary Item CL#56.)



NV:nv

48. **COUNTY EXECUTIVE'S SIGNATURE ON PROFFERS FOR PROPERTY IDENTIFIED AS TAX MAP 54-4((6)) 89** (Tape 7)

(NOTE: Earlier in the meeting, the Board authorized a public hearing on the conveyance of this property. See page 16.)

Supervisor Frey stated that later in the day the Board would be holding a public hearing on Rezoning Application RZ 2001-SU-044 for Ratcliffe Subdivision. The subject property consists of 26.61 acres, which represents a consolidation of over ninety percent of the properties in that subdivision, including Tax Map Parcel 54-4((6)) 89, which is owned by the County. He reminded the Board that on April 8, 2002, the Board allowed the parcel to be included in the application. He noted that the County no longer has a need for the property and the applicant is pursuing the acquisition of the parcel. A public hearing on its conveyance is scheduled for May 20, 2002.

Because the County still owns the parcel, Supervisor Frey stated that the Board must authorize the County Executive to sign the proffers on behalf of the Board. Accordingly, he moved that the Board authorize Anthony H. Griffin, County Executive, to sign proffers on behalf of the Board for property identified as Tax Map Parcel 54-4((6)) 89 in reference to Rezoning Application RZ 2001-SU-044. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

(NOTE: Later in the meeting the Board held the public hearing for Rezoning Application RZ 2001-SU-044. See Clerk's Summary Item CL#80.)

49. **LEADERSHIP FAIRFAX** (Tape 7)

Jointly with Supervisor Mendelsohn, Supervisor Frey stated that Leadership Fairfax is celebrating its fifteenth anniversary this year. In recognition of the accomplishment of the program and its graduates, Supervisor Frey and Supervisor Mendelsohn jointly moved that the Board invite representatives of Leadership Fairfax to appear before the Board for presentation of a Proclamation in recognition of its 15 years of community leadership programs. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

50. **LIGHTING OF BALLFIELDS ON THE CHANTILLY LIBRARY SITE**  
(Tape 7)

Supervisor Frey stated that the Chantilly Youth Association (CYA) has developed three interim baseball fields on County-owned property which is also the site of the Chantilly Library. He said that CYA members approached him about the feasibility of installing lighting on these fields and is prepared to pay for the lights

and installation. He noted that lighting these fields would relieve some of the overcrowding of baseball fields within this area of the Sully and Springfield Districts by extending their hours of use.

Accordingly, Supervisor Frey moved that the Board authorize and direct the staff of the Property Management Branch of the Facilities Management Division, Department of Public Works and Environmental Services, to file a Public Facilities 2232 application for a public hearing to permit lighting of these fields. Supervisor Hyland seconded the motion.

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

51. **DEER PARK ELEMENTARY SCHOOL CEREMONY AND RETIREMENT OF ITS PRINCIPAL** (Tape 7)

Supervisor Frey state that he attended a ceremony at Deer Park Elementary School honoring the Department of Fire and Rescue and all public safety employees who were involved after the September 11, 2001, tragedy as well as honoring a member of the Deer Park community who had lost his life at the Pentagon. He noted that Sam Datta, Student Council Association President, who organized the event, was the son of Susan Datta, Director, Department of Management and Budget.

Supervisor Frey also learned at that event that Lynne Pope, the only principal of that school, is retiring. Accordingly, he asked unanimous consent that the Board direct staff to invite her to appear before the Board in recognition of the tremendous job she has performed in developing the Deer Park Elementary School. Without objection, it was so ordered.

52. **REQUEST CONCERNING OPEN SPACE REGARDING LAUREL CREST SUBDIVISION** (Tape 7)

With reference to his written Board Matters, as distributed to the Board, Supervisor Hyland said that after conferring with staff he decided to defer this item until the next meeting.

53. **CUT-THROUGH TRUCKS ALONG NEWINGTON ROAD** (Tape 7)

Supervisor Hyland referred to his second written item and noted that it is a reiteration of the continuing problems with trucks on Newington Road even though the road has "No Through Truck" signs. He moved that the Board refer this problem to staff for review and recommendations as to appropriate action to eliminate cut-through trucks on Newington Road. Chairman Hanley seconded the motion, which carried by unanimous vote.

54. **PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REQUESTED TO AVERT TRAVEL LANE CONFLICTS** (Tape 7)

With reference to his written Board Matters, Supervisor Hyland said that a constituent in his district approached him with a problem involving the development of a commercial property. The site plan requirements in the Zoning Ordinance currently require a travel lane to be provided on this particular site, even though the comprehensive plan specifically recommends limiting access to the street on which this property fronts.

Supervisor Hyland noted that the comprehensive plan includes recommendations to limit access to specific streets identified in the area plans. The reasons for limiting access to these streets include inadequate capacity, safety, and traffic circulation patterns. At the same time, Section 17-201 of the Zoning Ordinance requires travel lanes to be provided for properties located adjacent to minor arterial or collector streets. Travel lanes provide for internal circulation of traffic on the site and access to adjoining properties, thereby reducing the number of entrances on public streets.

Supervisor Hyland said that on occasion, the Zoning Ordinance requirement for travel lanes conflicts with the recommendations of the comprehensive plan by providing access to streets identified in the area plans from sites that could otherwise use different local streets for access. He added his belief that travel lanes should not be required under circumstances in which they are contrary to the Comprehensive Plan and all adjoining properties have existing and adequate means of access.

Therefore, Supervisor Hyland moved that the Board direct staff to prepare an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to eliminate the requirement for a travel lane under the foregoing circumstances. Any such amendment should be as narrow as possible in order to limit its application to the unique circumstances that give rise to the need for this amendment. Supervisor Connolly seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Hyland amended his motion to direct staff to provide additional information on the problem at the next meeting and this was accepted. The question was called on the motion, as amended, which carried by unanimous vote.

55. **DEFERRALS OF PUBLIC HEARINGS** (Tape 7)

Supervisor Kauffman announced his intent to defer at the appropriate time later in the meeting the public hearing on Special Exception Application SE 01-LE-042 until May 6, 2002, at 3 pm.

Supervisor Mendelsohn announced his intent to defer at the appropriate time later in the meeting the public hearing on Special Exception Amendment Application SEA 85-D-085.

(NOTE: Later in the meeting the Board formally deferred these public hearings. See Clerk's Summary Items CL#71 and CL#87.)

56. **DEDICATION OF POST OFFICE** (Tape 7)

(NOTE: Earlier in the meeting, the Board discussed the dedication of the naming of a post office in honor of Stan Parris, former Congressman and Member of the Board of Supervisors. See Clerk's Summary Item CL#47.)

Supervisor Kauffman announced that the new Woodlawn Post Office (22309) will be named for Herbert Harris, III, former Congressman and Mount Vernon District Supervisor. The dedication ceremony is scheduled for Saturday, May 4, 2002.

57. **OUT-OF-TURN PLAN AMENDMENT FOR TELEGRAPH ROAD CORRIDOR** (Tape 7)

Supervisor Kauffman said that several months ago the Board authorized a special study of the Telegraph Road Corridor, which included the Hilltop Sand and Gravel Company land, a 185-acre parcel spanning Telegraph and Beulah Roads. Supervisor Kauffman reported that the Lee District Land Use Committee voted unanimously on April 15, 2002, to consider the property under the Area Plans Review (APR) currently underway in Lee District. The Committee believed that given the number of properties along Beulah Street that are being studied, it would be appropriate to review this property in the context of the Beulah Street study instead of the just-completed Telegraph Road special study.

Accordingly, Supervisor Kauffman moved that the Board authorize an Out-of-Turn Plan amendment for the consideration of the Hilltop Sand and Gravel Company APR nomination and adjacent properties along Telegraph Road, and that this review be considered concurrently with the 2002 APR process. He noted that this motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Connolly seconded the motion, which carried by unanimous vote.

58. **FEE WAIVERS FOR VOLUNTEER FIRE DEPARTMENT'S SAFE KIDS DAY** (Tape 7)

Supervisors Kauffman moved that the Board waive the application fees for a permits associated with the Greater Springfield Volunteer Fire Department's Safe Kids Day that it is hosting at its fire station on Backlick Road on Saturday, May 4, 2002, from 10 a.m. to 3 p.m. in conjunction with the Department of Fire and Rescue. Supervisor Connolly seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, who indicated that this action was permissible, the question was called on the motion, which carried by unanimous vote.

Following further discussion, Supervisor Connolly moved that the motion just adopted be applicable to all participating fire stations. Supervisor Frey seconded the motion, which carried by unanimous vote.

Discussion continued briefly.

59. **SPRINGFIELD DAYS CELEBRATION** (Tape 7)

Jointly with Supervisor McConnell, Supervisor Kauffman announced that this year will be the fourteenth annual Springfield Days celebration from Thursday, May 30 through Sunday, June 2, 2002. The celebration is sponsored by the Greater Springfield Chamber of Commerce and the Park Authority and each year it grows bigger and better.

Supervisor Kauffman moved that the Board direct staff to:

- Prepare a Proclamation declaring "*Springfield Days*" on May 30 and 31 and June 1 and 2.
- Invite Ms. Darcey Whalen and her Springfield Days committee to the May 20 Board meeting to be recognized and to receive the Proclamation.

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

60. **CERTIFICATE OF APPRECIATION FOR JAMES AND MARGUERITE MOTT** (Tape 7)

Supervisor McConnell said that James and Marguerite Mott are retiring after 37 years of dedicated and tireless service to the residents of Fairfax County. Mr. and Mrs. Mott have spent the better part of their lives helping others and breaking down racial barriers.

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

- Prepare a Certificate of Appreciation to be presented at the "Celebration of the Lifetime of Service" for the Motts to be held on May 3, 2002.
- Prepare a resolution to be presented to the Motts at the Board meeting scheduled for May 20, 2002.

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

61. **ROAD BUILDING** (Tape 7)

Supervisor McConnell asked unanimous consent that the Board direct staff to provide the Board with a possible plan if the County is to direct and build roads directly instead of turning over the construction to the Virginia Department of Transportation if the upcoming referendum for funding road construction is approved. Without objection, it was so ordered.

Following discussion, Supervisor Connolly asked unanimous consent that the Board direct staff to develop a mechanism to keep the Board informed of the progress on issues that are addressed by the new regional authority. Without objection, it was so ordered.

62. **NATIONAL PUBLIC WORKS WEEK** (Tape 7)

Chairman Hanley stated that National Public Works Week will be celebrated nationally from May 19-25, 2002. Staff members from the Department of Public Works and Environmental Services have taken this year's theme, "Committed to Our Communities" and expanded on it by participating in the Habitat for Humanity Project located off Shirley Gate Road in Fairfax.

In recognition of this local commitment to community, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite the appropriate representatives to appear before the Board on May 20, 2002, to receive a Proclamation declaring May 19-25, 2002, as "*National Public Works Week*" in Fairfax County. This motion, the second to which was indistinguishable, carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

At 12 noon, Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).

- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).
1. *Silicon Graphics, Inc. v. Board of Supervisors of Fairfax County, et al.*, At Law No. 200908 (Fx. Co. Cir. Ct.) (Sully District)
  2. *Eileen Wollstadt v. County of Fairfax*, At Law No. 202045 (Fx. Co. Cir. Ct.)
  3. *Host Marriott Corporation and HMC Diversified American Hotels LP v. Board of Supervisors*, At Law No. 200918 (Fx. Co. Cir. Ct.) (Providence District); *Host Marriott Corporation and Eastside Hotel Associates LP v. Board of Supervisors*, At Law No. 200919 (Fx. Co. Cir. Ct.) (Providence District); *Host Marriott Corporation and Host Marriott LP v. Board of Supervisors*, At Law No. 200920 (Fx. Co. Cir. Ct.) (Sully District)
  4. *Virginia A. Foley v. County of Fairfax, Virginia*, Civil Action No. 01-1611-A (E.D. Va.)
  5. *Board of Supervisors and Jane W. Gwinn, Fairfax County Zoning Administrator v. Board of Zoning Appeals and CESC Tysons Dulles Plaza L.L.C.*, In Chancery No. 196219 (Fx. Co. Cir. Ct.) (Providence District)
  6. *Zofia A. Zager, Fairfax County Building Official and Director, Fairfax County Office of Building Code Services v. State Building Code Technical Review Board and Avalon Homes, Inc.*, At Law No. 199142 (Fx. Co. Cir. Ct.) (Dranesville District)
  7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Thanh Van Tran*, In Chancery No. 163246 (Fx. Co. Cir. Ct.) (Sully District)

8. *Zofia A. Zager, Director, Office of Building Code Services, Department of Public Works and Environmental Services, and the Building Official of Fairfax County, Virginia v. Rukhsana Khalid, a/k/a Rukshana Khalid*, In Chancery No. 177844 (Fx. Co. Cir. Ct.) (Braddock District)
9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Susan C. Beck and Louis Kobus, Jr.*, In Chancery No. 173551 (Fx. Co. Cir. Ct.) (Lee District)
10. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Shirley L. Bacon and Raymond E. Bacon*, In Chancery No. 176140 (Fx. Co. Cir. Ct.) (Sully District)
11. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Brian L. Kelly*, In Chancery No. 175861 (Fx. Co. Cir. Ct.) (Providence District)
12. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Ruben Martinez and Carmen Velazquez*, In Chancery No. 176692 (Fx. Co. Cir. Ct.) (Springfield District)
13. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Charlie C. Hwang, a/k/a Chi Won Hwang, John C. Hwang, a/k/a Chi Kwon Hwang, and Samuel C. Hwang*, In Chancery No. 172341 (Fx. Co. Cir. Ct.) (Lee District)
14. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Chi Won Hwang, a/k/a Charlie C. Hwang, Chi Kwon Hwang, a/k/a John C. Hwang, and Brothers Construction Company, Inc.*, In Chancery No. 172421 (Fx. Co. Cir. Ct.) (Lee District)



15. *Jane W. Gwinn, Fairfax County Zoning Administrator, and John Wesley White, Director, Department of Public Works and Environmental Services v. Sharif Shafik, Gladis Ondina Diaz, a/k/a Gladis Hondina, and Ramiro Arevalo*, In Chancery No. 177760 (Fx. Co. Cir. Ct.) (Lee District)
16. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Jose V. and Ana L. Caballero*, In Chancery No. 175770 (Fx. Co. Cir. Ct.) (Lee District)
17. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Bruce Wynkoop and Elizabeth Wynkoop*, In Chancery No. 164878 (Fx. Co. Cir. Ct.) (Mason District)
18. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Earl T. Puckett and Janet L. Puckett*, In Chancery No. 177747 (Fx. Co. Cir. Ct.) (Mason District)
19. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Jose P. Velasco and Luz M. Zambrano*, In Chancery No. 177564 (Fx. Co. Cir. Ct.) (Mason District)
20. *Board of Supervisors v. Summerville at Mount Vernon, Inc., et al.*, At Law No. 203058 (Fx. Co. Cir. Ct.) (Mount Vernon District)
21. *Board of Supervisors v. Paragon, L.C.*, At Law No. 203056 (Fx. Co. Cir. Ct.) (Mason District)

and in addition:

- Board of Supervisors of Fairfax County, Virginia, et al. versus Board of Zoning Appeals of Fairfax County, Virginia, et al., At Law Number 197380
- Fairfax County Sewer Availability Policy

Supervisor Hyland seconded the motion.

Chairman Hanley announced that should this motion carry, closed session would begin at 1:25 p.m.

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

**DS:ds**

At 3 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

### **ADDITIONAL BOARD MATTERS**

64. **HUMAN RIGHTS BANQUET** (Tape 8)

Chairman Hanley reminded the Board that the Human Rights Banquet will be held on Thursday, May 2, 2002, at 6:30 p.m. at the Sheraton Premiere, Tyson's Corner, Virginia.

65. **NORTHERN VIRGINIA TRANSPORTATION COMMITTEE (NVTC) MEETING** (Tape 8)

Supervisor Bulova noted that the NVTC meeting is scheduled for May 2, 2002.

66. **RED FOLDERS** (Tape 8)

Chairman Hanley called the Board Members attention to their red folders and noted that there were many handouts for the afternoon session.

67. **ABSENCE OF SUPERVISOR GERRY HYLAND** (Tape 8)

Chairman Hanley noted that Supervisor Hyland was not present for closed session.

### **ACTIONS FROM CLOSED SESSION**

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

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

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

69. **AUTHORIZATION TO SETTLE IN SILICON GRAPHICS, INCORPORATED, VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, ET AL., AT LAW NUMBER 200908** (Tape 8)

Supervisor Frey moved that the Board authorize settlement in *Silicon Graphics, Incorporated*, versus Board of Supervisors of Fairfax County, et al., At Law Number 200908, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

70. **AUTHORIZATION TO APPEAL DECISION OF THE FAIRFAX CIRCUIT COURT IN EILEEN WOLLSTADT VERSUS COUNTY OF FAIRFAX, AT LAW NUMBER 202045** (Tape 8)

Supervisor Gross moved that the Board authorize an appeal of the decision of the Fairfax Circuit Court in *Eileen Wollstadt versus County of Fairfax*, At Law Number 202045, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

### **AGENDA ITEMS**

SBE:sbe

71. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-L-042 (SPRINGFIELD PLAZA LP) (LEE DISTRICT)** (Tape 9)

Supervisor Kauffman moved to defer the public hearing on Special Exception Application SE 01-L-042 until **May 6, 2002, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

72. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-S-028 (GESHER JEWISH DAY SCHOOL OF NORTHERN VIRGINIA) (SPRINGFIELD DISTRICT)** (Tape 9)

Supervisor McConnell asked unanimous consent that the Board defer the public hearing on Special Exception Application SE 01-S-028 until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#85.)

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

At 3:05 p.m., the Board recessed and at 3:30 p.m., reconvened in the Board Auditorium with all Members present, with the exception of Supervisor Frey, Supervisor Hyland, and Supervisor McConnell, and with Chairman Hanley presiding.

74. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 90-P-050 AND PUBLIC FACILITIES APPLICATION 2232-P02-2 (FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY) (PROVIDENCE DISTRICT)** (Tape 10)

The application property is located at 2855 Annandale Road, Tax Map 50-4 ((1)) 47, 50, 51; 50-4 ((6)) 11, 12; 50-4 ((10)) 1 and 50-4 ((11)) 1.

Ms. Cynthia Ianni reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by four speakers, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Approval of Public Facilities Application 2232-P02-2, noting that the proposed expansion of the James Lee Community Center satisfies the criteria of location, character, and intent, as specified in Section 15.2-2232 of the *Code of Virginia*, and that it is substantially in accord with the adopted Comprehensive Plan.
- Approval of Special Exception Amendment Application SEA 90-P-050 subject to the proposed development conditions dated April 17, 2002.
- Modification of the transitional screening and barrier requirements to the north, south, east, and west in accordance with the Special Exception Plat.

Supervisor Gross seconded the motion.

Following a brief discussion, with input from Mr. Mayland, the question was called on the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

75. **3:30 P.M. – PH ON THE CREATION/ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE AND MASON DISTRICTS)**  
(Tape 10)

(Rs) A Certificate of Publication was filed from the editor of the *Northern Virginia Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 11 and April 18, 2002.

Following the public hearing, Supervisor Mendelsohn moved adoption of the **Revised** Resolutions for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts within the Dranesville and Mason Districts in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small and Local Sanitary Districts as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Small District <b>6</b> within Dranesville District (Langley Forest)	Create	Refuse	Approve
Local District <b>A-22</b> within Small District 1 within Dranesville District (West Langley)	Create	Refuse & Leaf	Approve
Local District A-2-1 within Small District 1 within Dranesville District (Theresa Ann Street)	Enlarge	Refuse & Leaf	Approve
Local District A-1-1 within Small District 1 within Dranesville District (1624 Woodman Drive)	Enlarge	Refuse & Leaf	Approve
Small District 4 within Dranesville District (1641 Evers Drive)	Enlarge	Refuse	Approve
Small District 2 within Mason District (Kenwood)	Enlarge	Refuse & Leaf	Approve

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

76. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-Y-051 (HUMANE SOCIETY OF FAIRFAX COUNTY, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

The application property is located at 15911 Lee Highway, Tax Map 64-1 ((1)) 22.

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

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

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

Following discussion with input from Mr. Martin, Supervisor Kauffman asked unanimous consent that the Board direct staff to suggest to any other humane societies seeking property the availability of property in the south County for an animal shelter. Without objection, it was so ordered.

Supervisor Frey moved approval of Special Exception Application SE 01-Y-051, subject to the revised development conditions dated April 29, 2002. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Frey moved:

- Approval of modification of the screening requirement along the northern, southern, eastern, and western property boundaries.
- Waiver of the barrier requirements along the northern, southern, eastern, and western property boundaries.
- Modification of the additional standards under Section 9-530 of the Zoning Ordinance to permit a structure for the confinement, care, or breeding of animals within 100 feet of a property line.

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

77. **3:30 P.M. – PH ON THE CREATION/ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE AND MASON DISTRICTS)**  
(No Tape)

(NOTE: Earlier in the meeting action was taken on this item. See Clerk's Summary Item CL#75.)

78. **3:30 P.M. – PH REGARDING THE CONVEYANCE OF ABANDONED SUMMIT DRIVE RIGHT-OF-WAY TO CENTEX HOMES INCORPORATED (SPRINGFIELD DISTRICT)** (Tape 10)

Supervisor McConnell moved to defer the public hearing regarding the conveyance of abandoned Summit Drive right-of-way to Centex Homes Incorporated until **May 6, 2002, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

**DMB:dmb**

79. **4 P.M. – PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON HUNTSMAN BOULEVARD AND RESERVATION DRIVE/GAME LORD DRIVE/COTTONTAIL COURT/CONSERVATION DRIVE/FIELD MASTER DRIVE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (SPRINGFIELD DISTRICT)** (Tape 11)

- (Rs) A Certificate of Publication was filed from the editor of the *Northern Virginia Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 11 and April 18, 2002.

Following the public hearing, Supervisor McConnell moved adoption of the Resolutions endorsing the following roads to be included in the Department of Transportation R-TAP for through truck traffic restrictions:

- Huntsman Boulevard between Fairfax County Parkway and Old Keene Mill Road
- Reservation Drive/Game Lord Drive/Cottontail Court/Conservation Drive/Field Master Drive between Fairfax County Parkway and Old Keene Mill Road

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

80. **4 P.M. – PH ON REZONING APPLICATION RZ 2001-SU-044 (RATCLIFFE ASSOCIATES, LC) (SULLY DISTRICT)** (Tape 11)

(NOTE: Earlier in the meeting the Board Took action related to this property. See page 16 and Clerk's Summary Item CL#48.)

(Rs) The application property is located in the northeast quadrant of the intersection of Lee Highway and Pickwick Road, Tax Map 54-4 ((6)) 1-20, 21-50, 56-73, 73A, 73B, 81-95 and portions of Johnson Avenue, Mosby Lane, Bradley Road, and Newgate Boulevard public rights-of-way to be vacated and/or abandoned.

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

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

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

Following extensive discussion, Supervisor Frey moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2001-SU-044, be amended from the R-1, HC, and WS Districts to the PDH-8, HC, and WS Districts, subject to the proffers dated April 19, 2002, and the Conceptual Development Plan dated April 26, 2002. Supervisor Hudgins seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved:

- Waiver of the 600 foot maximum length of private streets.
- Waiver of the service drive along Lee Highway.
- Modification of the transitional screening requirement along a portion of the northern property boundary in favor of that shown on the CDP/FDP.
- Variance to allow a six-foot fence along Lee Highway per Paragraph 3F of Section 10-104 of the Zoning Ordinance.



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

81. **BOARD RECESS** (Tape 11)

At 4:25 p.m., the Board recessed briefly, and at 4:30 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn, and with Chairman Hanley presiding.

82. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), REGARDING ENHANCEMENT OF POLICE AND SHERIFF'S AUTHORITY TO SEIZE VEHICLES FOR OUTSTANDING PARKING TICKETS** (Tape 11)

- (O) A Certificate of Publication was filed from the editor of the *Northern Virginia Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 11 and April 18, 2002.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to expand police and sheriff's deputies' authority to seize vehicles for outstanding parking tickets pursuant to State law. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

83. **4:30 P.M. – PH TO CONSIDER AN ORDINANCE WHICH WILL APPROVE A JOINT POWERS AGREEMENT TO JOIN THE VIRGINIA ENERGY PURCHASING GOVERNMENTAL ASSOCIATION** (Tape 11)

- (O) A Certificate of Publication was filed from the editor of the *Northern Virginia Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 11 and April 18, 2002.

Following the public hearing, Supervisor Connolly moved adoption of the Ordinance approving the participation of Fairfax County in a Joint Powers Agreement to provide for the aggregation and joint procurement of electricity for purchasing competitive supplies of electricity. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Hyland being out of the room.

84. **ORDERS OF THE DAY** (Tape 11)

Chairman Hanley announced that there would be a change in the Orders of the Day and that the Board would proceed with the 3 p.m. public hearing on Special Exception Application SE 01-S-028.

85. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-S-028 (GESHER JEWISH DAY SCHOOL OF NORTHERN VIRGINIA) (SPRINGFIELD DISTRICT)** (Tapes 11-12)

(NOTE: Earlier in the meeting this public hearing was deferred. See Clerk's Summary Item CL#72).

The application property is located at 4700 Shirley Gate Road, Tax Map 56-4 ((1)) 19B and 564 ((3)) 1.

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

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

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

Following extensive discussion, Supervisor McConnell moved:

- Approval of Special Exception Application SE 01-S-028, subject to the development conditions dated April 26, 2002, to be revised so that Condition 11 shall now read "Upon request by the owner of Tax Map Parcel 56-4 ((1)) 19, a vehicular access easement shall be provided to Shirley Gate Road for Parcel 19, via Parcel 56-4 ((1)) 19B. Alternatively, at the request of the owner of Parcel 19, this easement may be provided across Parcel 19B, connecting the northern and southern portions of Parcel 19. In addition, utility easements shall be granted across Parcel 19B to the benefit of Parcel 19."
- Modification of the transitional screening requirement to allow the use of existing vegetation as shown on the SE Plat and as conditioned, and a modification of the barrier requirement in favor of that shown on the SE Plat, and as conditioned.

Supervisor Bulova seconded the motion.

Following additional discussion, the question was called on the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

86. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-696-4 (DSV DULLES FOX MILL LP) (HUNTER MILL DISTRICT)** (Tape 12)

The application property is generally located in the southeast quadrant of the intersection of Horse Pen Road and Sunrise Valley Drive (formerly Fox Mill Road), Tax Map 15-4 ((5)) 2 - 5, 7, 8, and 16-1 ((25)) 1 and 6.

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

Supervisor Hudgins moved approval of Proffered Condition Amendment Application PCA C-696-4, subject to the proffers dated April 26, 2002. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley being out of the room.

87. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-D-084 (VERIZON VIRGINIA, INCORPORATED) (DRANESVILLE DISTRICT)** (Tape 12)

Supervisor Mendelson moved to defer the public hearing on Special Exception Amendment Application SEA 85-D-084 until **June 3, 2002, at 3 p.m.** Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley being out of the room.

88. **5 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-S-046 (SANG OH AND COMPANY, INCORPORATED, dba VIRGINIA GOLF CENTER AND ACADEMY) (SPRINGFIELD DISTRICT)** (Tape 12)

The application property is located at 5801 Clifton Road, Tax Map 66-1 ((1)) 13B.

Mr. Mark W. Baker reaffirmed the validity of the affidavit for the record.

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

Supervisor McConnell moved:

- Approval of Special Exception Application SE 01-S-046, subject to the development conditions dated March 19, 2002.
- Modification of the transitional screening requirements and waiver of the barrier requirements on all boundaries of the property in favor of that shown on the SE plat, and as conditioned.

Supervisor Frey seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley being out of the room.

89. **5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1996-HM-046 (TNT CONSTRUCTION COMPANY) (HUNTER MILL DISTRICT)** (Tape 12)

The application property is located on the south side of Lawyers Road, approximately 100 feet east of its intersection with Abbotsford Drive, Tax Map 38-1 ((41)) A.

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hudgins moved approval of Proffered Condition Amendment Application PCA 1996-HM-046, subject to the proffers dated March 14, 2002. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley being out of the room.

90. 5 P.M. – PH ON PROFFERED CONDITION AMENDMENT/ DEVELOPMENT PLAN AMENDMENT APPLICATION PCA 82-C-060/DPA 82-C-060 (SUMMIT PROPERTIES PARTNERSHIP, LP) (HUNTER MILL DISTRICT) (Tape 12)

The application property is located at the northeast quadrant of the intersection of Reston Parkway and Temporary Road, Tax Map 17-2 ((1)) 23, 24, and 24A.

Mr. Mark C. Looney reaffirmed the validity of the affidavit for the record.

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

Following additional discussion, Supervisor Hudgins moved:

- Approval of Proffered Condition Amendment Application PCA 82-C-060, subject to the proffers dated April 29, 2002.
- Approval of Development Plan Amendment Application DPA 82-C-060 dated April 26, 2002.

Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley being out of the room.

Supervisor Hudgins moved:

- Modification of the interior parking lot landscaping requirement for the top deck of the parking garage in favor of the plan illustrated on sheet 9 of the Development Plan.
- Modification of the transitional screening requirement along the northern property line in favor of the existing vegetation.
- Waiver of the barrier requirement along the northern property line.

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

91. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 12)

A Certificate of Publication was filed from the Editor of the *Northern Virginia Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 11 and April 18, 2002.

This public hearing was held.

92. **BOARD ADJOURNMENT** (Tape 12)

At 5:55 p.m., the Board adjourned.

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