



# **CLERK'S BOARD SUMMARY**

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

**MONDAY  
February 25, 2002**

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**04-02**

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**SBE:sbe**

The meeting was called to order at 9:35 a.m., with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 9:40 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. **MOMENT OF SILENCE** (Tape 1)

Supervisor Bulova asked everyone to keep in thoughts and prayers the family of Lieutenant Colonel Charles Henry "Hank" Barrows, USAF Ret. who died recently following a morning run. He was born in Bremerhaven, Germany and came to America at the age of twelve and later became a naturalized citizen. He was active in the Briarwood Homeowners Association and in a long military career.

Supervisor Frey asked everyone to keep in thoughts and prayers the family of Mr. Michael Giguere, who suffered a very serious heart attack last week. Mr. Giguere is making slow progress in returning to good health and, on behalf of the Board, Supervisor Frey wished him a speedy recovery.

Supervisor Hyland asked everyone to keep in thought and prayers the family of Harold Wilson, poet laureate of Lorton, who died recently. He was very active in Lorton and helped the prisoners with gardens.

### **AGENDA ITEMS**

2. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE DULLES CORRIDOR LAND USE TASK FORCE** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to members of the Dulles Corridor Land Use Task Force for their work. Supervisor Mendelsohn and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. KIM RABINOWITCH AND MR. LEONARD WOLFENSTEIN** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to Ms. Kim Rabinowitch and Mr. Leonard Wolfenstein for their internship at the office of Supervisor Connolly. Supervisor Hyland seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING MARCH AS "RED CROSS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating March as "*Red Cross Month*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

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

Chairman Hanley moved approval of the Proclamation designating March as "*Women's History Month*" in Fairfax County. Supervisor Gross seconded the motion.

Supervisor Gross asked to amend the motion by deleting the word "becoming" from the beginning of the Proclamation to read "Women are a major force." This was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

\*Upon her immediate return to the dais, Supervisor McConnell asked unanimous consent to be recorded as voting "AYE" on this item. Without objection, it was so ordered.

DS:ds

6. **10 A.M. – PRESENTATION BY THE COUNTY EXECUTIVE ON THE RECOMMENDED FISCAL YEAR (FY) 2003 BUDGET** (Tapes 2-3)

Anthony H. Griffin, County Executive, presented the recommended FY 2003 Budget, and announced that the entire FY 2003 Advertised Budget Plan is available on the County's website, [www.fairfaxcounty.gov/dmb](http://www.fairfaxcounty.gov/dmb), and also on CD-ROM.

Discussion ensued with input from Mr. Griffin, Edward L. Long, Jr., Chief Financial Officer; Susan Datta, Director, Department of Management and Budget (DMB); and Jane K. Strauss, Chairman, School Board Budget Committee, Fairfax County Public Schools.

Supervisor Bulova, Chairman, Board's Budget Committee, distributed the Budget Committee Agenda to the Board, which outlined the budget schedule as follows:

- Monday, March 11, 2002, 10 a.m.: The agenda will include Fiscal State of the County, Fairfax County Public Schools: Review of FY 2003 Budget and Funding Request, State Funding Issues, FY 2003 Consideration Items, and Questions and Answers
- Monday, March 25, 2002, 9:30 a.m.: The agenda will include FY 2002 Third Quarter Review and Status of Fiscal 2003 Add-On Status, Report from the Human Services Council, FY 2003 - 2007 Capital Improvement Program (with Future Fiscal Years to 2012), FY 2003 Consideration Items and Proposals for Adjustments or Reductions to County Executive's Recommended Budget, and Questions and Answers
- Monday, Tuesday, Wednesday, April 8, 9, and 10 - public hearings on the Budget
- Prior to Friday, April 19, 2002 - Supervisor Bulova and staff from DMB will meet with individual Board Members regarding budget and mark-up package
- Friday, April 19, 2002, 3 p.m.: Pre-Markup Session - FY 2002 Third Quarter Review, FY 2003 Add On, Recommended Markup Package, Board Changes/Questions

- Monday, April 22, 2002: Budget Mark-up
- Monday, April 29, 2002: formal Adoption of Budget

Chairman Hanley announced that the Board would follow the Budget question process that it has followed for several years. Board Members would submit their written questions to DMB, who would then circulate the answers to everyone on the Board.

Following further discussion, with input from Mr. Griffin, Supervisor Bulova asked unanimous consent that the Board direct staff to provide information on the increase in tipping fees. Without objection, it was so ordered.

With reference to page 13 of the FY 2003 Advertised Budget Plan, Supervisor Connolly asked unanimous consent that the Board direct staff to provide, in all presentations to the Board, a report of the net tax change, factoring in the car tax, for the average household. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide the impact of delays in information technology due to the \$ 4.6 million reduction in the recommended budget. Without objection, it was so ordered.

Following further discussion, with input from Mr. Griffin, Supervisor Connolly asked unanimous consent that the Board direct staff to include in the Advertised Budget Plan, in the "What's Not in the Budget" section, that there is no funding for sidewalks, trails, streetlights, and storm drains. Without objection, it was so ordered.

With reference to page 36 of the FY 2003 Advertised Budget Plan, Supervisor Hyland asked unanimous consent that the Board direct staff to provide a breakdown of how much of the \$3.6 million allocated for Solid Waste Disposal Subsidy will BE used to subsidize the reduction in the tipping rate. Without objection, it was so ordered.

With reference to page 40 of the FY 2003 Advertised Budget Plan, "What's Not in the Budget," Supervisor Kauffman moved that the Board direct staff to prepare as a Consideration Item the continued funding of the Criminal Intelligence Unit. Supervisor Hyland seconded the motion.

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

Supervisor Connolly moved that the Board direct staff to prepare as a Consideration Item the funding for the HazMat Unit. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide a copy of the night court report prior to the Budget Committee meeting scheduled for March 25, 2002. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to report with the following information regarding the utilization of the jail expansion:

- Are there any opportunities for housing prisoners from other facilities?
- Would it provide a positive budget impact for the County?

Without objection, it was so ordered.

Following discussion, with input from Mr. Griffin, Supervisor Gross asked unanimous consent that the Board direct staff to provide information regarding the options for dealing with the people on the waiting list since no funding is available for the Community Health Care Network at Bailey's Clinic. Without objection, it was so ordered.

Noting that she had already asked for the following, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct to provide information regarding the:

- Status of the following programs:
  - Trails Program
  - Spot Improvement Program
  - Street Light Program
  - Storm Drainage Program
- Expenditure of funds that were previously allocated for each program.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide information regarding the expenditure of Housing Trust Funds. Without objection, it was so ordered.

Discussion continued with input from Mr. Griffin.

7. **10:10 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 3)

Following a report of the General Assembly session, Supervisor Connolly, Board's Legislative Committee Chairman, moved approval of the Legislative Report. This motion, the second to which was inaudible, carried by unanimous vote.

(NOTE: Later in the meeting there was additional discussion regarding legislative actions by the General Assembly. See Clerk's Summary Items CL#9, CL#15, and CL#71.)

PW:pw

8. **10:45 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 4)

(APPTS)

(BACs)

**AIRPORTS ADVISORY COMMITTEE**

Supervisor Hudgins moved the re-appointment of Mr. Richard J. Kraft as the Hunter Mill District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

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

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD**

Supervisor Hudgins moved the appointment of Ms. Judith H. Ratliff as the At-Large #6 Representative to the Alcohol Safety Action Program Local Policy Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

**CONFIRMATION:**

Supervisor Hyland moved the confirmation of the following appointment to the Alcohol Safety Action Program Local Policy Board:

- Mr. A. Jay Horowitz as the Fairfax-Falls Church Community Services Board Representative

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

**ANIMAL SERVICES ADVISORY COMMISSION**

Chairman Hanley moved the re-appointment of Mr. Philip S. Church, Jr. as the At-Large Chairman's Representative to the Animal Services Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Bulova moved the re-appointment of Ms. Robin T. Reid as the Braddock District Representative to the Animal Services Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Mr. Thomas C. Benson as the Lee District Representative to the Animal Services Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Gross moved the re-appointment of Ms. Michelle Hupp as the Mason District Representative to the Animal Services Advisory Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Ms. Gina Marie Lynch as the Mount Vernon District Representative to the Animal Services Advisory Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville, Hunter Mill, Providence, Springfield, and Sully District Representatives to the Animal Services Advisory Commission.

**BOARD OF BUILDING CODE APPEALS**

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

**BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)**

Chairman Hanley moved the appointment of Mr. Michael W. Kim to fill the unexpired term of Mr. Bernard Fensterwald as the Attorney #1 Representative to the Board of Equalization of Real Estate Assessments. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**CHARACTER COUNTS! TASK FORCE**

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

**CHILD CARE ADVISORY COUNCIL**

Chairman Hanley moved the re-appointment of Ms. Eileen Filler-Corn as the At-Large Chairman's Representative to the Child Care Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Springfield District Representative to the Child Care Advisory Council.

**CIVIL SERVICE COMMISSION**

Chairman Hanley moved the appointment of Ms. Julia M. Farr to fill the unexpired term of Mr. Jason Fong as the At-Large #4 Representative to the Civil Service Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

**COMMISSION FOR WOMEN**

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

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

Supervisor Mendelsohn moved the appointment of Mr. John G. Ryan as the Dranesville District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

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

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

**COMMUNITY ACTION ADVISORY BOARD**

Supervisor Hyland moved the appointment of Ms. Clare Matthews to fill the unexpired term of Mr. Scott Burr as the Mount Vernon District Representative to the Community Action Advisory Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.



Supervisor Frey moved the re-appointment of Ms. Carol Ann Hawn as the Sully District Representative to the Community Action Advisory Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

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

### **COMMUNITY CRIMINAL JUSTICE BOARD**

#### **CONFIRMATION:**

Following discussion, Supervisor Hyland moved the confirmation of the following appointment to the Community Criminal Justice Board:

- The Honorable Henry E. Hudson as the Circuit Court Judge Representative

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

Chairman Hanley noted that should Judge Hudson be confirmed as a Federal Judge, the Circuit Court would need to nominate another representative.

### **COMMUNITY IMPROVEMENT COMMITTEE**

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

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

The Board deferred the appointment of the Dranesville District Representative to the Countywide Non-Motorized Transportation (Trails) Committee.

#### **CONFIRMATION:**

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

- Mr. Paul Johnson as the Northern Virginia Building Industry Association Representative

Supervisor Connolly 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.

**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**

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide a list of the members who had previously served on the Electrical, Mechanical, and Plumbing Advisory Boards. Without objection, it was so ordered.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

The Board deferred the appointment of the Mount Vernon District Representative to the Fairfax-Falls Church Community Services Board.

**HUMAN RIGHTS COMMISSION**

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

**HUMAN SERVICES COUNCIL**

The Board deferred the appointment of the Sully District #2 Representative to the Human Services Council.

**INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE**

The Board deferred the appointment of the Hunter Mill District Representative to the Information Technology Policy Advisory Committee.

Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Ms. Katherine K. Clark, former Hunter Mill District Representative, to appear before the Board to be recognized for years of service to the Information Technology Policy Advisory Committee. Without objection, it was so ordered.

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

Supervisor Mendelsohn moved the appointment of Ms. Elizabeth Katherine Ramage as the Dranesville District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the appointment of Ms. Caroline C. Kerns as the Sully District Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large Chairman's Representative to the Juvenile and Domestic Relations District Court Citizens Advisory Council.

**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.

**CONFIRMATION:**

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

- Chief Magistrate Claude J. Beheler as the Magistrate System Representative

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

**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.

**ADHOC COMMITTEES****EMPLOYER CHILD CARE COUNCIL****CONFIRMATION:**

Supervisor Connolly moved the confirmation of the following appointments to the Employer Child Care Council:

- Ms. Linda Westphal as the Education Representative
- Ms. Mary Byers as the Commission for Women Representative
- Ms. Jean Callahan as the Professional Services Representative

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

**HEALTH AND MEDICAL CARE DELIVERY TASK FORCE**

The Board deferred the appointments of the Braddock, Mason, Springfield, and Sully District Representatives to the Health and Medical Care Delivery Task Force.

Chairman Hanley noted that this task force was near completion of its project.

**SIGN TASK FORCE**

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

**TELECOMMUNICATIONS (“MONOPOLES”) LAND USE TASK FORCE**

Supervisor Hudgins moved the appointment of Mr. Don Skidmore as the Hunter Mill District Representative to the Telecommunications (“Monopoles”) Land Use

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

**DMB:dmb**

### **ADDITIONAL BOARD MATTER**

9. **GENERAL ASSEMBLY ACTIONS** (Tape 5)

(NOTE: Earlier in the meeting the Board discussed legislative actions by the General Assembly. See Clerk's Summary Item CL#7.)

Supervisor Connolly reported with an additional action from the General Assembly, and a brief discussion ensued.

(NOTE: Later in the meeting there also was discussion regarding legislative actions by the General Assembly. See Clerk's Summary Items CL#15 and CL#71.)

### **AGENDA ITEMS**

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

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

Supervisor McConnell called the Board's attention to Admin 2 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District) Regarding Relocation of Three Polling Places, Creation of a New Precinct, and Adjusting the Boundary Between Existing Precincts; Abolishing Two Absentee Voting Satellites and Relocation of an Existing Satellite; and Establishing Hours of Operation for Absentee Voting Satellites and asked to amend the motion to state that the West Springfield absentee voting satellite will be left in its present location until the new site in the Kings Park Library at 9002 Burke Lake Road, Burke is completed, and this was accepted.

Following further discussion, with input from Carol Ann Coryell, Electoral Board Secretary, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to not delete the one Saturday and three weekdays from the October 21 through November 2, 2002, absentee voting hours, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Frey asked to amend the motion to include a Consideration Item that would increase the Electoral Board's budget in the amount of the \$4,800 needed

to continue operation of the one Saturday and three weekdays and this was accepted.

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

Supervisor Connolly called the Board's attention to Admin 9 - Authorization for the Department of Transportation (DOT) to Apply for Ridesources Marketing Program Grant Funding from the Virginia Department of Rail and Public Transportation and discussion ensued with input from Dorothy W. Cousineau, Head, Transportation Outreach Section, DOT.

Supervisor Mendelsohn called the Board's attention to Admin 10 - Supplemental Appropriation Resolution AS 02072 for the Juvenile and Domestic Relations District Court (JDRDC) to accept Grant Funds from the Virginia Department of Criminal Justice Services to Enhance Supervision and Treatment to Juvenile Offenders Age 13 Years and Younger and discussion ensued with input from David P. Bobzien, County Attorney, and James J. McCarron, JDRDC.

Supervisor Mendelsohn moved to amend the motion to delete the word "merit" regarding the establishment of a grant position.

Following further discussion, the question was called on the amendment to the motion, and it **FAILED** by a recorded vote of five, Supervisor Connolly, Supervisor Frey, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

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

**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF COUNTY COMMERCIAL REVITALIZATION BOND PROJECT - ANNANDALE STREETScape (JOHN MARR DRIVE/ROUTE 236) (MASON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 18, 2002, at 4:30 p.m.** on the acquisition of certain land rights necessary for the construction of County Commercial Revitalization Bond Project 008909 - Annandale Streetscape (John Marr Drive/Route 236).

**ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT), REGARDING RELOCATION OF THREE POLLING PLACES, CREATION OF A NEW PRECINCT, AND ADJUSTING THE BOUNDARY BETWEEN EXISTING PRECINCTS; ABOLISHING TWO ABSENTEE VOTING SATELLITES AND RELOCATION OF AN EXISTING SATELLITE; AND ESTABLISHING HOURS OF OPERATION FOR ABSENTEE VOTING SATELLITES**

- (A) (NOTE: Earlier in the meeting additional action was taken on this item. See pages 13-14.)

Authorized the advertisement of a public hearing to be held before the Board on **March 18, 2002, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District) to consider three ordinances that would:

- Relocate three polling places, create a new precinct, and adjust the boundary between existing precincts.
- Abolish two absentee voting satellites and relocate an existing satellite.
- Establish hours of operation for absentee voting satellites.

**ADMIN 3 – ACCEPTANCE OF A PORTION OF LOCKPORT PLACE INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS (MOUNT VERNON DISTRICT)**

- (R) Adopted the Resolution accepting a portion of Lockport Place from the intersection of Telegraph Road (Route 611) to a point approximately 1,078 linear feet (0.20 miles) to the northeast into the State secondary system of highways.

**ADMIN 4 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, PROVIDENCE, AND SPRINGFIELD DISTRICTS)**

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

| <u>Subdivision</u>   | <u>District</u> | <u>Street</u>                                    |
|----------------------|-----------------|--|
| Oaks Farms Section 4 | Hunter Mill     | Oak Farms Drive<br>Route 8825<br>Winter Oaks Way |

| <u>Subdivision</u>                     | <u>District</u> | <u>Street</u>                  |
|--|-----------------|--------------------------------|
| Kenny's Addition to<br>Stonewall Manor | Providence      | Stonewall Drive<br>Route 3636  |
| Oakton Grove Phase 3                   | Providence      | Gold Dust Court                |
| Popes Head Park                        | Springfield     | Quite Brook Road<br>Route 7447 |

**ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 02068 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO  
ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF  
SOCIAL SERVICES (DSS) TO CONTINUE THE JOB ACCESS/REVERSE  
COMMUTE PROGRAM**

(SAR) Approved SAR AS 02068 in the amount of \$360,000 for DFS to accept grant funds from DSS to continue transportation assistance to eligible clients through January 31, 2003, by providing access to job sites that are not readily accessible by existing public transit. No local cash match is required.

**ADMIN 6 – INSTALLATION OF MULTI-WAY STOPS (LEE,  
SPRINGFIELD, AND SULLY DISTRICTS)**

- Endorsed the installation of multi-way stops as part of the Department of Transportation Residential Traffic Administration Program at the following locations:
  - Dana Avenue and Dormont Street (Lee District)
  - Koziara Drive and Raftelis Road (Springfield District)
  - Old Dairy Road and Brightfield Lane (Sully District)
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

**ADMIN 7 – CONSIDERATION OF CUT-THROUGH MEASURES FOR  
CONSTANTINE AVENUE AS PART OF THE RESIDENTIAL TRAFFIC  
ADMINISTRATION PROGRAM (R-TAP) (LEE DISTRICT)**

(R) Adopted the R-TAP Resolution requesting the Virginia Department of Transportation to review and address the feasibility of closing Constantine Avenue at Hooes Road to cut-through traffic as part of R-TAP.



**ADMIN 8 – AUTHORIZATION FOR THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION TO APPLY FOR STATE AID FOR PUBLIC TRANSPORTATION GRANT FUNDS TO SUPPORT AN INTERNSHIP**

- (R) Adopted the Resolution authorizing the submittal of a grant application to the Department of Rail and Public Transportation for \$35,832, including a local cash match of \$1,792. Funding for the local match is projected to be available from the Fiscal Year 2003 Reserve for Anticipated Local Cash Match in Fund 102, Federal/State grant funds.

**ADMIN 9 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR RIDESOURCES MARKETING PROGRAM GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (VDRPT)**

- (R) (NOTE: Earlier in the meeting there was discussion of this item. See page 14.)

Adopted the Resolution authorizing DOT to submit a grant application in the amount of \$350,000 to VDRPT for the marketing and promotion of ridesharing and transit services during Fiscal Year (FY) 2003. The requested level of funding includes \$280,000 in State funds and requires a local cash match of \$70,000. Funding for the local cash match is projected to be available from the FY 2003 Reserve for Anticipated Local Cash Match in Fund 102, Federal/State grant fund.

**ADMIN 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 02072 FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT (JDRDC) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) TO ENHANCE SUPERVISION AND TREATMENT TO JUVENILE OFFENDERS AGE 13 YEARS AND YOUNGER**

- (SAR) (NOTE: Earlier in the meeting there was discussion of this item. See page 14.)

Approved SAR AS 02072 in the amount of \$156,023 from DCJS for the JDRDC Young Offender Program. The program funding period is an 18 month period from January 1, 2002, through June 20, 2003. No local cash match is required.

**ADMIN 11 – AUTHORIZATION FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (DCRS) TO APPLY FOR A GRANT FROM THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR VEHICLE REPLACEMENT FUNDS FOR THE FASTRAN SYSTEM AND AUTHORIZATION FOR A PUBLIC HEARING TO REVIEW AND COMMENT ON THE GRANT APPLICATION**

- (A)
- Authorized DCRS to apply for FTA Section 5310 grant funds in the amount of \$240,000. This grant will allow FASTRAN to

replace five high-mileage vehicles at a substantially reduced cost to the County. The required local cash match of \$60,000 will be funded from vehicle replacement/repowering funds projected to be available in the Fiscal Year 2003 DCRS General Fund budget.

- Authorized the advertisement of a public hearing to be held before the Board on **March 18, 2002, at 5 p.m.** to obtain citizen input regarding the grant application.

**ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING THE METHOD FOR DETERMING THE ANNUAL EMPLOYER CONTRIBUTION RATE IN RETIREMENT SYSTEMS**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 18, 2002, at 4 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), to consider amending Sections 3-2-26, 3-3-27, and 3-7-25 to modify the methodology for determining the annual employer contribution rates in a manner that would decrease the volatility in the rates while still following a methodology that adequately funds the retirement systems.

**ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING A SUPPLEMENTAL BENEFIT FOR FUTURE RETIREES OF THE UNIFORMED RETIREMENT SYSTEM**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 18, 2002, at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), to consider amending Section 3-3-33 to change benefits payable to future retirees from the Uniformed Retirement System.

11. **A-1 – AUTHORIZATION OF BACHMAN PROPERTY REGIONAL POND PRO RATA SHARE REIMBURSEMENT AGREEMENT (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize the execution of an agreement to reimburse 641-643 Ashbriar Limited Partnership from pro rata share collections for the engineering, design, and construction of the Bachman Property Regional Stormwater Management Pond D-151 within the Bachman Property development.

Following discussion with input from Paul M. Shirey, Staff, Department of Public Works and Environmental Services, Supervisor Connolly seconded the motion and it carried by unanimous vote.

12. **A-2 – APPROVAL OF FINAL COMMUNITY IMPROVEMENT PROGRAM ASSESSMENTS FOR BROOKLAND-BUSH HILL PHASE II (LEE DISTRICT)** (Tape 5)

(Rs) On motion of Supervisor Kauffman, seconded by Supervisor Hyland, and 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 Board concurred in the recommendation of staff and adopted the Resolutions establishing the final assessments for the Brookland-Bush Hill Phase II Community Improvement Program project.

13. **I-1 – LOCAL COMMENT LETTERS TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY ON WESLEY HOUSING AT COPPERMINE PLACE - DISABILITY AND ELDERLY HOUSING DEVELOPMENTS (HUNTER MILL DISTRICT)** (Tape 5)

The Board next considered an item contained in the Board Agenda dated February 25, 2002, requesting authorization for the County Executive to:

- Sign letters regarding Wesley Housing at Coppermine Place - Disability and Elderly Housing Developments
- Forward the letters to the Virginia Housing Development Authority for consideration with the tax credit applications.

The staff was directed administratively to proceed as proposed.

14. **I-2 – UPDATE ON REGIONAL AIR QUALITY ISSUES** (Tape 5)

The Board next considered an item contained in the Board Agenda dated February 25, 2002, presenting an update on regional air quality issues.

Extensive discussion ensued with input from Tom Biesiadny, Chief, Coordination and Funding Section, Department of Transportation.

**ADDITIONAL BOARD MATTER**15. **GENERAL ASSEMBLY ACTIONS** (Tape 5)

(NOTE: Earlier in the meeting the Board discussed legislative actions by the General Assembly. See Clerk's Summary Item CL#7 and CL#9.)

Supervisor Connolly reported with additional action from the General Assembly in Richmond. Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to contact Susan E. Mittereder, Legislative Liaison, Office of the County Executive, for updated information and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting there was further discussion regarding legislative actions by the General Assembly. See Clerk's Summary Item CL#71.)

**ADDITIONAL BOARD MATTERS**

NV:nv

16. **DROUGHT WATCH** (Tape 6)

Chairman Hanley called the Board's attention to her Board Matter and its attachments regarding a drought watch announced by the Washington Metropolitan Council of Governments. She stressed that water should be conserved.

Accordingly, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to:

- Post a "Use Water Wisely" notice on the County's website including specific ways for wise use.
- Publish this information in the *Weekly Agenda*.

Without objection, it was so ordered.

17. **TREE COMMISSION RESOLUTION TO HONOR COUNTY CITIZENS WHO PERISHED ON SEPTEMBER 11, 2001** (Tape 6)

(BACs) Chairman Hanley called the Board's attention to a resolution adopted by the Tree Commission that recommends that the Board act to commemorate those County residents who perished on September 11, 2001, and to honor those who participated in the rescue and recovery efforts with a living memorial grove on County land that is planted with native trees, shrubs, and flowers. Accordingly,

she moved that the Board direct staff to review the resolution and report with an appropriate location for the memorial grove and an estimate for the cost for developing a landscape design. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

18. **DIVERSITY MONTH** (Tape 6)

Chairman Hanley announced that the Office of Equity Programs (OEP) and the County Government Employees Volunteer Planning Committee for Diversity Month are planning a series of special events for the month of April. To recognize their efforts, she moved that the Board direct staff to invite representatives from OEP and the committee to appear before the Board on March 18, 2002, to receive a proclamation declaring April 2002 as "*Diversity Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

19. **NURSES MONTH** (Tape 6)

Chairman Hanley reported that several citizens contacted her to call attention to the critical shortage of nurses in the United States and the need to support the nursing profession. To recognize the important contribution nurses make to public health and safety in the community, and in conjunction with the national recognition program, she 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 2002 as "*Nurses Month*" in Fairfax County. Supervisor Connolly seconded the motion.

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

(NOTE: Later in the meeting the Board raised the issue of the nursing shortage again. See Clerk's Summary Item CL#44.)

20. **COLON CANCER AWARENESS MONTH** (Tape 6)

Chairman Hanley announced that Inova Health Systems, the American Cancer Society, Aetna, and Darrell Green have created a partnership to reduce colon cancer in the community. To recognize their efforts, she moved that the Board direct staff to invite the appropriate representatives to appear before the Board on March 4, 2002, to receive a proclamation declaring March 2002 as "*Colon Cancer Awareness Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

21. **POSSIBLE PUBLIC-PRIVATE PARTNERSHIP TO ACCELERATE CONSTRUCTION OF A NEW HIGH SCHOOL IN LORTON** (Tape 6)

Chairman Hanley called the Board's attention to a letter from Stuart Gibson, Chairman of the School Board, in which he asked the Board of Supervisors to pursue a public-private partnership to accelerate the construction of a new high school in Lorton, now called Laurel Hill. She said that this is an area where the County has an opportunity to offer County assets in pursuing a public-private partnership.

Chairman Hanley said that a long-term lease arrangement would be considered long term debt. However, this could be an opportunity to accelerate the high school construction and create flexibility in the School Division's share for debt capacity in the short term. Accordingly, she moved that the Board direct the County Executive to develop a Request for Proposal (RFP) in response to the request from the School Board to solicit responses from the private sector to pursue a partnership to construct a high school at Laurel Hill. Supervisor Bulova seconded the motion.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide further information from the Department of Management and Budget as to the possible efficiencies the arrangement might create and more detail in terms of long term debt capacity. Without objection, it was so ordered.

Following discussion, Chairman Hanley clarified her motion to stipulate that the Board would consider the proposed detailed RFP before it would be released to the public.

Supervisor Frey asked unanimous consent that the Board direct staff to solicit opinions from the County's outside bond counsel on the possible effect of this arrangement and its cumulative effect with other proposed actions. Without objection, it was so ordered.

Following further discussion regarding other opportunities for similar public-private arrangements in other areas, Chairman Hanley noted that they should be prefaced with a request from the School Board since such arrangements would affect the School Division's Capital Improvement Program.

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

22. **RESPONSE TO THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY'S (DEQ) DRAFT FECAL COLIFORM TOTAL MAXIMUM DAILY LOAD (TMDL) FOR ACCOTINK CREEK** (Tape 6)

(BACs) Chairman Hanley called the Board's attention to a memorandum she received from the County Executive regarding the Environmental Quality Advisory

Council's (EQAC) request to transmit comments regarding a proposal from the DEQ regarding the establishment of a proposed TMDL for fecal coliform bacteria for a portion of Accotink Creek. Accordingly, she moved that the Board direct staff to forward EQAC's comments, without Board comment, to DEQ. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**PMH:pmh**

23. **ENVIRONMENTAL QUALITY ADVISORY COUNCIL RESOLUTION REGARDING REGIONAL STORMWATER MANAGEMENT** (Tape 7)

(BACs) Supervisor Mendelsohn referred to a memorandum from Robert A. Stalzer, Deputy County Executive, regarding regional stormwater management. He asked unanimous consent that the Board direct staff to review the issues outlined in memorandum. Without objection, it was so ordered.

24. **ALZHEIMER'S FAMILY DAY CENTER** (Tape 7)

Supervisor Mendelsohn said that for over 15 years the Alzheimer's Family Day Center has provided day health and respite services to victims of Alzheimer's Disease and their families. The Center, a nonprofit organization, is located on Westmoreland Street in the Chesterbrook Presbyterian Church in Falls Church.

Unfortunately, despite the success of the Center, the church congregation was unable to sustain itself and the property reverted to the Presbytery of the National Capital area in January 2001. As a result, the church currently houses a Taiwanese Presbyterian congregation that wishes to utilize all extra spaces for church activities, and the Falls Church McLean Children's Center will relocate in September 2003 to Lemon Road Elementary School.

In anticipation of these events, Supervisor Mendelsohn said that for the last two years he has been working with the Department of Housing and Community Development and a number of agencies within the County to design a coordinated program for seniors at the Lewinsville Center, including construction of an affordable assisted living facility. Although space has been included in this design to house the unique programs of the Alzheimer's Family Day Center, the complexity of assembling the financing for this program and the need for community review make it likely that the Alzheimer's Family Day Center may need to identify interim space in the near future.

Therefore, Supervisor Mendelsohn moved that the Board authorize staff to assist the Alzheimer's Family Day Center to identify an interim private location, including a possible temporary rent subsidy, until space at the Lewinsville Center becomes available. Supervisor Bulova seconded the motion.

Following discussion, 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.

25. **CERTIFICATE OF APPRECIATION FOR MAKE KIDS SMILE, INCORPORATED AND OTHERS** (Tape 7)

Supervisor Gross said that the public-private partnerships play an important role in maintaining and enhancing the quality of life in Fairfax County. A recent example is the new and safer playground installed for residents living near the Willston Multi-cultural Center in Mason District.

Supervisor Gross noted that Make Kids Smile, Incorporated, a local non-profit, tax-exempt charitable organization, made it possible for the old playground equipment to be replaced by new, safe and ADA accessible play components. Make Kids Smile covered the cost of the playground and the raw materials, and coordinated the building efforts, using volunteers from Habitat for Humanity as well as County employees from the Department of Community and Recreation Services, Park Authority, Facilities Management, and Risk Management, to prepare the site and ensure safety requirements.

In recognition of this extraordinary effort on behalf of the County, Supervisor Gross moved that the Board direct staff to invite Peter A. Ognibene, President of Make Kids Smile, Incorporated, and other appropriate individuals to appear before the Board to receive its thanks in April. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

26. **RETIREMENT OF MAJORS FRANK AND NELLIE SWIMM** (Tape 7)

Supervisor Gross announced that Majors Frank and Nellie Swimm will be retiring after 28 years of service to the community, including 13 years directing the Adult Rehabilitation Center of the Salvation Army in Mason District.

Supervisor Gross moved that the Board issue a proclamation to be presented to Major and Mrs. Swimm at their retirement celebration on June 29, 2002. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

27. **RESCUE ORGANIZATION** (Tape 7)

Supervisor Hudgins said that on Friday, February 15, 2002, the Vienna Fire Department donated an ambulance to Los Camilleros, a rescue organization based in El Salvador. Los Camilleros in Spanish translates to stretcher carriers.



Supervisor Hudgins said that the donation was made possible when Rony Avalos, a Fairfax County Technician of Station 25 of the Fire and Rescue Department, noticed that the Vienna Volunteer Fire Department had for sale a 1989 Ford F350 ambulance and made an inquiry on behalf of Los Camilleros. Previously the Vienna Fire Department had been unsuccessful in obtaining a sale for the ambulance, while El Salvador has had a need of securing medical transport vehicles in the aftermath of several recent major earthquakes in the region. Currently, Los Camilleros uses an old flatbed pickup truck to transport patients.

Therefore, Supervisor Hudgins moved that the Board recognize the Vienna Volunteer Firefighters and Mr. Avalos for their dedication to saving lives in Fairfax County and El Salvador. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

28. **SUPPORT FOR BIRMINGHAM GREEN ADULT CARE RESIDENCE (ACR)** (Tape 7)

Supervisor Hudgins referred to her written Board Matter regarding the Birmingham Green ACR. The ACR provides a home for those incapable of fully supporting themselves. She added that she has received a request that the Board forward a letter to the US Department of Housing and Urban Development in support of funding for the renovation.

Therefore, Supervisor Hudgins moved that the Board direct the Chairman to send a letter on behalf of the Board in support of funding for the renovation of the Birmingham Green ACR. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

29. **HERNDON JUNIOR ERIC ZAKRZEWSKI WINS WRESTLING TITLE** (Tape 7)

Supervisor Hudgins said that Herndon High School junior Eric Zakrzewski won the Virginia AAA 170 pound final in wrestling division. She moved that the Board direct staff to invite Mr. Zakrzewski to appear before the Board to be recognized for his accomplishment. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

30. **INTENT TO DEFER THE PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-P-069-2 (SMI FAIRFAX, LLC) (PROVIDENCE DISTRICT)** (Tape 7)

Supervisor Connolly announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Proffered Condition Amendment Application PCA 81-P-069-2 until March 4, 2002, at 3 p.m.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#50.)

31. **HAPPY BIRTHDAY TO MS. MABEL HANKES** (Tape 7)

Supervisor Connolly said that in 1899 Commodore Dewey won the seven-hour battle of Manila Bay and the Treaty of Paris ended the Spanish-American War. The Boer War broke out in South Africa. Ships carried settlers to Australia and to the Americas. Butch Cassidy was robbing trains in the wilds of Wyoming and San Francisco State University was chartered. The world lost one of its great composers when Johann Strauss passed away and the US entry Columbia won the America's Cup, defeating Sir Thomas Lipton's British entry.

Supervisor Connolly noted that born 103 years ago were Duke Ellington, Jascha Heifetz, Alfred Hitchcock, Hoagy Carmichel, Ernest Hemmingway and his constituent: Ms. Mabel Hankes.

Therefore, Supervisor Connolly moved that the Board send best wishes to Ms. Hankes on the occasion of her 103rd birthday and direct staff to send her a Certificate of Recognition. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

32. **COOPERATIVE GRANTS GRANTS PROGRAM (COOP)** (Tape 7)

Supervisor Connolly said that COOP, implemented by the National Association of Foreign Student Advisers (NAFSA): Association of International Educators and funded by the Department of State, is accepting proposals from US based institutions of higher education and nonprofit organizations for the Muslim Intercultural Exchange Grant competition.

The Muslim Intercultural Exchange Grants are awards in the range of \$2001-\$10,000 to create opportunities for students from predominately Muslim countries to engage in exchange with US peers and their host communities, and to increase resources and understanding about the Muslim world.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct the Office of Public Affairs to inform the citizens of Fairfax County about this opportunity through the NAFSA: Association of International Educators website at [www.nafsa.org](http://www.nafsa.org). Without objection, it was so ordered.

33. **PROPOSED PUBLIC FACILITIES MANUAL (PFM) AMENDMENT**  
(Tape 7)

Supervisor Connolly said that recently a letter of credit submitted to the County by a local bank was rejected because of a procedural matter. Presently the County uses the Sheshunoff rating system, which only includes commercial banks in its

listing of approved institutions. Therefore, when a local bank receives the required co-signing from a non-commercial bank, it is automatically rejected because it does not appear on that particular list. He added that he has discussed this with Robert Mears, Director of Finance, who would like to be able to correct this procedural limitation. One solution may be to give the Director of Finance the flexibility to use other rating institutions, such as Standards and Poors, in addition to Sheshunoff, when looking at noncommercial banks. This would require an amendment to the Public Facilities Manual (PFM).

Therefore, Supervisor Connolly moved that the Board direct the County Executive to initiate staff action to bring a proposed PFM amendment to the Board for consideration. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

34. **PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING STORAGE YARDS** (Tape 7)

Supervisor Connolly said that he has discovered that car dealerships in the Tysons area are using excess parking spaces at various locations in industrial districts to store new cars. He noted that storage of new motor vehicles is not permitted in any Commercial District as a matter of right, by special exception, or special permit.

Therefore, Supervisor Connolly moved that the Board direct the Zoning Administrator to review this issue and to prepare as appropriate a Zoning Ordinance amendment which would permit "Storage Yards" for the storage of new motor vehicles either by right or by special exception in the commercial and industrial districts. Supervisor Mendelsohn seconded the motion.

Following discussion, Supervisor Connolly clarified that the proposed amendment would be included in the worklist of items for the Board to prioritize.

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

35. **EXPEDITED IMPLEMENTATION OF WEB SITE LINKS TO PRE-SUBMISSION MEETING APPLICATION** (Tape 7)

Supervisor Connolly noted that the land use application process can at times become a long and trying experience to citizens and community organizations that have limited direct experience with the County's system of land use planning and zoning. The Board created the Places of Worship Ombudsman position to shepherd religious organizations through the process. Additionally, the Department of Planning and Zoning has provided applicants the opportunity to

meet with staff from several reviewing agencies in pre-submission meetings. These meetings have helped to reduce errors in applications, essentially streamlining the process, allowing for quicker review of applications, thereby saving time and money for citizens and the County simultaneously.

Supervisor Connolly said that it has been brought to his attention that information pertaining to the availability of pre-submission meetings is not readily available. The application for a pre-submission meeting is currently located under several layers of web pages that most people could never find unless they were expressly directed there.

Therefore, Supervisor Connolly moved that the Board direct the Department of Information Technology to expedite adding the pre-submission meeting application web link to the home pages of the Office of Transportation, Department of Fire and Rescue, Water Authority, the Department of Planning and Zoning, and the Department of Public Works and Environmental Services. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

36. **PROFFERED      CONDITION      AMENDMENT      APPLICATION**  
**PCA 88-D-005-5 (WEST\*GROUP) (Tape 7)**

Supervisor Connolly said that West\*Group is in the process of submitting Proffered Condition Amendment Application PCA 88-D-005-5 that would result in the construction of housing in the heart of Tysons Corner. To be able to proceed with the application, West\*Group is required to re-calculate tabulations for the gross tract area. A portion of this land bay includes the County-owned Transit Station located at Tax Map 29-1-0014-A. As a result, the County will be required to engage in the process of full disclosure related to Proffered Condition Amendment Application PCA 88-D-005-5. The Transit Station is not otherwise affected by this application except for the above-described density conversion and re-allocation recalculations.

Therefore, Supervisor Connolly moved that the Board:

- Authorize the County Executive to serve as the Board's authorized agent for purposes of completing the affidavit for Proffered Condition Amendment Application PCA 88-D-005-5 on behalf of the Board and to certify that the County Executive is authorized to act as the Board's agent with regard to this matter.
- Direct staff to permit the expedited processing of Proffered Condition Amendment Application PCA 88-D-005-5 concurrently with a Zoning Map Amendment from the C-3 Zoning District to the PRM Zoning District for Tax Map 29-4-007-A3, CDP/FDP, preliminary plan, site plan, subdivision plat and all related

easement plats and instruments to ensure the proposed project may be implemented in the year 2002.

- Direct staff to schedule a public hearing to be held before the Planning Commission as expeditiously as possible and the next Board public hearing date after the Planning Commission approval.

This motion should not be construed as a favorable recommendation on this application, nor does this motion relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or standards, in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

(NOTE: Later in the meeting the Board took further action regarding this issue. See Clerk's Summary Item CL#67.)

37. **THIRD ANNUAL PROVIDENCE DISTRICT ENVIRONMENTAL WORKSHOP** (Tape 7)

Supervisor Connolly announced that the third annual Providence District Environmental Workshop will be held on Saturday, March 23, 2002, at the Luther Jackson Middle School located at 3020 Gallows Road, Falls Church from 9 a.m. until noon.

Supervisor Connolly asked unanimous consent that the Board direct the Office of Public Affairs to issue a press release and provide some advertising for this event. Without objection, it was so ordered.

NV:nv

38. **RECOGNITION OF OAK HILL ELEMENTARY SCHOOL STUDENTS** (Tape 8)

Supervisor Frey reported that three teams of students representing Oak Hill Elementary School recently won highest honors in the first of three meets of this year's WordMasters Challenge, a national language arts competition entered by 250,000 students annually. He moved that the Board direct the staff of the Office of Public Affairs to invite the students to appear before the Board for recognition of this outstanding achievement. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

39. **WAIVER OF LANDFILL FEES FOR PARTICIPANTS IN THE ADOPT-A-HIGHWAY PROGRAM** (Tape 8)

Supervisor Frey stated that a citizen recently called to his attention the fact that participants involved in the Adopt-a-Highway program who take the collected

refuse to the landfill directly (rather than leaving it bagged along the road for pickup by the Virginia Department of Transportation) have to pay landfill fees. Accordingly, Supervisor Frey asked unanimous consent that the Board direct staff to investigate whether there are ways that these fees could be waived for persons demonstrating participation in the program.

Following input from David P. Bobzien, County Attorney, without objection, the request was so ordered.

40. **RECOGNITION OF LOCAL WINTER OLYMPIANS** (Tape 8)

Jointly with Supervisor Connolly, Supervisor Frey asked unanimous consent that the Board direct staff to invite the following two County residents to appear before the Board in recognition of their achievements for participating in the recently-completed 2002 Winter Olympics in Salt Lake City, Utah:

- Michael Weiss, Men's Ice Skating
- Mike Kohn, bronze medallist, Men's 4-Man Bobsled, as a member of the USA-2 sled team

Supervisor Connolly asked to amend the request to direct the Office of Public Affairs to coordinate with his office when Mr. Weiss will appear, and this was accepted.

Without objection, it was so ordered.

41. **RECOGNITION OF HABITAT FOR HUMANITY PROJECT** (Tape 8)

Supervisor Bulova reported that a unique partnership is working together to increase the County's stock of affordable housing. Three to four acres of land on Stevenson Street in the Springfield District located across Lee Highway from the Braddock District was provided to Habitat for Humanity by the Redevelopment and Housing Authority. She said that a consortium of churches, clubs, families, non-profits, and businesses are working with Habitat for Humanity to construct what will eventually be a total of 18 attractive and affordable townhomes. People who will eventually live in these homes are also required to work on the homes as "sweat equity" as a condition of ownership.

Supervisor Bulova said that one of the homes is being constructed by the following sponsors:

- Lutheran congregations as follows:
  - Lord of Life, Fairfax
  - Christ, Fairfax City

- King of Kings, Fairfax
- Emmanuel, Vienna
- Holy Cross, Herndon
- Saint Andrew, Centreville
- Epiphany, Fairfax (Mount Vernon)
- Bethlehem, Annandale
- Good Shepherd, Reston
- Christ the Servant, Reston
- Faith, Arlington
- Advent, Arlington
- Other Churches:
  - Ecumenical Council of Great Falls
  - Vienna Church Coalition for Housing (First Baptist of Vienna and Vienna Presbyterian)
  - Centreville United Methodist Church
- Corporate, Family, and Clubs:
  - Exxon Mobil
  - Capitol One
  - Scitor Corporation/Exxon Mobil
  - Option One Mortgage
  - CHARITYWORKS
  - Lions Club International Foundation 24A
  - The Massa Family

Accordingly, jointly with Supervisor McConnell, Supervisor Bulova asked unanimous consent that the Board direct staff to invite the participants in the Stevenson Street project to appear before the Board to be thanked and recognized for their unique and exemplary work. Without objection, it was so ordered.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to list the specific churches in the Ecumenical Council of Great Falls when this item returns to the Board. Without objection, it was so ordered.

Supervisor Frey announced that a significant number of members of the White House staff participated in this project last summer.

Anthony H. Griffin, County Executive, will also provide a list of County employees who participated in the program.

42. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 01-L-042** (Tape 8)

Supervisor Kauffman announced his intent to defer at the appropriate time later in the meeting the public hearing on Special Exception Application SE 01-L-042, Springfield Plaza, until April 29, 2002, at 3 p.m.

(NOTE: Later in the meeting this public hearing was formally deferred. See Clerk's Summary Item CL#52.)

43. **DONATION OF PUMP TRUCK BY FRANCONIA VOLUNTEER FIRE DEPARTMENT** (Tape 8)

Supervisor Kauffman stated that as reported in a recent edition of *The Washington Post* and the *Springfield Times*, the Franconia Volunteer Fire Department donated its spare pump truck to Engine Company Number 3 in the Bronx, New York. Engine Company Number 3 lost its only pumper truck in the rubble from the collapse of the World Trade Center caused by the terrorist attacks on September 11, 2001. Supervisor Kauffman stated that through the magnanimous act of the Franconia Volunteer Fire Department, that station in New York is now back in operation.

Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct staff to:

- Invite the Chief of the Franconia Volunteer Fire Department, Mr. Tim Fleming, and other appropriate members of the department, to appear at a future Board meeting for appropriate recognition.
- Prepare a certificate of appreciation.



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

44. **MEDICAL EDUCATION CAMPUS IN SPRINGFIELD** (Tape 8)

(NOTE: Earlier in the meeting the Board took action to recognize nurses. See Clerk's Summary Item CL#19.)

In light of a previous discussion regarding the critical shortage of nurses, and the critical role of the medical education campus as an investment catalyst for the Springfield revitalization area, Supervisor Kauffman asked unanimous consent that the Board direct staff to communicate the importance of the medical education campus to members of the Virginia General Assembly. Without objection, it was so ordered.

45. **DEFERRALS OF PUBLIC HEARINGS** (Tape 8)

Supervisor Hyland announced his intent to defer at the appropriate time later in the meeting the public hearing on Rezoning Application RZ 2001-MV-030, until March 4, 2002, at 4 p.m.

Supervisor Frey announced his intent to defer at the appropriate time later in the meeting the public hearing on Rezoning Application RZ 2001-SU-033, until March 18, 2002.

(NOTE: Later in the meeting at the appropriate time, the Board formally deferred these public hearings. See Clerk's Summary Item CL#51 and CL#65.)

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

At 1:30 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters

requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).

1. *Carl Jackson and Gloria Willingham v. Sgt. Douglas A. Crooke, et al.*, Civil Action No. 00-2053-A (E.D. Va.)
2. *Christian Dickerson v. Kingsford Agbemble, Fairfax County, Lawrence Henderson, Fairfax County School Board, and Donald Clausen*, At Law No. 199624 (Fx. Co. Cir. Ct.) (Braddock District)
3. *Anh-Hung Tran Duong v. County of Fairfax*, At Law No. 200365 (Fx. Co. Cir. Ct.) (Braddock District)
4. *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)
5. *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)
6. *Fairfax County Park Authority v. George A. Fath, et al.*, At Law No. 196661 (Fx. Co. Cir. Ct.) (Springfield District)
7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Warren G. Basye*, In Chancery No. 176708 (Fx. Co. Cir. Ct.) (Mason District)

8. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Talat K. Hassanein, File No. 02-4273 (Fx. Co. Gen. Dist. Ct.) (Lee District)*

And in addition:

- In Re: Barbara Varon, Fairfax County Electoral Board, and Patricia A. Junkin, Fairfax County Electoral Board; At Law Number 201394 and 201855
- Maryland House Bill 294 Pertaining to Potomac River Water Usage
- Route 28 Public-Private Partnership Proposal

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

Chairman Hanley announced that the Board would convene closed session at 2 p.m.

**SBE:sbe**

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

#### **ADDITIONAL BOARD MATTER**

47. **WELCOME TO BOY SCOUT TROOP 1131 FROM BRADDOCK DISTRICT** (Tape 9)

Chairman Hanley recognized the presence of the members of Boy Scout Troop 1131, from Annandale in Braddock District, and welcomed them to the Board Auditorium.

#### **ACTION FROM CLOSED SESSION**

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

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

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

### **AGENDA ITEMS**

PW:pw

49. **3:30 P.M. – PH REGARDING CONTRACT FOR AND THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO FAIR LAKES METROPOLITAN SQUARE, LLC, AND FAIR LAKES METROPOLITAN SQUARE II, LLC (SPRINGFIELD DISTRICT)** (Tape 9)

Supervisor Hyland moved to defer the public hearing on the contract for and the conveyance of County-owned property to Fair Lakes Metropolitan Square, LLC and Fair Lakes Metropolitan Square II, LLC until **March 4, 2002, at 4 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

50. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-P-069-2 (SMII FAIRFAX, LLC) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Proffered Condition Amendment Application PCA 81-P-069-2 until **March 4, 2002, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

51. **4 P.M. – PH ON REZONING APPLICATION RZ 2001-MV-030 (LANDMARK PROPERTIES DEVELOPMENT, LLC) (MOUNT VERNON DISTRICT)** (Tape 9)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 2001-MV-030 until **March 4, 2002, at 4 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

52. **4 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 **April 29, 2002, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

53. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-S-028 (GESHER JEWISH DAY SCHOOL OF NORTHERN VIRGINIA) (SPRINGFIELD DISTRICT)** (Tape 9)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 01-S-028 until April 29, 2002, at 3 p.m. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

Noting that the time was prior to 4:30 p.m., Chairman Hanley stated that this public hearing could not be deferred at this time and would be deferred formally at the appropriate time.

(NOTE: Later in the meeting this public hearing was deferred. See Clerk's Summary Item CL#63.)

54. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-V-046 (JAMES D. TURNER, TRUSTEE) (MOUNT VERNON DISTRICT)** (Tape 9)

(NOTE: At its December 3, 2001, meeting the Board deferred the public hearing on this item until January 7, 2002. At its January 7, 2002, meeting the Board deferred the public hearing on this item until February 25, 2002.)

The application property is located at 8828 Dogue Drive, Tax Map 109-2 ((3)) (E) 13; 109-2 ((3)) (C) 7, 8.

Jonathan P. Rak, Esquire, reaffirmed the validity of the affidavit for the record.

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

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

Discussion ensued with input from James D. Turner, Trustee, and Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning.

Supervisor Hyland asked unanimous consent that the Board direct staff to introduce into the record and provide the applicant with an email received by his office from Ms. Denise Mulholland, representing the Keys and Russell

subdivision, opposing the development of the property. Without objection, it was so ordered.

Supervisor Hyland moved to defer the decision ON Special Exception Application SE 00-V-046 **indefinitely**. Supervisor Connolly seconded the motion, which carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

55. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE) REGARDING VIOLATIONS AND PENALTIES, RESTORATION OF CHESAPEAKE BAY PRESERVATION AREAS, AND REMOVAL OF INDIGENOUS VEGETATION FROM RESOURCE PROTECTION AREAS** (Tapes 9-10)

- (O) A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 7 and February 14, 2002.

Following the public hearing, which included testimony by ten speakers, John Friedman, Engineer III, Code Analysis Division, Department of Public Works and Environmental Services, presented the staff report.

Supervisor Mendelsohn moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 118 (Chesapeake Bay Preservation Ordinance), as set forth in the staff report dated December 3, 2001, as recommended by the Planning Commission on January 24, 2002, and that these amendments become effective at **12:01 a.m., February 26, 2002**. Supervisor Gross seconded the motion, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting “AYE,” Supervisor McConnell being out of the room.

56. **3:30 P.M. – PH REGARDING THE LEASING OF COUNTY-OWNED PROPERTY AT THE MASSEY BUILDING LOCATED AT 4100 CHAIN BRIDGE ROAD TO THE NORTHERN VIRGINIA FM ASSOCIATION, INCORPORATED (PROVIDENCE DISTRICT)** (Tape 10)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 7 and February 14, 2002.

Following the public hearing, which included testimony by one speaker, Patrick Ryan, Management Analyst II, Facilities Management Division, Department of Public Works and Environmental Services, presented the staff report.

Supervisor Connolly moved that the Board authorize staff to execute a lease, substantially in accordance with the proposed lease, contained in the Board Agenda, with Northern Virginia FM Association, Incorporated, for the leasing of County-owned property for the purpose of maintaining repeater stations in the Massey Building to support amateur radio communications in the Washington, DC metro area. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

57. **3:30 P.M. – PH REGARDING CONTRACT FOR AND THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO FAIR LAKES METROPOLITAN SQUARE, LLC, AND FAIR LAKES METROPOLITAN SQUARE II, LLC (SPRINGFIELD DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting the Board deferred this public hearing. See Clerk's Summary Item CL#49.)

58. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-P-069-2 (SMII FAIRFAX, LLC) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting the Board deferred this public hearing. See Clerk's Summary Item CL#50.)

59. **4 P.M. – PH ON REZONING APPLICATION RZ 2001-MV-030 (LANDMARK PROPERTIES DEVELOPMENT, LLC) (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting the Board deferred this public hearing. See Clerk's Summary Item CL#51.)

60. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-L-042 (SPRINGFIELD PLAZA, LP) (LEE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting the Board deferred this public hearing. See Clerk's Summary Item CL#52.)

61. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-V-039 (COSTCO WHOLESALE CORPORATION) (MOUNT VERNON DISTRICT)** (Tape 10)

Chairman Hanley announced that there would be a change in the Orders of the Day and that this public hearing would be held later in the meeting.

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item CL#64.)

62. **4 P.M. – PH ON SPOT BLIGHT ABATEMENT ORDINANCE FOR 6709 HACKBERRY STREET [TAX MAP NUMBER 091-1-((2))-0163] (LEE DISTRICT)** (Tape 10)

- (O) A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 7 and February 14, 2002.

Following the public hearing, which included testimony by four speakers, Susan Retz, Acting Chief, Housing Rehabilitation, Department of Housing and Community Development, presented the staff report.

Supervisor Kauffman moved:

- Adoption of the Ordinance to declare 6709 Hackberry Street blighted, constituting a nuisance.
- Approval of the Blight Abatement Plan for 6709 Hackberry Street.

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

63. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-S-028 (GESHER JEWISH DAY SCHOOL OF NORTHERN VIRGINIA) (SPRINGFIELD DISTRICT)** (Tape10)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 01-S-028 until **April 29, 2002, at 3 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hudgins, and Supervisor McConnell being out of the room.

64. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-V-039 (COSTCO WHOLESALE CORPORATION) (MOUNT VERNON DISTRICT)** (Tape 10)

The application property is located at 7373 Boston Boulevard, Tax Map 99-1 ((12)) C.

Keith Martin, Esquire, 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, Charles Burnham, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of Special Exception Application SE 01-V-039, subject to development conditions dated January 28, 2002. Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

65. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2001-SU-033 (STANLEY-MARTIN HOMEBUILDING, LLC) (SULLY DISTRICT)**  
(Tape 10)

Supervisor Kauffman moved to defer the public hearing on Rezoning Application RZ 2001-SU-033 until **March 18, 2002, at 5 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

66. **4:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE MCLEAN HEIGHTS SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (DRANESVILLE DISTRICT)** (Tapes 10-11)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 7 and February 14, 2002.

Following the public hearing, which included testimony by two speakers, Diane Barnes, Right-of-Way Agent, Land Acquisition Division, Department of Public Works and Environmental Services, presented the staff report.

Discussion ensued with input from staff.

Supervisor Mendelsohn moved to defer decision on the acquisition of certain land rights necessary for the construction of McLean Heights Sanitary Sewer Extension and Improvement Project until the next Board meeting scheduled for March 4, 2002. Supervisor Connolly seconded the motion, which carried by a vote of six, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

**ADDITIONAL BOARD MATTERS**67. **ADDITIONAL ACTION REGARDING PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-D-005-5** (Tape 11)

(NOTE: Earlier in the meeting, the Board took action on this matter. See Clerk's Summary Item CL#36.)

Supervisor Connolly clarified a Board Matter presented earlier in the meeting regarding Proffered Condition Amendment Application PCA 88-D-005-5 and moved that the Board:

- Concur in the filing of the proffered condition amendment application by West\*Group which includes the County-owned transit station.
- Direct the staff of the Department of Public Works and Environmental Services to permit concurrent processing of the zoning map amendment from the C-3 District to the PRM District for Tax Map 29-4-007-A3 and any subsequent site plan which may be filed.
- Direct staff to schedule Proffered Condition Amendment Application PCA 88-D-005-5 for the earliest possible public hearing date for the Planning Commission and to schedule the public hearing to be held before the Board for the next Board meeting after the Planning Commission hearing to ensure that the Board public hearing on this application is held by the end of the year.

Supervisor Connolly noted that this motion should not be construed as a favorable recommendation on this application nor does this motion relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or standards in any way. Supervisor Bulova seconded this motion.

Supervisor Connolly pointed out that the major change from the earlier motion is the Board's concurrence in the application.

Following a brief discussion, the question was called on the motion, which carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

68. **5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 11)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 7 and February 14, 2002.

The public hearing was held and included testimony by one speaker:

- Mr. Richard Kirkbride regarding drought run off erosion.

Following discussion, Supervisor Gross moved to refer this issue to the appropriate County department for further action. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

### **ADDITIONAL BOARD MATTERS**

69. **EXPEDITED SCHEDULING FOR PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT APPLICATIONS PCA C-402-8/FDPA C-402-6** (Tape 11)

Supervisor McConnell stated that Rollingwood LLC and Brookfield Washington Incorporated are the contract purchasers of 7.37 acres of land located in the northwest quadrant of the intersection of Hunter Village Drive and Gerardia Court and identified as Tax Map 89-4 ((1)) 21 and 22D. They have filed Proffered Condition Amendment/Final Development Plan Amendment Applications PCA C-402-8/FDPA C-402-6 to change the approved use from a medical care facility to housing for the elderly. The applicants propose to develop this parcel into four residential buildings containing 90 dwelling units. The applicants are working with the County staff to address all issues. They have also met with neighboring homeowners to resolve issues and to develop a plan they will support.

Supervisor McConnell said that the Planning Commission public hearing for this application is scheduled for April 4, 2002. The applicants have requested an expedited Board public hearing date to continue progress on time for the development of this site.

Accordingly, Supervisor McConnell moved that the Board direct staff to schedule a public hearing to be held before the Board for Proffered Condition Amendment/Final Development Plan Amendment Applications PCA C-402-8/FDPA C-402-6 for April 8, 2002. She noted that this motion does not relieve the applicants from complying with all regulations, ordinances, or adopted standards and does not prejudice the consideration of this application in any way. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Frey being out of the room.

70. **WATERFOWL RESCUE PROGRAM** (Tape 11)

Supervisor McConnell stated that the County has a little-known waterfowl rescue program. She related that she and her grandson had once found a wounded bird and they took it to a woman who rehabilitates animals and returns them to the

wild. She distributed brochures from the Citizens for the Preservation of Wildlife, Incorporated with the following telephone number to call to report injured birds: 703-493-9000.

71. **ADDITIONAL GENERAL ASSEMBLY ACTIONS** (Tape 11)

(NOTE: Earlier in the meeting the Board discussed legislative actions by the General Assembly. See Clerk's Summary Items CL#7, CL#9, and CL#15.)

Supervisor Connolly reported with additional action from the General Assembly in Richmond and a brief discussion ensued.

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

At 6:35 p.m., the Board adjourned.

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