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The meeting was called to order at 9:50 a.m. with all Members being present, and with Chairman Hanley presiding.

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

BOARD MATTER

2. **PARTICIPANT IN GIRL SCOUT PROGRAM** (Tape 1)

Supervisor Mendelsohn stated that Deirdre Lyons, a sixth grade student at Great Falls Elementary School, is visiting his office and the Board Auditorium as part of her Girl Scout Program.

(NOTE: Later in the meeting, Ms. Lyons was introduced. See Clerk's Summary Item CL#7.)

3. **CERTIFICATES OF RECOGNITION PRESENTED TO THE WEST SPRINGFIELD HIGH SCHOOL GIRLS' SWIM AND DIVE TEAM** (Tape 1)

Supervisor McConnell moved approval of the Certificates of Recognition presented to Glyn Bates, Principal; Robert Ianacone, Coach; and members of the West Springfield High School Girls' Swim and Dive Team for winning the State Championship. This motion was seconded by Supervisor Dix and carried by unanimous vote.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO THE WEST SPRINGFIELD HIGH SCHOOL BOYS' INDOOR TRACK TEAM** (Tape 1)

Supervisor McConnell moved approval of the Certificates of Recognition presented to Glyn Bates, Principal; Phil Saunders, Coach; and members of the West Springfield High School Boys' Indoor Track Team for winning the State Championship. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Bulova and Supervisor Dix being out of the room.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO THE WEST SPRINGFIELD HIGH SCHOOL BOYS' CROSS COUNTRY TEAM** (Tape 1)

Supervisor McConnell moved approval of the Certificates of Recognition presented to Glyn Bates, Principal; Victor Kelbaugh, Coach; and members of the West Springfield High School Boys' Cross Country Team for winning the State Championship. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Dix being out of the room.

6. **CERTIFICATES OF RECOGNITION PRESENTED TO THE WEST SPRINGFIELD HIGH SCHOOL CHORUS** (Tape 1)

Supervisor McConnell moved approval of the Certificates of Recognition presented to Debra Duncan, Choir Director; and members of the West Springfield High School Chorus for winning second place in the Disney Competition. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Hyland being out of the room.

ADDITIONAL BOARD MATTER

7. **WELCOME TO DEIRDRE LYONS, GIRL SCOUT PROGRAM PARTICIPANT**
(Tape 1)

(NOTE: Earlier in the meeting, Ms. Deirdre Lyons was mentioned. See Clerk's Summary Item CL#2.)

Supervisor Mendelsohn introduced Ms. Deirdre Lyons and warmly welcomed her to the Board Auditorium.

8. **PROCLAMATION DESIGNATING THE MONTH OF MAY 1996 AS "ASIAN-PACIFIC AMERICAN HERITAGE MONTH" IN FAIRFAX COUNTY**
(Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to Jason Fang, President, Northern Virginia Chapter of Overseas Chinese Americans, designating the month of May 1996 as "**Asian-Pacific American Heritage Month**" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. **PROCLAMATION DESIGNATING THE WEEK OF MAY 19-25, 1996 AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to John W. di Zerega, Director, Department of Public Works, designating the week of May 19-25, 1996 as "**Public Works Week**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

10. **PROCLAMATION DESIGNATING JUNE 1, 1996 AS "STAND FOR CHILDREN DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to Elizabeth Book, Vice-Chairman, Child Care Advisory Council, designating June 1, 1996 as "**Stand for Children Day**" in Fairfax County. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Gross being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **PROCLAMATION DESIGNATING MAY 31 - JUNE 2, 1996 AS "SPRINGFIELD DAYS" IN FAIRFAX COUNTY** (Tapes 1-2)

Supervisor Kauffman moved approval of the Proclamation presented to Barry Brady, President, and Eric Williams, President-Elect, Greater Springfield Chamber of Commerce, designating May 31 - June 2, 1996 as "**Springfield Days**" in Fairfax County.

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

AR:ar

12. **10:00 A.M. - PRESENTATION OF THE FAIRFAX COUNTY BUSINESS ADVISORY COMMITTEE FOR RECYCLING AND SOLID WASTE (B.A.C.) OF THE 1995 SUMMARY AND 1996 MISSION AND GOALS OF THE COMMITTEE** (Tape 3)

Buff Mundale, Chair, Fairfax County Business Advisory Committee for Recycling and Solid Waste (B.A.C.) presented the 1995 Summary and 1996 Mission and Goals of the Committee.

13. **10:15 A.M. - BOARD MARKUP AND ADOPTION OF THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS (FY) 1997-2001; I-9 - POTENTIAL PRIORITY HIGHWAY PROJECTS UTILIZING AVAILABLE ROAD BOND FUNDS (COUNTYWIDE); AND I-10 - CORPS OF ENGINEERS PERMIT FOR SOUTH VAN DORN III (LEE DISTRICT)** (Tape 3)

(NOTE: On April 8, 9, 10, 11, and 13, 1996, the Board held a public hearing on this item. Decision was scheduled for May 20, 1996 at 10:15 a.m.)

Supervisor Hyland moved adoption of the Capital Improvement Program (CIP) for Fiscal Years (FY) 1997-2001 as advertised, with the adjustments and recommendations as outlined by staff in the Memorandum to the Board dated May 20, 1996. This motion was seconded by Supervisor Kauffman.

Chairman Hanley announced that Information Items I-9 - Potential Priority Highway Projects Utilizing Available Road Bond Funds (Countywide) and I-10 - Corps of Engineers Permit for South Van Dorn III (Lee District) would also be considered at this time.

Following discussion, and input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Dix moved to amend the motion to authorize advancing \$1.2 million towards the Wiehle Avenue Project, with the balance of those items to be addressed in subsequent planning years for the CIP. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Hyland moved to amend the motion to authorize the cash flow for construction of Project C00088, Mount Zephyr Neighborhood Improvement Project, scheduled to begin in 1999, to proceed in 1997, with the estimated amount required as \$1.5 million in 1997 and \$1.83 million in 1998, for a total of \$3.33 million. This motion was seconded by Supervisor Gross and carried by unanimous vote.

With reference to the staff recommendations on page six of the Memorandum to the Board, Supervisor Mendelsohn moved to amend the motion to change the language of bullet three to read:

- “.....restored bond sales should be split so that the Schools receive at least half.....” instead of “split equally.”

This motion was seconded by Chairman Hanley.

Following discussion, with input from Leonard P. Wales, Assistant Director, Office of Management and Budget (OMB), Supervisor Frey moved to amend the amendment (Supervisor Mendelsohn's) to delete bullet three in its entirety. This motion was seconded by Chairman Hanley with the notation that the Board will have discussions on how to allocate the bonding capacity.

The question was called on the motion to amend the amendment (Supervisor Mendelsohn's), which carried by unanimous vote.

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

Supervisor Mendelsohn referred to the Great Falls Community Library and asked unanimous consent that the Board direct staff to respond with an explanation of the following:

- How the \$3 million has been spent to date (what it was for); and
- What the \$4.8 million is for in the future?

Without objection, it was ordered.

Following additional discussion and input from Mr. Griffin and Mr. Wales, the question was called on the main motion (Supervisor Hyland's) to adopt the staff recommendation for the CIP, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

Chairman Hanley noted that progress reports would be forthcoming from staff on the various projects and that the CIP would be a subject on the agenda of the next meeting of the Budget Subcommittee.

CM:cm

14. **10:30 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 4)

(BACs)

(APPTS)

AIRPORTS ADVISORY COMMITTEE

(NOTE: The appointment of the Mason District Representative to the Airports Advisory Committee was deferred.)

BOARD OF BUILDING CODE APPEALS

[NOTE: The appointment of the At-Large (Alternate) Representative to the Board of Building Code Appeals was deferred.]

CHAS COORDINATING COMMITTEE

Supervisor Bulova moved the reappointment of Ms. Carol Aron as the Braddock District Representative to the CHAS Coordinating Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Maureen McGuire-Kuletz as the

Mount Vernon District Representative to the CHAS Coordinating Committee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. William Hurd as the Springfield District Representative to the CHAS Coordinating Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointment of the Mason District Representative to the CHAS Coordinating Committee was deferred.)

COMMISSION ON AGING

(NOTE: The appointment of the Mason District Representative to the Commission on Aging was deferred.)

COMMUNITY IMPROVEMENT COMMITTEE

[NOTE: The appointments of the Dranesville District (Westhampton Community), Mason, and Sully District Representatives to the Community Improvement Committee were deferred.]

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

Supervisor Gross moved the appointment of Ms. Catherine Ann Bennett as the Mason District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

CONFIRMATION:

Supervisor Frey moved that the Board confirm the following appointment to the Countywide Non-Motorized Transportation (Trails) Committee:

- Mr. Mark Trostle as the Northern Virginia Building Industry Association (NVBIA) Representative.

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

FAIRFAX AREA DISABILITY SERVICES BOARD

Supervisor Bulova moved the appointment of Ms. Ann Zuvekas to fill the unexpired term of Mr. Arthur Trask as the At-Large (Business Community) Representative to the Fairfax Area Disability Services Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Mendelsohn moved the reappointment of Ms. Donna Beavers as the Dranesville District Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Connolly moved the appointment of Mr. Jarold (Jerry) Kieffer as the Providence District Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

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

- Include original appointment dates rather than reappointment dates on the listing of Upcoming Appointments to Boards, Authorities and Commissions; and
- Invite Ms. Karen Milligan to appear before the Board to be recognized for her service on the Fairfax/Falls Church Community Services Board.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor McConnell moved the reappointment of Ms. Marilyn McDonough as the Springfield District Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointment of the At-Large Representative to the Fairfax/Falls Church Community Services Board was deferred.)

HEALTH CARE ADVISORY BOARD

Supervisor Bulova moved the reappointment of Mr. John Clark as the Braddock District Representative to the Health Care Advisory Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. William Finerfrock as the Springfield District Representative to the Health Care Advisory Board. This motion was seconded by Chairman Hanley and carried by unanimous vote.

(NOTE: The appointments of the two At-Large, the Lee and the Sully District Representatives to the Health Care Advisory Board were deferred.)

HEALTH SYSTEMS AGENCY BOARD

Supervisor Bulova moved the reappointment of Mr. Donald Harris as an At-Large (Provider) Representative to the Health Systems Agency Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Dix moved the reappointment of Mr. Charles Smith as an At-Large (Consumer) Representative to the Health Systems Agency Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

[NOTE: The appointment of the At-Large (Provider) Representative to the Health Systems Agency Board was deferred until later in the meeting. See Clerk's Summary Item CL#65.]

JUVENILE COURT CITIZEN ADVISORY COUNCIL

(NOTE: The appointment of the Mason District Representative to the Juvenile Court Citizen Advisory Council was deferred.)

LIBRARY BOARD

Supervisor Dix moved the reappointment of Ms. Jane Seeman as the Hunter Mill District Representative to the Library Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

There was a brief discussion regarding the appointment of a School Board Representative to the Library Board with input from David P. Bobzien, County Attorney.

(NOTE: The appointment of the Sully District Representative to the Library Board was deferred.)

**NORTHERN VIRGINIA TRANSPORTATION COORDINATING COUNCIL
CITIZEN ADVISORY COMMITTEE**

(NOTE: The appointment of the At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee was deferred.)

PARK AUTHORITY

(NOTE: The appointment of the Springfield District Representative to the Park Authority was deferred.)

PLUMBING ADVISORY BOARD

[NOTE: The appointment of the At-Large (Professional Engineer) Representative to the Plumbing Advisory Board was deferred.]

TENANT LANDLORD COMMISSION

Chairman Hanley moved the appointment of Mr. Walter L. Alcorn to fill the unexpired term of Mr. William Castro as an At-Large (Condo Owner/Citizen) Representative to the Tenant Landlord Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Castro to appear before the Board to be recognized for his many years of service to Fairfax County on the Tenant Landlord Commission. Without objection, it was so ordered.

TRANSPORTATION ADVISORY COMMISSION

Chairman Hanley moved the reappointment of Mr. George Barker as the At-Large Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Don Emerson as the Braddock District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Mendelsohn moved the reappointment of Dr. Ivan Somers as the Dranesville District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Dix moved the reappointment of Mr. Craig Sharon as the Hunter Mill District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Robert Heittman as the Lee District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Gross moved the appointment of Mr. Roger L. Hoskin as the Mason District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Sidney Steele as the Mount Vernon District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Connolly moved the appointment of Mr. Lester P. Schoene as the Providence District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Susan Borinsky as the Springfield District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Richard Frank as the Sully District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Mr. Jack Rust to appear before the Board to receive recognition for his years of service on the Transportation Advisory Commission. Without objection, it was so ordered.

WATER AUTHORITY

Supervisor Gross moved the reappointment of Mr. Harry Day as the Mason District Representative to the Water Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Bill Evans as the Mount Vernon District Representative to the Water Authority. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Gross being out of the room.

Supervisor McConnell moved the reappointment of Mr. Burton Rubin as the Springfield District Representative to the Water Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

AD-HOCS

CITIZENS ADVISORY COMMITTEE ON SOLID WASTE

Supervisor Connolly moved the appointment of Mr. J. Frank Bernheisel as the Providence District (Principal) Representative to the Citizens Advisory Committee on Solid Waste. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

[NOTE: The appointment of the At-Large (Principal) Representative to the Citizens Advisory Committee on Solid Waste was deferred.]

SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION

(NOTE: The appointments of the Dranesville, Hunter Mill, Mount Vernon, and Sully District Representatives to the Small and Minority Business Enterprise Program Advisory Commission were deferred.)

Supervisor Dix asked unanimous consent that the Board direct staff to provide the Board with information regarding Commission members whose terms expired so that it can be determined if those individuals are interested in being reappointed. Without objection, it was so ordered.

ADDITIONAL APPOINTMENTS

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Supervisor Hyland announced that Mr. Paul Krizek submitted his resignation as the Mount Vernon District Representative to the Community Development Advisory Committee and moved the appointment of Ms. Ginny Lehner Peters to fill his unexpired term. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Frey being out of the room.

ATHLETIC COUNCIL

Chairman Hanley announced that Ms. Aggie McCormick, the Springfield District Representative to the Athletic Council, is also the Chairman of the Fairfax County Basketball League and therefore holds two positions on the Athletic Council. Ms. McCormick has requested that the next officer of the Basketball League be appointed to represent the League.

Chairman Hanley moved that the Board appoint Mr. George Komar as the Basketball League Representative to the Athletic Council. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Frey being out of the room.

(NOTE: Later in the meeting, additional appointments were made. See Clerk's Summary Items CL#44, CL#65, and CL#70.)

AM:am

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

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

Supervisor Hyland called the Board's attention to Administrative Item Admin 9 - Authorization to Advertise a Public Hearing to Consider the Repealing, in its Entirety, the Code of the County of Fairfax, Chapter 22 (Hairdressing Establishments) and asked to amend the motion to revise the title to indicate that the proposal is to consider repealing the regulations regarding hairdressing establishments and not repealing hairdressing establishments, and this was accepted.

Supervisor Gross asked to amend the motion to direct staff to notify in writing all members of the Northern Virginia General Assembly to inform them that increased State assistance will be required for the following Administrative Items:

- Admin 7 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 30 (Minimum Private School and Child Care Facility Standards); and
- Admin 9 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 22 (Hairdressing Establishments) to Consider the Repealing, in its Entirety, the Regulations Regarding Hairdressing Establishments;

and this was accepted.

Supervisor Hyland asked to amend the motion to direct staff to follow up on the complaints that are reported to the State to determine if the State is doing its job of regulation in areas that were previously absorbed by Fairfax County, and this was accepted.

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

ADMIN 1 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 93-H-023, MOBIL OIL CORPORATION (HUNTER MILL DISTRICT)

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Application SE 93-H-023 until November 15, 1996, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-D-038-1, HADID INVESTMENT GROUP, INCORPORATED (PROVIDENCE DISTRICT)

- (AT) Approved the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 82-D-038-1 until November 20, 1997, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 93-Y-005, MCDONALD'S CORPORATION (SULLY DISTRICT)

- (AT) Approved the request for 18 months of additional time to commence construction for Special Exception Application SE 93-Y-005 until November 15, 1997, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96067 FOR THE HEALTH DEPARTMENT'S COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT GRANT

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96067 in the amount of \$14,233 to appropriate a Comprehensive AIDS Resources Emergency (CARE) Act grant award administered by the Northern Virginia Planning District Commission (NVPDC).

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 17, 1996 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic). These amendments adopt actions of the 1996 General Assembly into the Code of the County of Fairfax.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION PROVISIONS) AND PUBLIC FACILITIES MANUAL (PFM) REGARDING METRIC STANDARDS (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on June 13, 1996 and before the Board on **July 8, 1996 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Provisions) and the Public Facilities Manual (PFM) regarding metric standards.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 30 (MINIMUM PRIVATE SCHOOL AND CHILD CARE FACILITY STANDARDS)

- (A) (NOTE: Earlier in the meeting, action was taken regarding this item. See Page 12.)

Authorized the advertisement of a public hearing to be held before the Board on **June 17, 1996 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 30 (Minimum Private School and Child Care Facility Standards).

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,

CHAPTER 41 (ANIMALS AND FOWL)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 17, 1996 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl).

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 22 (HAIRDRESSING ESTABLISHMENTS) TO CONSIDER THE REPEALING, IN ITS ENTIRETY, THE REGULATIONS REGARDING HAIRDRESSING ESTABLISHMENTS

- (A) (NOTE: Earlier in the meeting, action was taken regarding this item. See Page 12.)

Authorized the advertisement of a public hearing to be held before the Board on **June 17, 1996 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 22 (Hairdressing Establishments) to consider the repealing, in its entirety, the regulations regarding hairdressing establishments.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX TO CONSIDER THE ADOPTION OF FEES FOR HEALTH DEPARTMENT SITE DEVELOPMENT PLAN REVISIONS, BUILDING PERMIT APPLICATION REVIEW, PUBLIC ESTABLISHMENT PLAN REVIEW, AND FOR WELL WATER SAMPLES; AND, THE ADOPTION OF A FEE INCREASE FOR ANNUAL PERMITS FOR SWIMMING POOLS, EVALUATION OF SEPTIC AND WELL SYSTEMS, AND WELL CONSTRUCTION APPLICATIONS

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 17, 1996 at 4:00 p.m.** on the following proposed amendments to the Code of the County of Fairfax:

- Chapter 43 (Food and Food Service Establishments);
- Chapter 68 (Individual Sewage and Sewage Disposal Facilities);
- Chapter 69 (Swimming Pool Ordinance); and
- Chapter 70 (Water);

regarding fees charged for certain regulatory services provided by the Health Department.

16. **A-1 - PROPOSED FEDERAL CAPITAL IMPROVEMENTS PROGRAM - NATIONAL CAPITAL REGION, FISCAL YEARS (FY) 1997 - 2001** (Tape 5)

The Board moved that it concur in the recommendation of staff and authorize staff to submit comments to the National Capital Planning Commission (NCPC) stating that while in general, Fairfax County endorses the Proposed Federal Capital Improvements Program (CIP), Fiscal Year (FY) 1997 - FY 2001, the County desires to receive complete details and be given the opportunity to review and comment on all projects as they move towards final planning, land acquisition and construction. These comments also request that the United States (U.S.) Postal Service closely coordinate with the County on all new postal facilities to be located in the County. The second to this motion was inaudible.

Supervisor McConnell called the Board's attention to the U.S. Postal Service projects and asked to amend the motion to direct staff to include in its comments the Board's concern about significant problems with storm water drainage in the area where the West Springfield Branch (22152) is proposed to be expanded, and this was accepted.

Supervisor McConnell referred to Item Number Five as contained in the Memorandum to the Board and noted that an alternate site is being considered at the Fairfax Station Shopping Center and asked to amend the motion to direct staff to include in its comments a suggestion that the Postal Service consider the alternate site because of problems with the site listed in Item Number Five, and this was accepted.

Supervisor Bulova stated that her constituents are concerned about plans to build a new facility across the street from an existing empty building. The site that is being considered for construction by the Postal Service has serious problems, one of which is access, as there is only one entrance and exit. Therefore, Supervisor Bulova moved to amend the motion to include in the response:

- The Board's concern and opposition to that particular site; and
- A request that the Postal Service examine the site across the street in the empty building or elsewhere;

and this was accepted.

Supervisor Dix moved to amend the motion to direct staff to include in the written comments to the Postal Service the Board's opposition to the Vienna Main Post Office expansion. This motion was seconded by Chairman Hanley and carried by unanimous vote.

Supervisor Frey moved to amend the motion to direct staff to suggest that the money set aside for expansion of the Vienna Post Office be shifted to search for a Centreville location. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

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

17. **A-2 - AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO FORM A LIMITED PARTNERSHIP FOR THE PURPOSE OF OWNING THE LITTLE RIVER GLEN ELDERLY HOUSING PROJECT; AND REQUEST THAT THE BOARD OF SUPERVISORS SEEK LEGISLATION FROM THE VIRGINIA GENERAL ASSEMBLY THAT WOULD EXEMPT FROM TAXATION THE NEW PARTNERSHIP FORMED BY THE FCRHA TO HOLD TITLE TO LITTLE RIVER GLEN ON ITS BEHALF (BRADDOCK DISTRICT)** (Tape 5)

Supervisor Bulova moved that the Board concur in the recommendation of staff and authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to form a limited partnership to own Little River Glen, and that the Board seek legislation from the Virginia General Assembly that would exempt said partnership from taxation and, during the interim period, reimburse the FCRHA for taxes paid to the County. This motion was seconded by Supervisor Connolly.

Following discussion, with input by Walter D. Webdale, Director, Department of Housing and Community Development (HCD), the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Frey voting "NAY," Supervisor Dix being out of the room.

18. **A-3 - AWARD OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR AFFORDABLE HOUSING AND TARGETED PUBLIC SERVICES PROJECTS FOR FISCAL YEAR (FY) 1997 - PROGRAM YEAR 22 AND REALLOCATION OF FY 1996 - PROGRAM YEAR 21 CDBG AFFORDABLE HOUSING FUNDS** (Tape 5)

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

- Approve the allocation of Fiscal Year (FY) 1997 - Program Year 22 Community Development Block Grant (CDBG) Affordable Housing and Targeted Public Services funds, as recommended by the Consolidated Plan Review Committee (CPRC) as outlined in the Memorandum to the Board;
- An additional allocation of FY 1997 - Program Year 22 CDBG funds for the projects outlined in the Memorandum to the Board, as recommended by the CPRC should supplemental funding be available; and
- The reallocation of \$121,629 as recommended by the CPRC from FY 1996 - Program Year 21 CDBG Affordable Housing Fund, Project 014003 to:
 - Robert Pierre Johnson Housing Corporation (13)
Orrington Courts II.

The second to this motion was inaudible.

Following discussion, with input by Walter D. Webdale, Director, Department of Housing and Community Development (HCD), and Bruce A. LaVal, Director, Community Development Division, HCD, the question was called on the motion, which carried by a vote of nine, Supervisor Gross being out of the room.

Following discussion, with input by Verdiana L. Haywood, Deputy County Executive for Human Services, Supervisor Frey moved that the Board fund the request for \$43,985 for the Black Women For Action from Lines of Business (LOB) 148. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor McConnell moved that \$58,000 be appropriated from LOB 148 funds for the Korean-American Association. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Dix moved that \$65,000 be appropriated from LOB 148 funds to maintain at a reduced level the staffing and programming at the Stonegate Counseling Center in Reston. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved:

- That \$14,000 be appropriated from LOB 148 Funds for the Southeast Fairfax Development Corporation (SFDC); and
- That \$32,906 be appropriated from LOB 148 Funds for the South Fairfax Regional Business Partnership.

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

19. **A-4 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - PRINTING SERVICES CONSOLIDATION** (Tape 5)

On motion of Supervisor Gross, seconded by Supervisor Connolly, and carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room, the Board concurred in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans necessary to implement County/School printing consolidation, as follows:

Class to be Established:

Micrographics Specialist, S-15
(\$25,374 - \$39,275)

Class to be Abolished:

Production Specialist, S-15
(\$25,374 - \$39,275)

(The abolishment of the Production Specialist Class will take place at the time of Printing Services Consolidation.)

20. **C-1 - NATIONAL ASSOCIATION OF COUNTIES' (NACO) ANNUAL CONFERENCE** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated May 20, 1996 requesting Board designation of a voting and alternate delegate to represent the County at the National Association of Counties' (NACo) Annual Conference.

Supervisor Hyland moved that the Board designate Chairman Hanley as a Voting Delegate to represent the County at NACo's 61th Annual Conference to be held in Harris County (Houston) Texas on July 12-16, 1996. This motion was seconded by Supervisor Connolly.

Supervisor Dix moved that the Board designate Supervisor Hyland as an Alternate Delegate, to represent the County at NACo's 61th Annual Conference. This motion was seconded by Supervisor Connolly.

The question was called on the motions which carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

21. **ORDERS OF THE DAY** (Tape 5)

Following discussion, with input by William J. Leidinger, County Executive, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that there be a change in the Orders of the Day to defer action on C-2 - Participation in the District of Columbia (D.C.) Water and Sewer Authority until after Executive Session. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

22. **C-2 - PARTICIPATION IN THE DISTRICT OF COLUMBIA (D.C.) WATER AND SEWER AUTHORITY** (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this item until later in the meeting. See Clerk's Summary Item CL#21.)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#70.)

23. **I-1 - AWARD OF CONTRACT - JUVENILE DETENTION CENTER EXPANSION (PROVIDENCE DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated May 20, 1996 requesting authorization for staff to:

- Award a contract to PEC Construction, Incorporated, in the amount of \$6,269,000 for construction of Project 89A003, Juvenile Detention Center Expansion (JDCE), in Subfund 471, County Bond Construction; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

24. **I-2 - AWARD OF CONTRACT - SHIRLEY SPRINGS SUBDIVISION SANITARY SEWER EXTENSION AND IMPROVEMENT (LEE DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated May 20, 1996 requesting authorization for staff to award a contract to J.R.G. Contractors, Incorporated, in the amount of \$267,931.79 for the construction of Shirley Springs Subdivision Sanitary Sewer Extension and Improvement, Project X00823, Extension Projects Fiscal Year (FY) 93, Subfund 524, Sewer Bond Extension and Improvement.

The staff was directed administratively to proceed as proposed.

25. **I-3 - AUTHORIZATION TO ENTER INTO A CONTRACT WITH THE LOWEST BIDDER FOR RENOVATIONS OF THE ATRIUM APARTMENTS (LEE DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated May 20, 1996 requesting authorization for staff to:

- Award a contract to Whitener and Jackson, Incorporated, in the amount of \$243,500 subject to the U.S. Department of Housing and Urban Development (HUD) approval for renovations at the Atrium, a 37-unit apartment development owned by the Fairfax County Redevelopment and Housing Authority (FCRHA), Project VA-19-13; and
- Make the project adjustments as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

26. **I-4 - AWARD OF CONTRACT FOR CONSTRUCTION OF AMERICANS WITH DISABILITIES ACT (ADA) RETROFIT BUILDING IMPROVEMENTS AT BURKE LAKE AND WAKEFIELD PARKS (SPRINGFIELD AND BRADDOCK DISTRICTS)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 20, 1996 requesting authorization for staff to award a contract in the amount of \$68,013 to Golden Construction, Incorporated for the construction of Americans with Disabilities Act (ADA) retrofit building improvements at Burke Lake Park and Wakefield Park as part of Project 009416, Parks-ADA Compliance, in Subfund 461, General County Construction.

The staff was directed administratively to proceed as proposed.

27. **I-5 - AWARD OF CONTRACT FOR CONSTRUCTION OF SITE MODIFICATIONS FOR DISABLED ACCESS TO TRAIN STATION AND FISHING PIER AT BURKE LAKE PARK (SPRINGFIELD DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 20, 1996 requesting authorization for staff to award a contract in the amount of \$71,717 to Golden Construction, Incorporated for the construction of site modifications for disabled access to the train station and fishing pier at Burke Lake Park as part of Project 009416, Parks-ADA Compliance, in Subfund 461, General County Construction.

The staff was directed administratively to proceed as proposed.

28. **I-6 - AWARD OF CONTRACT FOR WORKFORCE DEVELOPMENT SERVICES FOR THE IMPLEMENTATION OF WELFARE REFORM** (Tapes 5-6)

Supervisor Dix disclosed that one of the bidders for this contract is a firm with which he has a business relationship. He disqualified himself from discussions related to this matter as well as Information Item I-7 - Award of Contract for Transition and Outplacement Services for Employees Affected by the Reduction in Force (RIF), and left the Board Auditorium.

Following discussion with input by Verdina L. Haywood, Deputy County Executive for Human Services and Suzanne C. Manzo, Director, Department of Family Services, the Board next considered an Information Item contained in the Memorandum to the Board dated May 20, 1996 requesting authorization for staff to award a contract not to exceed \$2.2 million in Federal and State funds to MAXIMUS, Incorporated to implement the employment component of Virginia's welfare reform initiative, known as the Virginia Initiative for Employment not Welfare (VIEW).

The staff was directed administratively to proceed as proposed.

29. **I-7 - AWARD OF CONTRACT FOR TRANSITION AND OUTPLACEMENT SERVICES FOR EMPLOYEES AFFECTED BY THE REDUCTION IN FORCE (RIF)** (Tape 6)

(NOTE: Earlier in the meeting, Supervisor Dix disclosed that the bidder for this contract is a company with which he has a business relationship. He disqualified himself from discussions related to this matter and left the Board Auditorium. See Clerk's Summary Item CL#28.)

Following discussion, with input by William J. Leidinger, County Executive and David P. Bobzien, County Attorney, Supervisor Hyland asked unanimous consent that the Board refer to the Legislative Committee the issue of Board Member's business contacts to examine the rules regarding disclosures of business contacts; and if necessary, amend the rules. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board defer action on this item until June 3, 1996. Without objection it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

30. **I-8 - METRORAIL FEEDER BUS FARE BUYDOWN PROGRAM FOR FISCAL YEAR (FY) 1997 (COUNTYWIDE)** (Tape 6)

Following discussion, with input by Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, the Board next considered an Information Item contained in the Memorandum to the Board dated May 20, 1996 requesting authorization for staff to implement the reduction of fares on bus routes feeding Metrorail stations in Northern Virginia.

The staff was directed administratively to proceed as proposed.

31. **I-9 - POTENTIAL PRIORITY HIGHWAY PROJECTS UTILIZING AVAILABLE ROAD BOND FUNDS (COUNTYWIDE)** (No Tape)

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

32. **I-10 - CORPS OF ENGINEERS PERMIT FOR SOUTH VAN DORN III (LEE DISTRICT)** (No Tape)

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

33. **I-11 - INFORMATION REGARDING THE RESTON EXPRESS COMPONENT OF THE RESTON INTERNAL BUS SYSTEM (RIBS) (HUNTER MILL DISTRICT)** (Tape 6)

Following discussion, with input by Shiva K. Pant, Director, Office of Transportation (OT); Andrew J. Szakos, Chief, Transit Operations Division, OT; and Barbara A. Byron, Division Director, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), Supervisor Dix asked unanimous consent that the Board defer this item.

Without objection, it was so ordered.

34. **I-12 - RATING OF GENERAL OBLIGATION BONDS, SERIES 1996A** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 20, 1996, presenting information on the triple-A Bond Rating recently given by Moody's Investors Service.

ADDITIONAL BOARD MATTERS

35. **FAIRFAX FAIR BOOTH** (Tape 6)

Chairman Hanley stated that several Board Members have chosen to be part of a booth at the Fairfax Fair and that she is coordinating the effort. Chairman Hanley mentioned that details need to be worked out and so advised the Board to be prepared to respond when called upon.

36. **BARRIOS UNIDOS MINI-SUMMIT** (Tape 6)

Chairman Hanley announced that the Barrios Unidos National Peace Mini-Summit will be held at George Mason University on June 1, 1996. Barrios Unidos is a nationally recognized program which has helped provide ways to address the prevention of youth and gang violence in local communities.

37. **VIRGINIA MUNICIPAL LEAGUE (VML) COMMITTEES** (Tape 6)

Chairman Hanley mentioned that she had received a letter from the Virginia Municipal League (VML) requesting names of Board Members willing to serve on VML committees. She stated that if anyone wishes to volunteer to please let her know.

38. **NATIONAL ASSOCIATION OF COUNTIES (NACo)** (Tape 6)

Chairman Hanley stated that she had received a request from the National Association of Counties (NACo) asking the Board to endorse a letter on the Community Development Block Grant (CDBG).

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#80.)

39. **FORT BELVOIR DEVELOPMENT OF THE REGIONAL COMMUNITY**

SERVICE CENTER (Tape 6)

Chairman Hanley stated that she had received a request from the Department of the Army inviting the Board to submit written comments on Fort Belvoir's decision not to prepare an Environmental Impact Statement (EIS) on a Report of the Finding of No Significant Impact for the Phased Development of the Regional Community Service Center at Fort Belvoir.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to review this report. Without objection, it was so ordered.

40. **INNOVATIONS IN AMERICAN GOVERNMENT AWARDS PROGRAM OF THE FORD FOUNDATION AND HARVARD UNIVERSITY** (Tape 6)

Chairman Hanley announced that Fairfax County is an Innovation's semi-finalist in the Innovations in American Government Awards Program of the Ford Foundation and Harvard University in 1996 for the Coan Pond Residences.

41. **FAIRFAX COUNTY GRIEVANCE PROCEDURES** (Tape 6)

Chairman Hanley said that the Fairfax County Diversity Plan states "The purpose of the grievance procedure is to provide a fair, detailed process whereby employees may voice complaints concerning issues related to their employment with the County. The objective is to improve employee-management relations through a prompt and fair method of resolving problems."

Chairman Hanley said it appears that resolutions of complaints by Fairfax County employees fall short of the grievance purpose of "prompt ... method of resolving problems." Rather, many complaints appear to frequently reach an impasse.

Chairman Hanley stated that the Fire and Rescue Department's Equal Employment Opportunity (EEO) Policy utilizes a formal process for early resolution of complaints that may be different from the Policy described in the Fairfax County Diversity Plan.

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

- Report on the Fire and Rescue Department's EEO model showing any differences that exist from the County model; and
- Examine the possibilities of incorporating the Fire and Rescue Department's EEO model Countywide.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

42. **ANIMAL WARDEN INCIDENT** (Tape 7)

Supervisor Dix distributed to Board Members a letter from Delegate Kenneth R. Plum concerning an incident involving a resident of Hunter Mill District and a County animal warden. He asked unanimous consent that the Board refer this matter to the County Executive for review and comments for an appropriate response to be made to both the constituent and Delegate Plum. Without objection, it was so ordered.

43. **NORTHERN VIRGINIA GRADUATE CENTER** (Tape 7)

Supervisor Mendelsohn stated that he recently had an opportunity to tour the new Northern Virginia Graduate Center which will be jointly operated by Virginia Polytechnic Institute (Va. Tech) and the University of Virginia (UVa). The new facility, which will be located off Haycock Road and Route 7 in Falls Church near the West Falls Church Metro site, will serve nearly 2,000 candidates for master's and doctoral degrees and certificates of advance graduate study. Most of the students will be working professional adults studying in the evening.

Supervisor Mendelsohn said that Judy Pearson, Ph.D., Director of the Graduate Center, was kind enough to provide him with some material which the Board might find of interest. It includes a brochure describing the degree programs which will be available and credentials for some of the professorial staff. The four story glass and brick structure is now under construction and will house over 105,000 square feet of classroom and meeting space when it opens in early 1997.

Supervisor Mendelsohn noted that many of the rooms will be available for daytime use by the community. There will be computers available during the day as well and the University is examining how their new "state of the art virtual library" (with all journals and periodicals on computers) can be shared as well. The Center has made a commitment to be good neighbors to Northern Virginia and welcomes any suggestions for cooperative ventures which might benefit County employees and community members alike.

44. **ELECTION OF THE GOVERNING BOARD OF THE MCLEAN COMMUNITY CENTER** (Tape 7)

(APPTS)

In keeping with the results of the recent election, Supervisor Mendelsohn moved that the Board appoint the following members to the Governing Board of the McLean Community Center:

■ **Adult Members (three year term):**

Janet L. Auerbach;
Eugene C. Durman; and
H. Gordon Randall.

■ **Youth Members (one year term):**

McLean High School - Craig Fingar; and
Langley High School - Evan Weissman.

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

45. **INTENT TO DEFER BOARD DECISION ON REZONING APPLICATION RZ 95-D-053 (PINEY RUN, L.C.) (DRANESVILLE DISTRICT)** (Tape 7)

Supervisor Mendelsohn announced his intent to defer, at the appropriate time later in the meeting, the Board decision on Rezoning Application RZ 95-D-053.

(NOTE: Later in the meeting, this Board decision was deferred. See Clerk's Summary Item CL#74.)

46. **REDUCTION IN FORCE (RIF) - PROBATIONARY VERSUS MERIT EMPLOYEES** (Tape 7)

Supervisor Mendelsohn noted that some Members of the Employee Advisory Council (EAC) have expressed a concern regarding the County's Reduction in Force (RIF). The EAC would prefer, when possible, the retention of all Merit employees instead of probationary employees.

Following input from William J. Leidinger, County Executive, Supervisor Mendelsohn asked unanimous consent that the Board refer this matter to staff for its response, preferably before the end of today's meeting. Without objection, it was so ordered.

PMH:pmh

47. **EARTH DAY/ARBOR DAY CELEBRATION** (Tape 8)

Supervisor Bulova said that thanks to Ogden Martin Systems of Fairfax, Incorporated and the Northern Virginia Community College (NVCC) (Annandale Campus), Fairfax ReLeaf and the Earth Day/Arbor Day Planning Committee, the most successful Earth Day/Arbor Day celebration was held with a record 2,500 attendees. She acknowledged the event's Coordinator/Sponsor, Ogden Martin Systems of Fairfax, Incorporated for their invaluable financial and organizational support, the Annandale Community and the NVCC, Annandale Campus for hosting and providing logistical support for the event.

Supervisor Bulova recognized the following organizations for their contributions to the success of this year's event:

- Giant Food;
- Clean Fairfax Council;
- Owen Corporation;
- L A Sparrow and Sons;
- ChemTreat, Incorporated;
- Hadaway Mechanical Services;
- Capital Environmental;
- Miller's Office Products;
- Northern Virginia Nurserymen's Association;
- Bennett Nursery;
- Merrifield Garden Center;
- White Oak Nursery; and
- Garden Citrus Growers Association.

Supervisor Bulova moved that the Board direct staff to invite the Earth Day/Arbor Day Planning Committee and Sponsors to appear before the Board to be recognized and thanked for their involvement in this celebration. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Connolly and Supervisor Frey being out of the room.

48. **PHOTO RED LIGHT MONITORING PROGRAM** (Tape 8)

Supervisor Bulova referred to the Photo Red Light Monitoring Program (House Bill 428) and asked unanimous consent that the Board direct staff to report with information regarding:

- Who or which jurisdictions will proceed with the implementation of the Photo Red Light Monitoring Program; and
- How are the jurisdictions that are implementing this program dealing with the problems with the legislation.

Without objection, it was so ordered.

49. **WOODSON SYMPHONIC BAND SPRING CONCERT** (Tape 8)

Supervisor Bulova announced that she had attended the Woodson Symphonic Band Spring Concert and that it was wonderful. She particularly enjoyed the marimba which is similar to an xylophone.

50. **REQUEST FOR AN OUT-OF-TURN PLAN AMENDMENT FOR PROPERTY IDENTIFIED AS TAX MAP REFERENCE 71-3((8))7 AND 8** (Tape 8)

To permit the construction of an elderly housing project of approximately 132 units, Supervisor Gross moved that the Board direct staff to:

- Consider an Out-of-Turn Plan Amendment to allow a density range of eight to 12 dwelling units per acre (du/ac), for the property identified as Tax Map Reference 71-3((8))7 and 8; and
- Schedule a public hearing to be held before the Board as expeditiously as possible.

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

51. **STOP RED LIGHT RUNNING TRAFFIC SAFETY CAMPAIGN** (Tape 8)

Supervisor Gross stated that the Metropolitan Washington Council of Governments (COG), on which she represents Fairfax County on the Human Services and Public Safety Policy Committee, is sponsoring a Stop Red Light Running Traffic Safety Campaign throughout the metro region.

Supervisor Gross referred to complaints from constituents expressing their frustration and concern about the rapid increase in red light runners throughout the County. She said that the campaign slogan - "The Light is Red for a Reason. So Stop" - is emblazoned on posters provided to all COG jurisdictions.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to display this poster in an appropriate public area, and at the Fairfax Fair, to remind all

drivers in Fairfax to STOP on RED. Without objection, it was so ordered.

52. **ANNOUNCING MOUNT VERNON COMMUNITY DAY - JUNE 1, 1996** (Tape 8)

Supervisor Hyland said that the Mount Vernon Community Coalition has requested that June 1, 1996 be declared Mount Vernon Community Day in recognition of its annual celebration. The celebration will begin at 10:00 a.m. and will conclude at 4:00 p.m. This event will be held at the Walt Whitman Intermediate School site, 2500 Parkers Lane. All County residents as well as visitors are welcome. Admission is free.

Supervisor Hyland said that concurrent with the Mount Vernon Community Day, the Mount Vernon District Police Station will be holding its annual Open House at the Mount Vernon Governmental Center. Police officers from Fairfax County, the United States Park Police, Metro Transit Police, and Fort Belvoir Military Police will be talking with visitors and providing guided tours of the Station. There will be displays of police equipment and, weather and case load permitting, the Fairfax County Police Helicopter will be on display for two hours, as well.

Therefore, Supervisor Hyland moved that the Board declare June 1, 1996, Mount Vernon Community Day. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Mendelsohn and Chairman Hanley being out of the room.

53. **PROCLAIMING THE WEEK OF MAY 19-25, 1996 AS EMERGENCY MEDICAL SERVICE (EMS) WEEK IN FAIRFAX COUNTY** (Tape 8)

Because emergency medical service (EMS) is vital to the public and since the County's Fire & Rescue Department responded to 71,777 calls for emergency assistance in 1995, Supervisor Hyland asked unanimous consent that the Board proclaim the week of May 19-25, 1996 as "EMS Week in Fairfax County" and observed with appropriate programs, ceremonies and activities. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

54. **REQUEST EXPEDITED/CONCURRENT PROCESSING FOR PLYMOUTH HAVEN BAPTIST CHURCH** (Tape 8)

Supervisor Hyland said that the Plymouth Haven Baptist Church has been planning for an expansion of their facility. In doing so, it was discovered that changes and modifications to their plan were necessary to conform with County and Virginia Department of Transportation (VDOT) requirements.

Supervisor Hyland moved that the Board direct staff to upon submission of the Church's Application/Site Plan to simultaneously process with the recommendation that the Board of Zoning Appeals (BZA) grant the applicant's request for an out-of-turn public hearing date and that all fees associated with this Application be waived. He added that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards and does not prejudice the consideration of the land use application in any way. The second to this motion was inaudible.

Following discussion, David P. Bobzien, County Attorney, informed the Board that the *Code of Virginia* specifically prohibits waiving fees for a church. Supervisor Hyland amended his motion to delete the request to waive the fees associated with the Application, and this was accepted.

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

55. **REQUEST FOR OUT-OF-TURN PLAN AMENDMENT -- MASON'S PASSAGE**
(Tape 8)

Supervisor Hyland said that Curry Development, a Fairfax County-based builder and developer, has requested assistance to process an Out-of-Turn Plan Amendment for property which is the subject of a pending rezoning application in the Mount Vernon District.

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

- Process an Out-of-Turn Plan Amendment for Masons Passage, the subject of Rezoning Application RZ 96-V-006; and
- Concurrently process the Rezoning Application and the Subdivision/Site Plans for this project.

This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards and does not prejudice the consideration of the land use application in any way. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

56. **EXPEDITIOUS AND CONCURRENT PROCESSING FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-Y-036-1 (FAIRFAX CHURCH OF CHRIST)** (Tape 8)

Supervisor Frey said that the Fairfax Church of Christ received approval for Special Exception Application SE 93-Y-036 on March 21, 1994. He explained that the application permitted a nursery school, a building expansion, increase in number of sanctuary seats, increase in parking spaces, and incorporation of additional land area into the existing church site. He said that a discrepancy was discovered between the approved Special Exception Plat and the building plans which resulted in the loss of 1,702 square feet from the second floor. To continue construction, they segmented the project into phases and applied for a Special Exception Amendment (SEA) Application to recoup the lost square footage.

Supervisor Frey stated that the applicant thought the SEA Application was submitted in February but it was never processed and now cannot be found. A new submission for the SEA Application was filed this past Friday but now they are faced with additional

delays pending final approval.

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

- Expeditiously review and schedule any plans associated with Special Exception Amendment Application SEA 93-Y-036-1; and
- Concurrently process any plans associated with this Application.

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

57. **EXPEDITIOUS AND CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 96-Y-007 (CHANTILLY SIERRA ASSOCIATES LIMITED PARTNERSHIP)** (Tape 8)

Supervisor Frey said that the Chantilly Sierra Associates Limited Partnership has filed a Special Exception Application SE 96-Y-007 to build an all-suites hotel in Brookfield Corporate Center located off Route 28 in Sully District. Because the "simple" subdivision process took longer than anticipated, the contractual arrangements for purchase of the land is in jeopardy unless they can receive assistance in expediting the review of their plans. The agent for the applicant has requested concurrent review.

Therefore, Supervisor Frey moved that the Board direct staff to concurrently and expeditiously process the Site Plan and Building Permit associated with Special Exception Application SE 96-Y-007. He added that this request was at the applicant's risk to make any required changes to the plans and does not imply or assure approval of this application. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

NV:nv

58. **BASEBALL STADIUM** (Tape 9)

Supervisor Kauffman stated that on May 9, 1996 he had asked the Virginia Baseball Stadium Authority to grant the County an extension for submitting potential sites for consideration of a major league baseball stadium. He noted that on May 13, 1996 the Stadium Authority granted a five-week extension that would have the Board voting on June 17, 1996 on whether to submit sites.

Citing numerous reasons including the lack of adequate citizen involvement and financial concerns, Supervisor Kauffman moved that the Board **NOT** forward either the Engineer Proving Ground (EPG) or General Services Administration (GSA) sites to the Stadium Authority. This motion was seconded by Supervisor Hyland.

Following discussion regarding the Board's previous position on this issue, Supervisor Kauffman moved to reconsider the Board's action on proceeding with an EPG area site. This motion was seconded by Supervisor Hyland.

Following discussion and a query regarding parliamentary procedure, David P. Bobzien, County Attorney, advised that the Board could vote to suspend the Rules of Procedure.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide a clarification of the Board's previous action on the EPG area site. Without objection, it was so ordered.

Following further discussion and additional clarification of parliamentary procedure by Mr. Bobzien, Supervisor Bulova moved to suspend the Rules of Procedure. This motion was seconded by Supervisor Hyland.

Following further discussion, Mr. Bobzien stated that the Board's Rules of Procedure adopted in January, 1986, stipulates that suspension of the Rules requires a two-thirds majority vote.

Following additional discussion, with input from Mr. Bobzien, the question was called on the motion to suspend the Rules which **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn voting "NAY."

Supervisor Kauffman reiterated his motion to reconsider the Board's previous action to submit an EPG area site to the Virginia Baseball Stadium Authority. This motion was seconded by Supervisor Hyland.

Following discussion, Chairman Hanley ruled that the Board must act to reconsider prior to any consideration of separating the vote on the two sites. The question was called on the motion to reconsider which **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn voting "NAY."

Supervisor Kauffman reiterated his motion **NOT** to proceed with the submittal of the GSA or EPG sites to the Virginia Baseball Stadium Authority. This motion was seconded by Supervisor Hyland.

Supervisor Frey moved to vote on the submission of these sites seriatimly. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hyland, and Supervisor Kauffman voting "NAY."

Supervisor Kauffman moved to **NOT** forward the EPG site to the Virginia Baseball Stadium Authority. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Bulova asked unanimous consent that the Board direct staff to provide a copy of the Comprehensive Plan regarding active recreation for the EPG area. Without objection, it was so ordered.

Following continued discussion, Supervisor Hyland moved to call the question.

The question was called on the motion to withdraw the EPG site which **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn voting "NAY."

Supervisor Kauffman moved to **NOT** forward the GSA site to the Virginia Baseball Stadium Authority for consideration. This motion was seconded by Supervisor Hyland.

Following further discussion, the question was called on the motion which **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley voting "NAY."

Supervisor Mendelsohn moved that the Board respond to the Virginia Baseball Stadium Authority with a letter stating that the Board is interested in further discussions on baseball in the County and there might be viable sites. He added that if they forward a site, the Board would treat it like any other economic development issue. This motion was seconded by Supervisor Frey.

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

59. **W.T. WOODSON HIGH SCHOOL'S GIRLS AND BOYS LACROSSE TEAMS WIN CONCORDE DISTRICT CHAMPIONSHIPS** (Tape 9)

Supervisor Connolly stated that W.T. Woodson High Schools' Girls Lacrosse Team, which was undefeated this season, and the W.T. Woodson Boys Lacrosse team competed this past weekend in the Concorde District Championship tournament and both teams won. He noted that this is the second year in a row that both teams have won the district championship. Last year both teams won the regional titles as well. The two teams will be playing their regional tournament all this week.

Accordingly, Supervisor Connolly moved that the Board direct staff to invite the W.T. Woodson High School Girls Lacrosse team and their coach, Dara Bonham, and the W.T. Woodson Boys Lacrosse team and their coach, John Fitzgerald, the assistant coaches, and Gary Miller, School Principal, to appear before the Board on June 3, 1996 to honor these young men and women for this distinctive dual achievement. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

60. **WOODLEY RECREATION CENTER** (Tape 9)

Supervisor Connolly explained that the Woodley Recreation Center Association has submitted a Special Permit Amendment Application to seek approval to construct a 30 foot by 60 foot canopy over an existing shuffleboard court. This canopy will provide an outdoor shelter area for the pool facility and the community. The Association had originally planned to complete this canopy by the start of the swim season which opens Memorial Day weekend. Materials have already been ordered and delivered to the site of the proposed structure.

In light of the simplicity of this request and the Association's desire to build this canopy as expeditiously as possible, Supervisor Connolly moved that the Board direct:

- The Director of the Department of Environmental Management (DEM) to determine if any Site Plans are necessary for this proposal and to simultaneously and expeditiously process the Site Plans, building permits, or associated plats required by DEM with this Special Permit Amendment Application; and
- Staff to request the Board of Zoning Appeals (BZA) to hear this Special Permit Amendment Application out-of-turn.

This motion was seconded by Supervisor Bulova.

Chairman Hanley disclosed that she is a shareholder in the Woodley Recreation Center Association and stated that she would abstain from the vote on this matter.

The question was called on the motion which carried by a recorded vote of six, Chairman Hanley abstaining, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

61. **ATLANTIC HOMESTEAD VILLAGE INCORPORATED** (Tape 9)

Supervisor Connolly stated that Atlantic Homestead Village Incorporated has submitted applications which involve a proposal for a 128-room hotel in the Willow Oaks Corporate Center located at the southwest quadrant of the intersection of Route 50 and Gallows Road. The public hearings for the applications are scheduled to be held before the Planning Commission on May 23, 1996 and the applicant is concerned about receiving a date for the public hearings to be held before the Board prior to the August recess.

Accordingly, Supervisor Connolly moved that the Board direct staff to schedule the public hearings to be held before the Board on Proffered Condition Amendment Application PCA 87-P-038 and Special Exception Amendment Application SEA 96-P-004 in the name of Atlantic Homestead Village Incorporated prior to the August recess. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

62. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 95-P-030, EDGEMOORE HOMES L.L.C.** (Tape 9)

Supervisor Connolly announced his intent to defer, at the appropriate time, the public hearing on Rezoning Application RZ 95-P-030, Edgemoore Homes L.L.C., originally scheduled for 3:30 p.m. today.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#76.)

63. **KUDOS TO THE COLONIES HOMEOWNERS ASSOCIATION** (Tape 9)

Supervisor Connolly extended his congratulations to Patricia Tenant, President, The Colonies Homeowners Association, and its entire Board of Directors for their recent cover story profile in *Managers' Report*, a national trade journal serving condominiums and property management throughout the United States (U.S.). Ms. Tenant and the Board of Directors were cited for extensive community service and careful financial management and were highlighted as one of the best Boards in the U.S.

64. **CONCURRENT PROCESSING FOR COMMUNICATIONS TOWER** (Tape 9)

Supervisor McConnell stated that the Department of Information Technology (DIT) will be submitting a Special Exception Amendment Application for the communications tower at West Springfield Governmental Center. Since time is a factor with the construction of the tower, she moved that the Board direct staff to concurrently process the Site Plans with the Special Exception Amendment Application. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

65. **APPOINTMENT TO THE HEALTH SYSTEMS AGENCY BOARD** (Tape 9)

(APPT)

(NOTE: Earlier in the meeting, the Board deferred this appointment. See Clerk's Summary Item CL#14.)

Chairman Hanley moved the appointment of Ms. Sara John as the At-Large (Provider) Representative to the Health Systems Agency Board. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

66. **RECESS/EXECUTIVE SESSION** (Tape 9)

At 3:00 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Tri-County Industries, Incorporated, versus Mercer County, Pennsylvania, et al., and SSC Corporation versus the Town of Smithtown;

- Extension of Indemnification Resolution Coverage to Organizations Providing Assistance to County Agencies; and
- Water and Sewer Authority Establishment Department of Public Works Reorganization Act of 1996.

The second to this motion and the vote were inaudible.

SBE:sbe

At 4:00 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

67. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 10)

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

68. **AUTHORIZATION FOR SETTLEMENT OF EUGENE HOOPER, JAMES E. HOOPER AND LOUISE HOOPER VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 133869** (Tape 10)

Supervisor Connolly moved that the Board authorize the settlement of *Eugene Hooper, James E. Hooper, and Louise Hooper versus Board of Supervisors of Fairfax County, Virginia*, At Law Number 133869, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

69. **AUTHORIZATION FOR INTERVENTION IN THE PROCEEDING PENDING BEFORE THE VIRGINIA STATE CORPORATION COMMISSION (SCC) FOR REVIEW AND CORRECTION OF THE TAX ASSESSMENT OF AMSC SUBSIDIARY CORPORATION FOR THE 1995 TAX YEAR, SCC CASE NUMBER PST950002** (Tape 10)

Supervisor Hyland moved that the Board authorize intervention in the proceeding pending before the Virginia State Corporation Commission (SCC) for review and correction of the tax assessment of AMSC Subsidiary Corporation for the 1995 tax year, SCC Case Number PST950002, as discussed with the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Dix moved a substitute motion that Fairfax County not intervene in this matter. This motion was seconded by Supervisor Frey and **FAILED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting “**AYE.**”

The question was called on the main motion, which **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting “**NAY.**”

70. **C-2 - PARTICIPATION IN THE DISTRICT OF COLUMBIA (D.C.) WATER AND SEWER AUTHORITY** (Tape 10)

(BACs)

(APPTS)

(NOTE: Earlier in the meeting, this action was deferred by the Board. See Clerk’s Summary Item CL#22.)

The Board considered an Item contained in the Memorandum to the Board dated May 20, 1996 presenting a request from the District of Columbia (D.C.) that the Board appoint a member and an alternate member to the recently created Water and Sewer Authority of D.C. (Authority).

Supervisor Connolly moved that the Board:

- Participate in the Authority;
- Designate William J. Leidinger, County Executive, as a Member of the Authority; and
- Designate John W. di Zerega, Director, Department of Public Works, as an Alternate Member of the Authority.

This motion was seconded by Supervisor Kauffman and **CARRIED** by a recorded vote of eight, Supervisor Dix voting “**NAY,**” Supervisor Mendelsohn being out of the room.

CM:cm

71. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-Y-059 (FAIR OAKS GLEN, L.L.C.) (SULLY DISTRICT)** (Tape 11)

- (O) Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Charles B. Johnson.

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

- In excess of \$200 from Mr. Frederick W. Zefferman who is affiliated with Zefferman Comstat, Incorporated.

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-Y-059 be amended from the R-1 District to the R-3 District subject to the execution of the proffers dated April 22, 1996. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

Supervisor Frey moved waiver of the length of public street in excess of the 1,000 feet requirement. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

72. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-D-037 (ALLAN H. GASNER AND FRANK S. GORDON, TRUSTEES) (DRANESVILLE DISTRICT)** (Tapes 11-12)

- (O) Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by 11 speakers, Kevin Guinaw,

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

Supervisor Mendelsohn moved:

- That the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 95-D-037, be amended from the R-1 District to the R-3 District subject to the execution of the proffers dated May 13, 1996; and
- That the Subdivision Plan for the approved development, including architectural elevations, be submitted to the Planning Commission for administrative review prior to its approval by the Department of Environmental Management (DEM).

Supervisor Mendelson noted for the record that there are no waivers or modifications requested. This motion was seconded by Supervisor Dix.

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

73. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-H-078 (PETER J. MURRAY) (HUNTER MILL DISTRICT)** (Tape 12)

Mr. Peter J. Murray reaffirmed the validity of the affidavit for the record.

Mr. Murray 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, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved approval of Special Exception Application SE 95-H-078 subject to the development conditions dated April 3, 1996. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

Supervisor Dix moved modification of the transitional screening and barrier requirement along all boundaries in favor of that reflected on the Special Exception Plat. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

Supervisor Dix moved waiver of the minimum setback requirement for four of the accessory structures. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

74. **3:30 P.M. - BOARD DECISION ON REZONING APPLICATION RZ 95-D-053 (PINEY RUN L.C.) (DRANESVILLE DISTRICT)** (Tape 12)

(NOTE: On April 29, 1996, the Board held a public hearing on Rezoning Application RZ 95-D-053 and deferred its decision until May 20, 1996.)

Supervisor Mendelsohn moved to defer the Board decision on Rezoning Application RZ 95-D-053 until **June 17, 1996 at 4:30 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Frey and Supervisor Hyland being out of the room.

75. **3:30 P.M. - PH ON THE LEASING OF COUNTY-OWNED PROPERTY KNOWN AS THE GREAT FALLS LIBRARY SITE TO THE GREAT FALLS ATHLETIC ASSOCIATION (DRANESVILLE DISTRICT)** (Tape 12)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 2 and May 9, 1996.

Following the public hearing, which included testimony by one speaker, Supervisor Mendelsohn moved that the Board authorize the County Executive to execute a lease of County-owned property known as the Great Falls Library Site, Tax Map Number 13-1 ((1)) 11, 12, 13, and 14 to the Great Falls Athletic Association to develop a temporary soccer field on the property. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Hyland being out of the room.

76. **3:30 P.M. - PH ON REZONING APPLICATION RZ 95-P-030 (EDGEMOORE HOMES, L.L.C.) (PROVIDENCE DISTRICT)** (Tape 12)

(NOTE: On May 13, 1996 the Board deferred the public hearing on this application until May 20, 1996.)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 95-P-030 until **June 17, 1996 at 5:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hyland being out of the room.

77. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-P-069 (THE SHELL OIL COMPANY) (PROVIDENCE DISTRICT)** (Tape 12)

(NOTE: On May 13, 1996 the Board deferred the public hearing on this application until May 20, 1996.)

Mr. John L. McBride reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Ms. Kathryn A. MacLane and Mr. Charles B. Ewing, Jr.

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

- In excess of \$200 from Ms. Kathryn A. McLean and Mr. John C. Ulfelder.

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

Supervisor Connolly moved approval of:

- Special Exception Application SE 95-P-069 subject to the development conditions dated April 2, 1996; and
- Waiver of the transitional screening and barrier requirements along the eastern and southern perimeters of the subject site.

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

78. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-059-3 (BSI, INCORPORATED TRADING AS BROWNE ACADEMY) (LEE DISTRICT)** (Tape 12)

(NOTE: On May 13, 1996 the Board deferred the public hearing on this application until May 20, 1996.)

Mr. Grayson P. Hanes reaffirmed the validity of the affidavit for the record.

Mr. Hanes 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, Donna McNeally, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved that the Board:

- Approve Special Exception Amendment Application SEA 85-L-059-3 subject to the development conditions dated May 7, 1996;
- Reaffirm modification of the transitional screening and barrier requirements in favor of that shown on the Special Exception Plat, subject to the Development Conditions dated May 7, 1996; and
- Direct the Director of the Department of Environmental Management (DEM) to waive the Article 17 requirement for the applicant to construct one-half section of a four-lane divided roadway along the Telegraph Road frontage as shown on the Comprehensive Plan for escrow funds for such an improvement in favor of road improvements shown on the applicant's Special Exception Amendment Plat.

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

79. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-III-10BR, IN THE VICINITY OF WALNEY ROAD BETWEEN WESTFIELDS BOULEVARD AND POPLAR TREE ROAD (SULLY DISTRICT)** (Tape 12)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 2 and May 9, 1996.

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved approval of Area Plans Review (APR) Item 94-III-10BR as outlined in the Planning Commission recommendation dated May 15, 1996. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Hyland being out of the room.

ADDITIONAL BOARD MATTERS

80. **NATIONAL ASSOCIATION OF COUNTIES (NACo) REQUEST FOR BOARD ENDORSEMENT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE HOME PROGRAMS** (Tape 12)

(NOTE: Earlier in the meeting, this issue was raised. See Clerk's Summary Item CL#38.)

Chairman Hanley circulated a draft letter from the National Association of Counties (NACo) requesting that the Board endorse the Community Development Block Grant (CDBG) and the HOME Programs.

Chairman Hanley relinquished the Chair to Acting-Chairman Kauffman and moved that the Board support NACo in this position. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Hyland being out of the room.

Acting-Chairman Kauffman returned the gavel to Chairman Hanley.

81. **REQUEST FOR A LEGAL RULING REGARDING THE SCOPE OF PUBLIC HEARINGS ADVERTISED** (Tape 12)

Chairman Hanley relinquished the Chair to Acting-Chairman Kauffman and asked unanimous consent that the Board direct staff to provide the Board with information regarding a legal ruling on the scope of each land use case public hearing. Without objection, it was so ordered.

Acting-Chairman Kauffman returned the gavel to Chairman Hanley.

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

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