

CLERK'S BOARD SUMMARY
AUGUST 3, 1998

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The meeting was called to order at 9:40 a.m. with all Members being present, with the exception of Supervisor Dix, and with Chairman Hanley presiding.

Supervisor Dix was absent from the entire meeting.

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

BOARD MATTERS

2. **MOMENT OF SILENCE FOR THE LATE MICHAEL ALLEN** (Tape 1)

Supervisor Frey asked that everyone remember in their thoughts and prayers the family of the late Michael Allen, an active constituent from the Chantilly area, who died suddenly last week.

3. **WELCOME FOR TWO NEW ASSISTANTS TO THE COUNTY EXECUTIVE**
(Tape 1)

Robert J. O'Neill, Jr., County Executive, introduced Ms. Mary Ashton and Ms. Catherine Parrish, two new Assistants to the County Executive who begin work today.

On behalf of the entire Board, Chairman Hanley extended a warm welcome.

AGENDA ITEMS

4. **CERTIFICATE OF RECOGNITION PRESENTED TO LIEUTENANT JEROME I. WILLIAMS, FIRE AND RESCUE DEPARTMENT, FOR BEING NAMED FIREFIGHTER OF THE YEAR** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Lieutenant Jerome I. Williams, Fire and Rescue Department, for being named Firefighter of the Year. This motion was seconded by Vice-Chairman Hyland and carried by a vote of nine, Supervisor Dix being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

5. **PROCLAMATION DESIGNATING SEPTEMBER 1998 AS "BONE MARROW AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Frey moved approval of the Proclamation presented to Pam Stutz, Executive Director, Fair Lakes League, designating the month of September 1998 as "**BONE MARROW AWARENESS MONTH**" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being absent.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. PATRICIA MOORE FOR HER YEARS OF SERVICE AS DIRECTOR OF THE BURKE CENTRE CONSERVANCY** (Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Ms. Patricia Moore for her years of service as Director of the Burke Centre Conservancy. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Dix being absent.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. KATHY WEAVER FOR YEARS OF SERVICE AS SAINT AMBROSE'S PARISH COORDINATOR AND CHAIR OF F.I.S.H.** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Ms. Kathy Weaver for her years of service as Saint Ambrose's Parish Coordinator and Chair of F.I.S.H. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being absent.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO OFFICER TIM BENEDICT, FAIRFAX COUNTY POLICE DEPARTMENT, FOR SAVING FIVE POTENTIAL VICTIMS FROM A BURNING BUILDING** (Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Officer Tim Benedict, Fairfax County Police Department, for saving five potential victims from a burning building. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Dix being absent.

9. **RESOLUTION IN RECOGNITION OF GEORGE C. NEWSTROM, CHAIR, 1998 WORLD CONGRESS ON INFORMATION TECHNOLOGY; MEMBERS OF THE EXECUTIVE COMMITTEE OF THE WORLD CONGRESS; AND THE ECONOMIC DEVELOPMENT AUTHORITY (EDA)** (Tape 1)

Supervisor Mendelsohn moved adoption of the Resolution presented to George C. Newstrom, Chair, 1998 World Congress on Information Technology, Members of the Executive Committee of the World Congress, and the Economic Development Authority (EDA) for their exemplary job of showcasing Fairfax County at the 1998 World Congress. This motion was seconded jointly by Supervisor Connolly and Supervisor McConnell and carried by a vote of nine, Supervisor Dix being absent.

10. **10:00 A.M. - PRESENTATION BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON THE OUTCOMES OF THE 1998 WORLD CONGRESS ON INFORMATION TECHNOLOGY** (Tapes 1-2)

(NOTE: Earlier in the meeting, participants in the 1998 World Congress on Information Technology were recognized. See Clerk's Summary Item CL#9.)

Patricia M. Woolsey, Chairman, Fairfax County Economic Development Authority (EDA) briefed the Board on the 1998 World Congress on Information Technology.

ADDITIONAL BOARD MATTER

11. **INTRODUCTION OF MEREDITH TUNICK, INTERN FOR MASON DISTRICT SUPERVISOR PENELOPE GROSS** (Tape 2)

Supervisor Gross introduced Meredith Tunick, who will intern in her office for the next six weeks prior to attending Northeastern University in Boston.

12. **ADMINISTRATIVE ITEMS** (Tape 2)

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

Supervisor Kauffman called the Board's attention to Administrative Item 12 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Minor Modifications and Additions to Approved Rezoning, Special Exceptions and Special Permits and expressed his appreciation to staff for a job well done in drafting the proposed amendment.

Supervisor Connolly called the Board's attention to Administrative Item 14 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Bed and Breakfasts and, following a query to David P. Bobzien, County Attorney, and input from Jane W. Gwinn, Director, Zoning Administration Division, Department of Planning and Zoning (DPZ), moved to amend the motion to advertise the option to either come before the Board of Supervisors or the Board of Zoning Appeals (BZA). This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Dix being absent.

Chairman Hanley and Supervisor Frey called the Board's attention to Administrative Item 16 - Authorization to Advertise a Public Hearing to Amend the Appropriation Level in the Fiscal Year (FY) 1999 Revised Budget Plan, and following discussion with input from Robert J. O'Neill, Jr., County Executive; Anthony H. Griffin, Deputy County Executive; and Edward L. Long, Jr., Director, Department of Management and Budget, Supervisor Frey questioned the increase in positions following the consolidation of functions and asked unanimous consent that the Board schedule a meeting of the Development Process Committee to address this matter prior to the Board meeting of September 14, 1998. Without objection, it was so ordered with a notation by Chairman Hanley that this matter could also be reviewed by the Reorganization Committee.

Following discussion, with additional input from Mr. O'Neill, Mr. Griffin, and Tom Biesiadny, Head, Liaison and Contract Services, Department of Transportation (DOT), the question was called on the motion to approve the Administrative Items, as amended, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being absent.

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

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated August 3, 1998 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Jarvis	Dranesville	Jarvis Court Georgetown Pike, Route 193, Additional right-of-way only
Fox Meadow	Sully	Fernbrook Drive

Fernbrook Court

ADMIN 2 - EXTENSION OF REVIEW PERIOD FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS

Authorized the extension of the review period for the six 2232 Public Facility Review Applications listed in the Memorandum to the Board dated August 3, 1998 until February 3, 1999 to ensure compliance with the 60-day review requirement mandated by Section 15.2-2232 of the *Code of Virginia*.

ADMIN 3 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF DODSON DRIVE AND COLBURN DRIVE; DODSON DRIVE AND SILVER LANE; DODSONS DRIVE AND WINTER LANE; AND KINGSTON LANE AND SILVER LANE (MASON DISTRICT)

- Endorsed the installation of multi-way stops at the following intersections:
 - Dodson Drive (Route 3512) and Colburn Drive (Route 6930);
 - Dodson Drive (Route 3512) and Silver Lane (south intersection) (Route 4119);
 - Dodson Drive (Route 3512) and Winter Lane (Route 3477);
 - Kingston Lane (Route 3476/3513) and Silver Lane (Route 4119); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 92-V-017, STAR ENTERPRISE (MOUNT VERNON DISTRICT)

- (AT) Approved the request for 18 months of additional time to commence construction for Special Exception Application SE 92-V-017 until February 12, 2000, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 95-P-054, AMOCO OIL COMPANY (PROVIDENCE DISTRICT)

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 95-P-054 until July 22, 2000, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99031 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT PUBLIC INEBRIATE DIVERSION GRANT CONTINUATION FUNDING FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99031 in the amount of \$225,409 for Alcohol and Drug Services of the Fairfax-Falls Church Community Services Board (CSB) for the continuation of funding from the Virginia Department of Criminal Justice Services for support of the activities of the Public Inebriate Diversion Program. No local cash match is required.

ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99032 FOR THE CONTINUATION OF THE FEDERAL HEAD START PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY SERVICES/OFFICE FOR CHILDREN

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 99032 in the amount of \$2,009,131 for ongoing federal Head Start Program Grant within the Department of Family Services/Office for Children. This amount includes \$1,878,900 from the Department of Health and Human Services; \$17,850 from the United States (US) Department of Agriculture, and a local cash match of \$112,381 (to meet a portion of the required 20 percent match). The remaining program costs of \$339,528 are met through the use of existing services and other non-cash contributions identified as an in-kind match, bringing the total program cost to \$2,348,659.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON BROOKSIDE DRIVE (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 14, 1998 at 4:00 p.m.** on a proposal to consider requesting the Virginia Department of Transportation (VDOT) to restrict through truck traffic on Brookside Drive (Route 740) between Little River Turnpike (Route 236) and Braddock Road (Route 620).

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE GUNSTON WILEY SANITARY SEWER PUMP AND HAUL PROJECT (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 28, 1998 at 3:30 p.m.** on the acquisition of certain land rights necessary for the construction of Project I00355 - Gunston Wiley Sanitary Sewer Pump and Haul.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN OFF-SITE LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE GREAT FALLS COMMUNITY LIBRARY (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 14, 1998 at 4:30 p.m.** on the acquisition of interests in real property necessary for the construction of Project 004836 - Great Falls Community Library.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING WRITTEN NOTIFICATION REQUIREMENTS FOR PUBLIC HEARINGS ON REZONING APPLICATIONS

- (A)(R) Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 8, 1998, and before the Board on **November 16, 1998 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding written notification requirements for public hearings on Rezoning Applications.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING MINOR MODIFICATIONS AND ADDITIONS TO APPROVED REZONINGS, SPECIAL EXCEPTIONS AND SPECIAL PERMITS

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

Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 8, 1998, and before the Board on **November 16, 1998 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding minor modifications and additions to approved Rezoning, Special Exceptions, and Special Permits.

ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING KENNELS AND VETERINARY HOSPITALS

- (A)(R) Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 8, 1998, and before the Board on **November 16, 1998 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding kennels and veterinary hospitals.

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING BED AND BREAKFASTS

- (A)(R) (NOTE: Earlier in the meeting, action was taken to amend this authorization. See page four.)

Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 15, 1998, and before the Board on **November 16, 1998 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding the establishment of a new bed and breakfast use.

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), REGARDING EXPANSION OF THE CULMORE RPPD, DISTRICT 9

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 14, 1998 at 5:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking District (RPPD), to consider expansion of the Culmore RPPD, District 9, to include Lake Street (Route 773) from Tyler Street (Route 795) to Gordon Street (Route 901).

ADMIN 16 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1999 REVISED BUDGET PLAN

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

Authorized the advertisement of a public hearing to be held before the Board on **September 14, 1998 at 10:00 a.m.** to amend the appropriation level in the Fiscal Year (FY) 1999 Revised Budget Plan.

AM:am

13. **A-1 - REVISIONS TO PERSONNEL REGULATIONS REGARDING ROLL CALL PAY, FIRE TECHNICIAN PROFICIENCY PAY, POLICE PAY, LAW ENFORCEMENT OVERTIME THRESHOLD, AND RETITLING OF OFFICE OF PERSONNEL** (Tape 3)

On motion of Supervisor Gross, seconded by Supervisor Connolly, and carried by a vote of nine, Supervisor Dix being absent, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 1, 2, and 4 of the Personnel Regulations required to implement the following changes:

- Increase the roll call multiplier from 1.5 to 1.8 for Sheriff employees;
- Change the Fire Technician proficiency pay adjustment from P-18 to P-19 to reflect the recent regrades of this class title;
- Include roll call pay in the base salary for Police Officer I and II, Sergeant, and 2nd Lieutenant;
- Reduce overtime threshold for law enforcement officers in the Police Department to 82 hours worked in a 14-day work period; and
- Retitle Office of Personnel to Department of Human Resources.

14. **A-2 - BROWN'S CHAPEL PRO RATA SHARE REIMBURSEMENT AGREEMENT FOR REGIONAL POND D-15 (HUNTER MILL DISTRICT)** (Tape 3)

On behalf of Supervisor Dix, Supervisor Frey moved that the Board concur in the recommendation of staff and authorize the execution of an agreement to reimburse Winchester Homes from pro rata share collections for the engineering, design, easement dedication, and construction of Regional Stormwater Management Pond D-15 within the Brown's Chapel development. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being absent.

15. **A-3 - DELINQUENT REAL ESTATE, PERSONAL PROPERTY, AND BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSES (BPOL) TAX LISTS FOR 1997** (Tape 3)

Following discussion, with input from Kevin C. Greenlief, Director, Department of Tax Administration (DTA), Supervisor McConnell moved that the Board concur in the recommendation of staff and:

- Authorize the publication of lists of delinquent real estate, personal property and Business, Professional and Occupational License

- (BPOL) taxes for 1997; and
- Direct DTA to continue to collect the delinquent taxes until the expiration of the applicable statute of limitations in accordance with Sections 58.1-3933 and 58.1-3940 of the *Code of Virginia*.

This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of eight, Supervisor Connolly voting “NAY,” Supervisor Dix being absent.

16. **A-4 - TESTIMONY IN RESTON LAKE ANNE AIR CONDITIONING CORPORATION APPLICATION FOR AN INCREASE IN RATES - STATE CORPORATION COMMISSION (SCC) CASE NUMBER PUE980139** (Tape 3)

On behalf of Supervisor Dix, Supervisor Frey moved that the Board concur in the recommendation of staff and authorize the Department of Telecommunications and Consumer Services and the County Attorney's Office to file testimony on the Board's behalf, as shown in Attachment I of the Memorandum to the Board dated August 3, 1998, with the State Corporation Commission (SCC) in the matter of the application of Reston Lake Anne Air Conditioning Corporation for an increase in rates, SCC Case Number PUE980139. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Dix being absent.

17. **A-5 - AWARD OF \$30,000 FROM THE PREDEVELOPMENT FUND TO CATHOLICS FOR HOUSING, INCORPORATED, FOR THE PURPOSE OF CONDUCTING PRELIMINARY STUDIES RELATING TO THE ACQUISITION OF BRIARCLIFF TOWNHOUSE I (PROVIDENCE DISTRICT)** (Tape 3)

Following discussion, with input from Jeffrey L. Kidwell, Senior Development Officer, Development and Real Estate Finance Division, Department of Housing and Community Development (HCD), Supervisor Connolly moved that the Board concur in the recommendation of staff and authorize the award of \$30,000 from the Predevelopment Fund of the Housing Trust Fund to Catholics for Housing, Incorporated, for the purpose of conducting preliminary studies for the potential acquisition of Briarcliff Townhouse I, located at the intersection of Wolf Trap Road and Briarcliff Court in Vienna. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Dix being absent.

18. **A-6 - ADOPTION OF THE RECOMMENDATIONS OF THE AFFORDABLE DWELLING UNIT (ADU) TASK FORCE** (Tape 3)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and adopt the recommendations of the reconstituted Affordable Dwelling Unit (ADU) Task Force regarding notification to purchasers or renters that a development contains ADUs, notification to home buyers that the Fairfax County Redevelopment and Housing Authority (FCRHA) has the right to purchase ADUs; and the policies, practices and role of the FCRHA in the purchase of ADUs. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Mary E. Egan, Deputy Director, Department of Housing and Community Development (HCD), Supervisor Frey asked to amend the motion to modify item number one, bullet number three of the ADU Task Force recommendations as found on page 58 of the Memorandum to the Board dated August 3, 1998, as follows:

- Delete the word specific; and
- Delete provided upon request; and substitute be required.

The amendment to the motion was seconded by Supervisor McConnell and **FAILED** by a recorded vote of six, Supervisor Frey, Supervisor Mendelsohn, and Supervisor McConnell voting “**AYE**,” Supervisor Dix being absent.

Supervisor Frey asked to amend the motion to modify item number one, bullet number three of the ADU Task Force recommendations as found on page 58 of the Memorandum to the Board dated August 3, 1998 to:

- Delete the word specific; and
- Delete that information on specific units in the ADU Program be provided upon request to a prospective home buyer; and substitute that information on units in the ADU Program owned or to be purchased by the Redevelopment and Housing Authority (RHA) be provided to a prospective home buyer.

The amendment to the motion was seconded by Supervisor McConnell and **FAILED** by a recorded vote of six, Supervisor Frey, Supervisor Mendelsohn, and Supervisor McConnell voting “**AYE**,” Supervisor Dix being absent.

Supervisor Mendelsohn asked to amend the motion to add to item number one, bullet number three of the ADU Task Force recommendations as found on page 58 of the Memorandum to the Board dated August 3, 1998, within the development, but this was not accepted.

Supervisor Bulova asked to amend the motion to change item number one, bullet number three of the ADU Task Force recommendations as found on page 58 of the Memorandum to the Board dated August 3, 1998 to read information on ADU units within a community be provided upon request to perspective home buyers, but this was not accepted.

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

Supervisor Frey asked unanimous consent that the Board direct staff to provide information as to the:

- Number of ADU units that have been sold; and
- Number of ADU units purchased by Fairfax County employees.

Without objection, it was so ordered.

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

- Average salary of the Fairfax County Employees; and
- Range of eligibility.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor McConnell asked unanimous consent that the Board direct staff to determine how many County employees qualify for Section Eight housing. Without objection, it was so ordered.

19. **A-7 - FAIRFAX COUNTY PARKWAY/FRANCONIA-SPRINGFIELD PARKWAY FUNDING STATUS AND DESIGN MODIFICATIONS (COUNTYWIDE)** (Tape 3)

On motion of Supervisor Kauffman, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Dix being absent, the Board concurred in the recommendation of staff and authorized the submission of the design modifications to the Virginia Department of Transportation (VDOT) on the Fairfax County Parkway segment between Franconia-Springfield Parkway/Rolling Road (Route 638) and Fullerton Road (Route 4502).

Following discussion, with input from Shiva K. Pant, Director, Department of Transportation (DOT), Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide information as to the status of land acquisition. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

20. **A-8 - FISCAL YEAR (FY) APPROPRIATION ADJUSTMENT** (Tape 3)

(SAR)

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

- Authorized staff to process payment vouchers for items previously approved and appropriated in Fiscal Year (FY) 1998 for the interim period from July 1 until the Board approves the FY 1998 Carryover Review, which is scheduled for action on September 14, 1998;
- Approved Supplemental Appropriation Resolution (SAR) AS 98069 for four Other Funds requiring additional appropriations for FY 1998; and
- Approved Fiscal Planning Resolution (FPR) AS 98904 to adjust the transfer from the General Fund to Fund 200, County Debt Service, and Fund 201, School Debt Service for FY 1998.

This action does not adjust the FY 1998 approved expenditure level for all funds, but merely reallocates unspent funds from agencies and other funds which realized a positive balance to agencies and other funds requiring an additional appropriation. Since these adjustments do not increase the actual total expenditure level for all funds, a public hearing is not required.

21. **A-9 - PARKING REDUCTION IN CONJUNCTION WITH DEVELOPMENT OF TYSONS COURTYARD BY MARRIOTT (PROVIDENCE DISTRICT)** (Tape 3)

On motion of Supervisor Connolly, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Dix being absent, the Board concurred in the recommendation of staff and approved a 11.5 percent parking reduction of 192 spaces with the development of Tysons Courtyard by Marriott on parcels identified as Tax Map Numbers 029-4-01-0001, 001-A, 0001B, and 0001C, pursuant to paragraph four, Section 11-102 of the Zoning Ordinance.

22. **A-10 - BOND REFERENDUM COMMITTEE AND INFORMATION PAMPHLET** (Tape 3)

(APPTS)

(BACs)

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

- Approve the wording for the informational pamphlet;

- Direct the County Attorney to prepare statements describing each bond question; and
- Appoint a citizen committee with representatives from each District.

This motion was seconded by Supervisor Hyland.

Supervisor Connolly asked to amend the motion to appoint Ms. Renata K. Wade as the Providence District Representative to the Bond Referendum Committee, and this was accepted.

Supervisor Gross asked to amend the motion to appoint Mr. Frank Vajda as the Mason District Representative to the Bond Referendum Committee, and this was accepted.

Supervisor Mendelsohn asked to amend the motion to appoint Mr. Vance High as the Dranesville District Representative to the Bond Referendum Committee, and this was accepted.

Chairman Hanley asked to amend the motion to appoint Ms. Joanne T. Field as the League of Women Voters Representative to the Bond Referendum Committee, and this was accepted.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and with reference to Attachment One, handwritten page 12 of the Memorandum to the Board, asked to amend the motion to clarify the question "Why do so many authorized bonds remain to be sold?" as it relates to deferral of some bond sales, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

23. **I-1 COUNTY HOLIDAY SCHEDULE -- CALENDAR YEAR 1999** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 3, 1998, requesting adoption of the County Holiday Schedule for calendar year 1999.

The staff was directed administratively to proceed as proposed.

24. **I-2 - AWARD OF CONTRACTS DURING BOARD OF SUPERVISORS' RECESS**
(Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 3, 1998, requesting authorization for the County Executive or the appropriate Deputy County Executive to continue to approve street acceptance items and award contracts while the Board is in recess.

The staff was directed administratively to proceed as proposed.

25. **I-3 - FIRST SIX MONTHS RIDERSHIP DATA FOR FAIRFAX CONNECTOR ROUTE 20A, 20G AND 20P (PROVIDENCE AND SULLY DISTRICTS)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 3, 1998, requesting authorization for staff to:

- Continue operation of FAIRFAX CONNECTOR Routes 20A, 20G and 20P as currently scheduled; and
- Submit a report on detailed ridership counts after six more months of operation.

The staff was directed administratively to proceed as proposed.

26. **I-4 - REQUEST FOR PROPOSAL (RFP) FOR GOVERNMENT CENTER PROPERTY, LAND BAY A (SULLY DISTRICT)** (Tape 3)

Supervisor Frey asked unanimous consent that this item be deferred until later in the day. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#60.)

ADDITIONAL BOARD MATTERS

27. **PROCLAMATION DESIGNATING OCTOBER 1998 AS "HUNGER AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 4)

Chairman Hanley stated that on October 18, 1998 the annual Mount Vernon Crop Walk will begin at 1:30 p.m. This walk will serve to make the community aware of what many families face daily with regard to hunger, poverty and oppression throughout the world and in Fairfax County. Chairman Hanley further stated that one in four children in the United States (US) goes hungry or at a risk of hunger, and many families are living below the poverty level which is the main cause of hunger.

Therefore, Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and moved that the Board direct staff to:

- Prepare a Proclamation designating the month of October, 1998 as "**Hunger Awareness Month**" in Fairfax County; and
- Invite the appropriate individuals to appear before the Board to

receive this Proclamation.

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

28. **PROCLAMATION TO DESIGNATE SEPTEMBER 1998 AS “NATIONAL FOOD SAFETY MONTH” IN FAIRFAX COUNTY** (Tape 4)

Chairman Hanley referred to her written Board Matters and said that September marks the fourth annual National Food Safety Education Month. Chairman Hanley further stated that Federal and local government agencies are joining with industry and consumer organizations to promote food safety education.

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

- Prepare a Proclamation designating the month of September 1998 as “**National Food Safety Education Month**” in Fairfax County; and
- Invite the appropriate individuals to appear before the Board to receive this Proclamation.

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

29. **PROCLAMATION DESIGNATING NOVEMBER 15, 1998 AS “FAIRFAX COUNTY RECYCLES DAY” IN FAIRFAX COUNTY** (Tape 4)

Chairman Hanley said that under the leadership of the Metropolitan Washington Area Council of Governments (COG), America Recycles Day activities will take place in this region.

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

- Prepare a Proclamation designating November 15, 1998 as “**Fairfax County Recycles Day**” in Fairfax County; and
- Invite the appropriate individuals to appear before the Board to receive this Proclamation.

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

(NOTE: Later in the meeting, there was further discussion of this item. See Clerk's Summary Item CL#37.)

30. **FINAL REPORT OF THE ADULT CARE RESIDENCE STUDY GROUP** (Tape 4)

Chairman Hanley circulated copies of the final report of the Adult Care Residence Study Group to Board Members and asked unanimous consent that the Board refer this report to staff for a recommended implementation strategy. Without objection, it was so ordered.

31. **LETTER FROM THE ARCHITECTURAL REVIEW BOARD (ARB) REQUESTING CONSIDERATION OF FUNDING AT CARRYOVER** (Tape 4)

Chairman Hanley circulated to Board Members a letter that she had received from the Architectural Review Board (ARB) requesting consideration at Carryover for funding in the amount of \$3,500.

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

PMH:pmh

32. **EVANS FARM INN PROPERTY** (Tape 5)

Supervisor Mendelsohn expressed his appreciation to the McLean Citizens Foundation and the community for their efforts to raise money for the purchase of the Evans Farm Inn property.

Supervisor Mendelsohn said that in the last several weeks since the announcement that there is a contract for purchase of the Evans Farm Inn property in McLean for the purpose of residential development, residents of McLean have been working very hard to develop scenarios to save the land for preservation as open space. He reminded Board Members that he requested information from staff regarding, among other things, an addition to the bond referendum and the creation of a Small Tax District to assist the community in determining what mechanisms are available to preserve the land.

Supervisor Mendelsohn said that community members with whom he has met and who have contacted him on this subject continue to inquire about the possibility of identifying some of the land acquisition money in the bond referendum for purchase of the Evans Farm Inn property in the event that the community cannot identify a source for the balance of the purchase price.

Therefore, on behalf of Supervisor Connolly and himself, Supervisor Mendelsohn moved that the Chairman send a letter to the Chairman of the Park Authority Board requesting the Park Authority Board to identify any funds anticipated from the Park bond that could be used toward the purchase price of the Evans Farm Inn and/or any other funds available to the Park Authority that could be used for that purpose. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room, Supervisor Dix being absent.

There was a brief discussion among Board Members and David P. Bobzien, County Attorney, regarding this issue.

Supervisor Mendelsohn announced that a public meeting is scheduled for August 27, 1998 at 8:00 p.m. at the McLean Community Center.

33. **PRESERVATION OF OPEN SPACE AND LAND FOR PUBLIC USE** (Tape 5)

Supervisor Mendelsohn pointed out that as Fairfax County has evolved from a rural, agrarian community to a major commercial and suburban area, there has been growing concern about the preservation of open space and land for public use. He said that there is interest from constituents who regret the loss of green space and who are interested in exploring mechanisms for the preservation of large tracts of land to enhance the public enjoyment and the quality of life.

Supervisor Mendelsohn said that it appears that designation as an Agricultural and Forestal (A&F) District may be a useful tool toward saving some of these at-risk properties. He asked unanimous consent that the Board direct staff to investigate, with input from the Agricultural and Forestal Advisory Committee, the following questions and provide responses to the Board at its September 14, 1998 meeting:

- How many A&F Districts located within Fairfax County will expire within the next five-year period?
- Are there certain obstacles to creation of A&F Districts (such as the requirement that the land is owned by members of the same immediate family or a family trust or family corporation) which preclude qualification of land otherwise worthy of preservation?
- What type of amendments to the Code of the County of Fairfax regarding A&F Districts would be necessary to eliminate some or all of these obstacles?
- What other mechanisms for land preservation are utilized elsewhere in Virginia or other jurisdictions throughout the country to preserve open space (e.g., conservation easements), and what obstacles exist to their use here in Fairfax County?

Without objection, it was so ordered.

34. **MADISON LANE** (Tape 5)

Supervisor Gross said that the developer of the new Madison Lane townhouse subdivision has requested removal of the subdivision from the County trash and leaf collection districts. Because of its configuration, County vehicles are unable to provide service to this community.

Therefore, Supervisor Gross moved that the Board direct staff to initiate the public hearing process for removing the Madison Lane townhouse subdivision from the trash

and leaf collection districts. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Hyland and Supervisor McConnell being out of the room, Supervisor Dix being absent.

35. **FALLS CHURCH HIGH SCHOOL RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)** (Tape 5)

Supervisor Gross said that she forwarded to the Department of Transportation (DOT) petitions signed by residents from portions of Marc Drive, Holly Hill Drive, and Parkwood Terrace requesting implementation of a Residential Permit Parking District (RPPD). The area is adjacent to Falls Church High School in the Broyhill Park neighborhood, and it straddles both the Mason and Providence Districts.

On behalf of Supervisor Connolly and herself, Supervisor Gross moved that the Board waive the:

- Minimum requirement of 100 contiguous or nearly contiguous parking spaces; and
- \$10 per household application fee.

The second to this motion was indistinguishable.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which carried by a vote of seven, Supervisor Hyland and Supervisor McConnell being out of the room, Supervisor Dix being absent.

36. **REQUEST FOR WAIVER OF THE DEPARTMENT OF PLANNING AND ZONING (DPZ) FEE ASSOCIATED WITH SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-M-101-2 (SCHOOL FOR CONTEMPORARY EDUCATION)** (Tape 5)

Supervisor Gross stated that the School for Contemporary Education has filed Special Exception Amendment Application SEA 85-M-101-2 for an enlargement of its current facility. The school is a non-profit, charitable organization which ably serves the needs of special education students.

Supervisor Gross moved that the Board waive the Department of Planning and Zoning (DPZ) fee associated with this application. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Hyland and Supervisor McConnell being out of the room, Supervisor Dix being absent.

37. **FAIRFAX COUNTY RECYCLES DAY** (Tape 5)

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

Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board include the following from Supervisor Gross' written Board Matter regarding recycling:

- Invite representatives from County staff, the Clean Fairfax Council and other appropriate individuals to appear before the Board at a date to determined, most likely November 16, 1998; and
- Direct the Office of Public Affairs to work with COG to publicize the event and the opportunities for public participation.

Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

38. **DRUG FREE/GUN FREE SCHOOL ZONE SIGNS** (Tape 5)

Supervisor Gross referred to an article from the front page of the *Northern Neck News*, regarding the issue of school violence, and includes a photograph of a new sign marking a "Drug Free/Gun Free School Zone," with the added message that "Violators will face severe federal and local criminal penalties."

Supervisor Gross asked unanimous consent that the Board refer this issue to staff to determine the availability of the "Drug Free/Gun Free School Zone" signs and the associated criteria which determines where they can be installed.

Following discussion, without objection, it was so ordered.

39. **PIPESTEMS IN THE OAK RUN COMMUNITY** (Tape 5)

Supervisor Gross pointed out that on July 13, 1998, the Board approved an exception for the residents of the Oak Run Community to the Policy which prohibits trash and recyclable pick up on pipestem driveways. The details as to the way in which the exception would be implemented were deferred. Following are the details of implementation:

- All residents desiring pipestem pick up must execute the agreement entitled "*Consent to Enter Property, Assumption of Risk, Waiver and Hold Harmless Agreement*" no later than September 30, 1998;
- Trash and recyclables pick up on the pipestem driveways will not commence on any pipestem unless all residents of that pipestem

- have executed the agreement by September 30, 1998;
- If all residents of a pipestem have not executed the agreement by September 30, 1998, then there will be no exception for the residents of that pipestem driveway and all such residents must continue to bring their trash and recyclables to the edge of the public right-of-way;
- If all residents of a pipestem have executed the agreement by September 30, 1998, then starting the week of October 1, 1998, the County and its contractor will drive into the pipestem driveway to collect trash and recyclables;
- With respect to those pipestem driveways where all residents thereon have executed the agreement by September 30, 1998, and thereafter a resident moves and is replaced with a new resident, the new resident must execute the agreement within two weeks after moving in or the trash and recyclable pick up on the pipestem for all residents of that pipestem will cease; and
- The Division of Solid Waste and Collection and Recycling will distribute copies of the agreement to all pipestem residents of the Oak Run Community no later than August 15, 1998.

There was a brief discussion regarding this item with input from David P. Bobzien, County Attorney.

40. **NO BOARD MATTERS TO PRESENT FOR BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA** (Tape 5)

Supervisor Bulova announced that she had no Board Matters to present today.

41. **RETIREMENT OF RAY GRAHAM, DEPUTY DIRECTOR, DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS)** (Tape 5)

Supervisor Kauffman stated that Ray Graham, Deputy Director, Department of Community and Recreation Services (CRS), is retiring after 27 years with the County. He will be most remembered by Lee District residents for his close work with the Burgundy Village Community Recreation Center.

Supervisor Kauffman asked unanimous consent that the Board direct staff to invite Mr. Graham to appear before the Board on September 14, 1998 to be recognized for his many years of service and accomplishments. Without objection, it was so ordered.

42. **LEGISLATIVE COMMITTEE TO REVIEW PROPOSAL FOR REQUIRING MOTORISTS TO MOVE THEIR VEHICLES FROM TRAVEL LANES WHENEVER POSSIBLE** (Tape 5)

Supervisor Kauffman said that the 1997 Session of the Virginia General Assembly considered and rejected two proposals to amend *Virginia Code* Section 46.2-888. Those amendments proposed to require the operator of any vehicle stopped because of breakdown or accident to remove that vehicle from the travel lanes unless the vehicle was not capable of being moved. Those proposals were defeated, and the General Assembly passed legislation that permits operators to move stopped vehicles from the travel lanes.

Supervisor Kauffman said that because of the reconstruction of I-95 is expected to cause more traffic congestion, it may be time to reconsider requiring motorists to move stopped vehicles from the travel lanes whenever possible

Therefore, Supervisor Kauffman moved that the Board refer this matter to the Legislative Committee and direct the Committee to consider new State legislation to require motorists to move their vehicles from the travel lanes whenever possible. This motion was seconded by Supervisor Mendelsohn and **CARRIED** by a recorded vote of six, Supervisor Gross voting "NAY," Supervisor Hyland and Supervisor McConnell being out of the room, Supervisor Dix being absent.

NV:nv

43. **POSSIBLE INTEGRATION OF THE POLICE COMMUNICATIONS ASSISTANTS INTO THE POLICE DEPARTMENT SALARY STRUCTURE** (Tape 6)

Supervisor Connolly reported that he and Supervisor Bulova attended a meeting of the Fairfax Coalition of Police, Local 5000, on July 29, 1998 where the issue of the pay of Police Communication Assistants (PCAs) was raised. The civilian PCAs are often the first interaction citizens have with the Police Department and Supervisor Connolly noted their high skill level. However, there is a difference in the salary structure between the PCAs and the emergency 911 dispatchers, with no future career path for the PCAs.

Accordingly, on behalf of Supervisor Bulova and himself, Supervisor Connolly moved that the Board direct the Personnel Committee to review the possibility of integrating the PCAs into the Police Department salary structure to ensure a fair review process and pay grade. This motion was seconded jointly by Supervisor Bulova and Supervisor Kauffman.

Following discussion regarding the fact that the Police Department has already begun to prepare information to present to the Personnel Committee, the question was called on the motion which carried by a vote of seven, Supervisor Hyland and Supervisor McConnell being out of the room, Supervisor Dix being absent.

44. **REVIEW OF ISSUE OF ADDING AN ADDITIONAL LONGEVITY STEP TO THE POLICE PAY SCALE** (Tape 6)

(NOTE: Earlier in the meeting, another Police Department salary issue was referred to the Personnel Committee. See Clerk's Summary Item CL#43.)

As noted earlier, Supervisor Connolly reported that he and Supervisor Bulova attended a meeting of the Fairfax Coalition of Police, Local 5000, on July 29, 1998 regarding personnel and pay scale issues. He noted that one of the pressing concerns of officers is the fact that there are no longevity steps in the current pay scale after step 10 which occurs at 15 years of service.

Accordingly, Supervisor Connolly moved that the Board refer the issue of adding an additional five percent longevity step at 20 years of service to the Police pay scale, which would affect an estimated 150 officers in the next fiscal year, to the Personnel Committee for its review and recommendation. This motion was seconded jointly by Supervisor Bulova and Supervisor Kauffman.

Supervisor Gross asked unanimous consent that the Board direct staff to try to schedule a meeting of the Personnel Committee in October. Without objection, it was so ordered.

The question was called on the motion which carried by a vote of seven, Supervisor Hyland and Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

45. **TEKAID, A NEW TRAINING AND EMPLOYMENT PROGRAM** (Tape 6)

Supervisor Connolly reported that on July 31, 1998, he and Supervisor Mendelsohn attended the kick-off ceremony of Tekaid, a new training and employment program designed to assist individuals, including those on welfare, to develop new information technology skills and rejoin the workforce. Tekaid is a public-private partnership among Virginia Tech, Mitretek, the Northern Virginia Regional Partnership, and the County. The program, whose first class includes 50 people, will involve a 14 week training course for which participants will receive 16 academic credits at Virginia Tech. After the first two months of training the trainees will then be involved in paid internships.

Supervisor Connolly noted that Tekaid is an exciting concept; it not only finds jobs for people, but it also gives them new, highly marketable skills in the fast-growing technology field. He expressed his hope that the private sector might provide additional funding for Tekaid so that it can expand its reach and fill more of the 19,000 technology jobs in the area that need to be filled with skilled workers. For additional information about Tekaid, interested persons may contact David Dunlop of Mitretek Systems or Dana Paige, Acting Director of the Department of Family Services.

A brief discussion ensued.

46. **EDGELEA WOODS RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)**
(Tape 6)

Supervisor Connolly stated that Edgelea Woods presently has a Residential Permit Parking District (RPPD) for Brightlea Drive and Snowbound Court; however, the residents of the area have requested that the RPPD be extended to include Oleander Avenue and Nursery Lane. Accordingly, he moved that the Board:

- Waive the minimum requirement of 100 contiguous or nearly contiguous parking spaces;
- Waive the \$10 per household application fee; and
- Direct the staff of the Department of Transportation (DOT) to begin to process the RPPD request once the signed petitions are received and perform the parking study soon after Oakton High School institutes the parking fees for the 1998-1999 school year.

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

47. **SIMULTANEOUS SITE PLAN PROCESSING FOR CHEVY CHASE BANK, SPECIAL EXCEPTION APPLICATION SE 98-P-026** (Tape 6)

Supervisor Connolly stated that Chevy Chase Bank is proposing a freestanding bank in Tysons at the intersection of Fletcher and International Drive and the applicants have requested concurrent processing of the Site Plan and Subdivision Plat with their Special Exception applications.

Accordingly, Supervisor Connolly moved that the Board direct the Acting Director of the Department of Public Works and Environmental Services (DPW&ES) and the Director of the Department of Planning and Zoning (DPZ) to simultaneously process the Site Plan and Subdivision Plat with Special Exception Application SE 98-P-026. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the application in any way. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Hyland and Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

48. **SIMULTANEOUS SITE PLAN PROCESSING FOR GREENSBORO CORPORATE CENTER, PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-D-045-2 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-D-038-2** (Tape 6)

Supervisor Connolly stated that the developers of the Greensboro Corporate Center have submitted proffered condition amendment and special exception amendment applications to make minor modifications to the approved Generalized Development Plan (GDP) which would adopt the current off-street parking standards of the Zoning Ordinance,

rather than those that were imposed in 1982. The proposed plan also substitutes a landscape plaza area for a small glass pavilion. The developers plan to commence construction of this office project in the fourth quarter of 1998 and are ready to submit site plans.

Therefore, Supervisor Connolly moved that the Board direct the Acting Director of the Department of Public Works and Environmental Services (DPW&ES) and the Director of the Department of Planning and Zoning (DPZ) to simultaneously process the Site Plans with Proffered Condition Amendment Application PCA 81-D-045-2 and Special Exception Amendment Application SEA 82-D-038-2. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the application in any way. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hyland and Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

49. **APPOINTMENT TO HUMAN SERVICES COUNCIL** (Tape 6)

(APPT)

Supervisor Connolly moved the appointment of Ms. Rosalind Engels to fill the unexpired term of the late James Pickford as the Providence District representative to the Human Services Council. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hyland and Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

50. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 98-Y-007 (CV-METROTECH, L.C.)** (Tape 6)

Supervisor Frey announced his intent to defer, at the appropriate time later in the meeting, the public hearing on Special Exception Application SE 98-Y-007, CV-Metrotech, L.C., scheduled for 4:30 p.m., because of problems with the affidavit.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#75.)

51. **INCLUSION OF RIGHTS-OF-WAY IN A SPECIAL EXCEPTION (SE) APPLICATION FILED BY THE BATMAN COMPANY** (Tape 6)

Supervisor Frey reminded the Board that on July 27, 1998 he presented a Board Matter regarding the inclusion of Murdock Street in a Special Exception application filed by the Batman Company. He explained that portions of two other dedicated rights-of-way that should have been included in the motion for that item, a piece of Barney Road and a portion of Thompson Road.

Accordingly, Supervisor Frey moved that the Board authorize the inclusion of a portion of Barney Road and Thompson Road, as well as the aforementioned Murdock Street, in the Special Exception for industrial flex to include warehousing and office uses in I-3 zoned property located on Tax Map 33-2((2)) Parcels 10B, 15C, 16, 17, 18, 18A, 20B, and 20D. He noted that it is understood that this motion does not relieve the applicant from complying with the provisions of any applicable conditions, regulations, or adopted standards and does not prejudice the consideration of this application in any way. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Dix being absent.

52. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 98-D-020** (Tape 6)

Supervisor Mendelsohn announced his intent to defer, at the appropriate time later in the meeting, the public hearing on Special Exception Application SE 98-D-020.

(NOTE: Later in the meeting, this public hearing was deferred indefinitely. See Clerk's Summary Item CL#66.)

53. **PRESENTATION OF BOARD MATTERS BY MOUNT VERNON DISTRICT SUPERVISOR GERALD W. HYLAND** (Tape 6)

Chairman Hanley announced that Supervisor Hyland would present his Board Matters later in the meeting.

(NOTE: Later in the meeting, Supervisor Hyland presented his Board Matters. See Clerk's Summary Items CL#61 through CL#63.)

54. **EXTENSION OF TIME PERIOD WITHIN WHICH FINAL SUBDIVISION PLAT APPROVAL MUST BE APPROVED FOR PROPERTY LOCATED AT 8447 LEE ALAN DRIVE** (Tape 6)

Supervisor McConnell stated that at its June 3, 1998 meeting, the Board approved Public Street Frontage Waiver Number 015948 to allow the subdivision of an 8.8 acre, R-1 parcel located at 8447 Lee Alan Drive into two lots. According to the conditions of the Board's approval, the applicants, Mr. and Mrs. Gary Shafer, had to file for a Board of Zoning Appeals (BZA) lot width variance within 30 days and obtain final subdivision plat approval within one year after the BZA approval of the variance, unless the time period is extended by the Board of Supervisors.

Noting that the Shafers have requested additional time to obtain the final Subdivision Plat approval and that such an extension is reasonable, Supervisor McConnell moved that the

Board extend the time period within which final subdivision plat approval for property located at 8447 Lee Alan Drive must be obtained under the conditions of approval of Waiver Number 015948 to April 1, 1999, provided that the final subdivision plat is recorded on or before May 28, 1999. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hyland and Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

55. **REVISED TIME TABLE FOR THE SPRINGFIELD INTERCHANGE PROJECT AS REPORTED IN THE PRESS** (Tape 6)

Supervisor McConnell noted that she had read a report in the press that the timetable for the completion of the Springfield interchange project has been shortened to four to five years. A brief discussion ensued.

56. **APPOINTMENT OF MS. JANET COLDSMITH AS THE DIRECTOR OF THE DEPARTMENT OF TAX ADMINISTRATION'S REAL ESTATE DIVISION** (Tape 6)

Chairman Hanley noted the County Executive's Board notification of the appointment of Ms. Janet E. Coldsmith as the Director of the Department of Tax Administration's Real Estate Division. She extended congratulations to Ms. Coldsmith.

57. **RECESS/EXECUTIVE SESSION** (Tape 6)

At 1:05 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda for this meeting and in addition:

- *C & A Carbone, Incorporated versus Town of Clarkstown, New York*, 511 U.S. 383, 114 S. Ct. 1677 (1994).

The second to this motion was inaudible.

Following a query to David P. Bobzien, County Attorney, Chairman Hanley announced that the Board would convene Executive Session at 2:20 p.m.

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

CM:cm

At 4:20 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Dix, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

58. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 7)

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 Gross and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland voting "AYE" for that portion of the Session which he had attended, Supervisor Dix being absent.

59. **SETTLEMENT IN MCLEAN HOTEL ASSOCIATES VERSUS BOARD OF SUPERVISORS AT LAW NUMBER 157944** (Tape 7)

Supervisor Connolly moved that the Board authorize settlement in *McLean Hotel Associates versus Board of Supervisors*, At Law Number 157944, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Gross and carried by a vote of nine, Supervisor Dix being absent.

AGENDA ITEM

60. **I-4 - REQUEST FOR PROPOSAL (RFP) FOR GOVERNMENT CENTER PROPERTY, LAND BAY A (SULLY DISTRICT)** (Tape 7)

(NOTE: Earlier in the meeting, action regarding this item was deferred. See Clerk's Summary Item CL#26.)

The Board next considered an item contained in the Memorandum to the Board dated August 3, 1998 presenting a draft Request for Proposal (RFP) for the sale of Government Center property, Land Bay A, located at the intersection of Fair Lakes Parkway and West Ox Road.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS61. **COMMUNITY CORRECTIONS** (Tape 7)

Supervisor Hyland stated that recently former Mount Vernon District Supervisor Warren Cikins, team leader of a select committee, published "*Community Corrections, A Call for Punishments That Make Sense.*" This publication was produced by the Center for Community Corrections (CCC).

The CCC is a coalition of former public officials, researchers, and correctional professionals representing local, state and federal interests. The CCC was created in 1987 to promote the overall concept of community-based sanctions as well as specific program initiatives based on current research and actual program application with a purpose to assist in shaping public policy through communication with legislative bodies, correctional officials, and the media.

The leadership committee which produced the document included members from the criminal justice community such as Federal Bureau of Prisons, National Institute of Corrections, National Center for Citizen Participation in the Administration of Justice, and Florida, Iowa, Virginia, Minnesota, Oregon and other state agencies. Included in this publication are descriptive, effective community corrections programs, crime prevention programs, and available resource avenues.

Supervisor Hyland asked unanimous consent that the Board direct staff to refer this issue to the Community Criminal Justice Board to:

- Review the document and determine what initiatives, if any, can be incorporated in the County; and
- Provide the Board with its recommendations.

Without objection, it was so ordered.

62. **COMMENDATIONS ACCORDED TO TWO EMPLOYEES OF THE UTILITIES PLANNING AND DESIGN DIVISION OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPW&ES)** (Tape 7)

Supervisor Hyland called the Board's attention to a letter from Del Stover, past President of the White Oaks Civic Association, acknowledging the outstanding efforts of Roy Lee and Steve Aitcheson of the Utilities Planning and Design Division of the Department of Public Works and Environmental Services (DPW&ES) on behalf of their community. Mr. Lee and Mr. Aitcheson assisted the community regarding a drainage problem, displaying a genuine sense of responsibility and service to the citizens of the White Oaks community.

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

- Convey the Board's congratulations and recognition for the exceptional service to the citizens of the White Oaks community provided by Mr. Lee and Mr. Aitcheson; and
- Include this recognition and a copy of the letter from Mr. Stover in the respective personnel files of Mr. Lee and Mr. Aitcheson.

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

63. **OUTSTANDING COMMUNITY SERVICE** (Tape 7)

Supervisor Hyland stated that he recently received a letter from a constituent regarding an experience he had when visiting Fire Station Number 27 in West Springfield. The letter states that Firefighter Brian Morton was extremely helpful in providing directions to a difficult-to-find address, cheerfully interrupting his noon meal to do so. Supervisor Hyland stated that the constituent was impressed by Firefighter Morton's attitude toward the public and he was appreciative of his assistance.

Noting that every employee of the County is a public employee and that every employee should strive to exhibit this kind of positive and friendly attitude, Supervisor Hyland thanked Firefighter Morton for his outstanding public service. He moved that the Board direct staff to make Chief Glenn Gaines and Captain Ronald Deskins aware of Firefighter Morton's actions and take the necessary action to include these favorable comments in Firefighter Morton's personnel file. This motion was seconded by Supervisor Kauffman and carried by a vote of nine, Supervisor Dix being out of the room.

64. **UPDATED FAIRFAX COUNTY GOVERNMENT TELEPHONE DIRECTORY**
(Tape 7)

Supervisor Gross stated that she has copies of the updated Fairfax County Government Telephone Directory which she will distribute to Board Members and thanked staff for their efforts in completing the directory. Regular distribution will be completed next week.

AGENDA ITEMS

65. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-B-004 (BOARD OF MISSIONS OF MOUNT VERNON BAPTIST ASSOCIATION, LIMITED) (BRADDOCK DISTRICT)** (Tape 8)

Supervisor Bulova moved to defer the public hearing on Special Exception Application SE 98-B-004 until **September 28, 1998 at 3:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being absent.

66. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-D-020 (DAVID**

A. HARRISON AND WALTER O. HARRISON) (DRANESVILLE DISTRICT)

(Tape 8)

Supervisor Mendelsohn moved to defer indefinitely the public hearing on Special Exception Application SE 98-D-020. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being absent.

67. 3:30 P.M. - PH ON THE ACQUISITION OF A CERTAIN EASEMENT NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - HUNTER MILL ROAD/WICKENS ROAD (SULLY DISTRICT)

(Tape 8)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 16 and July 23, 1998.

Following the public hearing, Supervisor Frey moved adoption of the Resolution authorizing the acquisition of interests in real property necessary for the construction of County Road Bond Project 064180 - Hunter Mill Road/Wickens Road. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

68. 3:30 P.M. - PH ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF CHICHESTER LANE (PROVIDENCE DISTRICT) (Tape 8)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 16 and July 23, 1998.

Following the public hearing, Supervisor Connolly moved adoption of an Ordinance vacating and abandoning a portion of Chichester Lane. This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

69. 4:00 P.M. - BOARD DECISION ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 24, REGARDING SIZE RESTRICTIONS FOR REAL ESTATE TAX ABATEMENT FOR CERTAIN RESIDENTIAL STRUCTURES (Tape 8)

[NOTE: On June 29, 1998, the Board held a public hearing on proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 24, and deferred decision until August 3, 1998.]

Supervisor Hyland moved to defer Board decision on the proposed amendment to the

Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 24, regarding size restrictions for real estate tax abatement for certain residential structures until October 12, 1998. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

70. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-S-039-2 (FAIRFAX CORNER ASSOCIATES, LC, JOHN F. SWART, JR., TRUSTEE, AND SARAH C. THOMPSON SWART) (SULLY DISTRICT)** (Tape 8)

Supervisor Frey moved to defer the public hearing on Proffered Condition Amendment Application PCA 87-S-039-2 until **October 19, 1998 at 3:30 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Connolly and Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

71. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-M-017 (MOON KIL PARK) (MASON DISTRICT)** (Tape 8)

Ms. Marie Travesky reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Peter Kortright, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 94-M-017; and
- Waiver of the transitional screening and barrier requirements in favor of that shown on the Special Exception Plat, pursuant to Paragraph Two of Section 13-304 of the Zoning Ordinance.

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

72. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-D-093-13 (MONUMENT FOUR, LLC AND WORLDGATE PROPERTIES, LLC) (DRANESVILLE DISTRICT)** (Tape 8)

Mr. John 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.

Following the public hearing, which included testimony by one speaker, Catherine Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved approval of Proffered Condition Amendment Application PCA 86-D-093-13 subject to the executed proffers dated August 3, 1998. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Connolly being out of the room, Supervisor Dix being absent.

73. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING DELETION OF COUNTY DEPARTMENT OF HEALTH REPORTS AND DETERMINATIONS FOR HOME CHILD CARE FACILITIES, CHILD CARE CENTERS, NURSERY SCHOOLS, PRIVATE SCHOOLS OF GENERAL EDUCATION, AND PRIVATE SCHOOLS OF SPECIAL EDUCATION** (Tape 8)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 16 and July 23, 1998.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding the deletion of County Department of Health reports and determinations for home child care facilities, child care centers, nursery schools, private schools of general education, and private schools of special education **to become effective on August 4, 1998 at 12:01 a.m.** This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

SBE:sbe

74. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 89-A-071 (BOURJ, LIMITED) (BRADDOCK DISTRICT)** (Tape 9)

Mr. Kevin J. Mullin reaffirmed the validity of the affidavit for the record.

Mr. Mullin 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, Catherine Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- Approval of Special Exception Amendment Application SEA 89-A-071 subject to the proposed development conditions dated July 8, 1998; and
- Reaffirmation of the previously granted modifications of the transitional screening and waiver of the barrier requirements along the western property line, as noted in the proposed development conditions.

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

75. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-Y-007 (CV-METROTECH, L.C.) (SULLY DISTRICT)** (Tape 9)

Supervisor Frey moved to defer the public hearing on Special Exception Application SE 98-Y-007 until **September 14, 1998 at 5:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Dix being absent.

76. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-MV-021 (FFA COMPANY, L.C.) (MOUNT VERNON DISTRICT)** (Tape 9)

(O) Mr. James D. Turner reaffirmed the validity of the affidavit for the record.

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

- In excess of \$100 from Mr. James D. Turner.

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

Supervisor Hyland moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-MV-021 be amended from the R-2, C-8, Highway Corridor Overlay, and Historic Overlay Districts to the C-2, Highway Corridor Overlay, and Historic Overlay Districts subject to the execution of the undated proffers, which are stamped received by the Department of Planning and Zoning (DPZ) on August 3, 1998;
- Waiver of minimum lot width;
- Waiver of the barrier requirement along the eastern boundary;
- Modification of transitional screening along the eastern boundary and western boundary in the area in front of the building and along the southern side of the driveway in accordance with the proffered Generalized Development Plan (GDP); and
- Waiver of the service drive requirement on Mount Vernon Memorial Highway.

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

77. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-059-4 (BSI, INCORPORATED T/A BROWNE ACADEMY) (LEE DISTRICT)** (Tape 9)

Mr. Shaun B. Curran reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Amendment Application SEA 85-L-059-4 subject to the development conditions dated July 21, 1998.
- Reaffirmation of the modification of transitional screening and barrier requirements in favor of that shown on the SEA Plat,

subject to the proposed development conditions; and

- Approval of expedited processing of the Clerk's letter to allow the applicant to obtain permits to install the temporary classroom trailer as soon as possible.

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

78. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-D-051-2 (EMERSON ONE, L.C.) (DRANESVILLE DISTRICT)** (Tape 9)

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

Mr. Young 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, Elaine Jensen, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Proffered Condition Amendment Application PCA 90-D-051-2 subject to the executed proffers dated July 14, 1998;
- Modification of the transitional screening requirement and waiver of the barrier requirement along the western and northern boundaries of the site;
- Modification of the use limitations for secondary uses in the PDC Zoning District to allow the veterinary hospital to occupy more than 25 percent of the area devoted to principal uses, as previously approved by the Board in PCA 90-D-051; and
- Approval of expedited processing of the Clerk's letter to allow the applicant to obtain permits to begin construction as soon as possible.

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

79. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-069-9 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 95-Y-033 (MERIDIAN/FAIR LAKES LLC) (SULLY DISTRICT)** (Tape 9)

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

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

Following the public hearing, Susan Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 82-P-069-9 subject to the executed proffers dated July 27, 1998. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Bulova, and Supervisor Hyland being out of the room, Supervisor Dix being absent.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 95-Y-033 subject to the development conditions dated July 20, 1998. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova and Supervisor Hyland being out of the room, Supervisor Dix being absent.

80. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 96-S-012 AND SPECIAL EXCEPTION APPLICATION SE 98-S-010 (STONEMARK CORPORATION) (SPRINGFIELD DISTRICT)** (Tape 9)

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

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

Following the public hearing, Susan Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Approval of Proffered Condition Amendment Application PCA 96-S-012 subject to the executed proffers dated July 14, 1998;
- Approval of Special Exception Application SE 98-S-010 subject to the development conditions dated July 1, 1998; and
- Reaffirmation of the modifications of the transitional screening requirements and waiver of the barrier requirements along the

northeast and western property lines in favor of that shown on the Generalized Development Plan/Special Exception (GDP/SE) Plat and as proffered and conditioned.

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

81. **5:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT) AGRICULTURAL AND FORESTAL DISTRICT RENEWAL APPLICATION AR 89-S-003 (THOMAS E. AND MADELINE S. REED) (SPRINGFIELD DISTRICT)** (Tape 9)

- (O) Mr. Thomas E. and Madeline S. Reed reaffirmed the validity of the affidavit for the record.

Mr. and Mrs. Reed 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 they proceeded to present their case.

Following the public hearing, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), Appendix F, to renew the Reed Local Agricultural and Forestal District (AR 89-S-003) subject to the provisions in Appendix One of the staff report dated June 24, 1998. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being absent.

ADDITIONAL ACTION FROM EXECUTIVE SESSION

82. **AMENDMENT TO THE EMPLOYMENT CONTRACT FOR THE COUNTY EXECUTIVE** (Tape 9)

Supervisor Gross stated that when the Board entered into the employment contract with County Executive on June 9, 1997, the provision dealing with his retirement required the

Board to consider a change to the Supplemental Retirement System that would permit portability of service credit from the systems of other jurisdictions throughout the State, such as the one in which the County Executive was enrolled when he was with the City of Hampton, and the County's system. That provision further required that if a change was not adopted by August 1, 1998, the Board would, in good faith, renegotiate that portion of the contract.

Noting that the date has passed, Supervisor Gross stated that the change that was anticipated a year ago has not taken place, and the contemplated ability of the County Executive to vest in the County's system with his years of credit from Hampton has not materialized. Therefore, Supervisor Gross moved that the Board authorize the Chairman, on behalf of the Board, to enter into an amendment to the employment contract that would provide that should the County Executive's contract be terminated by mutual agreement or by the Board, except for cause as stipulated in the contract, prior to August 4, 2002, the fifth anniversary of his service, the Board would at that time purchase an annuity that would provide a monthly payment to the County Executive for life commencing at age 65 in the amounts outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Frey voting "NAY," Supervisor Dix being absent.

AGENDA ITEMS

83. **5:00 P.M. - PH ON REZONING APPLICATION RZ 95-D-018 (EDGEMOORE HOMES LLC) (DRANESVILLE DISTRICT)** (Tape 9)

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

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

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), 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-018 be amended from the R-1 District to the PDH-2 District subject to the execution of the proffers dated July 30, 1998;
- Waiver of Section 2-414 to place residential units within 200 feet of the Dulles Airport Access Road (DAAR);

- Waiver of service drive requirement along Route 7, as shown on the applicant's development plan;
- Waiver of the 600 foot maximum length for private streets;
- Waiver of the requirement to provide an enclosed 200 square foot privacy yard for the single-family attached units; and
- Waiver of the trail service drive along the DAAR.

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

84. **5:00 P.M. - PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) TO CHANGE THE NAME AND THE POLLING PLACE OF THE CHENEY PRECINCT (MOUNT VERNON DISTRICT)** (Tape 9)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 20 and July 28, 1998.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District), Article 2, to relocate the polling place for the Cheney Precinct from the Cheney Elementary School to the Fort Belvoir Elementary School and rename the Cheney Precinct as the Belvoir Precinct. The motion, the second to which was inaudible, carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Dix being absent.

85. **6:00 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 9)

Certificates of Publication were filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 16 and July 23, 1998.

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

The public hearing was called and began with testimony from the following speaker:

- Ms. Maria Campione-Lawrence regarding blighted properties.

A brief discussion ensued.

(NOTE: Later in the meeting, public comment resumed. See Clerk's Summary Item CL#87.)

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

At 5:50 p.m., the Board recessed briefly, and at 6:00 p.m., reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Connolly, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell, and with Chairman Hanley presiding.

87. **CONTINUATION OF PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tapes 9-10)

(NOTE: Earlier in the meeting, this public hearing was called and testimony was presented by one speaker. See Clerk's Summary Item CL#85.)

The public hearing continued and included testimony from the following speakers:

- Mr. William Robson, regarding modifying the Zoning Ordinance;
- Reverend David Hunter, regarding modifying the Zoning Ordinance; and
- Mr. Ron Downing, regarding special use permits for places of worship.

Following the public hearing, Supervisor Frey moved that the Board include proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) concerning Conditional Use Permits in the Zoning Ordinance Priority Work List. This motion was seconded by Supervisor Mendelsohn.

Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and asked to amend the motion to hold a Development Process Committee meeting on this issue so that the Board could decide where this item would go on the list, but this was not accepted.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

Following discussion, Supervisor Bulova asked to amend the motion to add this item to the Work List with the understanding that it would be substituted for an item already on the list with the substitution decision to be made at the next meeting of the Development Process Committee, and this was accepted.

Following additional discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board direct staff to provide information in reference to this issue as to what the different requirements are and what the effect would be in the R-C District in the Occoquan. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

The question was called on the motion, as amended, which carried by a vote of six, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room, Supervisor Dix being absent.

Supervisor Frey stated that, in coordination with Supervisor Gross, he would announce a date for a meeting of the Development Process Committee as soon as possible.

88. **BOARD ADJOURNMENT** (Tape 10)

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