



# **CLERK'S BOARD SUMMARY**

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

**MONDAY  
July 1, 2002**

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**16-02**

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**SBE:sbe**

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

Supervisor McConnell arrived at 10 a.m.

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

### **BOARD MATTER**

1. **FIRST DAY OF FISCAL YEAR (FY) 2003** (Tape 1)

Chairman Hanley announced that today was the first day of FY 2003.

### **AGENDA ITEMS**

2. **CERTIFICATE OF RECOGNITION PRESENTED TO GREG WHITAKER** (Tape 1)

Supervisor Connolly moved approval of the Certificate to Recognition presented to Greg Whitaker for receiving the American Automobile Association's National School Safety Patrol Lifesaver award. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell not yet having arrived.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. DENNIS NELSON** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Dennis Nelson for his years of service in Fairfax County Public Schools. Supervisor Connolly seconded the motion and it carried by unanimous vote.

**ADDITIONAL BOARD MATTER**

4. **CABLE CHANNEL 16 DIFFICULTIES IN TRANSMITTING THE BOARD MEETING** (Tape 1)

Chairman Hanley announced that Cable Channel 16 was having trouble transmitting the Board meeting to the Pennino Building, the Herry Building, and the Government Center.

**AGENDA ITEMS**

5. **CERTIFICATE OF RECOGNITION PRESENTED TO WESTMINSTER BUILDERS CLUB** (Tape 1)

Supervisor Gross stated that there were two presentations for the Westminster Builders Club and moved approval of the Certificate of Recognition presented to Westminster Builders Club for receiving a Daily Points of Light award. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Jane Kornblut, Executive Director of Volunteer Fairfax, presented a Daily Points of Light award to the Westminster Builders Club.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. EDWIN S. "SAM" CLAY III** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to Mr. Edwin S. "Sam" Clay III for being honored by the Virginia Public Library Director's Association as Outstanding Library Director for his work as chair of the association's legislative committee. Supervisor Gross seconded the motion and it carried by unanimous vote.

7. **10 A.M. – PRESENTATION BY THE NORTHERN VIRGINIA WORKFORCE INVESTMENT BOARD (NVWIB)** (Tape 1)

Bob Rogers, Chairman, NVWIB, and David Hunn, Executive Director, NVWIB, gave the presentation.

Discussion ensued with input from Mr. Hunn.

DMB:dmb

8. ADMINISTRATIVE ITEMS (Tape 2)

Supervisor Connolly moved approval of the Administrative Items, with the exception of Admin 16, which was withdrawn by staff. Supervisor Hyland seconded the motion.

Supervisor Connolly called the Board's attention to Admin 8 – Supplemental Appropriation Resolution AS 03024 for the Fire and Rescue Department to Accept the Annual Fire Programs Aid to Localities Disbursement from the Virginia Department of Fire Programs, and discussion ensued with input from Anthony H. Griffin, County Executive.

Supervisor Connolly said that no backup material indicating how the grant funds will be dispersed was presented to the Board regarding this item and he asked unanimous consent that the Board direct staff to provide this information not only for this item but also in similar future administrative items. Without objection, it was so ordered.

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

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE AND SPRINGFIELD DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
SMC of McLean, Section 1	Dranesville	Woodhurst Boulevard Prestwould Place Mirador Place Mayhurst Boulevard Lewinsville Road Route 694 Additional ROW Only Leesburg Pike Route 7 Additional ROW Only
SMC of McLean, Section 2	Dranesville	Mayhurst Boulevard
Skidmore	Springfield	Simpson Lane

**ADMIN 2 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03016 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS) TO CONTINUE THE VIRGINIA INSTITUTE FOR SOCIAL SERVICES TRAINING ACTIVITIES (VISSTA) FOR HUMAN SERVICES STAFF AND LICENSED AND NON-LICENSED DAY CARE PROVIDERS**

- (SAR) Approved SAR AS 03016 for DFS to accept grant funds from VDSS in the amount of \$636,697 for State sponsored training through the VISSTA program. No local cash match is required.

**ADMIN 3 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03020 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT (JDRDC) TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS) TO CONTINUE THE INTENSIVE AFTERCARE SUPERVISION COMPONENTS FOR THE TRANSITIONAL LIVING PROGRAM AT THE BOYS PROBATION HOUSE AND FOR THE POST-DISPOSITIONAL TREATMENT PROGRAM AT THE JUVENILE DETENTION CENTER (JDC)**

- (SAR) Approved SAR AS 03020 in the amount of \$75,000 for JDRDC to continue the intensive aftercare supervision components for the Boys Probation House Transitional Living Program and for the post-dispositional treatment program in the JDC. \$37,500 is available from DCJS and the remaining \$37,500 is the required local cash match. The full cost of the program is \$158,806. The remaining \$83,803 in costs for salary, fringe benefits, and operating costs will be absorbed within the agency's approved Fiscal Year 2003 General Fund budget.

**ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03017 FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT GRANT FUNDS FOR FISCAL YEAR 2003 TITLE V, SENIORS IN COMMUNITY SERVICES EMPLOYMENT PROGRAM (SCSEP)**

- (SAR) Approved SAR AS 03017 in the amount of \$86,727 for the Title V, SCSEP Older Worker Employment Program. The SCSEP is administered by the Fairfax Area Agency on Aging on behalf of DFS. A ten percent local cash match of \$8,673 is required.

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 6 (DEFERRED COMPENSATION PLAN ORDINANCE)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 22, 2002, at 4:30 p.m.** to consider proposed amendments to the Code of the

County of Fairfax, Chapter 3 (County Employees), Article 6, relating to the Fairfax County Deferred Compensation Plan.

**ADMIN 6 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY TO THE BUREAU OF JUSTICE ASSISTANCE (BJA) FOR A GRANT UNDER THE LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) PROGRAM**

Authorized the FCPD to apply for grant funding in the amount of \$192,367 available from the Department of Justice's BJA, under the LLEBG Program. The funding includes \$173,130 in direct LLEBG funding from BJA and \$19,237 in required local cash match.

**ADMIN 7 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (DRANESVILLE, LEE, AND MASON DISTRICTS)**

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

- Application FS-L02-9 to August 30, 2002
- Application FSA-M97-15-1 to September 2, 2002
- Application 2232-M02-10 to September 6, 2002
- Application 2232-D02-14 to September 15, 2002

**ADMIN 8 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03024 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT THE ANNUAL FIRE PROGRAMS AID TO LOCALITIES DISBURSEMENT FROM THE VIRGINIA DEPARTMENT OF FIRE PROGRAMS (VDFP)**

(SAR) (NOTE: Earlier in the meeting additional action was taken regarding this item. See page 3.)

Approved SAR AS 03024 in the amount of \$1,236,025 for the FRD to accept the annual Fire Programs Aid to Localities disbursement from VDFP. These funds are available for the improvement of volunteer and career fire service operations within the Commonwealth of Virginia. No local cash match is required.

**ADMIN 9 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 03023 FOR THE DEPARTMENT OF TRANSPORTATION'S (DOT)  
PUBLIC TRANSPORTATION INTERNSHIP PROGRAM**

- (SAR)
- Approved SAR AS 03023 in the amount of \$35,832 for a 12 month internship within DOT. This total includes \$34,040 in State funds from the Virginia Department of Rail and Public Transportation and \$1,792 in local cash match.
  - Authorized the Director of DOT to sign the necessary grant documents to execute this grant.

**ADMIN 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 03021 FOR THE DEPARTMENT OF TRANSPORTATION'S (DOT)  
RIDESOURCES MARKETING AND RIDESHARING PROGRAM**

- (SAR)
- Approved SAR AS 03021 in the amount of \$350,000, which includes \$280,000 in State funds from the Virginia Department of Rail and Public Transportation, and \$70,000 in local cash match.
  - Authorized the Director of DOT to sign the necessary grant documents to execute this grant.

**ADMIN 11 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)  
AS 03026 FOR THE DEPARTMENT OF TRANSPORTATION'S (DOT)  
EMPLOYER SERVICES PROGRAM**

- (SAR)
- Approved SAR AS 03026 in the amount of \$167,550 for the Fiscal Year (FY) 2003 Employer Services Program. Regional Congestion Mitigation Air Quality funds will be provided in this amount to support this program. No local cash match is required.
  - Authorized the Director of DOT to sign the necessary grant documents to execute this grant.
  - Authorized the Director of DOT to take the necessary actions to continue the County's working relationship with the Dulles Area Transportation Association and to utilize up to \$20,000 of these FY 2003 funds for this effort.

**ADMIN 12 – RESOLUTION TO INSTALL "WATCH FOR CHILDREN" SIGNS AS PART OF THE FAIRFAX COUNTY RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (HUNTER MILL AND SULLY DISTRICTS)**

- (R)
- Adopted the Resolution endorsing the installation of "Watch for Children" signs as part of the Department of Transportation's R-TAP at the following locations:
    - Lake James Drive (Hunter Mill District)
    - Pickwick Road (Sully District)

**ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON OLD CENTREVILLE ROAD/CENTREWOOD DRIVE AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (SULLY DISTRICT)**

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **August 5, 2002, at 4 p.m.** for the purpose of endorsing a proposal to prohibit through truck traffic on Old Centreville Road/Centrewood Drive between Compton Road and New Braddock Road as part of the R-TAP.

**ADMIN 14 – INSTALLATION OF MULTI-WAY STOPS AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION'S (DOT) RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (SPRINGFIELD AND SULLY DISTRICTS)**

- Endorsed the installation of multi-way stops as part of DOT's R-TAP at the following locations:
  - Stonefield Drive and Marbleston Drive (Springfield District)
  - Old Centreville Road and Flamborough Road, south intersection (Sully District)
  - Lee's Corner Road and Tabscott Drive (Sully District)
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

**ADMIN 15 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03027 AUTHORIZING THE FAIRFAX COUNTY DEPARTMENT OF COMMUNITY AND RECREATION SERVICES (CRS) TO ACCEPT FUNDING FOR VIRGINIA AMERICORPS PROGRAM FUNDING FROM THE VIRGINIA COMMISSION ON NATIONAL AND COMMUNITY SERVICES (VCNCS) TO SUPPORT THE STRENGTHENING COMMUNITIES INITIATIVE**

- (SAR) Approved SAR AS 03027 in the amount of \$92,534 from the VCNCS to support the Strengthening Communities Initiative. The total cost of the program is \$112,320. The remaining \$19,786 in required local funding will be absorbed within the Fiscal Year 2003 CRS General Fund budget. No additional local cash match is required.

**ADMIN 16 – AUTHORIZATION FOR THE OFFICE OF PARTNERSHIPS IN COLLABORATION WITH COMMUNITY AND BUSINESS PARTNERS, TO APPLY TO THE US DEPARTMENT OF EDUCATION FOR GRANT FUNDS THROUGH THE OFFICE OF VOCATIONAL AND ADULT EDUCATION, COMMUNITY TECHNOLOGY CENTERS PROGRAM**

(NOTE: This item was withdrawn by staff.)

**ADMIN 17 – PERMISSION FOR THE CHILD CARE ADVISORY COUNCIL (CCAC) IN CONJUNCTION WITH THE DEPARTMENT OF FAMILY SERVICES/OFFICE FOR CHILDREN (DFS/OC) TO APPLY FOR FEDERAL GRANT FUNDING UNDER THE EARLY LEARNING OPPORTUNITIES ACT (ELOA)**

Approved CCAC's submission of a competitive application for funding in the amount of \$895,385 to participate in the Federal ELOA program. Of this total, \$761,077 is requested from the US Department of Health and Human Services, while the remaining \$134,308 in required match will be met through the provision of in-kind services.

9. **A-1 – EXPANSION OF THE APPROVED SEWER SERVICE AREA (ASSA) TO INCLUDE A PORTION OF THE AREA GENERALLY LOCATED EAST OF INTERSTATE 495 (I-495) AND NORTH OF GEORGETOWN PIKE (DRANESVILLE DISTRICT)** (Tape 2)

On motion of Supervisor Mendelsohn, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and expanded the ASSA to include an approximately 175-acre area generally located east of I-495 between Georgetown Pike and the George Washington Memorial Parkway.



10. **A-2 – BOARD POSITION ON PROPOSED AMENDMENTS TO THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE (VUSBC) (Tape 2)**

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

- Adopt a position in opposition to several proposed changes to the VUSBC currently under consideration by the Virginia Board of Housing and Community Development (BHCD).
- Authorize staff to send a letter requesting the BHCD's action on the proposed amendments.

The second to the motion was inaudible.

Extensive discussion ensued with input from Zofia A. Zager, Director, Office of Building Code Services, Department of Public Works and Environmental Services.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to add the terminology "please" before the term "Deny the proposed amendment to..." in the letter to the BHCD regarding action on the proposed amendments to the VUSBC currently under consideration. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide information on the origination of proposed language that is introducing a State Legislative level regarding the:

- Proposed amendment to Section 111.5 of the VUSBC regarding authorization to construct one-and-two family dwellings on any site within a jurisdiction without the opportunity for review and approval of site-specific issues.
- Proposed amendment to Section R310.1 of the VUSBC regarding a requirement for an emergency escape.

Without objection, it was so ordered.

Supervisor Connolly moved to amend the motion and add to Section R310.1 the fact of how serious a public safety issue this is especially since the County recently has experienced a fatality regarding an emergency escape incident. Supervisor Gross seconded the amendment to the motion and it carried by unanimous vote.

Supervisor McConnell called the Board's attention to Section 308.2, regarding group homes licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services of the Virginia Department of Social Services and the modification that would allow up to 16 persons in a possibly unlicensed, unattended environment to also be classified within a residential use group.

Following additional discussion, Supervisor McConnell asked unanimous consent that the Board direct staff to bring the item to the attention of the State Mental Health Board. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to send a copy of the Board's letter to Virginia Governor Mark R. Warner's Chief of Staff indicating the Board's concerns. Without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to notify the Professional Firefighters Association indicating the Board's concerns regarding Section 308.2. Without objection, it was so ordered.

Supervisor Gross said that building officials in other jurisdictions also might have similar concerns; therefore, she asked unanimous consent that the Board direct staff to determine the feasibility of coalescing with them. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to also notify the Virginia Municipal League and the National Association of Counties regarding the Board's concerns. Without objection, it was so ordered.

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

11. **A-3 – APPROVAL OF WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) RAIL CAR PROCUREMENT FUNDING AGREEMENT** (Tape 2)

On motion of Supervisor Hyland, seconded by Supervisor Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved an agreement between the County and WMATA to purchase Metrorail cars to increase capacity throughout the Metrorail system utilizing Northern Virginia Transportation District Commonwealth of Virginia funds.

12. **A-4 – CHANGES TO THE FAIRFAX COUNTY PURCHASING RESOLUTION** (Tape 2)

(R) Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the changes to the Fairfax County Purchasing Resolution, to become effective July 1, 2002. Supervisor Bulova seconded the motion.

Following discussion with input from Armand E. Malo, Director, Department of Purchasing and Supply Management, the question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

13. **A-5 – PLANNING THE REUSE OF THE HISTORIC AND ADAPTIVE REUSE AREAS OF THE LAUREL HILL/LORTON CORRECTIONAL COMPLEX** (Tape 2)

(BACs) Following discussion, Anthony H. Griffin, County Executive, clarified the intent of staff recommendations regarding a Countywide based Advisory Committee to assist in the planning of the adaptive reuse of Laurel Hill and the approval of the Scope and Format for Evaluating Reuse of Building as accepted by the Virginia Department of Historic Resources and the Lorton Historic Society.

Supervisor Hyland moved that the Board direct staff to replace the staff recommendation included in the Board Agenda item with the following recommendation outlined by Mr. Griffin:

- Approval of the creation of three positions to help oversee the acceptance and planning of the use of Laurel Hill. The property is approximately four square miles and includes 1.5 million square feet of buildings that exist on the property at the time of acceptance later this month.
- Appointment of a Countywide Advisory Committee by the Board to assist the staff in the planning of the adaptive reuse areas. Those are the areas that are not scheduled at this point to go to either of the Park Authorities.
- The Fairfax County Park Authority and the Northern Virginia Regional Park Authority begin the planning process for the acreage that is identified in the Comprehensive Plan also known as the Reuse Plan scheduled to go to those two authorities. They would begin that planning process concurrently with the planning process for the adaptive reuse areas.

Supervisor Connolly seconded the motion.

Following discussion, with input from Mr. Griffin, Supervisor Hyland amended his motion to include Attachment I of the Board Agenda item, and this was accepted.

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

14. **A-6 – PROPOSED FEDERAL CAPITAL IMPROVEMENTS PROGRAM (CIP) - NATIONAL CAPITAL REGION, FISCAL YEARS (FY) 2003 - 2008**  
(Tape 2)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and authorize the submission of amended comments (as outlined below) to the National Capital Planning Commission (NCPC) stating, that while in general, the County endorses the projects recommended by NCPC for the Proposed Federal CIP, FY 2003 - FY 2008, the County desires to receive complete details and be given the opportunity to review and comment on all Federal projects as they move towards final planning, land acquisition and construction. In addition, the County's comments urge a complete and comprehensive update of the Real Property Master Plan for Fort Belvoir to identify and assess future facilities planned at that installation.

Supervisor Kauffman referred to the letter on handwritten page two of the Board Agenda item, second paragraph, next to the last line, and moved the following amendment:

- Change "...extent of future facilities at the base and to determine the impacts on the surrounding area, especially those related to transportation." **TO** "...extent of future facilities at the base and to link development proposals to specific transportation projects."

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

15. **I-1 – CONTRACT AWARD – ROUTE 7/HAYCOCK ROAD (PROVIDENCE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Board Agenda dated July 1, 2002, requesting authorization for staff to:

- Award a contract to Sagres Construction Corporation in the amount of \$117,700.50 for the construction of Route 7/Haycock Road, Project 064227, in Fund 304, Primary and Secondary Road Bond Construction.
- Reallocate funds in the amount of \$142,000 from Project 064212, TAC Spot Improvements, to Project 064227, Route 7/Haycock Road.

The staff was directed administratively to proceed as proposed.

16. **I-2 – CONTRACT AWARD – WESTBOUND BRADDOCK ROAD AT ROUTE 123 SPOT IMPROVEMENT (BRADDOCK DISTRICT)** (Tape 2)

The Board next considered an item contained in the Board Agenda dated July 1, 2002, requesting authorization for staff to:

- Award a contract to Sagres Construction Corporation in the amount of \$106,899.25 for the construction of improvements to the Braddock Road/Route 123 intersection, Project 0-64222, in Fund 304, Primary and Secondary Road Bond Construction.
- Reallocate funds in the amount of \$110,000 from Project 064212, TAC Spot Improvements, to Project 064222, Braddock Road/Route 123.

The staff was directed administratively to proceed as proposed.

17. **I-3 – CONTRACT AWARD – SOCCER FIELD IMPROVEMENTS AT BAILEY'S ELEMENTARY SCHOOL (MASON DISTRICT)** (Tape 2)

The Board next considered an item contained in the Board Agenda dated July 1, 2002, requesting authorization for staff to award a contract to Avon Corporation in the amount of \$169,315 for construction of soccer field improvements at Bailey's Elementary School.

The staff was directed administratively to proceed as proposed.

18. **I-4 – CONTRACT AWARD – PROVIDENCE RECREATION CENTER IMPROVEMENTS (PROVIDENCE DISTRICT)** (Tape 2)

The Board next considered an item contained in the Board Agenda dated July 1, 2002, requesting authorization for staff to award a contract to Harry Braswell, Incorporated, in the amount of \$764,562 for the construction of improvements at Providence Recreation Center, funded by Project 004748, General Park Improvements, in Fund 371, Park Capital Improvement Fund.

The staff was directed administratively to proceed as proposed.

19. **I-5 – BUS FARE BUYDOWN PROGRAM FOR FISCAL YEAR (FY) 2003: DULLES CORRIDOR** (Tape 2)

The Board next considered an item contained in the Board Agenda dated July 1, 2002, requesting authorization for staff to implement the FY 2003 Bus Fare Buydown Program for the Dulles Corridor as outlined in the Board Agenda.

The staff was directed administratively to proceed as proposed.

**ADDITIONAL BOARD MATTERS**

NV:nv

20. **FAIRFAX JUBIL-AIRES** (Tape 3)

Chairman Hanley stated that members of the Fairfax Jubil-Aires contacted her to share their *United We Sing* project which commemorates September 11, 2001. As active members of the Society for the Preservation and Encouragement of Barbershop Quartet Singing in America, the group wishes to share with the community its national pride and love of the homeland through song.

Accordingly, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite the Jubil-Aires to appear before the Board on September 9, 2002, to open the meeting with a patriotic song. Supervisor Connolly seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting, the Board announced there would be many events in observance of the events of September 11, 2001. See Clerk's Summary Item CL#29.)

21. **AUDIT COMMITTEE REPORT** (Tape 3)

(BACs) Chairman Hanley called the Board's attention to the Quarterly Status Report on Operations as of June 27, 2002, presented by the Office of Financial and Programs Auditor to the Audit Committee. She noted that staff would be contacting Board Members about the distribution of cash proffers to homeowners associations in their districts.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

22. **NO BOARD MATTERS FOR DRANESVILLE DISTRICT SUPERVISOR STUART MENDELSON** (Tape 3)

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

23. **RECONSIDERATION OF AND AMENDMENT TO THE COUNTYWIDE TRAILS PLAN (MOUNT VERNON DISTRICT)** (Tape 3)

With reference to the Board's adoption of the Countywide Trails Plan on June 17, Supervisor Hyland stated that due to a typographical error, the matter needs to be reconsidered. It seems that Mount Vernon Highway should have been changed from a Major Trail to a Minor Trail as requested by Planning Commissioner Byers in Attachment 3, page 58, item 31 in the Board's agenda item of June 17.

Supervisor Hyland stated that the tax map number for the trail in Item 31 is for a trail along Mount Vernon Highway, not for Mount Vernon **Memorial** Highway as stated. Although both roads are shown as Route 235, they are different in name.

The existing trail along the 1.9-mile length of Mount Vernon Highway now meets the definition of a Minor Trail. The purpose of item 31 was to leave the trail along Mount Vernon Highway as a Minor Trail rather than a Major Trail as indicated on the Trails Map. Testimony presented by the adjacent civic associations concurs that the trail along Mount Vernon Highway should remain a Minor Trail.

Accordingly, Supervisor Hyland moved that the Board reconsider its actions adopting the Countywide Trails Plan for purposes of making an amendment. This motion, the second to which was indistinguishable, carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Hyland moved amendment of the Countywide Trails Plan to reflect that the trail along the entire 1.9 mile length of Mount Vernon Highway be shown as a Minor Trail and that the Trails Map be corrected to reflect this change. Chairman Hanley seconded the motion.

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

24. **PROPOSED ADDITIONAL PARKING AT THE MOUNT VERNON ESTATE (MOUNT VERNON DISTRICT)** (Tape 3)

Supervisor Hyland stated that there was a recent meeting regarding an environmental assessment for proposed additional parking at the Mount Vernon estate. The meeting handouts indicated that citizens had an additional ten days for public comment, but he believed that was inadequate. Supervisor Hyland conversed with officials of the Federal Highways Administration (FHWA) who extended the public comment period for 30 days ending July 26, 2002. In addition they indicated that the consultant's comprehensive existing conditions report is available on the internet at <ftp://www.kimley-horn.com/MountVernon/> by clicking on WebMaterials.zip.

Supervisor Hyland moved that the Board request the FHWA to conduct the next public hearing by the consultants on this subject using a format similar to that of the Virginia Department of Transportation to provide persons at the hearing with an opportunity to make a presentation and to ask questions. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

25. **EXPEDITED PROCESSING FOR A SPECIAL EXCEPTION APPLICATION FOR 8021-A EAST BOULEVARD DRIVE (MOUNT VERNON DISTRICT)** (Tape 3)

Supervisor Hyland made reference to his written Board Matter which stated that Mr. and Mrs. Crabtree are filing a special exception application to build in the floodplain at their property located at 8021-A East Boulevard Drive, Tax Map

Number 102-2 001 35A. Because they must meet their contractual obligations promptly, they have asked to have their application processed expeditiously.

Accordingly, Supervisor Hyland moved that the Board direct staff to expedite the processing of the special exception application for the property at 8021-A East Boulevard Drive. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

26. **BURKE CENTRE ANNIVERSARY CELEBRATIONS (BRADDOCK DISTRICT)** (Tape 3)

Supervisor Bulova announced that this year Burke Centre is celebrating its twenty-fifth anniversary. In addition to some special events that are being incorporated into this year's Burke Centre Day Festival, scheduled for Saturday, September 14, 2002, the community is also planning a July 20, 2002, summer night concert at the Burke Centre Virginia Railway Express (VRE) Station. This free concert will be held from 7-9 p.m. and will feature the Stormin' Norman Band. It will also commemorate the tenth anniversary of the VRE.

To congratulate the Burke Centre planned community and to celebrate its twenty-fifth anniversary, Supervisor Bulova moved that the Board direct staff to invite members of the Burke Centre Board and other community members who are planning anniversary festivities to appear before the Board on August 5, 2002, to be honored with an anniversary proclamation. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

**DS:ds**

27. **VICTIM ASSISTANCE NETWORK (VAN)** (Tape 4)

Supervisor Gross said that domestic violence is a serious issue for the County, especially in some language-minority communities that are only now beginning to recognize and report domestic violence and abuse. She said that it has come to her attention that VAN, to which many people turn for help when domestic violence threatens, may not have Spanish-speaking call-takers available on a 24-hour basis. Not having someone who can communicate in a crisis situation causes victims to be even more at-risk. Doubtless, some victims may not get the help they seek because of language difficulties.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to review and respond to the following:

- Is there a documented problem with VAN's language response to calls?
- If so, what remedies are recommended?



- Does this problem exist in other agencies that may respond to calls for assistance?

Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board include "other languages," and this was accepted.

28. **FEE WAIVER REQUEST FOR USE OF SHOWMOBILE BY THE ANNANDALE CHRISTIAN COMMUNITY FOR ACTION (ACCA) AND THE ANNANDALE ROTARY CLUB (MASON DISTRICT)** (Tape 4)

Supervisor Gross said that the ACCA and the Annandale Rotary Club are sponsoring a community day on Sunday, September 29, 2002, at Annandale United Methodist Church, and have reserved the County showmobile for the event.

In view of the community nature of the event, and the non-profit status of the sponsors, Supervisor Gross moved that the showmobile fee be waived for the event. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

29. **OBSERVANCES PLANNED FOR SEPTEMBER 11, 2002** (Tape 4)

(NOTE: Earlier in the meeting there was an item discussed regarding the September 11, 2001, tragedy. See Clerk's Summary Item CL#20.)

Supervisor Gross noted that a number of observances are being planned for September 11, 2002, to mark the first year anniversary of the attack on America. She said the events planned include a very large interfaith observance at the Patriot Center. There will be many opportunities for County residents to observe and remember the attack on America last September.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to track and publicize the various events so as to enable County-wide participation. Without objection, it was so ordered.

30. **REZONING APPLICATION RZ 1999-SU-071 AND PROFFERED CONDITION AMENDMENT APPLICATION 78-C-079-2 (SULLY DISTRICT)** (Tape 4)

Supervisor Frey said that Mr. Badreddin Plaseied filed a rezoning application in 1999 to allow three single-family detached homes on one acre of property within the Fair Oaks Estates subdivision. Since then, he has worked diligently to acquire additional properties to address consolidation and access concerns raised by staff.

This also necessitated bringing an outlot of Fair Oaks Estates subdivision in for a proffered condition amendment concurrent with the application.

Supervisor Frey said that eventually it was determined that one of the lots consolidated by Mr. Plaseied should be dropped from the application so that the Virginia Department of Transportation can use it for stormwater detention purposes for the West Ox Road project, and the application was amended again. After the many changes by the applicant, staff now supports this application, and the Planning Commission hearing has been deferred to October 17, 2002. The applicant has requested that a Board hearing be scheduled for the October 28, 2002, meeting, and staff supports this request.

Therefore, Supervisor Frey moved that the Board direct staff to schedule a public hearing to be held before the Board on October 28, 2002, for Rezoning Application RZ 1999-SU-071 and Proffered Condition Amendment Application PCA 78-C-079-2. The applicant understands that this motion will not prejudice the consideration of the application in any way. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

31. **REQUEST FOR EXPEDITED PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 00-Y-018, COSCAN BROOKFIELD HOMES (SULLY DISTRICT)** (Tape 4)

Supervisor Frey said that Coscan Brookfield Homes obtained special exception approval to cluster 40 single family detached homes pursuant to Special Exception Application SE 00-Y-018. As part of that approval, and at the request of Sully District constituents, the applicant agreed to construct a historical marker describing a World War II plane spotting station at the Centreville airport. The text of the marker was to be drafted by a member of the Centreville Historic Society. For a variety of reasons, including the inability to confirm the existence of the tower and difficulty in securing appropriate text, the applicant has been unable to install the marker. To avoid further delays, the applicant has filed a special exception amendment application to amend the development condition. The applicant proposes posting a bond for the marker until such time as all of the issues can be resolved.

Given the limited scope of the application, Supervisor Frey moved that the Board direct staff to:

- Expedite processing of Special Exception Application SE 00-Y-018 to the extent feasible.
- Schedule a public hearing to be held before the Board immediately after the Planning Commission public hearing.

Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

32. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR MR. BILL BROWN** (Tape 4)

Supervisor Frey noted that Inova Hospital System suffered a loss with the resignation of Steve Brown a few weeks ago. He said that it has been brought to his attention that now Fair Oaks Hospital is losing an administrator, Mr. Bill Brown, who will be leaving to accept a new position as the head of a large independent hospital in the Chicago area.

Therefore, Supervisor Frey moved that the Board direct staff to invite Mr. Bill Brown to appear before the Board, as soon as possible, to thank him for his services and extend well wishes. Without objection, it was so ordered.

**PMH:pmh**

33. **TRANSFER OF VEHICLE (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins said that the recent acquisition of a new Fire Marshal's laboratory vehicle by the Fire and Rescue Department (FRD) replaced vehicle 6037, which had previously served as the department's Arson Lab Unit. Vehicle 6037, a vintage 1977 step van, is not included in the future plans of the FRD. As a result, the Vienna Volunteer Fire Department (VFD) has requested that the County transfer the title of vehicle 6037 to the volunteer station for its use as a canteen vehicle - a vehicle that provides food and rehab services at the scene of fire and rescue incidents. In turn, the Vienna VFD intends to retire a 1986 Jeep Cherokee and transfer its radio to vehicle 6037, thereby holding the size of the County fleet constant and eliminating the cost of a new radio. The canteen vehicle would provide canteen services to most of the Hunter Mill District and would be of great benefit to Hunter Mill District residents during tragedies that require its dispatch. The County would still be required to maintain the vehicle at a minimal cost. This proposal has received support from Chief Stinnette and only requires Board approval to proceed.

Therefore, Supervisor Hudgins moved that the Board approve the transfer of vehicle 6037 from FRD to the Vienna VFD for its use as a canteen vehicle. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

34. **RESTON FESTIVAL (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins said that the Reston Festival will be held on July 13-14, 2002, at Lake Anne Village Center and at Reston Park. The two days will be filled with great entertainment, crafts vendors, and tantalizing food for everyone to enjoy. Reston Park offers entertainment and games for the children. This festival has

been held for over 30 years in Reston and it is referred to as Reston's once-a-year Birthday Party. Everyone is invited and the admission is free.

Therefore, Supervisor Hudgins moved that the Board direct staff to send a certificate of appreciation to the Reston Festival Committee to recognize their dedication and commitment in organizing this community event and that the Office of Public Affairs include information about the festival date on its calendar. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

35. **CAPPIE AWARDS (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins expressed her congratulations to three Hunter Mill District students who recently received Cappie Awards at the third annual Cappies Gala at the Kennedy Center. Eric Fletcher of Madison High School received the Featured Actor in a Play Award and Sarah Thomas of Madison received the Cameo Actress Award. Both were awarded for their performances in Madison's production of *"You Can't Take It With You."* Ross Oklewicz of South Lakes High School was awarded the Comic Actor in a Musical Award for his performance in South Lakes' production of *"A Funny Thing Happened on the Way to the Forum."*

Supervisor Hudgins moved that the board direct staff to forward a letter of congratulations to Mr. Fletcher, Ms. Thomas, Mr. Oklewicz, and all of the Fairfax County Public School students awarded Cappies in recognition of their outstanding contributions to the community arts. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

36. **STEVENAGE ROAD (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins said that residents adjacent to Stevenage Road have raised safety concerns regarding vehicles parked on the south side of Stevenage Road. The south side is zoned commercial, while the north side is zoned residential. Commercial vehicles have been parking overnight, leaving engines idling, and using the road as a staging area for their activities on both sides of the road. The continued parking of commercial vehicles on both sides of Stevenage Road contributes to the deterioration of the surrounding community. The absence of signage noting the distinction of the residential side from the commercial side makes for difficult enforcement to prohibit commercial trucks on the residential side of Stevenage Road.

Therefore, Supervisor Hudgins moved that the Board direct staff to include signage to indicate that the north side is zoned residential while the south side is zoned commercial and to install "No Parking Signs" on the north side of Stevenage Road to preclude commercial parking. Chairman Hanley and Supervisor Connolly jointly seconded the motion.

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

37. **EXPEDITIOUS PROCESSING OF THE SITE PLAN REVIEW PROCESS FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-C-060-9 (HUNTER MILL DISTRICT)** (Tape 5)

Supervisor Hudgins said that on January 28, 2002, the Board approved Proffered Condition Amendment Application PCA 87-C-060-9 to permit housing for the elderly and housing and general care for the indigent, orphans, and the like in the name of Wesley Coppermine Limited Partnership. Wesley Housing has recently submitted a site plan for "Coppermine Place" and is requesting expedited processing to assist with meeting timelines to make the special housing a reality.

Therefore, Supervisor Hudgins moved that the Board direct staff to expedite the site plan review process for Coppermine Place, Landbay 7, McNair Farms, Tax Map 16-3((1))35H. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

38. **REQUEST FOR CONCURRENT PROCESSING - SAINTSBURY, LLC/SPECIAL EXCEPTION APPLICATION SE 2002-PR-016 (PROVIDENCE DISTRICT)** (Tape 5)

Supervisor Connolly said that Saintsbury, LLC has filed a special exception application to permit approval of an elderly housing community near the Vienna Metro Station in Providence District. The applicant has requested that its site plan be accepted for concurrent processing to assist with expediting the construction process.

Therefore, Supervisor Connolly moved that the Board direct the Department of Public Works and Environmental Services to process site plans and building plans for property identified as Tax Map 48-1 ((1)) 92, 93, 95 and 48-3((1)) pt. 54A concurrently with the County staff's review of pending Special Exception Application SE 2002-PR-016 filed by Saintsbury, LLC. This action does not prejudice the consideration of the upcoming rezoning approval process in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

39. **REQUEST FOR EXPEDITED PROCESSING FOR THE FOUNTAINS AT MCLEAN - SPECIAL EXCEPTION FOR NON-CONFORMING CONDOMINIUM CONVERSION (PROVIDENCE DISTRICT)** (Tape 5)

Supervisor Connolly said that the Fountains at McLean intends to convert Phase I of the Lincoln at Tysons Corner apartments [29-3-((22))-1A] to condominiums. Crescent Heights recently purchased the property and an application was submitted to the Zoning Evaluation Division on May 31, 2002. The special exception application has been submitted to request approval of a non-conforming condominium conversion. The non-conformity is a shortage of 45 parking spaces

based on the increase in the parking ratio from 1.5 to 1.6 spaces per unit which occurred after the apartments were built. No physical changes are proposed to the property. Crescent Heights has requested expedited review of the special exception to avoid delays involved in the sale of the units to existing residents.

Supervisor Connolly invited the applicant to request a date certain for a public hearing.

Therefore, Supervisor Connolly moved that the Board direct the Department Planning and Zoning to expedite the review of pending special exception filed by The Fountains at McLean for a Non-Conforming Condominium Conversion located at Tax Map Number 29-3-((22))-1A. This action does not prejudice the consideration of the upcoming rezoning approval process in any way. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

40. **ENVIRONMENTAL CONCERN: SCHOOL BUS DRIVER TRAINING ON CODE RED DAYS** (Tape 5)

Supervisor Connolly referred to his written Board Matters and noted that the School System was providing training in a number of neighborhoods. However, they were training on a Code Red Day.

Therefore, Supervisor Connolly moved that the Board direct the County Executive to contact the Superintendent and determine if the Public Schools Division have a policy regarding air quality and request that an immediate directive be issued by the Superintendent to the bus driver training program to suspend training on Code Red Days and that the Schools audit their procedures to see if other policy changes could be instituted that would contribute to healthy air quality in the region. Supervisor Gross seconded the motion and it carried by unanimous vote.

There was a brief discussion.

41. **WAIVER OF FEES FOR PENDERBROOK RESTRICTED PARKING DISTRICT (RPD) (PROVIDENCE DISTRICT)** (Tape 5)

Supervisor Connolly said that for some time the residents of the Penderbrook Community have dealt with a number of watercraft and trailers parked on public streets leading into the community. Citizens residing on Penderbrook Drive, South Penderbrook Drive, Pender Spring Drive and Fairfax Farms Road have petitioned for a RPD. This will restrict parking of watercraft, boat trailers, motor homes and camping trailers on the mentioned streets.

Therefore, Supervisor Connolly moved that the Board direct staff to waive the \$10 per household application fee. Supervisor Bulova seconded the motion and it carried by unanimous vote.

42. **FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION (DOT) RECEIVES 2002 WASHINGTON METROPOLITAN COUNCIL OF GOVERNMENTS (COG) ACHIEVEMENT AWARD** (Tape 5)

Supervisor Connolly said that throughout the year, DOT staff call, e-mail, fax and meet with employers in an effort to encourage companies to set up Rideshare programs and use strategies designed to increase the use of transit and carpools, lessening air pollution and road congestion. This year the DOT outreach effort resulted in the addition of 26 companies to the Rideshare program bringing the number of participating Fairfax County companies to 90. The Rideshare staff made 1,038 employer contacts and held 47 "sales" meetings to promote the program. In recognition of this outstanding effort, last week the COG presented DOT Commuter Connections employees with COG's 2002 Employer Services Sales Team Achievement Award during in a ceremony at the National Press Club.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct staff to invite the DOT Director Young Ho Chang and the Commuter Connections employer sales team, as well as a representative of COG, to appear before the Board so the team may be honored for its outstanding work in lessening road congestion and improving air quality by encouraging employers to support alternative commuting programs. Without objection, it was so ordered.

43. **MERRIFIELD GARDEN CENTER SPECIAL EXCEPTION AMENDMENT APPLICATION (SPRINGFIELD DISTRICT)** (Tape 5)

Supervisor McConnell said that Merrifield Garden Center has submitted a special exception amendment application for the property identified as Tax Map Number 56-3-((1))-13 and 14. The plant nursery and garden center use began on the 33-acre parcel almost 20 years ago. The application proposes to incorporate the adjacent 5-acre (parcel 14) into the use in a beneficial fashion, and to bring Merrifield Garden Center into conformance with the Zoning Ordinance as amended in January of this year.

Supervisor McConnell noted that the Planning Commission public hearing was held this past Thursday, June 27, but the decision was deferred until July 24, 2002, to provide staff and the applicant more time to refine two development conditions, but with the understanding that August 5 would be scheduled for the Board public hearing. The applicant has requested the Board to schedule a public to occur on August 5, 2002, and staff has no objection to the request.

Therefore, Supervisor McConnell moved that the Board direct staff to schedule a public hearing to be held before the Board on August 5, 2002, for Special Exception Amendment Application SEA 82-S-087-3. This motion does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and does not prejudice the consideration of the rezoning application in my way. Supervisor Bulova seconded the motion and it carried by unanimous vote.

44. **CONCURRENT PROCESSING OF THE SITE PLAN AND OTHER ENGINEERING APPROVALS ASSOCIATED WITH PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-SU-040 (SPRINGFIELD DISTRICT)** (Tape 5)

Supervisor McConnell moved that the Board direct staff to concurrently process the site plan and other engineering approvals associated with an application regarding Wegmans Food Markets, Incorporated. This application will be associated with Proffered Condition Amendment Application PCA 1998-SU-040. This motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Bulova seconded the motion and it carried by unanimous vote.

45. **DEFENSE BUILDING LIMITS** (Tape 5)

Supervisor McConnell referred to an article in the *Washington Times* regarding plans to put limits on new defense construction and leasing within 100 miles of the Pentagon.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the County Executive to contact the Economic Development Authority for additional information. Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide the Board with copies of this article. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following input from Anthony G. Griffin, County Executive, Supervisor Bulova asked unanimous consent that the Board direct staff to update the Board on this issue. Without objection, it was so ordered.

46. **MENTAL HEALTH** (Tape 5)

Supervisor McConnell referred to the issue of funding for medications for mental health patients.

Following discussion, Supervisor McConnell asked unanimous consent that the Board direct staff to draft a letter to explain this issue. Without objection, it was so ordered.

47. **DEFERRALS** (Tape 5)

Supervisor Kauffman announced his intent to defer the public hearing on Special Exception Application SE 97-L-041 until August 5, 2002.



Chairman Hanley announced the intent to defer the following public hearings:

- Proposed establishment of the Vantage Hill Restricted Parking District as part of the Residential-Traffic Administration Program (Hunter Mill District)
- Proffered Condition Amendment Application PCA 1997-SU-002 and Special Exception Amendment Application SEA 97-Y-002 (Chantilly Associates) (Sully District)

(NOTE: Later in the meeting, these public hearings were deferred. See Clerk's Summary Items CL#57 and CL#61.)

48. **COMMENTS ON THE CAPITAL BELTWAY** (Tape 5)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct the Department of Transportation to report on July 22, 2002, with comments that the Board can make regarding the public hearing on the Environmental Impact Statement for the Capital Beltway (I-495). Supervisor Connolly seconded the motion and it carried by unanimous vote.

49. **ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR RAIL TO DULLES** (Tape 5)

- (A) Chairman Hanley moved that the Board direct staff to schedule on August 5, 2002, in the evening, an opportunity to take public comment on the EIS on rail to Dulles and eastern Loudoun County - to and through Tysons on the way to Dulles. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

A brief discussion ensued.

50. **RECESS/CLOSED SESSION** (Tape 5)

At 12:05 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).

- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).
  - 1. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Thanh Van Tran*, Record No. 021371 (Fx. Co. Cir. Ct.) (Sully District)
  - 2. *Board of Supervisors of Fairfax County, Virginia v. Town & Country Developers, Inc.*, At Law No. 197938 (Fx. Co. Cir. Ct.) (Braddock District)
  - 3. *Jimmie K. Walker and Margie L. Walker v. Fairfax County Board of Supervisors and Fairfax County*, At Law No. 204529 (Fx. Co. Cir. Ct.) (Lee District)
  - 4. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Susan C. Beck and Louis Kobus, Jr.*, In Chancery No. 173551 (Fx. Co. Cir. Ct.) (Lee District)
  - 5. *Jane W. Gwinn, Fairfax County Zoning Administrator v. William A. Clark and Susan L. Clark*, In Chancery No. 177023 (Fx. Co. Cir. Ct.) (Springfield District)
  - 6. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Bruce Wynkoop and Elizabeth Wynkoop*, In Chancery No. 164878 (Fx. Co. Cir. Ct.) (Mason District)
  - 7. *Jane W. Gwinn, Fairfax County Zoning Administrator v. The Tavares Family Limited Partnership*, In Chancery No. 178758 (Fx. Co. Cir. Ct.) (Lee District)

8. *Jane W. Gwinn, Fairfax County Zoning Administrator v. The Tavares Family Limited Partnership*, In Chancery No. 178747 (Fx. Co. Cir. Ct.) (Lee District)
9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. C. J. Hall*, In Chancery No. 178757 (Fx. Co. Cir. Ct.) (Lee District)
10. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Mohammed J. Abdlaez*, In Chancery No. 178786 (Fx. Co. Cir. Ct.) (Mason District)
11. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Benjamin F. and Dorothy M. Spears*, In Chancery No. 178573 (Fx. Co. Cir. Ct.) (Mason District)
12. *Board of Supervisors of Fairfax County, Virginia v. Batman/McNair Associates, L.P., et al.*, At Law No. 204714 (Fx. Co. Cir. Ct.) (Hunter Mill District)

And in addition:

- Cox Cable Franchise Agreement
- John Haddow, et al. v. Mark R. Warner et al., United States District Court for the Eastern District of Virginia
- The Board of Supervisors of Fairfax County, Virginia versus Governors Run L.P. aka Governors run L.P., and Airston Group III, Incorporated, At Law No. 201904
- Zofia A. Zager v. Rukhsana Khalid, In Chancery No. 177844

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

Chairman Hanley announced that closed session would begin at 1:30 p.m.

DS:ds

At 3:15 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

### **ACTIONS FROM CLOSED SESSION**

51. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 6)

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

### **AGENDA ITEMS**

PW:pw

52. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-L-041 (WILLIAM E. SCHUILING) (LEE DISTRICT)** (Tape 7)

The application property is located at 7400 Richmond Highway, Tax Map 92-4 ((1)) 73A and 74.

Mr. Randall T. Greehan reaffirmed the validity of the affidavit for the record.

Mr. Greehan 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, Leslie Johnson, Branch Chief, Rezoning and Special Exception Applications, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Amendment Application SEA-88-L-041, subject to the proposed development conditions in Appendix 1 of the staff report dated May 29, 2002.

- Reaffirmation of the modifications to the transitional screening and barrier requirements, along the western property line adjacent to existing residential development, to the existing landscaping and barrier shown on the SEA Plat.
- Modification of the Richmond Highway streetscape and trail requirements to the existing vegetation and sidewalk shown on the SEA Plat.

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

### **ADDITIONAL BOARD MATTERS**

53. **MAPS IN STAFF REPORTS** (Tape 7)

Chairman Hanley called the Board's attention to illegible maps in the staff reports and discussion ensued with input from Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning.

54. **ADDITIONAL HANDOUT** (Tape 7)

Chairman Hanley called the Board's attention to a new transportation insert in conjunction with the public hearing on the proposed Six-Year Virginia Department of Transportation Secondary System Construction Program for Fiscal Years (FY) 2003-2008 and construction budget for FY 2003 to be held later in the meeting.

### **AGENDA ITEMS**

55. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING AFFORDABLE DWELLING UNITS** (Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 13 and June 20, 2002.

Following the public hearing, which included testimony by three speakers and input from Donna Pesto, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning, Supervisor Kauffman moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding affordable dwelling units, as set forth in the staff report dated April 8, 2002, with the recommended change by the Planning Commission to Paragraph 5 of Section 2-802, with an effective date of 12:01 a.m. on the day following adoption, provided that the amended provisions of Section 2-806 of the Zoning Ordinance shall not apply to building plans submitted prior to the

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

56. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) REGARDING PRELIMINARY SUBDIVISION PLATS** (Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 13 and June 20, 2002.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) regarding preliminary subdivision plats, as set forth in the staff report dated June 3, 2002, and as recommended by the Planning Commission on June 20, 2002. These amendments become effective at 12:01 a.m. July 2, 2002. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

57. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 97-L-041 (SHURGARD STORAGE CENTERS, INCORPORATED) (LEE DISTRICT)** (Tape 7)

Supervisor Kauffman moved to defer the public hearing on Special Exception Application SE 97-L-041 until **August 5, 2002, at 3 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

58. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-V-072-4 (UNITED COMMUNITY MINISTRIES/BRYANT EARLY LEARNING CENTER) (MOUNT VERNON DISTRICT)** (Tape 7)

The application property is located at 2709 Popkins Lane, Tax Map 93-3 ((1)) 3.

Ms. Elizabeth McNally reaffirmed the validity of the affidavit for the record.

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

Supervisor Hyland disclosed that years ago he was a member of, and the President of, the Board of the United Community Ministries.

Following the public hearing, Leslie Johnson, Branch Chief, Rezoning and Special Exception Applications, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of Special Exception Amendment Application SEA 86-V-072-4, subject to the development conditions dated June 13, 2002. Supervisor Connolly seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor McConnell abstaining, Supervisor Hudgins and Supervisor Mendelsohn being out of the room.

59. **ORDERS OF THE DAY** (Tape 7)

Chairman Hanley announced that there would be a change in the Orders of the Day and the Board would next proceed with public hearing deferrals.

60. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-S-039-5 (FAIRFAX CORNER MIXED USE LC) (SPRINGFIELD DISTRICT)** (No Tape)

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

61. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1997-SU-002 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 97-Y-002 (CHANTILLY ASSOCIATES, INCORPORATED) (SULLY DISTRICT)** (Tape 7)

Supervisor Frey moved to defer the public hearing on Proffered Condition Amendment Application PCA 1997-SU-002 and Special Exception Amendment Application SE 97-Y-002 until **July 22, 2002, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

62. **4 P.M. – PH ON THE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX M, ESTABLISHING THE VANTAGE HILL RESTRICTED PARKING DISTRICT (RPD), DISTRICT 3 (HUNTER MILL DISTRICT)** (Tape 7)

Supervisor Hudgins moved to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix M, Establishing the Vantage Hill RPD, District 3 until **July 22, 2002, at 3 p.m.** Chairman Hanley seconded the motion and it carried by

a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

63. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-S-039-5 (FAIRFAX CORNER MIXED USE LC) (SPRINGFIELD DISTRICT)** (Tape 7)

(NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#60.)

The application property is located on the north side of Monument Drive, at its intersection with Government Center Parkway, south of Random Hills Road, Tax Map 56-1 ((1)) 47B, 47B1, and 47B2 [formerly known as 56-1((1)) pt. 47A].

Mr. Jeffrey H. Saxe reaffirmed the validity of the affidavit for the record.

Mr. Saxe 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 and input from Frances A. McDermott, Agent for Applicant, William Mayland, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved:

- Approval of Proffered Condition Amendment Application PCA 87-S-039-5, and the Conceptual Development Plan, subject to the proffers dated June 26, 2002.
- Modification of the PDC District standard for percentage of residential development to permit a maximum of 1,047,062 square feet of residential uses (60 percent) prior to application of the Affordable Dwelling Unit Ordinance, for the entire Fairfax Corner development.
- Waiver of the transitional screening requirement between the non-residential and residential uses within the Fairfax Corner development.
- Waiver of the barrier requirement between the non-residential and residential uses within the Fairfax Corner development.
- Modification of the loading space requirement for the multifamily dwelling units in Buildings Q and R to permit one space.



Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

### **ADDITIONAL BOARD MATTERS**

64. **INTENT TO DEFER PUBLIC HEARING** (Tape 7)

Supervisor Gross noted that the 4:30 P.M. – Public Hearing on Special Exception Application SE 01-H-049 (AT & T Wireless Services, Incorporated, D/B/A AT&T Wireless) (Hunter Mill District) would have to be deferred due to the affidavit not adequately reflecting disclosure requirements.

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

65. **BOARD RECESS** (Tape 7)

At 4:15 p.m., the Board recessed briefly, and at 4:30 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn, and with Chairman Hanley presiding.

66. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 01-H-049 (AT&T WIRELESS SERVICES, INCORPORATED, D/B/A AT&T WIRELESS) (HUNTER MILL DISTRICT)** (Tape 7)

Supervisor Frey moved to defer the public hearing on Special Exception Application SE 01-H-049 until **July 22, 2002, at 4 p.m.** Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

67. **4:30 P.M. – JOINT PH ON THE PROPOSED SIX-YEAR VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY SYSTEM CONSTRUCTION PROGRAM FOR FISCAL YEARS (FY) 2003 THROUGH 2008 AND CONSTRUCTION BUDGET FOR FISCAL YEAR 2003** (Tapes 7-8)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 13 and June 20, 2002.

Following the public hearing, which included testimony by three speakers, discussion ensued with input from Young Ho Chang, Director, Department of Transportation, and William C. Cuttler, Fairfax Preliminary Engineering Manager, VDOT.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the:

- Proposed six-year VDOT Secondary System Construction Program for FYs 2003 through 2008.
- Secondary System Construction Budget for FY 2003.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

68. **BOARD ADJOURNMENT** (Tape 8)

At 5:05 p.m., the Board adjourned.

# Index

<b>AGENDA ITEM</b>	<b>Page</b>
<b>Presentations: Certificates/Awards.....</b>	<b>1-2</b>
<b>Items Presented by the County Executive</b>	
<b>Administrative Items .....</b>	<b>3-8</b>
<b>Action Items.....</b>	<b>8-12</b>
<b>Information Items .....</b>	<b>12-13</b>
<b>Board Matters</b>	
<b>Chairman Hanley .....</b>	<b>14, 25</b>
<b>Supervisor Bulova.....</b>	<b>16</b>
<b>Supervisor Connolly .....</b>	<b>21-23</b>
<b>Supervisor Frey .....</b>	<b>17-19</b>
<b>Supervisor Gross.....</b>	<b>16-17</b>
<b>Supervisor Hudgins .....</b>	<b>19-21</b>
<b>Supervisor Hyland .....</b>	<b>14-16</b>
<b>Supervisor Kauffman .....</b>	<b>24</b>
<b>Supervisor McConnell.....</b>	<b>23-24</b>
<b>Supervisor Mendelsohn.....</b>	<b>n/a</b>
<b>Actions from Closed Session .....</b>	<b>28</b>
<b>Public Hearings .....</b>	<b>29-34</b>