

AM:am

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

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 MR. BILL ELVIN** (Tape 1)

Chairman Hanley asked that everyone remember in their thoughts and prayers Mr. Bill Elvin who has been in the hospital.

3. **MOMENT OF SILENCE FOR MS. SHANNON TINSLEY** (Tape 1)

Supervisor Dix asked that everyone remember in their thoughts and prayers the family of Ms. Shannon Tinsley, who died last week.

4. **AFRICAN-AMERICAN EMPLOYEES CHOIR PERFORMS** (Tape 1)

Chairman Hanley stated that February is being celebrated as African-American History Month. She introduced the African-American Employees Choir who performed for the Board today.

AGENDA ITEMS

5. **CERTIFICATES OF RECOGNITION PRESENTED TO THE U-18 RESTON CARDINALS SOCCER TEAM FOR WINNING THE VIRGINIA STATE SOCCER CHAMPIONSHIP** (Tape 1)

Supervisor Dix moved approval of the Certificates of Recognition presented to the U-18 Reston Cardinals Soccer Team for winning the Virginia State Soccer Championship. This motion was seconded by Chairman Hanley and carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. ADELE BREAUX FOR HER CONTRIBUTIONS TO THE BRADDOCK DISTRICT TREE PLANTING PROJECT** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Ms. Adele Breaux for her contributions to the Braddock District Tree Planting Project. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Connolly being out of the room.

ADDITIONAL BOARD MATTER

7. **INTRODUCTION OF MR. PETER BELLE WHO IS INTERNING FOR CONGRESSMAN RON KIND (D-WI)** (Tape 1)

Supervisor Mendelsohn introduced and welcomed Mr. Peter Belle, who is interning for Congressman Ron Kind (D-WI). Mr. Belle was present to observe local County government in action.

AGENDA ITEMS

8. **PROCLAMATION DESIGNATING THE WEEK OF FEBRUARY 8-14, 1998 AS "BOY SCOUTING ANNIVERSARY WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Mendelsohn moved approval of the Proclamation presented to Duane Crouse, District Director of the Patawomeck District of the National Capitol Area Council, designating the week of February 8-14, 1998 as "**Boy Scouting Anniversary Week**" in Fairfax County. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Connolly being out of the room.

(NOTE: Later in the meeting, Supervisor Gross announced that recognition for area Girl Scouts would be forthcoming in March 1998. See Clerk's Summary Item CL#54.)

9. **CERTIFICATE OF RECOGNITION PRESENTED TO FRED K. KRAMER, FORMER DIRECTOR, DEPARTMENT OF GENERAL SERVICES, FOR HIS YEARS OF SERVICE TO FAIRFAX COUNTY** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Fred K. Kramer, former Director, Department of General Services, for his years of service to Fairfax County. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

10. **10:00 A.M. - PRESENTATION BY THE HUMAN SERVICES COUNCIL ON THE STATE OF HUMAN SERVICES IN FAIRFAX COUNTY** (Tapes 1-2)

(BACs)

Kevin H. Bell, Chairman, Fairfax County Human Services Council, presented a report on "The State of Human Services in Fairfax County 1997."

Following discussion, with input from Verdia L. Haywood, Deputy County Executive for Human Services, Supervisor Dix asked unanimous consent that the Board direct staff to provide information as to:

- How many dollars the County has invested in Human Services computer technology;
- What the County expects for this investment; and
- The return on that investment.

Without objection, it was so ordered.

11. **10:15 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 2)

Supervisor Connolly briefly outlined the 1998 Legislative Report and moved that the Board accept the report, as circulated. This motion was seconded by Supervisor Dix.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion that the Board refer to the next Legislative Committee meeting:

- A letter from Mr. John Horejsi regarding the Earned Income Tax Credit (EITC); and
- Legislation to require the number of School Board nurses to be at the ratio of one to 750 students, and this was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

SBE:sbe

12. ADMINISTRATIVE ITEMS (Tape 3)

Supervisor Hyland moved approval of the Administrative Items with the exception of Administration Item 9 - Adoption of a Policy on Use of County-Owned Property for Land Based Telecommunication Facilities. This motion was seconded by Supervisor Connolly.

Chairman Hanley called the Board's attention to Administration Item 8 - Supplemental Appropriation Resolution AS 98050 for the Fairfax-Falls Church Community Services Board to Accept \$182,176 in Public Inebriate Diversion Program Funds from the Virginia Department of Criminal Justice Services and noted that staff received the grant on December 22, 1997. Accordingly, she relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to present grant items to the Board in a timely manner. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following discussion, with input from Richard L. Kunkel, Director, Alcohol and Drug Services, Fairfax-Falls Church Community Services Board, Supervisor Dix asked unanimous consent that the Board direct staff to provide a brief summary of grant programs when they are presented to the Board for action on a supplemental appropriation resolution. 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 circulate the original application to Supervisor Dix. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, with input from Mr. Kunkel, Supervisor Dix moved to amend the motion to approve the Administrative Items and defer action on Administration Item 8 until February 23, 1998. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Hanley called the Board's attention to Administrative Item 7 - Authorization to Advertise a Public Hearing on the Acquisition of Certain Easements Necessary for the Construction of the Clifton Farms Developer Default Project and a brief discussion ensued with input from Howard J. Guba, Director, Office of Capital Facilities, Department of Public Works.

The question was called on the motion to approve the Administrative Items, (One through Seven), as amended, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (LEE, SPRINGFIELD AND SULLY DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated February 9, 1998 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
True Lane Property	Lee	True Lane, Route 4115
Fairview Woods, Sections 1, 1A, 2 and 2A	Springfield	Fairview Woods Drive Hannora Lane
Sully Station, Section 11	Sully	Braywood Drive, Route 7375 Brookmere Drive, Route 7376

ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-L-117, FIRST UNION NATIONAL BANK (LEE DISTRICT)

- (AT) Approved the request for 20 months of additional time to commence construction for Special Exception Amendment Application SEA 80-L-117 until November 11, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 92-L-031, FIRST UNION NATIONAL BANK (LEE DISTRICT)

- (AT) Approved the request for 20 months of additional time to commence construction for Special Exception Application SE 92-L-031 until August 14, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 94-P-061, HORIZON BANK OF VIRGINIA (PROVIDENCE DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 94-P-061 until August 7, 2000, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - ADDITION AND DISCONTINUANCE OF PORTIONS OF WEST OX ROAD AND LAWYERS ROAD (HUNTER MILL DISTRICT)

- (R) Adopted a Resolution requesting that the Commonwealth Transportation Board (CTB) add and discontinue portions of West Ox Road (Route 608) and Lawyers Road (Route 602).

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSAL TO VACATE A PORTION OF SOUTH PARK STREET (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 9, 1998 at 3:30 p.m.** on proposed vacation of a portion of South Park Street (No Route Number).

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE CLIFTON FARMS DEVELOPER DEFAULT PROJECT (SULLY DISTRICT)

- (A) (NOTE: Earlier in the meeting, this item was discussed by the Board. See page four.)

Authorized the advertisement of a public hearing to be held before the Board on **March 9, 1998 at 3:30 p.m.** on the acquisition of certain easements necessary for the construction of Project U00006 - Clifton Farms Developer Default project.

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 98050 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT \$182,176 IN PUBLIC INEBRIATE DIVERSION PROGRAM FUNDS FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES

(NOTE: Earlier in the meeting, this item was deferred by the Board until February 23, 1998. See page four.)

ADMIN 9 - ADOPTION OF A POLICY ON USE OF COUNTY-OWNED PROPERTY FOR LAND BASED TELECOMMUNICATIONS FACILITIES

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#12a.)

12a. **ADMIN 9 - ADOPTION OF A POLICY ON USE OF COUNTY-OWNED PROPERTY FOR LAND BASED TELECOMMUNICATIONS FACILITIES**
(Tape 3)

Following discussion, with input from David P. Bobzien, County Attorney, and Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Connolly moved that the Board:

- Defer action on Administrative Item 9 pending review and appropriate recommendation from the Telecommunications (Monopoles) Land Use Regulations Task Force; and
- Direct the Telecommunications (Monopoles) Land Use Regulations Task Force to examine the possibility of the inclusion of the Schools, as well as the Water Authority and the Park Authority, to develop a recommendation for a common Policy on the leasing of sites Countywide on public property even if not under the control of the Board of Supervisors.

This motion was seconded jointly by Supervisor Bulova and Supervisor Hyland.

Following further discussion, with input from Mr. Griffin and Mr. Bobzien, Supervisor Hyland asked to amend the motion to direct staff to send copies of this proposed Policy to those persons who may be directly impacted by this Policy as soon as possible, and this was accepted.

Following further discussion, Supervisor Dix asked to amend the motion to direct staff to return this item to the Board in the form of an Action Item or Consideration Item, as appropriate, and this was accepted.

Supervisor McConnell called the Board's attention to Item Eight in Attachment I of the Memorandum to the Board dated February 9, 1998 and expressed concern regarding a limit on the length of the lease terms. Following input from Mr. Bobzien, she asked unanimous consent that the Board direct staff to address this item to ensure flexibility in the length of the lease terms. Without objection, it was so ordered.

Following a brief discussion, Supervisor Kauffman asked to amend the motion to direct the Task Force to review and provide a recommendation to the Board on the possible use of the lease revenue for the benefit of the impacted area, rather than the General Fund, and this was accepted.

Following continued discussion, Supervisor Gross asked to amend the motion to direct staff and the Task Force to examine the terms of the termination of the leases in regard to the responsibility for removal of the monopoles from County land, and, following input from Mr. Bobzien, this was accepted.

Following further discussion, with input from Mr. Bobzien and Mr. Griffin, the question was then called on the motion, as amended, to defer action until review and recommendation from the entire Task Force, School Division, Park Authority, and Water Authority, which carried by unanimous vote.

A brief discussion continued.

13. **A-1 - AMENDMENT TO THE APPROVED SEWER SERVICE AREA FOR THE JERMANTOWN ROAD SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (PROVIDENCE DISTRICT)** (Tape 3)

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

- Approve the amendment to the Approved Sewer Area as shown in Attachment I of the Memorandum to the Board dated February 9, 1998 so that the Jermantown Road Extension and Improvement Project can proceed with all areas to be served by sewer shown within the Approved Sewer Service Area; and
- Confirm that the 400-foot administrative rule does not apply to the entire Jermantown Road Approved Sewer Service Area expansion area.

This motion was seconded by Supervisor Gross and, following a brief discussion, carried by unanimous vote.

14. **A-2 - APPROVAL OF CONSTRUCTION ON A LANDFILL SOONER THAN 20 YEARS AFTER THE TERMINATION OF THE LANDFILL OPERATION, TO ALLOW DEVELOPMENT OF A COMMERCIAL RECREATION PARK, APPROVED PURSUANT TO SPECIAL PERMIT APPLICATION SP 94-V-024, AEGIS IRONWOOD PARTNERS, L.L.C. (MOUNT VERNON DISTRICT)** (Tape 3)

On motion of Supervisor Hyland, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved, pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Paragraph 9 of Section 9-205, and subject to the conditions outlined in the Memorandum to the Board dated February 9, 1998, construction on a landfill sooner than 20 years after the termination of the landfill operation for Aegis Ironwood Partners, L.L.C., south of Cinderbed Road and west of Backlick Road, Tax Map Number 108-1((12)) part of parcel 7. This approval is based on the analysis conducted by the Department of Environmental Management (DEM) and on the conditions outlined in the Memorandum to the Board.

15. **A-3 - BOARD APPROVAL OF THE NUMBER OF TAXICAB CERTIFICATES TO BE AUTHORIZED IN 1998** (Tape 3)

Supervisor Bulova moved that the Board concur in the recommendation of staff and adopt the proposed recommendation to allocate no more than 14 additional taxicab certificates in 1998. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Ronald B. Mallard, Director, Department of Consumer Affairs and Carolyn A. Quetsch, staff, Department of Consumer Affairs, Supervisor Bulova withdrew her original motion and moved to:

- Defer action on this item until later in the day; and
- Direct staff to provide the Board with information from previous Board items on this topic, including why it is important to limit the number of certificates.

The second to the motion was inaudible.

Following further discussion, Supervisor McConnell asked to amend the motion to direct staff to present to the Board this afternoon a ratio of taxicabs in the District of Columbia (DC), City of Alexandria, Montgomery County, Prince William County, and Arlington County so the Board can compare the data with Fairfax County, and this was accepted.

Supervisor Mendelsohn asked to amend the motion to direct staff to also provide the number of trips per certificate, and the paid miles per certificate for each of those jurisdictions, and this was accepted.

Following further discussion, Supervisor Dix asked to amend the motion to direct staff to provide information on the element of taxicabs for persons with disabilities as to whether that factors into the analysis, and this was accepted.

Supervisor Hyland asked to amend the motion to direct staff to provide justification for the use of economic and demographic factors affecting demands for taxicabs instead of use of the number of trips per certificate and paid miles per certificate, as the factors determining need for more taxicabs, and this was accepted.

The question was called on the motion, as amended, to defer action on this item until later in the meeting, which **CARRIED** by a recorded vote of nine, Supervisor Connolly voting "NAY."

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#82.)

16. **A-4 - BOARD ADOPTION OF MULTI-JURISDICTIONAL TAXICAB RECIPROCIITY AGREEMENT** (Tape 3)

On motion of Supervisor Connolly, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the proposed taxicab reciprocity agreement between Fairfax County, Prince William County, Arlington County, and the City of Alexandria.

AR:ar

17. **C-1 - APPEAL OF CODE OF VIRGINIA, SECTION 15.2-2232 (FORMERLY 15.1-456) DETERMINATION, PUBLIC FACILITIES APPLICATION 456-L95-34, AMERICAN PCS, LIMITED PARTNERSHIP (LEE DISTRICT)** (Tape 4)

Supervisor Kauffman moved that the Board defer until May 18, 1998 consideration of an item contained in the Memorandum to the Board dated February 9, 1998 presenting the appeal of a Public Facilities Application (456-L95-34) Review determination by the Planning Commission on a telecommunication facility proposed on the Engleside Plaza Shopping Center property. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

18. **I-1 - GIRLS' FAST PITCH SOFTBALL ACTION PLAN STATUS REPORT** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated February 9, 1998 presenting the Girls' Fast Pitch Softball Action Plan Status Report.

Supervisor Gross applauded the Athletic Council and the Commission for Women for their excellent work on this report.

Several Board Members expressed their appreciation to staff for a job well done.

19. **I-2 - TREE SURVEY AS A SUBMISSION REQUIREMENT FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT, AND VARIANCE APPLICATIONS** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated February 9, 1998 presenting the Tree Survey as a submission requirement for Rezoning, Special Exception, Special Permit and Variance Applications.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to continue discussions to determine the type of applications for which a tree survey should be required, recognizing the current issues. This motion was seconded by Supervisor Kauffman.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Hyland moved that, as a result of staff's review concerning submission requirements for applications for amendments to the zoning map for possible inclusion of a requirement for tree surveys under limited circumstances, the Board refer this matter to the Development Process Committee for consideration of any such amendments as a Priority One item in the Zoning Ordinance Amendment Work Program for 1998. This motion was seconded by Supervisor Kauffman.

Following further discussion, Supervisor Frey asked to amend the motion to emphasize that any amendments will only be a "consideration" and will not necessarily remove other items from the Priority One list, and this was accepted.

Supervisor Dix asked to amend the motion to also refer this item to the Board's Tree Preservation Task Force, which consists of industry as well as citizen representatives with particular expertise in this area, for review and a recommendation with regard to a Zoning Ordinance amendment, and this was accepted.

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

With reference to the Tree Commission meeting notes dated November 5, 1997, Supervisor Kauffman asked unanimous consent that the Board direct staff to provide information on the Department of Public Works (DPW) AB Maintenance Policy. Without objection, it was so ordered.

20. **I-3 - REGIONAL BICYCLE RACK PROJECT (COUNTYWIDE)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated February 9, 1998 requesting authorization for staff to install bicycle racks at the locations identified in Attachment I of the Memorandum to the Board.

Following discussion, with input from Angela R. Fogle, Transportation Planner III, Office of Transportation, the staff was directed administratively to proceed as proposed.

21. **I-4 - PARKTALK - A PARK AUTHORITY TALK RADIO PROGRAM ON RADIO STATION WZHF-AM 1390 (COUNTYWIDE)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated February 9, 1998 announcing that the Fairfax County Park Authority, in an ongoing effort to operate in a business-like manner when marketing its classes, programs and facilities, will be expanding agency advertising efforts with the creation of a one hour weekly talk radio program on station WZHF-AM 1390, which bills itself as Washington's health and fitness radio station.

The staff was directed administratively to proceed as proposed.

22. **I-5 - COUNTY/SCHOOLS CONSOLIDATION EFFORTS - STATUS REPORT FOR PRINTING AND MAIL SERVICES** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated February 9, 1998 presenting the status report for the County/Schools consolidation efforts for printing and mail services.

Following discussion, with input from Gary W. Blanchard, Director, Document Services Division, Department of General Services, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to once again examine the potential for savings in the consolidation and/or privatization of certain services. Without objection, it was so ordered.

23. **I-6 - REQUEST FOR PROPOSAL (RFP) FOR SOUTH COUNTY HUMAN SERVICES COLLOCATION FACILITY PUBLIC/PRIVATE DEVELOPMENT PROJECT (LEE DISTRICT)** (Tape 4)

The Board next considered an item contained in the Memorandum to the Board dated February 9, 1998 requesting authorization for staff to finalize the Request for Proposals (RFP) for the South County Human Services Collocation Facility Public/Private Development Project and proceed with actions necessary for issuance of the solicitation.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Kauffman moved that the Board direct staff to proceed to finalize the RFPs for the South County Human Services Facility. This motion was seconded by Supervisor Hyland

Following further discussion, with additional input from Mr. Griffin and Verdia L. Haywood, Deputy County Executive for Human Services, Supervisor Hyland moved that the Board defer action on this item until later in the meeting when backup information is forthcoming. This motion was seconded by Supervisor Kauffman.

Supervisor Frey asked to amend the motion to direct staff to provide Board Members with the map which was omitted from the RFP package, and this was accepted.

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

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#85.)

ADDITIONAL BOARD MATTERS

24. **AVAILABILITY OF ITEMS ON THE FAIRFAX COUNTY HOME PAGE** (Tape 4)

With a notation that the Code of the County of Fairfax is now available on-line on the Fairfax County Home Page on the World Wide Web, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to examine the feasibility of making a digital version of the Comprehensive Plan available on the County Home Page. Without objection, it was so ordered.

In addition, since the technology now exists to broadcast both audio and video feeds of Board of Supervisors' meetings via the Internet, Chairman Hanley asked unanimous consent that the Board direct staff to examine this possibility as well. Without objection, it was so ordered.

25. **ABSOLUTELY INCREDIBLE KID DAY LETTER** (Tape 4)

Chairman Hanley referred to an Absolutely Incredible Kid Day letter from the Camp Fire Boys and Girls Mid-Atlantic Council and asked unanimous consent that the Board direct staff to publicize this activity. Without objection, it was so ordered.

26. **LETTER FROM THE FAIRFAX COUNTY FEDERATION OF CITIZENS ASSOCIATIONS** (Tape 4)

Chairman Hanley called the Board's attention to a letter from the Fairfax County Federation of Citizens Associations dated January 18, 1998, outlining the Federation's position, in the form of a resolution, urging the Board's reversal of its recent action regarding a phased-in exclusion of computer software from the Business, Professional, and Occupational License (BPOL) tax at this time.

27. **PERSONNEL POLICIES REGARDING COMPENSATORY TIME** (Tape 4)

With an acknowledgment of the need for the Board to address the personnel policies regarding compensatory time, Chairman Hanley noted a particular concern with the County's current Policy allowing senior managers, up to and including Deputy County Executives, to receive compensatory time, and the absence of a ceiling on the number of compensatory time hours that can be converted to cash payouts when employees leave County government.

Chairman Hanley expressed her personal belief that senior managers should not receive compensatory time, and that the number of hours for which an employee can receive payment when leaving the County should not exceed the number that he or she can carry over from year to year.

Chairman Hanley noted that, while this issue has been addressed by the Board's Personnel Committee in the past without resolution, new data has been collected in response to the recent attention this issue has attracted which sheds new light on the scope and cost of these policies.

In light of this recent attention and the new information now available, Chairman Hanley moved that the Board:

- Direct staff to draft potential modifications to current policies regarding compensatory time that will address the issues which have been raised; and
- Place those proposals on the agenda of the Board's Personnel Committee which should report with recommendations for modifications to the County's current Policy prior to adoption of the Fiscal Year (FY) 1999 budget.

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

28. **NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVS&WCD) SEEDLING SALE** (Tape 4)

With reference to the seedling sale by the Northern Virginia Soil and Water Conservation District (NVS&WCD), Chairman Hanley asked unanimous consent that the Board direct staff to publicize this sale. Without objection, it was so ordered.

29. **CONSTRUCTION ESCROWS** (Tape 4)

Chairman Hanley called the Board's attention to the extensive report from the County Executive regarding construction escrows. She asked unanimous consent that the Board direct staff to refer this document to the Countywide Non-Motorized Transportation ("Trails") Committee as well as each District Supervisor's Office. Without objection, it was so ordered.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff and the Trails Committee to delve into the "strings attached" - what can be used for this or that - with regard to these escrows. Without objection, it was so ordered.

Supervisor Frey noted, for the record, that he had forwarded this information to the Sully District Representative, who happens to be the Chairman of the Trails Committee.

30. **REFERRAL OF WAREHOUSE ISSUE TO THE REORGANIZATION COMMITTEE** (Tape 4)

Chairman Hanley asked unanimous consent that the Board refer the issue of the use of the joint warehouse to the Board's Government Reorganization Committee for review. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

31. **INTENT TO DEFER PUBLIC HEARINGS ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 95-P-020 AND PCA 80-P-039-5, BOZZUTO DEVELOPMENT COMPANY (PROVIDENCE DISTRICT)** (Tape 4)

Supervisor Connolly announced his intent to defer, at the appropriate time later in the meeting, the public hearings on Proffered Condition Amendment Applications PCA 95-P-020 and PCA 80-P-039-5 until **March 9, 1998 at 5:00 p.m.**

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Item CL#79.)

32. **REQUEST FOR VACATION OR ABANDONMENT OF A PUBLIC EASEMENT OFF BELL LANE BETWEEN CEDAR MILL COURT AND BRIARCLIFF COURT** (Tape 4)

With reference to a constituent's request for a vacation or abandonment of a public easement off Bell Lane between Cedar Mill Court and Briarcliff Court, Tax Map 039-4((2))parcel 4A, Supervisor Connolly moved that the Board direct staff to evaluate the feasibility of this request and report with its recommendation on March 9, 1998 if possible. This motion was seconded by Supervisor Gross and carried by unanimous vote.

PMH:pmh

33. **REZONING APPLICATION RZ 1997-DR-034 - ELM STREET DEVELOPERS** (Tape 5)

Supervisor Mendelsohn moved that the Board direct staff to expedite the:

- Board public hearing date for Rezoning Application RZ 1997-DR-034 to **March 9, 1998 at 4:30 p.m.**; and
- Review of Site Plans associated with Rezoning Application RZ 1997-DR-034 and review the Site Plans concurrent with the rezoning process.

This motion does not relieve the applicant from complying with provisions of all applicable conditions, regulations or adopted standards relative to the Site Plan, nor does it in any way anticipate or guarantee approval of the Rezoning Application of the Final Development Plan. This motion, the second to which was indistinguishable, carried by unanimous vote.

34. **REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 1997 DR-098, MADISON HOMES** (Tape 5)

Supervisor Mendelsohn said that Madison Homes is the applicant for a rezoning for property located at Tax Map Number 30-2((7))34-56, 88-107 and 96A. Due to a deferral at the Planning Commission to allow the applicant an opportunity to resolve concerns of the community, Supervisor Mendelsohn moved that the Board direct staff to schedule a public hearing to be held before the Board on **March 9, 1998 at 4:30 p.m.** This motion does not relieve the applicant from complying with provisions of all applicable conditions, regulations or adopted standards and does not constitute support by the Board for the Rezoning Application. This motion was seconded by Supervisor Gross and carried by unanimous vote.

35. **DULLES CORRIDOR BUS SERVICE** (Tape 5)

Supervisor Mendelsohn said that, in anticipation of securing Intermodal Surface Transportation Efficiency Act (ISTEA) funding for the first stages of a multi-modal commuter transit system in the Dulles Corridor, eventually resulting in rail to and beyond Dulles Airport, Fairfax County and Loudoun County will soon be engaged in discussions of details regarding express commuter transit in the Corridor. The ultimate transit system will be the result of extensive cooperation between the two jurisdictions and offers many opportunities for mutually beneficial planning. Once such opportunity is the possibility of cooperative planning for regional bus service which could provide significant efficiencies and cost savings for both jurisdictions compared to individually-operated systems with the same intent.

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

- Meet with Loudoun County staff to discuss such possibilities to help expedite the development of commuter transit in the Dulles Corridor; and
- Refer the results of the meeting to the Board's Loudoun County Inter-jurisdictional Subcommittee for its review.

This motion was seconded by Supervisor McConnell.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to replace the second bullet as follows:

- This effort should not be construed to replace or delay in any way the commuter bus service project to serve the Fairfax County Park-and-Ride in the Dulles Corridor.

This was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

36. **"OLDER AMERICANS MONTH"** (Tape 5)

Supervisor Mendelsohn moved that the Board proclaim the month of May 1998 as "**Older Americans Month**" in Fairfax County, adopting the national theme "Living Longer, Growing Stronger in America," and invite representatives of the Fairfax Area Commission on Aging to the last meeting in April to receive this Proclamation. This motion was seconded by Chairman Hanley and carried by unanimous vote.

37. **EXPEDITIOUS REVIEW OF SECOND PLAN SUBMISSION FOR SAINT THOMAS EPISCOPAL CHURCH** (Tape 5)

Supervisor Mendelsohn moved that the Board direct staff to expedite the review of the second plan submission, plan number 9670-SD-01 for Saint Thomas Episcopal Church, located at 8991 Brook Road in McLean. This motion does not relieve the applicant from complying with provisions of all applicable conditions, regulations or adopted standards and does not constitute support by the Board for approval of the Site Plan. This motion was seconded by Supervisor Dix and carried by unanimous vote.

38. **MOUNT VERNON COUNCIL RESOLUTION ON FALSE ALARM RESPONSES**
(Tape 5)

Supervisor Hyland referred to the Mount Vernon Council's resolution in which they request that the Board of Supervisors direct the County Executive to promptly forward to the Board the revisions to the Code of the County of Fairfax proposed by the Fairfax County Security Alarm Systems Commission over a year ago.

Accordingly, Supervisor Hyland moved that this item be referred to staff for review and response to the Board as soon as possible. This motion was seconded by Supervisor Frey and carried by unanimous vote.

39. **MOUNT VERNON COUNCIL RESOLUTION ON ANIMAL CONTROL SERVICES** (Tape 5)

Supervisor Hyland noted that another resolution submitted by the Mount Vernon Council identifies the need for improvements in Animal Control Services and requests that the Board provide for additional animal wardens and equipment. They also request that the Board consider providing an animal control satellite station in the southeast part of Fairfax County to meet growing demands in this area and improve response to emergencies involving animals.

Supervisor Hyland asked unanimous consent that the Board direct staff to refer this to the County Executive for further review, consideration and response to the Board. Without objection, it was so ordered.

40. **HERITAGE PRESBYTERIAN CHURCH OFFERS AFTER-SCHOOL PROGRAM** (Tape 5)

Supervisor Hyland said that in a recent communication to his office, he learned about a program begun by the Heritage Presbyterian Church called "Neighbors" which was developed last fall to provide middle school students with a safe, fun place to go after school.

Supervisor Hyland said that initially the church had hoped to attract 30-40 students each Thursday and this has not yet been successful.

Supervisor Hyland noted that the program targets students who regularly go to an empty home after school. The charge is \$1.00 per session and no religious instruction or restrictions are placed on participants. The church emphasizes providing students with fun choices such as crafts, board games, cooking and outdoor games.

Supervisor Hyland moved that the Board direct staff to determine if there is any way the Office of Public Affairs can bring this matter before the residents whose children attend Area I schools and further publicize the program to other churches who might wish to pursue such a program in their locale. For more information, Christian Reynolds, "Neighbors" Director, can be contacted at 360-9546. The second to this motion was indistinguishable.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and asked to amend the motion to include referring this item to The Faith in Action effort, and this was accepted.

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

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

41. **RESCHEDULING AND REQUEST FOR CONCURRENT PROCESSING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-V-062, SPECIAL EXCEPTION APPLICATIONS SE 98-MV-005 AND SE 98-MV-006** (Tape 5)

Supervisor Hyland stated that the Colchester Land Company, L.L.C. has submitted Proffered Condition Amendment Application PCA89-V-062 and Special Exception Applications SE 98-MV-005 and SE 98-MV-006 for property located on both sides of Interstate 95 and north of Route One. The applications are to accommodate a training facility for the Drug Enforcement Agency and to permit the establishment of a sewage treatment and disposal facility and water purification facility to serve the property.

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

- Schedule the public hearing to be held before the Board on Proffered Condition Amendment Application PCA 89-V-062 and Special Exception Applications SE 98-MV-005 and SE 98-MV-006 for May 1998; and
- Accept the Site Plan for concurrent processing with the Proffered Condition Amendment and Special Exception requests.

This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards and does not prejudice the consideration of the land use application in any way. This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

42. **EXPEDITING SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-B-042 FOR LAKE ACCOTINK PARK RENOVATIONS** (Tape 5)

Supervisor Bulova said that the Park Authority submitted a Special Exception Amendment Application last year to revise the plans for the renovation of the core recreation area at Lake Accotink Park. Also, the Board approved concurrent review of the Application and the Site Plan.

To ensure that the project remains on track, Supervisor Bulova moved that the Board direct staff to schedule the public hearing to be held before the Board on May 11, 1998. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

43. **HUMAN SERVICES COUNCIL** (Tape 5)

(BACs)

- (R) Supervisor Bulova noted that the Human Services Council has worked annually with the Board to help review the County Executive's recommended budget. Supervisor Bulova moved adoption of the Resolution directing the Human Services Council to work with the County Human Services Board, Authorities and Commissions (BACs), non-profit agencies providing assistance to the County, Human Services advocates and those in

need of assistance and County, civic and business entities to conduct a review of the array of human services and that they report with their findings and recommendations prior to the mark-up of the Fiscal Year (FY) 1999 Budget on April 20, 1998. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor McConnell being out of the room.

44. **EXPEDITIOUS PROCESSING FOR MOTHER NURTURE COMPANY FOR A CHILD CARE CENTER CALLED THE FROG POND** (Tape 5)

Supervisor Kauffman said that the Mother Nurture Company has filed a Special Exception Application for a child care center called The Frog Pond to be located near Huntley Meadows Park in Lee District. He noted that the child care center is unusual because it will specialize in the care of children with illnesses and disabilities.

Supervisor Kauffman moved that the Board direct staff to:

- Expedite the special exception process for the Special Exception Application filed by Mother Nurture Company; and
- Waive the requirements of Section 17-201 of the Zoning Ordinance, Phase I, and to process any required plans concurrently with the special exceptions.

This motion should not be construed as a favorable recommendation of the Special Exception Application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or adopted standards. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

NV:nv

45. **SECURITY CAPITAL ATLANTIC, INCORPORATED FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 96-H-029, WOODLAND PARK** (Tape 6)

Supervisor Dix stated that Security Capital Atlantic, Incorporated, has submitted a Final Development Plan Amendment Application FDPA 96-H-029 for property located on the east side of Centreville Road in Woodland Park. The property was rezoned to the PDH-30 District in March 1997 to permit multi-family development. Some modifications have been made to the site design, necessitating the FDPA application. The Planning Commission public hearing on this application is scheduled for March 11, 1998.

Accordingly, Supervisor Dix moved that the Board authorize the director of the Department of Environmental Management (DEM) to accept the Site Plan for concurrent processing with the FDPA request. He noted that this motion does not relieve the

applicant from complying with the provisions of any applicable conditions, 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 nine, Supervisor McConnell being out of the room.

46. **FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 93-H-032, AVALON PROPERTIES INCORPORATED** (Tape 7)

Supervisor Dix stated that Avalon Properties, Incorporated, has submitted Final Development Plan Amendment Application FDPA 93-H-032 for property located at the intersection of Frying Pan Road and Fox Mill Road. The property was rezoned to PDH-12 in September 1995 to permit multi-family development. Modifications have been made to the site design, necessitating the FDPA application.

Accordingly, Supervisor Dix moved that the Board authorize the director of the Department of Environmental Management (DEM) to accept the Site Plan for concurrent processing with the Final Development Plan Amendment request. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable conditions, 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 nine, Supervisor McConnell being out of the room.

47. **LETTER FROM THE FAIRFAX COUNTY EAGLES BASEBALL TEAM REGARDING ADOPTION OF A FACILITY** (Tape 7)

Supervisor Dix stated that he was in receipt of a letter from William Ramsey, coach of the Fairfax County Eagles, the national champions in Age 18 and Under Baseball. The team is seeking assistance from the County in locating a facility which they may be able to adopt. Accordingly, Supervisor Dix asked unanimous consent that the Board refer this letter for consideration and follow up through the appropriate agencies to determine whether there is an approach which can satisfy the County's needs as well as the needs of the Fairfax Eagles. Without objection, it was so ordered.

48. **MEMBERSHIP OF THE INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)** (Tape 7)

(BACs)

Supervisor Dix reminded the Board that at a previous meeting he had raised an issue regarding the membership of the Information Technology Policy Advisory Committee (ITPAC). He noted the disclosure requirements of members and their eligibility for membership if they did or might, at some future date, do business with the County.

Accordingly, Supervisor Dix asked unanimous consent that the Board direct staff to review the previous agreement and present a recommendation to the Board at its next meeting in the form of a Consideration Item in accordance with the previous agreements that were compiled for the Information Technology Advisory Group (ITAG) that allowed for representatives who are with companies that now do business for or might do business with the County to participate in advisory capacities.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request to direct staff to:

- Present the information in the form of an Information Item; and
- Provide the current parameters for membership in ITPAC as well as the parameters for ITAG;

and this was accepted.

Following a brief discussion, without objection, the request, as amended, was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

49. **TAX ABATEMENT POLICY** (Tape 7)

Supervisor Dix referred to the County's Tax Abatement Policy and reported that the Town of Vienna adopted an ordinance which will provide a similar provision for residents of the Town. He asked unanimous consent that the Board:

- Refer to staff, as part of its assessment and evaluation regarding the provision of the 30 percent expansion restriction in the County's Policy, consideration of an amendment which would modify the restriction to 30 percent of the "footprint" to allow for the addition of a second story to a one-story rambler; and
- Direct staff to present this item to the Board for consideration of an amendment to the Policy.

Supervisor Connolly asked to amend the request to direct staff to present the potential impacts as practicable, and this was accepted.

Supervisor Gross asked to amend the request to direct staff also to provide information, if available, regarding how many people may have sought tax abatement, but were unable to qualify because of the restrictions in the present Policy, and this was accepted.

Without objection, the request, as amended, was so ordered.

50. **METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS' (COG) CRIME PREVENTION OFFICER OF THE YEAR** (Tape 7)

Supervisor Gross announced that Officer Josh Brown of the Mason District Station was recently voted the Metropolitan Washington Council of Governments' (COG) 1997 Crime Prevention Officer of the Year. She noted that this honor was the result of a vote of Officer Brown's peers on COG's Crime Prevention Subcommittee.

After highlighting Officer Brown's distinguished career, Supervisor Gross moved that the Board direct staff to invite Officer Brown to appear before the Board to be honored on February 23, 1998. This motion was seconded by Supervisor Dix.

Supervisor Connolly asked to amend the motion to add his name to this Board Matter, and this was accepted.

Supervisor Gross asked to amend the motion to invite the Chief of Police also, and this was accepted.

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

51. **RETIREMENT OF MS. BESS CARTER FROM THE COURTLAND PARK NEIGHBORHOOD WATCH** (Tape 7)

Supervisor Gross stated that she had recently been made aware of the impending retirement of Ms. Bess Carter from the Courtland Park Neighborhood Watch. Over the past 15 years Ms. Carter was a base station operator and active patroller, as well as the major coordinator of the annual Neighborhood Watch picnics held at Mason District Park.

Following a brief description of Ms. Carter's accomplishments, Supervisor Gross moved that the Board direct staff to invite Ms. Carter to appear before the Board to be honored on February 23, 1998 either following or preceding the recognition of Officer Josh Brown from the Mason District Police Station. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

52. **SCHEDULING OF THE PUBLIC HEARING FOR REZONING APPLICATION RZ 96-M-015 AND SPECIAL EXCEPTION APPLICATION SE 96-M-020 FOR AN ELDERLY HOUSING AND CARE FACILITY** (Tape 7)

Supervisor Gross stated that Manor Care is reactivating Rezoning Application RZ 96-M-015 and Special Exception Application SE 96-M-020, formerly in the name of Third Saint Mary's Housing Corporation, for an elderly housing and care facility. To meet its contract requirements, Manor Care representatives have requested that the public hearing before the Board be pre-scheduled.

Accordingly, Supervisor Gross moved that the Board direct staff to schedule the public

hearings for Rezoning Application RZ 96-M-015 and Special Exception Application SE 96-M-020 no later than July of 1998. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

53. **WAIVER OF SHOWMOBILE FEE FOR USE BY THE GEORGE MASON REGIONAL LIBRARY ON APRIL 25, 1998** (Tape 7)

Supervisor Gross reported that great progress has been made on the renovation of the George Mason Regional Library; the project is under budget and well ahead of schedule. She noted that the details for the Grand Re-Opening of the Library on April 25, 1998 are still being finalized and the Showmobile has been requested.

Accordingly, Supervisor Gross moved that the Board waive the Showmobile fee for use by the George Mason Regional Library on April 25, 1998. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

Supervisor Dix asked unanimous consent that the Board direct staff to invite former Mason District Supervisor Christine Trapnell to the Re-Opening ceremony. Without objection, it was so ordered.

54. **GIRL SCOUTS** (Tape 7)

(NOTE: Earlier in the meeting, action was taken by the Board to designate Boy Scouting Anniversary Week. See Clerk's Summary Item CL#8.)

Supervisor Gross announced that at the next meeting of the Board she will present a proposal to invite Girls Scouts to be recognized at a meeting in March.

55. **CONCURRENT PROCESSING FOR PLANS ASSOCIATED WITH REZONING APPLICATION RZ 95-Y-058** (Tape 7)

Supervisor Frey stated that Rezoning Application RZ 95-Y-058 for PDH-3 was approved by the Board in November, 1996 and the property is currently under contract for sale. Unfortunately, the Conceptual Development Plan (CDP) and Final Development Plan (FDP) approved in conjunction with the rezoning application was not certified by an engineer, and consequently, the applicant must file a preliminary subdivision plat. To assist the contract purchaser in progressing with this project, Supervisor Frey moved that the Board authorize the Department of Environmental Management (DEM) to concurrently process the Preliminary Subdivision Plat, Construction Plans, and Final Subdivision Plat associated with property located on Tax Map 45-2((1)) parcel 3. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

56. **RE-INTERMENT OF THE REMAINS OF SIX CIVIL WAR SOLDIERS** (Tape 7)

- (R) With reference to a Resolution he distributed to the Board, Supervisor Frey briefed the Board on the discovery and study of the remains of six Civil War soldiers discovered during site work for a development next to his office in Centreville. Accordingly, he moved that the Board adopt the Resolution expressing its support for the re-interment of these soldiers within the Centreville community where they fought and died for their beliefs and where they have been part of the community's and nation's heritage ever since, if proper family identification cannot be determined. This motion was seconded by Chairman Hanley.

Supervisor Hyland asked to amend the motion to have the Chairman's signature on the Resolution, and this was accepted.

Supervisor Gross asked to amend the motion to correct the fifth "Whereas" to add the word "churches" after Centreville, and this was accepted.

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

Supervisor Frey noted that he would keep the Board apprised of any re-interment ceremony in the late spring.

57. **STORMWATER UTILITY FEE ISSUE** (Tape 7)

With reference to information he sent to the Board last week, Supervisor Frey stated that last year staff and the Development Process Committee held several workshops and information meetings on the stormwater utility fee concept. Staff had hoped to hold public hearings on the issue last fall, but because of many outstanding concerns, the Board has not yet advertised these hearings.

Because the stormwater management issue continues to be a major concern even if there is no public support for a utility fee, Supervisor Frey stated that the Board must address concerns about environmental and aesthetic issues, credits, and equity. Therefore, Supervisor Frey moved that the Board direct staff to:

- Conduct an extensive review within the Metropolitan area and nationally of the latest state-of-the-art technologies to determine whether there are more environmentally sensitive and aesthetically pleasing methods to detain and treat stormwater;
- Evaluate the stream valley quality study done by Montgomery County and report on its benefits and whether such a study is necessary here;
- Continue to work with the affected parties on the equity of the

proposed credit system; and

- Continue the Stormwater Utility Advisory Group to assist staff and expand it to allow representation of additional stakeholders, specifically, the community association industry and the property management industry.

This motion was seconded by Supervisor Hyland.

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

58. **FINAL DEVELOPMENT PLAN AMENDMENT FOR THE CHRIST UNITED METHODIST CHURCH** (Tape 7)

Supervisor McConnell stated that Christ United Methodist Church will soon file Final Development Plan Amendment Application FDPA 85-S-064-3 requesting a building addition and an increase in the number of preschool students. In consideration of construction schedules and fundraising activities, the Church has requested concurrent processing as well as expedited processing so that the application may be presented to the Planning Commission prior to the August recess.

In light of these circumstances, Supervisor McConnell moved that the Board direct appropriate staff to:

- Expeditiously schedule the public hearing for Final Development Plan Amendment Application FDPA 85-S-064-3 to be filed by the Christ United Methodist Church; and
- Simultaneously and concurrently process the Site Plan and other plans or drawings associated with this Application.

She noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and does not prejudice the consideration of the application in any way. This motion was seconded by Supervisor Dix and carried by unanimous vote.

59. **APPROVAL OF THE TRANSPORTATION ADVISORY COMMISSION'S (TAC) PROPOSED 1998 WORK PLAN** (Tape 7)

(BACs)

Supervisor McConnell explained that each year the Transportation Advisory Commission (TAC) develops a work plan and submits it to the Board. This work plan, along with specific Board referrals, serves as the basis for the TAC's activities. Noting that the TAC's proposed 1998 Work Plan has been provided to the Board, and was an agenda item for the morning's Board's Transportation Committee meeting, Supervisor McConnell moved that the Board approve the TAC's 1998 Work Plan. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

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

Chairman Hanley announced that two items deferred during the morning session would be considered later in the day. She also stated that there were several public hearings to be deferred and that Executive Session would begin at 2:00 p.m.

61. **RECESS/EXECUTIVE SESSION** (Tape 7)

At 1:40 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:

- In Re: Appeal of Monique Smith, Fairfax County Civil Service Commission.

This motion was seconded by Supervisor Hyland.

Following a brief discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which carried by unanimous vote.

62. **WELCOME TO MICHAEL SHEAR, WASHINGTON POST REPORTER, AND AN INVITATION TO ERIC LIPTON** (Tape 7)

Supervisor Hyland recognized the presence of Michael Shear, the *Washington Post* reporter who will now be covering the Board's activities, and the Board warmly welcomed him.

Supervisor Kauffman moved that the Board direct staff to invite Mr. Shear's predecessor, Eric Lipton, to appear before the Board to be recognized. This motion, the second to which was inaudible, carried by unanimous vote.

SBE:sbe

At 3:35 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

63. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 8)

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 Hyland and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

64. **AUTHORIZATION FOR THE FILING AN APPEAL IN MARRIOTT SENIOR LIVING SERVICES VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW NUMBER 148668** (Tape 8)

Supervisor Hyland moved that the Board authorize the filing of an appeal in *Marriott Senior Living Services versus Board of Supervisors of Fairfax County*, At Law Number 148668, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

65. **AUTHORIZATION OF SETTLEMENT IN TRUST COMPANY OF THE WEST, TRUSTEES VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBERS 148653, 148656, AND 159693** (Tape 8)

Supervisor Connolly moved that the Board authorize the settlement in *Trust Company of the West, Trustees versus Board of Supervisor of Fairfax County, Virginia*, At Law Numbers 148653, 148656, and 159693, according to the terms and conditions outlined by the County Attorney in Executive Session. The motion, the second to which was inaudible, carried by unanimous vote.

CM:cm

66. **3:30 P.M. - BOARD DECISION REGARDING THE SALE OF COUNTY-OWNED PROPERTY LOCATED ON SUNSET HILLS ROAD AT TAX MAP NUMBER 018-3 ((1)) PARCEL 11B (HUNTER MILL DISTRICT)** (Tape 9)

(R) (NOTE: On January 12, 1998, the Board held the public hearing on this item and deferred decision until January 26, 1998. On January 26, 1998 the Board deferred decision until February 9, 1998.)

Supervisor Dix moved adoption of the Resolution authorizing the sale of County-owned property on Sunset Hills Road located at Tax Map Number 018-3 ((1)) parcel 11B, containing approximately 333,509 square feet or 7.656 acres, to Westerra Reston L.L.C. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Kauffman being out of the room.

67. **3:30 P.M. - PH ON REZONING APPLICATION RZ 96-B-021, PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 87-A-011 AND PCA 89-A-001, AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-A-017 [FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)] (BRADDOCK DISTRICT)** (Tape 9)

Supervisor Bulova moved to defer the public hearings on:

- Rezoning Application RZ 96-B-021;
- Proffered Condition Amendment Applications:
 - PCA 87-A-011;
 - PCA 89-A-001; and
- Special Exception Amendment Application SEA 87-A-017;

until **March 9, 1998 at 4:30 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

68. **3:30 P.M. - PH ON REZONING APPLICATION RZ 91-H-001 (LFBC TEN LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 9)

- (O) Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Dix moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 91-H-001 be amended from the R-E District to the I-4 District subject to the execution of the proffers dated January 28, 1998; and
- Modification of the transitional screening and barrier requirement along the northern property boundary in accordance with Paragraph Seven of Section 13-304.

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

69. **3:30 P.M. - PH TO CONSIDER THE VACATION OF A PORTION OF O'SHAUGHNESSY DRIVE (MASON DISTRICT)** (Tape 9)

Chairman Hanley announced that the public hearing on the adoption of the Ordinance vacating a portion of O'Shaughnessy Drive would be deferred until later in the meeting.

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

70. **3:30 P.M. - PH ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF BELLE HAVEN ROAD (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 January 22 and January 29, 1998.

Following the public hearing, Supervisor Hyland moved adoption of the Order abandoning and the Ordinance vacating a portion of Belle Haven Road (Route 632). This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland and Chairman Hanley voting "AYE," Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

71. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 83 (BOATS) REGARDING THE ESTABLISHMENT OF A NO WAKE ZONE FOR VESSELS ON LITTLE HUNTING CREEK AND THE ADDITION OF APPENDIX L (MOUNT VERNON DISTRICT)** (Tape 9)

- (Os) 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 January 22 and January 29, 1998.

Following the public hearing, which included testimony by two speakers, Supervisor Hyland moved:

- Adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 83 (Boats) regarding the establishment of a no wake zone for vessels on Little Hunting Creek; and
- Adoption of a new Appendix L (Ordinance to Designate No Wake Zone) to become effective on **February 10, 1998 at 12:01 a.m.**

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

72. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-P-064 (WEST*GROUP PROPERTIES LLC) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. Thomas D. Florrie reaffirmed the validity of the affidavit for the record.

Mr. Florrie 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.

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

- In excess of \$200 from Ms. Katherine McClain.

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

Supervisor Connolly moved approval of Special Exception Application SE 97-P-064 subject to the revised development conditions dated February 4, 1998. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell being out of the room.

73. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 74-3-087 (RICHARD M. ROBERTSON) (DRANESVILLE DISTRICT)** (Tape 9)

Supervisor Mendelsohn moved to defer the public hearing on the Proffered Condition Amendment Application PCA 74-3-087 until **April 27, 1998 at 4:30 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell being out of the room.

74. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-Y-039 (EBRAHIM A. BABAZADEH) (SULLY DISTRICT)** (Tape 9)

Supervisor Frey moved to defer the public hearing on Special Exception Application SE 97-Y-039 until **March 9, 1998 at 5:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Kauffman and Supervisor McConnell being out of the room.

75. **3:30 P.M. - PUBLIC HEARING TO CONSIDER THE VACATION OF A PORTION OF O'SHAUGHNESSY DRIVE (MASON DISTRICT)** (Tape 9)

- (O) (NOTE: Earlier in the meeting, action was taken to defer the public hearing to consider the vacation of a portion of O'Shaughnessy Drive. See Clerk's Summary Item CL#69.)

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 January 22 and January 29, 1998.

Following the public hearing, Supervisor Gross moved adoption of the Ordinance vacating a portion of O'Shaughnessy Drive. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

76. **4:00 P.M. - PH ON REZONING APPLICATION 1997-MA-044 AND SPECIAL EXCEPTION APPLICATION SE 97-M-044 (SKYLINE ENTRE LIMITED PARTNERSHIP) (MASON DISTRICT)** (Tape 9)

(O) Ms. Erica Byrd-Johnson reaffirmed the validity of the affidavit for the record.

Ms. Byrd-Johnson 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, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-MA-044 be amended from the R-3, Highway Corridor Overlay, and Sign Control Overlay Districts to the C-8, Highway Corridor Overlay, and Sign Control Overlay Districts subject to the execution of the proffers dated February 3, 1998;
- Approval of Special Exception Application SE 97-M-044 subject to the development conditions dated January 27, 1998; and
- Waiver of the minimum lot area and lot width requirement of the C-8 District and waiver of the service drive requirement.

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

77. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-A-042 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-A-027 (MCDONALD'S CORPORATION) (BRADDOCK DISTRICT)** (Tape 9)

Ms. Tracy Steele Scileppi reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by two speakers, Brian Davis, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- Approval of Proffered Condition Amendment Application PCA 88-A-042 subject to the executed proffers dated December 2, 1997;
- Approval of Special Exception Amendment Application SEA 86-A-027 subject to the development conditions dated January 28, 1998; and
- Waiver of the open space requirement on Special Exception Amendment Application SEA 86-A-027.

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

78. **4:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S96-II-F1, FOR SUB-UNIT 03 OF THE FAIRFAX CENTER AREA (SULLY DISTRICT)**
(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 January 22 and January 29, 1998.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved approval of Out-of-Turn Plan Amendment S96-II-F1 as recommended by the Planning Commission and shown on pages five and six of the staff report. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

79. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 95-P-020 AND PCA 80-P-039-5 (BOZZUTO DEVELOPMENT COMPANY) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Proffered Condition Amendment Applications PCA 95-P-020 and PCA 80-P-039-5 until **March 9, 1998 at 5:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

80. **ORDERS OF THE DAY** (Tape 10)

Chairman Hanley announced that the Board would proceed next with the Board decision on the leasing of a portion of County-owned property located at 13208 Lee Highway to the Chantilly Youth Association (CYA) (Sully District).

81. **4:30 P.M. - BOARD DECISION ON THE LEASING OF A PORTION OF COUNTY-OWNED PROPERTY LOCATED AT 13208 LEE HIGHWAY TO THE CHANTILLY YOUTH ASSOCIATION (CYA) (SULLY DISTRICT)** (Tape 10)

(NOTE: On January 26, 1998, the Board held a public hearing on this item and deferred decision until February 9, 1998.)

Supervisor Frey moved that the Board authorize the County Executive to execute a lease with the Chantilly Youth Association (CYA) for that portion of County-owned property, Tax Map Number 55-3((1))26, which is north of Autumn Willow Drive. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

Supervisor Frey asked unanimous consent that the Board direct staff to review the property for the purpose of turning it over to the Park Authority as soon as possible. Without objection, it was so ordered.

82. **A-3 - BOARD APPROVAL OF THE NUMBER OF TAXICAB CERTIFICATES TO BE AUTHORIZED IN 1998** (Tape 10)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#15.)

Following discussion, with input from Ronald B. Mallard, Director, Department of Consumer Affairs, Supervisor Hyland moved that the Board:

- Allocate 22 taxicab certificates for 1998; and
- Direct staff to report to the Board with suggestions for calculating standards for the future.

This motion was seconded by Supervisor Bulova.

Following further discussion, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Connolly and Supervisor Dix voting "NAY."

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to circulate to Board Members the relevant testimony and documentation distributed during the last public hearing on the taxicab issue regarding why taxicab certificates are regulated. Without objection, it was so ordered. Vice-Chairman Hyland returned the gavel to Chairman Hanley.

83. **4:30 P.M. - PH ON REZONING APPLICATION RZ 96-P-009 (HUNTING RIDGE ASSOCIATES, L.L.C.) (PROVIDENCE DISTRICT)** (Tape 10)

Because the applicant failed to advertise the Final Development Plan (FDP) for Rezoning Application RZ 96-P-009, Supervisor Connolly moved to defer the public hearing until **March 9, 1998 at 5:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hyland being out of the room.

84. **4:30 P.M. - BOARD DECISION ON THE LEASING OF A PORTION OF COUNTY-OWNED PROPERTY LOCATED AT 13208 LEE HIGHWAY TO THE CHANTILLY YOUTH ASSOCIATION (CYA) (SULLY DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#81.)

85. **I-6 - REQUEST FOR PROPOSAL (RFP) FOR SOUTH COUNTY HUMAN SERVICES COLLOCATION FACILITY PUBLIC/PRIVATE DEVELOPMENT PROJECT (LEE DISTRICT)** (Tape 10)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#23.)

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, Supervisor Kauffman moved approval of the Request for Proposal (RFP) for South County Human Services Collocation Facility Public/Private Development Project (Lee District). This motion was seconded by Supervisor Mendelsohn and **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

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

At 5:30 p.m., the Board adjourned.