



# **CLERK'S BOARD SUMMARY**

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

**MONDAY  
AUGUST 7, 2000**

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**18-00**

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**DAM:dam**

The meeting was called to order at 9:20 a.m., with all Members being present with the exception of Supervisor Kauffman and Supervisor Frey, and with Chairman Hanley presiding.

Supervisor Frey was absent from the entire meeting.

Supervisor Kauffman arrived at 9:25 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 MATTERS**

1. **MOMENT OF SILENCE/ABSENCE OF SUPERVISOR FREY** (Tape 1)

Chairman Hanley announced that Supervisor Frey was with his ill mother in Florida and would not be present for the Board meeting. She asked everyone to remember Supervisor Frey's mother in thoughts and prayers.

2. **INTRODUCTION OF KAREN DEPAZ, A SUMMER INTERN IN THE MASON DISTRICT OFFICE** (Tape 1)

Supervisor Gross introduced Karen Depaz, a ninth grade student at Falls Church High School, who is a summer intern in the Mason District office through the Summer Youth Employment Program.

3. **INTRODUCTION OF BRIAN CLIFFORD, NEW STAFF MEMBER IN CHAIRMAN HANLEY'S OFFICE** (Tape 1)

Chairman Hanley introduced her newest staff member, Brian Clifford.

4. **HAPPY BIRTHDAY WISHES FOR MS. FRANCIS MARSHALL** (Tape 1)

Supervisor McConnell expressed happy eighty-third birthday wishes for Ms. Francis Marshall, a leading citizen in the Springfield District.

5. **MOMENT OF SILENCE FOR EVERYONE TO VERDIA L. HAYWOOD, DEPUTY COUNTY EXECUTIVE** (Tape 1)

Supervisor McConnell asked that everyone remember Verdian L. Haywood, Deputy County Executive, in thoughts and prayers for the recent loss of his brother and sister-in-law.

**AGENDA ITEMS**

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MAYOR JANE SEEMAN** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mayor Jane Seeman for her contributions as Hunter Mill District Representative to the Library Board. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. GORDON BROWN** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Mr. Gordon Brown for devoting many years of service to mentor youth of Fairfax County. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

8. **PRESENTATION OF THE NATIONAL ASSOCIATION OF COUNTIES (NACo) ACHIEVEMENT AWARDS** (Tape 1)

Chairman Hanley introduced Larry Naake, Executive Director of the NACo, who was the guest presenter for the following NACo Achievement Awards.

Supervisor Hyland moved approval of the NACo Achievement Award presented to the Department of Community and Recreation Services and the Public Library for the "Gum Springs Community Center Computer Clubhouse Model." Supervisor Kauffman seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

A second award, for "Best in Category," was presented to the Department of Community and Recreation Services and the Public Library for the "Gum Springs Community Center Computer Clubhouse Model."

Supervisor Hyland moved approval of the NACo Achievement Award presented to Juvenile Court and Fairfax-Falls Church Community Services Board for "Juvenile Detention Center Post Dispositional Program." Supervisor Kauffman seconded the motion, which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

Supervisor Hyland moved approval of the NACo Achievement Award presented to the Department of Housing and Community Development for "Revitalizing the Richmond Highway Corridor." Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

Supervisor Hyland moved approval of the NACo Achievement Award presented to the Department of Information Technology for "Public Access Initiative." Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

9. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. RUTH JOHNSON AND MR. JOSHUA THOMAS** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Ms. Ruth Johnson for her years of service on the Criminal Justice Advisory Board. Supervisor McConnell seconded the motion, which carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Frey being absent.

(NOTE: Mr. Joshua Thomas, an additional recipient of this award, was not in attendance.)

10. **CERTIFICATE OF RECOGNIZITON PRESENTED TO MICHAEL LONG, SENIOR ASSISTANT COUNTY ATTORNEY** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to Michael Long, Senior Assistant County Attorney, for receiving the Local Government Attorneys 2000 Public Service Award. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

11. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. AUBREY TARKINGTON** (Tapes 1-2)

Supervisor Connolly moved approval of the Certificate of Recognition presented Mr. Aubrey Tarkington upon his retirement as senior manager for external affairs for Virginia Power. Multiple supervisors seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

12. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. VICTORIA (VICKY) WINGERT** (Tape 2)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Ms. Victoria (Vicky) Wingert for her service to the Reston Community as a volunteer and a member of the Reston Association staff. Chairman Hanley seconded the motion, which carried by a vote of seven, Supervisor Kauffman and \*Supervisor Connolly being out of the room, Supervisor Frey being absent.

\*Upon his return to the Board Auditorium, Supervisor Connolly asked unanimous consent that he be recorded as voting "AYE" on this vote. Without objection, it was so ordered.

13. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. RICKEY HARRIS** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Mr. Rickey Harris for winning the 400-meter intermediate hurdles event at the National Junior Championships in Denton, Texas. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**DS:ds**

14. **ADMINISTRATIVE ITEMS** (Tape 3)

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

Supervisor Gross called the Board's attention to Admin 14 - Authorization for a Public Hearing to Amend the Fiscal Year 2001 Appropriation Level, and asked to amend the motion to include a Consideration Item - Traffic Calming and Cut Through Measures, in the amount of \$130,000. Supervisor Kauffman seconded the amendment to the motion and it carried by a vote of nine, Supervisor Frey being absent. Discussion ensued with input from Anthony H. Griffin, County Executive.

Supervisor Hudgins referred to Operation Match, which is a home sharing program, and moved to amend the motion and direct staff to:

- Add as a Consideration Item the Operation Match program in Fairfax County with an approximate cost of \$99,101.
- Explore ways that Fairfax County, non-profit organizations, and faith communities may partner in the future to support an ongoing housing match program.

Supervisor Bulova seconded the amendment to the motion.

Following discussion, the question was called on the amendment to the motion and it carried by a vote of nine, Supervisor Frey being absent.

Following discussion, with input from Mr. Griffin, Supervisor Kauffman referred to handwritten page 49 of the Memorandum to the Board, dated August 7, 2000, and asked unanimous consent that the Board direct staff to provide a status report regarding the cost associated with the Computer Learning Centers located in the Lee District. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide an update of the evaluation of the Computer Learning Centers. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Further discussion ensued with input from Edward L. Long, Jr., Chief Financial Officer, and Mr. Griffin.

Supervisor Bulova asked unanimous consent that the Board direct staff to report with an update on the Master Gardener Program. Without objection, it was so ordered.

Further discussion ensued with input from Mr. Long.

Supervisor Kauffman called the Board's attention to Admin 4 - Authorization to Advertise Public Hearings on a Proposed Policy Plan Amendment Regarding Stream Protection and asked unanimous consent that the Board direct staff to ensure that there is a long-term maintenance plan for the rain gardens. Without objection, it was so ordered.

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

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (LEE, SPRINGFIELD, AND SULLY 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>
Huntington Commons	Lee	Edgehill Court (Route 1618)

South Run Oaks	Springfield	Oaktop Court (Route 7924)
Oakton Hill	Sully	Proffit Estates Court Fox Mill Road (Route 665) Addl ROW Only

**ADMIN 2 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM**

Designated the following individual, identified with his registration number, as a Plans Examiner:

- Chad P. Crawford (200)

**ADMIN 3 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITIES REVIEW APPLICATIONS (DRANESVILLE, HUNTER MILL, MASON, AND PROVIDENCE DISTRICTS)**

Extended the review periods for the following 2232 Public Facilities Review Applications to the dates noted:

- Application FS-H00-77 to November 11, 2000
- Application FS-H00-79 to November 17, 2000
- Application FS-M00-78 to November 17, 2000
- Application 2232-D00-21 to November 18, 2000
- Application FS-P00-22 to November 19, 2000
- Application FS-P00-80 to November 20, 2000
- Application FS-P00-81 to November 20, 2000
- Application 2232-P00-2 to March 15, 2001

**ADMIN 4 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED POLICY PLAN AMENDMENT REGARDING STREAM PROTECTION**

(A) (Earlier in the meeting there was discussion of this item. See page 5.)

Authorized the advertisement of a public hearing to be held before the Planning

Commission on September 28, 2000, and before the Board on **October 30, 2000, at 3:30 p.m.** regarding the proposed amendment to the Policy Plan volume of the Comprehensive Plan for Fairfax County, Virginia.

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL) SECTION 41-2-4(A)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 11, 2000, at 4 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl) Section 41-2-4(a). The proposed change would allow the designation of certain areas within the County that are leased, controlled, or operated by the Fairfax County Park Authority and by the Northern Virginia Regional Park Authority as off-leash or dog exercise areas.

**ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 112 (ZONING ORDINANCE) REGARDING WRITTEN NOTICE REQUIREMENTS FOR SUBDIVISION PLATS, SITE PLANS, WAIVERS, AND VARIANCES OF SUBDIVISION ORDINANCE REQUIREMENTS; PUBLIC IMPROVEMENT REQUIREMENTS FOR MINOR ADJUSTMENT OF PROPERTY LINES; AND NAMES OF COUNTY AGENCIES**

- (R)
- (A) Adopted the Resolution authorizing the advertisement of public hearings to be held before the Planning Commission on September 14, 2000, and before the Board on **October 17, 2000, at 4 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) and Chapter 112 (Zoning Ordinance). The proposed amendments address issues related to written notice requirements and the required waiting periods prior to approval after notice is given for preliminary subdivision plats, final subdivision plats, site plans, waivers and variances of Subdivision Ordinance requirements, off-site construction in existing utility easements, and construction in or near major existing utility easements, and construction in or near major underground utility easements. The proposed amendments to the Subdivision Ordinance also clarify public improvement requirements for minor adjustment of property lines and update the names of County agencies.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 11, 2000, at 4:30 p.m.** on proposed amendments to the Code of the

County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to expand the Annandale RPPD, District 14. The proposed expansion includes the following street blocks: Newcastle Drive (Route 2055) from Terrell Street (Route 2642) to Heritage Drive (Route 2630).

**ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 11, 2000, at 4 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to expand the Robinson RPPD, District 17. The proposed expansion includes the following street blocks: Wheatstone Drive (Route 5172) from Gainsborough Drive (Route 4815) to Allenby Road (Route 5187), Allenby Road from Wheatstone Drive to the south end, and Rodney Court (Route 5186) from Gainsborough Drive to the end.

**ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF DUFF DRIVE (ROUTE 1886) (MASON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 11, 2000, at 3:30 p.m.** to consider the vacation and abandonment of a portion of Duff Drive.

**ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON HORSE SHOE COURT (ROUTE 775) (PROVIDENCE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 11, 2000, at 3:30 p.m.** to consider the vacation and abandonment of Horse Shoe Court.

**ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED CUT-THROUGH TRAFFIC RESTRICTION FOR PARK ROAD (DRANESVILLE DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 11, 2000, at 3:30 p.m.** to consider requesting the Virginia Department of Transportation to implement measures to reduce the amount of cut-through traffic on Park Road.



**ADMIN 12 – BOARD ENDORSEMENT OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) APPLICATION FOR JOB ACCESS AND REVERSE COMMUTE PROGRAM FUNDS FROM THE FEDERAL TRANSIT ADMINISTRATION TO BE USED FOR THE SPRINGFIELD CIRCULATOR**

- Endorsed WMATA's application for \$350,000 of Job Access and Reverse Commute Program funds for the Springfield Circulator
- Advised WMATA that Fairfax County will provide the \$350,000 local cash match required for this grant

**ADMIN 13 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01018 FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES' LOCAL GOVERNMENT CHALLENGE GRANT FROM THE VIRGINIA COMMISSION FOR THE ARTS**

- (SAR) Approved SAR AS 01018 in the amount of \$5,000 for the Local Government Challenge Grant from the Virginia Commission for the Arts. The funds will be given entirely to the Arts Council of Fairfax County for distribution through its grants system. No new positions will be funded with this grant.

**ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE FISCAL YEAR (FY) 2001 APPROPRIATION LEVEL**

- (A) (Earlier in the meeting there was discussion of this item. See pages 4-5.)

Authorized the advertisement of a public hearing to be held before the Board on September 11, 2000, to amend the FY 2001 Appropriation Level.

15. **A-1 – FISCAL YEAR (FY) 2000 APPROPRIATION ADJUSTMENT**  
(Tape 3)

- (SAR) On motion of Supervisor Kauffman, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and:

- Authorized staff to process payment vouchers for items previously approved and appropriated in FY 2000 for the interim period from July 1 until the Board approves the FY 2000 Carryover Review, which is scheduled for action on September 11, 2000.
- Adopted Supplemental Appropriation Resolution AS 00090 for the agencies and funds requiring additional appropriations for FY 2000.

Since these adjustments do not increase the actual total expenditure level for all funds, a public hearing is not required.

16. **A-2 – CHANGES TO THE FAIRFAX COUNTY PURCHASING RESOLUTION** (Tape 3)

- (R) Supervisor Kauffman moved that the Board concur in the recommendation of staff and approve changes to the Purchasing Resolution as outlined in the Memorandum to the Board dated August 7, 2000, to become effective upon adoption. Supervisor Hudgins 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 a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being absent.

17. **A-3 – APPROVAL OF THE PROJECT AGREEMENT FOR FRANCONIA-SPRINGFIELD METRORAIL STATION INTERIM PARKING CAPACITY ENHANCEMENTS (LEE DISTRICT)** (Tape 3)

On motion of Supervisor Kauffman, seconded by Chairman Hanley, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and approved the Project Agreement for the Franconia-Springfield Metrorail Station Interim Parking Capacity Enhancements.

18. **A-4 – APPROVAL OF A CONCURRENT RESOLUTION OF THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) REGARDING AN INCREASE IN BOARD MEMBER COMPENSATION** (Tape 3)

Following input from Anthony H. Griffin, County Executive, Chairman Hanley announced that this item would be heard following the public hearings.

(NOTE: Later in the meeting action was taken on this item. See Clerk's Summary Item CL#96.)

19. **A-5 – APPROVAL OF WALKWAY IMPROVEMENT PROJECTS** (Tape 3)

Supervisor Connolly moved that the Board concur in the recommendation of staff and approve the walkway improvement projects for Fiscal Year 2001 as listed in the Memorandum to the Board dated August 7, 2000. Supervisor Bulova and Supervisor Hyland jointly seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland, and referred to handwritten page six of the Memorandum to the Board, Fiscal Year 2001 Trails Projects - July 11, 2000, and asked to amend the motion to take the \$20,000

contingency plus the \$9.6 thousand contingency from the At-Large District and apply it to the Hunter Mill/Reston Parkway Trail Sidewalk, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn asked to amend the motion to refer to the Olney Park segment as the Unspecified Trail Implementation in the Pimmit Stream Valley, and this was accepted.

Following further discussion, with input from Howard J. Guba, Director, Office of Capital Facilities, Department of Public Works and Environmental Services, the question was called on the motion, as amended, and it carried by a vote of nine, Supervisor Frey being absent.

20. **A-6 – REVISIONS TO CHAPTER 4 OF THE PERSONNEL REGULATIONS IMPLEMENTING THE RANK RESTRUCTURING IN THE OFFICE OF THE SHERIFF** (Tape 3)

On motion of Supervisor Gross, jointly seconded by Supervisor Connolly and Supervisor Hyland, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and adopted the proposed revisions to Chapter 4 of the Personnel Regulations implementing the rank restructuring in the Office of the Sheriff.

21. **I-1 – CONTRACT AWARDS AND APPROVAL OF STREET ACCEPTANCE ITEMS DURING BOARD OF SUPERVISORS' RECESS** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 7, 2000, requesting authorization for the County Executive or the appropriate Deputy County Executive or the Chief Financial Officer to continue to approve street acceptance items and award contracts while the Board is in recess.

The staff was directed administratively to proceed as proposed.

22. **I-2 – CONTRACT AWARD – CONSTRUCTION OF ATHLETIC FIELD LIGHTING AT BEULAH, BRADDOCK, AND CUNNINGHAM PARKS (LEE, SPRINGFIELD, AND HUNTER MILL DISTRICTS)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 7, 2000, requesting authorization for staff to award a contract to S. Rock/Estabrook Corporation in the amount of \$1,075,000 for the construction of athletic field lights at Beulah, Braddock, and Cunningham Parks as part of Project 474198, Athletic Field Development in Fund 370, Park Authority Bond Construction.

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide information to the Lee District office regarding the timing of lighting on Beulah Park, and this was accepted.

The staff was directed administratively to proceed as proposed.

23. **I-3 – CONTRACT AWARD – PROFESSIONAL SERVICES FOR TRAIL DESIGN CONSULTANTS** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 7, 2000, requesting authorization for staff to award open-end Professional Services Trail Design Consultant contracts to Paciulli, Simmons and Associates, Fairfax, Virginia; Burgess and Niple, Limited, Chantilly, Virginia; A. Morton Thomas and Associates, Rockville, Maryland; G.E. Fielder and Associates, Laurel, Maryland; in an amount not to exceed \$250,000 each for technical services needed to design 20 trail projects.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to review the analysis regarding out-of-state contractors and Business, Professional, and Occupational Licenses. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

24. **I-4 – CONTRACT AWARD – HILL ROAD SEWER EXTENSION AND IMPROVEMENT (PROVIDENCE DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 7, 2000, requesting authorization for staff to award a contract to Ed Lawrence Construction Company, Incorporated, in the amount of \$286,770.84 for the construction of Project X00826 (D00013), Hill Road Sanitary Sewer Extension and Improvement, in Fund 402, Sewer Bond Extension and Improvements.

The staff was directed administratively to proceed as proposed.

25. **I-5 – ENGINEERING CONTRACT AWARD FOR PARSONS TRANSPORTATION GROUP, INCORPORATED, FOR A TASK ORDER CONTRACT FOR THE DESIGN OF TRANSPORTATION SPOT IMPROVEMENT PROJECTS (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 7, 2000, requesting authorization for staff to award a contract to Parsons Transportation Group, Incorporated, in the amount of \$350,000 for consultant engineering services needed to provide design services on County Transportation Spot Improvement projects.

The staff was directed administratively to proceed as proposed.

26. **I-6 – ENGINEERING CONTRACT AWARD FOR PARSONS BRINCKERHOFF QUADE AND DOUGLAS, INCORPORATED, FOR A TASK ORDER CONTRACT FOR THE DESIGN OF TRANSPORTATION SPOT IMPROVEMENT PROJECTS (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 7, 2000, requesting authorization for staff to award a contract to Parsons Brinckerhoff Quade and Douglas, Incorporated, in the amount of \$350,000 for consultant engineering services needed to provide design services on County Transportation Spot Improvement projects.

The staff was directed administratively to proceed as proposed.

27. **I-7 – SUPPLEMENTAL AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE DEVELOPMENT AND ADMINISTRATION OF THE COLUMBIA PIKE – HOMES RUN SEGMENT TRAIL PROJECT (MASON DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 7, 2000, requesting authorization for staff to proceed to execute the supplemental agreement with VDOT for the development and administration of the Columbia Pike – Holmes Run Segment Trail.

Following discussion, with input from Howard J. Guba, Director, Office of Capital Facilities, Department of Public Works and Environmental Services, Supervisor Gross asked unanimous consent that the Board direct staff to return before the close of today's Board meeting with clarification on the funding, and this was accepted.

(NOTE: Later in the meeting further information was provided regarding this matter. See Clerk's Board Summary Item CL#81.)

28. **I-8 – UPGRADE OF SEWER REVENUE BONDS FROM “AA” TO “AAA”** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 7, 2000, announcing that one of three internationally recognized bond rating agencies, upgraded the 1996 Fairfax County Integrated Sewer Revenue Bonds from “AA” to “AAA.”

29. **I-9 – COUNTY HOLIDAY SCHEDULE – CALENDAR YEAR 2001** (Tape 3)

Chairman Hanley announced that the County Executive had asked that this item be pulled, and considered later in the meeting.

(NOTE: Later in the meeting this item was not considered.)

**ADDITIONAL BOARD MATTERS**

NV:nv

30. **COX COMMUNICATIONS, INCORPORATED, HUB SITES** (Tape 4)

Chairman Hanley stated that, as part of the County's cable television franchise agreement with Cox Communications, Incorporated, Cox has committed to build fiber upgrades to the existing system. This fiber upgrade entails the addition of six hub sites throughout the County. She provided written documentation about the associated Section 2232 public facility review applications.

Following a brief discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct the director of the:

- Department of Planning and Zoning to schedule as soon as possible the public hearings necessary for 2232 public facility review, special exception, and final development plan amendment (FDPA) applications.
- Department of Public Works and Environmental Services (DPWES) to accept the site plans concurrent with the 2232 review, special exception, and FDPA requests.
- DPWES to expedite the review of the site plans for all hub sites.

Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

31. **MANASSAS NATIONAL BATTLEFIELD PARK HISTORIC DISTRICT**  
(Tape 4)

Chairman Hanley called the Board's attention to a photograph that appeared in the *Washington Post* regarding National Park Service (NPS) plans to establish a new historic district on land area beyond the boundaries of the Manassas National Battlefield Park. NPS staff held a meeting on August 2, 2000, to provide information about the establishment of the historic district. Chairman Hanley stated her understanding that Fairfax County homeowners who attended this meeting were told that the new district would lie entirely within Prince William County. However, they were also informed that an historic district on property contiguous to the Battlefield had previously been established in Fairfax County in 1981.

Noting that several citizens contacted her office to express concern that the establishment of this district may have occurred without sufficient public notification and involvement and that accurate information must be disseminated on the issue, Chairman Hanley moved that the Board direct staff to examine the circumstances surrounding the creation of the 1981 historic district in Fairfax

County and report with its findings. This information should include, but not necessarily be limited to:

- The boundaries of the historic district.
- Public notification requirements, if any, that were in place at the time of this action.
- Whether affected homeowners face any restrictions on the use of their properties as a result of the historic district designation.

Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

32. **LETTER FROM CARDELL COOPER, ASSISTANT SECRETARY, UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)** (Tape 4)

Chairman Hanley shared a letter from Cardell Cooper, Assistant Secretary, HUD, congratulating the County for excellence in the administration of its Community Development Block grant allocation.

There was a brief discussion of this item.

33. **LETTER FROM THE COMMONWEALTH OF VIRGINIA'S DEPARTMENT OF SOCIAL SERVICES** (Tape 4)

Chairman Hanley distributed copies of a letter she had received from Sonia Rivero, Commissioner, Department of Social Services, Commonwealth of Virginia, in response to her letter requesting timely access to specific case data extracted from the ADAPT and OASIS systems.

34. **CELL TOWER CONSTRUCTION** (Tape 4)

Chairman Hanley distributed copies of an article from the Virginia Association of Counties' bulletin regarding how the Virginia Department of Transportation (VDOT) has issued new guidelines that attempt to circumvent a ruling of the Virginia Supreme Court and permit installation of towers for use by wireless telephone companies in VDOT rights-of-ways without local comprehensive plan or zoning review.

A brief discussion ensued, with input from David P. Bobzien, County Attorney, who stated that this issue would be discussed in closed session.

(NOTE: Later in the meeting the Board took action regarding this issue. See Clerk's Board Summary CL#80.)

35. **RELIGIOUS LAND USE BILL** (Tape 4)

Chairman Hanley distributed copies of the front page of the latest edition of *County News*, the publication of the National Association of Counties, and pointed out an article entitled "Clinton expected to sign 'Religious Land Use' bill - Local governments lose control over land use by religious institutions." Chairman Hanley noted that the Board would need a report on this issue and David P. Bobzien, County Attorney, stated that this issue would be discussed in closed session.

36. **APPOINTMENT TO THE LIBRARY BOARD** (Tape 4)

(APPT) Chairman Hanley moved the confirmation of the reappointment of Ms. Susan Thorniley as the School Board Representative to the Library Board of Trustees. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

37. **APPOINTMENT TO THE TRANSPORTATION ADVISORY COMMISSION (TAC)** (Tape 4)

(APPT) Chairman Hanley moved the confirmation of the appointment of Ms. Mary Cocker as the Fairfax Area Disability Services Board Representative to the TAC. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

38. **HOUSING** (Tape 4)

Chairman Hanley noted that the *Washington Post* recently published an article about the expiration of housing subsidies in various multifamily units and the difficulty citizens are having in finding places to use housing vouchers as landlords opt out of the federal rent subsidy program. She noted that a letter to the editor of the *Post* indicated that it is illegal in Montgomery County, Maryland to refuse to rent to an applicant because a person has a Section Eight voucher to pay all or some of the rent.

Accordingly, Chairman Hanley asked unanimous consent that the Board direct staff to research this issue to:

- Determine how Montgomery County has the authority to make this action illegal.
- Provide its finding to the Board.
- Determine whether there is legislation that the County can pursue to take the same action here.



Following discussion, Chairman Hanley clarified that the staff should provide details of the Montgomery County Fair Housing Law and whether it is feasible in Fairfax County.

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

Following discussion, Chairman Hanley asked unanimous consent that in regard to the concentration issue that the United States Department of Housing and Urban Development is taking under advisement, that the Board direct staff to provide information on the status and whether it must be jurisdiction-specific or whether it can be specific within areas of jurisdiction. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

DS:ds

39. **FIRST ANNUAL WASHINGTON AREA CONFERENCE ON TELEWORKING** (Tape 5)

Supervisor Connolly said that the Board unanimously supported an initiative introduced at the November 15, 1999, Board meeting on the issue of teleworking. As part of that vote the Board endorsed the formation of a task force on teleworking to look at best practices, incentives, and goals to organize a regional teleworking conference to promote teleworking as an important tool in addressing transportation and air quality challenges in our area.

Supervisor Connolly said that as chairman of the Metropolitan Washington Area Council of Governments (COG) this year, he introduced a resolution at COG's April 12, 2000, Board meeting that was unanimously endorsed by all of the representatives of this region, 17 jurisdictions, and that the region established a goal of achieving a 20 percent rate of teleworking commuters in the metropolitan Washington area by 2005. He said COG estimates that currently about 250,000, or 12 percent of the region's workers, now telework.

Supervisor Connolly said that he was pleased to report that under the stewardship of the County Executive's Office, the Planning Group has been meeting regularly and has plans for the conference which will be co-sponsored by Fairfax County, COG, and the International Telework Association and Council (ITAC) on Telework America Day, October 24, 2000, in the Fairfax County Government Center. The committee expects to finalize the conference agenda shortly and "mark your calendar" cards are about to be mailed to business and government leaders for that date. ITAC's latest research findings and its best practices guide will be unveiled at a morning press conference and COG and the County Executive's office are working on some exciting regional announcements as well.

Supervisor Connolly showed a bumper sticker that he has seen that said "Stop Driving - Telework, Telecommute." He said it should be encouraged because it would have beneficial results throughout the region.

40. **VALUE ENGINEERING (VE)** (Tape 5)

Supervisor Connolly said that on June 23, 1997, he and Supervisor Mendelsohn moved the approval of a Board Matter that led to the adoption of a policy requiring VE for capital projects. Under this policy, all County highway projects, neighborhood improvement projects, utility projects, and other "horizontal" construction projects with an estimated construction cost in excess of two million dollars are subject to a VE study.

Supervisor Connolly said that VE is a strategic and innovative approach to obtain optimum value for every dollar spent. VE reduces the overall project and life cycle costs without sacrificing quality, aesthetics, or operation and maintenance capabilities. September marks the third year of the Fairfax County VE program. Though still a relatively new program, VE has already proven to be a crucial aspect in retaining the quality of life the citizens demand. A recent example is the savings from the new public safety center parking structure. The County was able to save \$3.2 million from an estimated \$18 million cost.

Supervisor Connolly asked unanimous consent that the Board direct the County Executive to prepare a report on the cumulative savings to the County over the last three years, since the inception of the VE program.

Supervisor Mendelsohn added that the County Executive should determine from the schools its status in adopting a VE program. Without objection, it was so ordered.

41. **ZONING ORDINANCE RULES AND REGULATIONS GOVERNING SIGNS ALONG COUNTY ROADWAYS** (Tape 5)

(BACs) Supervisor Connolly said that Fairfax County, under its Zoning Ordinance, has specific rules and regulations governing signs along the County's roadways. These regulations, enforced by the Zoning Enforcement Branch, provide guidelines for residents and business owners alike to follow in displaying signs throughout the County. However, there are a great deal of illegal signs in Fairfax County.

Supervisor Connolly said that the County's sign problem is complicated by the fact that almost all of the roads in Fairfax are owned and operated by the State, meaning that these signs often are within the State right-of-way, further complicating enforcement efforts.

Therefore, Supervisor Connolly moved that the Board direct the County Executive to work with the Department of Planning and Zoning to form a Countywide sign task force to:

- Examine current practices and enforcement procedures.

- Investigate other jurisdictions' best practice methods in dealing with illegal signs.
- Return with any recommendations or suggestions the task force may have to amend the County sign ordinance.

Supervisor Connolly added that each Board Member should appoint a district representative to the task force. Supervisor Gross seconded the motion.

Supervisor Mendelsohn asked to amend the motion to include:

- That the task force receive input from the Department of Tax Administration.
- "...or seek legislation" to the third bullet of the motion.

And this was accepted.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to include input from Clean Fairfax, Incorporated, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

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

42. **CONCURRENT PROCESSING OF REZONING APPLICATION RZ 1999-PR-027 (AMERICAN LAND DEVELOPERS; SANDBURG NORTH)** (Tape 5)

Supervisor Connolly said that American Land Developers has submitted Rezoning Application RZ 1999-PR-027 to rezone 2.79 acres of land from the R-1 District to the PDH-3 District. This application seeks permission to permit development of six single family detached dwelling units at a density of 2.15 dwelling units per acre. In response to comments from staff, the Providence District Planning Commission, and the neighbors, the applicant substantially revised the plan to preserve existing stands of trees. In altering the layout of the project, the applicant eliminated two lots to arrive at the present proposal of six homes. The applicant further addressed issues such as drainage, incorporation into an existing homeowners association, and dedication of right-of-way for the potential widening of Interstate 495 in the future, as well as agreeing to install a noise wall.

Therefore, Supervisor Connolly moved that the Board direct the Director of the Department of Public Works and Environmental Services to concurrently process the subdivision plans for Rezoning Application RZ 1999-PR-027 with this application. This action does not prejudice the consideration of this review in any

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

43. **INOVA HEALTH CARE SERVICES SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-P-078-10** (Tape 5)

Supervisor Connolly said that Inova Health Care Services has filed a special exception amendment application at the Fairfax Hospital site in the Providence District and has asked for a Board date for that application.

Therefore, Supervisor Connolly moved that the Board direct the County Executive to schedule a public hearing to be held before the Board for Special Exception Application SEA 80-P-078-10 on November 20, 2000. This action does not prejudice the consideration of this review in any way. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Frey being absent.

44. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1999-PR-060 (RIVER TOWERS)** (Tape 5)

Supervisor Connolly announced his intent to defer the public hearing, later in the meeting at the appropriate time, on Rezoning Application RZ 1999-PR-060 until September 11, 2000, at 3 p.m.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#82.)

45. **INTENT TO DEFER THE PUBLIC HEARING ON BUENA VISTA ROAD VACATION** (Tape 5)

Supervisor Connolly announced his intent to defer the public hearing, later in the meeting at the appropriate time, on vacation of Buena Vista Road until September 11, 2000 at 3 p.m.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#86.)

46. **REQUEST FOR A CERTIFICATE OF RECOGNITION FOR THE CRIME PREVENTION UNIT OF THE POLICE DEPARTMENT** (Tape 5)

Supervisor Connolly said that for many years the first Tuesday in August has been set aside as "National Night Out," a time for neighborhoods to demonstrate their commitment to community safety and crime fighting as well as their support of our police department. He said that Providence District citizens are served by the McLean, Mason, Reston, and Fair Oaks Stations.

Supervisor Connolly said that August 1, 2000, was a stormy night. Yet, as he traveled to community events, he marveled at the commitment of not only the citizens but also the dedicated officers who were out there trying to make sure the

neighborhood was safe from would be criminals. Supervisor Connolly said that he passed Neighborhood Patrol Unit officers on their bicycles, in the rain.

Therefore, Supervisor Connolly moved that the Board direct staff to invite representatives of the Crime Prevention Unit of the Police Department to appear before the Board to be recognized for their outstanding efforts at an appropriate time to be honored. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Frey being absent.

47. **INCLUSION IN THE EDGELEA WOODS RESIDENTIAL PARKING PERMIT DISTRICT (RPPD) FOR SNOWBOUND COURT AND LOGWAY ROAD** (Tape 5)

Supervisor Connolly stated that he had received petitions from the residents of Snowbound Court and Logway Road for inclusion in the Edgelea Woods RPPD. Staff from the Department of Transportation has observed the parking conditions on these streets and has determined that the extensions of the Edgelea Woods RPPD to include Snowbound Court and Logway Road meets the parking demand guidelines as set forth in the County Code.

Therefore, Supervisor Connolly moved that the Board:

- Waive the minimum requirement of 100 contiguous or nearly contiguous parking spaces.
- Waive the \$10 per household application fee.
- Direct staff from the Department of Transportation to schedule a public hearing to be held before the Board so that this RPPD extension can be implemented as soon as possible.

Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Mendelsohn being out of the room, Supervisor Frey being absent.

48. **APPOINTMENT TO AIRPORTS ADVISORY COMMITTEE** (Tape 5)

(APPT) Supervisor Connolly moved the appointment of Mr. Richard Martinez, Jr. as the Providence District Representative to the Airports Advisory Committee to fill the unexpired term of Ms. Renata Wade. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

49. **REAPPOINTMENT TO TRANSPORTATION ADVISORY COMMISSION** (Tape 5)

(APPT) Supervisor Connolly moved the reappointment of Mr. Les Shoene as the Providence District Representative to the Transportation Advisory Commission.

Supervisor Gross and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

**PMH:pmh**

50. **ANNUAL PLAN REVIEW PROCESS** (Tapes 5-6)

Supervisor Connolly referred to a memorandum to James P. Zook, Director, Department of Planning and Zoning expressing concerns about a proposal from a Planning Commission subcommittee that would revise the annual plan review process.

There was a brief discussion with input from Mr. Zook.

51. **ASSISTANCE TO STARLIT PONDS HOMEOWNERS ASSOCIATION WITH CONVERSION OF WET PONDS TO DRY PONDS** (Tape 6)

Supervisor Bulova said that Starlit Ponds, a small community of single family detached homes, is located off Olley Lane near Little River Turnpike. In addition to some private streets and a tot lot, Starlit Ponds has two wet ponds that serve as a private storm water detention facility. Not long after the community was completed in the early 1980s it became apparent that the wet ponds would not be the aquatic amenity that residents had thought they would enjoy.

Supervisor Bulova said that for a number of years, the community made a valiant effort to solve the problems that arose. A number of innovative approaches were tried, but nothing worked. Over time, the ponds became choked with aquatic plant life, the fish did not survive, and storm water capacity decreased due to heavy siltation. Further complications include problems with adequate outfall. Starlit Ponds residents sought County assistance and were told that the solution was converting the ponds to dry ponds so that they could be turned over to the County for maintenance. Conversion is a very expensive undertaking, so the community tried innovative approaches to financing including applying for grants. After exhausting all avenues, Starlit Ponds residents decided to tighten their belts further and have raised the money to convert the ponds themselves. Their budget is very tight and they cannot afford to go through several revisions of engineered plans or do a state of the art conversion as might be required of a new subdivision.

Supervisor Bulova said that members of the Starlit Ponds Homeowners Association (HOA) Board of Directors, along with its attorney, met in her office with County staff to discuss how best to coordinate the conversion and transfer. The Starlit Ponds HOA has begun the process of selecting an engineering firm. At the same time, staff is reviewing the plans for a small new four-lot subdivision to be built adjacent to Starlit Ponds, upstream from the Starlit Ponds ponds. A waiver for an on site storm water detention facility has been approved with the conditions that the builder work with the Starlit Ponds HOA to obtain an outfall easement into the ponds as well as make some contribution toward the necessary

improvements. This will require very close coordination in the review of the two projects.

Therefore, Supervisor Bulova moved that the Board direct staff to ensure that there is close coordination and oversight in the review and approval of the engineered plans for the conversion of the Starlit Ponds ponds along with the subdivision plan for the development approved for Rezoning Application RZ 1999-BR-008. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

52. **VISIT WITH STUTTGART "SISTER REGION" PARTNERS** (Tape 6)

Supervisor Bulova said that last year, the Northern Virginia Regional Commission (NVRC) (then "Planning District Commission") entered into an agreement with officials in the Verband region of Stuttgart, Germany to exchange information about issues and programs in the respective regions. An official of the Stuttgart "Regional Parliament" visited Northern Virginia this year and participated in the NVRC's annual Land Use Conference. On July 21, 2000, Supervisor Bulova was part of a delegation of 12 NVRC Commissioners and staff who visited the Stuttgart area and participated in a nine day learning experience. The trip was funded by grants from the German Marshall Fund of the United States, American Council on Germany, Friedrich Ebert Foundation, and the Heinrich Boll Foundation.

In addition to ozone and particulates that foul the air, the regional partners are concerned with air flow and circulation. Stuttgart's regional body can restrict the construction of buildings that interfere with natural air currents and/or require that buildings be constructed at such an angle that allows air to flow between them. Additionally, because Stuttgart officials are concerned that the temperature of their city has risen as a result of construction, they have introduced rooftop gardens to help absorb heat and cool the local climate.

The Stuttgart Region recycles approximately 60 percent of its waste. Through a program called "Green Dot," manufacturers are responsible for recycling their own packaging material. The manufacturers have contracted with a private firm to collect packaging materials from homes and businesses and to recycle it. After one consumes something in a Stuttgart McDonalds, one separates out food trash, glass, aluminum and packaging into trash/recycling containers. The jurisdiction is responsible for picking up all items except for the packaging materials. A separate truck arrives once a week (at homes) and carries off the packaging waste.

Recycling is also done on-site for construction projects. While a building was being demolished, Supervisor Bulova watched trucks arrive on the site to cart away materials that had already been divided into concrete, metal, and wood. A truck ground up the concrete into sand and carted it away. Another truck removed the metal and another the wood.

One of the chief recommendations from the visit is that officials from the Stuttgart Regional Parliament be invited to participate in the Fall 2001 NVRC

Land Use Conference to describe more fully their programs on Greenways and Air Flow, and to share information about Stuttgart 21, a plan to move rail yards located in the center of the City underground and to redevelop the rail yard area with mixed use. They, in turn, have expressed an interest in learning more about methods for attracting economic development to the area, success with public/private partnerships, and efforts to provide training and education to Northern Virginia citizens on information technology.

Supervisor Bulova expressed her appreciation in having the honor of participating in the exchange as a Commissioner representing Fairfax County. A brief discussion ensued.

53. **MCLEAN LITTLE LEAGUE MAJOR ALL-STAR SOFTBALL TEAM**  
(Tape 6)

Supervisor Mendelsohn said that on July 27 the McLean Little League Major All-Star Softball Team won the Virginia State Tournament, beating out Tuckahoe of Richmond, 11-0. The McLean team came from behind to take home the 2000 Virginia State Championship banner.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to invite members of the McLean Little League Major All-Star Team to appear before the Board to be recognized for their significant accomplishment. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

54. **FAIRFAX CIRCUIT MEETS GOAL OF SPEEDY TRIALS** (Tape 6)

Supervisor Mendelsohn referred to an article in the *Journal* newspaper regarding the Virginia Supreme Courts decision that circuit courts should try 90 percent of their felony cases within 120 days. He noted that Fairfax County is the only one of the State's 31 judicial circuits meeting the goal.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board write the court and congratulate it on meeting the goal.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following discussion, Supervisor Hyland moved that the Board direct staff to:

- Invite Chief Circuit Judge F. Bruce Bach and any other appropriate judges to appear before the Board to be recognized for this accomplishment.
- Inform the National Association of Counties and let other jurisdictions benefit from how Fairfax County meets this goal.



Supervisor Mendelsohn seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

55. **CONCURRENT PROCESSING OF SITE PLAN WITH REZONING APPLICATION FOR S&R DEVELOPERS** (Tape 6)

Supervisor Gross said that S&R Developers, Incorporated has filed a rezoning request for properties located at Tax Map Number 81-2 ((1)) Lots 4, 5, and 6. The applicant has requested that site plan processing be concurrent with the rezoning request.

Therefore, Supervisor Gross moved that the Board direct staff to process the site plan associated with this application concurrently. This motion should not be construed as a favorable recommendation on the rezoning application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations, or adopted standards. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

56. **RETIREMENT OF BRIAN SMITH, DEPUTY DIRECTOR OF BUILDING CODE SERVICES, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES** (Tape 6)

Supervisor Gross announced that Mr. Brian Smith has retired after 28 years with the County. From his first job on a survey crew, Mr. Smith ultimately reached the position of Deputy Director of Building Code Services, in the Department of Public Works and Environmental Services. One of Mr. Smith's many skills is an ability to make people see the lighter side of any situation. With his knowledge of the process and his problem-solving attitude, Mr. Smith was tremendously helpful to residents, businesses, and Supervisors' offices. He will be sorely missed.

Therefore, Supervisor Gross moved that the Board direct staff to invite Mr. Smith to appear before the Board to be honored before the Board on a date to be determined. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

57. **REQUEST TO WAIVE LANDFILL TIPPING FEES** (Tape 6)

Supervisor Gross said that in late July, the Virginia Department of Transportation (VDOT) removed a large amount of debris that had accumulated off Columbia Pike near the entrance to Holmes Run Stream Valley Park. Over the summer, multiple truckloads of debris were dumped there on public land. She said that at her request, VDOT conducted the clean-up, and transported the debris to the County landfill. VDOT Maintenance has been most cooperative in dealing with this repeated problem. She said that her office will be working in partnership with VDOT to find a solution so that another clean-up is not necessary.

Supervisor Gross moved that the Board direct the County Executive to waive the landfill tipping fees associated with this important clean-up. Supervisor McConnell seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, the question was called on the motion and it carried by a vote of nine, Supervisor Frey being absent.

58. **EXPANSION OF THE CULMORE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) DISTRICT 9** (Tape 6)

Supervisor Gross said that the residents of Washington Drive in the Culmore neighborhood are requesting expansion of the Culmore RPPD District 9 to include Washington Drive between Tyler Street and Maple Court, and Nevius Street between Vista Drive and Wilkins Drive. She said that she recently received their completed petitions along with the required fees and forwarded them to the Department of Transportation.

Supervisor Gross moved that the Board waive the RPPD requirement of 100 contiguous or nearly contiguous parking spaces for the aforementioned streets. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

59. **HOARDING CONFERENCE** (Tape 6)

Supervisor Gross said that on October 12, 2000, the Board Auditorium will be host to an inter-jurisdictional Hoarding Conference, to address a growing problem which introduces a multitude of unsanitary and sometimes dangerous conditions to an estimated 3500 homes in this County alone. Fairfax County now has an inter-agency task force to address the problem, including the Fire Marshal, Health Department, Adult Protective Services, and many more County agencies.

The conference in October will allow Northern Virginia jurisdictions to share their experiences with this issue, and hear directly from mental health experts. The task force has identified approximately 20 individuals who would benefit from this educational experience, but it is uncertain at this point if funding is available to cover the \$45 registration fee.

Supervisor Gross asked unanimous consent that the Board refer this issue to the County Executive to determine if available funds exist to send County employees to the October 12, 2000, Hoarding Conference. Without objection, it was so ordered.

60. **APPOINTMENT TO THE DULLES CORRIDOR LAND USE TASK FORCE** (Tape 6)

(APPT) Supervisor Hudgins moved the appointment of Mr. Frank Bryceland to the Dulles Corridor Land Use Task Force as the Hunter Mill District (CIT Station) Representative to replace Mr. Ronald A. Tyus. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

61. **RESTON MULTICULTURAL FESTIVAL 2000** (Tape 6)

Supervisor Hudgins said that the first Multicultural Festival 2000 will be held at Lake Anne Plaza on Saturday, September 23 from 10 a.m. until 5 p.m. The Festival has been organized by individual citizens who came together "to promote understanding and respect among people of various cultures represented in the community."

Supervisor Hudgins invited Board Members and the entire Fairfax County community to join her at the Reston Multicultural Festival 2000 on September 23 to enjoy ethnic food, entertainment, and handicrafts from around the world.

Supervisor Hudgins moved that the Board direct staff to invite the Reston Multicultural Festival 2000 Planning Committee, representatives from the Reston Association, and the Reston Community Center to appear before the Board to be recognized for their hard work and dedication in bringing this unique contribution to the community. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

NV:nv

62. **LAMOND PROPERTY - WATER AND SEWER CONNECTION** (Tape 7)

Supervisor Hyland stated that in February of this year, the Park Authority acquired the Lamond Property on Fort Hunt Road. The property contains a house that was built in 1939 and has been vacant since 1997, contributing to its state of disrepair.

As indicated in Supervisor Hyland's written Board Matter, since the Park Authority's planned use of the property is to restore the house and gardens to their original condition and use the structure for neighborhood meetings, garden club events, weddings, et cetera, it is necessary to bring the house up to standard for public use. The well serving the house no longer has adequate recover time given the planned increased usage and the septic system has exceeded its useful life rendering it impractical to replace them.

Supervisor Hyland said that the estimated total cost to connect to the County water and sewer system is \$125,000. Of this amount, \$100,000 is required for materials and sewer line installation. The Park Authority, utilizing existing staff resources, would provide the labor necessary for installation of the water line. The remaining \$25,000 is for permitting and availability fees and charges, \$13,000 for sewer and \$12,000 for water. The Park Authority has no funds allocated or available for this project and the property cannot be opened for public use until these necessary facilities are provided.

Accordingly, on behalf of the Park Authority, Supervisor Hyland moved that the Board, in conjunction with the Fairfax County Water Authority, waive the tap fees to reduce the costs of the project to \$100,000, if such waiver is legally permissible.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Hyland amended his motion to direct the County Executive to include this item as a \$25,000 budget consideration item for a breakdown of costs and a source of funding for both water and sewer. Supervisor Kauffman seconded the motion.

Following discussion, with input from Mr. Griffin, Supervisor McConnell asked unanimous consent that the Board direct staff to provide a copy of the fee schedule for water connections. Without objection, it was so ordered.

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

63. **VIRTUAL VOTING** (Tape 7)

With reference to his written Board Matter that referred to a newspaper article regarding online voting Supervisor Hyland asked unanimous request that the Board direct staff to investigate systems and procedures for providing online voting on the Internet as an additional option for the citizens of Fairfax County and to return with recommendations including an availability date, by September 11, 2000. Following discussion regarding the "digital divide" and state certification of voting machines, without objection, it was so ordered.

64. **PROPOSED PROFFER CHANGES BY KSI SERVICES, INCORPORATED FOR LORTON STATION** (Tape 7)

Supervisor Hyland stated that KSI Services, Incorporated, the developer of Lorton Station, plans to propose some changes to the proffers for the station as approved in Rezoning Application RZ 1996-MV-037. These changes would provide \$1.4 million transportation improvement funds to the entire Lorton community.

Accordingly, Supervisor Hyland moved that the Board support the submission of an application for a proffered condition amendment by KSI Services. Discussion ensued, with input from David P. Bobzien, County Attorney, who noted that this motion will not prejudice the consideration of this application in any way. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

65. **JUDGE BACH AND THE FAIRFAX COUNTY CIRCUIT COURT DESERVE RECOGNITION** (Tape 7)

(NOTE: Earlier in the meeting, this item was presented. See Clerk's Summary Item CL#54.)

Supervisor Hyland stated that his written Board Matter regarding the Circuit Court had already been presented.

66. **ACCOLADES REGARDING PUMP AND HAUL SEWER SYSTEM FOR GUNSTON HEIGHTS AND WILEY COMMUNITIES** (Tape 7)

Supervisor Hyland announced that the Gunston Heights and Wiley communities have a pump and haul sewer system that has been constructed and is now operational. Accordingly, he asked unanimous consent that the Board direct staff to invite the staff and members of the community who worked long and hard on this project to appear before the Board for recognition. Without objection, it was so ordered.

67. **"CYBERSTALKING"** (Tape 7)

Supervisor Hyland referred to his written Board Matter regarding "Cyberstalking" and asked unanimous consent that the Board:

- Direct staff to review this item and recommend legislative action.
- Refer it to the Board's Legislative Committee.

Without objection, it was so ordered.

68. **BOUNDARY CHANGES OF COMMERCIAL REVITALIZATION DISTRICT ON RICHMOND HIGHWAY** (Tape 7)

Supervisor Hyland stated that he and Supervisor Kauffman recently received a request from the Southeast Fairfax Development Corporation (SFDC) suggesting the consideration of changing the boundaries of the Commercial Revitalization District (CRD) on Richmond Highway to include more properties. Details of the rationale are included in Supervisor Hyland's written Board Matter.

Accordingly, in conjunction with Supervisor Kauffman, Supervisor Hyland moved that the Board direct staff to:

- In conjunction with SFDC, begin the process for identifying properties, which might be added to the CRD on Richmond Highway to be more inclusive and to better reflect the Comprehensive Plan changes.
- Review the process for notifying affected property owners so that these owners are adequately informed about the potential changes to their properties in ample time of any set date for the public hearing.

Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

Anthony H. Griffin, County Executive, received a brief clarification following the vote.

69. **EXPEDITED AND CONCURRENT PROCESSING REQUESTED FOR AN APPLICATION SUBMITTED BY LANDMARK COMMUNITIES** (Tape 7)

Supervisor Hyland stated that Landmark Communities representatives have asked that their newly submitted application for 39 zero-lot-line homes be expedited and processed concurrently. The site, defined as Tax Map Number 101-3 001 25, presently contains an abandoned old building which is defaced with graffiti, a pawn shop, and a business called "Almost-A-Bank" and is near the South County Government Center site.

Accordingly, Supervisor Hyland moved that the application and site plan for Radford Avenue/Richmond Highway, Tax Map Number 101-3 001 25, submitted by Landmark Communities, be expedited and accorded concurrent processing. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

70. **APPOINTMENT TO THE ADVISORY SOCIAL SERVICES BOARD** (Tape 7)

(APPT) Supervisor Hyland moved the appointment of Ms. Ilene M. Steiman as the Mount Vernon Representative to the Advisory Social Services Board. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

71. **ADDITIONAL APPOINTMENT TO THE ADVISORY SOCIAL SERVICES BOARD** (Tape 7)

(APPT) Supervisor McConnell moved the appointment of Ms. Camille Kady as the Springfield District Representative to the Advisory Social Services Board. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

72. **TRANSPORTATION SUMMIT** (Tape 7)

(BACs) Supervisor McConnell reported that at the Board's Transportation Committee meeting held earlier in the day, the Transportation Advisory Commission (TAC) presented its proposal for the next Transportation Summit. As a follow up to recommendations from last year's Summit, the TAC suggested that a short series of citizen workgroup meetings be held to study pedestrian issues.

Accordingly, Supervisor McConnell moved that the Board approve the TAC recommendation to proceed with the aforementioned initiative, in concert with staff, the Virginia Department of Transportation, and appropriate citizen representatives, as outlined by TAC during the presentation. Supervisor Hudgins seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

73. **CENTREVILLE FARMS - ELEMENTARY SCHOOL SITE** (Tape 7)

On behalf of Supervisor Frey, Chairman Hanley said that Winchester Homes and Pulte Home Corporation have filed rezoning applications for the majority of Centreville Farms consistent with an Out-of-Turn Plan Amendment that the Board approved in March. The public hearings on the rezoning applications are scheduled to be heard by the Planning Commission and the Board by the end of this year. As part of the rezoning application, Pulte is proposing to dedicate approximately 17 acres of property to the Board, which would be leased to the School Board for the Northeast Centreville Elementary School.

Chairman Hanley stated that the Schools' Facility Planning Division anticipates having the school open in September 2002. To meet this aggressive timeline and to alleviate overcrowding in the schools currently serving this area, Fairfax County Public Schools has requested the authorization to file the required final development plan for the school site so that it may track with the affiliated rezoning applications.

Therefore, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to accept and concurrently process the site, subdivision, and public improvement plans associated with the school's final development plan. The applicants understand that this motion will not prejudice the consideration of the applications in any way. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

74. **WAIVER OF FEES ASSOCIATED FOR THE KNIGHTS OF COLUMBUS CIRCUS** (Tape 7)

On behalf of Supervisor Frey, Chairman Hanley said that the Knights of Columbus, a non-profit group, is holding a circus over the Labor Day weekend at Bull Run Regional Park to benefit various charities.

Therefore, Chairman Hanley moved that the Board waive all County fees associated with the circus, so that full benefits of the fundraiser may be achieved. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

75. **RECESS/CLOSED SESSION** (Tape 7)

At 12:45 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, and in addition:

- *Cost Containment, Incorporated versus Ashe County, North Carolina, et al.*, United States Bankruptcy Court, Eastern District of North Carolina, 99-01939-5-ATS

- Calvary Memorial Park, Incorporated, t/a Fairfax Memorial Park and Fairfax Memorial Funeral Home LLC; Special Permit Amendment Application SPA 81-A-022-6
- Religious Land Use and Institutionalized Persons Act of 2000
- Virginia Department of Transportation Guidelines for Review and Approval of Wireless Telecommunications Towers (May 2000)

Supervisor Mendelsohn seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

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

**DAM:dam**

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

#### **ACTIONS FROM CLOSED SESSION**

76. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 8)

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

77. **REIMBURSEMENT OF LEGAL EXPENSES INCURRED BY A JUVENILE DETENTION CENTER EMPLOYEE** (Tape 8)

Supervisor Hyland moved that the Board direct the reimbursement of the legal expenses incurred by a Juvenile Detention Center employee identified during closed session who was exonerated of a criminal charge brought against him in connection with his official duties. This reimbursement is authorized by *Virginia Code* Section 15.2-1521. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.



78. **SETTLEMENT OF COST CONTAINMENT, INCORPORATED VERSUS ASHE COUNTY, N.C., ET AL.** (Tape 8)

Supervisor Hyland moved that the Board of Supervisors authorize the settlement of *Cost Containment, Incorporated versus Ashe County, N.C., et al.*, United States Bankruptcy Court, Eastern District of North Carolina, 99-01939-5-ATS, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

79. **ACQUISITION OF PARCEL OF LAND KNOWN AS THE BETTY COOKE HOUSE, 808 SWINK'S MILL ROAD, TAX MAP 21-3 BLOCK 1, LOT 6A** (Tape 8)

Supervisor Mendelsohn moved that the County acquire the parcel of land known as the Betty Cooke House, 808 Swink's Mill Road, Tax Map Number 21-3 Block 1, Lot 6A, under the terms and conditions outlined by the County Executive in closed session. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

A brief discussion ensued.

80. **REQUIREMENT OF WIRELESS TELECOMMUNICATIONS FACILITIES ON VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROPERTY TO SECURE THE COUNTY'S APPROVAL UNDER VIRGINIA CODE SECTION 15.2-2232 BEFORE SUCH FACILITIES ARE ESTABLISHED** (Tape 8)

(NOTE: Earlier in the meeting there was discussion of this item. See Clerk's Board Summary Item CL#34.)

Supervisor Mendelsohn said that it has come to his attention that VDOT has adopted new guidelines relating to the establishment of wireless telecommunications facilities in VDOT rights-of-way. These guidelines indicate that VDOT may be seeking to circumvent, in whole or in part, the ruling of the Supreme Court of Virginia in November 1999 that firmly established in a lawsuit brought by the Board the legal principle that private telecommunications facilities located on VDOT property are first required to secure the County's approval under *Virginia Code* Section 15.2-2232. It is, and has been, the position of the Board that wireless telecommunications facilities on VDOT property are required to secure the County's approval under Section 15.2-2232 before such facilities are established. VDOT's new guidelines imply that County approval is not required if VDOT owns the telecommunications tower. He submitted that this position is contrary to the County's victory in the Supreme Court of Virginia.

Accordingly, based on the foregoing, Supervisor Mendelsohn moved that the Board authorize the County Attorney to take appropriate legal action in the event VDOT and/or any private telecommunications company attempt(s) to establish a private telecommunications facility in Fairfax County under VDOT's new

guidelines. Chairman Hanley seconded the motion, which carried by a vote of nine, Supervisor Frey being absent.

### AGENDA ITEMS

81. **I-7 – SUPPLEMENTAL AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE DEVELOPMENT AND ADMINISTRATION OF THE COLUMBIA PIKE – HOLMES RUN SEGMENT TRAIL PROJECT (MASON DISTRICT)**  
(Tape 8)

(NOTE: Earlier in the meeting the Board requested additional information on this item. See Clerk's Summary Item CL#27.)

Following discussion, with input from Ronald N. Kirkpatrick, Director, Utilities Planning and Design Division, Department of Public Works and Environmental Services, and Angela Jacobs, Transportation Planner III, Department of Transportation, the funding for the development and administration of the Columbia Pike – Holmes Run Trail Segment was clarified.

Staff was directly administratively to proceed as proposed.

**DB:db**

82. **ORDERS OF THE DAY** (Tape 9)

On behalf of Supervisor Connolly, Supervisor Bulova moved to defer the public hearing on Rezoning Application RZ 1999-PR-060 until **September 11, 2000, at 3 p.m.** Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Connolly and Supervisor McConnell being out of the room, Supervisor Frey being absent.

83. **3 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-045 (VIVIAN JOHNSON) (PROVIDENCE DISTRICT)** (Tape 9)

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

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

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

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

- Review the controlling factors before they prepare the staff report.
- Include conservation districts in the County's Geographic Information System.

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following discussion, Supervisor Connolly moved **DENIAL** of Rezoning Application RZ 1999-PR-045 from the R-4 District to the C-2 District. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room, and Supervisor Frey being absent.

84. **3 P.M. – PH ON REZONING APPLICATION RZ 1999-PR-060 (RIVER TOWERS BUILDING NUMBER 3 JOINT VENTURE) PROVIDENCE DISTRICT)** (Tape 9)

(NOTE: Earlier in the meeting, the public hearing on this item was deferred. See Clerk's Summary Item #82.)

85. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD)** (Tape 9)

- (O) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 20 and 27, 2000.

Following the public hearing, discussion ensued with input from Christopher D. Wells, Transportation Planner, Department of Transportation. Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, RPPDs as shown in Attachment I of the Memorandum to the Board dated August 7, 2000, with the following amendment:

- In each instance change the words "at least" to "more than"

Supervisor Mendelsohn seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE,"

Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room, Supervisor Frey being absent.

86. **3:30 P.M. – PH ON A PROPOSAL TO VACATE A PORTION OF BUENA VISTA ROAD (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on the proposal to vacate a portion of Buena Vista Road until **September 11, 2000, at 3 p.m.** Supervisor Mendelsohn seconded the motion and it carried by a vote of six, Supervisor Hudgins, Supervisor Hyland, and Supervisor McConnell being out of the room, Supervisor Frey being absent.

87. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-Y-011 (RAINBOW DAY CARE, INCORPORATED) (SULLY DISTRICT)** (Tape 9)

Mrs. Eileen Hanley reaffirmed the validity of the affidavit for the record.

Mr. Jackson, the applicant's representative 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 the case.

Following the public hearing, which included testimony by one speaker, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Chairman Hanley relinquished the Chair to Acting-Chairman Bulova and on behalf of Supervisor Frey, moved:

- Approval of Special Exception Application SE 00-Y-011, subject to the proposed development conditions dated July 11, 2000.
- Modification of the transitional screening requirement along the western boundary of the property to that depicted on the Special Exception Plat.
- Waiver of the transitional screening yard requirements along the southern property boundary.
- Modification of the barrier requirement along the northern property boundary.
- Modification of the transitional screening requirement and waiver of the barrier requirement along the eastern property boundary.

Supervisor Mendelsohn seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Kauffman, and Supervisor Hudgins being out of the room, Supervisor Frey being absent.

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

88. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-Y-018 (COSCAN WASHINGTON, INCORPORATED) (SULLY DISTRICT)**  
(Tape 9)

On behalf of Supervisor Frey, Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 00-Y-018 (Coscan Washington, Incorporated) until **September 11, 2000, at 3 p.m.** Supervisor Mendelsohn seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, and Supervisor Kauffman being out of the room, Supervisor Frey being absent.

89. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-001 AND SPECIAL EXCEPTION APPLICATION SE 00-Y-004 (TRUSTEES OF THE MOUNT OLIVE BAPTIST CHURCH) (SULLY DISTRICT)** (Tape 9)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and on behalf of Supervisor Frey, moved to defer the public hearing on Rezoning Application RZ 2000-SU-001, and Special Exception Application SE 00-Y-004 (Trustees Of the Mount Olive Baptist Church) until **October 16, 2000 at 4 p.m.** Vice-Chairman Hyland seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, and Supervisor Kauffman being out of the room, Supervisor Frey being absent.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

90. **4 P.M. – PH ON OUT-OF-TURN PLAN AMENDMENT S98-CW-1CP(A) LOCATED IN THE NORTHEAST QUADRANT OF COMMERCE STREET AND BRANDON AVENUE, WEST OF I-95 (LEE DISTRICT)**  
(Tape 9)

A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 20 and 27, 2000.

Following the public hearing, which included testimony from one speaker, Maxine Brown-Roberts, Planner II, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved approval of Out-of-Turn Plan Amendment S98-CW-1CP(A) as shown in the Planning Commission report. Vice-Chairman Hyland seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, and Chairman Hanley being out of the room, Supervisor Frey being absent.

91. **4 P.M. – PH REGARDING THE LEASING OF A PORTION OF A COUNTY LEASED FACILITY LOCATED AT 6301 RICHMOND HIGHWAY, ALEXANDRIA TO HOPKINS HOUSE (MOUNT VERNON DISTRICT)** (Tape 9)

A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 20 and 27, 2000.

Following the public hearing, with input from Robert Morgan, Leasing Agent, Facilities Management Division, Department of Public Works and Environmental Services, Supervisor Mendelsohn moved that the Board authorize staff to execute a lease with Hopkins House for the leasing of a portion of a County leased facility located at 6301 Richmond Highway, Alexandria, Virginia (Tax Map Number 083-3/01/0024B) to Hopkins House. Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, and Chairman Hanley being out of the room, Supervisor Frey being absent.

**SBE:sbe**

92. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1996-MV-037-3 (SOUTH STATION LLC) (MOUNT VERNON DISTRICT)** (Tape 10)

Supervisor Kauffman moved to defer the public hearing on Proffered Condition Amendment Application PCA 1996-MV-037-3 until **September 11, 2000, at 3 p.m.** Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, and Chairman Hanley being out of the room, Supervisor Frey being absent.

93. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-B-021 (SHENANDOAH'S PRIDE DAIRY, LLC) (BRADDOCK DISTRICT)** (Tape 10)

Ms. Erika L. Byrd reaffirmed the validity of the affidavit for the record.

Ms. Byrd 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, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- Approval of Special Exception Application SE 00-B-021, subject to the development conditions dated July 6, 2000.
- Waiver of interior parking lot and landscaping.

Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Connolly and Chairman Hanley being out of the room, Supervisor Frey being absent.

94. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-B-009 (FIRST WASHINGTON REALTY, LP AND MCDONALDS, INCORPORATED) (BRADDOCK DISTRICT)** (Tape 10)

Mr. Gregory A. Riegle reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Bulova moved:

- Approval of Special Exception Application SE 00-B-009, subject to the revised development conditions dated August 4, 2000.
- Modification of the transitional screening requirements along Burke Lake Road to those shown on the Special Exception (SE) plat dated July 24, 2000.
- Waiver of the barrier requirement along Burke Lake Road to that shown on the SE plat dated July 24, 2000.
- Modification of the trail requirement along Burke Lake Road to that shown on the SE plat dated July 24, 2000.

Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Hyland and Chairman Hanley being out of the room, Supervisor Frey being absent.

Discussion ensued with input from Mr. Riegle.

95. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 00-H-010 (TST WOODLAND LLC, TST WOODLAND ONE LLC, TST SOUTHPOINTE, LLC, TST PLAZA RIDGE I, LLC) (HUNTER MILL DISTRICT)** (Tape 10)

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

Ms. Baker 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, William Mayland, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Special Exception Application SE 00-H-010, subject to the development conditions dated June 29, 2000. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Hyland and Chairman Hanley being out of the room, Supervisor Frey being absent.

96. **4:30 P.M. – PH TO AMEND THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) ARTICLES OF INCORPORATION AND RESTATED SERVICE AGREEMENT INCLUDING AN AMENDMENT TO THE DEFINITION OF PROJECT AND A-4 – APPROVAL OF A CONCURRENT RESOLUTION OF THE UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) REGARDING AN INCREASE IN BOARD MEMBER COMPENSATION** (Tapes 10-11)

- (R) (NOTE: Earlier in the meeting the Board deferred action on Item A-4. See Clerk's Summary Item CL#18.)

A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 20 and 27, 2000.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendment to the UOSA Articles of Incorporation and Restated Service Agreement. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, and Acting-Chairman McConnell voting "AYE," Supervisor Hyland and Chairman Hanley being out of the room, Supervisor Frey being absent.

Following discussion, with input from Richard J. Gozikowski, Director, Office of Waste Management, Department of Public Works and Environmental Services, Supervisor Mendelsohn moved to defer action on Item A-4 - The Approval of a Concurrent Resolution of the Upper Occoquan Sewage Authority (UOSA) Regarding an Increase in Board Member Compensation, until



September 11, 2000. Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Hyland and Chairman Hanley being out of the room, Supervisor Frey being absent.

97. **4:30 P.M. – PH ON A PROPOSAL TO VACATE AN UNNAMED STREET RIGHT-OF-WAY ADJOINING DREWLAIN DRIVE (HUNTER MILL DISTRICT)** (Tape 11)

- (O) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 20 and 27, 2000.

Following the public hearing, Supervisor Hudgins moved adoption of the Ordinance vacating the unnamed right-of-way. Supervisor Kauffman seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Kauffman, Supervisor Mendelsohn, and Acting-Chairman McConnell voting "AYE," Supervisor Bulova, Supervisor Hyland, and Chairman Hanley being out of the room, Supervisor Frey being absent.

98. **5 P.M. – PH REGARDING PROHIBITION OF PARKING OF WATERCRAFT, BOAT TRAILERS, MOTOR HOMES, AND CAMPING TRAILERS** (Tapes 11-13)

- (O) A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 20 and 27, 2000.

A brief discussion ensued regarding this item, with input from Michael Long, Senior Assistant County Attorney, Samuel T. Chamberlain, Section Chief of Traffic Operations, Department of Transportation, and Second Lieutenant John L. Dooley, Operation Support Bureau, Police Department.

Following the public hearing, which included testimony by 24 speakers, Supervisor Kauffman moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Taxation), by adding a new Article 5B relating to the parking of boats and trailers that would:

- Establish residential districts using similar criteria as used in establishing Residential Parking Permit Districts (Option One).
- Require that the petition contain signatures representing at least 75 percent of the addresses included in the proposed district.

Supervisor Hyland seconded the motion.

Following discussion, Supervisor Hudgins asked to amend the motion to direct staff to provide the Board with an evaluation of this ordinance after one year, and this was accepted.

Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Taxation), regarding the abandonment of vehicles on streets in the County, to include the subject of trailers and watercraft (Option Two). This motion died for lack of a second.

Following further discussion, the question was called on the motion, Option One as amended, which **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Mendelsohn abstaining, Supervisor Frey being absent.

Supervisor McConnell asked unanimous consent that the Board direct the County Executive to search for lots that would be suitable for storage of the subject vehicles as a possible service the County could provide on a fee basis. Without objection, it was so ordered.

99. **5:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 13)

A Certification of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of July 20 and 27, 2000.

The public hearing was held and included testimony by the following five speakers:

- Ms. Liz Bradsher regarding transporting students from South County to Alexandria
- Ms. Lisa Collins regarding Foxclove Road Extension to Stewart Mill
- Mr. Randy Soderholm regarding Foxclove Road Extension to Stewart Mill
- Ms. Marguerite Leishman regarding Foxclove Road Extension to Stewart Mill
- Mr. Stephen Hall regarding projected traffic flow based on geography

100. **BOARD ADJOURNMENT** (Tape 13)

At 8 p.m., the Board adjourned.

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