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The meeting was called to order at 9:35 a.m. with all Members being present, and with Chairman Hanley presiding.

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

2. **ORDERS OF THE DAY** (Tape 1)

Chairman Hanley announced that the Board would proceed with the presentation of the Certificate of Recognition to be presented to Mr. David Morales and then proceed with the Agenda as scheduled.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. DAVID MORALES**
(Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Mr. David Morales for being the first person in American history to recite the Pledge of Allegiance at a Presidential Inauguration. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

4. **RESOLUTION IN RECOGNITION OF THE LATE CONNIE RING** (Tape 1)

Supervisor Dix moved adoption of the Resolution in recognition of the late Connie Ring for 24 years as curator of the County's Courthouse and for creating the first class research facility in the Circuit Court Archives. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO THE ANNANDALE CHRISTIAN COMMUNITY IN ACTION (ACCA)** (Tape 1)

Supervisor Gross moved approval of the Certificate of Recognition presented to the Annandale Christian Community in Action (ACCA) for its 30 years of service to the Annandale community. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Connolly being out of the room.

6. **PROCLAMATION DESIGNATING MARCH 1997 AS "MENTAL RETARDATION AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Bulova moved approval of the Proclamation designating March 1997 as "Mental Retardation Awareness Month" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

7. **PROCLAMATION DESIGNATING MARCH 1997 AS "WOMEN'S HISTORY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyalnd and moved approval of the Proclamation presented to Alta L. Newman, Vice-Chairman, Commission for Women, designating March 1997 as "Women's History Month" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

BOARD MATTER

8. **RECOGNITION OF NICHOLAS KELLER, REPRESENTATIVE, NATIONAL ASSOCIATION OF COUNTIES (NACO), JOINT CENTER FOR SUSTAINABLE COMMUNITIES** (Tape 1)

Supervisor Hyland introduced Board Members to Nicholas Keller, Representative, National Association of Counties (NACo), Joint Center for Sustainable Communities. He noted that Mr. Keller will be spending time with Board Members and County staff to learn about county government as he travels around the country in connection with this project.

AGENDA ITEMS

9. **10:00 A.M. - PRESENTATION BY THE ACTING COUNTY EXECUTIVE ON THE RECOMMENDED FISCAL YEAR (FY) 1998 BUDGET** (Tapes 1-3)

Following a presentation by Anthony H. Griffin, Acting County Executive, on the recommended Fiscal Year (FY) 1998 Budget, a question and answer period ensued with input from Mr. Griffin and Edward L. Long, Jr., Director, Office of Management and Budget (OMB).

10. **REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 3)

Supervisor Dix, Co-Chairman, Board's Legislative Committee, recapped the 1997 Legislative Session.

Supervisor Dix announced that a "wrap-up" Legislative Committee meeting is scheduled for Friday, February 28, 1997 at 3:00 p.m.

Following a query from Supervisor Gross, Karen Harwood, Assistant County Attorney, provided the Board with an update on the commercial parking legislation and the \$200 speeding in neighborhoods issue.

Chairman Hanley and Board Members congratulated staff on its efforts during the recent Legislative Session.

11. **RECESS** (Tape 3)

At 12:15 p.m., Chairman Hanley announced that the Board would take a brief recess for lunch.

CM:cm

At 12:50 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

12. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 4)

(BACs)

(APPTs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Supervisor Mendelsohn moved the appointment of Mr. Gus Hubal as the Dranesville District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Hyland moved the appointment of Ms. Carole Harmon as the Mount Vernon District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointments of the Lee and Springfield District Representatives to the A. Heath Onthank Memorial Award Selection Committee were deferred.)

AIRPORTS ADVISORY COMMITTEE**CONFIRMATION:**

Supervisor Hyland moved that the Board confirm the following appointment to the Airports Advisory Committee:

- Mr. Walter Alcorn as the Planning Commission Representative.

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

ATHLETIC COUNCIL

Supervisor Dix moved the following reappointments to the Athletic Council:

- Mr. Harold Leff as the Hunter Mill District (Principal) Representative; and
- Mr. William Bouie as the Hunter Mill District (Alternate) Representative.

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

Supervisor Hyland moved the following appointments to the Athletic Council:

- Mr. J. Christopher Ide as the Mount Vernon District (Principal) Representative; and
- Mr. Wesley "Mike" Viilo, Jr. as the Mount Vernon District (Alternate) Representative.

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

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Ms. Barbara O'Brien to appear before the Board to receive recognition for her many years of service on the Athletic Council. Without objection, it was so ordered.

Supervisor Frey moved the reappointment of Mr. Karl Spinnenweber as the Sully District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Dix and carried by unanimous vote.

[NOTE: The appointments of the Dranesville District (Principal) and (Alternate) Representatives to the Athletic Council were deferred.]

BOARD OF BUILDING CODE APPEALS

Supervisor Kauffman moved the appointment of Mr. Jim Ridder as an At-Large (Alternate) Representative to the Board of Building Code Appeals. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

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

CHILD CARE ADVISORY COUNCIL

(NOTE: The appointment of the Springfield District Representative to the Child Care Advisory Council was deferred.)

COMMISSION FOR WOMEN

Supervisor Connolly moved the reappointment of Ms. Carolyn Moss as the Providence District Representative to the Commission for Women. This motion was seconded by Chairman Hanley and carried by unanimous vote.

Supervisor Gross moved the appointment of Ms. Brigid O'Farrell to fill the unexpired term of Ms. Karen Yaniz as the Mason District Representative to the Commission for Women. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Supervisor Gross moved the appointment of Dr. Steven D. Nathan as the At-Large (Medical Community) Representative to the Commission on Organ and Tissue Donation and Transplantation. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

COMMUNITY ACTION ADVISORY COMMITTEE

(NOTE: The appointments of the Lee and Sully District Representatives to the Community Action Advisory Committee were deferred.)

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

[NOTE: The appointment of the Mason District (Bailey's Conservation Area) Representative to the Community Development Advisory Committee was deferred.]

COMMUNITY IMPROVEMENT COMMITTEE

Chairman Hanley moved the appointment of Ms. Eileen N. Manning as the At-Large Representative to the Community Improvement Committee. This motion was seconded by Supervisor Gross and carried by a unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Susan Heard as the Braddock District Representative to the Community Improvement Committee. This motion was seconded by Chairman Hanley and carried by unanimous vote.

Supervisor Mendelsohn moved the reappointment of Mr. Robert Hanrahan as the Dranesville District Representative to the Community Improvement Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointments of the Mount Vernon and Springfield District Representatives to the Community Improvement Committee were deferred.)

CRIMINAL JUSTICE ADVISORY BOARD

(NOTE: The appointment of the Mason District Representative to the Criminal Justice Advisory Board was deferred.)

ENGINEERING STANDARDS REVIEW COMMITTEE

Supervisor Dix moved the appointment of Mr. G. Neil Midkiff as an At-Large (Citizen) Representative to the Engineering Standards Review Committee. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

[NOTE: The appointments of two At-Large (Citizen) Representatives to the Engineering Standards Review Committee were deferred.]

CONFIRMATIONS:

Supervisor Connolly moved that the Board confirm the following appointments to the Engineering Standards Review Committee:

- Mr. James D. Miquelon as the Heavy Construction Contractors Association Representative; and
- Mr. J. Christopher Giese as the Washington Area Council of Engineering Laboratories (WACEL) Representative.

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

ENVIRONMENTAL QUALITY ADVISORY BOARD

(NOTE: The appointments of the At-Large and Sully District Representatives to the Environmental Quality Advisory Board were deferred.)

FAIRFAX AREA DISABILITY SERVICES BOARD

[NOTE: The appointments of the At-Large (Business Community) and Springfield District Representatives to the Fairfax Area Disability Services Board were deferred.]

FAXFAIR CORPORATION BOARD

(NOTE: The appointments of the two At-Large Representatives to the Faxfair Corporation Board were deferred.)

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

Chairman Hanley moved the appointment of Mr. Theodore Austell as the At-Large Representative to the Information Technology Policy Advisory Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Bulova moved the appointment of Mr. Robert de Lorenzi as the Braddock District Representative to the Information Technology Policy Advisory Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Gross moved the appointment of Ms. Susan S. Hoffman as the Mason District Representative to the Information Technology Policy Advisory Committee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Connolly moved the appointment of Mr. Edward H. Blum as the Providence District Representative to the Information Technology Policy Advisory Committee. This motion was seconded by Chairman Hanley and carried by unanimous vote.

CONFIRMATION:

Chairman Hanley moved that the Board confirm the following appointment to the Information Technology Policy Advisory Committee:

- Ms. Anne S. Kanter as the League of Women Voters Representative.

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

(NOTE: The appointments of the Dranesville, Hunter Mill, Lee, Mount Vernon, Springfield, and Sully District Representatives to the Information Technology Policy Advisory Committee were deferred.)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to contact the Fairfax County Chamber of Commerce, the Federation of Civic Associations, the Northern Virginia Technology Council and the School Board for names of individuals to serve on the Information Technology Policy Advisory Committee. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

MECHANICAL ADVISORY (HVAC) BOARD

[NOTE: The appointments of the three At-Large (Master Mechanic) and the At-Large (Mechanical/Professional Engineer) Representatives to the Mechanical Advisory Board were deferred.]

PARK AUTHORITY

Supervisor Bulova moved that the Board:

- Appoint Ms. Winifred S. Shapiro as the Braddock District Representative to the Park Authority; and
- Direct staff to invite Ms. Margaret Andino to appear before the Board to receive recognition for her many years of service on the Park Authority.

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

SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION

Supervisor Kauffman moved the appointment of Mr. Jimmy Harrison as the Lee District Representative to the Small and Minority Business Enterprise Program Advisory Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Gross moved the appointment of Ms. Joyce Bissonette as the Mason District Representative to the Small and Minority Business Enterprise Program Advisory Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointments of the Springfield and Sully District Representatives to the Small and Minority Business Enterprise Program Advisory Commission were deferred.)

TREE COMMISSION

(NOTE: The appointment of the Sully District Representative to the Tree Commission was deferred.)

UPPER OCCOQUAN SEWAGE AUTHORITY**CONFIRMATIONS:**

Supervisor Hyland moved that the Board confirm the following appointments to the Upper Occoquan Sewage Authority:

- Mr. John W. di Zerega as the Fairfax County (Principal) Representative; and
- Mr. Jimmie D. Jenkins as the Fairfax County (Alternate) Representative.

This motion was seconded by Chairman Hanley and carried by unanimous vote.

VOLUNTEER FIRE COMMISSION**CONFIRMATION:**

Supervisor Kauffman moved that the Board confirm the following appointment to the Volunteer Fire Commission:

- Mr. William Schmidt to fill the unexpired term of Mr. J. Patrick Rooney as the Volunteer Firemens' Association Representative.

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

AD-HOCS**FAIRFAX COUNTY TOWING ADVISORY BOARD**

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to contact members of the vehicle towing industry for the names of individuals to serve on the Fairfax County Towing Advisory Board. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

[NOTE: Later in the meeting, the Board appointed two At-Large (Vehicle Towing Industry) (Principal) Representatives and one At-Large (Vehicle Towing Industry) (Alternative) Representative to the Fairfax County Towing Advisory Board. See Clerk's Summary Item CL#33.]

AM:am

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

Supervisor Connolly moved approval of the Administrative Items with the exception of Admin 10 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 84.1 (Public Transportation) to Update and Revise Public Convenience and Necessity Requirements and Other Administrative Changes. The second to this motion was inaudible.

Supervisor Bulova called the Board's attention to Admin 6 - Installation of Multi-way Stops at the Intersections of King David Boulevard and Colt Lane, and King David Boulevard and Alyssum Way (Braddock District) and asked to amend the motion to consider this item separately, and this was accepted.

Supervisor Kauffman called the Board's attention to Admin 3 - Endorsement of Deletions from the Priority Two Zoning Ordinance Amendment Work Program and asked to amend the motion to consider this item separately, and this was accepted.

Supervisor Mendelsohn called the Board's attention to Admin 9 - Submission of Fiscal Year (FY) 1998 State Grant Application for Marketing Program of Ridesharing and Transit Services by the Office of Transportation to the Virginia Department of Rail and Public Transportation (Countywide). A brief discussion ensued with input from Andrew J. Szakos, Chief, Transit Operations Division Office of Transportation (OT), and Dorothy W. Cousineau, Head, Marketing and Ridesharing Section, OT.

Supervisor Hyland called the Board's attention to Admin 17 - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District) Relating to Election Precincts. He asked unanimous consent that the Board direct staff to provide information as to whether the Fairfax Retirement Home could be included in the Accotink Precinct. Without objection, it was so ordered.

Following discussion, with input by Michael H. Long, Assistant County Attorney, and Patricia W. Drain, Electoral Board Secretary, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved to defer this item to March 10, 1997. This motion was seconded by Supervisor Mendelsohn and carried by unanimous vote.

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

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

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated February 24, 1997 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Lawns of Towlston	Dranesville	Dara Lane Towlston Road, Route 676, Additional right-of-way only
Springvale Forest Estates	Dranesville	Springvale Forest Court Springvale Road, Route 674, Additional right-of-way only
Timberlake Estates North, Sections 1 and 2	Dranesville	Falls Bridge Lane, Route 8180 Sherlin Lane Branton Lane
Springfield Corporate Center	Lee	Brandon Avenue, Route 1371
Villages at Huntington, Section 3	Lee	Poag Street, Route 1646, Additional right-of-way only

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

Authorized the extension of the review period for the three Public Facility Review Applications listed in the Memorandum to the Board dated February 24, 1997 until August 24, 1997 to ensure compliance with the 60-day review requirement mandated by Section 15.1-456 of the *Code of Virginia*.

ADMIN 3 - ENDORSEMENT OF DELETIONS FROM THE PRIORITY TWO ZONING ORDINANCE AMENDMENT WORK PROGRAM

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#14.)

ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 87-S-035, MERCHANT'S, INCORPORATED (SULLY DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 87-S-035 until August 10, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance, and provided that a Variance application to replace expired Variance Application VC 91-Y-127 is filed within 30 days of this additional time approval and diligently pursued.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 91-Y-034, MOBIL OIL CORPORATION (SULLY DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 91-Y-034 until August 10, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance, and provided that a variance application to replace expired Variance Application VC 92-Y-020 is filed within 30 days of this additional time approval and diligently pursued.

ADMIN 6 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF KING DAVID BOULEVARD AND COLT LANE, AND KING DAVID BOULEVARD AND ALYSSUM WAY (BRADDOCK DISTRICT)

NOTE: Later in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#15.)

ADMIN 7 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF KILLEBREW DRIVE/HERITAGE DRIVE; ERIE STREET/HERITAGE DRIVE; KALORAMA ROAD/KILLEBREW DRIVE; TERREL STREET/HERITAGE DRIVE; AND OREANA DRIVE/KILLEBREW DRIVE (BRADDOCK DISTRICT)

Approved the endorsement of the installation of multi-way stops at the following intersections:

- Killebrew Drive (Route 2797) and Heritage Drive (Route 2630);
- Erie Street (Route 2629) and Heritage Drive (Route 2630);
- Kalorama Road (Route 2686) and Killebrew Drive (Route 2797);
- Terrel Street (Route 2642) and Heritage Drive (Route 2630);

- Oreana Drive (Route 3507) and Killebrew Drive (Route 2797); and
- Directed staff to request the Virginia Department of Transportation (VDOT) to approve the installation of the multi-way stops and install these signs at the earliest possible date.

ADMIN 8 - AUTHORIZATION FOR THE DEPARTMENT OF HEALTH TO APPLY TO THE ALZHEIMER'S ASSOCIATION, NORTHERN VIRGINIA CHAPTER, FOR A GRANT TO FUND A MUSIC THERAPY PROGRAM FOR FOUR ADULT DAY HEALTH CARE CENTERS

Authorized the Department of Health to submit a grant application to the Alzheimer's Association, Northern Virginia Chapter, for funds in the amount of \$5,760 to fund a music therapy program for four Fairfax County Adult Day Health Care Centers to supplement program activities.

ADMIN 9 - SUBMISSION OF FISCAL YEAR (FY) 1998 STATE GRANT APPLICATION FOR MARKETING PROGRAM OF RIDESHARING AND TRANSIT SERVICES BY THE OFFICE OF TRANSPORTATION TO THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (COUNTYWIDE)

- (R) (NOTE: Earlier in the meeting, there was discussion of this item. See page 9.)

Adopted the Resolution outlined in Attachment I of the Memorandum to the Board dated February 24, 1997, authorizing the Office of Transportation to submit a grant application in the amount of \$244,700 to the Virginia Department of Rail and Public Transportation for the marketing and promotion of ridesharing and transit services during Fiscal Year (FY) 1998.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84.1 (PUBLIC TRANSPORTATION) TO UPDATE AND REVISE PUBLIC CONVENIENCE AND NECESSITY REQUIREMENTS AND OTHER ADMINISTRATIVE CHANGES

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#16.)

ADMIN 11 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97057 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC SAFETY SECTION, TO ACCEPT GRANT FUNDS FOR AN "OPERATION KIDS" CHILD PASSENGER SAFETY PROGRAM

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97057 in the amount of \$10,000 to fund the Fairfax County Police Department, Traffic Safety Section's "Operation Kids" Child Passenger Safety Program.

ADMIN 12 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97058 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC SAFETY SECTION, TO ACCEPT GRANT FUNDS FOR A SMOOTH OPERATOR EDUCATION PROGRAM

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97058 in the amount of \$55,000 to fund the Fairfax County Police Department, Traffic Safety Section's Smooth Operator Education Program.

ADMIN 13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97059 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC SAFETY SECTION, TO ACCEPT GRANT FUNDS FOR AN ENHANCED DRIVING UNDER THE INFLUENCE (DUI) PRELIMINARY BREATH TEST PROGRAM

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97059 in the amount of \$25,000 to fund the Fairfax County Police Department, Traffic Safety Section's Enhanced Driving Under the Influence (DUI) Preliminary Breath Test Program.

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING GOLF DRIVING RANGES AND MINIATURE GOLF COURSES ANCILLARY TO GOLF DRIVING RANGES

- (A)
(R) Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on March 20, 1997, and before the Board on **April 28, 1997 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding the establishment of a new Special Permit use of miniature golf courses as an ancillary use to a golf driving range to be allowed in the R-E, R-1 and C-5 Districts, and to allow golf driving ranges and miniature golf courses ancillary to golf driving ranges by Special Permit in the Dranesville Tavern Historic Overlay District.

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF SANGER STREET (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 24, 1997 at 4:00 p.m.** on the acquisition of interests in real property necessary for the construction of Private Developer Project PD0068 - Sanger Street L.L.C.

ADMIN 16 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX I (FAIRFAX COUNTY SPECIAL SERVICE DISTRICT FOR THE CONTROL OF GYPSY MOTH INFESTATIONS) TO PERMIT THE ANNUAL GYPSY MOTH TAX RATE TO BE ESTABLISHED BY RESOLUTION AND TO REDUCE THE TAX RATE TO ZERO

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 7, 1997 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Appendix I (Fairfax County Special Service District for the Control of Gypsy Moth Infestations) to permit the annual gypsy moth tax rate to be established by Resolution of the Board and to reduce the tax rate from \$0.0010 per \$100 assessed real property value to \$0.0000 per \$100 in Fiscal Year (FY) 1998 without reducing service to County citizens in FY 1998.

ADMIN 17 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) RELATING TO ELECTION PRECINCTS

(NOTE: Earlier in the meeting, action was taken to defer this item. See page 10.)

14. **ADMIN 3 - ENDORSEMENT OF DELETIONS FROM THE PRIORITY TWO ZONING ORDINANCE AMENDMENT WORK PROGRAM** (Tape 5)

Following discussion, with input from Jane W. Gwinn, Zoning Administrator, Zoning Administration Division (ZAD), Office of Comprehensive Planning (OCP), Supervisor Frey moved approval of the proposed deletions from the Priority Two Zoning Ordinance Amendment Work Program as recommended by the Development Process Subcommittee and set forth in Attachment One of the Memorandum to the Board dated February 24, 1997. This motion was seconded by Supervisor Kauffman.

Supervisor Kauffman referred to the Priority Two List and moved to retain general land regulations considering unstable soils. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Frey asked to amend the motion to include revised provisions to allow decks with open lattice enclosures on the list for deletion, and this was accepted.

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

15. **ADMIN 6 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF KING DAVID BOULEVARD AND COLT LANE, AND KING DAVID BOULEVARD AND ALYSSUM WAY (BRADDOCK DISTRICT)** (Tape 5)

Supervisor Bulova moved to defer this item until March 10, 1997. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

16. **ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84.1 (PUBLIC TRANSPORTATION) TO UPDATE AND REVISE PUBLIC CONVENIENCE AND NECESSITY REQUIREMENTS AND OTHER ADMINISTRATIVE CHANGES** (Tape 5)

- (A) Following discussion, with input from Ronald B. Mallard, Director, Department of Consumer Affairs, Supervisor Connolly moved that the Board authorize the advertisement of a public hearing to be held before the Board on **March 24, 1997 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 84.1 (Public Transportation) regarding revised public convenience and necessity requirements and other administrative changes, including changes to certificate application procedures and fee increases with the understanding that the Board can choose to impose a lower fee than advertised. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

17. **A-1 - REVISION TO THE COUNTY POLICY REGARDING CRITERIA AND PROCEDURES FOR ESTABLISHING STORM DRAINAGE PROJECT PRIORITIES FOR FUNDING CONSIDERATION (COUNTYWIDE)** (Tape 5)

Supervisor Connolly moved that the Board concur in the recommendation of staff and endorse the proposed revision to the County Policy regarding criteria and procedures for establishment of storm drainage project priorities for funding consideration. The revision would rank each project within each of the six established categories by assigning a number based upon the initial date the project was identified. This motion was seconded by Supervisor Kauffman.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, Richard J. Gozikowski, Acting Director, Department of Public Works (DPW), and John W. Koenig, Director, Utilities Planning and Design Division, DPW, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide a breakdown of capital projects. Without objection, it was so ordered.

Following a motion by Supervisor Mendelsohn to defer this item, the motion was seconded by Supervisor Bulova and carried by unanimous vote.

18. **A-2 - AUTHORIZATION TO EXECUTE A BUILDING INSPECTION AGREEMENT FOR ADMINISTERING AND ENFORCING THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE FOR THE TOWN OF CLIFTON (SPRINGFIELD DISTRICT)** (Tape 5)

On motion of Supervisor Bulova, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Chairman of the Board and the Director of the Department of Environmental Management (DEM) to execute the Building Inspection Agreement as contained in the Memorandum to the Board dated February 24, 1997.

19. **A-3 - MEMORANDUM OF CLARIFICATION-AGREEMENT FOR THE PURCHASE OF ELECTRIC SERVICE BY MUNICIPALITIES AND COUNTIES OF THE COMMONWEALTH OF VIRGINIA FROM VIRGINIA ELECTRIC AND POWER COMPANY (VEPCO)** (Tape 5)

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

- Approve the amendment to the County's contract with Virginia Electric and Power Company (VEPCO); and
- Authorize the Acting County Executive to execute the Memorandum of Clarification on the Board's behalf.

This motion was seconded by Supervisor Frey.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, and Larry N. Wellman, Director, Purchasing and Supply Management Agency, the question was called on the motion which carried by unanimous vote.

20. **C-1 - POLICY ON COMMUNITIES CONTRIBUTING FUNDS FOR STREET LIGHTS (COUNTYWIDE)** (Tape 5)

- (P) The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 regarding consideration of a change of Policy to permit communities to contribute funds for the installation of street lights that would delete the requirement that the lights meet the eligibility requirements.

Following discussion, Supervisor McConnell moved approval of the Policy change. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

21. **I-1 - POLICE WIN NATIONAL AWARD FOR "OPERATION KIDS"** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 announcing that the International Association of Chiefs of Police (IACP) recently awarded the Department's "Operation of Kids" program a special Child Passenger Safety Award.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#23.)

22. **I-2 - REACCREDITATION OF THE ADULT DETENTION CENTER BY THE AMERICAN CORRECTIONAL ASSOCIATION (A.C.A.)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 announcing the reaccreditation of the Adult Detention Center by the American Correctional Association (A.C.A.)

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

- The amount of dues paid to the A.C.A; and
- What the A.C.A. does for the County's Detention Center.

Without objection, it was so ordered.

23. **ADDITIONAL ACTION REGARDING INFORMATION ITEM I-1 - POLICE WIN NATIONAL AWARD FOR "OPERATION KIDS"** (Tape 5)

(NOTE: Earlier in the meeting, this item was considered. See Clerk's Summary Item CL#21.)

Supervisor Dix asked unanimous consent that the Board direct staff to:

- Prepare a Certificate of Recognition; and
- Invite those officers to appear before the Board to be recognized for their achievements.

Without objection, it was so ordered.

24. **I-3 - FAIRFAX COUNTY'S COMMENTS REGARDING THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) PROPOSED FISCAL YEAR (FY) 1998 METRORAIL CONSTRUCTION BUDGET (COUNTYWIDE)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 requesting authorization for staff to advise the Washington Metropolitan Area Transit Authority's (WMATA) General Manager that Fairfax County supports the proposed Fiscal Year (FY) 1998 Rail Capital Program Budget.

The staff was directed administratively to proceed as proposed.

25. **I-4 - COMPARISON OF METROBUS AND FAIRFAX CONNECTOR COSTS TO OPERATE BUS SERVICE IN THE CENTREVILLE AND CHANTILLY AREAS OF THE COUNTY (COUNTYWIDE)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 presenting a comparison of Metrobus and Fairfax Connector costs to operate bus service in the Centreville and Chantilly areas of the County.

There was a brief discussion with input from Shiva K. Pant, Director, Office of Transportation (OT).

26. **I-5 - VIRGINIA COOPERATIVE EXTENSION'S UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) STATE STRENGTHENING GRANT, 4-H COMMUNITIES COLLABORATING FOR YOUTH** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 presenting the Virginia Cooperative Extension's United States Department of Agriculture (USDA) State strengthening Grant, 4-H Communities Collaborating for Youth.

27. **I-6 - CERTIFICATION FOR TAX CREDIT APPLICATION FOR HERNDON HARBOR HOUSE, PHASE I (DRANESVILLE DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 requesting authorization for staff to sign the letter contained in the Memorandum to the Board, to the Virginia Housing Development Authority (VDHDA) for the Herndon Harbor House Limited Partnership to include with its application.

The staff was directed administratively to proceed as proposed.

28. **I-7 - PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 456-Y96-13, AMERICAN PERSONAL COMMUNICATIONS (SULLY DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 announcing the Planning Commission's approval of Public Facilities Application 456-Y96-13.

29. **I-8 - PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 456-M96-2, CELLULAR ONE WASHINGTON/BALTIMORE (MASON DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 announcing the Planning Commission's approval of Public Facilities Application 456-M96-2.

30. **I-9 - AMENDMENT TO PROCEDURAL MEMORANDUM NUMBER 08-05, REGULATIONS FOR PUBLIC USE OF FACILITIES AND GROUNDS AT THE FAIRFAX COUNTY GOVERNMENT CENTER COMPLEX** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 requesting authorization for staff to:

- Implement the changes outlined in the Memorandum to the Board;
- and

- Issue a revised Procedural Memorandum Number 08-05 in accordance with the draft as contained in the Memorandum to the Board.

Following discussion, with input by J. Patrick Taves, Assistant County Attorney, Supervisor Hyland asked unanimous consent that the Board direct staff to provide information as to whether there is any legal issue in terms of limiting fund raising activities to a non-profit organization recognized by the Internal Revenue Service (IRS). Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

31. **I-10 - AWARD OF CONTRACT FOR THE FAIRFAX CONNECTOR - HUNTINGTON DIVISION** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 requesting authorization for staff to conclude negotiations and proceed with a contract award to Ryder/ATE, Incorporated for a three year and four term with total annual expenditures of approximately \$4,956,646, not including start-up costs.

The staff was directed administratively to proceed as proposed.

32. **I-11 - MEMORANDUM OF AGREEMENT, "UNIFIED REGIONAL SNOW EMERGENCY PLAN FOR THE WASHINGTON METROPOLITAN AREA, JANUARY 1997"** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated February 24, 1997 requesting authorization for staff to sign the Memorandum of Agreement, "Unified Regional Snow Emergency Plan for the Washington Metropolitan Area, January 1997."

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

33. **APPOINTMENTS TO THE TOWING ADVISORY BOARD** (Tape 6)

(APPTs)

Chairman Hanley moved the appointments of Mr. Richard Quinn and Ms. Carol Herring as At-Large Representatives and Mr. Eric Schmitz as At-Large Representative (Alternate) to the Towing Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

34. **PROCLAMATION DESIGNATING MARCH 10, 1997 AS ARTS APPRECIATION DAY IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to prepare a Proclamation:

- Designating March 10, 1997 as **Arts Appreciation Day in Fairfax County**; and
- Invite Thomas Waldrop, Chairman of the Arts Council of Fairfax County, to appear before the Board at the March 10, 1997 meeting to receive the Proclamation.

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

35. **REQUEST TO RECOGNIZE MS. ANNINA BURNS** (Tape 6)

Chairman Hanley announced that the Prudential Insurance Company of America named Ms. Annina Burns, a student at George C. Marshall High School, as one of two Virginia youth volunteers to receive the Prudential Spirit of Community Awards. This program, a partnership between Prudential and the National Association of Secondary School Principals, honors young people across the nation for outstanding, self-initiated community service activities.

Accordingly, Chairman Hanley moved that the Board invite Ms. Annina Burns to appear before the Board to be recognized for this achievement. This motion was seconded by Supervisor Dix and carried by unanimous vote.

36. **REQUEST TO RECOGNIZE MR. MICHAEL WEISS** (Tape 6)

Chairman Hanley announced that Fairfax County's own Michael Weiss stole the show at the United States (U.S.) Figure Skating Championships. He finished second in the overall men's singles competition, despite turning in the finest performance of the men's competition and will represent the United States at the World Figure Skating Championships next month in Lausanne, Switzerland. Chairman Hanley further stated that he came closer to landing the quadruple toe loop than any U.S. skater ever has, landed a total of seven triple jumps, more than anyone else at the competition, and was the only skater to land a triple axel-triple toe loop combination.

Therefore, Chairman Hanley moved that the Board direct staff to invite Mr. Weiss to appear before the Board to be recognized for this accomplishment as soon as his training schedule will allow. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

37. **THE FAIRFAX COUNTY PARK AUTHORITY AND NORTHERN VIRGINIA REGIONAL PARK AUTHORITY DEER MANAGEMENT RECOMMENDATIONS** (Tape 6)

Chairman Hanley stated that the Fairfax County Park Authority and the Northern Virginia Regional Park Authority have responded to the preliminary report of the Northern Virginia Deer Management Committee. Chairman Hanley stated that she is distributing their comments and recommendations.

Accordingly, Chairman Hanley moved that the Board refer this information to the Acting County Executive for distribution to the Northern Virginia Deer Management Committee. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

38. **LETTER FROM DAVID R. FLAGLER, DIRECTOR, DEPARTMENT OF ANIMAL CONTROL** (Tape 6)

Chairman Hanley stated that she was in receipt of a letter written by David R. Flagler, Director, Department of Animal Control, indicating that it is not his intent to recommend any one option for deer management.

Accordingly, Chairman Hanley asked unanimous consent that the Board direct the Acting County Executive to query Mr. Flagler as to what that means. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to provide copies of the letter to all Board Members. Without objection, it was so ordered.

39. **VALUE ENGINEERING (VE) IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley stated that she had received a copy of a Resolution in support of implementation of Value Engineering (VE) in Fairfax County from the Federation of Citizens Associations.

Chairman Hanley further stated that the State of Virginia now utilizes VE in implementation of capital projects within its Departments of Transportation and General Services.

Therefore, Chairman Hanley moved that the Board direct staff to

- Investigate the State's experience with and requirements for implementation of VE and how this experience might apply to Fairfax County; and

- Send the Resolution to the:
 - Fairfax County School Board;
 - Fairfax County Park Authority; and
 - Water and Sewage Authorities,

since these entities oversee the vast majority of projected capital expenditures for Fairfax County over the next several years.

This motion was seconded by Supervisor Connolly.

Following discussion, with input by Anthony H. Griffin, Acting County Executive, Supervisor Bulova asked unanimous consent that the Board direct staff to respond with information on:

- Whether Fairfax County Schools and County staff have cooperated in VE on any projects; and
- Any upcoming projects which might be appropriate for cross County-School VE.

Without objection, it was so ordered.

Supervisor Connolly asked unanimous consent that the Board direct staff to provide information on:

- How the County has applied VE;
- How the County might apply VE;
- What projects are candidates for VE;
- What projects are not candidates for VE; and
- What kind of experience has been learned.

Without objection, it was so ordered.

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

40. **"THE FAIR HOUSING INDEX: AN AUDIT OF RACE AND NATIONAL ORIGIN DISCRIMINATION IN THE GREATER WASHINGTON RENTAL MARKET"**
(Tape 6)

Chairman Hanley said that on Tuesday, February 18, 1997, the Fair Housing Council of Greater Washington released "The Fair Housing Index: An Audit of Race and National Origin Discrimination in the Greater Washington Rental Market." She distributed copies of the Audit to the Board. The audit reports the result of testing conducted throughout the region.

Chairman Hanley stated that the examples of discrimination outlined in the Audit are horrendous, and housing providers in Fairfax County were found to be among the most frequent offenders. Fairfax County must reaffirm the commitment to eliminating racial and ethnic segregation and other discriminatory housing practices, and redouble efforts at furthering fair housing in the County.

Chairman Hanley further stated that while the Audit results for Fairfax County include the Cities of Falls Church and Fairfax, it also indicates numbers which are specific to Fairfax County. The differences are noted, and the results are not much of an improvement.

The Audit reports that, overall, discrimination in the Fairfax County rental market occurred in 50 percent of visits to properties. When the results are separated into the categories of race and national origin, the Audit reports that, while Fairfax County did score lowest in the region in discrimination against Hispanics, African-Americans experienced discrimination 70 percent of the time.

Chairman Hanley said that recently, the County participated in the Metropolitan Washington Council of Governments (COG) adoption of a Regional Plan to address impediments to fair housing. Fairfax County staff is currently reviewing part of the Regional Plan, the Fairfax County Fair Housing Analysis of Impediments.

Accordingly, Chairman Hanley moved that the Board:

- Direct staff to provide the results of its analysis of the Fairfax County Plan by April 1, 1997;
- Direct staff to provide the budget impact for the Office of Human Rights to implement the recommendations;
- Reaffirm its commitment to eliminating all forms of discrimination in Fairfax County; and

- Adopt policies and commit the resources necessary to affirmatively further fair housing in Fairfax County.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

41. **REVIEW OF SUPERVISORS' ROLE IN APPLICATIONS FOR ALCOHOLIC BEVERAGE CONTROL LICENSES IN FAIRFAX COUNTY** (Tape 6)

Supervisor Connolly stated that the subject of Fairfax County's role in the State review of applications for Alcoholic Beverage Control (ABC) licenses was discussed at an early meeting of the Board's Legislative Subcommittee. Several Board Members present expressed serious concerns about the process. Supervisor Connolly further stated that subsequently he wrote a memorandum to the Acting County Executive, with copies to Chief M. Douglas Scott, Police Department, relating specific concerns and asking that the Board review the role the Board plays in this process, and the procedures presently used.

Supervisor Connolly noted that the Acting County Executive's response has been attached to his written Board Matter. The timetable set out in *Virginia Code 4.1-230* is explained at the top of page two of that Memorandum. Supervisor Connolly stated that there are several concerns.

Supervisor Connolly said that the form used seems to state that a Supervisor's signature indicates only his/her "opinion of item 3A," which concerns the number of licenses existing in the area where application is being made. Supervisors are asked to check "yes, no, or unknown" and sign. This in itself is confusing, and, highly subjective. How many liquor licenses are too many? Is this the only criterion on which the ABC is interested in the Supervisor's feedback? He noted that as Providence District Supervisor he was recently asked to sign a form for an establishment at which there is a high, documented incidence of crime. There is no provision on this form to allow a statement of concerns.

Supervisor Connolly further stated that because of the compressed time period the police have to do their investigation, it has been his experience that these forms arrive at the Supervisor's office before the investigation is complete. He said that in the case cited above, the investigating officer called to express his concern and Supervisor Connolly said was able to act on it, but he feared that expediency might affect the process and result in a license issued when it should not be.

Accordingly, Supervisor Connolly moved that the Board direct the Acting County Executive to conduct a complete review of the role of Board Members in this process, to include:

- The establishment of a procedure by which the Police Department reviews of ABC applications are completed and Supervisors are informed of the results before being asked to review each case;

- A request to ABC officials to amend their form to include a place where Supervisors are given the option to comment and to broaden the scope of comment beyond the number of existing licenses in the area; and
- The County Attorney's input in this review and the results reported to the Board.

This motion was seconded by Supervisor Dix.

Supervisor Dix asked to amend the motion to:

- Review the issue of on-premises versus off-premises licenses; and
- Determine what contact the County might need to have with the state's ABC Licensing Board relative as to the appropriateness.

This was accepted.

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

42. **ADDITIONS OF TYSONS CORNER TO CAPITAL BELTWAY ENTRANCE SIGNS** (Tape 6)

Supervisor Connolly stated that the Tysons Corner area, which is largely within the borders of the Providence District, has become the economic heart of Northern Virginia. With its vast amounts of commercial establishments and residential neighborhoods, it is a destination in and of itself not only for the people who live and work there, but for those who come from miles away.

Supervisor Connolly further stated that people from outside the immediate area are attracted to Tysons Corner by the magnitude of entertainment, shopping, and business facilities available there. There are five million square feet of retail space, and 20,374,926 square feet of office space at Tysons Corner. One third of the total hotel space in Fairfax County is located in Tysons Corner. Tysons Corner will continue to grow and to attract not only Fairfax County residents, but people from places such as Winchester, Fredericksburg, Charlottesville, and even the eastern panhandle of West Virginia.

Supervisor Connolly mentioned that people coming to Tysons Corner from outlying areas, however, are often not familiar with the geography of the National Capital region. The signs on many of the major east-west thoroughfares, such as Route 66 and Route 50 are not much help. Motorists traveling west on Route 50 are confronted at the entrance to the Beltway with signs that direct them to either Richmond or Rockville. The fact that Tysons Corner is not on these signs often creates unnecessary confusion and inconvenience for motorists.

Accordingly, Supervisor Connolly moved that the Board direct staff to work with the Virginia Department of Transportation (VDOT) and any other relevant agencies to add the name "Tysons Corner" to the appropriate signs at the Beltway entrances from the east-west thoroughfares, including but not limited to, Route 50, Interstates 66, 395, and 95. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

43. **LETTER FROM MR. GARY BROOKS** (Tape 6)

Supervisor Connolly mentioned that he had received a letter from Mr. Gary Brooks, son of the late Ms. Ann Wilkins, former District Supervisor, to say how appreciative the family was of the certificate passed by the Board.

44. **INTENT TO DEFER BOARD DECISION ON THE JAMES LEE PHASE IV PUBLIC IMPROVEMENTS PROJECT** (Tape 6)

Supervisor Connolly announced his intent to defer, at the appropriate time later in the meeting, the Board decision on the acquisition of certain land rights necessary for the construction of the James Lee Phase IV Public Improvement Project scheduled for 4:00 p.m. today until **March 24, 1997 at 4:30 p.m.**

45. **LETTERS ON YOUTH VIOLENCE FROM FALLS CHURCH HIGH SCHOOL GOVERNMENT STUDENTS** (Tape 6)

Supervisor Connolly stated that following the presentation to the Board from the Community Initiative on Youth Violence, he received a package of letters written by government students at Falls Church High School who had read about the report in newspaper accounts. The students commented on many aspects of the report, including the recommendation to begin and dismiss high school students later in the day to reduce afternoon crime and the need for more recreation facilities for young people.

Supervisor Connolly further stated that he would provide copies of the letters to anyone interested.

PMH:pmh

46. **1996-97 FAIRFAX COUNTY FOOTBALL HALL OF FAME CEREMONY** (Tape 7)

Supervisor Dix acknowledged the 1996-97 Fairfax County Football Hall of Fame Ceremony which was held on February 23, 1997. He expressed his appreciation to Chairman Hanley and Supervisor Frey, Gary Reese, Sully District Member, School Board, and Congressman Thomas M. Davis, III for taking time to join in an event to recognize the successes in football activities at the youth and high school levels as well as the professional level.

Supervisor Frey announced that Harold L. Strickland, Sully District Representative, Park Authority was also inducted into the Hall of Fame.

47. **REQUEST FOR WAIVER OF FEES ASSOCIATED WITH THE CHANTILLY YOUTH ASSOCIATION (CYA) BALLFIELD PROJECT** (Tape 7)

Supervisor Dix stated that Chantilly Youth Association (CYA), a non-profit organization, has requested assistance in gaining an expedited review of plans for a ballfield project at the National Rural Utilities Cooperative Finance Corporation (CFC) site at Woodland Park, Tax Map Reference 16-3((1))29A, and for the waiver of processing fees associated with these plans. This project is a cooperative effort with CFC and William A. Hazel, Incorporated, aimed at providing the youth in the area with an additional field for use in CYA soccer project, in particular the PeeWee Program practice sessions.

Therefore, Supervisor Dix moved that the Board authorize the Department of Environmental Management (DEM) to waive the fees associated with the CYA ballfield project at the National Rural Utilities Cooperative Finance Corporation site at Woodland Park. This motion was seconded by Supervisor Frey.

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

(NOTE: Later in the meeting, additional action was taken regarding this item. See Clerk's Summary Item CL#73.)

48. **SLIP RAMPS ON THE DULLES TOLL ROAD** (Tape 7)

Supervisor Dix said that he had received correspondence from the Greater Reston Chamber of Commerce that refers to slip ramps on the Dulles Toll Road. He said that there is a request that during rush hour and on days when there is inclement weather that the possibility of opening the slip ramps be considered.

Supervisor Dix asked unanimous consent that the Board refer this issue to staff for review. Without objection, it was so ordered.

49. **REQUEST FOR SIMULTANEOUS PROCESSING FOR SITE PLANS FILED BY BELL ATLANTIC** (Tape 7)

Supervisor Mendelsohn moved that the Board direct the Director of the Department of Environmental Management (DEM) to simultaneously process the Site Plans filed by Bell Atlantic during the processing of a Special Exception and Public Facilities Application for property located at 1701 Chain Bridge Road, Tax Map Reference 30-1-1-46 in McLean. Simultaneous processing would allow the applicant to proceed at his own risk to do the engineering on the site and to potentially save months in the approval process.

Supervisor Mendelsohn said that this motion does not relieve the applicant from complying with provisions of all applicable conditions, regulations, or adopted standards relative to this Site Plan nor does it in anyway anticipate support for the Special Exception Application which will be considered at a later date by this Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

50. **REMOVING TREES IN THE VICINITY OF STORMWATER MANAGEMENT FACILITIES** (Tape 7)

Supervisor Mendelsohn expressed concern about the current practices of removing trees in the vicinity of stormwater management facilities in the County. He said that certain of these practices may be unnecessary and unwise and create environmental concerns.

Therefore, Supervisor Mendelsohn moved that the Board refer the policy of removing all trees in connection with stormwater management facilities to the Environmental Subcommittee for discussion. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

51. **REQUEST FOR WAIVER OF APPLICATION FEES BY THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB CHARITIES, INCORPORATED FOR FLEA MARKETS** (Tape 7)

Supervisor Kauffman stated that he had received a request from the Springfield-Franconia Host Lions Club Charities, Incorporated, requesting waiver of the application fees for 20, one-day permits for flea markets.

Therefore, Supervisor Kauffman moved that the Board waive the application fees for the Springfield-Franconia Host Lions Club Charities, Incorporated. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

52. **UPDATED FINANCIAL ACCOUNTING MANAGEMENT INFORMATION SYSTEM (FAMIS) SYSTEM** (Tape 7)

Supervisor Kauffman referred to a memorandum from Anthony H. Griffin, Acting County Executive, regarding appropriation to the Fairfax County Public Schools by State category. He said it refers to the updated Financial Accounting Management Information System (FAMIS) System that can accommodate reporting school expenditures by State categories. It also notes that this is not possible and cited significant and costly modifications.

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide more detailed information regarding costs on this issue. Without objection, it was so ordered.

53. **ENVIRONMENTAL IMPACT STUDY (EIS) REGARDING THE WOODROW WILSON BRIDGE** (Tape 7)

Supervisor Kauffman noted that the Environmental Impact Study (EIS) regarding the Woodrow Wilson Bridge would be released soon. He asked unanimous consent that the Board direct staff to provide Board Members with a copy of the study. Without objection, it was so ordered.

54. **REQUEST FOR WAIVER OF FEES ASSOCIATED WITH THE CHANTILLY YOUTH ASSOCIATION (CYA) BALLFIELD PROJECT ON THE ELECTRONIC DATA SYSTEMS, INCORPORATED (EDS) PROPERTY LOCATED IN HERNDON** (Tape 7)

Supervisor Frey said that the Chantilly Youth Association (CYA) is working with Electronic Data Systems, Incorporated (EDS), and Jack Hazel of William A. Hazel, Incorporated, for construction of a ball field in Herndon. He moved that the Board authorize the Department of Environmental Management (DEM) to waive the fees associated with the CYA ballfield project on the EDS site in Herndon. This motion was seconded by Supervisor Bulova.

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

55. **REQUEST FOR WAIVER OF FEES ASSOCIATED WITH THE 4-H ASSOCIATION'S RENTAL OF THE FAIRFAX COUNTY SHOW MOBILE STAGE** (Tape 7)

Supervisor Frey said that the 4-H Association is now being charged fees for the rental of the Fairfax County Show Mobile Stage for their fair at Frying Pan Park. He moved that the Board waive the usage fee for the show mobile stage for the 4-H Association Fair. This motion was seconded by Supervisor Dix.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to provide additional information regarding this issue, and this was accepted.

Following input from Anthony H. Griffin, Acting County Executive, the question was called on the motion, as amended, which carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

56. **SCHOOL BOARD DRUG CRISIS CONFERENCE** (Tape 7)

Supervisor Frey announced that on Tuesday, April 1, 1997 at 7:30 p.m. the School Board is hosting its first Drug Crisis Conference in the Board Auditorium. He moved that the Board endorse the School Board's efforts and offer whatever support and assistance it can. This motion was seconded by Chairman Hanley and carried by unanimous vote.

57. **10TH ANNIVERSARY OF THE LEADERSHIP FAIRFAX PROGRAM (LFI)**
(Tape 7)

Supervisor Frey announced that the 10th year celebration of the Leadership Fairfax Program (LFI) is coming up in June. He moved that the Board direct staff to prepare a Proclamation commemorating the 10th anniversary. He added that they would like to host a reception prior to the Board meeting scheduled for June 23, 1997. This motion was seconded by Supervisor Mendelsohn.

Supervisor Frey asked to amend the motion to include the County employees who have participated in this program, and this was accepted.

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

58. **INTERCHANGE AT BARNSFIELD ROAD AND ROUTE 28** (Tape 7)

Supervisor Frey said that the Smithsonian Institution is working with the Virginia Department of Transportation (VDOT) to develop plans for the Barnsfield Road interchange at Route 28 to provide access to the future annex at Dulles Airport for the Air and Space Museum.

Supervisor Frey moved that the Board:

- Endorse the concept of constructing the full interchange at Route 28 and Barnsfield Road at one time; and
- Direct staff to work with VDOT and the property owners to resolve the issue of how it would be funded.

This motion was seconded by Supervisor Hyland.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to include endorsing the concept "conceptually," and this was accepted.

Following discussion, Supervisor Connolly endorsed the motion with the understanding that this project not be given priority over existing projects.

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

NV:nv

59. **85TH ANNIVERSARY OF GIRL SCOUTING IN THE UNITED STATES**
(Tape 8)

Supervisor Gross announced that this year marks the 85th anniversary of Girl Scouting in the United States. She noted that she has been involved with this organization for over 25 years, both as a girl and as an adult.

Supervisor Gross said that she would be in attendance on Sunday, March 9, 1997 at 2:30 p.m., at the birthday celebration at Springfield Mall held by the Girl Scouts in Action Task Force. She moved that the Board:

- Proclaim the week of March 9 through 15, 1997 as National Girl Scout Week in Fairfax; and
- Direct staff to prepare a Proclamation for presentation on March 9, 1997 at the birthday celebration.

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

60. **BRADDOCK DISTRICT SUPERVISOR BULOVA STILL AWAITING BIRTH OF GRANDCHILD** (Tape 8)

Supervisor Bulova stated that she is not yet a grandmother though her daughter-in-law is now two weeks overdue for the birth of her baby.

61. **RECOGNITION OF MR. PAUL "RED" JENKINS WHO IS RETIRING AFTER 35 YEARS OF SERVICE TO W.T. WOODSON HIGH SCHOOL** (Tape 8)

Supervisor Bulova announced that Mr. Paul "Red" Jenkins will be retiring after 35 years of dedicated service to W.T. Woodson High School. He has been the only boys basketball coach in the school's history and in those 35 seasons Woodson has won 19 District Titles.

Supervisor Bulova congratulated Mr. Jenkins for his outstanding career and contributions to young people of Fairfax County and moved that the Board direct staff to invite him to appear before the Board to be thanked and recognized. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor Mendelsohn being out of the room.

62. **RENAMING OF THE PINE RIDGE PUBLIC SAFETY COMMUNICATIONS CENTER** (Tape 8)

Supervisor Bulova explained the circumstances under which Colonel Richard A. King became the Acting County Executive in 1991 at the onset of the worst recession in recent County history. She briefly outlined his accomplishments during his tenure. She noted

that even though Colonel King is now retired, he is still available to provide guidance and advice or corporate memory when needed.

To thank Colonel King for his valuable contributions over the many years of his impressive career, Supervisor Bulova moved that the Board name the Pine Ridge Public Safety Communications Center, located at 3911 Woodburn Road in Annandale in the Mason District, the "***Richard King Public Safety Communications Center.***" This motion was seconded by Supervisor McConnell.

Supervisor Gross, noting that the Center is in the Mason District and that Colonel King is a resident of the Mason District, asked unanimous consent that the Board permit her to work with staff as a member on this project. Without objection, it was so ordered.

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

63. **SPRINGFIELD DISTRICT'S ANNUAL BUDGET TOWN MEETING** (Tape 8)

Supervisor McConnell announced that the Springfield District's Annual Budget Town Meeting will be held on March 4, 1997 at 7:30 p.m. at West Springfield High School's Spartan Hall and she invited the audience, Board Members, and staff to attend. She noted that the respective staffs will present the proposed budgets for the County and School Division.

64. **OIL SPILL AT LAKE BARTON** (Tape 8)

Supervisor McConnell expressed her appreciation of the County personnel who responded to the recent oil spill at Lake Barton in Burke. She noted that several thousand gallons of fuel leaked into the tributaries of Lake Barton last week. After receiving the original call, several County agencies coordinated and responded to this event by providing manpower and expertise to identify, contain, and clean up the spill. Furthermore, the Department of Fire and Rescue Services, the Police Department, and Federal investigators coordinated efforts to swiftly locate the perpetrators of this offense.

Accordingly, Supervisor McConnell moved that the Board direct staff to send letters of appreciation to those County agencies and Federal officials involved with the recent oil spill at Lake Barton. This motion was seconded by Supervisor Bulova.

Supervisor Bulova asked to amend the motion to include letters to the State Department of Environmental Quality (DEQ), officials from Virginia Concrete, and officials from Fairview Elementary School, and this was accepted.

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

65. **AMERICAN BALD EAGLES AT ACCOTINK ACADEMY** (Tape 8)

Supervisor McConnell expressed her appreciation to the County agencies which responded to an incident at the Accotink Academy this morning whereby two American bald eagles were entangled in the trees. She reported that the eagles were able to extricate themselves to the relief of all who had witnessed the incident.

Chairman Hanley noted that a bald eagle had flown over the wreath-laying ceremony for George Washington's birthday at Mount Vernon on Saturday, February 22, 1997.

66. **SPEED DRIVING AND IMPATIENCE** (Tape 8)

(BACs)

With reference to his written Board Matters, as distributed to the Board, Supervisor Hyland noted that the Virginia General Assembly did not adopt the requested legislation regarding speeding in residential communities. He moved that the Board:

- Create an ad hoc committee to address the issue of speeding and enforcement on all roads in the County with the composition to include, but not be limited to:
 - The Commonwealth's Attorney;
 - The Chief of Police;
 - A Representative of the Department of Fire and Rescue;
 - The County Attorney;
 - A Representative of the Office of Transportation;
 - A Representative from the Transportation Advisory Committee (TAC); and
 - A Member of the Board of Supervisors; and
- Request this ad hoc committee to complete its work in time for deliberation by the Board's 1998 Legislation Committee.

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

67. **KUDOS TO POLICE LIEUTENANT WERNLEIN AND PRIVATE FIRST CLASS (PFC) BUTT** (Tape 8)

With reference to his written Board Matters, Supervisor Hyland expressed kudos to Police Lieutenant Frank A. Wernlein and Private First Class (PFC) Naveed I. Butt for securing the acquisition of \$233,356 worth of surplus military equipment for local law enforcement purposes by the Police Department at no cost to the County. The equipment included gas masks, riot helmets, and surveillance materials.

Accordingly, Supervisor Hyland moved that the Board officially commend these officers and direct staff to issue a Certificate of Appreciation from the Board for their outstanding efforts on behalf of all Fairfax County residents. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

68. **FAIRFAX COUNTY PARKWAY AND TELEGRAPH ROAD WIDENING** (Tape 8)

With reference to his written Board Matters, Supervisor Hyland raised the issue of the impact of construction activity involving the Fairfax County Parkway and the widening of Telegraph Road. He noted that the last noise impact study was performed in 1981 by the Virginia Department of Transportation (VDOT) and that a significant number of homes have been and will be added to the surrounding area of these road construction projects. He added that the community has been in contact with VDOT and that VDOT acknowledges that their survey is outdated.

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

- Request VDOT to perform an updated noise impact analysis to determine what can be done to mitigate this situation; and
- Send this request to the Secretary of Transportation for the Commonwealth of Virginia.

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

69. **"TREMENDOUS" SEEDLING SALE** (Tape 8)

With reference to his written Board Matters, Supervisor Hyland noted that Supervisor Mendelsohn had previously announced the availability of free tree seedlings for group plantings (Clerk's Summary Item CL#48, January 27, 1997).

Supervisor Hyland asked unanimous consent that the Board direct the Office of Public Affairs to assist the Northern Virginia Soil and Water Conservation District in advertising

their "TreeMendous Seedling Sale." This year for \$14 the seedling package includes four of each of the following:

- White flowering dogwoods;
- Willow oaks;
- Eastern white pines; and
- Red osier dogwood shrubs.

For an additional \$2.50 one can purchase one tree protector, which serve as a mini-greenhouse for each seedling, increasing its growth and survival rate.

Without objection, it was so ordered.

70. **CHESAPEAKE BAY PARTNER COMMUNITIES INITIATIVE** (Tape 8)

With reference to his written Board Matters, Supervisor Hyland stated that innovative and progressive local government programs are essential to the protection of natural resources and the health of the Chesapeake Bay. The "Chesapeake Bay Partner Communities" initiative is being sponsored by the Chesapeake Bay Local Government Advisory Committee (CBLGAC) as endorsed by the Governors of Virginia, Maryland, the Mayor of the District of Columbia, the EPA Administrator, and the Chair of the Chesapeake Bay Commission at the Annual Meeting in November 1996. The objective of this endeavor is to recognize, encourage and support local governments in the Chesapeake Bay watershed whose actions demonstrate their commitment to the protection of the Bay and its tributaries.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to review and complete the Chesapeake Bay Partner Communities application and to submit to the CBLGAC not later than April 30, 1997. Without objection, it was so ordered.

Chairman Hanley noted that she had already forwarded this item to the Acting County Executive for his review. A brief discussion ensued with input from Anthony H. Griffin, Acting County Executive.

71. **INTENT TO DEFER THE PUBLIC HEARING ON ACQUISITION OF CERTAIN SANITARY SEWER EASEMENTS NECESSARY FOR THE CONSTRUCTION OF FORT HUNT ROAD SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (MOUNT VERNIN DISTRICT)** (Tape 8)

Supervisor Hyland announced his intent to defer, at the appropriate time, the public hearing on the Acquisition of Certain Sanitary Sewer Easements Necessary for the Construction of

Fort Hunt Road Sanitary Sewer Extension and Improvement Project scheduled for 4:30 p.m. today until **March 24, 1997 at 4:00 p.m.**

(NOTE: Later in the meeting, this hearing was formally deferred. See Clerk's Summary Item CL#101.)

72. **ENFORCEMENT ACTION REQUESTED TO STOP THE USE OF MOTELS ALONG RICHMOND HIGHWAY FOR PROSTITUTION** (Tape 8)

With reference to his written Board Matters, Supervisor Hyland reminded the Board that at its meeting on October 28, 1996, he had requested that the County Attorney determine if there was a legal basis on which to bring certain motel owners into court because the illegal activities in their facilities may constitute a public nuisance and a threat to the public health and safety of the community. He noted that the County Attorney responded that under *Virginia Code* Section 48-8 (1996) the Commonwealth's Attorney or any responsible citizen of the Commonwealth may maintain a suit in equity to perpetually enjoin such a nuisance. This section also provides the means of obtaining a temporary writ of injunction. Successful prosecution of a pornographic book store under this provision by the Commonwealth's Attorney is used as an example. He noted that the issues are prostitution and the sale of drugs in motels in the Route One corridor.

Accordingly, Supervisor Hyland moved that the Board refer this matter to the Office of the Commonwealth's Attorney and request that he seek injunctive relief to enjoin permanently the use of these motels along the Richmond Highway corridor as a public nuisance. This motion was seconded by Supervisor Bulova.

Supervisor Kauffman asked to amend the motion to reflect any motels along the Route One corridor which constitute a public nuisance and a threat to public health, safety, and welfare, and this was accepted.

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

73. **EXPEDITED REVIEW OF PLANS ASSOCIATED WITH THE CHANTILLY YOUTH ASSOCIATION (CYA) BALLFIELD PROJECT** (Tape 8)

(NOTE: Earlier in the meeting, action was taken on this issue. See Clerk's Summary Item CL#47.)

With reference to a Board Matter he presented earlier in the meeting regarding the Chantilly Youth Association (CYA) ballfield project, Supervisor Dix moved that the Board direct staff

to expedite the review of the plans associated with the project. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

74. **ORDERS OF THE DAY** (Tape 8)

Chairman Hanley announced that the Board would proceed to Executive Session directly after the motion to convene Executive Session and that the public hearings would not start on time.

75. **GEORGE WASHINGTON PARKWAY SAFETY ISSUES** (Tape 8)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct the Acting County Executive to send a letter to the National Park Service requesting that they indicate their plans, if any, for creating a divider for the George Washington Parkway from the Roosevelt Bridge north. She noted that there have been recent fatalities because vehicles have veered into oncoming traffic.

Following a brief discussion, the question was called on the motion which carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

76. **RECESS/EXECUTIVE SESSION** (Tape 8)

At 3:05 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda, and in addition:

- *RF&P Corporation versus The Board of Supervisors of Fairfax County, Virginia, At Law Number 152631;*
- Status of Erroneous Tax Assessment Litigation;
- Enforcement of Virginia Statewide Fire Prevention Code §F-504.1, Protection Maintenance;

- Proposed Auxiliary Facility Agreement between Upper Occoquan Sewage Authority (UOSA) and the City of Manassas; and
- Proffered Condition Amendment Application PCA 92-V-032 and Special Exception Application SE 96-V-045, Starr Management Corporation.

This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

SBE:sbe

At 4:30 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

77. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 9)

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

78. **AUTHORIZATION OF SETTLEMENT OF LANDMARK SYSTEMS CORPORATION AND STAMFORD COMPUTER GROUP VERSUS BOARD OF SUPERVISORS** (Tape 9)

Supervisor Connolly moved that the Board authorize the settlement of *Landmark Systems Corporation and Stamford Computer Group versus Board of Supervisors*, At Law Number 148741, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

79. **AUTHORIZATION OF SETTLEMENT OF MARY CARROLL FOX VERSUS TROY HAMILTON DEAN** (Tape 9)

Supervisor Gross moved that the Board authorize the settlement of *Mary Carroll Fox versus Troy Hamilton Dean*, At Law Number 151553, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

80. **MODIFICATION OF THE L-9 PAY RANGE AND GRANTING THE COUNTY ATTORNEY A STEP INCREMENT TO L-9, STEP 9** (Tape 9)

Supervisor Gross moved approval of modifying the L-9 Pay Range and granting the County Attorney a step increment to L-9, Step-9, the new amount of which is \$117,168.10. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

81. **AUTHORIZATION OF SETTLEMENT OF EDWARD KATZ, ET AL., VERSUS BOARD OF SUPERVISORS** (Tape 9)

Supervisor Kauffman moved that the Board authorize the settlement of *Edward Katz, et al., versus Board of Supervisors*, At Law Number 137601, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly carried by unanimous vote.

82. **AUTHORIZATION OF SETTLEMENT OF RF&P CORPORATION VERSUS BOARD OF SUPERVISOR OF FAIRFAX COUNTY** (Tape 9)

Supervisor Hyland moved the Board authorize the settlement of *RF&P Corporation versus Board of Supervisor of Fairfax County, Virginia*, At Law Number 152631, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

83. **AUTHORIZATION OF SETTLEMENT OF COMDISCO, INCORPORATED VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY** (Tape 9)

Supervisor Hyland moved that the Board authorize the settlement of *Comdisco, Incorporated versus Board of Supervisors of Fairfax County*, At Law Number 148743, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

84. **AUTHORIZATION OF SETTLEMENT OF THE PRICE REIT, INCORPORATED VERSUS BOARD OF SUPERVISORS** (Tape 9)

Supervisor Frey moved that the Board authorize the settlement of *The Price Reit, Incorporated versus Board of Supervisors*, At Law Number 148765, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

85. **AUTHORIZATION OF SETTLEMENT OF STATE OF CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY** (Tape 9)

Supervisor Frey moved that the Board authorize the settlement of *State of California Public Employees' Retirement System versus Board of Supervisor of Fairfax County*, At Law Numbers 137707 and 137708, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

86. **DENIAL OF THE CLAIM OF THOMAS S. KELLY** (Tape 9)

Supervisor Frey moved that the Board deny the Claim of *Thomas S. Kelly* for the reasons outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

87. **3:30 P.M. PH - PH ON REZONING APPLICATIONS RZ 1996-PR-039, RZ 1996-PR-038, RZ 95-P-039 AND SPECIAL EXCEPTION APPLICATIONS SE 96-P-049 AND SE 96-P-048 (GREENSTAR II LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearings on Rezoning Applications RZ 1996-PR-039, RZ 1996-PR-038, and RZ 95-P-039, and Special Exception Applications SE 96-P-049 and SE 96-P-048 until **March 10, 1997 at 4:30 p.m.** This motion was seconded by Supervisor Gross and carried by unanimous vote.

ADDITIONAL BOARD MATTER

88. **WELCOME BOY SCOUT TROOP 1523 FROM PARKWOOD BAPTIST CHURCH** (Tape 9)

Supervisor Bulova recognized the presence of Boy Scout Troop 1523 from Parkwood Baptist Church and warmly welcomed them to the Board Auditorium. She stated that the scouts

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89. **4:00 P.M. - BOARD DECISION ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE JAMES LEE PHASE IV PUBLIC IMPROVEMENTS PROJECT (PROVIDENCE DISTRICT)**
(Tapes 9-10)

(NOTE: On January 6, 1997, the Board held the public hearing on this item and deferred its decision until February 24, 1997.)

Supervisor Connolly moved to defer Board Decision on the acquisition of certain land rights necessary for the construction of the James Lee Phase IV Public Improvements Project until **March 24, 1997 at 4:30 p.m.** This motion was seconded by Supervisor Hyland and carried by unanimous vote.

90. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 92-V-032 AND SPECIAL EXCEPTION APPLICATION SE 96-V-045 (STARR MANAGEMENT CORPORATION) (MOUNT VERNON DISTRICT)**
(Tape 10)

Supervisor Hyland moved to defer the public hearing on Proffered Condition Amendment Application PCA 92-V-032 and Special Exception Application SE 96-V-045 until **March 24, 1997 at 4:30 p.m.** This motion was seconded by Supervisor McConnell and carried by unanimous vote.

91. **4:30 P.M. - PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-V-028 (BANK OF ALEXANDRIA (MOUNT VERNON DISTRICT)** (Tape 10)

Supervisor Hyland moved to defer the public hearing on Proffered Condition Amendment Application PCA 93-V-028 until **March 24, 1997 at 4:30 p.m.** This motion was seconded by Supervisor Connolly and carried by unanimous vote.

92. **3 :30 P.M. - PH ON REZONING APPLICATION RZ 1996-LE-035 (ALEXANDRIA SPORTS COMPLEX, INCORPORATED) AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-L-020-12 (KINGSTOWNE**

COMMERCIAL LIMITED PARTNERSHIP) (LEE DISTRICT) (Tape 10)

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavit for the record.

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

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

- In the amount of \$200 from Mr. Warren E. Halle.

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

Supervisor Kauffman moved to defer Board decision on Rezoning Application RZ 1996-LE-035 and Proffered Condition Amendment Application PCA 84-L-020-12 until **March 10, 1997 at 4:00 p.m.** This date is dependent on the Board reaching a satisfactory resolution on these proffers. The motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

93. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 92-V-032 AND SPECIAL EXCEPTION APPLICATION SE 96-V-045 (STARR MANAGEMENT CORPORATION) (MOUNT VERNON DISTRICT)**
(No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#80.)

94. **3:30 P.M. PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING OFF-STREET PARKING** (Tape 10)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1997.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise certain off-street parking provisions **to become effective on February 25, 1997 at 12:01 a.m.** This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

95. **3:30 P.M. - PH ON AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) REGARDING PAYMENT OF FEES BY CREDIT CARD** (Tape 10)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1997.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) to allow the payment of land development fees by credit card **to become effective on May 1, 1997 at 12:01 a.m.** This motion was seconded jointly by Supervisor Hyland and Supervisor Dix and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Kauffman and Supervisor McConnell being out of the room.

96. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION
PCA 88-L-082-2 (GOVERNOR'S GROVE L.L.C.) (LEE DISTRICT)** (Tape 10)

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

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

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

Supervisor Kauffman moved:

- Approval of Proffered Condition Amendment Application PCA 88-L-082-2 subject to the executed proffers dated February 21, 1997;
- Modification of transitional screening and waiver of barrier requirements in favor of that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP);
- Waiver of the sidewalk requirement on Franconia Road in favor of the proposed eight foot wide trail and a waiver of the 600 foot maximum length for private streets; and
- Denial of the requested modification of the Public Facilities Manual (PFM) requirement to provide sidewalk on both sides of the private streets.

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

97. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 80-D-045-5 (AMERICAN PCS LIMITED PARTNERSHIP) (DRANESVILLE
DISTRICT)** (Tape 10)

Mr. C. Thomas Hicks, III reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. Michael S. Horwatt.

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

- In excess of \$200 from American PCA, Limited Partnership.

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

Supervisor Mendelsohn moved approval of Special Exception Amendment Application SEA 80-D-045-5 subject to the development conditions dated February 5, 1997. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

98. **4:00 P.M. - PH ON THE VACATION AND ABANDONMENT OF PORTIONS OF RIGHTS-OF-WAY OF EXISTING STREETS IN THE NEW ALEXANDRIA AND RIVERVIEW SUBDIVISIONS (MOUNT VERNON DISTRICT)** (Tape 10)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1997.

Following the public hearing, which included testimony by four speakers, Supervisor Hyland moved adoption of an Ordinance vacating and abandoning portions of rights-of-way of existing streets in the New Alexandria and Riverview Subdivisions. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Kauffman, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

99. **4:00 P.M. - PH ON THE VACATION AND ABANDONMENT OF A PORTION OF CORONATION ROAD (HUNTER MILL DISTRICT)** (Tape 10)

- (O) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1997.

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

100. **4:00 P.M. - BOARD DECISION ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE JAMES LEE PHASE IV PUBLIC IMPROVEMENTS PROJECT (PROVIDENCE DISTRICT)**

(No Tape)

(NOTE: Earlier in the meeting, action was taken by the Board to defer its decision. See Clerk's Summary Item CL#89.)

CM:cm

101. **4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN SANITARY SEWER EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE FORT HUNT ROAD SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (MOUNT VERNON DISTRICT)** (Tape 11)

Supervisor Hyland moved to defer the public hearing on the acquisition of certain sanitary sewer easements for the construction of the Fort Hunt Road sanitary sewer extension until **March 24, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

102. **4:30 P.M. - PH ON REZONING APPLICATION RZ 96-S-023 (LONG ENTERPRISES, INCORPORATED) (SPRINGFIELD DISTRICT)** (No Tape)

(NOTE: Later in the meeting, the public hearing on Rezoning Application RZ 96-S-023 was held. See Clerk's Summary Item CL#108.)

103. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-V-028 (BANK OF ALEXANDRIA) (MOUNT VERNON DISTRICT)**
(No Tape)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Proffered Condition Amendment Application PCA 93-V-028. See Clerk's Summary Item CL#91.)

104. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-V-068 (FRITO LAY, INCORPORATED) (MOUNT VERNON DISTRICT)**
(Tape 11)

Mr. Lee Fifer reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved approval of Proffered Condition Amendment Application PCA 87-V-068 and the proffers for Rezoning Application RZ 87-V-068 subject to the executed proffers dated February 18, 1997. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey and Supervisor Mendelsohn being out of the room.

105. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-L-039 (TACO BELL, INCORPORATED) (LEE DISTRICT)** (Tape 11)

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

Ms. Steele 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, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Application SE 96-L-039 subject to the development conditions dated February 11, 1997;
- Waiver of the barriers; and
- Modification of the transitional screening along the east, in favor of the landscaping depicted on the Special Exception Plat.

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

106. **5:00 P.M. - PH ON REZONING APPLICATION RZ 96-M-028 (SEVENTY TWO TEN POPLAR STREET PARTNERSHIP) (MASON DISTRICT)** (Tape 11)

(O) Mr. Arthur S. Cranston, III reaffirmed the validity of the affidavit for the record.

Mr. Cranston 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, Gregg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-M-028 be amended from the R-4, Highway Corridor Overlay, and Sign Control Overlay Districts to the C-3, Highway Corridor Overlay, and Sign Control Overlay Districts subject to the execution of the proffers contained in Appendix One of the staff report;
- Waiver of the minimum lot area and lot width requirements; and
- Waiver of the barrier requirements along the northern boundary of the subject site.

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

107. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-M-026 (JONATHAN K. CHERNER) (MASON DISTRICT)** (Tape 11)

Mr. Robert Lawrence reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Gross moved that the Board:

- Approve Special Exception Application SE 96-M-026 subject to the development conditions dated January 16, 1997 and amended January 26, 1997; and

- Modify the transitional screening requirements along the northern and eastern boundaries of the site, in favor of that shown on the Special Exception Plat and subject to the amended development conditions.

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

108. **4:30 P.M. - PH ON REZONING APPLICATION RZ 96-S-023 (LONG ENTERPRISES, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 11)

- (O) Ms. Susan Yantis reaffirmed the validity of the affidavit for the record.

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

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

Supervisor McConnell moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 96-S-023 be amended from the R-1 District to the R-3 District subject to the execution of the proffers dated January 14, 1997.

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

Supervisor McConnell moved that the Board direct staff to request the Virginia Department of Transportation (VDOT) to install a warning sign, with blinkers, at the appropriate location between Ironmaster Drive and the subject property. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Hyland being out of the room.

109. **5:00 P.M. - PH ON SALES OF REAL PROPERTY BY THE DISTRICT HOME BOARD TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT), NORTHERN VIRGINIA ELECTRIC COOPERATIVE (NoVEC) AND GTE-SOUTH** (Tape 11)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 13 and February 20, 1997.

Following the public hearing, Supervisor Frey moved approval of the sale of real property by the District Home Board to the Virginia Department of Transportation (VDOT), Northern Virginia Electric Cooperative (NoVEC) and GTE-South. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Hyland being out of the room.

110. **6:00 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tapes 11-12)

Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1997.

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

The public hearing was held and included testimony from the following eight speakers:

- Steve Alwardt regarding the Secret Cove Restaurant;
- Doug Beavers regarding the Secret Cove Restaurant;
- Maria Han regarding religious concerns;
- Holly Hazard regarding humane deer population management;
- Julie Beckum regarding deer population;
- Melissa Klein regarding deer population;
- Gina Lynch regarding deer population; and
- Jeff Lange regarding deer population.

NV:nv

111. **RECESS** (Tape 12)

At 6:40 p.m., the Board recessed for dinner and at 7:50 p.m., reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Dix and Supervisor Hyland, and with Chairman Hanley presiding.

112. **RECESS/EXECUTIVE SESSION** (Tape 12)

At 7:50 p.m., Supervisor Connolly moved that the Board convene an Executive Session for discussion or consideration of personnel matters pursuant to *Virginia Code* Section 2.1-344(a)(1). This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

At 9:35 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Dix and Supervisor Hyland, and with Chairman Hanley presiding.

113. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 12)

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

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

At 9:35 p.m., the Board adjourned.