

SBE:sbe

The meeting was called to order at 9:35 a.m. with all Members being present, with the exception of Supervisor Kauffman and Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor Kauffman arrived at 9:45 a.m.

Supervisor McConnell arrived at 9:45 a.m.

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.

BOARD MATTER

2. MCLEAN HILTON HOTEL'S 10TH BIRTHDAY CELEBRATION (Tape 1)

To celebrate the McLean Hilton's 10th Birthday, staff from the Hotel presented the Board with a special Anniversary Cake made by the Hotel's bakery chef.

AGENDA ITEMS

3. CERTIFICATE OF RECOGNITION PRESENTED TO MASTER POLICE OFFICER WILLIAM WOLF AND K-9 BOSCO (Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Master Police Officer William Wolf and K-9 Bosco for being awarded "Case of the Year" by the United States Police K-9 Association for their work in tracking and apprehending a stolen car suspect. This motion, the second to which was inaudible, carried by unanimous vote.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO THE JAMES MADISON HIGH SCHOOL FORENSICS TEAM** (Tape 1)

Supervisor Dix moved approval of the Certificates of Recognition presented to the James Madison High School Forensics Team for winning the State Championship. This motion, the second to which was inaudible, carried by unanimous vote.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO BRAD GALLEHER AND JEFF HUDSON OF THE LAKE BRADDOCK SECONDARY SCHOOL DIVE TEAM** (Tape 1)

Supervisor Bulova moved approval of the Certificates of Recognition presented to Brad Galleher and Jeff Hudson, members of the Lake Braddock Secondary School Dive Team, for winning the State Championship. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Dix and Supervisor Gross being out of the room.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE LAKE BRADDOCK SECONDARY SCHOOL GIRLS' GYMNASTICS TEAM** (Tape 1)

Supervisor Bulova moved approval of the Certificates of Recognition presented to the Lake Braddock Secondary School Girls' Gymnastics Team for winning the State Championship. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey being out of the room.

7. **PROCLAMATION DESIGNATING MAY 1997 "ASIAN-PACIFIC AMERICAN HERITAGE MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation presented to Dr. Archana Patel, President, India Cultural Coordination Committee, designating the month of May 1997 as "**Asian-Pacific American Heritage Month**" in Fairfax County. This motion was seconded jointly by Supervisor Bulova and Vice-Chairman Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO SUZANNE MANZO, DIRECTOR, DEPARTMENT OF FAMILY SERVICES** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificates of Recognition presented to Ms. Suzanne Manzo for her distinguished public service as Director of the Department of Family Services. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

9. **CERTIFICATES OF RECOGNITION PRESENTED TO THE WEST SPRINGFIELD HIGH SCHOOL GIRLS' BASKETBALL TEAM** (Tapes 1-2)

Supervisor McConnell moved approval of the Certificates of Recognition presented to the West Springfield High School Girls' Basketball Team for winning the Virginia State Championship. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Connolly being out of the room.

10. **RESCHEDULING OF PRESENTATION OF CERTIFICATE OF RECOGNITION TO MR. SHARIF KARIE** (Tape 2)

Chairman Hanley stated that the Certificate of Recognition to be presented to Mr. Sharif Karie would be rescheduled because Mr. Karie could not attend today's Board meeting.

11. **CERTIFICATES OF RECOGNITION PRESENTED TO THE WEST SPRINGFIELD HIGH SCHOOL SWIM TEAM** (Tape 2)

Supervisor McConnell moved approval of the Certificates of Recognition presented to the West Springfield High School Swim Team for winning the Virginia State Championship. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Connolly and Supervisor Frey being out of the room.

12. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. LOGAN KLEINWAKS** (Tape 2)

Supervisor Dix moved approval of the Certificate of Recognition presented to Mr. Logan Kleinwaks for being selected a finalist in the Westinghouse Science Talent Search. This motion was seconded by Supervisor Mendelsohn and carried by a vote of nine, Supervisor Kauffman being out of the room.

13. **SPECIAL PRESENTATION OF "CITIZEN OF THE YEAR" AWARD TO CHAIRMAN KATHERINE K. HANLEY BY THE FAIRFAX ELKS LODGE NUMBER 2188** (Tape 2)

On behalf of the Fairfax Elks Lodge Number 2188, Mr. Herman C. Anderson and Mr. Peter Marshall presented a "Citizen of the Year Award" to Chairman Katherine K. Hanley in recognition of her continued dedication to public safety and the well being of the citizens in the Northern Virginia region.

14. **10:00 A.M. - BOARD ADOPTION OF THE FISCAL YEAR (FY) 1998 BUDGET PLAN** (Tape 2)

(FPR)

(Rs) [NOTE: On April 7, 8 and 9, 1997, the Board held a public hearing on the Fiscal Year (FY) 1998 Budget. Board markup was held on April 21, 1997, and adoption of the FY 1998 Budget Plan deferred until April 28, 1997.]

Board Decision on FY 1998 Resolution Adopting Tax Rates For Fairfax County

Supervisor Bulova moved approval of the FY 1998 Resolution adopting tax rates for FY 1998 as detailed in Attachment II of the Memorandum to the Board dated April 28, 1997, which includes a real estate tax rate of \$1.23 per \$100 assessed value. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Frey voting "NAY."

Board Decision on FY 1998 Appropriation Resolution for Fairfax County Agencies

Supervisor Bulova moved approval of the FY 1998 Appropriation Resolution for County agencies as reflected in Attachment III of the Memorandum to the Board dated April 28, 1997. This motion was seconded by Supervisor Hyland.

Following discussion, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Frey voting "NAY."

Board Decision on FY 1998 Appropriation Resolution for School Board Subfunds

Supervisor Bulova moved approval of the FY 1998 Appropriation Resolution for School Board Subfunds as reflected in Attachment IV of the Memorandum to the Board dated April 28, 1997. This motion was seconded by Supervisor Connolly and **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Frey voting "NAY."

Board Decision on FY 1998 Fiscal Planning Resolution (FPR)

Supervisor Bulova moved Board approval of the FY 1998 Fiscal Planning Resolution (FPR) as reflected in Attachment V of the Memorandum to the Board dated April 28, 1997. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Frey voting "NAY."

With reference to the Budget Guidelines which were reaffirmed on April 21, 1997 and distributed to the Board, Supervisor Bulova noted that two words were omitted in number five, which should read as follows:

"That to prevent dependence on one time revenue or savings, the County Executive be directed to continue efforts to address the County's structural imbalance through restructuring and reorganizations *including those recommended in the Peat Marwick report and through the potential use of privatization or contracts with the private sector.* The School Board is urged to continue parallel efforts."

BOARD MATTER**LOSSIE TUCKER MERITORIOUS AWARD**

Chairman Hanley announced that last Saturday night the Annandale Chamber of Commerce recognized Supervisor Bulova with the Lossie Tucker Meritorious Award and congratulated her on the award.

(Later in the meeting, the Board discussed this award. See Clerk's Summary Item CL#52.)

Walkways Funding

In reference to Budget Consideration Item Number 24 regarding Walkways Funding, Supervisor Gross asked unanimous consent that the Board direct staff to include the Countywide Non-Motorized Transportation Committee in the planning process for the use of these funds. Without objection, it was so ordered.

Board's Personnel Committee Meetings

Because many of the Budget Guidelines devolved upon the Board's Personnel Committee, Supervisor Gross stated that she is planning meetings of the Committee for June 24, 1997 and June 30, 1997. These dates will be finalized later.

The FY 1998 Advertised Budget Plan on Computer Learning Centers

With reference to the staff's written response regarding Computer Learning Centers, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved adoption of the staff recommendation and authorized continuation of the Computer Learning Center Programs through the Carryover Review to:

- Allow for completion of the United States (US) Department of Housing and Urban Development's (HUD) review of the funding application for the Green's Computer Learning Center Partnership; and
- Provide additional time for analysis by staff of the role of the community/community funding for both Stonegate and the Green Computer Learning Center Partnerships.

This motion was seconded by Supervisor Connolly.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

CM:cm

15. **10:00 A.M. - BOARD ADOPTION OF THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS (FY) 1998-2002 (WITH FUTURE FISCAL YEARS TO 2005)** (Tape 4) (Tape 3 was not used)

[NOTE: On April 7, 8 and 9, 1997, the Board held a public hearing on the Fairfax County Capital Improvement Program (CIP) for Fiscal Years (FY) 1998-2002, and held its markup on April 21, 1997. Board adoption of the CIP was deferred until April 28, 1997.]

Following discussion, with input from Anthony H. Griffin, Acting County Executive, Supervisor Bulova moved adoption of the Fairfax County CIP for FY 1998-2002, with future fiscal years to 2005, as amended during the Board's markup on April 21, 1997. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

16. **10:15 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 4)

(BACs)

(APPTs)

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Supervisor Mendelsohn moved the reappointment of Mr. Thomas Hyland as an At-Large (Citizen) Representative to the Affordable Dwelling Unit Advisory Board. This motion was seconded by Supervisor Gross and carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. James Scanlon as an At-Large (Civil Engineer/Architect or Planner) Representative to the Affordable Dwelling Unit Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Chairman Hanley moved the reappointment of Mr. Dean Wilson as an At-Large (Citizen) Representative to the Affordable Dwelling Unit Advisory Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

AIRPORTS ADVISORY COMMITTEE

(NOTE: The appointment of the Springfield District Representative to the Airports Advisory Committee was deferred.)

ATHLETIC COUNCIL

[NOTE: The appointments the Dranesville (Alternate), the Lee (Principal), the Providence (Alternate), and the Springfield (Alternate) Representatives to the Athletic Council were deferred.]

CONFIRMATIONS:

Supervisor Connolly moved that the Board confirm the following appointments to the Athletic Council:

- Mr. E.J. Thomas as the Youth Basketball Council (Principal) Representative; and
- Mr. Gary Cooper as the Youth Basketball Council (Alternate) Representative.

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

BOARD OF BUILDING CODE APPEALS

[NOTE: The appointment of the At-Large (Superintendent Building/Structural) Representative to the Board of Building Code Appeals was deferred.]

COMMISSION ON AGING

Supervisor Bulova moved the reappointment of Ms. Mary F. McWhorter as the Braddock District Representative to the Commission on Aging. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Connolly moved the reappointment of Mr. Morris Myers as the Providence District Representative to the Commission on Aging. This motion was seconded by Supervisor Gross and carried by unanimous vote.

(NOTE: The appointments of the Dranesville and the Springfield District Representatives to the Commission on Aging were deferred.)

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Chairman Hanley moved the appointment of Ms. Debra B. Murphy as the At-Large (Minority) Representative to the Commission on Organ and Tissue Donation and Transplantation. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

CONFIRMATIONS:

Supervisor Hyland moved that the Board confirm the following appointments to the Commission on Organ and Tissue Donation and Transplantation:

- Ms. Jane Halpern as the Donor Family Member Representative; and
- Ms. Jeanne Mowe as the American Association of Tissue Banks Representative.

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

(NOTE: The appointment of the Springfield District Representative to the Commission on Organ and Tissue Donation and Transplantation was deferred.)

COMMUNITY ACTION ADVISORY COMMITTEE

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

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Supervisor Kauffman moved the appointment of Ms. Jeanine Humphries to fill the unexpired term of Mr. Joseph Mastran as the Lee District Representative to the Community Development Advisory Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

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

COMMUNITY CRIMINAL JUSTICE BOARD**CONFIRMATION:**

Supervisor Hyland moved that the Board confirm the following appointment to the Community Criminal Justice Board:

- Mr. Richard C. Goemann to fill the unexpired term of Mr. R. Dean Kidwell as the Public Defender Representative.

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

COMMUNITY IMPROVEMENT COMMITTEE

(NOTE: The appointment of the Springfield District Representative to the Community Improvement Committee was deferred.)

CRIMINAL JUSTICE ADVISORY BOARD

(NOTE: The appointments of the Mason and the Dranesville District Representatives to the Criminal Justice Advisory Board were deferred.)

ENGINEERING STANDARDS REVIEW COMMITTEE

Supervisor Mendelsohn moved the reappointment of Mr. Donald Morton as an At-Large (Citizen) Representative to the Engineering Standards Review Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

CONFIRMATIONS:

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

- Mr. Gary L. Yowell as the Virginia

Department of Transportation (VDOT)
Representative; and

- Mr. John E. Krobath to fill the unexpired term of Mr. John Marshall as the Virginia Association of Surveyors Representative.

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

G8

[NOTE: The appointment of one At-Large (Citizen) Representative to the Engineering Standards Review Committee was deferred.]

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Chairman Hanley moved the appointment of Mr. Roberto Reyes to fill the unexpired term of Mr. John DeNoyer as the At-Large Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointment of the Sully District Representative to the Environmental Quality Advisory Council was deferred.)

EROSION AND SEDIMENT CONTROL REVIEW BOARD

(NOTE: Later in the meeting, the Erosion and Sediment Control Review Board was disbanded. See Clerk's Summary Item CL#21.)

FAIRFAX AREA DISABILITY SERVICES BOARD

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

HUMAN SERVICES COUNCIL

(NOTE: The appointments of the Hunter Mill and the Sully District Representatives to the Human Services Council were deferred.)

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

Supervisor Hyland moved the appointment of Mr. Timothy E. Rizer as the Mount Vernon District Representative to the Information Technology Policy Advisory Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

CONFIRMATION:

Supervisor Gross moved that the Board confirm the following appointment to the Information Technology Policy Advisory Committee:

- Mr. Fred Ward as the School Board Representative.

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

MECHANICAL ADVISORY (HVAC) BOARD

Chairman Hanley moved the reappointment of Mr. Joseph Bailey as an At-Large (Master Mechanic) Representative to the Mechanical Advisory (HVAC) Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

[NOTE: The appointments of the two At-Large (Master Mechanics) to the Mechanical Advisory (HVAC) Board were deferred.]

REDEVELOPMENT AND HOUSING AUTHORITY

(NOTE: The appointment of the Mount Vernon District Representative to the Redevelopment and Housing Authority was deferred.)

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

[NOTE: The appointment of the At-Large (Resident/Owner) Representative to the Route 28 Highway Transportation District Advisory Board was deferred.]

SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION

(NOTE: The appointments of the Sully and the Braddock 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.)

YOUTH VIOLENCE STEERING COMMITTEE

Supervisor Connolly moved the appointment of Ms. Beverly Blondell to fill the unexpired term of the Reverend Linwood Graham as the Providence District Representative to the Youth Violence Steering Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointment of the Mason District Representative to the Youth Violence Steering Committee was deferred.)

ADDITIONAL APPOINTMENTS

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

Supervisor Connolly moved the appointment of Mr. Christopher Gribbs to fill the unexpired term of Mr. Ronald Lord as the Providence District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Kevin Brugman to fill the unexpired term of Mr. Gustav Braun, Jr. as the Mount Vernon District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

17. **ADMINISTRATIVE ITEMS** (Tape 4)

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

Supervisor Frey called the Board's attention to Administrative Item 3 - Additional Time to Commence Construction for Special Exception Application SE 90-S-017, Richard L. Labbe, Trustee, and Star Enterprise (Sully District), and asked to amend the motion to consider this item separately, and this was accepted.

Supervisor Gross called the Board's attention to Administrative Item 22 - Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of the Bailey's Road Improvements Phase D (Mason District) and asked to amend the motion to defer this item, and this was accepted.

Supervisor Dix called the Board's attention to Administrative Item 16 -Authorization for the Department of Family Services/Office for Children (DFS/OFC) to Apply for Continuing Funding Through the Virginia Preschool Initiative and a brief discussion ensued with input from Verdiana L. Haywood, Deputy County Executive for Human Services.

Supervisor Bulova called the Board's attention to Administrative Item 19 - Authorization to Advertise Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Quasi-Public Athletic Fields and Related Facilities. Following a brief discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that this item be deferred until later in the day to allow staff time to add appropriate language as to the possibility of advertisement. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#61.)

Chairman Hanley called the Board's attention to Administrative Item 21 - Authorization to Advertise a Public Hearing on Proposed Fire Protection) and a brief discussion ensued with input from Glenn A. Gaines, Chief, Fire and Rescue Department.

Supervisor Kauffman called the Board's attention to Administrative Item 24 - Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Edge Hill Subdivision and Road Connection (Lee District) and a brief discussion ensued.

Supervisor Hyland called the Board's Attention to Administrative Item 26 - Authorization of a Public Hearing on the Vacation and Abandonment of Portions of H Street and Potomac Avenue (Mount Vernon District) and a brief discussion ensued.

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

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, PROVIDENCE AND SPRINGFIELD DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated April 28, 1997 be recommended into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Seneca Green	Dranesville	Seneca Green Way Brockman Lane, Route 603, Additional right-of-way only
Reston Parkway	Hunter Mill	Reston Parkway, Route 602, Additional two lanes
Palmer Glen	Providence	Palmer Glen Court Palmer Street, Route 674, Additional right-of-way only

Cardinal Run

Springfield

Cardinal Brook Court
Center Road,
Route 777,
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 six Public Facility Review Applications listed in the Memorandum to the Board dated April 28, 1997 until October 28, 1997 to ensure compliance with the 60-day review requirement mandated by Section 15.1-456 of the *Code of Virginia*.

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 90-S-017, RICHARD L. LABBE, TRUSTEE, AND STAR ENTERPRISE (SULLY DISTRICT)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#18.)

ADMIN 4 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF WHISPERING LANE AND RENWOOD LANE (MASON DISTRICT)

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

- Whispering Lane (Route 2344) and Renwood Lane (Route 3682);
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 5 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF ELMWOOD STREET AND WESTMORE STREET (SULLY DISTRICT)

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

- Elmwood Street (Route 1010) and Westmore Street (Route 3575);
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 6 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF VILLAGE DRIVE AND LEEHIGH DRIVE (SULLY DISTRICT)

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

- Village Drive (Route 1246) and Leehigh Drive (Route 1247); 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 7 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF BREE HILL ROAD AND AYRESHIRE ROAD (SULLY DISTRICT)

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

- Bree Hill Road (Route 6321) and Ayreshire Road (Route 6320); 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 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF NEWTON PATENT DRIVE AND AWBREY PATENT DRIVE (SULLY DISTRICT)

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

- Newton Patent Drive (Route 7345) and Awbrey Patent Drive (Route 7346); 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 9 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTION OF CABELL'S MILL DRIVE AND CABELL'S MILL DRIVE (SULLY DISTRICT)

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

- Cabell's Mill Drive (Route 979) and Cabell's Mill Drive (Route 979); 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 10 - INSTALLATION OF MULTI-WAY STOPS AT THE INTERSECTIONS OF EAGLE TAVERN LANE AND BECKFORD WAY AND EAGLE TAVERN LANE AND VINE COTTAGE DRIVE (SULLY DISTRICT)

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

- Eagle Tavern Lane (Route 8300) and Beckford Way (Route 8310);
- Eagle Tavern Lane (Route 8300) and Vine Cottage Drive (Route 8314); 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 11 - APPROVAL OF THE 1997 SCHEDULE AND THE REVIEW COMMITTEE MEMBERS FOR THE EXCEPTIONAL DESIGN AWARDS PROGRAM (COUNTYWIDE)

Approved the implementation schedule and the Review Committee members for the 1997 Exceptional Design Awards Program.

ADMIN 12 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97065 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO ACCEPT GRANT FUNDS FROM THE UNITED STATES (US) DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS), UNDER THE COPS MORE 1996 GRANT PROGRAM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97065 in the amount of \$26,728 from the United States (US) Department of Justice, Office of Community Oriented Policing Services (COPS), for the Fairfax County Police Department's COPS Program. Approval of this request will necessitate a local cash match of \$6,682, which is available in Subfund 107, Federal/State Grant Fund.

ADMIN 13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97066 FOR THE DEPARTMENT OF HEALTH'S COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT TITLE I GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97066 in the amount of \$79,284 to appropriate a Comprehensive AIDS Resources Emergency (CARE) Act Title I grant which will supplement and augment current efforts to serve indigent, uninsured persons in the Case Management Program (CMP), a joint effort of the Department of Health, the Department of Human Development, and the Fairfax-Falls Church Community Services Board (CSB).

ADMIN 14 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97067 FOR THE DEPARTMENT OF HEALTH'S COMPREHENSIVE AIDS RESOURCES EMERGENCY (CARE) ACT TITLE II GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97067 in the amount of \$3,169 to appropriate a Comprehensive AIDS Resources Emergency (CARE) Act Title II grant which will allow the Department of Health to continue a dental care program for people with HIV infection.

ADMIN 15 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 97068 FOR THE DEPARTMENT OF FAMILY SERVICES SUPPLEMENTAL ASSISTANCE FOR FACILITIES TO ASSIST THE HOMELESS (SAFAH) PROGRAM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 97068 in the amount of \$81,477 to continue providing aftercare services to successful graduates of the Transitional Housing Program.

ADMIN 16 - AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES/OFFICE FOR CHILDREN (DFS/OFC) TO APPLY FOR CONTINUING FUNDING THROUGH THE VIRGINIA PRESCHOOL INITIATIVE

(NOTE: Earlier in the meeting, the Board discussed this item. See page 12.)

Approved the Department of Family Services/Office for Children's application for \$789,850 in State funding. Preschool Initiative funding supports quality educational programs for at-risk four-year-olds.

ADMIN 17 - AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR A REHABILITATIVE SERVICES INCENTIVE FUND (RSIF) GRANT TO PROVIDE SERVICES TO PEOPLE WITH PHYSICAL AND/OR SENSORY DISABILITIES

Approved the Department of Family Services' (DFS) application for \$59,357 in State Rehabilitative Services Incentive Fund (RSIF) funds. RSIF grants provide funds for program innovation, to address local needs, and to encourage development of community-based services for people with physical and/or sensory disabilities.

ADMIN 18 - AUTHORIZATION FOR THE FAIRFAX COUNTY HEALTH DEPARTMENT TO APPLY TO THE VIRGINIA DEPARTMENT OF HEALTH FOR FUNDING OF A CHRONIC DISEASE PREVENTION PROJECT

Authorized the submission of an application to the Virginia Department of Health for funds in the amount of \$94,000. These funds will be used to provide a preventive and early intervention health promotion program for chronic disease to a targeted population.

ADMIN 19 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING QUASI-PUBLIC ATHLETIC FIELDS AND RELATED FACILITIES

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#61.)

ADMIN 20 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 19, 1997 at 4:00 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to allow for the use of a competitive procurement process to obtain wrecker and storage services.

ADMIN 21 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED FIRE PROTECTION)

- (A) (NOTE: Earlier in the meeting, there was discussion on this item. See page 13.)

Authorized the advertisement of a public hearing to be held before the Board on **June 9, 1997 at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection) to reflect the adoption of the 1996 *Statewide Fire Prevention Code* by the Virginia Board of Housing and Community Development.

ADMIN 22 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE BAILEY'S ROAD IMPROVEMENTS PHASE D (MASON DISTRICT)

(NOTE: Earlier in the meeting, action was taken to defer this item. See page 12.)

ADMIN 23 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE ORDWAY ROAD SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 19, 1997 at 3:30 p.m.** regarding the acquisition of certain land rights necessary for the construction of Project X00825 (T00015) - Ordway Road Sanitary Sewer Extension and Improvement.

ADMIN 24 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF EDGE HILL SUBDIVISION AND ROAD CONNECTION (LEE DISTRICT)

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 13.)

Authorized the advertisement of a public hearing to be held before the Board on **May 19, 1997 at 3:30 p.m.** regarding the acquisition of interests in real property necessary for the construction of Private Developer Project PD0067 - Edge Hill.

ADMIN 25 - AUTHORIZATION OF A PUBLIC HEARING ON THE VACATION OF A PORTION OF OX TRAIL (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 19, 1997 at 4:00 p.m.** on the proposed vacation of a portion of Ox Trail.

ADMIN 26 - AUTHORIZATION OF A PUBLIC HEARING ON THE VACATION AND ABANDONMENT OF PORTIONS OF H STREET AND POTOMAC AVENUE (MOUNT VERNON DISTRICT)

- (A) (NOTE: Earlier in the meeting, the Board discussed this item. See page 13.)

Authorized the advertisement of a public hearing to be held before the Board on **June 9, 1997 at 4:30 p.m.** on the proposed vacation and abandonment of portions of the rights-of-way of H Street (Route 1506) and Potomac Avenue (Route 1501) as outlined in Attachment II of the Memorandum to the Board dated April 28, 1997.

18. **ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 90-S-017, RICHARD L. LABBE, TRUSTEE, AND STAR ENTERPRISE (SULLY DISTRICT)** (Tape 4)

(AT) (NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#17.)

Following discussion, Supervisor Frey moved to amend the motion to approve an additional 12 months of time to commence construction for Special Exception Application SE 90-S-17, pursuant to the provisions of Section 9-015 of the Zoning Ordinance. This motion was seconded by Supervisor Dix and carried by unanimous vote.

AM:am

19. **A-1 - REVISION TO THE COUNTY POLICY REGARDING CRITERIA AND PROCEDURES FOR ESTABLISHING STORMWATER CONTROL PROJECT PRIORITIES FOR FUNDING CONSIDERATION (COUNTYWIDE)** (Tape 4)

(P) Supervisor Kauffman moved that the Board concur in the recommendation of staff and endorse the revised Policy regarding criteria and procedures for establishment of stormwater control project priorities for funding consideration included as Attachment I of the Memorandum to the Board dated April 28, 1997. This motion was seconded by Supervisor Bulova.

Supervisor Frey asked unanimous consent that the Board direct staff to distribute copies of the report prepared by the Forested Wetlands Committee to Board Members. Without objection, it was so ordered.

Following discussion, with input from John Koenig, Director, Utilities Planning and Design, and William Henry, Chief, Stormwater Management Branch, Utilities Planning and Design Division, Department of Public Works (DPW), the question was called on the motion which carried by unanimous vote.

20. **A-2 - DELETION OF THE NONBINDING CITIZEN LETTER OF INTENT REQUIREMENT FROM THE IMPLEMENTATION POLICY REGARDING SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECTS (COUNTYWIDE)** (Tape 4)

(P) Supervisor Mendelsohn that the Board concur in the recommendation of staff and approve revisions to the implementation Policy regarding Sanitary Sewer Extension and Improvement (E&I) projects that will delete the requirement for the nonbinding letter of intent from property owners. This motion was seconded by Supervisor Hyland.

Following discussion, with input from John Koenig, Director, Utilities Planning and Design, Department of Public Works (DPW), the question was called on the motion which carried by unanimous vote.

21. **A-3 - SUNSETTING OF THE EROSION AND SEDIMENT CONTROL REVIEW**

BOAR (ESCRB) (Tape 4)

(BACs)

Supervisor Frey moved that the Board concur in the recommendation of staff to allow the Erosion and Sediment Control Review Board (ESCRB) to terminate, effective April 28, 1997, in accordance with the sunset provision contained in the Code of the County of Fairfax, Chapter 104 (Erosion and Sedimentation Control). This motion was seconded by Supervisor Bulova and following discussion, with input from William Henry, Chief, Stormwater Management Branch, Utilities Planning and Design Division, Department of Public Works, the question was called on the motion which carried by unanimous vote.

Supervisor Frey asked unanimous consent that the Board direct staff to send a letter to the members of the ESCRB expressing the Board's appreciation for their service. Without objection, it was so ordered.

22. **A-4 - FAIRFAX COUNTY'S COMMITMENT TO MAKE LOCAL PAYMENTS SUPPORTING THE FISCAL YEAR (FY) 1998 METRORAIL CONSTRUCTION PROGRAM BUDGET (COUNTYWIDE)** (Tape 4)

On motion of Supervisor Hyland, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the County's Fiscal Year (FY) 1998 Fifth Interim Capital Contributions Agreement (ICCA-V) commitment of \$15,193,570 to support the Metrorail Construction Program.

23. **A-5 - SALE OF GENERAL OBLIGATION BONDS, SERIES 1997A** (Tape 4)

BONDS

(Rs) On motion of Supervisor Hyland, seconded by Supervisor Bulova, 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," the Board concurred in the recommendation of staff and approved the:

- Sale of General Obligation Bonds in the amount of \$144,000,000, the proceeds of which will be used to fund the Fiscal Year (FY) 1997 construction of capital facilities and infrastructure as previously approved by the Board;
- Resolution authorizing the issuance of the bonds, which also authorizes the execution and delivery of a Continuing Disclosure Agreement;
- Resolution providing for the sale of the bonds which also approves the form of the notice of sale and the Official Statement, and authorizes the Chairman to sign the Official Statement; and
- Resolution delegating to the Acting County Executive or the Deputy County Executive for Management and Budget authority to award the bonds to the best bidder. Bond Counsel has advised

that this form of authorization is acceptable and consistent with previous bond sales. The winning bid must offer the lowest true interest cost, and the true interest cost rate must not exceed six and one half percent per annum.

24. **A-6 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT FOR THE WIDENING OF TELEGRAPH ROAD (ROUTE 611) FROM THE FAIRFAX COUNTY PARKWAY (ROUTE 7100) TO BEULAH STREET (ROUTE 613) (MOUNT VERNON DISTRICT)** (Tape 4)

Following discussion, Supervisor Hyland moved that the Board concur in the recommendation of staff and endorse the Virginia Department of Transportation's (VDOT) design plans to widen Telegraph Road from the Fairfax County Parkway to Beulah Street as presented at the September 17, 1996, public hearing. The project will provide four lanes, curb and gutter, an eight-foot multi-purpose trail on the west side, a five-foot concrete sidewalk on the east side, and a four-foot wide on-pavement bicycle lane in each direction. The endorsement is subject to the conditions outlined in the Memorandum to the Board dated April 28, 1997 with the following modifications:

- In no event shall the design of this project be such as to take any portion of the property known as 6802 Silver Ann Drive;
- The County will determine as a result of the soil studies, if there is a way to minimize the impact on properties located at 6801, 6803, 6805, and 6807 Tiddle Way Drive as well as trying to reduce the tree loss on the opposite side of the street against the Mount Air Conservancy;
- A meeting will be scheduled with staff, Supervisor Hyland, the affected property owners and VDOT; and
- The meeting will occur prior to the project being forwarded to the Commonwealth Transportation Board (CTB) for final approval.

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

25. **A-7 - BUS FARE BUYDOWN FOR FISCAL YEAR (FY) 1998 (COUNTYWIDE)**
(Tape 4)

Following discussion with input from Anthony H. Griffin, Acting County Executive, Supervisor Kauffman moved to defer Action Item A-7 - Bus Fare Buydown for Fiscal Year (FY) 1998 until May 12, 1997. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: Later in the meeting, further action was taken on this item. See Clerk's Summary Items CL#46 and CL#59.)

26. **C-1 - POLICY ON MAINTENANCE OF STANDARD AND NON-STANDARD**

PUBLIC IMPROVEMENTS (COUNTYWIDE) (Tape 4)

- (P) The Board next considered an item contained in the Memorandum to the Board dated April 28, 1997 regarding consideration of a Countywide Policy on maintenance of public improvements.

Following discussion, with input from John W. di Zerega, Acting Deputy County Executive for Planning and Development, Supervisor Hyland moved approval the Policy for Maintenance of Standard and Non-Standard Public Improvements in the right-of-way constructed by a developer or other group. This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

27. **I-1 - ADOPTION OF THE 1996 VIRGINIA UNIFORM STATEWIDE BUILDING CODE (VUSBC)** (Tape 6) (Tape 5 was unused.)

The Board next considered an item contained in the Memorandum to the Board dated April 28, 1997 presenting the new 1996 edition of the Virginia Uniform Statewide Building Code (VUSBC) which became effective on April 15, 1997.

28. **I-2 - AWARD OF CONTRACT FOR PROFESSIONAL CONSTRUCTION SUPPORT SERVICES FOR TWIN LAKES GOLF COURSE (SPRINGFIELD DISTRICT)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated April 28, 1997 requesting authorization for staff to award a contract in the amount of \$315,125 to Rust Environment and Infrastructure for professional construction support services during the construction of Twin Lakes Golf Course as part of Project 004753, Golf Course Development, Subfund 950, Park Authority Capital Improvement Trust Fund.

The staff was direct administratively to proceed as proposed.

29. **I-3 - AWARD OF CONTRACT FOR THE CONSTRUCTION OF TWIN LAKES GOLF COURSE (SPRINGFIELD DISTRICT)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated April 28, 1997 requesting authorization for staff to award a contract in the amount of \$6,218,577 to Ryan Incorporated Central of Janesville, Wisconsin for the construction of 18 new golf holes and renovation of portions of the existing golf course at Twin lakes Golf Course as part of Project 004753, Golf Course Development in Subfund 950, Park Authority Capital Improvement Trust Fund.

The staff was direct administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

30. **SAFE KIDS DAY IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley referred to her written Board Matters regarding the Fairfax County Fire

and Rescue Department's sponsoring "Safe Kids" on Saturday, May 3, 1997. She stated that 10 fire and rescue stations will host an open house from noon to 5:00 p.m.

Therefore, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to publicize this event. This motion was seconded by Supervisor Dix and carried by unanimous vote.

31. **REQUEST TO RECOGNIZE ALAN CALDWELL, CHAIRMAN OF THE VOLUNTEER FIRE COMMISSION** (Tape 6)

Chairman Hanley announced that Alan Caldwell, Chairman of the Volunteer Fire Commission, has been selected as the 1997 recipient of the Dennis Duffy Citizenship Award. The award is presented by the Fairfax Bar Association to a citizen of the County for his/her commitment to community service in a field unrelated to his/her occupation. Chairman Hanley further stated that the salute to Mr. Caldwell is for 21 years of service as a firefighter, Emergency Medical Technician (EMT), fire officer, instructor, administrator, and mentor.

Therefore, Chairman Hanley moved that the Board direct staff to invite Mr. Caldwell to appear before the Board to be recognized for this accomplishment. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

32. **PROCLAMATION DESIGNATING MAY 18-24, 1997 AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley asked unanimous consent that the Board direct staff to prepare a Proclamation:

- Designating May 18-24, 1997 as "**Public Works Week**" in Fairfax County; and
- Invite the appropriate participants to appear before the Board at the May 19, 1997 meeting to receive the Proclamation.

Without objection, it was so ordered.

33. **REQUEST TO RECOGNIZE VOLUNTEERS WHO WORK IN COURT SERVICES** (Tape 6)

Chairman Hanley stated that the Fairfax County General District Court has requested recognition for the volunteers who work in Court Services. Forty-two volunteers have provided over 4300 hours of service. Chairman Hanley further stated that among other duties the volunteers have conducted over 3000 financial interviews to determine defendants' eligibility for court appointed attorneys.

Therefore, Chairman Hanley moved that the Board direct staff to invite the volunteers to appear before the Board on May 12, 1997 to be recognized for their efforts. This motion was seconded by Supervisor Frey and carried by unanimous vote.

34. **DULLES TOLL ROAD SURPLUS REVENUES** (Tape 6)

Chairman Hanley stated that at the last meeting of the Transportation Planning Board (TPB) there was a proposal from the Virginia Department of Transportation (VDOT) to construct a commuter parking lot in Loudoun County. This parking lot is to be constructed with a portion of the funds being derived from the transit set-aside account that VDOT has from the Dulles Toll Road surplus revenues. Chairman Hanley further stated that it appears that the Commonwealth continues to have significant balances in this account both for highway and transit purposes. As the Board is aware, when the Commonwealth sold bonds for the initial construction of the Dulles Toll Road, the County advanced approximately \$5 million from County general funds toward this project.

In view of these balances, Chairman Hanley moved that the Board direct the Acting County Executive to send a letter to Commissioner Gehr requesting that he take the steps necessary to refund this amount to the County as soon as possible. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

35. **SLOW-GROWTH POLICIES IN CHESAPEAKE, VIRGINIA** (Tape 6)

Chairman Hanley referred to an article in the April 27, 1997 edition of *The Washington Post* regarding slow-growth policies in Chesapeake, Virginia.

Chairman Hanley asked unanimous consent that the Board direct Anthony H. Griffin, Acting County Executive, and David P. Bobzien, County Attorney, to:

- Provide information as to what Chesapeake is doing that Fairfax County might have the authority to do; and
- Determine how that fits with the County's conditional zoning authority.

Without objection, it was so ordered.

36. **FAIRFAX COUNTY FEDERATION OF CITIZENS ASSOCIATIONS**

RESOLUTIONS (Tape 6)

Chairman Hanley stated that the Fairfax County Federation of Citizens Associations has presented two resolutions expressing concerns about adequate transportation systems in Fairfax County.

37. **FAIRFAX COUNTY FIRE AND RESCUE RETIREMENT ASSOCIATION IS SPONSORING A GOLF TOURNAMENT** (Tape 6)

Chairman Hanley announced that the Fairfax County Fire and Rescue Retirement Association is sponsoring a golf tournament and they have asked the Board, the Acting County Executive, and the Fire and Rescue Chief to sponsor a putting green at the cost of \$300, which is \$25 per person. She asked unanimous consent that the Board approve the participation in this tournament. Without objection, it was so ordered.

38. **FAIRFAX COUNTY COMMUNITY CENTERS ARE FEATURED IN THE VIRGINIA MUNICIPAL LEAGUE (VML) MAGAZINE** (Tape 6)

Chairman Hanley announced that the Virginia Municipal League (VML) Magazine contained an article on the Fairfax County Community Centers which was very interesting.

39. **NEW DISCLOSURE REQUIREMENTS APPROVED BY THE VIRGINIA GENERAL ASSEMBLY** (Tape 6)

Chairman Hanley stated that the Virginia General Assembly approved new disclosure requirements which not only affect the State Delegates but the Board as well. Therefore, Chairman Hanley asked unanimous consent that the Board direct Anthony H. Griffin, Acting County Executive, and David P. Bobzien, County Attorney, to provide information on these new requirements which go into effect on July 1, 1997. Without objection, it was so ordered.

40. **THE REGIONAL COMPETITIVENESS ACT OF VIRGINIA** (Tape 6)

(R) Chairman Hanley distributed to Board Members the final program guidelines for the Regional Competitiveness Act of Virginia and a draft Resolution on the Regional Partnership of Northern Virginia and a schedule of activities.

Chairman Hanley stated that in the program guidelines there is established a set process for what has to happen for localities to come together and what counts in connection with what becomes a regional effort. Chairman Hanley stated that chief elected officials, chief administrative officials, members of the business community, representatives from the higher education, and representatives from the K-12 community met in April to discuss establishing a partnership primarily to access the funding for workforce training in the high technology area.

Chairman Hanley moved adoption of this Resolution. This motion was seconded by Supervisor Connolly.

Following discussion, with input from Anthony H. Griffin, Acting County Executive, the question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix voting "NAY."

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

41. **REQUEST TO RECOGNIZE MR. DAVID BIRTWISTLE** (Tape 6)

Supervisor Dix mentioned that Mr. David Birtwistle, Director of Marketing for the Economic Development Authority (EDA), is leaving to take a job in the private sector.

Therefore, Supervisor Dix asked unanimous consent that the Board direct staff to invite Mr. Birtwistle to appear before the Board to be recognized for his outstanding contributions to the efforts of Fairfax County. Without objection, it was so ordered.

42. **REQUEST TO RECOGNIZE BRYN PAVEK, EXECUTIVE DIRECTOR, RESTON COMMUNITY CENTER** (Tape 6)

Supervisor Dix announced that Bryn Pavek, Executive Director, Reston Community Center, has resigned is taking a job with the National Capital Area Young Men's Christian Association (YMCA).

Therefore, Supervisor Dix asked unanimous consent that the Board direct staff to invite Ms. Pavek to appear before the Board to be recognized for her outstanding contributions to the Reston Community Center. Without objection, it was so ordered.

43. **IMPRESSIVE USAGE NUMBER FOR THE RESTON AREA PARK-AND-RIDE LOTS** (Tape 6)

Supervisor Dix referred to his written Board Matters which contains a chart that has been updated on a weekly basis since the opening of the Reston East Park-and-Ride Lot, located at Wiehle Avenue and the Dulles Toll Road. Supervisor Dix noted that on opening day for this lot, January 6, 1997, 338 vehicles parked in this facility. On April 16, 1997 that number reached a high of 505 vehicles. The total number of users for all of the park-and-ride lots currently located in the Reston area has shown a steady increase since January as is also evidenced by the figures on the chart.

44. **TOWN CENTER, LLC - DEVELOPMENT PLAN AMENDMENT APPLICATION DPA 85-C-088-2** (Tape 6)

Supervisor Dix stated that Town Center Tower, LLC has submitted a Development Plan Amendment application DPA 85-C-088-2 requesting to amend a portion of the Development Plan for Section 85 located in the Reston Town Center District to allow a residential building height up to 14 stories. The current Plan calls for residential uses up to 10 stories on this site. The development of this property will provide for a number of the high density residential uses that have long been planned and desired for Reston Town Center.

Therefore, Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) TO accept the PRC Plan and Site Plan for concurrent processing with the Development Plan Amendment request. This motion does not relieve the applicant from complying with the provisions of any applicable conditions, regulations or adopted standards and it does not prejudice the consideration of the Development Plan Amendment application in any way. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

45. **DULLES CORNER PROPERTIES - PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 88-C-066 AND PCA 86-C-029-5 AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 86-C-029-1** (Tape 6)

Supervisor Dix stated that during the past year, the principal owners of the property known as Dulles Corner have been processing a series of zoning applications which are intended to make minor refinements to the governing zoning approvals. However, several months ago, the applications were deferred because of The sale of the property and in anticipation of a significant corporate relocation occurring at Dulles Corner. Supervisor Dix further stated that the purpose of the deferral was to insure that the zoning applications would accurately reflect the needs and intentions of this build-to-suit user.

Supervisor Dix announced that Columbia Gas Systems, Incorporated has announced plans to move its headquarters facility to Dulles Corner and, over time, will be constructing up to 400,000 square feet of new office space at Dulles Corner. As a result of modifications which were required to accommodate this new user, the pending zoning applications have been reactivated and resubmitted to staff for review. Supervisor Dix noted that the Board had previously approved concurrent processing for these applications and prior to deferral they had been recommended for approval by the Planning staff and the Planning Commission.

Therefore, Supervisor Dix moved that the Board direct staff to schedule the Board public hearing on Proffered Condition Amendment Applications PCA 88-C-066 and PCA 86-C-029-5 for the first date possible after the Planning Commission public hearing date which is currently scheduled for July 23, 1997. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

46. **A-7 - BUS FARE BUYDOWN FOR FISCAL YEAR (FY) 1998 (COUNTYWIDE)**
(Tape 6)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#25.)

Supervisor Dix asked unanimous consent, that as part of the information that was discussed earlier regarding the Bus Fare Buydown Program, the Board direct Anthony H. Griffin, Acting County Executive, to provide a copy of the 1996 Staff Evaluation of the Bus Fare Buydown Program. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional action regarding this item. See Clerk's Summary Item CL#59.)

47. **INCREASE ACCESS TO THE ADOPT-A-FIELD PROGRAM** (Tape 6)

Supervisor Dix asked unanimous consent that the Board direct Anthony H. Griffin, Acting County Executive, to act as a liaison with the Park Authority to increase the access to the Adopt-A-Field Program by suggesting that the Park Authority amend their present adopt-a-field criteria to permit capital investments made by volunteer organizations to be considered against the requirements of the Adopt-A-Field Program. Without objection, it was so ordered.

PMH:pmh

48. **CANDIDATES FOR THE MCLEAN COMMUNITY CENTER GOVERNING BOARD** (Tape 7)

(BACs)

Supervisor Mendelsohn announced the following candidates for the McLean Community Center Governing Board:

Adult Candidates

- Mr. William J. Byrnes;
- Ms. Evelyn Fox;
- Ms. Lorna J. Gladstone; and
- Ms. Perri Green.

Youth Candidates

- Ms. Cathyann Hogan, Langley High School;
- Mr. Graham E. MacDonald; McLean High School;
- Ms. Michelle L. Rorie, McLean High School;
- Ms. Ishani Trivedi, McLean High School; and
- Ms. Alexandra Vargo, McLean High School.

Supervisor Mendelsohn announced that the election will take place during McLean Day at Lewinsville Park on May 17, 1997 from 9:00 a.m. until 5:00 p.m.

49. **REQUEST FOR RECOGNITION OF SUZI POWELL, ORIGINAL CHAIRPERSON, HERNDON COALITION AGAINST VIOLENCE** (Tape 7)

Supervisor Mendelsohn announced that Suzi Powell, original Chairperson, Herndon Coalition Against Youth Violence, is resigning because her family is relocating to Dallas, Texas. He asked unanimous consent that the Board direct staff to invite Ms. Powell to appear before the Board on May 19, 1997 to be recognized for her work with Herndon Coalition and all the selfless hours of time she has put into the community. Without objection, it was ordered.

50. **TREE PLANTING** (Tape 7)

Supervisor Mendelsohn announced that there had been a tree planting event in the Dranesville District this past Saturday. He expressed his appreciation to all those who participated in this event.

51. **DEER MANAGEMENT** (Tape 7)

As a follow-up to materials provided in his March 10, 1997 Board Matter addressing deer management in Fairfax County and in anticipation of the recommendations from the Director of Animal Control requested by the Board, Supervisor Mendelsohn distributed to Board Members additional materials as outlined in his Board Matter.

(NOTE: Later in the meeting, during Public Comment, deer management was discussed. See Clerk's Summary Item CL#101.)

52. **BRADDOCK DISTRICT SUPERVISOR SHARON BULOVA RECEIVES AN AWARD** (Tape 7)

Supervisor Gross congratulated Braddock District Supervisor Sharon Bulova for receiving the Lossie Tucker Meritorious Service Award from the Annandale Chamber of Commerce.

53. **EARTH DAY/ARBOR DAY** (Tape 7)

Supervisor Gross stated that she attended the Earth Day/Arbor Day ceremonies at Northern Virginia Community College (NVCC). She noted that Fairfax County was awarded *Tree City USA* designation because of the work done in Fairfax County to save trees.

(NOTE: Later in the meeting, there was additional discussion of this event. See Clerk's Summary Item CL#67.)

54. **BAILEY'S DAY 1997** (Tape 7)

Supervisor Gross invited all those interested to Bailey's Day 1997. This year's event will be held on Sunday, May 18, 1997 from 12:00 noon until 4:00 p.m. at the Bailey's Crossroads Shopping Center which is located at the intersection of Route Seven and Columbia Pike.

55. **NAME CHANGE FOR THE JOSEPH ALEXANDER TRANSPORTATION CENTER** (Tape 7)

Supervisor Kauffman noted that in January 1996, the Board took action to name the land area which includes the Franconia Springfield Metrorail and Virginia Railway Express (VRE) stations as *The Joseph Alexander Transportation Center*.

Supervisor Kauffman said that the center's namesake would prefer the land area to be known as "The Joe Alexander Transportation Center." Therefore, he moved that the Board amend the name of the Center to be *The Joe Alexander Transportation Center*. This motion was seconded by Chairman Hanley and carried by unanimous vote.

56. **SECTION EIGHT HOUSING** (Tape 7)

Supervisor Kauffman said that several weeks ago he arranged a meeting with Congressman Jim Moran's office, the Department of Housing and Community Development (HCD) staff, Jerry Benoit of the United States (US) Department of Housing and Urban Development (HUD) and himself to discuss the over-concentration of Section Eight housing along the Route One Corridor of Fairfax County.

Supervisor Kauffman said that among the suggestions was to draft legislation to present to Congressman Moran to shift more control from the federal government into the hands of local governments to maintain more housing. Another suggestion was to have the County change its briefing system for new applicants. He added that he hoped a new program could be created that highlights the benefits of living in different areas within the County.

Supervisor Kauffman stated that it was suggested that Fairfax County raise its physical standards for privately owned subsidized housing above those required by federal law. He moved that the Board direct staff to report with suggestions on how the standards of privately owned subsidized housing for new housing providers could be raised. This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked to amend the motion to direct the Board to send a letter to Congressman Moran in support of the legislation that he introduced last year that would give the County control over the location and the use of Section Eight Certificates, and this was accepted.

Following discussion, Supervisor Frey asked unanimous consent that the Board direct staff to report with information regarding:

- The number of Section Eight Certificates versus the number of other assisted units and privately owned units in the Route One Corridor.

Without objection, it was so ordered.

Supervisor Kauffman restated the motion as follows:

- Direct staff to work with the Board on creating a program that highlights the benefits of living in the many different areas of Fairfax County; and
- Direct staff to report with suggestions on how the Board could raise the standards of privately owned subsidized housing for new housing providers.

Following a query, Supervisor Hyland clarified that he would withdraw his amendment to the motion until after the legislation is distributed.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

57. **BUS SERVICE TO SPRINGFIELD MALL** (Tape 7)

Supervisor Kauffman said that several FAIRFAX CONNECTOR bus routes provide direct service to Springfield Mall. On February 10, 1997, the Board approved the Franconia-Springfield bus service plan, which called for the Mall to be served on Frontier Drive rather than directly on the Mall's roadways. Subsequently, Springfield Mall requested the County to continue providing direct bus service to the Mall after the Franconia-Springfield Metrorail Station opens on June 29, 1997.

Supervisor Kauffman moved that the Board:

- Approve the necessary changes to Routes 109, 110, and 401 so that they directly serve Springfield Mall;
- Direct staff to implement this service in conjunction with the opening of the Franconia-Springfield Metrorail Station;
- Direct staff to work with the contractor to revise the schedules of

the affected bus routes, and subsequently, to advise the Board of any increase in cost to directly serve the Mall; and

- Acknowledge that the timetables for Routes 109, 110, 111, and 401 will not be available as soon as the other Franconia-Springfield timetables, and that bus riders of these routes may receive the revised timetables close to June 29, 1997.

This motion was seconded by Supervisor Hyland.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked to amend the motion to direct staff to report on May 12, 1997 with the cost estimates that are listed in this Board item, and this was accepted.

Acting-Chairman Dix returned the gavel to Supervisor Kauffman.

Following additional discussion, Chairman Hanley restated the motion as follows:

- Direct staff to report with cost estimates and appropriate source of revenue to fund this item; and
- That the Board consider this item at its next meeting.

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

58. **DAILY PARKING FEE AT THE FRANCONIA-SPRINGFIELD GARAGE** (Tape 7)

On behalf of both Supervisor Hyland and himself, Supervisor Kauffman moved that the Board direct staff to evaluate their proposal to set the daily parking fee at Franconia-Springfield Garage at \$1.00 until 90 percent of the spaces are occupied each weekday. This motion was seconded by Supervisor Hyland.

Supervisor Kauffman referred to the written Board Matter and reviewed its benefits.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked to amend the motion to defer this item to allow staff time to review this item to determine:

- What the bond agreements are;
- The options for the money in the parking revenue balance; and
- What the result would be if the Board defeased the bonds again and lowered the entire surcharge for the entire system.

And this was accepted.

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

Acting-Chairman Dix returned the gavel to Chairman Hanley.

59. **FREE METROBUS AND FAIRFAX CONNECTOR FEEDER SERVICE TO FRANCONIA-SPRINGFIELD FOR FISCAL YEAR (FY) 1998** (Tape 7)

[NOTE: Earlier in the meeting there was discussion of Action Item A-7 - Bus Fare Buydown for Fiscal Year (FY) 1998 (Countywide). See Clerk's Summary Items CL#25 and CL#46.]

On behalf of Supervisor Hyland and Supervisor Kauffman, Supervisor Kauffman moved that the Board direct staff to:

- Evaluate establishing free Metrobus and FAIRFAX CONNECTOR feeder service to Franconia-Springfield for Fiscal Year (FY) 1998; and
- Report its findings at the Board meeting scheduled for May 12, 1997.

This motion was seconded by Supervisor Hyland.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Dix and asked to amend the motion to direct staff to provide information on the total monthly ridership on 12 series routes for the period of April 1995 until April 1996, and this was accepted.

Chairman Hanley referred to the Resolution regarding Metrorail Feeder Bus Patronage Project and asked to amend the motion to direct staff to report with information regarding the financial plan in the following sentence:

- "Be it further resolved that the Director of the DRPT and the Commonwealth Transportation Commissioner develop a financial plan which should consider the use of highway allocations attributed to primary, secondary, and the urban systems in the Northern Virginia area....."

And this was accepted.

Acting-Chairman Dix returned the gavel to Chairman Hanley.

Supervisor Connolly asked to amend the motion to direct staff to provide a comprehensive history of the openings of other metro stations in terms of free feeder bus service, and this was accepted.

Following discussion, Supervisor Connolly asked to amend the motion to direct staff to report with the consequences when the fees were re-established, and this was accepted.

Following input from Shiva K. Pant, Director, Office of Transportation; and Anthony H. Griffin, Acting County Executive, Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and asked to amend the motion, at the request of the County Executive, to direct staff to report on this item on May 19, 1997, and this was accepted.

Following discussion, Chairman Hanley asked to amend the motion to direct staff to report with Action Item A-7 - Bus Fare Buydown for Fiscal Year (FY) 1998 (Countywide) on May 19, 1997, and this was accepted.

The question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

Acting-Chairman Bulova returned the gavel to Chairman Hanley.

60. **DEFERRAL OF THE APPEAL OF A PUBLIC FACILITIES APPLICATION FILED BY AMERICAN PERSONAL COMMUNICATIONS** (Tape 7)

Supervisor Kauffman moved to defer consideration of the appeal of the Public Facilities Application filed by American Personal Communications until July 7, 1997. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Bulova being out of the room.

61. **REVISED ADMIN 19 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING QUASI-PUBLIC ATHLETIC FIELDS AND RELATED FACILITIES** (Tape 7)

(A)

(R) (NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#17.)

Supervisor Frey moved approval of the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on May 28, 1997 and before the Board on **July 7, 1997 at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding quasi-public athletic fields and related facilities. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova* being out of the room.

(NOTE: *Later in the meeting, Supervisor Bulova asked to be recorded as voting "AYE" on this motion. See Clerk's Summary Item CL#74.)

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

Chairman Hanley announced that the Board would recess for lunch and reconvene for continuation of the Agenda Items at 2:30 p.m.

At 2:00 p.m., the Board recessed briefly for lunch; and at 2:30 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Bulova and Supervisor McConnell, and with Chairman Hanley presiding.

63. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 96-P-056 (CYRUS KATZEN) (PROVIDENCE DISTRICT)** (Tape 8)

Supervisor Connolly announced his intent to later in the meeting, at the appropriate time, to defer the public hearing on Special Exception Application SE 96-P-056 until May 12, 1997.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#88.)

64. **ANNOUNCEMENT OF PROVIDENCE DISTRICT FAITH IN ACTION COMMITTEE'S FIRST NETWORKING EVENT ON MAY 22, 1997** (Tape 8)

Supervisor Connolly announced that the newly formed Providence District Faith in Action Committee will hold its first event on May 22, 1997 from 8:00 a.m. until 10:00 a.m. at the

Korean Central Presbyterian Church on Amanda Place. He said that the event is an opportunity for representatives of churches and synagogues to hear about successful outreach programs and perhaps form partnerships with neighboring congregations in an effort to assist neighbors in need. He added that they will hear presentations from a number of volunteers and then hold break-out sessions to share ideas and experiences.

Supervisor Connolly expressed his appreciation to all of those involved in the effort to make this event a success. He announced that anyone who would like to participate in this event at the Korean Central Presbyterian Church is welcome. For details call (703) 560-6949.

NV:nv

65. **SCHEDULING OF THE PUBLIC HEARING FOR OUT-OF TURN PLAN AMENDMENT S95-III-UP1** (Tape 8)

Supervisor Frey moved that the Board direct staff to schedule the public hearing for Out-of-Turn Plan Amendment S95-III-UP1 to be held before the Board on **June 9, 1997 at 4:30 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

66. **OLD CENTREVILLE METHODIST CHURCH** (Tape 8)

In regard to the December, 1997 expiration of the lease with the Centreville Presbyterian Church for the old Centreville Methodist Church which is owned by the County, Supervisor Frey moved that the Board direct staff to prepare a Request for Proposal (RFP) for the lease of the old Centreville Methodist Church site. This motion was seconded by Chairman Hanley.

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

Supervisor Frey moved that the Board direct staff to begin negotiations with the existing lessee of the site, Centreville Presbyterian Church, for the operation of a County teen center at the property by the Department of Community and Recreation Services at the end of this school year. This motion, the second to which was indistinguishable, carried by a vote of nine, Supervisor McConnell being out of the room.

67. **EARTH DAY/ARBOR DAY CELEBRATION** (Tape 8)

(NOTE: Earlier in the meeting, the Board discussed the Earth Day/Arbor Day celebration. See Clerk's Summary Item CL#53.)

Supervisor Bulova expressed appreciation to the following groups/individuals involved with the Earth Day/Arbor Day celebration on Saturday, April 26, 1996, and moved that the Board direct staff to invite them to appear before the Board to be recognized for their efforts:

- Ogden Martin Systems of Fairfax, sponsor;
- Clean Fairfax County, Incorporated, and Rosemary Byrne, sponsor;
- Northern Virginia Community College (NVCC);
- Members of the Earth Day/Arbor Day Committee; and
- Master of Ceremonies, Dr. Terrance Doyle.

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

68. **ONE MILLION DOLLAR CONTRIBUTION TO THE LIBRARY FOUNDATION**
(Tape 8)

Supervisor Bulova reminded the Board that several years ago, in an attempt to boost funding for the libraries in light of a difficult economic climate, a Library Foundation was created. She noted that Charlie Fegan, Braddock District Representative to the Library Board initiated this effort. She stated that on May 1, 1997, the Library Foundation will accept its first major gift of \$1 million. The gift was made at the bequest of the Orrin W. Macleod Trust and will be accepted at 10:00 a.m. at the Sherwood Regional Library. She noted that Mr. Macleod had asked that the funding be used for the purchase of audio books.

Accordingly, Supervisor Bulova moved that the Board direct staff to invite the members of the Library Board, the Library Foundation, and representatives of the Macleod Trust to appear before the Board to be thanked and recognized for this impressive gift which leverages the County's investment in its libraries through the generosity of Mr. Macleod and the innovative approach of the Library Board. This motion was seconded by Supervisor Gross and carried by unanimous vote.

69. **BURKE CENTRE'S 20TH ANNIVERSARY** (Tape 8)

Supervisor Bulova announced that Burke Centre will celebrate its 20th anniversary as a community May 16-18, 1997. Today there are approximately 20,000 residents living in 5,962 residential units in both the Springfield and Braddock Districts of the County. She stated that the weekend anniversary for one of the premier planned communities in the Commonwealth of Virginia will include a parade, a "Taste of Burke Centre," a concert, and a Volksmarch.

Accordingly, in celebration of the lifestyle and community spirit that are the hallmarks of the Burke Conservancy, Supervisor Bulova moved that the Board:

- Proclaim Saturday, May 17, 1997 as “**Burke Centre Day**” in Fairfax County; and
- Direct staff to invite representatives of the Burke Centre Conservancy to appear before the Board on May 12, 1997 to receive the Proclamation.

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

70. **CABLE REFRANCHISING** (Tape 8)

Supervisor Bulova stated that she recently met with the Director of the Department of Consumer Affairs (DCA) regarding the schedule for the Cable Refranchising process. She noted that in the May/June time frame, staff will issue a Request for Refranchising Proposal (RFRP), which will include expectations for future cable service.

Acknowledging that a public hearing is planned for later in the process, Supervisor Bulova expressed her belief that it would be useful to seek public opinion at this stage to determine constituents’ future needs, expectations, and demands. She noted that focus groups, organized by the Federation of Citizens Associations and the District Councils, as well as the Parent Teachers Organizations (PTAs), could:

- Learn where technology is headed and what can be expected from future cable service;
- Learn what services are being offered or provided when franchising or refranchising is undertaken in other parts of the country; and
- Envision the role they expect cable will play in their daily lives as technology advances.

Supervisor Bulova stated that following focus group discussion, a public hearing in late May or early June would be useful to determine the public’s needs and expectations that could be incorporated into the RFRP and communicated to Media General Cable and other cable companies.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff to consider this approach and report as to the feasibility of engaging community groups and organizing focus groups in time to allow public comment and remain on schedule with the refranchising process. Without objection, it was so ordered.

71. **DAY CARE SERVICES** (Tape 8)

Supervisor Bulova stated that it had been called to her attention that there are waiting lists for day care services at Oak View and Laurel Ridge Elementary Schools. She said that the Board should consider offering before and after school day care at the David R. Pinn Community Center operated by the Department of Community and Recreation Services (DCRS) less than one-half mile away which would add affordable services for the school-age population in that community. The DCRS offers a summer REC-PAC (playground) program in the facility.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct the staff of the Office for Children (OFC) to work with the staff of the DCRS to:

- Explore the feasibility of opening an affordable, self-sustaining before and after school day care program at the David R. Pinn Community Center beginning in September of 1997. The day care services should maximize use of existing Community Center staff to operate the program;
- Explore the option and affordability of DCRS's offering such a program that meets state licensing standards and is self-sustaining if the staff of the OFC believes that it is unable to offer such a program; and
- Report with recommendations no later than July 21, 1997.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request to include the cost and the licensing requirement, and this was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following a brief discussion, Supervisor Mendelsohn asked to amend the request to direct staff to:

- Address the issue of transportation; and
- Determine whether the County could license this day care to be operated by a private business within the Center;

and this was accepted.

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

72. **PHOTO RED LIGHT ISSUE** (Tape 8)

Supervisor Bulova reminded the Board that as a result of legislation passed by the General Assembly several years ago, the County is a qualifying jurisdiction for photo red light ticketing. She noted that several other jurisdictions are attempting to implement this program with the City of Fairfax planning to begin using "Photo Red Light" this summer.

Supervisor Bulova explained that she understood that a staff task force assembled to pursue implementation in the County was disbanded by the former County Executive because of legal issues. Because she believed that such a program would be well received by citizens' organizations, Supervisor Bulova moved that the Board direct staff to report to the Board with the reasons for disbanding the task force and not pursuing implementation of a pilot program. This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Frey asked to amend the motion to refer the issues related to the enforcement of speed limits in school zones to the Board's Legislative Committee, and this was accepted.

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

73. **SHOWMOBILE** (Tape 8)

With reference to her written Board Matter regarding replacement of the County's 31 year old Showmobile, Supervisor Bulova moved that the Board direct staff to examine the feasibility of securing a new Showmobile through corporate donations and address the following issues by offering a recommendation to the Board:

- If corporate funds are sought, is the County willing to allow company advertisements on the new Showmobile, and is there any legal prohibition to this;
- If the County were willing and able to allow company advertisements, how much title of the Showmobile is the County willing to relinquish;
- If the company advertisements were allowed, which companies would be the most acceptable for advertising on the Showmobile and how much advertising would be acceptable in terms of size and location of the logo and company name;
- How much usage would the County be willing to grant the corporate sponsors in return for their contributions and would Board Members be willing to relinquish some of their use;

- If corporate sponsors are sought to fund the Showmobile, which companies would the Board allow staff to seek; is there a formal bid process to line up companies for their participation, and if the bid process is required, are there any restrictions the Board can impose to preclude certain companies from participating because of the nature and exposure of the Showmobile to the general public; and
- If the formal bidding process is not required, what about the issue of choosing one competitor over another, e.g. Coca Cola versus Pepsi.

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

74. **REQUEST TO RECORD VOTE** (Tape 8)

(NOTE: Earlier in the meeting, the Board took action on Administrative Item 19. See Clerk's Summary Item CL#61.)

Supervisor Bulova asked unanimous consent to be recorded as voting "AYE" on Admin 19 - Authorization to Advertise Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Quasi-public Athletic Fields and Related Facilities. Without objection, it was so ordered.

75. **SCHEDULING OF THE PUBLIC HEARING FOR AGRICULTURAL AND FORESTAL DISTRICT APPLICATION AF 96-S-002** (Tape 8)

Supervisor McConnell stated that she had been contacted by Dr. and Mrs. Ernesto V. Castro at 11720 Chapel Road who have filed Agricultural and Forestal District Application AF 96-S-002 for their property. They have requested that the public hearing be scheduled prior to the Board's August recess.

Accordingly, Supervisor McConnell asked unanimous consent that the Board direct staff to schedule the public hearing for Agricultural and Forestal District Application AF 96-S-002 to be held before the Board prior to the August recess. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

76. **FOSTER CARE ISSUE** (Tape 8)

As outlined in her written Board Matter, Supervisor McConnell related a situation regarding a foster care issue regarding school eligibility for two out-of-state children who are involved in an adoption process with relatives located in the Springfield District.

Supervisor McConnell asked unanimous consent that the Board direct staff to coordinate efforts between the Department of Family Services and School Division staff to review similar cases when children are caught in the bureaucracy with no services.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the request that the Board refer this issue to staff for clarification of the procedures regarding temporary guardianship, and this was accepted. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

77. **TRANSPORTATION SUMMIT** (Tape 8)

Supervisor McConnell reminded the Board that on February 10, 1997 the Board added and approved language to the Transportation section of the Police Plan regarding the implementation of an annual Transportation Summit. She announced that she has scheduled the summit for Friday, September 12, 1997 in the Government Center Auditorium and conference room facilities. The day-long Summit will include representatives from the Board, Planning Commission, Transportation Advisory Commission (TAC), Office of Transportation, business and civic leaders, and other transportation agencies and associations. She urged the Members of the Board to mark their calendars and noted that a draft copy of the agenda will be available for discussion at the next meeting of the Board's Transportation Committee scheduled for May 12, 1997 at 8:00 a.m. in Conference Room 232.

Chairman Hanley clarified that members of the General Assembly and the County's transportation lobbyist will also be included.

78. **MOUNT VERNON COUNCIL RESOLUTIONS REFERRED TO STAFF** (Tape 8)

Supervisor Hyland called the Board's attention to three resolutions recently forwarded to his office from the Mount Vernon Council on each of the following subject areas:

- Fiscal Year (FY) 1998 Budget;
- Compensation System for County and School Employees; and
- KPMG (Peat Marwick) Study Team Report.

Accordingly, Supervisor Hyland asked unanimous consent that the Board refer these items to staff for review and recommendation to the Board. Without objection, it was so ordered.

79. **ACTION RESULTING FROM REVITALIZATION POLICY COMMITTEE MEETING** (Tape 8)

Supervisor Hyland reported that the Revitalization Policy Committee met in the morning and he moved that the Board direct staff to prepare a Board item for May 12, 1997 to authorize the advertisement of proposed amendments to Code of the County of Fairfax, Chapter 4 (Taxation and Finance), to provide tax abatements for certain rehabilitated, renovated, and replacement structures as proposed by staff with the following changes in all affected text:

- In reference to the age of structures, change from 20 years to 25 years; and
- In terms of the percentage increase in improvement or replacement improvement, increase from 20 to 25 percent on residential.

Supervisor Dix asked to amend the motion to direct staff to include in the information provided on May 12, 1997 the original versions of the proposal, and this was accepted.

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

80. **INTENT TO DEFER PUBLIC HEARINGS** (Tape 8)

Supervisor Hyland announced his intent to defer the public hearing on Special Exception Application SE 97-V-010 scheduled for later this afternoon.

Supervisor Kauffman announced his intent to defer the public hearings on Rezoning Application RZ 1996-LE-034 and Proffered Condition Amendment Application PCA 82-L-030-9, scheduled for later this afternoon, until May 12, 1997 at 4:00 p.m.

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Item CL#97.)

Chairman Hanley announced that the Board will not be adding any public hearings to the agenda of May 19, 1997.

Supervisor Dix announced his intent to defer Board decision on the public hearing on Proposed Area Plans Review Item 94-CW-12T scheduled for later this afternoon.

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#95.)

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

At 3:10 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 for this meeting, and in addition:

- Proposed Agreement Settling County's Claims for Lost 1994-96 Tax Revenue in the Mantua Area Resulting from the Discharge of Petroleum from the Pickett Road Tank Farm (Providence District);
- *Valerie Anderson versus Edwin C. Price and the County of Fairfax, Virginia*, At Law Number 144659 (Fairfax County Circuit Court);
- *Sunrise Valley Schools, Incorporated, et al., versus The County of*

Fairfax, et al., In Chancery Number 143804;

- *Theodore S. Deeds and Margaret A. Deeds versus County of Fairfax, Virginia*, Civil Action Number 96-896-A (E.D. Va.); and
- Status of Erroneous Tax Assessment Litigation.

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

Chairman Hanley announced that the Board would convene the afternoon public hearings at 4:00 p.m.

CM:cm

At 4:00 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

82. **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 Connolly 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."

83. **AUTHORIZATION FOR SETTLEMENT OF OLIVER CARR COMPANY, ET AL., VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY** (Tape 9)

Supervisor Connolly moved that the Board authorize the settlement of *Oliver Carr Company, et al.*, versus *Board of Supervisors of Fairfax County*, At Law Number 137706, 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.

84. **AUTHORIZATION FOR SETTLEMENT OF THE COUNTY'S CLAIM FOR LOST 1994-1996 REVENUE IN THE MANTUA AREA** (Tape 9)

Supervisor Bulova moved that the Board authorize the proposed agreement settling the County's claims for lost 1994-1996 Tax Revenue in the Mantua area resulting from the discharge of petroleum from the Pickett Road Tank Farm according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Gross and carried by unanimous vote.

85. **AUTHORIZATION FOR SETTLEMENT OF KINGSTOWNE COMMERCIAL LIMITED PARTNERSHIP VERSUS BOARD OF SUPERVISORS** (Tape 9)

Supervisor Kauffman moved that the Board authorize the settlement of *Kingstowne Commercial Limited Partnership versus Board of Supervisors of Fairfax County*, At Law Numbers 137664 and 148733, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

86. **AUTHORIZATION TO PETITION THE FAIRFAX COUNTY GENERAL DISTRICT COURT ON BEHALF OF THE HUMAN RIGHTS COMMISSION** (Tape 9)

Supervisor Hyland moved that the Board authorize the County Attorney to petition the Fairfax County General District Court for a subpoena on behalf of the Human Rights Commission in *Estes Versus Rescon, Incorporated*, HRC #95172EEOC, and #10D950162, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Connolly being out of the room.

(NOTE: Later in the meeting, there was an additional action from Executive Session. See Clerk's Summary Item CL#103.)

AR:ar

87. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-V-010 (MOBIL OIL CORPORATION) (MOUNT VERNON DISTRICT)** (Tape 10)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 97-V-010 until **May 12, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Connolly and Supervisor Frey being out of the room.

88. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 96-P-056 (CYRUS KATZEN) (PROVIDENCE DISTRICT)** (Tape 10)

On behalf of Supervisor Connolly, Supervisor Gross moved to defer the public hearing on Special Exception Application SE 96-P-056 until **May 12, 1997 at 3:30 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Frey being out of the room.

89. **3:30 P.M. - PH ON 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** (Tape 10)

Supervisor Mendelsohn moved to defer the public hearing on 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 until **June 9, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Frey, and Supervisor Kauffman being out of the room.

90. **3:30 P.M. - PUBLIC HEARING FOR THE CREATION/ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE, LEE, AND PROVIDENCE DISTRICTS)** (Tape 10)

- (Rs) 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 April 10 and April 17, 1997.

Following the public hearing, Supervisor Mendelsohn moved adoption of the proposed Resolutions for the Creation and Enlargement of Small and Local Sanitary Districts with Dranesville, Lee, and Providence Districts as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>	<u>Recommendation</u>
Local District A-6-1 within Small District 1 within Dranesville District (Virginia Avenue)	Enlarge	Refuse and Leaf	Approve
Local District A-2-1 within Small District 1 within Dranesville District (Hansborough Subdivision)	Create	Refuse and Leaf	Approve

Small District 1 within Lee District (South Van Dorn Street)	Enlarge	Refuse	Approve
Local District B within Small District 1 within Lee District (Wilton Woods/Pinebrook)	Enlarge	Refuse and Leaf	Approve
Small District 2 within Providence District (Mantua Hills Subdivision)	Enlarge	Leaf	Approve
Small District 2 within Providence District (Colesbury Place)	Enlarge	Leaf	Approve
Small District 2 within Providence District (Tovito Drive)	Enlarge	Leaf	Approve

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

91. **3:30 P.M. - PH ON THE LEASING OF COUNTY OWNED PROPERTY BY BREN MAR BAPTIST CHURCH (MASON DISTRICT)** (Tape 10)

- (R) Certificates of Publication were filed from the Editor of the *Fairfax Journal*, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 10 and April 17, 1997.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved adoption of the Resolution authorizing the leasing of County-owned property located directly in front of 6200 Indian Run Parkway, Tax Map Number 81-1((04))-p (part), to the Bren Mar Baptist Church. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, and Supervisor Kauffman being out of the room.

92. **4:00 P.M. - PH ON REZONING APPLICATION RZ 96-P-011 (GLENN M. BUCCI) (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 96-P-011 until **June 9, 1997 at 3:30 p.m.** This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Kauffman being out of the room.

93. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-Y-012 (JEM II, L.L.C.) (SULLY DISTRICT)** (Tape 10)

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

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

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

Supervisor Frey moved to defer Board decision on Special Exception Application SE 97-Y-012 until May 12, 1997 at 4:00 p.m. This motion was seconded by Supervisor Mendelsohn.

Following discussion, Supervisor Bulova moved a substitute motion to defer Board decision until later in the meeting. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Hyland and Supervisor Kauffman being out of the room.

(NOTE: Later in the meeting, action was taken by the Board on this application. See Clerk's Summary Item CL#100.)

94. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-C-063-2 (AAL PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 10)

Mr. Randolph A. Sutliff reaffirmed the validity of the affidavit for the record.

Mr. Sutliff 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, David Hunter, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved:

- Approval of Special Exception Amendment Application SEA 84-C-063-2 subject to the proposed development conditions dated March 6, 1997, and revised on April 28, 1997; and
- Reaffirmation of a modification of the transitional screening requirement and barrier requirement, as stated in the proposed development conditions.

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

95. **4:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-CW-12T, IN THE VICINITY OF DULLES CORNER/CIT AREA (DRANESVILLE AND HUNTER MILL DISTRICTS)** (Tape 10)

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 April 10 and April 17, 1997.

Following the public hearing, which included testimony by one speaker, Supervisor Dix moved to defer Board decision on Area Plans Review (APR) Item 94-CW-12T until **June 9, 1997 at 4:30 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Kauffman being out of the room.

96. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 9 (CABLE COMMUNICATIONS) PERTAINING TO THE ESTABLISHMENT OF CABLE TELEVISION RATES AND CHARGES (COUNTYWIDE)** (Tapes 10-11)

- (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 April 10 and April 17, 1997.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 9 (Cable Communications) pertaining to the establishment of cable television rates and charges. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Kauffman being out of the room.

97. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1996-LE-034 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-L-030-9 (SILVER LAKE, INCORPORATED) (LEE DISTRICT)** (Tape 11)

On behalf of Supervisor Kauffman, Supervisor Mendelsohn moved to defer the public hearing on Rezoning Application RZ 1996-LE-034 and Proffered Condition Amendment Application PCA 82-L-030-9 until **May 12, 1997 at 4:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

98. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICT) AGRICULTURAL AND FORESTAL DISTRICT RENEWAL APPLICATION AR 88-S-001 (ESTHER K. PODOLNICK) (SPRINGFIELD DISTRICT)** (Tape 11)

- (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 April 10 and April 17, 1997.

Mr. John T. Kincheloe reaffirmed the validity of the affidavit for the record.

Mr. Kincheloe 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 McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal District), Appendix F-24, to renew the Podolnick Local Agricultural and Forestal District (Application AR 88-S-001) subject to the proposed Ordinance provisions contained in Appendix One of the staff report. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hyland, and Supervisor Kauffman being out of the room.

99. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-C-142 (MOBIL OIL CORPORATION AND LESTER F. MARKELL, JR.) (HUNTER MILL DISTRICT)** (Tape 11)

Mr. Jay du Von reaffirmed the validity of the affidavit for the record.

Mr. du Von 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, Julie Schilling, Staff Coordinator, Zoning Evaluation

Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved:

- Approval of Special Exception Amendment Application SEA 80-C-142 subject to the development conditions dated April 11, 1997; and
- Modification of the transitional screening and waiver of the barrier requirements along the north, east and west property boundaries in accordance with Section 13-304 of the Zoning Ordinance.

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

100. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 97-Y-012 (JEM II, L.L.C.) (SULLY DISTRICT)** (Tape 11)

(NOTE: Earlier in the meeting, the public hearing on Special Exception Application SE 97-Y-012 was held and decision deferred. See Clerk's Summary Item CL#93.)

Supervisor Frey moved approval of Special Exception Application SE 97-Y-012 subject to the development conditions dated March 26, 1997, with an additional Condition Number 13 which reads as follows:

- "13. For the purpose of providing additional screening for the Highland Mews Development, an account for the use of the Highland Mews Homeowners Association, in the amount of \$11,760, shall be established with a qualified landscape/nursery firm to be selected by the Highland Mews Homeowners Association. Evidence of such an account shall be provided to the Department of Environmental Management (DEM) prior to final Site Plan approval."

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

Supervisor Frey moved:

- Modification of the transitional screening requirements along the southern boundary in favor of that shown on the Special Exception (SE) Plat; and

- Modification of the 10-foot peripheral parking lot landscaping strip along Centreville Road, in favor of that shown on the proposed SE Plat.

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

101. **5:30 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 April 10 and April 17, 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 speakers:

- Adrahin Babazadeh regarding discrimination against businesses;
- Arthur Hart regarding deer population;
- Christopher Swynford regarding deer population;
- Bill Bane regarding deer hazard;
- John Darr regarding deer extermination.
- Pam Cave regarding a child support commission and the Women's Entrepreneurial Network;
- William Waugh regarding deer and lyme disease;
- Eugene H. Methvin regarding the deer issue;
- Frances Cochran regarding drug abuse and mental health; and
- John Backus regarding deer control.

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

At 6:00 p.m., Supervisor Gross moved that the Board recess and go into Executive Session for discussion or consideration of personnel matters pursuant to *Virginia Code* Section 2.1-344a(1). 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.

NV:nv

At 7:35 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Dix and Supervisor Frey, and with Chairman Hanley presiding.

ADDITIONAL ACTION FROM EXECUTIVE SESSION103. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 12)

(NOTE: Earlier in the meeting, there were other actions from Executive Session. See Clerk's Summary Items CL#82, CL#83, CL#84, CL#85 and CL#86.)

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

Chairman Hanley noted, for the record, that Supervisor Dix and Supervisor Frey were not present during this Executive Session.

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

At 7:35 p.m., the Board adjourned.