



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
DECEMBER 6, 1999**

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25-99

SBE:sbe

The meeting was called to order at 9:10 a.m., with all Members being present, with the exception of Supervisor Kauffman, and with Chairman Hanley presiding.

Supervisor Kauffman arrived at 9:20 a.m.

Others present were Robert J. O'Neill, Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTER

2. **GREETINGS TO CONVALESCING CHARLES A. "CHARLIE" ROBINSON, JR., MAYOR OF THE TOWN OF VIENNA** (Tape 1)

Chairman Hanley wished Mayor Charlie Robinson of Vienna a "Good Morning" and asked Board Members to remember Mayor Robinson in their thoughts while he is convalescing.

AGENDA ITEMS

3. **RESOLUTION TO RECOGNIZE FIRE AND RESCUE'S URBAN SEARCH AND RESCUE TEAM** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved adoption of the Resolution to recognize Fire and Rescue's Urban Search and Rescue Team for responding to the massive earthquake in Turkey. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

4. **CERTIFICATE TO RECOGNIZE THE OUTSTANDING ACHIEVEMENTS OF THE FAIRFAX COUNTY FIREFIGHTER COMBAT CHALLENGE TEAM AND THE FIRE DEPARTMENT RODEO TEAM** (Tape 1)

Chairman Hanley moved approval of the Certificate of Recognition presented to the Fairfax County Firefighter Combat Challenge Team. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

Chairman Hanley moved approval of the Certificate of Recognition presented to the Fairfax County Fire and Rescue Department's Rodeo Team for its outstanding achievements. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Kauffman not yet having arrived.

Supervisor Hyland returned the gavel to Chairman Hanley.

5. **CERTIFICATE TO RECOGNIZE JAMES MADISON HIGH SCHOOL ON ITS FORTIETH ANNIVERSARY** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Beverly Wilson, Principal of James Madison High School, on the occasion of its fortieth anniversary. Supervisor Connolly seconded the motion and it carried by unanimous vote.

6. **CERTIFICATE TO RECOGNIZE MS. KATIE RUCKERT AND MS. MARY KOVARIK FOR THEIR SUCCESS AT THE GROUP AAA GIRLS' STATE TENNIS TOURNAMENT** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Katie Ruckert of James Madison High School for her success at the Group AAA State Tennis Tournament. Supervisor McConnell seconded the motion and it carried by unanimous vote.

Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Mary Kovarik of James Madison High School for her success at the Group AAA State Tennis Tournament. Supervisor McConnell seconded the motion and it carried by unanimous vote.

7. **CERTIFICATE TO RECOGNIZE MS. ERIN SWAIN FOR WINNING THE GROUP AAA GIRLS' VIRGINIA CROSS-COUNTRY TITLE**
(No Tape)

(NOTE: This presentation will be rescheduled to a later date.)

8. **CERTIFICATE TO RECOGNIZE MR. ALAN WEBB FOR WINNING THE GROUP AAA BOYS' VIRGINIA CROSS-COUNTRY TITLE**
(No Tape)

(NOTE: This presentation will be rescheduled to a later date.)

9. **CERTIFICATE TO RECOGNIZE THE 110-POUND AND 125-POUND MCLEAN MUSTANGS YOUTH FOOTBALL TEAMS FOR WINNING THE CENTRAL DIVISION COUNTY CHAMPIONSHIP** (Tape 1)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to the 125-pound McLean Mustangs Youth Football Team for winning the Central Division County Championship. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to the 110-pound McLean Mustangs Youth Football Team for winning the Central Division County Championship. Supervisor Dix seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

10. **CERTIFICATE TO RECOGNIZE MS. GLADELLE HARDENBERGH, MS. CHERYL REAMES, AND MS. MARYLOU SYBERT FOR SAVING THE LIFE OF A TEACHER** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Gladelle Hardenbergh, Ms. Cheryl Reames, and Ms. Marylou Sybert of Terraset Elementary School for saving the life of a teacher. Chairman Hanley and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

Chief Edward L. Sinnette, Fire and Rescue Department, also presented to Ms. Hardenbergh, Ms. Reames, and Ms. Sybert the Fire Department's Certificate of Valor for Lifesaving Award.

11. **CERTIFICATE TO RECOGNIZE MS. JOYCE REILLY CLAUTICE FOR BEING SELECTED MS. SENIOR AMERICA** (Tape 2)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Ms. Joyce Reilly Clautice for being selected Ms. Senior America. Supervisor Mendelsohn seconded the motion and it carried by unanimous vote.

12. **CERTIFICATE TO RECOGNIZE MS. TRICIA HUTCHERSON FOR HER ACCOMPLISHMENTS WITH THE FAIRFAX PARTNERSHIP FOR YOUTH, INCORPORATED** (Tape 2)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Ms. Tricia Hutcherson for her accomplishments with the Fairfax Partnership for Youth, Incorporated. Supervisor Connolly seconded the motion and it carried by unanimous vote.

13. **CERTIFICATE TO RECOGNIZE MR. WES "MICKEY" KENDRICK FOR HIS YEARS OF SERVICE WITH FAIRFAX COUNTY** (Tape 2)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. Wes "Mickey" Kendrick for his years of service with Fairfax County. Supervisor Bulova and Supervisor Dix jointly seconded the motion and it carried by unanimous vote.

14. **CERTIFICATE TO RECOGNIZE MR. GENE SCHAEFFER FOR HIS CONTRIBUTIONS TO FAIRFAX COUNTY'S LIBRARY SYSTEM** (Tape 2)

- (BACs) Supervisor Hyland moved approval of the Certificate of Recognition presented to Mr. Gene Schaeffer for his contributions to Fairfax County's Library System as the Mount Vernon District Representative to the Library Board of Trustees. Chairman Hanley seconded the motion and it carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

15. **CERTIFICATE TO RECOGNIZE THE CLAUDE MOORE COLONIAL FARM FOR ITS CONTRIBUTIONS TO THE COMMUNITY** (Tape 2)

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to the Claude Moore Colonial Farm for its contributions to the community. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

16. **CERTIFICATE TO RECOGNIZE THE RESTON 2000 TASK FORCE FOR ITS EXTRAORDINARY EFFORT OVER THE PAST TWO YEARS** (Tapes 2-3)

Supervisor Dix moved approval of the Certificate of Recognition presented to the Reston 2000 Task Force for its extraordinary effort over the past 2 years. Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor McConnell being out of the room.

Upon his return to the Board Auditorium, Supervisor Connolly asked to be recorded as voting "AYE" on the Certificate to Recognize the Reston 2000 Task

Force for its extraordinary effort over the past two years. Without objection, it was so ordered.

ADDITIONAL BOARD MATTERS

17. **INVITATION TO THE FAIRFAX COUNTY SYMPHONY ORCHESTRA'S HOLIDAY CONCERT** (Tape 3)

Chairman Hanley recognized the presence of Ms. Sally Ann Hostetler, President of the Fairfax County Symphony Orchestra. Ms. Hostetler spoke on behalf of the Symphony and invited everyone to its Holiday Concert on December 12, 1999, at 3 p.m. at George Mason University.

18. **CERTIFICATE TO RECOGNIZE MR. MARK LOONEY, MANAGER OF GOVERNMENT AFFAIRS FOR THE FAIRFAX COUNTY CHAMBER OF COMMERCE** (Tape 3)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Mr. Mark Looney, Manager of Government Affairs for the Fairfax County Chamber of Commerce, for his service to the citizens and business community of Fairfax County over the last seven years. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

19. **CERTIFICATES TO RECOGNIZE SUPERVISOR DIX'S OFFICE STAFF** (Tape 3)

Supervisor Dix moved approval of the Certificates of Recognition presented to the following members of his staff for their outstanding service to Fairfax County government, citizens, and staff of Fairfax County:

- Mr. John Kenny
- Ms. Linda Lammersen
- Mr. George Koklanaris
- Ms. Joan DuBois

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

20. **CERTIFICATE TO RECOGNIZE MR. MARCUS SIMON FOR HIS OUTSTANDING SERVICE TO THE CITIZENS OF FAIRFAX COUNTY**
(Tape 3)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Mr. Marcus Simon for his outstanding service to the citizens of Fairfax County. Vice-Chairman Hyland seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

AGENDA ITEM

21. **10 A.M. – PRESENTATION OF THE DON SMITH EMPLOYEES ADVISORY COUNCIL (EAC) AWARDS** (Tape 3)

Virginia Stanton, Chair, EAC, presented a Don Smith EAC Award to the following employees:

- Ms. Corliss Hogan of the Department of Family Services.
- Detective Roger Siegel of the Police Department.

The Fairfax County Diversity Choir preformed a selection for the Board.

ADDITIONAL BOARD MATTER

22. **CERTIFICATE TO RECOGNIZE OUTGOING HUNTER MILL DISTRICT SUPERVISOR ROBERT B. DIX, JR., FOR HIS EIGHT YEARS OF OUTSTANDING SERVICE TO FAIRFAX COUNTY** (Tapes 3-4)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Certificate of Recognition presented to Supervisor Dix for his eight years of outstanding service to Fairfax County. Supervisor Connolly and Vice-Chairman Hyland jointly seconded the motion and it carried by unanimous vote.

Board Members each paid tribute to Supervisor Dix.

Supervisor Dix expressed appreciation to his colleagues on the Board and thanked his family, and wife, Aggie, for providing him with support, understanding and love necessary for him to serve the public as an elected official for the past eight years as a member of the Board of Supervisors. Supervisor Dix also thanked the citizens of the Hunter Mill District for allowing him the honor of representing them. He outlined the changes in this district over the last eight years.

Supervisor Dix paid particular tribute to his predecessor, former Supervisor Martha Pennino, for her incredible record of public service, which continues as the Hunter Mill District representative on the Fairfax County Water Authority.

23. **10:15 A.M. – BOARD ADOPTION OF THE 2000 LEGISLATIVE PROGRAM FOR THE VIRGINIA GENERAL ASSEMBLY** (Tape 4)

Supervisor Connolly moved adoption of the Legislative Program for the 2000 Session of the Virginia General Assembly as contained in the Memorandum to the Board dated December 6, 1999, with the following two additions as outlined in the Draft Fairfax County Legislative Program for the General Assembly dated December 6, 1999:

- Taxation - Use Tax Distribution - Add a position to oppose any revision to the distribution of the local use tax that would result in a loss of revenue to Fairfax County.
- Public Rights-of-Way - Illegal Signs - Endorse legislation to remove a July 1, 2000, sunset provision in the *Code of Virginia* Section 33.1-375.1(D) so that local governments will continue to have the ability to enforce State prohibitions on illegal advertisements located within the boundaries of public highways.

Discussion followed with input from Michael H. Long, Senior Assistant County Attorney, Jane W. Gwinn, Zoning Administrator/Division Director, Department of Planning and Zoning, and David P. Bobzien, County Attorney.

In reference to the illegal signs, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to notify the Board Members expeditiously if this bill is not submitted so they can find a sponsor. Without objection, it was so ordered.

Supervisor Connolly reiterated his motion to adopt the Legislative program with the two additions. Supervisor Hyland seconded the motion.

Following further discussion, the question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor McConnell abstaining.

CM:cm

24. **ADMINISTRATIVE ITEMS** (Tapes 5-6)

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

Supervisor Hyland called the Board's attention to Administrative Item 8 – Authorization to Advertise Public Hearings on Proposed Amendments to the County Code, Repeal Chapter 28 (Massage Ordinance), New Chapter 28.1 (Massage Therapy, Establishments and Services), Chapter 10 (Consumer Protection) and Chapter 112 (Zoning Ordinance) Regarding Massage Therapy. A discussion ensued with input from Jane W. Gwinn, Zoning Administrator, Department of Planning and Zoning; Robert M. Ross, Assistant County Attorney; Carolyn Quetsch, Director, Consumer Services Division, Department of Telecommunications and Consumer Services; Michael H. Long, Senior Assistant County Attorney; and Robert J. O'Neill, Jr., County Executive.

Following discussion, Supervisor Connolly asked unanimous consent that the Board direct staff to monitor the fees on an ongoing basis and report next year with recommendations on the fee structure. Without objection, it was so ordered.

Supervisor Mendelsohn called the Board's attention to Administrative Item 10 - Authorization to Advertise a Public Hearing on the Proposed Amendments to the Taxicab Ordinance (Chapter 84.1, Public Transportation). There was a brief discussion with input from Ms. Quetsch.

Chairman Hanley called the Board's attention to Administrative Item 13 – Extension of Pan Am Park-and-Ride Agreement (Providence District). There was a brief discussion, with input from Young Ho Chang, Director, Department of Transportation (DOT), and Dorothy W. Cousineau, Head, Marketing and Ridesharing Section, DOT. Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to report at the Board meeting of January 24, 2000, on how the discussion is progressing regarding Hunter Branch Road. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Dix asked unanimous consent that the Board direct staff to withhold payment until a copy of the signed agreement is received. Without objection, it was so ordered.

Chairman Hanley called the Board's attention to Administrative Item 15 – Authorization to Advertise Public Hearings Regarding (I) The Sale of the Groveton Site, (II) an Agreement with Madison Development Partners, MDP Buckman L.L.C. and MDP Groveton L.L.C. to Construct a 135,000 Net Square Foot Building, (III) Abandonment of Approximately 3991 Square Feet of Land, and (IV) Conveyance of the 3991 Square Feet of Land (Lee District). Following discussion, with input from Anthony H. Griffin, Deputy County Executive; Mr. Robert J. O'Neill, Jr., County Executive; and Alan M. Weiss, Assistant County Attorney, Supervisor Gross asked unanimous consent that the Board direct staff to provide the Board with charts of the proposed sites shown in Attachment J of the Memorandum to the Board dated December 6, 1999, prior to the next meeting. Without objection, it was so ordered.

Following further discussion, Supervisor Bulova asked to amend the motion to defer the public hearings for this item until **January 24, 2000**, and this was accepted.

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

ADMIN 1 – EXTENSION OF REVIEW PERIODS FOR PUBLIC FACILITY (2232) REVIEW APPLICATIONS

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

- Application 2232-Y98-7 to July 13, 2000
- Application FS-L99-34 to March 13, 2000

ADMIN 2 – INSTALLATION OF “WATCH FOR CHILDREN” SIGNS AT VARIOUS LOCATIONS (COUNTYWIDE)

(R)

- Adopted a resolution endorsing the installation of “Watch for Children” signs on the following residential streets:
 - Crater Place (Mason District)
 - Radford Avenue (Mount Vernon District)
 - Richmond Avenue (Mount Vernon District)
- Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 3 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 00036 FOR THE FIRE AND RESCUE DEPARTMENT (FRD) TO ACCEPT REIMBURSEMENT FROM THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID), BUREAU FOR HUMANITARIAN RESPONSE, OFFICE OF FOREIGN DISASTER ASSISTANCE (OFDA), FOR EXPENSES INCURRED AS A RESULT OF THE ACTIVATION OF THE URBAN SEARCH AND RESCUE TEAM, SAR TEAM 1, TO TAIPEI, TAIWAN

- (SAR) Approved SAR AS 00036 in the amount of \$650,000 for FRD to accept reimbursement as part of a Memorandum of Understanding and Cooperative Agreement with USAID/OFDA for the purpose of establishing joint training and cooperation for emergency disaster responses to foreign and domestic disasters and emergencies. No local or in-kind match is required on the part of the County for this grant.

ADMIN 4 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 00050 FOR THE DEPARTMENT OF FAMILY SERVICES/OFFICE FOR CHILDREN (DFS/OFC) TO EXPAND AND IMPROVE THE HEAD START PROGRAM

- (SAR) Approved SAR AS 00050 in the amount of \$242,885 to expand and improve the Head Start program. This expansion will provide services for 32 additional three-to-five-year-old children in the Head Start program. The County has no obligation to continue funding this position when the grant period ends.

ADMIN 5 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 00051 FOR THE FAIRFAX COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT TRUANCY COORDINATOR GRANT

- (SAR) Approved SAR AS 00051 in the amount of \$20,834 to accept grant funding to support establishment of a truancy coordinator position for the Juvenile Court Probation Services. This grant will provide funding for 1/1.0 SYE merit grant position. No local cash match is required.

ADMIN 6 – AUTHORIZATION FOR THE SHERIFF AND THE COUNTY EXECUTIVE TO REQUEST FUNDING FROM THE UNITED STATES (US) DEPARTMENT OF JUSTICE (DOJ)/BUREAU OF JUSTICE ASSISTANCE (BJA) TO DEVELOP STRATEGIES TO MINIMIZE THE VICTIMIZATION OF THE ELDERLY

Authorized the Sheriff to apply for a Federal Fiscal Year 2000 grant in the amount of \$150,000. This grant will provide up to \$150,000 for the purpose of developing strategies to minimize the victimization of the elderly within Fairfax County. No local cash match is required.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PARTIAL BUILDING PERMITS (COUNTYWIDE)

- (A) Adopted a Resolution authorizing the advertisement of a public hearing to be held
(R) before the Board on **February 28, 2000, at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 112, (Zoning Ordinance) Articles 17 and 18, regarding of a partial building permit.

ADMIN 8 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE COUNTY CODE, REPEAL CHAPTER 28 (MESSAGE ORDINANCE), NEW CHAPTER 28.1 (MESSAGE THERAPY, ESTABLISHMENTS AND SERVICES), CHAPTER 10 (CONSUMER PROTECTION), AND CHAPTER 112 (ZONING ORDINANCE) REGARDING MESSAGE THERAPY

- (A) (NOTE: Earlier in the meeting there was discussion regarding this item.
(R) See page eight.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Board on **February 7, 2000, at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapters 28 (Massage Ordinance), New Chapter 28.1 (Massage Therapy, Establishments and Services), Chapter 10 (Consumer Protection), and Chapter 112 (Zoning Ordinance), to establish new provisions regarding massage therapy establishments and services.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT 064201 – ROUTE 7900 (FRANCONIA-SPRINGFIELD PARKWAY) FRONTIER DRIVE (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on
January 24, 2000, at 4 p.m. on the acquisition of interests in real property necessary for the construction of County Road Bond Project 064201 – Route 7900 Frontier Drive.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED AMENDMENTS TO THE TAXICAB ORDINANCE (CHAPTER 84.1, PUBLIC TRANSPORTATION)

- (A) (NOTE: Earlier in the meeting there was a discussion regarding this item. See
page eight.)

Authorized the advertisement of a public hearing to be held before the Board on
January 24, 2000, at 4:30 p.m. regarding revised certification application

procedures, handicapped accessible taxicab requirements, and other administrative changes.

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED FIVE-YEAR CONSOLIDATED PLAN FOR FISCAL YEAR (FY) 2001–2005 AND THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FY 2001

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 7, 2000, at 7 p.m.** on the proposed Five-Year Consolidated Plan for FY 2001–2005 and the proposed Consolidated Plan One-Year Action Plan for FY 2001 as prepared by the Consolidated Community Funding Advisory Committee.

ADMIN 12 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON BEHALF OF HILLTOP SAND AND GRAVEL COMPANY, INCORPORATED

- Bonds
(R) Adopted the Resolution approving the issuance of a bond issue by the EDA on behalf of Hilltop Sand and Gravel Company, Incorporated.

ADMIN 13 – EXTENSION OF PAN AM PARK-AND-RIDE AGREEMENT (PROVIDENCE DISTRICT)

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

Approved the extension of the Pan Am Park-and-Ride agreement with Federal Realty Investment Trust, which expires December 15, 1999, for an additional twelve months.

ADMIN 14 – AUTHORIZATION FOR DEPARTMENT OF FAMILY SERVICES (DFS) TO SUBMIT A GRANT APPLICATION TO PROVIDE POST LEGAL ADOPTION SERVICES TO FAMILIES OF CHILDREN WITH SPECIAL NEEDS

- (R) Adopted the Resolution authorizing DFS to submit a grant application to provide post legal adoption services to families of children with special needs. The total project amount is \$243,420. A ten percent local match of the total approved cost of the project is required. This requirement can be met partially through an in-kind contribution.

ADMIN 15 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS REGARDING (I) THE SALE OF THE GROVETON SITE, (II) AN AGREEMENT WITH MADISON DEVELOPMENT PARTNERS, MDP BUCKMAN L.L.C. AND MDP GROVETON L.L.C. TO CONSTRUCT A 135,000 NET SQUARE FOOT BUILDING, (III) ABANDONMENT OF APPROXIMATELY 3991 SQUARE FEET OF LAND, AND (IV) CONVEYANCE OF THE 3991 SQUARE FEET OF LAND (LEE DISTRICT)

- (A) (NOTE: Earlier in the meeting, the Board took action on this item. See page eight.)

Authorized the advertisement of four public hearing to be held before the Board on January 24, 2000, regarding (I) the sale of the Groveton Site, Tax Map Numbers 92-2-((1))-13A, 93-1-((1))-97 & 98, 93-1-((38))-1-1, 4, & 7 (Groveton Site) to MDP Groveton L.L.C. (II) the agreement with Madison Development Partners, MDP Buckman L.L.C. and MDP Groveton L.L.C. (collectively MDP) to construct a 135,000 net usable square foot office building on a site consisting of approximately 8.7256 acres along Richmond Highway and Buckman Road, which are identified on the Fairfax County Tax Identification Map as 101-3((1))16, 101-4((1))3, 101-3((1))-17A and 101-3((1))19B (South County Center Site) which the County will lease/purchase, (III) abandonment by the County of approximately 3991 square feet of land that is adjacent to property intended for development of the South County Center (Adjacent Parcel), which Adjacent Parcel is a portion of a 8593 square foot dedication to public use which the County acquired by deed recorded in Deed Book 2960 at Page 66, and (IV) conveyance by the County to MDP Buckman L.L.C. of the County interest in the Adjacent Parcel.

ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX CHAPTER 3 (COUNTY EMPLOYEES) ARTICLE 5, AMENDING FINANCIAL DISCLOSURE REQUIREMENTS IN THE MERIT SYSTEM ORDINANCE

- (A) Authorized the advertisement of a public hearing to be held before the Board on **January 10, 2000, at 4 p.m.** on the proposed revisions to Chapter 3 (County Employees), Article 5, of the Code of the County of Fairfax amending financial disclosure requirements in the Merit System Ordinance.

25. **A-1 – AWARD OF HOME PROGRAM FUNDS TO ONE NON-PROFIT CORPORATION (MOUNT VERNON DISTRICT)** (Tape 6)

Supervisor Hyland moved to defer action on the Selection Advisory Committee's recommended award of \$83,000 in Community Development Block Grant funds to New Hope Housing, Incorporated, for predevelopment costs of the major rehabilitation of a large single-family house, and conversion to a 15-room

residential facility funds until **January 24, 2000**. Supervisor Frey seconded the motion, which carried by unanimous vote.

26. **A-2 – APPROVAL OF TRAFFIC CALMING MEASURES FOR VIKING DRIVE AS PART OF THE TRAFFIC CALMING PILOT PROGRAM (TCPP) (HUNTER MILL DISTRICT)** (Tape 6)

On motion of Supervisor Dix seconded by Supervisor McConnell, and carried by unanimous vote, the Board approved the TCPP for the following street:

- Viking Drive (Hunter Mill District)

27. **A-3 – AUTHORIZATION TO PAY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FISCAL YEAR (FY) 2000 THIRD QUARTER BILLING** (Tape 6)

- (R) Supervisor Kauffman moved approval of the recommendation of staff to adopt the Resolution authorizing payment of WMATA's FY 2000 third quarter transit operation and capital billing in the amount of \$13,261,641. Chairman Hanley seconded the motion, 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."

28. **A-4 – AUTHORIZATION TO MAKE COMMUTER RAIL PAYMENT** (Tape 6)

- (R) Following a brief discussion, with input from Michael R. Lake, Staff, Transit Operations Division, Department of Transportation, Supervisor McConnell moved that the Board concur in the recommendation of staff to adopt the Resolution authorizing payment to the Northern Virginia Transportation Commission for Fairfax County's share of the Fiscal Year 2000 Virginia Railway Express Budget in the amount of \$1,145,462. Supervisor Kauffman seconded the motion 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."

29. **A-5 – ENDORSEMENT OF THE CHIEF ADMINISTRATIVE OFFICERS (CAO) TASK FORCE'S COMMENTS REGARDING THE PRELIMINARY FISCAL YEAR (FY) 2001 VIRGINIA RAILWAY EXPRESS (VRE) BUDGET (BRADDOCK, LEE, MASON, MOUNT VERNON, AND SPRINGFIELD DISTRICTS)** (Tape 6)

Following a brief discussion, with input from Michael R. Lake, Staff, Transit Operations Division, Department of Transportation, Supervisor Kauffman moved that the Board endorse the CAO Task Force's comments regarding the

preliminary FY 2001 VRE Budget for Braddock, Lee, Mason, Mount Vernon, and Springfield Districts. Supervisor McConnell seconded the motion, which carried by unanimous vote.

30. **A-6 – ENDORSEMENT OF DESIGN PLANS FOR BRIDGE REPLACEMENT ON HUNTER MILL ROAD (ROUTE 674) OVER COLVIN RUN (HUNTER MILL DISTRICT)** (Tape 6)

On motion of Supervisor Dix, seconded by Supervisor Connolly, and carried by a vote of nine, Supervisor Hyland being out of the room, the Board concurred in the recommendation of staff to endorse the design plans to replace the existing one-lane bridge and improve the approaches on Hunter Mill Road, including an asphalt trail on the west side as presented at the June 1, 1999, public hearing, subject to the following modifications:

- Shift the alignment of the northern approach to the west and reduce the width of the trail to 8 feet, to reduce impacts to adjacent properties.
- Provide curb and gutter instead of drainage ditches on both sides of the road to reduce the loss of trees.
- Consider measures to promote future safe crossing of the stream valley trail to Lake Fairfax Park in the vicinity of the southern bridge approach.

Supervisor Dix asked unanimous consent that the Board direct staff to continue to work with the impacted community throughout this process. Without objection, it was so ordered.

31. **I-1 – CONTRACT AWARD FOR ANNUAL CONTRACT FOR CONSTRUCTION SERVICES (COUNTYWIDE)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated December 6, 1999, requesting authorization for staff to award a contract to C&F Construction Company in the amount of \$754,824.50 to enable the Department of Public Works and Environmental Services to respond quickly to emergency requirements and developer defaults where time is of the essence.

The staff was directed administratively to proceed as proposed.

32. **I-2 – CONTRACT AWARD FOR NORTH POINT FIRE STATION (HUNTER MILL DISTRICT)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated December 6, 1999, requesting authorization for staff to award a contract to Falls Church Construction Corporation in the amount of \$3,132,950 to provide for

the construction of North Point Fire Station, including all architectural, structural, mechanical, electrical, plumbing, and other related work.

The staff was directed administratively to proceed as proposed.

33. **I-3 – FISCAL YEAR (FY) 1999 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated December 6, 1999, related to the audit pursuant to the *Code of Virginia* Section 15.2-2511.

34. **I-4 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-M99-6, COMMUNITY WIRELESS STRUCTURES II, LLC (MASON DISTRICT)** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated December 6, 1999, announcing Planning Commission approval of Public Facilities Application 2232-M99-6 to construct a telecommunication facility at the Versar Center office development, located at 6800 Versar Center, Springfield, Tax Map 80-2 ((1)) 22B.

35. **I-5 – CONTRACT AWARDS AND APPROVAL OF STREET ACCEPTANCE ITEMS DURING BOARD OF SUPERVISORS' RECESS** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated December 6, 1999, requesting authorization for the County Executive, appropriate Deputy County Executive, or the Chief Financial Officer to continue approval of street acceptance items and award contracts while the Board is in recess.

The staff was directed administratively to proceed as proposed.

36. **I-6 – ESTABLISHMENT OF A CHARACTER COUNTS! TASK FORCE** (Tape 6)

(BACs) The Board next considered an item contained in the Memorandum to the Board dated December 6, 1999, regarding establishment of a Character Counts! Task Force.

Following discussion, Supervisor Dix moved that the Board approve staff recommendations. Supervisor Gross seconded the motion.

Supervisor Mendelsohn asked to amend the motion to add a representative from one of the Safe Community Coalitions, and this was accepted.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to add a representative from the Partnership for Youth and direct staff to report to the Board if there are any other groups wishing to have representation, and this was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Dix moved the appointment of Mr. Chuck Veatch as the Hunter Mill District Representative to the Character Counts Task Force.

Following discussion, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to add a representative from the Character Counts Coalition and request that they appoint Mr. Veatch as their representative. Without objection, it was so ordered.

37. **I-7 – FAIR OAKS MALL EMPLOYEE PARKING** (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated December 6, 1999, regarding parking privileges to employees of Fair Oaks Mall at the Fairfax County Government Center.

The staff was directed administratively to proceed as proposed.

38. **ORDERS OF THE DAY** (Tape 6)

Chairman Hanley stated that due to the lateness of the hour the Board would recess and go into closed session and defer Board Matters until the end of the day.

39. **RECESS/CLOSED SESSION** (Tape 6)

At 1:55 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting, and in addition:

- The claim of Jay and Olga Bronco
- Erik Tate versus Fairfax County, Virginia et al., USDC Number 99-1755-A
- *Board of Supervisors of Fairfax County Virginia versus Washington/Baltimore Cellular Limited Partnership et al.*, in Chancery Number 152019

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

Chairman Hanley announced that the Board would convene closed session at 2:20 p.m.

ADDITIONAL BOARD MATTER

40. **WELCOME TO MS. MARGARITE ZAHN** (Tape 6)

Supervisor Connolly recognized the presence of Ms. Margarite Zahn, the younger sister of his staff member Hillary Zahn, who is visiting from New York and warmly welcomed her to the Board Auditorium.

LS:ls

At 4:40 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

BOARD MATTER

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to determine a more efficient method for distributing additional papers during the course of the meeting. Without objection, it was so ordered. Vice-Chairman Hyland returned the gavel to Chairman Hanley.

ACTIONS FROM CLOSED SESSION

41. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

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 closed session were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

42. **CONSENT DECREE IN BOARD OF SUPERVISORS VERSUS WASHINGTON/BALTIMORE CELLULAR LIMITED PARTNERSHIP, ET AL.** (Tape 7)

Supervisor Hyland moved that the Board authorize the County Attorney to enter into a consent decree in *Board of Supervisors versus Washington/Baltimore Cellular Limited Partnership, et al.*, Chancery Number 152019, in accordance

with the terms and conditions outlined by the County Attorney in closed session. Supervisor Kauffman seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

43. **CONTRACT FOR ANTHONY H. GRIFFIN** (Tape 7)

Supervisor Gross moved that the Board authorize the Chairman to sign, on behalf of the Board, a contract of employment with Anthony H. Griffin, the next County Executive, that incorporates the terms and conditions discussed during the closed session. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor McConnell being out of the room.

AGENDA ITEMS

44. **3:30 P.M. - PH ON PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS (COUNTYWIDE)** (Tape 7)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

The public hearing was held and included testimony by three speakers on the proposed Fiscal Year 2000 Transportation Enhancement Program projects.

Staff will return to the Board on January 10, 2000, with a list of projects recommended for endorsement.

45. **3:30 P.M. - JOINT PH ON PROPOSED CUT-THROUGH TRAFFIC RESTRICTIONS ON COLUMBIA ROAD BETWEEN LITTLE RIVER TURNPIKE AND BRADDOCK ROAD (MASON DISTRICT)** (Tape 7)

Verbatim A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

Following the public hearing, which included testimony by four speakers, Supervisor Gross moved approval of the Virginia Department of Transportation's proposal to implement:

- Measures to reduce the amount of cut-through traffic on Columbia Road between Little River Turnpike and Braddock Road.
- Cut-through measures on an adjacent road, Montgomery Street, between Columbia Road and Braddock Road, to prevent any significant displacement of traffic from the cut-through measures implemented on Columbia Road.

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

46. **3:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) TO EXPAND THE JEFFERSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 27 (MASON DISTRICT)**
(Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

Following the public hearing, Supervisor Gross moved adoption of a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to expand the Jefferson RPPD, District 27. The expansion includes the following street blocks: Randolph Drive (Route 2912) from Billings Drive (Route 2987) to Locust Way (Route 2910). Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

47. **3:30 P.M. - PH ON A PROPOSAL TO VACATE AN UNNAMED STREET ADJOINING FOREST HILL DRIVE (ROUTE 1286) (SULLY DISTRICT)**
(Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

Following the public hearing, Supervisor Frey moved adoption of the Ordinance vacating an unnamed street adjoining Forest Hill Drive (Route 1286). Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

48. **3:30 P.M. - PH ON THE PROPOSED CONTINUED LEASING OF A PORTION OF COUNTY-OWNED PROPERTY KNOWN AS THE LEWINSVILLE FACILITY TO THE FUN AND FRIENDS CHILD DEVELOPMENT CENTERS, INCORPORATED (DRANESVILLE DISTRICT)** (Tape 7)

Supervisor Connolly moved to defer the public hearing on this item until **January 10, 2000, at 4 p.m.** Supervisor Hyland seconded the motion and it

carried by a vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

49. **4 P.M. - PH ON A PROPOSAL TO VACATE AND ABANDON PORTIONS OF DALLAS STREET AND WESTMORE STREET (SULLY DISTRICT)**
(Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

Following the public hearing, Supervisor Frey moved adoption of an Ordinance vacating and abandoning portions of Dallas Street (Route 745) and Westmore Street (Route 3575). Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix and Supervisor Mendelsohn being out of the room.

50. **4 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) TO EXPAND THE CULMORE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 9 (MASON DISTRICT)**
(Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved adoption of a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to expand the Culmore RPPD, District 9. The proposed District expansion includes Maple Court (1026) from Washington Drive (Route 794) to Columbia Pike (Route 244). Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

51. **4 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) TO EXPAND THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)**

(Tape 7)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

Following the public hearing, Supervisor Bulova moved adoption of a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to expand the Annandale RPPD, District 14. The expansion includes the street blocks of Terrell Street (Route 2642) from Newcastle Drive (Route 2055) to Heritage Drive (Route 2630). Supervisor McConnell seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

52. **4 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), TO ESTABLISH THE LEE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 32 (LEE DISTRICT)**

(Tapes 7-8)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

Following the public hearing, which included testimony by three speakers, Supervisor Kauffman moved adoption of a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to establish the Lee RPPD, District 32. The District includes the street blocks of Cimarron Street (Route 2681) from Alamo Street (Route 2680) to Frontier Drive (Route 2677), Frontier Drive from Custer Street (Route 2678) to Cimarron Street, and Frontier Drive Cimarron Street to Buckskin Street (Route 2676). Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor Frey, and Supervisor Mendelsohn being out of the room.

53. **4 P.M. - PH TO CONSIDER REQUESTS FOR EXEMPTION FROM COUNTY PROPERTY TAXES FROM: (1) BREN MAR RECREATION ASSOCIATION, INCORPORATED; (2) BROYHILL CREST RECREATION CLUB, INCORPORATED; (3) CAMELOT COMMUNITY CLUB, INCORPORATED; (4) GREENSPRING VILLAGE, INCORPORATED; (5) NATIONAL WILDLIFE EDUCATIONAL ADVOCACY TRAINING CENTER, INCORPORATED; (6) NORTHERN VIRGINIA DENTAL CLINIC, INCORPORATED; (7) PARENT EDUCATIONAL ADVOCACY TRAINING CENTER, INCORPORATED; (8) RESTON INTERFAITH HOUSING CORPORATION, INCORPORATED; (9) ROLLING HILLS SWIM CLUB, INCORPORATED; (10) THE ROYAL POOL ASSOCIATION, INCORPORATED; (11) SPRINGBOARD RECREATION CLUB, INCORPORATED; (12) SPRINGFIELD SWIMMING AND COMMUNITY RACQUET CLUB; (13) SPRINGFIELD YOUTH CLUB, INCORPORATED; AND (14) THE WOMEN'S CENTER** (Tape 8)

- (Rs) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

Following the public hearing, which included testimony by 14 speakers, Supervisor Gross asked unanimous consent that the Board direct staff to obtain information on what the County can do to help community pools in addition to this particular tax exemption status. Without objection, it was so ordered.

Supervisor McConnell moved adoption of the Resolutions for tax exemption to all those that requested it. Supervisor Kauffman seconded the motion.

Supervisor Connolly asked to amend the motion to bifurcate the motion to consider the National Wildlife Federation request separately, and this was accepted.

Following discussion, the question was called on the motion, as amended, and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisors Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Dix being out of the room.

Supervisor McConnell moved adoption of the Resolution regarding the National Wildlife Federation for tax exemption. Supervisor Kauffman seconded the motion and it **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Kauffman, Supervisor McConnell, Supervisors Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Gross, and Supervisor Hyland, voting "NAY," Supervisor Dix being out of the room.

54. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tapes 8-10)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of November 17 and November 24, 1999.

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

- Mr. Bruce Hall regarding the Stratton Woods Public Park Community Park Community Project
- Ms. Rita Warren regarding a nativity scene
- Ms. Sharon Tenfah regarding the Family Loan Partnership
- Ms. Elly Doyle regarding fire protection
- Ms. Carol Hawn regarding the Office of Public Affairs' Civic Association list

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to report with a recommendation on how the Office of Public Affairs' Civic Association list can be more accurate. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Bulova asked unanimous consent that Board direct staff to respond to Ms. Doyle's (Speaker 4) issue regarding fire protection in the Centreville area. Without objection, it was so ordered.

CM:cm

55. **FAIRFAX 2000 MILLENNIUM CALENDAR** (Tape 10)

Chairman Hanley announced that the Fairfax 2000 Millennium Calendar would be ready for area residents next Monday, December 13, 1999. The free calendar

is part of a project known as Fairfax 2000. With the assistance of Celebrate Fairfax, the spotlight will be placed on special events and community projects held by local organizations and civic groups throughout the year. The calendar will be available at government centers, Supervisors' offices, public libraries, and Shopper's Food Warehouses locations. Additionally, www.fairfax2000.com, an interactive website, currently allows residents to easily locate activities celebrating the Millennium.

Supervisor Frey asked unanimous consent that the Board direct staff to provide Board Members with information regarding the status of the \$100,000 appropriated for the Millennium commitment, specifically where it went, how it is planned to be spent, and how it was raised. Without objection, it was so ordered.

Supervisor Connolly stated that he had suggested, a month ago, that an event be sponsored at the Government Center in celebration of the New Year and asked unanimous consent that the Board direct staff to report on whether any events were scheduled to be held here. Without objection, it was so ordered.

56. **SWEARING-IN CEREMONY OF THE NEW BOARD OF SUPERVISORS**
(Tape 10)

Chairman Hanley announced that on **December 20, 1999, at 6 p.m.** there would be a Swearing-In Ceremony of the new Board of Supervisors at the Government Center, followed by a reception.

57. **PUBLIC HEARING ADVERTISEMENT FOR VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY SIX-YEAR PLAN**
(Tape 10)

(A) Chairman Hanley announced that the Virginia Department of Transportation (VDOT) and the Fairfax County Department of Transportation (DOT) staffs are currently working on the annual update to the Secondary Roads Six-Year Plan.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to advertise the public hearing for the Secondary Six-Year Plan to allow the public hearing to be held on January 24, 2000. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

58. **QUARTERLY STATUS REPORT FROM THE AUDIT COMMITTEE**
(Tape 10)

(BACs) Chairman Hanley noted that the quarterly status report from the Audit Committee was distributed to each Supervisor's office and moved that the Board accept the report. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

59. **WORK FORCE INVESTMENT ACT REQUEST** (Tape 10)

Chairman Hanley stated that she had a work force investment act request that she would refer to staff.

60. **SAFE RETURN COMMUNITY PARTNER** (Tape 10)

Chairman Hanley stated that she received a request that the Fairfax County Board of Supervisors become a "Safe Return Community Partner" and asked unanimous consent that the Board direct staff to list the Board as such. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

61. **REQUEST TO INVITE THE OUTGOING SHERIFF CARL PEED TO APPEAR IN JANUARY FOR RECOGNITION** (Tape 10)

Supervisor Mendelsohn moved that the Board direct staff to invite the outgoing Sheriff Carl Peed to appear before the Board in January to receive recognition for his years of service to Fairfax County. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

62. **PUBLIC HEARING FOR LAING HOMES REZONING APPLICATION RZ 1999-DR-063 FOR PROPERTY IN THE DRANESVILLE ROAD AREA** (Tape 10)

Supervisor Mendelsohn stated that Laing Homes is the applicant for Rezoning Application RZ 1999-DR-063 for property located in the Dranesville Road area.

Supervisor Mendelsohn moved that the Board:

- Direct staff to schedule a public hearing to be held before the Board on **March 13, 2000, at 3:30 p.m.** for Rezoning Application RZ 1999-DR-063.
- Direct the Director of the Department of Public Works and Environmental Services to concurrently process all plans in association with this Rezoning.

This motion does not relieve the applicant from compliance with the provisions of any and all applicable ordinances, regulations or adopted standards and does not constitute support by the Board for the Rezoning Application.

Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

PMH:pmh

63. **DREDGED SPOILS INTO GUNSTON COVE** (Tape 11)

Supervisor Hyland said that the Department of the Army, Baltimore District, United States Army Corps of Engineers published on July 24, 1998, a public notice regarding the Corps' proposal to perform maintenance dredging along the portions of the Federal navigation project in the Potomac River, including Alexandria waterfront, Hunting Creek and Mattawoman bars. The material is anticipated to be mechanically dredged and placed in a 35-foot deep hole off Gunston Cove.

Supervisor Hyland said that he requested staff to determine what if any comments were submitted by Fairfax County, and/or pertinent agencies of the Commonwealth, to the Corps, and further determine what response has been received. This initial search determined that the Commonwealth was unaware of this pending project. The Baltimore Regional office of the Army Corps has worked with the State of Maryland because it has jurisdiction on the Potomac River. However, the proposed site for dumping dredged spoils is clearly within the jurisdiction of the Commonwealth. Further, comment letters were written in a timely manner by George Mason University biology staff who state the proposed dumping site will be in the same site of one of its long-term monitors for water quality. (This monitoring program has been continuous for 15 years and information gleaned from this program is routinely used for the Potomac River and Chesapeake Bay restoration mandates.) The letter continues and in part states this is not a hole, but an-under water channel through which water flows at high velocity during incoming and outgoing tides, making it impossible for the dredged materials to remain in this "hole." This comment letter has yet to be acknowledged and/or responded to by the Baltimore District of the Corps.

The Washington Council of Governments (COG) sent a comment letter and never received an acknowledgment, nor has the Corps addressed issues raised by COG. As a result of Board action on November 16, 1998, County Executive Robert J. O'Neill, Jr., also sent a comment letter and never received an acknowledgment, nor has the Corps addressed issues raised therein. The lack of response violates the federal regulation as it relates to National Environmental Policy Act (NEPA) and Presidential directives. The Department of the Army, Baltimore District US Army Corps of Engineers is required to respond to the issues raised including the presidential directive that all federal agencies are to be responsible to the local and state jurisdictions in which they work or propose to work. The Commonwealth of Virginia has not been notified of this pending project.

Supervisor Hyland said that the issues raised are not minor; rather, they are important enough that if the issues continue to be ignored, and the proposed project commences, the magnificent and continuous successful efforts to restore the Potomac River and the Chesapeake Bay will be a mockery of all that is good that is happening in these biologically fruitful estuaries.

Supervisor Hyland moved that the Board direct the County Executive, in conjunction with the Environmental Coordinator and the legal staff, to urgently investigate these apparent federal violations and to the fullest extent of the law do whatever it takes, including stopping the project until such time all issues and correspondence are acknowledged fully and adequately addressed under existing state and federal laws. Supervisor McConnell seconded the motion.

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

64. **IMPACT OF EXXON MOBIL MERGER ON FAIRFAX COUNTY**
(Tape 11)

Supervisor Connolly announced that on December 2 Mobil Oil Corporation, headquartered on Gallows Road, announced the completion of its merger with Exxon Corporation. Since the announcement last year that Dallas-based Exxon would purchase Mobil for \$82 billion, there had been concern over what would happen to the 2,100 employees now working at Mobil headquarters.

Supervisor Connolly said that as part of the reorganization, Exxon Mobile will locate a major part of its worldwide downstream operations -- marketing and refining - and its information services department in the Mobil headquarters facility. Rather than lose jobs, it appears there will be a significant net gain at that location. Specific numbers will be announced shortly.

65. **COMPLETE COUNT CENSUS** (Tape 11)

Supervisor Connolly asked unanimous consent that the Board direct the County Executive to assist the Bureau of Census in identifying a contact with the Fairfax County Public Schools and possibly the Fairfax County Redevelopment and Housing Authority to facilitate in arranging for local testing sites for possible candidates who are interested in seeking employment in the Census 2000 effort. Without objection, it was so ordered.

66. **OAKTON HIGH SCHOOL COUGARS BAND DAY** (Tape 11)

Supervisor Connolly said that the Oakton High School Band has been the recipient of numerous awards. Last year it was the 1999 Virginia Honor Band and grand champion at the recent regional competition at Myrtle Beach. Most recently it performed the half time show at the Redskins' successful contest against the New York Giants. Their selection to perform at the Redskins game was predicated on the band's achieving a "superior" rating at the State band festival, which it did.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct staff to invite the members of the Oakton High School Band to appear before the Board at its next meeting to honor them for their prowess and for the honor they have brought to their school, their families, and their community and for the

presentation of a resolution declaring January 10, 2000, *Oakton Cougars Band Day* in Fairfax County. Without objection, it was so ordered.

67. **RETIREMENT OF OFFICER JOHN BURDETTE** (Tape 11)

Supervisor Connolly announced that after almost 23 years in the Fairfax County Police Department, Officer John Burdette is retiring. Officer Burdette is the sole officer in the Traffic Division who had the arduous task of investigating all inoperable vehicles in the entire County reported by citizens in their neighborhoods.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct staff to invite Officer Burdette to appear before the Board at a later date and time to be determined, to personally thank him for his dedicated service to Fairfax County. Without objection, it was so ordered.

68. **TALENT HOUSE PRIVATE SCHOOL** (Tape 11)

Supervisor Connolly said that the Talent House Private School has been in business at 9211 Arlington Boulevard since 1963. The school provides both pre-school (from 6-week-old infants up) and an accredited kindergarten through eighth grade program and has an annual enrollment of over 350-plus students. This year, the school was one of only six elementary schools nationwide to receive the 1999 National Schools of Character Award. This program is sponsored by the Character Education Partnership, a national nonprofit coalition based in Washington, DC, in collaboration with Boston University's Center for the Advancement of Ethics and Character.

Therefore, Supervisor Connolly moved that the Board direct staff to invite representatives of Talent House to appear before the Board to be recognized for its most significant accomplishments in providing excellent education in the County. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Dix being out of the room.

69. **METROMEDIA FIBER NETWORK CONCURRENT PROCESSING**
(Tape 11)

Supervisor Connolly said that Metromedia Fiber Network is a fiber optic network provider expanding its network into the Northern Virginia area to serve AOL, GTE, PSI NET, Cable and Wireless and Winstar among others. Metromedia Fiber Network is ready to submit a site plan for a 12-by-20 foot structure to house fiber optic cables on a portion of the Dunn Loring Metro Station property, adjacent to the Interstate 66 right-of-way.

Therefore, Supervisor Connolly moved that the Board direct staff to concurrently process the site plan for the Metromedia Fiber Network telecommunication with the Special Exception request. This action does not prejudice the consideration of

this review in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Dix being out of the room.

70. **HOLIDAY PARTY** (Tape 11)

Supervisor Connolly invited Board Members to attend a holiday party at the Providence District Recreation Center on Friday, December 10, 1999, at 7 p.m.

71. **LEGISLATIVE DELEGATION BREAKFAST** (Tape 11)

Supervisor Connolly reminded Board Members of the Legislative Delegation Breakfast on Friday, December 10, 1999, at 7:30 a.m.

72. **HOLIDAY SEASON OPEN HOUSE** (Tape 11)

Supervisor Bulova announced that there will be a holiday season open house in the Braddock District office. It is a Taste of Braddock which means that the restaurants in an around and serving the Braddock District will be contributing food.

Supervisor Bulova invited Board Members, volunteers and active citizens in the Braddock District to attend.

73. **SUPERVISOR BULOVA'S BIRTHDAY** (Tape 11)

Supervisor Connolly announced that today is Supervisor Bulova's birthday. Board Members wished her a happy birthday.

NV:nv

74. **HAPPY HOLIDAYS FROM SUPERVISOR MCCONNELL** (Tape 12)

Supervisor McConnell wished everyone "Happy Holidays."

75. **BELTWAY SOUTH INDUSTRIAL AREA OUT-OF-TURN PLAN AMENDMENT** (Tape 12)

Supervisor Gross said that the area north of the Capital Beltway and east of I-395 is identified in the Comprehensive Plan as Land Unit E of the Beltway South Industrial Area. Although this area contains a mix of light industrial, office, and retail uses, it is planned for industrial use. Given the existing retail uses in the area and the desire to retain a long-standing Fairfax County business, she stated her belief that consideration of an amendment to the Comprehensive Plan for Land Unit E is in order.

Accordingly, Supervisor Gross moved that the Board authorize an Out-of-Turn Plan Amendment for Land Unit E of the Beltway South Industrial Area. She said that the proposed amendment should consider whether it is appropriate to modify

the land unit plan text to retail uses even if they are not associated with an industrial use. It should also consider whether the intensity guidance in the Plan for this area should be increased. Supervisor Hyland seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

76. **HOLIDAY TOWN GATHERING** (Tape 12)

Supervisor Gross announced that the fourth annual Mason District Holiday Town Gathering will be held Wednesday, December 8, 1999, at 7 p.m. at the Mason Governmental Center, 6507 Columbia Pike in Annandale. She said that the theme for this year's meeting is "A Vision for Mason District in the Next Century." She noted that this gathering is informal and that residents are invited to talk one-on-one with her and other elected officials about issues of concern. Refreshments and entertainment will be provided.

77. **DULLES CENTER, LLC** (Tape 12)

On behalf of Supervisor Dix, Supervisor Frey said that Dulles Center, LLC is the contract purchaser of approximately five acres located on both sides of Old Centreville Road (Route 657). It is the intent of Dulles Center, LLC to file rezoning and special exception applications for this property and proceed with vacating the existing Centreville Road. A request has already been submitted to the County to vacate and abandon a portion of the road.

Supervisor Frey stated that Dulles Center, LLC has been advised that since the abandonment/vacation process has started, permission of the Board is necessary to include this area of existing right-of-way in the proposed land use applications.

Accordingly, on behalf of Supervisor Dix, Supervisor Frey moved that the Board give permission to Dulles Corner, LLC to include the existing Centreville Road (Route 657) right-of-way in the proposed zoning application for property immediately adjacent to Centreville Road, identified as Tax Map Number 16-3((1)) parcels 6 and 36. A request for the vacation/abandonment of this right-of-way has been filed, and it is anticipated that it will be complete in three to four months. It is estimated that approximately 17,500 square feet of this right-of-way would be included in the application. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Dix being out of the room.

78. **SCHEDULING OF PUBLIC HEARING FOR FAIRFAX CORNER MIXED USE LC APPLICATIONS** (Tape 12)

Supervisor Frey stated that Fairfax Corner Mixed Use LC has filed several concurrent zoning applications to modify the approved development plans and proffers for a portion of the property known as Fairfax Corner, which is located immediately north of the Government Center, south of I-66 and Random Hills Road. To better address issues raised by staff, the applicants have agreed to defer the Planning Commission hearing, which had been scheduled for mid-January. To make up for the delay, the applicants have requested assistance in securing a

Board public hearing date, which would allow them to concurrently advertise the public hearings.

With the Planning Commission public hearing deferred until February 17, 2000, Supervisor Frey moved that the Board authorize a public hearing to be held before the Board on February 28, 2000, for Proffered Condition Amendment Application PCA 87-S-039-3 and Final Development Plan Amendment Application FDPA 87-S-039-7. He noted that the applicants understand that this motion will not prejudice the consideration of these applications in any way. Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

79. **OUT-OF-TURN PLAN AMENDMENT – STEUBEN PIKE** (Tape 12)

Supervisor Frey stated that Steuben Pike is a roadway that had been planned to connect Autumn Willow Drive through to Route 29. Last year, as part of the Area Plans Review (APR) process, the Board adopted a Comprehensive Plan amendment that deleted a portion of Steuben Pike within an area south of Route 66, which is now planned for a senior care facility. He said that at that time, it was decided to delete only the portion of Steuben Pike that subject to the APR nomination, leaving other portions of the Plan. Recently Supervisor Frey was approached by a developer who has consolidated several parcels in the vicinity of Steuben Pike and has requested that the rest of the road be deleted from the Comprehensive Plan. Supervisor Frey stated that at his direction, the developer met with staff, who indicated a willingness to consider such a Plan amendment.

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

- Begin an out-of-turn Plan amendment for the area encompassing the proposed Steuben Pike.
- Consider the issue of other roads in the immediate area as part of that review.

Supervisor McConnell seconded the motion, which carried by a vote of nine, Supervisor Dix being out of the room.

80. **RECOGNITION OF CENTREVILLE HIGH SCHOOL WILDCATS FOOTBALL TEAM** (Tape 12)

Supervisor Frey asked unanimous consent that the Board direct staff to invite the Centreville High School Wildcats Football Team to appear before the Board in January to be congratulated for their wonderful season. The Wildcats won the Northern Region Title.

81. **RECOGNITION OF OFFICER SCOTT COLLINS** (Tape 12)

Supervisor Kauffman said that on November 17, 1999, 12-year-old Brian Mielcarek was eating lunch in the cafeteria of Francis Scott Key Middle School, located at 6402 Franconia Road in the Springfield area. A piece of candy lodged in the boy's throat and he began to choke. Officer Scott Collins, a County Police School Resource Officer assigned to the school, spotted Brian and saved his life by performing the Heimlich maneuver to dislodge the candy.

Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct staff to invite the following persons to appear before the Board to join the Board in recognizing Officer Collins:

- Harold Price, Principal, Francis Scott Key Middle School
- Captain Frank Kitzerow, Franconia District Police Station Commander
- Brian Mielcarek and his parents, Mr. and Mrs. Mielcarek

Without objection, it was so ordered.

82. **ANNUAL LEE DISTRICT OPEN HOUSE** (Tape 12)

Supervisor Kauffman announced that the annual Lee District Open House will be held on Saturday, January 8, 2000, at the Franconia Governmental Center from 3 to 5 p.m.

83. **SUPERVISOR DIX'S NAMEPLATE** (Tape 12)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to present Supervisor Dix's nameplate to him. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

84. **REMINDERS** (Tape 12)

(NOTE: Earlier in the meeting, the Board discussed upcoming events. See Clerk's Summary Item CL#56 and CL#71.)

Chairman Hanley reminded Board members of the following two events:

- Legislative Delegation Breakfast at 7:30 a.m. on December 10
- Swearing-In Ceremony at 6 p.m. on December 20.

85. **HOLIDAY WISHES AND EXPRESSION OF APPRECIATION FROM CHAIRMAN HANLEY** (Tape 12)

Chairman Hanley expressed appreciation to the Board and staff for a successful year as well as a successful four years. She wished everyone "Happy Holidays."

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

At 7:20 p.m., the Board adjourned.