



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
March 19, 2001**

This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.co.fairfax.va.us/gov/bos/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 703-324-3903 (TTY).

01-06

DMB:dmb

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

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

BOARD MATTERS

1. **BIRTHDAY ANNOUNCEMENTS** (Tape 1)

Chairman Hanley announced that today is the birthday of Nancy Vehrs, Clerk to the Board of Supervisors, and she and the Board wished her many happy returns.

Supervisor Hyland announced that Anthony H. Griffin, County Executive, had a birthday last week and he and the Board wished him many happy returns.

(NOTE: Later in the meeting, the Board announced another birthday. See Clerk's Summary Item CL#104.)

2. **MOMENT OF SILENCE** (Tape 1)

Chairman Hanley expressed the Board's condolences to Catherine M. Hudgins, Supervisor, Hunter Mill District, on the death of her mother,

Mrs. Ordilee Pierre Martin, on Tuesday, March 13, 2001, and asked everyone to remember her in thoughts and prayers.

Supervisor Connolly asked everyone to remember in thoughts and prayers Mrs. Helen Murphy, who passed away last week. Mrs. Murphy was active in the County's Archeological Program by training amateur archeologists in preserving and excavating historic sites in the County.

AGENDA ITEMS

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. ELENA KOPERSAK** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Elena Kopersak from Russia for her internship in Fairfax County with the Central Fairfax Chamber of Commerce. Supervisor McConnell seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. JENNIFER SEILER** (Tape 1)

Supervisor Kauffman moved approval of the Certificate of Recognition presented to Ms. Jennifer Seiler for being named "2000 PhysLINK.com Young Scientist of the Year." Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. ALAN WEBB** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. Alan Webb for his accomplishments in cross-country and track events. Chairman Hanley seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION TO DESIGNATE APRIL 2001 AS "CELEBRATE DIVERSITY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating April 2001 as "*Celebrate Diversity Month*" in Fairfax County. Supervisor Bulova seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION TO DECLARE APRIL 2001 AS "IMMUNIZATION MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation declaring April 2001 as "*Immunization Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

8. **PROCLAMATION TO DESIGNATE MARCH 24, 2001, AS "TUBERCULOSIS (TB) AWARENESS DAY" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley moved approval of the Proclamation designating March 24, 2001, as "*TB Awareness Day*" in Fairfax County. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. **10 A.M. – PRESENTATION BY THE EMERGING BUSINESS FORUM** (Tape 1)

James Dyke, Chairman, Emerging Business Forum, presented the emerging business forum presentation.

10. **10:10 A.M. – PRESENTATION BY THE ADVISORY SOCIAL SERVICES BOARD ON ITS ANNUAL REPORT** (Tapes 1-2)

Dianne M. Jinwright, Chairman, Advisory Social Services Board, presented the Advisory Social Services Board's annual report.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to draft a letter from the Board to the State Medicaid Retardation Waiver (MRW) Committee requesting the status of the MRW Program. Without objection, it was so ordered.

Following additional discussion, Chairman Hanley asked unanimous consent that the Board direct staff to report with the number of homeless who are on the waiting list and also include that information in the letter to the State MRW Committee. Without objection, it was so ordered.

Chairman Hanley asked unanimous consent that the Board direct staff to keep the Board informed regarding instances, other than interfacing with the State's automated child welfare information system software application as described by Dana W Paige, Director, Department of Family Services, where the County has been working with the State to get its systems online. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

11. **10:25 A.M. – PRESENTATION BY THE HOMELESS OVERSIGHT COMMITTEE ON ITS ANNUAL REPORT** (Tape 2)

Sharon Kelso and Peyton Whitely, Co-Chairs, presented the Homeless Oversight Committee's annual report.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to involve the County's hospitals, clinics, and other facilities in the review of the annual report of the Homeless Oversight Committee and work with them regarding the problem of the medically vulnerable homeless being released back into the community. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor McConnell moved that the Board direct staff to draft a letter to the County's Federal delegation and State General Assembly members to request funding for the County to take care of the homeless people being returned to the streets when released from medical facilities. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Supervisor Kauffman moved that the Board direct staff to prepare a Consideration Item to direct staff to:

- Review what the cost and process would be for the design of the *Architectural Engineering Feasibility Study* cited in the Homeless Oversight report.
- Report with an inventory of publicly held lands and properties within the County to determine opportunities for retrofitting facilities for land that might be available for services for the homeless.

Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Supervisor Connolly asked unanimous consent that the Board direct staff to report on the ratio of beds per person if the County opens the new shelter. Without objection, it was so ordered.

DAM:dam

ADDITIONAL BOARD MATTER

12. **INTRODUCTION OF MICHAEL WING, NEW STAFF MEMBER**
(Tape 3)

Supervisor Connolly introduced his newest staff member in the Providence District Office, Mr. Michael Wing, who will handle land use issues.

AGENDA ITEMS

13. **10:40 A.M. – APPOINTMENTS TO CITIZENS BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS**
(Tape 3)

(BACs)

(APPTS)

AIRPORTS ADVISORY COMMITTEE

The appointment of the Springfield District Representative to the Airports Advisory Committee was deferred.

ATHLETIC COUNCIL

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to send a letter to the Fairfax Women's Sports Association to request a recommendation for both a principal and alternate representative to the Athletic Council. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Hudgins moved the appointment of Ms. Mary de la Fe as the Hunter Mill District (Alternate) Representative to the Athletic Council. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the re-appointment of Mr. Dick Combs as the Lee District (Principal) Representative to the Athletic Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the re-appointment of Mr. Tony L. Cummings as the Springfield District (Alternate) Representative to the Athletic Council. Supervisor Bulova seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the appointment of Mr. Richard G. Miller as the Fairfax County Lacrosse Council Representative. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The appointments of the Fairfax Woman's Sports Association (Principal), Fairfax Woman's Sports Association (Alternate), Dranesville District (Principal), and Dranesville District (Alternate) were deferred.

CHARACTER COUNTS! TASK FORCE

The appointment of the Sully District Representatives to the Character Counts! Task Force was deferred.

CHILD CARE ADVISORY COUNCIL

The appointment of the Springfield District Representative to the Child Care Advisory Council was deferred.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

The appointment of an At-Large Representative to the Commission on Organ and Tissue Donation and Transplantation was deferred.

COMMUNITY ACTION ADVISORY BOARD

The appointment of the Mason District Representative to the Community Action Advisory Board was deferred.

COMMUNITY CRIMINAL JUSTICE BOARD

The appointment of the At-Large Representative to the Community Criminal Justice Board was deferred.

CONFIRMATION:

Supervisor Hudgins moved the confirmation of the following appointments:

- Ms. Vivian S. Baltz as the City of Fairfax Council Representative

- Mr. George Stepp as the City of Fairfax Superintendent of Schools Representative
- Colonel Richard J. Rappoport as the City of Fairfax Chief of Police Representative

Supervisor Hyland seconded the motion, which carried by unanimous vote.

COMMUNITY IMPROVEMENT COMMITTEE

Chairman Hanley moved the re-appointment of Ms. Eileen Manning as the At-Large (Chairman's) Representative to the Community Improvement Committee. Supervisor Hudgins seconded the motion, which carried by unanimous vote.

The appointments of the Braddock, Dranesville, and Mason (Fairdale Community) District Representatives to the Community Improvement Committee were deferred.

Supervisor Connolly and Supervisor Frey each declined to nominate a representative to the Community Improvement Committee.

COUNTYWIDE NON-MOTORIZED TRANSPORTATION ("TRAILS") COMMITTEE

CONFIRMATION:

Supervisor McConnell moved the confirmation of the appointment of Ms. Mary Flowers as the Clifton Horse Society Representative. Supervisor Connolly seconded the motion, which carried by unanimous vote.

CRIMINAL JUSTICE ADVISORY BOARD

The appointments of the Braddock District and Sully District Representatives to the Criminal Justice Advisory Board were deferred.

ENGINEERING STANDARDS REVIEW COMMITTEE

CONFIRMATION:

Supervisor Connolly moved the confirmation of the appointment of Mr. John E. Krobath as the Virginia Association of Surveyors, Mount Vernon Chapter, Representative to the Engineering Standards Review

Committee. Supervisor Hyland seconded the motion, which carried by unanimous vote.

FAIRFAX AREA DISABILITY SERVICES BOARD

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the Clerk to clearly represent the appointing authority on the list of appointments. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The appointments of the At-Large, Dranesville, and Springfield District Representatives to the Fairfax Area Disability Services Board were deferred.

HISTORY COMMISSION

Supervisor Hyland moved the appointment of Ms. Irma Clifton as the At-Large Representative to the History Commission.

ADDITIONAL BOARD MATTER

Thoughts and Prayers for Ms. Martha Glennan

Supervisor Mendelsohn asked everyone to remember in thoughts and prayers Ms. Martha Glennan, Dranesville District Representative to the Fairfax Area Disability Services Board, who has been ill and in the hospital.

Supervisor Frey seconded the motion, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

Supervisor Frey moved the re-appointment of Ms. Elita R. Christiansen as the Sully District Representative to the Human Services Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

The appointment of an At-Large (Chairman's) Representative to the Information Technology Policy Advisory Committee was deferred.

**JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT
CITIZENS ADVISORY COUNCIL**

The appointments of the Lee District and Sully District Representatives to the Juvenile and Domestic Relations District Court Citizens Advisory Council were deferred.

**NORTHERN VIRGINIA TRANSPORTATION COORDINATING
COUNCIL CITIZEN ADVISORY COMMITTEE**

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff from the Department of Transportation to provide the Board with an updated roster for the Northern Virginia Transportation Coordinating Council. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The appointment of an At-Large Representative to the Northern Virginia Transportation Coordinating Council Citizen Advisory Committee was deferred.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The appointment of an At-Large Representative to the Oversight Committee on Drinking and Driving was deferred.

POLICE OFFICERS RETIREMENT SYSTEM

Chairman Hanley moved the appointment of Mr. Stuart H. Rakoff as an At-Large Representative to the Police Officers Retirement System. Supervisor Hudgins seconded the motion.

Supervisor Mendelsohn moved the appointment of Mr. James Dooley as an At-Large Representative to the Police Officers Retirement System. Supervisor McConnell seconded the motion.

Supervisor Frey moved the appointment of Mr. Stephen D. Danzig as an At-Large Representative to the Police Officers Retirement System. Supervisor McConnell seconded the motion.

Mr. Stuart H. Rakoff was appointed as the At-Large Representative to the Police Officers Retirement System following a show-of-hands vote.

REDEVELOPMENT AND HOUSING AUTHORITY

Chairman Hanley moved the re-appointment of Ms. Charlen Kyle as the At-Large (Consumer) Representative to the Redevelopment and Housing Authority. Supervisor Gross seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the re-appointment of Ms. Brenda Donald as the Hunter Mill District Representative to the Redevelopment and Housing Authority. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the re-appointment of Ms. Elisabeth Lardner as the Mount Vernon District Representative to the Redevelopment and Housing Authority. Supervisor Kauffman seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the re-appointment of Dr. John Kershenstein as the Springfield District Representative to the Redevelopment and Housing Authority. Supervisor Frey seconded the motion, which carried by unanimous vote.

ROAD VIEWERS BOARD

The appointment of an At-Large Representative to the Road Viewers Board was deferred.

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

The appointment of the Resident/Owner (Route 28 District) Representative to the Route 28 Highway Transportation District Advisory Board was deferred.

TENANT LANDLORD COMMISSION

The appointment of the At-Large (Landlord Member #3) Representative to the Tenant Landlord Commission was deferred.

TREE COMMISSION

The appointments of the Hunter Mill and Sully District Representatives to the Tree Commission were deferred.

AD-HOCS**2001 CITIZENS ADVISORY TASK FORCE ON THE REAPPORTIONMENT OF FAIRFAX COUNTY**

Chairman Hanley announced that appointments to this task force would be deferred pending the outcome of the public hearing scheduled for 5 p.m. later in the day. Without objection, it was so ordered.

(NOTE: Later in the meeting the Board appointed representatives to this task force. See Clerk's Summary Item CL#100.)

HEALTH AND MEDICAL CARE DELIVERY TASK FORCE

The appointments of the Mason, Springfield, and Sully District Representatives to the Health and Medical Care Delivery Task Force were deferred.

SIGN TASK FORCE

The appointments of the Springfield District and Sully District Representatives to the Sign Task Force were deferred.

(NOTE: Later in the meeting, the Board took action regarding this task force. See Clerk's Summary Item CL#14.)

TELECOMMUNICATIONS ("MONOPOLES") LAND USE TASK FORCE

The appointment of the Hunter Mill District Representative to the Telecommunication ("Monopoles") Land Use Task Force was deferred.

ADDITIONAL BOARD MATTER

14. **REQUEST FOR UPDATE ON THE WORK PLAN FOR THE SIGN TASK FORCE** (Tape 5)

In reference to the Sign Task Force, Supervisor Connolly asked unanimous consent that the Board direct the County Executive to provide the Board with an update on the status of the work plan at the April 2 or April 30, 2001, Board meeting. Without objection, it was so ordered.

SBE:sbe

15. ADMINISTRATIVE ITEMS (Tape 4)

Supervisor Connolly moved approval of the Administrative Items. The second to the motion was inaudible.

Supervisor Kauffman asked to amend the motion to consider Admin 11 - Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Group 3 Institutional, and Group 6 Outdoor Recreation Special Permit Uses separately, and this was accepted.

Supervisor Gross called the Board's attention to Admin 10 - Approval of a Resolution Authorizing the Virginia Department of Motor Vehicles (DMV) to use the County Seal in the Design of a Fairfax County License Plate. Discussion ensued with input from Anthony H. Griffin, County Executive.

Supervisor Gross moved to amend the motion in reference to Admin 10 and to:

- Endorse the original design of the license plate with a County crest (coat-of-arms) instead of a County seal.
- Adopt a Resolution authorizing the DMV to use the crest in the design of a special Fairfax County license plate.

Supervisor Bulova seconded the amendment to the motion.

Following discussion, with input from Mr. Griffin, the question was called on the amendment to the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

A brief discussion ensued regarding possible revenues from the sale of these license plates, with input from Mr. Griffin.

Chairman Hanley called the Board's attention to Admin 14 - Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year 2001 Revised Budget Plan and discussion ensued with input from Edward L. Long, Jr., Chief Financial Officer, and Susan Datta, Assistant Director, Department of Management and Budget.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to request information from the School Division regarding the effect on basic aid as a result of decreased sales tax revenue and the State's budget situation. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Discussion followed with input from Mr. Long.

Supervisor Connolly asked unanimous consent that the Board direct the Office of Public Affairs to publicize the County's revenue situation. Without objection, it was so ordered.

Discussion continued with input from Mr. Long.

With reference to handwritten page seven of Attachment B to the Memorandum to the Board dated March 19, 2001, regarding the Department of Housing and Community Development's Section 8 Program, Supervisor Bulova asked unanimous consent that the Board direct staff to provide the timeframe as to when the longer-term solution to the issue of decreasing revenues will be provided to the Board. Without objection, it was so ordered.

Following further discussion, with input from Mr. Long, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide a specific recommendation and the costs regarding the J Pay Scale for firefighters and its implementation. Without objection, it was so ordered.

Chairman Hanley asked unanimous consent that the Board direct staff to provide updates regarding expenditures and balances for:

- Trails
- Storm Drainage
- Spot Improvements
- Streetlights

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

The question was called on the Administrative Items, as amended, with the exception of Admin 11, and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM
(BRADDOCK, SPRINGFIELD, AND SULLY DISTRICTS)**

- (R) Approved the request that the streets listed below be accepted into the State Secondary System:

| <u>Subdivision</u> | <u>District</u> | <u>Street</u> |
|--------------------|-----------------|--|
| Ashley Square | Braddock | Beech Haven Court Zion Drive Route 654 Addl ROW Only |
| Burke Chase | Springfield | Mainsail Court Sydenstricker Road Route 640 Addl ROW Only |
| Bailey's Property | Sully | Smallwood Court Route 4882 Poplar Tree Road Route 62 Addl ROW Only |

**ADMIN 2 – ADDITIONAL TIME TO COMMENCE
CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 88-S-077-3, BROOKFIELD-BEVERLY ROAD
ASSOCIATES LIMITED PARTNERSHIP (SULLY DISTRICT)**

- (AT) Approved the request for 30 months of additional time to commence construction, increase building height, and other uses, for Special Exception Amendment Application SEA 88-S-077-3 to June 8, 2003, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 3 – INSTALLATION OF "WATCH FOR CHILDREN"
SIGN ON LIBERTY TREE LANE (HUNTER MILL DISTRICT)**

- (R)
- Adopted the Resolution endorsing the installation a "Watch for Children" sign on Liberty Tree Lane.

- Directed staff to request the Virginia Department of Transportation install this sign at the earliest possible date.

ADMIN 4 – INSTALLATION OF MULTI-WAY STOPS AT VARIOUS LOCATIONS (SULLY DISTRICT)

- Endorsed the installation of multi-way stops at the following locations:
 - Rockland Drive and Foggy Hills Way (Sully District)
 - South Springs Drive and Springhouse Circle (Sully District)
 - Directed staff to request the Virginia Department of Transportation to install these signs at the earliest possible date.

ADMIN 5 – PROPOSED STREET NAME CHANGE FOR A PORTION OF CHEVIOT DRIVE (HUNTER MILL DISTRICT)

Approved the name change for a portion of Cheviot Drive to Champion Lake Court to become effective in 30 days, in accordance with the Code of the County of Fairfax, Chapter 102 (Streets and Sidewalks).

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CREATION/ENLARGEMENT OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE, MASON, MOUNT VERNON AND PROVIDENCE DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 30, 2001, at 3:30 p.m.**, to consider the following changes to small and local sanitary districts for refuse and leaf collection service in accordance with the Board's adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts:

| <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 (2108 Elliott Avenue) | Enlarge | Refuse & Leaf | Approve |

| | | | |
|---|---------|---------------|---------|
| Local District A-6-1 within Small District 1 within Dranesville District (1841 MacArthur Drive) | Enlarge | Refuse & Leaf | Approve |
| Small District 4 within Mason District (6488 Overlook Drive) | Enlarge | Refuse & Leaf | Approve |
| Local District D within Small District 1 within Mount Vernon District (White Oaks) | Create | Refuse & Leaf | Approve |
| Small District 1 within Providence District (2239 Providence Street) | Enlarge | Refuse & Leaf | Approve |

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO SECTIONS 2, 6, 7, AND 10 OF THE PUBLIC FACILITIES MANUAL (PFM) REGARDING SOILS INFORMATION, CONSTRUCTION SCHEDULE, UNDERGROUND CHAMBERS, PAVEMENT DESIGN, AND SANITARY SEWER LATERALS (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on April 11, 2001, and before the Board on **April 30, 2001**, on proposed amendments to Sections 2, 6, 7, and 10 of the PFM regarding soils information, construction schedule, underground chambers, pavement design, and sanitary sewer laterals.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 14 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **April 30, 2001, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, to expand the Annandale RPPD, District 14. The proposed expansion includes the following street blocks:

- Erie Street (Route 2629) from Manion Street (Route 2755) to Arlen Street (Route 2756)

- Erie Street from Arlen Street to Heritage Drive (Route 2630)
- Hoy Place (Route 3621) from Barr Place (Route 3620) to the end

ADMIN 9– SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 01057 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO ACCEPT A US DEPARTMENT OF JUSTICE (DOJ) GRANT FOR AN INTERNET CRIMES AGAINST CHILDREN TASK FORCE

(SAR) Approved SAR AS 01057 for the FCPD to accept an Internet Crimes Against Children Task Force Program grant in the amount of \$43,949 from the US DOJ. No additional County funding is required.

ADMIN 10 – APPROVAL OF A RESOLUTION AUTHORIZING THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) TO USE THE COUNTY SEAL IN THE DESIGN OF A FAIRFAX COUNTY LICENSE PLATE

(R) (NOTE: Earlier in the meeting the Board took action on this item. See page 12.)

ADMIN 11 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING GROUP 3 INSTITUTIONAL AND GROUP 6 OUTDOOR RECREATION SPECIAL PERMIT USES

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

ADMIN 12 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (HUNTER MILL, PROVIDENCE, AND SPRINGFIELD DISTRICTS)

Extended the review periods for Public Facility Applications FS-H00-131 and FS-S00-132 to May 19, 2001, and for Application 2232A-P98-15-1 to June 22, 2001.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), SECTION 3-3-37-2

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 7, 2001, at 4 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Section 3-3-7.2.

ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2001 REVISED BUDGET PLAN

- (A) (NOTE: Earlier in the meeting the Board discussed this item and took additional action. See pages 12-13.)

Authorized the advertisement of a public hearing to be held before the Board on **April 2, 3, and 4, 2001, at 7:30 p.m.** to increase the FY 2001 appropriation level.

(NOTE: Later in the meeting this issue was discussed and additional action was taken regarding the scheduling. See Clerk's Summary Item CL#103.)

16. **ADMIN 11 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING GROUP 3 INSTITUTIONAL AND GROUP 6 OUTDOOR RECREATION SPECIAL PERMIT USES**
(Tape 4)

- (A)(R) (NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#15.)

Supervisor Kauffman called the Board's attention to Admin 11 - Authorization to Advertise Public Hearings on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Group 3 Institutional and Group 6 Outdoor Recreation Special Permit uses and he moved that the Board adopt the Resolution authorizing the advertisement of proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Group 3 Institutional and Group 6 Outdoor Recreation Special Use Permit Uses. Supervisor Bulova seconded the motion.

Discussion ensued with input from Jane W. Gwinn, Zoning Administrator, Zoning Administration Division, Department of Planning and Zoning.

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

Following further discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide former Hunter Mill District Supervisor Robert B. Dix Jr.'s original motion regarding this issue where he articulated the reasons for the proposed amendments. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

17. **A-1 – ENDORSEMENT OF DESIGN PLANS FOR INTERSECTION IMPROVEMENTS TO ROLLING ROAD (ROUTE 638) AT FULLERTON ROAD/EDINBURGH DRIVE (LEE AND SPRINGFIELD DISTRICTS)** (Tape 4)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and endorse the Virginia Department of Transportation design plans to:

- Align the Fullerton Road/Edinburgh Drive intersection at Rolling Road.
- Add a new traffic signal.
- Complete pedestrian and drainage improvements.

Supervisor Bulova seconded the motion.

Following discussion, with input from Katharine D. Ichter, Chief, Highway Operations Division, Department of Transportation, the question was called on the motion which carried by unanimous vote.

18. **A-2 – DESIGNATION OF VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REVENUE SHARING FUNDS AND MATCHING FAIRFAX COUNTY FUNDS FOR FISCAL YEAR (FY) 2002 (SULLY DISTRICT)** (Tape 4)

- (R) Supervisor Frey moved that the Board concur in the recommendation of staff and adopt the Resolution designating a maximum of \$500,000 in

FY 2002 VDOT Revenue Sharing Program Funds and \$500,000 in matching County funds, for a total of \$1,000,000 to continue the design of the widening of Lee Highway between Old Centreville Road and Shirley Gate Road. Chairman Hanley seconded the motion.

Following discussion, with input from Samuel T. Chamberlain, staff, Department of Transportation, the question was called on the motion, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

19. **A-3 – APPROVAL OF MEMORANDUM OF COOPERATION FOR THE DULLES CORRIDOR RAPID TRANSIT PROJECT** (Tape 4)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize the County Executive to execute the Memorandum of Cooperation between Fairfax County and the Virginia Department of Rail and Public Transportation, the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Airports Authority, Loudoun County, the Town of Herndon, and the Dulles Transit Partners. Chairman Hanley seconded the motion.

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

20. **A-4 – AUTHORIZATION TO PURCHASE A SITE FOR FUTURE TRANSIT-RELATED USES AND EXECUTION OF LEASE AGREEMENT (SULLY DISTRICT)** (Tape 4)

On motion of Supervisor Frey, seconded by Chairman Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Authorized the County Executive to sign the contract to purchase approximately 2.8 acres in the vicinity of the Government Center for potential use as a rail station or other transit-related support activities in the future.
- Authorized the execution of a lease to allow the Peterson Companies to use this property until such time as it is needed by the County.
- Authorized the use of the Fairfax Center Road Fund for the purpose of acquiring a site for transit-related purposes.

- Directed staff to revise the Procedural Guidelines for the Fairfax Center Road Fund accordingly.

21. **C-1- THE PLANNING COMMISSION'S RECOMMENDATIONS REGARDING THE PROPOSED PLAN REVIEW PROCESS, 2001 TO 2005** (Tapes 4-5)

The Board next considered an item in the Memorandum to the Board dated March 19, 2001, regarding the Planning Commission's recommendations regarding the proposed Plan Review Process, 2001 to 2005.

Supervisor Connolly moved that the Board endorse the Plan Review Process for the period 2001 through 2005 as recommended by the Planning Commission provided that there is some flexibility in the schedule and that the term "Out-of-Turn Plan Amendment" is retained.

The second to this motion was inaudible.

Following discussion, with input from Fred R. Selden, Director, Planning Division, Department of Planning and Zoning, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to include the flexibility in the schedule to accommodate new supervisor district boundaries. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Kauffman asked unanimous consent that the Board direct staff to include the impact of not having a facility in the Public Facilities Plan Review. Without objection, it was so ordered.

Following further discussion, with input from Mr. Selden, the question was called on the motion, which carried by unanimous vote.

22. **I-1 – CONSOLIDATED PLAN CERTIFICATION FOR THE ANNUAL PLAN UPDATE FOR FISCAL YEAR (FY) 2002 OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated March 19, 2001, requesting authorization for staff to sign the Consolidated Plan certification and provide it to FCRHA for inclusion in the Annual Plan Update for FY 2002 submitted to the US Department of Housing and Urban Development.

Discussion ensued with input from John V. Callaghan, Director, Housing Management Division, Department of Housing and Community Development.

The staff was directed administratively to proceed as proposed.

23. **I-2 – 2000 ANNUAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) REPORT FOR FAIRFAX COUNTY, VIRGINIA (COUNTYWIDE)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated March 19, 2001, requesting authorization for staff to forward the 2000 Annual Municipal Separate Storm Sewer System (MS4) Report for the County to the Department of Environmental Quality.

Following a brief discussion, the staff was directed administratively to proceed as proposed.

24. **I-3 – CONTRACT AWARD – WINDING RIDGE PHASE 1 POND B - POND REPAIR (SULLY DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated March 19, 2001, requesting authorization for staff to:

- Award a contract to C&F Construction Company in the amount of \$269,978 for the construction of Project N00096 (DM14) Winding Ridge Phase 1 Pond B - Pond Repair in Fund 308, Public Works Construction.
- Reallocate funds in the amount of \$99,823.04 to N00096 (DM99), Dam Repairs Contingency, to fund possible shortfalls.

The staff was directed administratively to proceed as proposed.

25. **I-4 – CONTRACT AWARD – GREAT FALLS STREET TRAIL (DRANESVILLE DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated March 19, 2001, requesting authorization for staff to award a contract to A&M Concrete Corporation in the amount of \$356,687 for the construction of Project 002136, Great Falls Street Trail, in Fund 313, Trail Construction.

Following a brief discussion, the staff was directed administratively to proceed as proposed.

26. **I-5 – CONTRACT AWARD – FAIRFAX COUNTY PARK AUTHORITY (FCPA) RECREATION CENTER LIGHTING (VARIOUS DISTRICTS)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated March 19, 2001, requesting authorization for staff to award a contract to International Builders, Incorporated, in the amount of \$649,892.09 for Project 004748 FCPA Recreation Center Lighting at Lee District, Providence District, Wakefield District, and Mount Vernon District Parks in Funds 370 and 371.

Discussion ensued with input from Howard J. Guba, Director, Office of Capital Facilities, Department of Public Works and Environmental Services.

The staff was directed administratively to proceed as proposed.

27. **I-6 – CONTRACT AWARD – HUNTER ESTATES SANITARY SEWER EXTENSION AND IMPROVEMENT (MOUNT VERNON DISTRICT)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated March 19, 2001, requesting authorization for staff to award a contract to Ruger Construction, Incorporated, in the amount of \$725,016.11 for the construction of Hunter Estates Sanitary Sewer Extension and Improvement, in Project X00826, Extension Project Fiscal Year 96, in Fund 402, Sewer Construction Improvements.

The staff was directed administratively to proceed as proposed.

28. **I-7 – CONTRACT RENEWAL FOR ENVIRONMENTAL DESIGN AND PERMITTING SERVICES, TO WETLAND STUDIES AND SOLUTIONS, INCORPORATED** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated March 19, 2001, requesting authorization for staff to renew a contract with Wetland Studies and Solutions, Incorporated, in the amount of \$200,000 for consultant engineering services to provide environmental design and permitting services for various County projects designed by County staff, for County projects where environmental engineering services are not part of a design contract with an outside consulting firm, or other projects with environmental sensitivities or concerns.

The staff was directed administratively to proceed as proposed.

DAM:dam

29. **PROCLAMATION TO OBSERVE APRIL AS “FAIR HOUSING MONTH” IN FAIRFAX COUNTY** (Tape 6)

Chairman Hanley said that April is traditionally celebrated throughout the nation as “Fair Housing Month.” In conjunction with these observances, the Human Rights Commission has requested a Proclamation to observe April as “Fair Housing Month” in Fairfax County.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the Human Rights Commission to appear before the Board at the April 2, 2001 meeting to receive a proclamation declaring April as “*Fair Housing Month*” in Fairfax County. Vice-Chairman Hyland seconded the motion and it carried by unanimous vote.

30. **FAIRFAX COUNTY NAMED A TREE CITY USA BY THE NATIONAL ARBOR DAY FOUNDATION** (Tape 6)

Chairman Hanley said that Fairfax County has been named a *Tree City USA* by the National Arbor Day Foundation for the fourteenth year in a row. To become a *Tree City USA*, a community must meet four standards: a tree board or department, a tree care ordinance, a comprehensive community forestry program, and an Arbor Day observance.

Chairman Hanley asked unanimous consent that the Board direct the Office of Public Affairs to issue a press release and a notice on the County’s website. Without objection, it was so ordered.

31. **FAIRFAX COUNTY POLICE DEPARTMENT EARNS TOP HONORS AT THE TOP COP FITNESS CHALLENGE** (Tape 6)

Chairman Hanley said that for the second year in a row, the Fairfax County Police Department has earned top honors at the Top Cop Fitness Challenge, a Statewide competition to ascertain who is the most physically fit, sponsored by the Virginia Department of Criminal Justice Services. Detective Mark Harrington was the men’s overall winner. Lieutenant Maggie DeBoard took second place in the women’s division age 30-39 and Private First Class Tracy Campagna took third place honors in the women’s division age 20-29.

Chairman Hanley moved that the Board direct staff to invite Detective Harrington, Lieutenant DeBoard and Private First Class Campagna to appear before the Board to receive Certificates of Recognition. Supervisor Connolly seconded the motion and it carried by unanimous vote.

32. **UNDERGROUND UTILITY DAMAGE PREVENTION** (Tape 6)

Chairman Hanley said that according to a General Assembly status report, Senate Bill 1328 prohibits the State Corporation Commission from promulgating some regulations under the Underground Utility Damage Prevention Act. She asked unanimous consent that the Board direct staff to review these regulations and their effect on Fairfax County. Without objection, it was so ordered.

33. **ARLINGTON COUNTY REQUESTS TO BE A PART OF FAIRFAX COUNTY'S AFFORDABLE DWELLING UNIT (ADU) ORDINANCE LEGISLATION** (Tape 6)

Chairman Hanley brought to the Board's attention that Arlington County has requested to be included with Fairfax County's ADU Ordinance Legislation.

34. **BILL PASSED IN GENERAL ASSEMBLY THAT ALLOWS COUNTIES TO ASSUME RESPONSIBILITY OF THE SECONDARY HIGHWAY SYSTEM** (Tape 6)

Chairman Hanley said that a bill was passed in the 2001 Session of the General Assembly that allows counties to assume responsibility of the Secondary Highway System.

In 1990, the County studied the feasibility of taking over the Secondary Highway System and concluded that for a number of reasons, including high start up cost associated with equipment, facilities, personnel, and funding, it was not desirable to pursue that option at that time. Nonetheless, the County has continued to supplement the State transportation program by expending over \$440 million of general obligation bond monies.

Chairman Hanley said that this new legislation appears to allow more flexibility in what can be taken over as opposed to the previous legislation that required the County to take over everything or nothing at all. This legislation also allows the State to provide equipment, facilities, personnel and funding to the County to take over the secondary system.

Chairman Hanley moved that the Board direct staff to review this legislation and provide the Board with recommendations on what portion(s), if any, of the State Secondary Highway System the County should consider taking over and the equipment, facilities, personnel, and funding required from the State for the County to assume Secondary Road System responsibility. Supervisor Bulova seconded the motion.

In addition, Chairman Hanley amended the motion to include a review of the standard of maintenance and existing conditions before the take over.

Supervisor Kauffman asked to amend the motion to direct staff, in its review, to focus on signage and signals, and this was accepted.

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

35. **COMPREHENSIVE SERVICES ACT (CSA) HAS SHORTFALL IN FISCAL YEARS (FY) 2001 AND 2002** (Tape 6)

Chairman Hanley said that the Virginia Municipal League Bulletin states that the CSA has a \$17 million shortfall in FY 2001 and a \$43 million shortfall in FY 2002.

Chairman Hanley asked unanimous consent that the Board direct staff to review how the shortfall affects the County's comprehensive services revenues. Without objection, it was so ordered.

36. **APRIL 22-28 DESIGNATED AS "NATIONAL COUNTY GOVERNMENT WEEK" WITH A THEME OF "COUNTIES MAKE E-GOVERNMENT WORK"** (Tape 6)

Chairman Hanley said the National Association of Counties has designated April 22-28 as its annual "National County Government Week." This year the theme will be "*Counties Make E-Government Work.*"

Since Fairfax County is E-Country, and due to the frequent awards that the County wins on behalf of its E-Government initiatives, Chairman Hanley moved that the Board declare the week of April 22-28 as "*National County Government Week,*" in Fairfax County with a theme of "*Counties Make E-Government Work.*" Supervisor Hyland seconded the motion and it carried by unanimous vote.

37. **ACCEPTANCE OF QUARTERLY STATUS REPORT FROM THE AUDIT COMMITTEE** (Tape 6)

(BACs) Chairman Hanley moved the acceptance of the Quarterly Status Report from the Audit Committee. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

38. **REDUCTION IN WORKFORCE AS A RESULT OF IMPROVED TECHNOLOGY** (Tape 6)

Supervisor Mendelsohn, jointly with Supervisor Connolly, brought to the Board's attention the Global Internet Summit at George Mason University. Several speakers there spoke about how the effective utilization of information technology could result in a reduction in workforce and provide better services in both the private and public sectors. The County Executive's Proposed Fiscal Year 2002 Budget includes 87 new positions, which could possibly be eliminated by a more effective use of technology.

Supervisor Mendelsohn, jointly with Supervisor Connolly, asked unanimous consent that the Board direct staff to:

- Research what is being done by other government entities to reduce the workforce as a result of improved technology and whether any of that information is useful and applicable to reduction of our county workforce.
- Determine whether implementation of information technology improvements resulted in the successful reduction in staff.
- Report its findings to the Board by April so that this information can be considered during upcoming budget deliberations at a Reorganization Committee meeting.

Following discussion, with input from Anthony H. Griffin, County Executive, without objection, it was so ordered.

PMH:pmh

39. **PUBLIC SERVICE OR DISSERVICE** (Tape 7)

Supervisor Connolly said that he was recently amazed to find that fellow citizens, if stopped for any traffic violation in Fairfax County, will find their names and addresses posted on the Fairfax County website. Citizens can be charged with driving with an expired County sticker and then find their names and addresses listed along with those of persons charged with homicide, rape, and incest. The Dr. Gridlock column of the *Washington Post* was further enlightening when it was reported that neighboring jurisdictions do not publish such lists.

Supervisor Connolly questioned whether this website exists to provide a service to attorneys; and whether they should be paying for it. Apparently

the site, with its wealth of information on the citizens of Fairfax is unable to note when charges are dropped or a defendant found not guilty.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct the:

- County Executive to report the costs associated with maintaining this public service to the members of the bar.
- County Attorney to advise the Board on the advisability of changing, if not eliminating, this "public service."

Without objection, it was so ordered.

40. **WAIVER OF PERMIT FEES** (Tape 7)

Supervisor Connolly said that as part of a major health and safety initiative to reduce firefighter exposure to diesel fumes, the Fire and Rescue Department is funding the installation of diesel exhaust systems in all fire stations, including those stations owned and operated by Volunteer Companies. Supervisor Connolly noted that the total of estimated fees is between \$13,000 and \$16,000.

Therefore, Supervisor Connolly moved that the Board approve a waiver of the permit fees associated with the installation of diesel exhaust recovery systems. This waiver is for fees not to exceed \$20,000 for all stations owned by Volunteer Companies. Supervisor Hyland seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, the question was called on the motion and it carried by unanimous vote.

41. **HANNAH HILLS SUBDIVISION** (Tape 7)

Supervisor Connolly said that Outlot B of the Hannah Hills Subdivision is located between Hannah Farm Road to the south and two lots of the Mary Edelin Subdivision to the north. This outlot was created when the alignment of Hannah Farm Road was shifted to the south and is currently owned by the Hannah Hills Homeowners' Association (HOA). This outlot is not needed to meet any density or open space requirements of the Hannah Hills subdivision. The Hannah Hills HOA wishes to sell the property. A proposed subdivision has been submitted which would incorporate Outlot B and the two lots located to the north of Outlot B. This subdivision would result in a third lot being created from the rear portion of the two existing lots and Outlot B that would have frontage on Hannah Farm Road.

Supervisor Connolly moved that the Board release the land described as Outlot B of the Hannah Hills Subdivision, Tax Map 37-4((21))B, from the requirement set forth in Section 2-702 of the Zoning Ordinance so that the HOA may, at its own discretion, offer this land for sale or otherwise dispose of the land. Supervisor Hyland seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Connolly amended the motion to refer this issue to the County Attorney for his recommendation. Chairman Hanley seconded the motion and it carried by unanimous vote.

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

42. **COMMUNITY ACTION MONTH** (Tape 7)

Supervisor Connolly said that the National Association of Community Action Agencies has designated May 2001 as National Community Action Month.

Therefore, Supervisor Connolly moved that the Board:

- Recognize May 2001 as the "*Community Action Month*" in Fairfax County.
- Direct staff to prepare a proclamation to be read at the Board meeting scheduled for May 7, 2001.
- Direct staff to invite members of the Community Action Advisory Board and appropriate staff to appear before the Board to receive the proclamation.

Supervisor Bulova seconded the motion and it carried by unanimous vote.

43. **SCHOOL BALL FIELDS** (Tape 7)

Supervisor Connolly said that in the Fiscal Year 2000 Budget the Board approved an initiative that increased the funding for the maintenance of school ball field improvements.

Supervisor Connolly moved that the Board reaffirm its intent that the \$500,000 that has been transferred to the Park Authority for maintenance of school ball fields shall be used in part as a matching fund in partnership with athletic organizations. Supervisor Bulova seconded the motion.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Connolly asked unanimous consent that the issue be

scheduled for discussion at the next budget session. Without objection, it was so ordered.

44. **INITIATIVE TO PROVIDE EQUITABLE SERVICES IN COUNTY TEEN CENTERS** (Tape 7)

Supervisor Connolly said that the Fiscal Year 2002 Advertised Budget provides information about teen centers by supervisor districts. The information presents a picture of a significant lack of equity among services available to teens in various districts. Comparison of both funding levels, activities, and facilities shows substantially different levels of service. He noted that Providence District lags far behind the others in these allocations.

Therefore, Supervisor Connolly moved that the Board direct staff to develop a plan that would provide for an equitable distribution of resources and would provide for a *uniform* set of services that will be available for all Fairfax County teenagers at all of the teen centers. Supervisor Bulova seconded the motion with the following amendment that the word "*uniform*" be changed to "*equitable*." This was accepted.

Supervisor Connolly asked unanimous consent that the Board direct staff to schedule this issue for discussion at the next budget session. Without objection, it was so ordered.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to report with the following information:

- The differences
- The causes of the differences

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Mendelsohn asked unanimous consent that the Board direct staff to report on demographics. Without objection, it was so ordered.

45. **NEWS TO USE AN INFORMATION RESOURCE** (Tape 7)

Supervisor Connolly referred to a document entitled *News to Use an Information Resource* prepared by the Office of Public Affairs for Fairfax County citizens and community associations. He noted that it contained an item regarding the new hours of operation for the Office of Building Code Services, Department of Public Works and Environmental Services.

Supervisor Connolly asked unanimous consent that the Board direct the County Executive to monitor the success of the new hours and report should there be diminution of service provided to citizens. Without objection, it was so ordered.

46. **MARSHALL HIGH SCHOOL WINS SECOND STATE TITLE AT THE VIRGINIA HIGH SCHOOL LEAGUE'S ONE-ACT PLAY FESTIVAL** (Tape 7)

Supervisor Connolly said that the 31 thespians in Marshall High School's one-act play *Samoubistuo* are celebrating their second-year-in-a-row win at the Virginia High School League's Theater Arts Festival.

Therefore, Supervisor Connolly moved that the Board direct staff to invite the cast and director of Marshall High School's winning one-act production to appear before the Board to be properly recognized for this honor. Supervisor Mendelsohn seconded the motion and it carried by unanimous vote.

47. **SYMPHONY SPECTACULAR** (Tape 7)

Supervisor Bulova said that on June 3, 2001, the American Youth Philharmonic (AYP) Orchestras will be holding a SYMPHONY SPECTACULAR, an annual event to celebrate the end of its 2000-2001 season. This season marks the anniversary of AYP Conductor Carl Bianchi's tenth anniversary with AYP Orchestras. She noted that much of Mr. Bianchi's professional career was spent as Director of Bands at James Madison High School.

Supervisor Bulova moved that the Board direct staff to present Mr. Bianchi with a resolution honoring him for his outstanding contributions to the youth and naming June 3, 2001, as "*Carl J. Bianchi Day*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

Supervisor Bulova asked unanimous consent that the resolution be presented to Mr. Bianchi at the event or at a Board meeting prior to June 3, 2001. Without objection, it was so ordered.

48. **ZION DRIVE** (Tape 7)

Supervisor Bulova said that Zion Drive is a narrow, curvy road that runs from Guinea Road to Route 123. Following the Civil War, African-American families settled on large homesteads in the Zion Drive/Sideburn Road/Fairfax Station area. During the past 20 years, some of these large parcels have been sold and developed. Some of the present day

communities, such as Goins Manor, bear the names of those early families.

Supervisor Bulova noted that unlike roads built through larger subdivisions like Kings Park West, or planned communities like Burke Centre, Zion Drive has experienced development in a somewhat piecemeal fashion. As parcels have been developed, right-of-way has been dedicated but a project has never been advanced to widen and improve Zion Drive. It is on the Comprehensive Plan to remain two lanes and is not currently a candidate for funding for its improvement.

In addition to narrow lanes, dips, and swells, motorists attending the Greater Little Zion Baptist Church or visiting the David R. Pinn Recreation Center must negotiate a rather severe hairpin curve.

Supervisor Bulova moved that Board direct staff to:

- Conduct a safety study of Zion Drive.
- Review the availability of right-of-way and cost out improvements that could be constructed to enhance safety in this area.

Supervisor Bulova added that she would consider funding some of these improvements through the Braddock District's future Spot Improvement allocation. Supervisor McConnell seconded the motion and it carried by unanimous vote.

There was a brief discussion of this item.

49. **EARTH DAY/ARBOR DAY CELEBRATION** (Tape 7)

Supervisor Bulova referred to her written Board Matter regarding the Earth Day/Arbor Day Celebration and announced that she would raise this issue later in the meeting.

(NOTE: Later in the meeting this issue was discussed. See Clerk's Summary Item CL#82.)

50. **YOUTH CRIME WATCH AMERICA** (Tape 7)

Supervisor Gross said that America was horrified once again when a teenaged student shot several people, and killed two, near San Diego earlier this month. In most cases, other students reported, after the fact, that they knew or suspected that something was going to happen. But they didn't tell anyone until after the incident!

Supervisor Gross said that there is a program, Youth Crime Watch America, that gives youngsters the tools and guidance necessary to actively reduce crime and drug use in their schools and communities. This is different from the usual efforts, where well-intentioned adults attempt to solve youth problems. Youth Crime Watch programs are credited with significantly reducing crime and drug use since the 1980's.

Youth Crime Watch America relies on the principle of good citizenship, where youth take an active role in addressing the problems around them because they are part of the community, and everyone must be part of the solution. Sometimes compared to Neighborhood Watch, Youth Crime Watch America can train youth and youth advisors to take ownership of their own program for their school, neighborhood, recreational center, or park.

Because Youth Crime Watch America has been proven to work in other localities, Supervisor Gross asked unanimous consent that the program be referred to the School System, the Partnership for Youth, and the school coalitions, for review and a response as to how the program might be implemented in Fairfax County. Without objection, it was so ordered.

51. **COX "CABLE EDITION"** (Tape 7)

Supervisor Gross said that as the Board will recall, at a recent meeting it unanimously approved a motion directing staff to investigate Cox's decision to discontinue its "Cable Edition" publication without a corresponding decrease in rates or a suitable no-cost replacement. Further, staff was directed to present Cox with the following three options:

- Reversing the decision to halt publication of "Cable Edition."
- Allowing individual subscribers to choose between "Cable Edition" or the "great new way to enjoy TV" [the TV Guide publication for \$3.99 per month].
- At the very least, delaying this change in service until Cox completes its service upgrade.

Supervisor Gross said that she has been informed by County staff that Cox has reviewed the three options presented and responded that it is "moving forward with our business decision to discontinue the production and mailing of the complimentary 'Cable Edition' monthly guide."

Supervisor Gross moved that the Board direct the County Attorney and the Department of Telecommunications and Consumer Services to review the County's legal and regulatory authority to take action on Cox's reduction

in its level of service while continuing to charge the same subscriber rates, and to report its findings and recommendations. Supervisor Hyland seconded the motion.

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

52. **SHELTER HOUSE** (Tape 7)

Supervisor Gross said that for the past 20 years, Shelter House has been helping homeless Fairfax County families get back on their feet. With this accomplishment in mind, Supervisor Gross moved that the Board direct staff to invite Executive Director Jewell Mikula and members of the Shelter House Board be invited to appear before the Board at a mutually convenient date, to be recognized for their service to the people of Fairfax County. Chairman Hanley seconded the motion and it carried by unanimous vote.

53. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1999-MA-051 AND SPECIAL EXCEPTION APPLICATION SE 99-M-033** (Tape 7)

Supervisor Gross announced her intent, later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 1999-MA-051 and Special Exception Application SE 99-M-033 until April 2, 2001.

(NOTE: Later in the meeting the public hearing was formally deferred. See Clerk's Summary Item CL#85.)

54. **MASON DISTRICT SPRING TOWN MEETING** (Tape 7)

Supervisor Gross announced that on Monday, March 26, 2001, the Mason District Spring Town meeting will convene at 7:30 p.m. at the Beech Tree Elementary School cafeteria. The discussion will be on the budget.

The panel guests will include Anthony H. Griffin, County Executive, and Edward L. Long, Jr., Chief Financial Officer.

55. **BIKE TO WORK WEEK** (Tape 7)

Supervisor Gross moved that the Board direct staff to invite members of the bicycling community to appear before the Board to be recognized for "Bike to Work Week" in Fairfax County. Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Bulova being out of the room.

56. **VERIZON WIRELESS - PUBLIC FACILITIES APPLICATION 2232-H00-10** (Tape 7)

Supervisor Hudgins said that on the agenda for the Board meeting on April 2001, is an appeal filed by Verizon Wireless of a Section 15.2-2232 determination regarding Public Facilities Application 2232-H00-10 for a telecommunications facility. This appeal was previously scheduled for the Board meeting on January 22, 2001. On January 8, 2001, however, the Board approved Verizon's request that the time for the Board to consider this appeal be extended until April 2, 2001. She said that Verizon, with the permission of Nextel and AT&T Wireless who are co-located at the facility, requests an additional extension of 49 days of the time within which the Board may consider this appeal. As a result, the appeal period for this matter would be extended from April 2, 2001, to May 21, 2001, if the Board grants this request by Verizon.

Supervisor Hudgins moved that the Board:

- Approve the request by Verizon Wireless for an extension of 49 days until May 21, 2001, for the Board's consideration of Public Facilities Application 2232-H00-10.
- Defer its consideration of the appeal of Public Facilities Application 2232-H00-10 until the Board meeting scheduled for May 21, 2001.

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

57. **ECONOMIC GROWTH AND AFFORDABLE HOUSING CONFERENCE** (Tape 7)

Supervisor Hudgins announced that the Washington Housing Partnership along with the Metropolitan Washington Area Council of Governments are sponsoring on Friday, March 23, 2001, at 8 a.m. at the National Press Club, a housing conference entitled Economic Growth and Affordable Housing. She added that the public is invited to attend.

58. **DIGITAL DIVIDE CONFERENCE** (Tape 7)

Supervisor Hudgins announced that on Friday, March 30, 2001, at 8 a.m. at the Metropolitan Washington Area Council of Governments (COG) building in Washington, DC, will be a digital divide conference sponsored by the COG Digital Divide Task Force.

59. **HUNTER MILL DISTRICT COMMUNITY MEETINGS** (Tape 7)

Supervisor Hudgins invited all Hunter Mill District residents and Board Members to attend a Hunter Mill District Community meeting at South Lakes High School on March 31, 2001, at 8 a.m.

NV:nv

60. **AFFORDABLE COMPUTER CLASSES ON RICHMOND HIGHWAY** (Tape 8)

Supervisor Kauffman reported that registration for a second semester of technology classes offered by the Northern Virginia Community College (NVCC) serving residents of the Richmond Highway Corridor is underway. Last summer, prompted by complaints from high technology employers in the area about their inability to find skilled employees, he met with NVCC representatives to interest them in offering high technology computer classes to highway corridor residents at a convenient location. He said that members of his staff as well as representatives of Supervisors Hyland's office, NVCC, the Southeast Fairfax Development Corporation, the Economic Development Authority, the School Division, and the Region One Human Services Office successfully set up the first computer training classes last fall and there was a long waiting list of students.

Supervisor Kauffman said that NVCC will hold in-person registration for its Microsoft Office User Specialist Certification and Introduction to Microsoft Office Certification at the Bryant Adult Alternative High School at 2709 Poplins Lane on Tuesday, March 27 and Thursday, March 29. Registration will be held in Room 222 from 6 p.m. to 9 p.m.

Accordingly, Supervisor Kauffman asked unanimous consent that the Board direct the staff of the Office of Public Affairs to circulate the publicity flyer to local media representatives. Without objection, it was so ordered.

61. **OUT-OF-TURN PLAN AMENDMENT FOR SILVERBROOK FARMS** (Tape 8)

Supervisor McConnell stated that in 1997 an Area Plans Review item was adopted for approximately 14 acres known as Silverbrook Farms as shown on a map she circulated to the Board. The adopted plan allows an option for residential use at a density of 2-3 dwelling units per acre, if 11 contiguous parcels are consolidated. The original assemblage of 11 contiguous parcels has not been successful. Two pending applications, Rezoning Applications RZ 2001-SP-0007 and RZ 2001-SP-009, account for approximately 12 acres of this area, but the parcels are not contiguous.

She stated her belief that the consolidation condition in the plan may have been too stringent.

Accordingly, Supervisor McConnell moved that the Board authorize an Out-of-Turn Plan Amendment for the Silverbrook Farms area as shown on the afore-mentioned map with consideration to the consolidation condition to allow fewer than 11 contiguous parcels. Supervisor Bulova seconded the motion, which carried by unanimous vote.

62. **REQUEST FOR GREATER PROTECTION FOR SENIOR CITIZENS FROM UNSCRUPULOUS CONTRACTORS** (Tape 8)

With reference to his written Board Matter on the subject, Supervisor Hyland stated that senior citizens across the County are being bilked and taken advantage of by contractors from the Culpeper area. He cited a case in the Mount Vernon area where such contractors convinced an elderly homeowner that she needed considerable work done on her property. Over a period of time they allegedly performed work for a total payout of \$180,000, thereby eliminating this woman's entire savings.

Supervisor Hyland stated that these individuals have been arrested for similar types of activities around the County and many have outstanding warrants. He noted the difficulty of serving these individuals with warrants in the Culpeper area. Because this problem is pervasive, he moved that the Board:

- Refer this matter to staff to investigate the matter to determine what steps are being taken to protect senior citizens from unscrupulous contractors and to determine what further protection may be provided through fines levied against a contractor for false pretenses or, perhaps, to even consider enacting special legislation with its object to further protect County senior citizens.
- Direct the Police Department to work with law enforcement agencies in other Northern Virginia jurisdictions including Culpeper law enforcement, to form a special task force to see what would help senior citizens from being taken advantage of by these wily contractors and stop thefts.

Supervisor McConnell and Supervisor Kauffman jointly seconded the motion.

Supervisor Bulova noted that she recently had a town meeting on senior citizen safety and crime and that a member of the organization TRIAD made a presentation at the meeting. Accordingly, she asked to amend the

motion to include members of TRIAD in the aforementioned review, and this was accepted.

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

63. **CONSIDERATION ITEM FOR FIELD LIGHTS FOR SANDBURG MIDDLE SCHOOL** (Tape 8)

Supervisor Hyland referenced his written Board Matters and asked unanimous consent that the Board direct staff to prepare a Consideration Item for the Fiscal Year 2002 Budget to include \$175,000 for the purpose of restoring the lighting system at Carl Sandburg Middle School playing field. Without objection, it was so ordered.

64. **BOARD RECOGNITION OF MISS KATIE McLEAN** (Tape 8)

Supervisor Hyland referenced his written Board Matter on the subject and asked unanimous consent that the Board direct staff to invite Miss Katie McLean and her classmates to appear before the Board to be recognized for their exceptional efforts. Miss McLean crafted legislation to increase the fines for littering in State parks and the resulting House Bill 2302 passed the General Assembly this year and is awaiting the governor's signature. Without objection, it was so ordered.

(NOTE: Later in the meeting the Board took further action regarding this subject. See Clerk's Summary Item CL#66.)

65. **POTOMAC RIVER DREDGING** (Tape 8)

Supervisor Hyland referenced his written Board Matter on the subject and moved that the Board direct staff to draft a letter to the Army Corps of Engineers for the Chairman's signature stating that the Board does not support the Dogue Creek off load site nor the proposed Possum Point fly ash landfill as the destination site for dredging materials from the Mount Vernon Federal Navigation Channel of the Potomac River. Chairman Hanley seconded the motion, which carried by unanimous vote.

66. **BOARD RECOGNITION OF MISS KATIE McLEAN** (Tape 8)

(NOTE: Earlier in the meeting the Board took action on this item. See Clerk's Summary Item CL#64.)

With reference to the Board Matter honoring Miss Katie McLean, Supervisor Connolly clarified that Delegate Kristen Amundsen would also be invited to attend.

67. **MARCH 5, 2001, ACTIONS ON MOUNT VERNON DISTRICT PUBLIC HEARINGS** (Tape 8)

Supervisor Hyland stated that he had to leave the Board meeting on March 5, 2001, early to attend a National Association of Counties Board meeting and make a presentation. There were two Mount Vernon District land use public hearings on the agenda that day. One he had wanted to defer and the other he had wanted to proceed; however, the opposite action was taken inadvertently. He stated that he would confer with the County Attorney and review additional information then make a decision as to whether the Board should possibly reconsider its action.

(NOTE: Later in the meeting, the Board took action on these items. See Clerk's Summary Item CL#75.)

68. **WAIVER OF SHOWMOBILE FEES FOR THE CENTREVILLE COMMUNITY FOUNDATION (CCF) TITLE** (Tape 8)

Supervisor Frey said that CCF is sponsoring the annual Centreville Day celebration on Saturday, September 22, 2001, at Braddock Park between 11 a.m. and 6 p.m. He said CCF has submitted an application to reserve the Showmobile, preferably the new one, for that day; however, the fees required would cut into other planned entertainment activities for the day.

Therefore, Supervisor Frey moved that the Board waive all fees associated with the use of the County Showmobile by the CCF for Centreville Day on September 22. Chairman Hanley seconded the motion and it carried by unanimous vote.

69. **DESIGNATION OF MAY AS "OLDER AMERICAN'S MONTH"** (Tape 8)

Supervisor Frey said that he had been asked on behalf of the Commission on Aging to recognize that the contributions of the senior adult population in the County is a very special one. He moved that the Board direct the staff to prepare a proclamation for presentation at the April 30, 2001, Board meeting designating the month of May as "*Older American's Month*" in Fairfax County. Chairman Hanley seconded the motion and it carried by unanimous vote.

70. **"BUILDING SAFETY WEEK" IN FAIRFAX COUNTY** (Tape 8)

Supervisor Frey said the International Building Safety Week has been observed for many years in this nation in order to increase public awareness of the importance of building codes and construction safety. Across the country, code officials actively endorse Building Safety Week as an effective means to improve communication between their building

departments and community residents, builders and developers; and to increase public education on a wide range of issues including safety devices such as back-flow preventers used in plumbing, carbon monoxide detectors, and smoke detectors, which save lives and protect property.

Supervisor Frey said that this year International Building Safety Week will be observed the week of April 8-14, 2001. To mark the event, the Department of Public Works and Environmental Services (DPWES) has scheduled public outreach efforts in several local elementary schools and hardware supply stores. In addition, DPWES will honor a County resident with the 2001 Building Safety Community Partnership Award. The award was set up and first presented in 1998 to recognize individuals in the County who have made significant contributions to the promotion of the goal of building safety in Fairfax County. This year the award will be presented to Mr. David Conover.

Therefore, Supervisor Frey moved that the Board direct staff to prepare a proclamation for presentation at the April 2, 2001, Board meeting designating the week of April 8-14 as "*International Building Safety Week*" in Fairfax County. Chairman Hanley seconded the motion.

Following a brief discussion, with input from Merni Fitzgerald, Director, Office of Public Affairs, Chairman Hanley announced that the April 2, 2001, meeting would commence at **9 a.m.**

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

71. **BOARD'S OWN MOTION SPECIAL EXCEPTION APPLICATION TO PERMIT CONSTRUCTION OF REGIONAL POND D40**
(Tape 8)

Supervisor Frey said that as part of the Regional Stormwater Management Program adopted by the Board in 1991, the plan shows construction of an embankment only stormwater facility, identified as pond D40, in the Dartmoor Woods area. The proposed pond location is on land owned by the Board and is subject to Special Exception Application SE 84-C-015. The Stormwater Planning Division (SPD) of the Department of Public Works and Environmental Services is proposing to construct this facility because of the impact of the EQC. He stated that he had been told that the impact to the EQC with the construction of the regional pond would be minimal compared to the water quality benefits gained. Because the property is owned by the Board, the Board must make a motion before SPD may file the special exception application.

Because there is a public interest to be served by amending the approved special exception for Dartmoor Woods, and the public necessity, convenience, and general welfare and good zoning practice require such

action, Supervisor Frey moved that the Board initiate a Board's Own Motion special exception amendment application to Special Exception Application SE 84-C-015 to permit the construction of Regional Pond D40. Supervisor Hudgins and Supervisor McConnell jointly seconded the motion and it carried by unanimous vote.

72. **MITCHELL-WEEKS HOUSE** (Tape 8)

Supervisor Frey said that the County has been working for several years to preserve the Mitchell-Weeks House, an eighteenth century structure of architectural and historical significance. The house is located on privately-owned property along Route 50. He stated that at one time there was consideration of a proffered condition amendment and a Comprehensive Plan amendment that would allow the relocation of the house and require the contribution of a significant sum of resources for historical preservation.

Supervisor Frey moved that the Board direct staff to accept and process a new Out-of-Turn Plan Amendment for Tax Map 34-4((1))58, 59, 60D, to consider deleting the requirement that the Mitchell-Weeks house be preserved in its present location and to consider an option for office use on the property. Supervisor McConnell seconded the motion.

Supervisor Frey stated that the applicant understands that this motion will not prejudice the consideration of the applications in any way. The question was called on the motion and it carried by unanimous vote.

73. **GEORGE MASON UNIVERSITY MEN'S BASKETBALL SUCCESS** (Tape 8)

Supervisor Frey stated with pride that the County's hometown university, George Mason University, had a highly successful Colonial Athletic Association men's basketball season and tournament. It participated in the NCAA tournament, but was eliminated by the University of Maryland.

In recognition of its successful season, Supervisor Frey asked unanimous consent that the Board direct staff to invite the George Mason Patriots men's basketball team to appear before the Board to be congratulated for its season. Supervisor Bulova seconded the motion, which carried by unanimous vote.

74. **CLOSED SESSION** (Tape 8)

At 2:10 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:

- *Howard S. Schwartz versus Board of Supervisors*, Record Number 002736
- *Layng and Company Greenhouses versus Jane Gwinn, et al*, In Chancery Number 162042
- Agreement with the Water Authority regarding proposed Small District Three within Springfield District
- Proffers under *Virginia Code 15.2-2303*

Chairman Hanley announced that should this motion carry, closed session would convene ten minutes after the recess.

Supervisor Bulova seconded the motion, which carried by unanimous vote.

75. **RECONSIDERATION AND DEFERRAL OF DECISION FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-V-059 AND SPECIAL EXCEPTION APPLICATION SE 00-V-031**
(Tape 8)

(NOTE: Earlier in the meeting, the Board mentioned this item. See Clerk's Summary Item CL#67.)

Supervisor Kauffman moved to reconsider the Board's decision made on March 5, 2001, for Proffered Condition Amendment Application PCA 89-V-059 and Special Exception Application SE 00-V-031. Supervisor Mendelsohn seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved that the Board defer decision on Proffered Condition Amendment Application PCA 89-V-059 and Special Exception Application SE 00-V-031 until **April 30, 2001, at 3 p.m.** Supervisor Kauffman seconded the motion and it carried by unanimous vote.

76. **RECESS** (Tape 8)

At 2:10 p.m., the Board recessed.

SBE:sbe

At 3:55 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

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

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

78. **AUTHORIZATION TO EXECUTE THE THIRD AMENDMENT TO THE REAL ESTATE SALES AGREEMENT (WEST PARCEL)** (Tape 9)

Supervisor Frey moved that the Board authorize the County Executive to execute the Third Amendment to the Real Estate Sales Agreement (West Parcel), dated December 18, 2000, as amended by the First Amendment on January 22, 2001, and Second Amendment on March 7, 2001, with Koll Metropolitan, LLC. Supervisor Hyland seconded the motion and it carried by unanimous vote.

79. **AUTHORIZATION TO EXECUTE THE THIRD AMENDMENT TO THE REAL ESTATE SALES AGREEMENT (EAST PARCEL)** (Tape 9)

Supervisor Frey moved that the Board authorize the County Executive to execute the Third Amendment to the Real Estate Sales Agreement (East Parcel), dated December 18, 2000, as amended by the First Amendment on January 22, 2001, and Second Amendment on March 7, 2001, with Koll Metropolitan, LLC. Supervisor Hyland seconded the motion and it carried by unanimous vote.

80. **AUTHORIZATION OF THE COUNTY ATTORNEY TO SETTLE THE CASE OF LAYNG, ET AL. VERSUS FAIRFAX COUNTY BOARD OF SUPERVISORS, ET AL., IN CHANCERY NUMBER 162042** (Tape 9)

Supervisor Mendelsohn moved that the Board authorize the County Attorney to settle the case of *Layng, et al. Versus Fairfax County Board of Supervisors, et al.*, In Chancery Number 162042, in accordance with the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded and it carried by unanimous vote.

ADDITIONAL BOARD MATTERS

81. **OUTLOT B OF THE HANNAH HILLS SUBDIVISION** (Tape 9)

(NOTE: Earlier in the meeting this item was discussed. See Clerk's Summary Item CL#41.)

Supervisor Connolly moved that the Board release the land described as Outlot B of the Hannah Hills Subdivision, Tax Map 37-4((21))B, from the requirement set forth in Section 2-702 of the Zoning Ordinance so that the Homeowners Association may, at its own discretion, offer this land for sale or otherwise dispose of the land. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

DMB:dmb

82. **EARTH DAY/ARBOR DAY CELEBRATION** (Tape 10)

(NOTE: Earlier in the meeting this item was discussed. See Clerk's Summary Item CL#49.)

Supervisor Bulova announced that the Earth Day/Arbor Day Celebration is being held at the Annandale Campus of the Northern Virginia Community College on **Saturday, April 28, 2001, from 11 a.m. until 4 p.m.**, and invited Board Members to join in the celebration. Supervisor Bulova asked unanimous consent that the Board direct staff to:

- Assist the Earth Day/Arbor Day committee with the planning of this event where County involvement is needed.
- Draft a press release for the event and to provide the committee with a proclamation declaring April 28 as *Fairfax County Earth Day and Arbor Day Celebration* and prepare Certificates of Recognition to be presented by the Board to sponsors of the event.

Without objection, it was so ordered.

AGENDA ITEMS

83. **3 P.M. – PH ON REZONING APPLICATION RZ 2000-PR-027
(CHRISTOPHER MANAGEMENT, INCORPORATED)
(PROVIDENCE DISTRICT)** (Tape 10)

(O) (NOTE: On February 5, 2001, the public hearing on this item was deferred until February 26, 2001, at which time the public hearing was deferred until March 19, 2001.)

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

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

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

Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000 PR-027 be amended from the R-1 District to the PDH-4 Districts, subject to the proffers dated February 22, 2001. Supervisor Hyland seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, and Supervisor Hyland voting "AYE," Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

84. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION
SE 00-V-052 (EXXON/MOBIL CORPORATION) (MOUNT
VERNON DISTRICT)** (Tape 10)

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

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

Following the public hearing Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Connolly seconded the motion and it carried by a vote of six,

Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Hyland moved approval of Special Exception Application SE 00-V-052, subject to the development conditions dated March 1, 2001. Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

85. **3:30 P.M. – PH ON REZONING APPLICATION RZ 1999-MA-051 AND SPECIAL EXCEPTION APPLICATION SE 99-M-038 (LEEWOOD INVESTMENT AND ASSOCIATES LLC) (MASON DISTRICT)** (Tape 10)

Supervisor Gross moved to defer the public hearing on Rezoning Application RZ 1999-MA-051 and Special Exception Application SE 99 M-038 to **April 2, 2001, at 3 p.m.** Supervisor Frey seconded the motion and it carried by a vote of seven, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.

86. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-069-10 (COXCOM, INCORPORATED COX COMMUNICATIONS OF NORTHERN VIRGINIA) (SULLY DISTRICT)** (Tape 10)

Supervisor Frey moved to defer the public hearing on Proffered Condition Amendment Application PCA 82-P-069-10 until **April 2, 2001, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.

87. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 99-D-043 (COMMUNITY WIRELESS STRUCTURES II, LLC) (DRANESVILLE DISTRICT)** (Tape 10)

Supervisor Mendelsohn moved to defer the public hearing on Special Exception Application SE 99-D-043 until **April 30, 2001, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.

DS:ds

88. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-DR-047 (MANUEL G. SERRA) (DRANESVILLE DISTRICT)** (Tape 11)

(O) Mr. John J. Bellaschi reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Charles Burnham, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 2000-DR-047, from the R-1 District to the PDH-2 District, and approval of the conceptual development plans, subject to proffers dated February 14, 2001, and development conditions dated March 19, 2001.
- That the Board direct staff from the Department of Public Works and Environmental Services to work with the applicant to facilitate a design that utilizes the construction of a rain garden to meet BMP requirements and proposes an 18-foot wide private street wide turnaround in place of a cul-de-sac.

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

89. **4 P.M. – PH ON REZONING APPLICATION RZ 2000-SU-037 (KEYSTONE LLC) (SULLY DISTRICT)** (Tape 11)

(O) Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-SU-037, from the R-1 and WS Districts to the R-3 and WS Districts, subject to proffers dated February 13, 2001.

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

90. **4 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S00-I-A1 FOR THE SOUTHEAST QUADRANT OF THE LITTLE RIVER TURNPIKE AND HERITAGE DRIVE INTERSECTION (BRADDOCK DISTRICT)** (Tape 11)

A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, Bruce Kriviskey, Planner III, Policy and Plan Development Branch, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved adoption of Out-of-Turn Plan Amendment S00-I-A1 as shown on page six of the staff report dated February 15, 2001. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

91. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) RELATING TO ELECTION PRECINCTS (HUNTER MILL AND PROVIDENCE DISTRICTS)** (Tape 11)

(O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District), relating to election precincts as follows:

- Temporarily moving the polling place for Dogwood precinct to the Stonegate Village Community Center located at 2244 Stonewheel Drive, Reston.
- Extending the temporary use of the Bethlehem Gardens Baptist Church, located at 2937 Strathmeade Street, Falls Church as the polling place for Pine Spring precinct.
- Corresponding changes to the Code of the County of Fairfax, Chapter 2 (Central Absentee Voter Election Precincts), Article 2 .

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

92. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)** (Tape 11)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the Robinson RPPD, District 17. The proposed District expansion includes the following street block:

- Lister Court (Route 5183) from Gainsborough Drive (Route 4815) to the end.

Chairman Hanley seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and

Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Frey, and Supervisor McConnell being out of the room.

93. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 30 (MINIMUM PRIVATE SCHOOL AND CHILD CARE FACILITY STANDARDS), RELATING TO THE REGULATION OF PRIVATE SCHOOLS, NURSERY SCHOOLS, CHILD CARE CENTERS AND HOME CHILD CARE FACILITIES** (Tapes 11-12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Chairman Hanley called the Board's attention to a memorandum from Anthony H. Griffin, County Executive that was handed out to the Board today with a suggested revised page 13, regarding a revised change to the required screenings.

Following the public hearing, which included testimony by six speakers, Supervisor Hudgins moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 30 (Minimum Private School and Child Care Facility Standards), with revised page 13, relating to the regulation of private schools, nursery schools, child care centers and home child care facilities. Supervisor Connolly and Supervisor Kauffman jointly seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor McConnell being out of the room.

94. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE LANGLEY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 20 (DRANESVILLE DISTRICT)** (Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, which included testimony by five speakers, Supervisor Mendelsohn moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the Langley RPPD, District 20. The proposed District expansion includes the following street block:

- Turkey Run Road (Route 798) from Georgetown Pike (Route 193) to Langley Hill Drive (Route 1906)

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

95. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 21 (DRANESVILLE DISTRICT)** (Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, which included testimony by three speakers, Supervisor Mendelsohn moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the McLean RPPD, District 21. The proposed District expansion includes the following street block:

- Tyndale Street (Route 3439) from Rupert Street (Route 2043) to Margie Drive (Route 3272)

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

96. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE SPRINGDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 33 (MASON DISTRICT)** (Tape 12)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, which included testimony by five speakers, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic),

Appendix G, expanding the Springdale RPPD, District 33. The proposed District expansion includes the following street blocks:

- The west side only of Lacy Boulevard (Route 1026) from Lewis Lane (Route 2658) to Dewey Jones Road
- The north side only of Hoffmans Lane (Route 7555) from Lacy Boulevard to Courtland Drive (Route 7556)
- The residential portion only of Moncure Avenue (Route 2659) from Hoffmans Lane to and including two parcels of land designated as Fairfax County Tax Map Numbers 61-4((30)) parcels 17 and 18
- Lewis Lane from Lacy Boulevard to Munson Road (Route 795)
- Munson Road from Lewis Lane to Summers Lane (Route 3399)

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

97. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2000-MV-049 (GUNSTON RICHMOND LLC) (MOUNT VERNON DISTRICT)**
(Tape 12)

(O) Prior to leaving the room Chairman Hanley relinquished the Chair to Acting-Chairman McConnell.

Mr. Keith Martin reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by two speakers, Supervisor Hyland moved that the Board waive the reading of the staff and Planning Commission recommendations. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2000-MV-049, from the R-1 District to the PDH-5 District, and approval of the conceptual development plans, subject to proffers dated March 8, 2001.
- Waiver of the service drive requirement along Richmond Highway and Gunston Road.
- Waiver of the 600-foot maximum length requirement of private streets.
- Waiver of the fence height limitation to permit a six-foot fence between proposed lots 16 through 25 and parcel 59 along the eastern property line.

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

Acting-Chairman McConnell returned the gavel to Vice-Chairman Hyland.

98. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 43.1 (FOOD AND FOOD SERVICE ESTABLISHMENTS)** (Tape 12-14)

- (O) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Discussion ensued with input from James V. McGettrick, Assistant County Attorney, and the following staff from the Department of Health - Dennis A. Hill, Director, Division of Health; Linda A. Fisher, Director of Health; and James Armstrong, Supervisor, Food Safety Section.

Following the public hearing, which included testimony by six speakers, Supervisor Bulova moved to:

- Adopt Option I of the proposed amendments to the Code of the County of Fairfax, Chapter 43.1 (Food and Food Service Establishments) as contained in the Memorandum

to the Board dated March 19, 2001, regarding youth athletic concession stands and the need for a volunteer who has attended a food safety workshop recognized by the Health Department.

- Defer the proposed amendments contained in Option I concerning matters other than youth athletic concession stands for decision only until ***April 2, 2001 at 3 p.m.**, and keep the record open. (*Later in the meeting this date was changed.)

Supervisor Connolly seconded the motion.

Supervisor Mendelsohn moved a substitute motion to:

- Adopt Option II of the proposed amendments to the Code of the County of Fairfax, Chapter 43.1 (Food and Food Service Establishments) as contained in the Memorandum to the Board dated March 19, 2001.
- Defer the other issues for decision only until April 30, 2001, at 3 p.m., and keep the record open.

Supervisor Connolly asked to amend the main motion to defer the decision only until ***April 30, 2001, at 3 p.m.**, and this was accepted.

Supervisor Kauffman seconded the substitute motion, and it **FAILED** by a recorded vote of seven, Supervisor Hudgins, Supervisor Bulova, Supervisor McConnell, Supervisor Hyland, Supervisor Gross, Supervisor Connolly, and Chairman Hanley voting "NAY," Supervisor Frey, Supervisor Kauffman, and Supervisor Mendelsohn voting "AYE."

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

(NOTE: Later in the meeting additional action was taken regarding this item. See Clerk's Summary Item CL#101.)

99. **5 P.M. – PH TO CONSIDER THE REAPPORTIONMENT OF THE BOARD OF SUPERVISORS AND OBTAIN PRELIMINARY INPUT FROM THE PUBLIC** (Tape 14)

(BACs)

(APPTS) (R) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, which included testimony by five speakers, Supervisor Connolly moved:

- That the Board establish a Citizen Advisory Committee that will consider possible reapportionment plans and recommend reapportionment options to the Board. The Committee will consist of a representative from each magisterial district to be appointed by each supervisor, and an At-Large appointee to be appointed by the Chairman, and in addition a representative from the:
 - League of Women Voters
 - Chamber of Commerce
 - Federation of Citizens Association
 - Hispanic/Latino community
 - Democratic and Republican Parties
 - Korean-American community
 - Vietnamese-American community
 - National Association for the Advancement of Colored People
- Adoption of the Draft Reapportionment Resolution

Supervisor Gross seconded the motion and it carried by unanimous vote.

Supervisor Bulova moved the appointment of Mr. Tom Stanners as the Braddock District Representative to the Citizens Advisory Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Mendelsohn moved the appointment of Mr. Andrew Kolaitis as the Dranesville District Representative to the Citizens Advisory Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Hudgins moved the appointment of Ms. Linda Singer as the Hunter Mill District Representative to the Citizens Advisory Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Kauffman moved the appointment of Mr. Jeff McKay as the Lee District Representative to the Citizens Advisory Committee. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Supervisor Gross moved the appointment of Ms. Mary Anne Lecos as the Mason District Representative to the Citizens Advisory Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Paul E. Krizek as the Mount Vernon District Representative to the Citizens Advisory Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Connolly moved the appointment of Mr. John C. Lapp as the Providence District Representative to the Citizens Advisory Committee. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Supervisor McConnell moved the appointment of Mr. Roland Gunn as the Springfield District Representative to the Citizens Advisory Committee. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Chairman Hanley moved the appointment of Mr. Walter Alcorn as the At-Large (Chairman's) Representative to the Citizens Advisory Committee. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

The appointment of the Sully District Representative to the Citizens Advisory Committee was deferred.

100. **5 P.M. – PH TO ADOPT AMENDMENTS TO THE BAILEY'S, HUNTINGTON, AND LINCOLN-LEWIS-VANNOY CONSERVATION PLANS (MASON, MOUNT VERNON AND SPRINGFIELD DISTRICTS)** (Tape 14)

- (R) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, which included testimony by four speakers, Supervisor Hyland moved adoption of the Resolution approving the Bailey's, Huntington, and Lincoln-Lewis-Vannoy Conservation Plans.

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

101. **PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 43.1 (FOOD AND FOOD SERVICE ESTABLISHMENTS)** (Tape 14)

(R) (NOTE: Earlier in the meeting the Board took action on this item. See Clerk's Summary Item CL#98.)

Supervisor Bulova moved to exempt Attachment 10 (the Resolution) from the deferral, and adopted the Resolution. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Frey, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Gross, and Supervisor Mendelsohn being out of the room.

102. **5 P.M. – PH ON THE CREATION OF A SANITARY DISTRICT FOR WATER SERVICE TO PART OF THE LINCOLN-LEWIS-VANNOY CONSERVATION AREA (SPRINGFIELD DISTRICT)** (Tapes 14-15)

(R) A Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing was duly advertised in that newspaper in the issues of March 1 and March 8, 2001.

Following the public hearing, which included testimony by nine speakers, Supervisor McConnell moved approval of the action creating Small District Three within Springfield District for the purpose of providing water service to part of the Lincoln-Lewis-Vannoy Conservation Area. Chairman Hanley seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTERS

103. **CHANGE IN SCHEDULING OF PUBLIC BUDGET HEARINGS** (Tape 15)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to inform the public and the School Board of the following changes to the scheduling of the budget public hearings:

- Monday, April 2, 2001 – a maximum of 60 speakers can sign up to speak, starting at 7:30 p.m.
- Tuesday, April 3, 2001 –
 - School Board presentation will begin at 6:30 p.m., instead of the previously scheduled time of 7 p.m.
 - 100 speakers can sign up to speak following the School Board's presentation.
- Wednesday, April 4, 2001 – Continuation of the budget public hearing will begin at 4 p.m., instead of the previously scheduled time of 7:30 p.m.

Without objection it was so ordered. Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Connolly informed the Board that he would not be present for the budget hearings on Wednesday, April 4, 2001.

Supervisor Hyland informed the Board that he would not be present for the budget hearings on Monday, April 2, 2001.

104. **BIRTHDAY WISHES TO MRS. KAUFFMAN** (Tape 15)

Supervisor Kauffman said that today was his wife's birthday and he wished her a Happy Birthday.

105. **BOARD ADJOURNMENT** (Tape 15)

At 8:40 p.m., the Board adjourned.

Index

| AGENDA ITEM | Page |
|---|----------------------|
| Presentations: Certificates/Awards | 2-3 |
| Other Presentations | 3-4 |
| Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups | 5-11 |
| Items Presented by the County Executive | |
| Administrative Items | 12 |
| Action Items | 19-21 |
| Consideration Items | 21 |
| Information Items | 21-23 |
| Board Matters | |
| Chairman Hanley | 1, 24-26, 57 |
| Supervisor Bulova | 31-32, 44 |
| Supervisor Connolly | 11, 27-31, 44 |
| Supervisor Frey | 39-41 |
| Supervisor Gross | 32-34 |
| Supervisor Hudgins | 35-36 |
| Supervisor Hyland | 1, 37-39 |
| Supervisor Kauffman | 36, 58 |
| Supervisor McConnell | 36-37 |
| Supervisor Mendelsohn | 27 |
| Actions from Closed Session | 43-44 |
| Public Hearings | 45-57 |