



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
January 27, 2003**

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.fairfaxcounty.gov/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).

02-03

SBE:sbe

The meeting was called to order at 9:30 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. **CABLE TELEVISION NOT TRANSMITTING TO PARTS OF COUNTY**
(Tape 1)

Chairman Hanley stated that the cable television was not transmitting to parts of the County and the home viewers would not be able to watch the Board meeting in session.

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

Chairman Hanley asked everyone to keep in thoughts and memory Ms. Margaret Rhea who died last week. Supervisor Connolly stated that Ms. Rhea was a resident of Finwick Park and was extremely active in that community and throughout the County and will be sorely missed.

Supervisor Hudgins asked the Board and the citizens of Fairfax County to send some warm wishes, cards, and notes to former Supervisor Martha Pennino who is recuperating at Commonwealth Care Center, 4315 Chain Bridge Road, Fairfax, Virginia, 22030. The Board sent its best wishes for a fast recovery.

AGENDA ITEMS

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. GEORGE CHERNESKY** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Mr. George Chernesky for his work with the Southwest Youth Association. Supervisor McConnell seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING FEBRUARY AS "AFRICAN AMERICAN HISTORY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation to designate February as "*African American History Month*" in Fairfax County which was presented to Ms. Emma Marshall, Foster Care and Adoptions, Department of Family Services. Supervisor Bulova and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. JOHN ROBINSON** (Tape 1)

Supervisor Hudgins moved approval of the Certificate of Recognition presented to Mr. John Robinson for 22 years of service as the Executive Director of the Fairfax County Civil Service Commission. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Robert Greaux, Chairman, Civil Service Commission, paid tribute to Mr. Robinson.

PW:pw

6. **10 A.M. – PRESENTATION OF THE DON SMITH EMPLOYEES ADVISORY COUNCIL (EAC) AWARDS** (Tape 2)

The Don Smith Employees Advisory Council Award provides recognition to individual employees of County government who have contributed in an outstanding manner to the well being of their fellow employees.

The awards were selected by the EAC acting as a committee of the whole. There were four awardees and four honorable mentions selected from 24 nominations.

Dori DeSpain, Chairman, EAC, presented awards to the following winners:

- Purvis Dawson, Lieutenant, Police Department

- Christopher Heflin, Deputy Sheriff II, Sheriff's Office
- John R. Niemiec, Captain I, Fire and Rescue Department
- John E. Robinson, retired Executive Director, Civil Service Commission

Ms. DeSpain presented the following honorable mention awards:

- Nancy Billings, Administrative Assistant IV, Department of Finance
- Leo Conrad, Engineering Technician II, Department of Public Works and Environmental Services
- Diana Schrecongost, retired Administrative Assistant III, Community Services Board, Mental Health Services
- Bonnie Sides, Substance Abuse Counselor III, Community Services Board, Alcohol and Drug Services

Ms. DeSpain also recognized all of the remaining nominees.

ADDITIONAL BOARD MATTER

7. **WELCOME AND THANK YOU TO MR. HAROLD HENDERSON**
(Tape 2)

Supervisor Kauffman welcomed Mr. Harold Henderson and announced that he was resigning as the Lee District Representative to the Park Authority. Supervisor Kauffman acknowledged and thanked Mr. Henderson for his service to the County over the years.

(NOTE: Later in the meeting the Board took further action regarding this matter. See page 14.)

AGENDA ITEMS

8. **10:15 A.M. – THE NEW MILLENNIUM OCCOQUAN WATERSHED TASK FORCE REPORT** (Tape 2)

Chairman Hanley thanked and acknowledged the staff for their assistance and the task force for its excellent report and video presentation. Chairman Hanley also noted that David Russell, the Annandale Representative to the Citizen's Task

Force, who participated in the video, passed away shortly after the video was completed and she expressed her gratitude for his contribution.

David Bulova, Co-Chairman, New Millennium Occoquan Watershed Task Force, presented the report.

Discussion ensued with input from Mr. Bulova and David Schnare, Ph.D., Co-Chairman, New Millennium Occoquan Watershed Task Force.

Supervisor Hudgins asked unanimous consent that the Board direct staff to review the use of "Grasscrete" on parking areas as pervious paving material for parking surfaces. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board refer the report to staff for review and return to the Board by July 1, 2003, with recommendations for implementation. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Chairman Hanley moved that the Board direct staff to post the report online. Supervisor Bulova and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

9. **10:30 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES**
(Tapes 2-3)

Following a brief report by Supervisor Connolly, Chairman, Board's Legislative Committee, discussion ensued with input from Michael Long, Senior Assistant County Attorney, and Tom Biesiadny, Chief, Coordination and Funding Section, Department of Transportation.

Following additional discussion, Supervisor Connolly moved adoption of the Legislative Report dated January 27, 2003. Supervisor Bulova seconded the motion and it carried by unanimous vote.

Supervisor Frey asked unanimous consent that Delegate Reese's bill concerning contracts for the Fairfax County School Board Superintendent be referred for discussion at the next Legislative Committee meeting. Without objection, it was so ordered.

10. **10:45 A.M. – APPOINTMENTS TO CITIZENS BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (Tape 3)

(APPTS)
(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Chairman Hanley moved the reappointment of Mr. Clifford L. Fields as the At-Large Chairman's Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Mendelsohn moved the reappointment of Captain Gus Hubal, Jr. as the Dranesville District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Vade Bolton as the Hunter Mill District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Jeffrey Sachs as the Lee District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Supervisor Gross moved the appointment of Ms. Eileen J. Garnett as the Mason District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Carole O. Harman as the Mount Vernon District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Connolly moved the reappointment of Ms. Elaine Waggener as the Providence District Representative to the A. Heath Onthank Memorial Award Selection Committee. Chairman Hanley seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Philip E. Rosenthal as the Springfield District Representative to the A. Heath Onthank Memorial Award Selection Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. John Shughrue, Jr. as the Sully District Representative to the A. Heath Onthank Memorial Award Selection

Committee. Supervisor Connolly and Chairman Hanley jointly seconded the motion and it carried by unanimous vote.

The Board deferred the appointment of the Braddock District Representative to the A. Heath Onthank Memorial Award Selection Committee.

ADVISORY SOCIAL SERVICES BOARD

Supervisor Hyland moved the appointment of Mr. Robert Lee McCan as the Mount Vernon District Representative to the Advisory Social Services Board. Supervisor Connolly seconded the motion, which carried by unanimous vote.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Supervisor Mendelsohn moved the appointment of Mr. Mark S. Ingrao to fill the unexpired term of Mr. Thomas R. Hyland as the Citizen Representative to the Affordable Dwelling Unit Advisory Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

AIRPORTS ADVISORY COMMITTEE

Chairman Hanley moved the reappointment of Ms. Carol Ann Hawn as the At-Large Chairman's Representative to the Airports Advisory Committee. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Robert H. Thornton as the Mount Vernon Business District Representative to the Airports Advisory Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Diane L. Donley as the Mount Vernon District Representative to the Airports Advisory Committee. Supervisor Connolly seconded the motion and it carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Mark G. Searle as the Sully Business District Representative to the Airports Advisory Committee. Supervisor Hyland seconded the motion and it carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Airport Advisory Committee:

- Mr. David A. Edwards as the Fairfax County Chamber of Commerce Representative

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

ANIMAL SERVICES ADVISORY COMMISSION

Supervisor Connolly moved the appointment of Ms. Andrea L. Perr to fill the unexpired term of Ms. Jeanine M. Larsen as the Providence District Representative to the Animal Services Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Sully District Representative to the Animal Services Advisory Commission.

ATHLETIC COUNCIL

Supervisor Mendelsohn moved the appointment of Mr. Roger H. Smith to fill the unexpired term of Mr. Kevin J. Fay as the Dranesville District Principal Representative to the Athletic Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

CONFIRMATION:

Supervisor Hudgins moved the confirmation of the following appointment to the Athletic Council:

- Mr. Sam Althoff as the Town of Vienna Principal Representative

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

The Board deferred the appointment of the Dranesville District Alternate Representative to the Athletic Council.

CELEBRATE FAIRFAX, INCORPORATED BOARD OF DIRECTORS

Supervisor Hudgins moved the appointment of Mr. Donald W. Weber, Sr. as the At-Large #2 Representative to the Celebrate Fairfax, Incorporated Board of Directors. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

The Board deferred the appointment of the At-Large #4 Representative to the Celebrate Fairfax, Incorporated Board of Directors.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Sully District Representative to the Child Care Advisory Council.

COMMISSION ON AGING

Supervisor Frey moved the appointment of Ms. Marilyn Cantrell as the Sully District Representative to the Commission on Aging. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Chairman Hanley moved the appointment of Mr. Robert F. Neuman as the Donor Family Member Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Ms. Linda D. James as the Lee District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Barbara B. Helm as the Mount Vernon District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. William J. Stephens as the Springfield District Representative to the Commission on Organ and Tissue Donation and Transplantation. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Commission on Organ and Tissue Donation and Transplantation:

- Ms. Toni S. Webb as the Washington Regional Transplant Consortium Representative

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

The Board deferred the appointments of the At-Large (Minority) Representative and the Sully District Representative to the Commission on Organ and Tissue Donation and Transplantation.

COMMUNITY ACTION ADVISORY BOARD

Supervisor Bulova moved the reappointment of Ms. Iona Levin as the Braddock District Representative to the Community Action Advisory Board. Supervisor Connolly and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Philip E. Rosenthal as the Springfield District Representative to the Community Action Advisory Board. Supervisor Bulova seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Dranesville and Mason District Representatives to the Community Action Advisory Board.

CONSUMER PROTECTION COMMISSION

The Board deferred the appointments of the Fairfax County Resident #6 and #7 Representatives to the Consumer Protection Commission.

CRIMINAL JUSTICE ADVISORY BOARD

The Board deferred the appointment of the Mason District Representative to the Criminal Justice Advisory Board.

EMPLOYER CHILD CARE COUNCIL

CONFIRMATIONS:

Supervisor Hudgins moved the confirmation of the following appointments to the Employer Child Care Council:

- Ms. Linda Young as a Corporate Human Resources Representative (Member #1)
- Ms. Janice E. Garlitz as a Legal Representative (Member #2)
- Ms. Janet Reimer as a Child Care Advisory Council Member Representative (Member #3)
- Ms. Alma Jadallah as a Financial Services Representative (Member #4)

- Ms. Meg Phillips as a Professional Services Representative (Member #5)
- Ms. Ellen Drewett as an Education Representative (Member #6)
- Ms. Ellen Fizer as an Education Representative (Member #8)
- Ms. Laurie Dalton as a Medical Services Representative (Member #15)
- Ms. Sandy Fazio as a Communications Representative (Member #16)

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

ENGINEERING STANDARDS REVIEW COMMITTEE

CONFIRMATION:

Supervisor Hyland moved the confirmation of the following appointment to the Engineering Standards Review Committee:

- Mr. Robert E. Kohnke as the Northern Virginia Soil and Water Conservation District Representative

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor Gross moved the reappointment of Ms. Rachel Rifkind as the Mason District Representative to the Environmental Quality Advisory Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Frey moved the appointment of Mr. Gabriel Markisohn to fill the unexpired term of Mr. Donald J. Ehreth as the Sully District Representative to the Environmental Quality Advisory Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Hunter Mill District Representative to the Environmental Quality Advisory Council.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Sully District Representative to the Fairfax Area Disability Services Board.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL**CONFIRMATIONS:**

Supervisor Hyland moved the confirmation of the following appointments to the Fairfax Community Long Term Care Coordinating Council:

- Mr. David A. Ross as a Business Representative
- Ms. Sharifa Alkhateeb as a Community Representative
- The Honorable Nancy J. Falck as a Community Representative

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

FAIRFAX COUNTY CONSTRUCTION TRADES ADVISORY BOARD

The Board deferred the appointments of the Gas Fitter Tradesman, HVAC Tradesman #1 and #2, and Plumbing Tradesman #1 and #2 Representatives to the Fairfax County Construction Trades Advisory Board.

FAIRFAX COUNTY SMALL BUSINESS COMMISSION

Supervisor Mendelsohn moved the appointment of Mr. Thomas E. Jacobi as the Dranesville District Representative to the Fairfax County Small Business Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the At-Large #3 Representative to the Fairfax County Small Business Commission.

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Sully District Representative to the Health Care Advisory Board.

HEALTH SYSTEMS AGENCY BOARD

Supervisor Bulova moved the appointment of Ms. Margaret P. Kugler as the Consumer #6 Representative to the Health Systems Agency Board. Supervisor Hyland seconded the motion, which carried by unanimous vote.

HUMAN RIGHTS COMMISSION

Supervisor Hudgins moved the appointment of Ms. Heather D. Lawson as the At-Large #12 Representative to the Human Rights Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

HUMAN SERVICES COUNCIL

Supervisor Hyland moved the appointment of Ms. Molly C. Lynch to fill the unexpired term of Ms. Maureen McGuire-Kuletz as the Mount Vernon District #1 Representative to the Human Services Council. Supervisor Connolly seconded the motion, which carried by unanimous vote.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Chairman Hanley moved the reappointment of Ms. Doreen S. Williams as the At-Large Chairman's Representative to the Juvenile and Domestic Relations Court Citizens Advisory Council. Supervisor Connolly and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

Supervisor Hudgins moved the reappointment of Mr. Bryon F. Wong as the Hunter Mill District Representative to the Juvenile and Domestic Relations Court Citizens Advisory Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Frederick M. Joyce as the Mount Vernon District Representative to the Juvenile and Domestic Relations Court Citizens Advisory Council. Supervisor Connolly and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

Supervisor Frey moved the reappointment of Ms. Caroline C. Kerns as the Sully District Representative to the Juvenile and Domestic Relations Court Citizens Advisory Council. Supervisor Hyland seconded the motion, which carried by unanimous vote.

NORTHERN VIRGINIA REGIONAL COMMISSION

Supervisor Kauffman moved the appointment of Ms. Johnine P. Barnes to fill the unexpired term of Ms. Alice Keane Putman as the Fairfax County Resident #7 Representative to the Northern Virginia Regional Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

Supervisor Kauffman moved the appointment of Ms. Debra G. Rubin-Bice as the Lee District Representative to the Oversight Committee on Drinking and Driving. Supervisor Hyland seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Hunter Mill District Representative to the Oversight Committee on Drinking and Driving.

PARK AUTHORITY

Supervisor Mendelsohn moved the appointment of Mr. Kevin J. Fay to fill the unexpired term of The Honorable Richard C. Thoesen as the Dranesville District Representative to the Park Authority. Supervisor Hyland seconded the motion, which carried by unanimous vote.

(NOTE: Later in the meeting the Board made an additional appointment to this board. See page 14.)

POLICE OFFICERS RETIREMENT SYSTEM BOARD

The Board deferred the appointment of the Citizen At-Large #2 Representative to the Police Officers Retirement System Board.

ROAD VIEWERS BOARD

Supervisor Hyland moved the reappointment of Mr. Daniel P. Moon as the Mount Vernon District Representative to the Road Viewers Board. Supervisor Connolly and Chairman Hanley jointly seconded the motion and it carried by unanimous vote.

TENANT LANDLORD COMMISSION

Supervisor Hudgins moved the appointment of Mr. Lawrence Turner Friend as the Tenant Member #1 Representative to the Tenant Landlord Commission. Supervisor Connolly seconded the motion, which carried by unanimous vote.

The Board deferred the appointments of the Condominium and Tenant Member #3 Representatives to the Tenant Landlord Commission.

TRANSPORTATION ADVISORY COMMISSION

Supervisor Connolly moved the appointment of Mr. Robert W. Adams as the Providence District Representative to the Transportation Advisory Commission. Supervisor Hyland seconded the motion, which carried by unanimous vote.

AD HOC COMMITTEES**LAUREL HILL ADAPTIVE REUSE PLAN ADVISORY COMMITTEE**

Supervisor Frey moved the appointment of Ms. Sheila Bryant Coates as the Sully District Representative to the Laurel Hill Adaptive Reuse Plan Advisory Committee. Supervisor McConnell seconded the motion, which carried by unanimous vote.

The Board deferred the appointment of the Lee District Representative to the Laurel Hill Adaptive Reuse Plan Advisory Committee.

ADDITIONAL APPOINTMENTS**PARK AUTHORITY**

(NOTE: Earlier in the meeting the Board announced an additional vacancy on this board. See Clerk's Summary Item CL#7.)

(NOTE: Earlier in the meeting the Board made an appointment to this board. See page 13.)

Supervisor Kauffman moved the appointment of Mr. Edward R. Batten to fill the unexpired term of Mr. Harold Henderson as the Lee District Representative to the Park Authority. Supervisor Connolly seconded the motion, which carried by unanimous vote.

Supervisor Kauffman moved that the Board direct staff to invite Mr. Henderson to appear before the Board to be recognized for his service to the Park Authority. Without objection, it was so ordered.

COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE

Supervisor Frey moved the appointment of Mr. Larry T. Butler to fill the unexpired term of Ms. Debra Rimmer Leser as the Sully District Representative to the Countywide Non-Motorized Transportation (Trails) Committee. Supervisor Connolly seconded the motion, which carried by unanimous vote.

DMB:dmb

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

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

Supervisor Bulova called the Board's attention to Admin 8 – Recommendation of Streets to be Considered for Traffic-Calming Measures as Part of the Residential-Traffic Administration Program (Providence District) and asked unanimous consent that the Board direct staff to provide maps with future items. Without objection, it was so ordered.

Supervisor Connolly called the Board's attention to Admin 9 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles And Traffic) and discussion ensued with input from Ieva B. Paul, staff, Fairfax County Police Department.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to report regarding how the fines are being handled in County neighborhoods with \$200 speeding fines in order to assure that they are being imposed. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Hudgins called the Board's attention to Admin 12 – Authorization for the Department of Community and Recreation Services to Apply for a Grant from the Federal Transit Administration for Vehicle Replacement Funds for the FASTRAN System and Authorization for a Public Hearing to Review and Comment on the Grant Application and discussion ensued.

The question was called on 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."

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, PROVIDENCE, 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>
Oak Mill, Section 2	Hunter Mill	Dakota Lakes Drive Route 8989 Cedar Glen Lane Route 7712 Azalea Woods Way Monroe Street Route 666 Additional ROW Only

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Sandburg Court	Providence	Sandburg Ridge Court Sandburg Street Route 936 Additional ROW Only
Balmoral Greens, Section 1	Springfield	Balmoral Forest Road Ivakota Farm Road Balmoral Forest Road Compton Road Route 658 Additional ROW Only
Fair Lakes Chase	Sully	Worthington Woods Way Pearson Valley Lane Day Valley Way Hirst Valley Way Gray Valley Court Northbourne Drive Route 6935 Additional ROW Only

ADMIN 2 – EXTENSION OF REVIEW PERIOD FOR 2232 PUBLIC FACILITY REVIEW APPLICATION (DRANESVILLE DISTRICT)

Authorized the extension of review period for Public Facility (2232) Review Application 2232-D02-19 to April 28, 2003.

ADMIN 3 – DESIGNATION OF AGENT AUTHORIZED TO EXECUTE AND FILE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT DOMESTIC PREPAREDNESS PROGRAM GRANT APPLICATIONS

- (R) Adopted the Resolution authorizing the County Executive to be the Agent of the County for matters pertaining to grant issues related to the Virginia Department of Emergency Management Domestic Preparedness Program.

ADMIN 4 – 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 GRAHAM RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 34 (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 24, 2003, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G,

expanding the Graham RPPD, District 34. The proposed district expansion includes the following street blocks:

- Arlington Boulevard Service Drive (Route 2382) north side from Wallace Drive (Route 2383) to Fredsen Place (Route 2387)
- Residential part of Arlington Boulevard Service Drive north side from Fredsen Place to Graham Road (Route 17)
- Fredsen Place from Arlington Boulevard to the end

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), APPENDIX G, EXPANDING THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 17 (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 24, 2003, at 4:30 p.m.** to consider 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 blocks:

- Concordia Street (Route 4893) from Holden Street (Route 4895) to Gadsen Drive (Route 4871)

ADMIN 6 – 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 BROYHILL PARK RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 28 (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 24, 2003, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the Broyhill RPPD, District 28. The proposed district expansion includes the following street blocks:

- Parkwood Terrace (Route 2495) from Holly Hill Drive (Route 2860) to Carole Lane
- Zenith Court from Parkwood Terrace to the end

ADMIN 7 – INSTALLATION OF MULTI-WAY STOPS AS PART OF THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION (DOT) RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (MASON AND MOUNT VERNON DISTRICTS)

- Endorsed the installation of multi-way stops at the following locations as part of DOT's R-TAP:
 - Westlawn Drive and Barrett Road (Mason District)
 - Barrett Road at Greenway Boulevard (Mason District)
 - Old Stage Road and Stable Drive (Mount Vernon District)
- Directed staff to request the Virginia Department of Transportation install this sign at the earliest possible date.

ADMIN 8 – RECOMMENDATION OF STREETS TO BE CONSIDERED FOR TRAFFIC-CALMING MEASURES AS PART OF THE RESIDENTIAL-TRAFFIC ADMINISTRATION PROGRAM (R-TAP) (PROVIDENCE DISTRICT)

(NOTE: Earlier in the meeting the Board took additional action regarding this item. See page 15.)

- Endorsed the selection of the following streets in the R-TAP for traffic-calming:
 - Pine Spring Road (Providence District)
 - Cedar Hill Road (Providence District)
- Directed staff to request the Virginia Department of Transportation to develop traffic-calming plans in conjunction with each community, as soon as possible.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC)

(NOTE: Earlier in the meeting the Board took additional action regarding this item. See page 15.)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 24, 2003, at 4:30 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic).

ADMIN 10 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 03074 FOR THE FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES (DFS) TO ACCEPT CONTINUED GRANT FUNDS ON BEHALF OF THE NORTHERN VIRGINIA WORKFORCE INVESTMENT BOARD (NVWIB) FROM THE VIRGINIA EMPLOYMENT COMMISSION (VEC) TO CONTINUE THE NATIONAL EMERGENCY GRANT (NEG) PROGRAM FOR DISLOCATED WORKERS

- (SAR) Approved SAR AS 03074 in the amount of \$70,000 for DFS to accept funding from the VEC on behalf of the NVWIB to continue to provide intensive employment services to persons participating in the NEG program. No local cash match is required.

ADMIN 11 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 01-P-030, ENTERPRISE LEASING COMPANY, D/B/A ENTERPRISE RENT-A-CAR (PROVIDENCE DISTRICT)

- (AT) Approved the request for five months of additional time to commence construction for Special Exception Application SE 01-P-030 to June 28, 2003, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 12 – AUTHORIZATION FOR THE DEPARTMENT OF COMMUNITY AND RECREATION SERVICES TO APPLY FOR A GRANT FROM THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR VEHICLE REPLACEMENT FUNDS FOR THE FASTRAN SYSTEM AND AUTHORIZATION FOR A PUBLIC HEARING TO REVIEW AND COMMENT ON THE GRANT APPLICATION

(NOTE: Earlier in the meeting the Board discussed this item. See page 15.)

- (A)
- Authorized staff to apply for FTA Section 5310 grant funds for replacement of ten FASTRAN vehicles for Fiscal Year 2004.

- Authorized the advertisement of a public hearing to be held before the Board on **February 24, 2003, at 3:30 p.m.** for the purpose of obtaining citizen input regarding the grant application.

**ADMIN 13 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR)
AS 03072 FOR THE HEALTH DEPARTMENT’S IMMUNIZATION WIC
GRANT**

(SAR) Approved SAR AS 03072 in the amount of \$112,000 for the Health Department to accept grant funds under the Immunization WIC Grant. No local cash match is required.

12. **A-1 – APPROVAL OF FOREST PEST MANAGEMENT SUPPRESSION PROGRAM FOR FISCAL YEAR (FY) 2003** (Tape 4)

Supervisor Hyland moved that the Board concur in the recommendation of staff and direct staff to take the action concerning the County’s FY 2003 Forest Pest Management Suppression Program as outlined in the Board Agenda Item dated January 27, 2003. Supervisor Connolly 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.

13. **A-2 – APPROVAL OF INITIAL COMMENTS ON THE FORT BELVOIR RESIDENTIAL COMMUNITIES INITIATIVE (RCI)** (Tape 4)

Chairman Hanley called the Board's attention to a revised letter that was distributed to the Board.

Discussion ensued with input from Anthony H. Griffin, County Executive.

Supervisor Hyland asked unanimous consent that the Board direct staff to add to the draft comments in the letter a discussion on school requirements. Without objection, it was so ordered.

Supervisor Kauffman moved that the Board concur in the recommendation of staff and endorse the draft comments prepared by staff, and as revised dated January 27, 2003, as part of the scoping for the Environmental Assessment for the RCI. Supervisor Hyland seconded the motion.

Following additional discussion, with input from Mr. Griffin, the question was called on the motion and it carried by unanimous vote.

14. **I-1 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-S02-27, COXCOM, INCORPORATED (SPRINGFIELD DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 27, 2003, announcing the Planning Commission's approval of Public Facilities Application 2232-S02-27.

15. **I-2 – PLANNING COMMISSION ACTION ON PUBLIC FACILITIES APPLICATION 2232-Y02-17, DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES, FACILITIES MANAGEMENT DIVISION (SULLY DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 27, 2003, announcing the Planning Commission's approval of Public Facilities Application 2232-Y02-17.

16. **I-3 – CONTRACT AWARD – WEST COUNTY RECenter (SULLY DISTRICT)** (Tape 4)

The Board next considered an item contained in the Board Agenda dated January 27, 2003, requesting authorization for staff to award a contract to Zadmer Enterprises, Incorporated, in the amount of \$14,652,000 for the construction of the West County RECenter, Project 476098, in Fund 370, Parks Bond Construction.

The staff was directed administratively to proceed as proposed.

17. **I-4 –TOWNHOUSE PARKING REQUIREMENTS IN THE ZONING ORDINANCE (RESIDENTIAL INFILL STUDY RECOMMENDATION TR-5)** (Tape 4)

Anthony H. Griffin, County Executive, withdrew this Information Item from consideration to allow the Planning Commission to review it. He said that there also is some question regarding the accuracy of the survey cited in the report that needs to be clarified.

Supervisor Bulova stated that when in reviewing the list in the study, dated January 27, 2003, she observed that since the parking requirements were exceeded, there have been fewer complaints; consequently, perhaps parking requirements should be increased.

Therefore, she asked unanimous consent that the Board forward her comments to the Planning Commission. Without objection, it was so ordered.

ADDITIONAL BOARD MATTERS

NV:nv

18. **GREEN INFRASTRUCTURE MODEL** (Tape 5)

Chairman Hanley called the Board's attention to the Green Infrastructure Model from the Park Authority which was sent to the Board on Friday, January 24, 2003. She commended it to the Board.

19. **MEMORANDUM OF UNDERSTANDING (MOU) WITH THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG)** (Tape 5)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board refer to the County Executive a MOU that she had received from COG regarding action on the regional MOU for the Regional Emergency Coordination Plan for action at the next Board meeting. Without objection, it was so ordered.

20. **QUARTERLY REPORT OF THE AUDIT COMMITTEE** (Tape 5)

(BACs) Chairman Hanley called the Board's attention to the quarterly status report of the Audit Committee and she briefly outlined its contents.

21. **LAND USE APPLICATION AFFIDAVITS** (Tape 5)

Chairman Hanley called the Board's attention to a memorandum from the County Attorney regarding the lack of a requirement for updating land use application affidavits. The affidavits must only be reaffirmed at the Board meeting.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Connolly asked unanimous consent that the Board direct the County Attorney to provide at the next Board meeting a recommendation for appropriate changes to the process to capture campaign contributions to Board Members. Without objection, it was so ordered.

22. **NATIONAL ENGINEERS WEEK** (Tape 5)

Chairman Hanley moved that the Board direct staff to invite the appropriate representatives to appear before the Board on February 10, 2003, to receive a proclamation declaring February 16-22, 2003, as "*National Engineers Week*" in Fairfax County. Supervisor Mendelsohn seconded the motion, which carried by unanimous vote.

23. **WOMEN'S HISTORY MONTH** (Tape 5)

Chairman Hanley moved that the Board direct staff to invite the appropriate representatives to appear before the Board on February 24, 2003, to receive a proclamation declaring March as "*Women's History Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by unanimous vote.

24. **RECOGNITION OF CONTRIBUTIONS PARTNERS IN COMMUNITY-BASED PROGRAMS** (Tape 5)

Chairman Hanley moved that the Board direct staff to invite the appropriate representatives to appear before the Board in recognition for their contributions to the Medical Care for Children Partnership, Computer Learning Center Partnership, and the Adopt-A-Family Programs. Supervisor Mendelsohn seconded the motion, which carried by unanimous vote.

25. **RECOGNITION OF THE PARTICIPANTS IN THE MISSION OF MERCY DENTAL PROJECT** (Tape 5)

Chairman Hanley moved that the Board direct staff to invite the appropriate Mission of Mercy Dental Project representatives to appear before the Board to receive certificates of recognition. Supervisor Connolly seconded the motion, which carried by unanimous vote.

26. **LETTER FROM TOWN OF VIENNA REGARDING THE RESIDENTIAL TAX EXEMPTION PROGRAM** (Tape 5)

Chairman Hanley called the Board's attention to a letter from the members of the Vienna Town Council requesting reinstatement of the single-family detached residential tax exemption program, which has expired. The program dealt with the remodeling of small older homes.

Chairman Hanley asked unanimous consent that the Board refer the letter to the Revitalization Policy Committee and staff for review.

Following discussion, Chairman Hanley clarified that the review would include the costs associated with the program.

Following further discussion, Supervisor Gross asked to amend the request to direct staff to include this item in the agenda of the Board's next Revitalization Policy Committee meeting scheduled for February 10, 2003, and distribute to the committee members the countywide report on the costs.

Following input from Anthony H. Griffin, County Executive, without objection, the request, as amended, was so ordered.

27. **PHOTO RED LIGHT INFRASTRUCTURE** (Tape 5)

Chairman Hanley stated that she had discovered that the County must implement the Photo Red Light Program in a different manner from other jurisdictions with the program. Other jurisdictions are using the existing infrastructure (conduit and poles) already associated with the traffic signals, yet the County must make a separate installation. County installation costs have ranged from \$25,000 to \$38,000 per location.

Chairman Hanley noted that the Photo Red Light Program was enacted as a safety program and she asserted that its operation could be more cost effective if existing infrastructure could be utilized. Accordingly, she moved that the Board direct staff to communicate the Board's concerns to the Virginia Department of Transportation (VDOT) Commissioner and request that VDOT work with the Department of Transportation to:

- Resolve the physical obstacles to uniting the systems, such as sharing underground conduits and existing electrical connections.
- Examine how other jurisdictions in Virginia, if there are any counties similar to Fairfax County, have resolved operational and infrastructure issues.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

28. **RECOGNITION OF CONTRIBUTIONS TO THE BEARS IN CRUISERS PROGRAM** (Tape 5)

Supervisor Connolly recounted the story of the teddy bear, named for President Theodore "Teddy" Roosevelt. Supervisor Connolly noted that County Police cruisers are equipped with a wide range of tools needed by officers in the performance of their duties. Many cruisers are equipped with teddy bears to assist an officer trying to calm and comfort a child during a difficult situation. The bear is a gift, something for the child to hold onto and take away.

Supervisor Connolly stated that the May Department Stores Company, owner of Hecht's and Lord and Taylor at Tysons Corner Center, recently celebrated the one hundredth anniversary of the teddy bear. As part of the company's commitment to children and children's charities, it donated 60 bears to the McLean District Police Station for use in police cruisers.

Accordingly, Supervisor Connolly moved that the Board direct staff to invite representatives of the May Company, Tysons Corner Center, and the McLean District Police Station to appear before the Board to be recognized for their

contributions to the "Bears in Cruisers" program. Supervisor Mendelsohn seconded the motion, which carried by unanimous vote.

29. **INTENT TO DEFER PUBLIC HEARING REGARDING REVISIONS TO THE CHESAPEAKE BAY PRESERVATION AREA DESIGNATION**
(Tape 5)

Supervisor Mendelsohn announced that the public hearing on proposed amendments to the Code of the County of Fairfax, Chapters 101 (Subdivision Ordinance), 112 (Zoning Ordinance), 118 (Chesapeake Bay Preservation Ordinance), and to the Public Facilities Manual, scheduled for 4:30 p.m., will be deferred because the Planning Commission has not made its recommendation.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#68.)

30. **PUBLIC HEARING ON THE ENVIRONMENT** (Tape 5)

Supervisor Mendelsohn announced that the Environmental Quality Advisory Council will hold its rescheduled public hearing on the environment on Thursday, February 20, 2003, at 7:30 p.m. in Conference Rooms 2 and 3 of the Government Center. The originally scheduled public hearing was postponed because of snow.

Accordingly, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to publicize the event and that persons desiring to be placed on the speakers list should call the Department of Planning and Zoning at 703-324-1210. Without objection, it was so ordered.

31. **2003 COMMUNITIES THAT CARE YOUTH SURVEY** (Tape 5)

Supervisor Mendelsohn raised the issue of the 2003 *Communities that Care Youth Survey*. He noted that the School Board has a pending motion on this survey which it will discuss at its meeting scheduled for February 13, 2003. With reference to the Board's previous discussion on this topic and his discussions with the County Executive, he noted that there is now agreement on restructuring the questions regarding sexual activity.

Following brief input from Anthony H. Griffin, County Executive, Supervisor Mendelsohn moved that the Board direct staff to put the survey on hold until the annual budget timeframe to allow time for the:

- School Board and the Board of Supervisors to decide whether this survey is the best use of the approximately \$60,000 in funds.
- Staff to further review the structure and wording of the questions relating to sexual activity.

- County Attorney to determine whether the use of this survey violates Title XX, Chapter 31, of the United States Code.

He further moved that no survey be conducted until positive action is taken by the School Board and the Board of Supervisors to authorize it after their review of the aforementioned three areas. Supervisor McConnell seconded the motion.

Following discussion, with input from Mr. Griffin; Mark Searle, President, Fairfax Partnership for Youth, Incorporated; and Mary Shaughnessy, Director of Student Services, Fairfax County Public Schools, Supervisor Hyland moved a substitute motion to defer action until February 24, 2003. Supervisor McConnell seconded the motion, which **FAILED** by a recorded vote of five, Supervisor Frey, Supervisor Kauffman, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE."

The question was called on the main motion, which **FAILED** by a recorded vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn voting "AYE."

Supervisor Mendelsohn asked unanimous consent that the Board direct the County Attorney to determine whether the use of this survey violates Title XX, Chapter 31, of the United States Code and to share his findings with the School Board Attorney. Without objection, it was so ordered.

32. **LEAF COLLECTION** (Tape 5)

Supervisor Gross reminded the Board that the County provides leaf collection, for an additional fee, for about 19,000 households. Some of those households are in Mason District and her office has received many complaints about the timing of leaf collection, inaccurate signage, and streets or areas that were missed in the planned three sweeps of each area.

Supervisor Gross noted that despite some County initiatives to improve service, the County's leaf collectors are dependent on the whims of Mother Nature. Leaves fell much later than forecast and then heavy, early snows slowed the pickup. Leaves were still being collected last week, nearly a month later than usual. She said that residents who are paying for leaf collection service are upset, often with good reason.

Therefore, to ensure that leaf collection service meets the expectations of constituents, Supervisor Gross moved that the Board direct the County Executive to review the current leaf collection program and make recommendations for improvements for the 2003 leaf season. Supervisor Kauffman seconded the motion.

Supervisor Kauffman suggested that staff review options for flexibility to base pickups on when leaves have fallen in certain areas.

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

33. **GEESEPEACE** (Tape 5)

Supervisor Gross explained that GeesePeace is a public private partnership that started in Mason District four years ago to humanely eliminate the nuisance aspect of Canada geese in Fairfax County. From its small beginning at Lake Barcroft, GeesePeace has spread to other communities across the country, including New York, Connecticut, and Massachusetts. Fairfax County remains its best and most successful demonstration. Approximately 4000 fewer goslings have hatched since GeesePeace began its effort, in conjunction with the Park Authority and the County's wildlife biologist, to train volunteers to identify and locate nesting areas, treat the eggs, and interact safely with Canada geese.

Supervisor Gross said that goose nesting season is approaching, and it is important for more volunteers to join the effort. Two free training sessions are scheduled: Saturday, March 8, from 2 until 4 p.m., and Monday, March 10, from 9 until 11 a.m. Both sessions will be held at the Audrey Moore Recreation Center at Wakefield Park.

Therefore, in an effort to publicize these free training sessions more widely, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to include the GeesePeace training opportunities in its electronic and print notices. Without objection, it was so ordered.

34. **EMPLOYEES ON ACTIVE DUTY** (Tape 5)

Supervisor Gross stated that in October 2001, the Board authorized assistance to County employees who were called to active duty with the National Guard/Military Reserve. The assistance included a leave transfer program, continuation of the employer contribution to life and health insurance if the employee was on leave without pay, and a pay differential if the military pay salary was less than County pay. Fortunately, only 38 County employee/reservists were called to active duty in that first year.

Supervisor Gross said that as the White House continues to prepare for war, the number of County employees who may be activated for wartime military service is likely to increase. While the County Executive has indicated continuation of County assistance unless otherwise directed, she moved that the Board reaffirm its commitment to maintaining the programs that aid County employees who are called to active duty. Supervisor Kauffman seconded the motion, which carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

35. **RADLEY ACURA SPECIAL EXCEPTION AMENDMENT APPLICATION (MASON DISTRICT)** (Tape 5)

Supervisor Gross announced that a Special Exception Amendment Application SEA 85-M-086 has been filed for a vehicle sales, rental, and ancillary service establishment for Radley Acura on Columbia Pike in the Baileys Crossroads area. As part of that case, the applicant has also requested vacation of a portion of the frontage right-of-way currently used as a service drive. The service drive itself will be removed with the Columbia Pike streetscape improvements.

Supervisor Gross said that while research is ongoing, it appears that the County owns the underlying fee for the area to be vacated, which would require the Board to concur in the filing of the application. Therefore, erring on the side of caution, she moved that the Board concur in the filing of this Special Exception Amendment Application SEA 85-M-086 on the area of right-of-way to be vacated. The applicants have been informed and understand that this motion will not prejudice the consideration of the application in any way. Chairman Hanley seconded the motion, which carried by a vote of six, Supervisor Connolly, Supervisor Hudgins, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

DMB:dmb

36. **BRADDOCK DISTRICT'S FIRST COMMUNITY DIALOG ON TRANSPORTATION AND LAND USE (BRADDOCK DISTRICT)** (Tape 6)

Supervisor Bulova reported that the Braddock District hosted its first Community Dialog on Transportation and Land Use on January 22, 2003, and she distributed a packet of materials to Board Members that was handed out at the Community Dialog. She said that the first meeting was an open discussion among the members and over 40 individuals attended, many of whom signed up for the full nine-session series. Supervisor Bulova said that the first discussion had to do with why people voted for or against the sales tax for transportation referendum and she will share the meeting summaries with Board Members. She also reviewed some packet items that included the subjects that are scheduled to be discussed at the meetings that will follow and a list of guest speakers who will serve as panelists. Supervisor Bulova said that the first part of each meeting will be devoted to education and the second to transportation. She said that the packet also includes "Rules for Participation and Voting" and that she will be reporting on the Community Dialog's progress.

PMH:pmh

37. **RECONSIDERATION OF THE BOARD'S ACTION REGARDING REZONING APPLICATION RZ 2002-SP-004 AND SPECIAL EXCEPTION APPLICATION SE 2002-SP-032 (SPRINGFIELD DISTRICT)** (Tape 7)

- (A) Supervisor McConnell reminded Board Members that at its meeting held on January 6, 2003, the Board held a public hearing in the matter of Rezoning Application RZ 2002-SP-004 filed by Equity Homes and concurrent with Special Exception Application SE 2002-SP-032 and subsequently voted to approve the two applications subject to proffers and development conditions, respectively. Following that action by the Board, it was discovered that proper notice as required by the Zoning Ordinance had not been given to an adjacent property owner.

In light of that discovery, Supervisor McConnell moved that the Board:

- Reconsider Rezoning Application RZ 2002-SP-004 and Special Exception Application SE 2002-SP-032.
- Direct staff to schedule another public hearing on the above referenced applications to be held before the Board on **February 24, 2003, at 4:30 p.m.**
- That the Board incorporate by reference all public testimony given at the public hearing held on January 6, 2003, into the record of the public hearing of February 24, 2003.

Supervisor Bulova seconded the motion.

Chairman Hanley expressed concern for the number of re-advertisements needed since the beginning of this year.

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

38. **ADVENTURES IN DRIVING - SURVIVE THE RIDE** (Tape 7)

Jointly with Supervisor Kauffman, Supervisor McConnell said that as the Virginia Department of Transportation's (VDOT) Director of Communications for the Springfield Interchange Construction Project, Steve Titunik was well aware of the safety challenges to experienced drivers, and especially to newly minted high school drivers. To address the needs of young drivers, Mr. Titunik and Ms. Jennifer Finstein of VDOT's Crash Course Program for high school students wrote a safety guide aimed at young drivers between the ages of 14 and 16.

Adventures in Driving - Survive the Ride, a handbook for teens aimed at reducing the high accident and fatality rate in this age group was released by VDOT on Friday, December 6, 2002.

Supervisor McConnell said that this handbook is now used in the Fairfax County Public Schools Crash Course driver education program. The guide was developed with the support of Fairfax County high school students and is written in language teenagers can relate to. It contains real-life photographs, statistics, and tips on handling driving situations in all kinds of weather. Several Fairfax County driver education teachers and the State Police also developed content for the guide. *Adventures in Driving - Survive the Ride* is proactive. It gives students information they need to safely navigate Virginia's roads and teaches them about the real dangers, risks, and consequences of driving, before bad driving habits are established.

Jointly Supervisor McConnell and Supervisor Kauffman asked unanimous consent that the Board direct the Office of Public Affairs to invite Ms. Finstein and Mr. Titunik to appear before the Board at a future meeting for formal recognition for all their efforts associated with this project. Without objection, it was so ordered.

39. **DEPARTMENT OF MOTOR VEHICLES (DMV) LINES** (Tape 7)

Supervisor McConnell expressed concern about the length of time citizens are waiting in line at the DMV.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the County Executive to review the issue. Without objection, it was so ordered.

A brief discussion ensued.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

DMB:dmb

40. **REVIEW OF EMPLOYEE TIME REPORTING PROCEDURES** (Tape 6)

Supervisor Hudgins said that at the January 6, 2003, meeting the Board was presented with an innovative and efficient way of administering the personal tax payment process. There was a brief discussion on the efficiencies of other systems, in particular the time reporting process. She said that at the time she had mentioned the redundancy of the time reporting system, whereby employees must access the time reporting system to confirm regular time and/or input deviations. Office personnel must then lock the data, after which the department coordinator must confirm and submit to payroll. Payroll reports are generated every two weeks for filing. Supervisor Hudgins said that this process seems outdated and cumbersome based on today's technology and that many large corporations have

gone to strictly reporting deviations with each employee being accountable for the accuracy of data being reported.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to review the existing time reporting procedures to determine if there are ways to improve the efficiency of the existing system. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that the Board refer this issue to the Department of Human Resources for review and that it report its findings in the form of an Agenda Item at the Board meeting scheduled for February 10, 2003. Without objection, it was so ordered.

41. **RECOGNITION OF THE EDUCATION RETIREMENT HOUSING CORPORATION** (Tape 6)

Supervisor Hudgins said that the Education Retirement Housing Corporation of Virginia is celebrating 25 years of providing quality, affordable housing for seniors and physically and mentally challenged citizens of the County. The Fairfax Education Retirement Housing Corporation is dedicated to providing quality of life housing for seniors and mentally and physically challenged citizens. The residents have access to a variety of group and individual activities such as a fully current library, arts and crafts activities, and personal grooming facilities. Tysons Towers offers something for everyone through classes, specially organized events, and celebratory parties that are organized through a full-time social director. The building provides a 24-hour desk and management staff focusing on all the needs of its residents. Tysons Towers is a federal and state subsidized facility.

In recognition of 25 years of providing quality and affordable housing to seniors and the physically and mentally challenged citizens in the County, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite the representatives of the Fairfax Education Retirement Housing Corporation to appear before the Board for recognition for their quarter century of providing affordable housing. Without objection, it was so ordered.

42. **INFORMATION FOR CITIZENS NEEDING ASSISTANCE** (Tape 6)

Supervisor Hudgins said that Ellen Graves of her staff encountered several individuals coming to the Hunter Mill District office looking for coats of which they have found that there is a growing need. As a result of advertising in the newspaper for coats for needy individuals, the Hunter Woods District office has been inundated with coats and the staff has been working in partnership with Reston Interfaith for distribution. Supervisor Hudgins thanked all of the citizens who responded to the request by contributing coats.

Supervisor Connolly asked unanimous consent that the Board direct the Office of Public Affairs to post information and the names of charities in the County that

directly help the homeless so that citizens will know where to go for assistance. Without objection, it was so ordered.

PMH:pmh

43. **MOUNT VERNON'S SIXTEENTH ANNUAL TOWN MEETING** (Tape 7)

Supervisor Hyland said that Mount Vernon's sixteenth annual town meeting held at the Mount Vernon High School's Little Theatre attracted more than 400 people from the Mount Vernon vicinity.

Supervisor Hyland expressed his appreciation to panelists and guests - Chairman Hanley; Lee District Supervisor Kauffman; Anthony H. Griffin, County Executive; and Edward Long, Chief Financial Officer.

44. **WAIVER OF THE FEES FOR THE SHOWMOBILE (MOUNT VERNON DISTRICT)** (Tape 8)

Supervisor Hyland said that the Martha Washington Community Library has planned its annual event called Diversity Day. This program started three years ago as a way to celebrate and showcase the richness of the community's growing diversity. The Library holds the event in April, which is Diversity Month. Planning for the Fourth Annual Diversity Day to be held in April 2003 is already underway. The date for the program is April 26, 2003.

Accordingly, Supervisor Hyland moved that the Board:

- Waive the fees for the Showmobile on April 26, 2003.
- Direct the Office of Public Affairs to publicize this event.

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

45. **REQUEST THAT TRAIL BE NAMED IN HONOR OF MR. WARREN B. JOHNSON (MOUNT VERNON DISTRICT)** (Tapes 7-8)

Supervisor Hyland said that the Mount Vernon Manor Citizens' Association (MVMCA) has requested that a portion of Fairfax County's trail system be named for Warren B. Johnson, a longtime contributor to Fairfax County and the Mount Vernon community. MVMCA ask that the portion of the trail system be named the Warren B Johnson Memorial Trail.

Accordingly, Supervisor Hyland moved that the Board refer this to staff for follow-up and coordination with the MVMCA president in the hope that the Warren B. Johnson Memorial Trail can be dedicated in the spring of 2003.

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

46. **REQUEST TO WAIVE FEES FOR THE LORTON AMERICAN LEGION POST 162, INCORPORATED (MOUNT VERNON DISTRICT)** (Tape 8)

Supervisor Hyland said the Lorton American Legion Post 162, Incorporated has requested a waiver of the fees to apply for a special permit application. He added that the proposal is to locate one 10' x 32' trailer and place it on its adjacent parking lot. The cost of Fairfax County's fees are high and the trailer cost barely exceeds these fees.

Therefore, Supervisor Hyland asked unanimous consent that the Board support a waiver of the special permit application fee and other fees that may occur. Without objection, it was so ordered.

Following input from David P. Bobzien, County Attorney, Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

47. **ATHLETIC TRAINING FACILITIES ASSOCIATED WITH A PUBLIC USE** (Tape 8)

Supervisor Frey noted that last week the Fairfax County Park Authority revised its application on Quinn Farm property to delete DC United as a partner to its development proposal. After months of discussion, it was clear that no agreement could be reached with DC United that would have provided a significant public benefit to the County.

Supervisor Frey said that the Park Authority will continue to process the 2232 public facility application to request nine lighted, irrigated rectangular ball fields on the Quinn Farm and the public hearing will be held in the next couple of months.

Supervisor Frey pointed out that the Board authorized staff to prepare an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), that proposed to permit by special exception athletic training facilities associated with a public use in the R-C District. It appears that this amendment is no longer necessary.

Therefore, Supervisor Frey moved that the Board direct the Zoning Administration Division, Department of Planning and Zoning, to withdraw the proposed amendment. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor Mendelsohn being out of the room.

48. **BUSY KIDS CHILD CARE CENTER** (Tape 8)

Supervisor Frey said that Busy Kids Child Care Center is operating at 13880 Metrotech Drive in the Sully Place Shopping Center under Special Permit Application SP 94-Y-068. The operator has leased adjacent space within the shopping center and desires to expand the enrollment. As a result of the Zoning Ordinance amendment relating to child care centers, this site now requires a special exception. Due to circumstances beyond the applicant's control the special exception application submission has been delayed. Staff has indicated that it is possible to process the application on an expedited basis due to the limited scope of the review.

Accordingly, Supervisor Frey moved that the Board:

- Authorize staff to expedite the processing of the special exception application for the Busy Kids Child Care Center located at 13880 Metrotech Drive in Chantilly.
- Direct staff to schedule a public hearing to be held before the Board immediately after the Planning Commission public hearing.
- Authorize staff to waive the site plan, if the improvements are such that no site plan is required. In the event that a site plan is required staff is directed to concurrently process the site plan with the special exception application.

The applicant understands that this motion does not relieve them of any obligation, ordinance, or standards, and will not prejudice the consideration of the applications in any way. Supervisor Bulova seconded the motion and it carried by unanimous vote.

49. **INTENT TO DEFER PUBLIC HEARINGS** (Tape 6)

Supervisor Kauffman announced his intent later in the meeting, at the appropriate time, to defer the following public hearings until February 24, 2003:

- Rezoning Application RZ 1998-LE-064
- Special Exception Application SE 01-L-020
- Special Exception Amendment Applications SEA 91-L-053-4 and SEA 91-L-054-3

(NOTE: Later in the meeting the public hearings were formally deferred. See Clerk's Summary Item CL#57.)

50. **PUBLIC HEARING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA C-448-27 (LEE DISTRICT)** (Tape 8)

- (A) Supervisor Kauffman said that Kingstowne Shopping Center I, LP has filed an application to amend the proffers to allow for more than one eating establishment in Building D of the Kingstowne Shopping Center. Current proffers limit the number of eating establishments in Building D to one. There is support in the community for this amendment and there will be no physical changes to the site.

Therefore, Supervisor Kauffman moved that the Board direct staff to schedule a public hearing to be held before the Board on **April 28, 2003, at 3:30 p.m.** on Proffered Condition Amendment Application PCA C-448-27 by Kingstowne Shopping Center I, LP. This motion, the second to which was inaudible, carried by unanimous vote.

51. **RECESS/CLOSED SESSION** (Tape 8)

At 1 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 as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A)(1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A)(3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A)(7).
 - 1. *Avalon Assisted Living Facilities, Inc. v. Zofia A. Zager*, Record No. 0778-02-4, and *State Building Code Technical Review Board v. Zofia A. Zager*, Record No. 0820-02-4 (Va. Ct. App.) (Dranesville District)
 - 2. *Zofia A. Zager, Director, Office of Building Code Services, Department of Public Works and Environmental Services, and the Building Official of Fairfax County, Virginia v. Rukhsana Khalid, a/k/a Rukshana Khalid and*

- Rashid Khalid*, In Chancery No. 179443 (Fx. Co. Cir. Ct.) (Braddock District)
3. *Vanguard Services Unlimited v. Board of Zoning Appeals of Fairfax County, Board of Supervisors of Fairfax County, and Jane W. Gwinn, Fairfax County Zoning Administrator*, C.A. 02-1707-A (E.D. Va.) (Mason District)
 4. *Board of Supervisors v. Governors Run, L.P., et al.*, At Law No. 201904 (Fx. Co. Cir. Ct.) (Sully District)
 5. *Charles J. Fitzgerald v. Fairfax County Civil Service Commission, Fairfax County Police Department, and Fairfax County*, In Chancery No. 180431 (Fx. Co. Cir. Ct.)
 6. *Metromedia Fiber Network, Inc., et al. v. Virginia State Corporation Commission*, Adversary Proceeding No. 02-05357; *Metromedia Fiber Network, Inc., et al. v. County of Fairfax*, Adversary Proceeding No. 02-05358 (United States Bankruptcy Court for the Southern District of New York) (Hunter Mill and Providence Districts)
 7. *Julia Friday-Spivey v. Charles Lee Collier and Greater Springfield Volunteer Fire Department*, At Law No. 208609 (Fx. Co. Cir. Ct.) (Lee District)
 8. *Geraldine Hoffman v. Fairfax County Redevelopment and Housing Authority, Fairfax County, and Quantum Property Management*, Case No. 1:02CV02548 (U.S. Dist. Ct., D.C.) (Providence District)
 9. *Jane W. Gwinn, Fairfax County Zoning Administrator v. George Daamash*, In Chancery No. 178684 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 10. *W. John Layng and Carol Layng, Individually, and DBA Layng and Company Greenhouses v. Jane Gwinn, Zoning Administrator of Fairfax County, Virginia, and Board of Supervisors of Fairfax County*,

Virginia, In Chancery No. 162042 (Fx. Co. Cir. Ct.) (Dranesville District)

11. *Jane W. Gwinn, Fairfax County Zoning Administrator v. C.J. Hall*, In Chancery No. 178757 (Fx. Co. Cir. Ct.) (Lee District)
12. *Board of Supervisors of Fairfax County, Virginia v. Board of Zoning Appeals of Fairfax County, Virginia, et al.*, At Law No. 210533 (Fx. Co. Cir. Ct.) (Providence District)
13. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Robert E. Clay, Jr.*, In Chancery No. 181171 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Jorge Berrios*, In Chancery No. 181408 (Fx. Co. Cir. Ct.) (Lee District)
15. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Dolores L. Lewis*, In Chancery No. 181989 (Fx. Co. Cir. Ct.) (Dranesville District)
16. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Jerome E. Headley, Svetlana V. Headley, Francis A. Headley, and Grace F. Headley*, In Chancery No. 182102 (Fx. Co. Cir. Ct.) (Mason District)
17. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Crystal Allen*, Case No. 02-36926 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

And in addition:

- *Mary Ellen Blevins v. Board of Supervisors of Fairfax County, Virginia, et al.*, In Chancery Number 182209

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

NV:nv

At 3:30 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION52. **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 Connolly 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."

53. **SALARY INCREASE FOR THE COUNTY EXECUTIVE** (Tape 9)

Supervisor Gross moved that the Board approve the salary increase of \$7,210 for the County Executive, raising his annual salary to \$187,493 effective immediately, plus \$2000 to his deferred compensation for a total effective compensation increase of 5 percent. Other provisions of the County Executive's contract remain unchanged. Supervisor Bulova seconded the motion, which carried by unanimous vote.

54. **SALARY INCREASE FOR THE COUNTY ATTORNEY** (Tape 9)

Supervisor Gross moved that the Board approve a salary increase of 5 percent for the County Attorney, thereby raising his annual salary to \$157,920 effective immediately. She further moved that in addition, the amount of \$2000 is to be added to the County Attorney's deferred compensation account, effective January 1, 2003. Supervisor Hyland seconded the motion, which carried by unanimous vote.

AGENDA ITEMS55. **3 P.M. ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (Tape 9)

At 3:35 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Hanley in accordance with Article III, Section I of the bylaws.

Supervisor Connolly moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

OFFICERS

Katherine K. Hanley Chairman, Fairfax County Board of Supervisors	– Chairman
Gerald W. Hyland Vice-Chairman, Fairfax County Board of Supervisors	– Vice-Chairman
Nancy Vehrs Clerk to the Fairfax County Board of Supervisors	– Secretary
Robert L. Mears Director, Office of Finance	– Treasurer
David P. Bobzien County Attorney	– Attorney
Anthony H. Griffin County Executive	– Executive Director
Joyce M. Doughty Director, Division of Solid Waste Disposal and Resource Recovery, Department of Public Works and Environmental Services (DPWES)	– Authority Representative

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

Supervisor Connolly moved approval of the minutes from the January 28, 2002, and June 3, 2002, meetings of the Fairfax County Solid Waste Authority. Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of the financial statements for the Authority as distributed to members of the Authority. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

A brief discussion ensued, with input from Ms. Doughty.

Supervisor Gross moved to adjourn the Annual Meeting of the Fairfax County Solid Waste Authority. Supervisor Connolly seconded the motion, which carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

At 3:40 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was adjourned.

SBE:sbe

56. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-P-078-12 (INOVA HEALTH CARE SERVICES) (PROVIDENCE DISTRICT)** (Tape 10)

The application property is located at 3300 Gallows Road, Tax Map 49-3 ((1)) 136C, 136C1; 59-2 ((1)) 1A pt., 1B pt., 1C pt., 1D and 1E.

Mr. Timothy S. Sampson reaffirmed the validity of the affidavit for the record.

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

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

- In excess of \$200 from Mr. James M. Scott, Inova Health System

Supervisor Gross disclosed that she represents the County on the Inova Health Care Services Board.

Supervisor Frey disclosed that he also represents the County on the Inova Health Care Services Board.

ADDITIONAL BOARD MATTER

Welcome to Cub Scout Troop 1313 from Reston
(Tape 10)

Chairman Hanley recognized the presence of members of Cub Scout Troop 1313 from Reston who are working on their Citizenship Badges and taking a tour of the Government Center. Chairman Hanley warmly welcomed Troop 1313 to the Board Auditorium.

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

Supervisor Connolly moved:

- Approval of Special Exception Amendment Application SEA 80-P-078-12, subject to the development conditions dated December 4, 2002.
- Reaffirmation of the previously approved transitional screening modification and waiver of the barrier requirements in favor of that shown on the SEA plat, subject to the development conditions dated December 4, 2002.
- Reaffirmation of the waiver of the trail requirement along Gallows Road in favor of the eight-foot wide sidewalk depicted on the SEA plat.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Gross, Supervisor Kauffman, and Supervisor McConnell being out of the room.

57. **3 P.M. – PH ON REZONING APPLICATION RZ 1998-LE-064, SPECIAL EXCEPTION APPLICATION SE 01-L-020, AND SPECIAL EXCEPTION AMENDMENT APPLICATIONS SEA 91-L-053-4 AND SEA 91-L-054-3 (SPRINGFIELD EAST, LC) (LEE DISTRICT)** (Tape 10)

Supervisor Kauffman moved to defer the public hearing on Rezoning Application RZ 1998-LE-064, Special Exception Application SE 01-L-020, and Special Exception Amendment Applications SEA 91-L-053-4 and SEA 91-L-054-3 until **February 24, 2003, at 3 p.m.** Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McConnell being out of the room.

58. **3 P.M. – BOARD DECISION ON PROPOSED AREA PLANS REVIEW (APR) ITEM 02-IV-9LP, LOCATED NORTH OF THE OCCOQUAN RIVER WITH INTERSTATE-95 BISECTING THE SUBJECT PROPERTY (MOUNT VERNON DISTRICT)** (Tape 10)

Supervisor Hyland moved to defer the decision on Area Plans Review (APR) Item 02-IV-9LP until **February 10, 2003, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Gross, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

59. **3 P.M. – PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S02-III-BR1 FOR CHANTILLY CROSSING (SULLY DISTRICT)**
(Tape 10)

Supervisor Frey moved to defer the public hearing on the proposed Out-of-Turn Plan Amendment S02-III-BRI until **February 10, 2003, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Gross, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

DS:ds

60. **3:30 P.M. – PH ON PROPOSED COMPREHENSIVE PLAN AMENDMENT ITEM S01-CW-4CP ON SOLID WASTE AND RECYCLING** (Tape 11)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 9 and January 16, 2003.

Following the public hearing, Pamela G. Nee, Chief, Environment and Development Review Branch, Planning Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Planning Commission recommendation for proposed Comprehensive Plan Amendment Item S01-CW-4CP as shown in the staff report dated December 23, 2002. Supervisor Hudgins seconded the motion and it carried by a vote of seven, Supervisor Gross, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

61. **3:30 P.M. – PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 97-III-9UP AND 97-III-47UP, LOCATED ALONG COPPERMINE ROAD WEST OF CENTREVILLE ROAD (HUNTER MILL DISTRICT)** (Tape 11)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 9 and January 16, 2003.

Discussion ensued with input from Marianne Gardner, Chief, Policy and Plan Development Branch, Planning Division (PD), Department of Planning and Zoning (DPZ), and Lindsay Mason, Planner I, PD, DPZ.

The public hearing was held and included testimony by five speakers.

Discussion ensued with input from Gary Chevalier, Director, Facilities Planning Services, Department of Facilities Services, Fairfax County Public Schools.

Ms. Mason presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of the Planning Commission recommendation for APR Items 97-III-9UP and 97-III-47UP as found in Attachment II of the Board Agenda Item dated January 27, 2003. Supervisor Connolly and Supervisor McConnell jointly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Chairman Hanley relinquished the Chair to Acting-Chairman McConnell and moved that the Board direct staff to work with the School Board to review the formulas that determine the number of students generated from multi-family housing with special consideration to the age, location, size (which includes the number of bedrooms), configuration, high-rise, garden, mid-rise, and type of ownership to develop formulas that more accurately predict the number of students to be generated by new development. Supervisor Connolly seconded the motion.

Supervisor Connolly asked to amend the motion to include cost, and this was accepted.

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

Acting-Chairman McConnell returned the gavel to Chairman Hanley.

62. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2002-MV-038 (CAPITAL KIDS, INCORPORATED) (MOUNT VERNON DISTRICT)** (Tape 11)

Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 2002-MV-038 until **February 10, 2003, at 3 p.m.** Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

63. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 74-2-112-3 AND SPECIAL EXCEPTION APPLICATION SE 2001-SP-055 (MCDONALD'S CORPORATION) (SPRINGFIELD DISTRICT)** (Tape 11)

Supervisor McConnell moved to defer the public hearing on Proffered Condition Amendment Application PCA 74-2-112-3 and Special Exception Application SE 2001-SP-055 until **February 10, 2003, at 4 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

64. **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 DUNN LORING RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 3 (PROVIDENCE DISTRICT)** (Tape 11)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 9 and January 16, 2003.

Discussion ensued with input from Hamid Majdi, Transportation Planner, Traffic Operations Section, Department of Transportation.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved adoption of proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Appendix G, expanding the Dunn Loring RPPD, District 3. The expansion includes the following street blocks:

- Bucknell Drive (Route 2415) from Carnegie Drive (Route 2408) to Cottage Street (Route 2401)

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

65. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2002-PR-031 (THE MITRE CORPORATION) (PROVIDENCE DISTRICT)** (Tapes 11-12)

The application property is located at 7515 and 7525 Colshire Drive, Tax Map 30-3 ((28)) 3A and 4A2.

Ms. Hillary K. Zahm reaffirmed the validity of the affidavit for the record.

Discussion ensued with input from Barbara A. Byron, Director, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), and Leslie Johnson, Branch Chief, ZED, DPZ.

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

Following the public hearing, Leslie Johnson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved approval of Special Exception Application SE 2002-PR-031, subject to the development conditions dated January 27, 2003. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being out of the room.

Supervisor Connolly asked unanimous consent that the Board direct staff to report with the status of the sign ordinance at the next Board meeting scheduled for February 10, 2003. Without objection, it was so ordered.

66. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-D-045-7 (WASHINGTON DC SMSA LP D/B/A VERIZON WIRELESS) (DRANESVILLE DISTRICT)** (Tape 12)

The application property is located at 6251 Old Dominion Drive, Tax Map 31-3 ((1)) 83.

Mr. Frank W. Stearns reaffirmed the validity of the affidavit for the record.

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

- Two contributions in excess of \$200 from Mr. John G. Milliken of Venable, Baetjer, and Howard

Mr. Stearns 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 Mendelsohn moved to waive the reading of the staff and Planning Commission recommendations. Supervisor McConnell seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being out of the room.

Supervisor Mendelsohn moved approval of Special Exception Amendment Application SEA 80-D-045-7, subject to the development conditions dated December 13, 2002. Supervisor Kauffman seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being out of the room.

67. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 74-2-112-3 AND SPECIAL EXCEPTION APPLICATION SE 2001-SP-055 (MCDONALD’S CORPORATION) (SPRINGFIELD DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting the Board took action regarding this item. See Clerk's Summary Item CL#63.)

68. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), CHAPTER 112 (ZONING ORDINANCE), CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE), AND TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING IMPLEMENTATION OF REVISIONS TO THE CHESAPEAKE BAY PRESERVATION AREA DESIGNATION AND MANAGEMENT REGULATIONS (9 VAC 10-20 ET SEQ.)** (Tape 12)

Supervisor Mendelsohn moved to defer the public hearing on proposed amendments to the Code of the County of Fairfax, Chapters 101 (Subdivision Ordinance), 112 (Zoning Ordinance), 118 (Chesapeake Bay Preservation Ordinance), and to the PFM until **March 24, 2003, at 4:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

69. **4 P.M. – BOARD DECISION ON PROPOSED AREA PLANS REVIEW (APR) ITEM 02-IV-8LP, LOCATED IN THE SOUTHWESTERN QUADRANT OF LORTON ROAD AND INTERSTATE-95 INTERCHANGE (MOUNT VERNON DISTRICT)** (Tape 12)

(NOTE: At its November 18, 2002, meeting the Board held a public hearing and made a decision on this item. At its December 9, 2002, meeting the Board reconsidered its action and deferred decision until January 27, 2003.)

Supervisor Hyland moved to defer decision on Area Plans Review Item 02-IV-8LP until **February 10, 2003, at 3 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

70. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), CHAPTER 112 (ZONING ORDINANCE), CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE), AND TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING IMPLEMENTATION OF REVISIONS TO THE CHESAPEAKE BAY PRESERVATION AREA DESIGNATION AND MANAGEMENT REGULATIONS (9 VAC 10-20 ET SEQ.)** (No Tape)

(NOTE: Earlier in the meeting the Board took action regarding this item. See Clerk's Summary Item CL#68.)

71. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2002-SU-028 AND SPECIAL EXCEPTION APPLICATION SE 2002-SU-033 (P-Q, LLC) (SULLY DISTRICT)** (Tape 12)

- (O) The Rezoning Application RZ 2002-SU-028 property is located on the south side of Lee Highway, approximately 700 feet east of Old Centreville Road, Tax Map 54-4 ((1)) 015.

The Special Exception Application SE 2002-SU-033 property is located at 13821 Lee Highway, Tax Map 54-4 ((1)) 105.

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

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

- In excess of \$200 from A&R Foods

Supervisor McConnell disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Ronald Devine

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, Fran Burnszynski, Staff Coordinator, 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 2002-SU-028, from the R-1, C-8, HC, and WS Districts to the C-8, HC, and WS Districts, subject to the proffers dated January 14, 2003. Supervisor Connolly and Supervisor McConnell

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

Supervisor Frey moved approval of Special Exception Application SE 2002-SU-033, subject to the development conditions dated January 14, 2003. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Hudgins, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

72. **4:30 P.M. – PH REGARDING THE LEASING OF FAIRFAX COUNTY PROPERTY ON TINNER HILL ROAD TO THE TINNER HILL HERITAGE FOUNDATION, INCORPORATED (PROVIDENCE DISTRICT)** (Tape 12)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 9 and January 16, 2003.

Robert Morgan, staff, Division of Facilities Management, Department of Public Works and Environmental Services, gave the staff presentation.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved authorization for staff to execute a Ground Lease with Option to Purchase, substantially in accordance with the proposed lease, for the leasing of County-owned property consisting of approximately 0.301 acre on Tinner Hill Road [Tax Map 50-2 ((7)) Lot 2], coupled with the leasing of adjacent property owned by the City of Falls Church, to the Tinner Hill Heritage Foundation, Incorporated, for the purpose of the development of the property for historic designation, a tourism designation, and an educational resource. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor Hyland being out of the room.

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

At 5:15 p.m., the Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	1-3
The New Millennium Occoquan Watershed Task Force Report	3-4
Report on General Assembly Activities	4
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	5-14
Items Presented by the County Executive	
Administrative Items	14-20
Action Items	20
Information Items	21
Board Matters	
Chairman Hanley	1, 22-24
Supervisor Bulova	29
Supervisor Connolly	24
Supervisor Frey	33-34
Supervisor Gross	26-28
Supervisor Hudgins	1, 30-31
Supervisor Hyland	32-33
Supervisor Kauffman	3, 34-35
Supervisor McConnell	29-30
Supervisor Mendelsohn	25-26
Actions from Closed Session	38
Annual Meeting of the Solid Waste Authority	38-40
Public Hearings	40-48