



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

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**MONDAY
SEPTEMBER 11, 1995**

18-95

AM:am

The meeting was called to order at 9:45 a.m. with all Members being present, with the exception of Supervisor Berger, and with Chairman Hanley presiding.

Supervisor Berger arrived at 9:50 a.m.

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

2. **REQUEST TO REMEMBER FATHER CASEY OF SAINT MARY OF SORROWS CATHOLIC CHURCH** (Tape 1)

Supervisor Bulova asked everyone to remember Father Casey of Saint Mary of Sorrows Catholic Church in their thoughts and prayers this morning during the moment of silent meditation and throughout the day. Father Casey has been diagnosed with a brain tumor and is scheduled for surgery on Wednesday, September 13, 1995.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO THE CENTREVILLE HIGH SCHOOL GIRLS SOFTBALL TEAM** (Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to the Centreville High School Girls Softball team for winning the State Championship. This motion was seconded by Supervisor Frey and carried by unanimous vote.

4. CERTIFICATE OF RECOGNITION PRESENTED TO MR. ROBERT BEAN
(Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Mr. Robert Bean for winning second place in the State in the Introduction to Business and Entrepreneurship Competition and third place at the National Leadership Conference for Future Business Leaders of America. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

5. CERTIFICATE OF RECOGNITION PRESENTED TO MS. KATHERIN MARIE SLIMAK (Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Ms. Katherin Marie Slimak for winning six awards for her Environmental Science project "Avoidance Response as a Sublethal Endpoint." This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being out of the room.

6. PROCLAMATION DESIGNATING THE WEEK OF OCTOBER 12-18, 1995 AS NORTHERN VIRGINIA "TURN OFF THE VIOLENCE WEEK" IN FAIRFAX COUNTY (Tape 1)

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and moved approval of the Proclamation designating the week of October 12-18, 1995 as Northern Virginia "Turn Off the Violence Week" in Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

SBE:sbe

7. 9:45 A.M. - PRESENTATION ON COMMUNITY INITIATIVE TO REDUCE YOUTH VIOLENCE (Tape 2)

(BACs)

Delegates James H. Dillard and James M. Scott, Co-Chairs, Community Initiative to Reduce Youth Violence (CIRYV), presented the Report of the CIRYV.

Chairman Hanley recognized the presence of Sheriff Carl R. Peed in the Board Auditorium and warmly welcomed him.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board adopt Recommendation Number One, on page 13 of the CIRYV Report to the Board, which states:

- “The Board of Supervisors and the Fairfax County School Board are asked to establish a steering committee for youth to provide mechanisms for developing a shared vision and a comprehensive plan for coordinating efforts to reduce youth violence; enable public and private service providers to better integrate their services, fill gaps, and avoid redundant efforts.”

She further moved that the Board:

- Direct staff to request the School Board to join the Board in this effort;
- Adopt the other recommendations in the Report in concept; and
- Direct staff to report at the September 18, 1995 meeting of the Board with a plan for the implementation of those recommendations.

Supervisor Hanley stated that this motion was made with the understanding that the Board is not making obligatory budgetary decisions on this issue. This motion was seconded by Supervisor Alexander.

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

Vice-Chairman Dix returned the gavel to Chairman Hanley.

AR:ar

8. **10:00 A.M. - PH ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY) 1995 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 1996 REVISED BUDGET PLAN** (Tapes 3-4)

(SAR)

(FPR) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of August 25, 1995.

Following the public hearing, which included testimony by three speakers, and a brief presentation by Edward L. Long, Jr., Director, Office of Management and Budget, Supervisor Frey moved approval of Supplemental Appropriation Resolution (SAR) AS 96018 and Amendment to Fiscal Planning Resolution (FPR) AS 96901 which includes expenditure authorization for Fiscal Year (FY) 1995 Carryover encumbrances, unencumbered items, unexpended capital balances, and administrative adjustments identified in the County and School's FY 1995 Carryover Review which results in a Combined General Fund balance of \$8.6 million. This motion was seconded by

Supervisor Connolly and carried by a vote of nine, Supervisor Alexander, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Berger being out of the room.

Supervisor Frey moved appropriation of Federal/State grants including \$12.2 million in Carryover of unexpended balances and additional adjustments. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Frey moved approval of adjusting the Managed Reserve to maintain the reserve at two percent of the total Combined General Fund disbursements based on the actions taken by the Board as part of the FY 1995 Carryover Review. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

With reference to the identified available balance of \$3.5 million in Subfund 469, Metro Operations and Construction, Supervisor Dix moved that the Board direct staff to transfer \$2.5 million of these funds into the Combined General Fund balance. This motion was seconded by Chairman Hanley.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, the question was called on the motion which carried by unanimous vote.

Supervisor Frey moved approval of \$6,745 for a School Crossing Guard at Virginia Run Elementary School. This motion, the second to which was inaudible, carried by unanimous vote.

Supervisor Bulova moved approval of \$20,000 for the upgrade of existing street lights. This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of six, Supervisor Berger, Supervisor Dix, Supervisor Frey, and Chairman Hanley voting "NAY."

Supervisor McConnell moved approval of the conversion of 36 Exempt Limited Term Positions to Merit Regular Status associated with the TARGET program in the Department of Tax Administration and Office of the Sheriff (completely offset by revenue). This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Dix asked unanimous consent that the Board direct staff to confirm with appropriate data that this program is, in fact, completely offset by revenue as projected. Without objection, it was so ordered.

Supervisor McConnell moved approval of \$370,295 for additional positions in Juvenile and Domestic Relations District Court. This motion was seconded by Supervisor Hyland.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Dix asked to amend the motion to:

- Reduce the amount for these additional positions to \$185,000 for the remainder of FY 1996; and
- Direct staff to take the necessary action to include the remaining \$185,000 as a Consideration Item in the proposed FY 1997 Budget, taking into consideration the eligibility of reimbursement from the State.

This was accepted.

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

Supervisor Alexander moved approval of \$29,400 for the purchase of two Speed Monitoring Awareness Radar (SMART) Trailers. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland moved approval of \$24,000 as an additional contribution for the Offender Aid and Restoration (OAR) of Fairfax County. This motion was seconded by Supervisor Trapnell and **CARRIED** by a recorded vote of seven, Supervisor Berger, Supervisor Dix, and Supervisor Frey voting "NAY."

Supervisor Hyland moved approval of \$6,745 for a school crossing guard at Cheney Elementary School. This motion was seconded by Supervisor Alexander.

Following discussion, Supervisor Bulova noted that perhaps the United States (U.S.) Army at Fort Belvoir should provide the crossing guard since Cheney is located on Fort Belvoir.

Supervisor Dix asked to amend the motion by approving the funding for this item for this school year only, and that the Board formally request the appropriate officers at Fort Belvoir to assume the responsibility for this safety matter thereafter, and this was accepted.

Supervisor Connolly suggested that, in the formal correspondence with Fort Belvoir, the Board request a refund from the U.S. Army for this school year's funding for the crossing guard at Cheney.

Supervisor Bulova asked to amend the amendment (Supervisor Dix's) by approving the funding for six months only and requesting the U. S. Army to assume the responsibility for this crossing guard in the future, and this was accepted.

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

Supervisor Hyland moved approval of \$8,000 for funding of the trail extension in Mount Vernon District which is necessary due to a developer default along the highway into the Grist Mill area. This motion was seconded by Supervisor Alexander.

Following discussion, with input from Mr. Long and John W. di Zerega, Director, Department of Public Works, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Bulova voting "NAY," Supervisor Dix being out of the room.

Supervisor Hyland moved approval of \$500,000 to fund the Urban Design and Market Studies for Route One, Annandale, and Bailey's Crossroads. This motion was seconded by Supervisor Trapnell.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Dix moved a substitute motion to approve funding in the amount of \$250,000 to move forward with the market studies for these areas. This motion was seconded by Supervisor Frey.

Following further discussion, Supervisor Dix withdrew his substitute motion.

The question was then called on the main motion which **CARRIED** by a recorded vote of eight, Supervisor Dix and Supervisor Frey voting "NAY."

Supervisor Hyland moved approval of \$275,000 to fund the Fire and Rescue Department Wellness Program. This motion was seconded by Supervisor Connolly.

Following discussion, with input from Mr. Leidinger and Leonard Wales, Assistant Director, Office of Management and Budget, the question was called on the motion which carried by unanimous vote.

Supervisor Dix moved that the Board direct staff to transfer proceeds, for this year only, in the amount of \$577,000 from Subfund 150 into the available fund balance to offset the shortfall for next year. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Frey moved approval of, with no dollar impact, the requested additional position in the Retirement Administration Agency. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Frey expressed his appreciation to staff for their professional efforts and, in particular, the responsiveness to requests from the Board as recently as last Thursday.

9. ADMINISTRATIVE ITEMS (Tape 4)

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

Supervisor McConnell called the Board's attention to Administrative Item One - Proposed Street Name Change for a Portion of Ladue Lane (Springfield District) and asked to amend the motion to consider this item separately, and this was accepted.

Supervisor Dix called the Board's attention to Administrative Item 11 - Approval to Apply for Grant Funds from the Virginia Department of Transportation (VDOT) to Assist in the Purchase/Conversion of Vehicles to Run on Compressed Natural Gas and/or Electric Batteries and Administrative Item 16 - Adoption of a Resolution Approving the Issuance of a Refunding Bond Issued by the Fairfax County Economic Development Authority on Behalf of CJC Associates, a Virginia Limited Partnership (Providence District) and asked to amend the motion to consider these items separately, and this was accepted.

Chairman Hanley called the Board's attention to Administrative Item Eight - Supplemental Appropriate Resolution (SAR) AS 96032 for Continuation of the Federal Head Start Program within the Office for Children. Following discussion, with input from Verdina L. Haywood, Deputy County Executive for Human Services, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked to amend the motion to defer consideration of this item until later in the day, and this was accepted.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

The question was called on the motion, as amended, which carried by a recorded vote of eight, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey and Supervisor Trapnell being out of the room.

ADMIN 1 - PROPOSED STREET NAME CHANGE FOR A PORTION OF LADUE LANE (SPRINGFIELD DISTRICT)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#10.)

ADMIN 2 - PROPOSED STREET NAME CHANGE FOR A PORTION OF HOOES ROAD (SPRINGFIELD DISTRICT)

Approved an official street name change for a portion of Hooes Road in the Official Street Names and Property Numbering Atlas to Bentley Village Drive, from its intersection with Rolling Road to its terminus one block west of Jillspring Court on Tax Map Number 089-4.

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION SE 91-M-004, ANNANDALE VOLUNTEER FIRE DEPARTMENT (MASON DISTRICT)

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 91-M-004 until July 22, 1997 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTIONS SE 92-Y-030 AND SE 92-Y-041, SHELL OIL COMPANY (SULLY DISTRICT)

- (AT) Approved the request for one year of additional time to commence construction for Special Exception Applications SE 92-Y-030 and SE 92-Y-041 until September 22, 1996 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO SUBMIT THREE APPLICATIONS FOR DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE GRANTS

Authorized the Fairfax-Falls Church Community Services Board to submit three grant applications in the amount of \$100,821 for youth treatment; \$49,053 for youth violence prevention; and \$47,822 for HIV case management services

ADMIN 6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96027 IN THE AMOUNT OF \$411,804 FOR THE VIRGINIA PRESCHOOL INITIATIVE GRANT FOR AT-RISK FOUR YEAR OLD CHILDREN

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96027 in the amount of \$411,804 to implement the Virginia Preschool Initiative for at-risk four-year-old children.

ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96030 FOR CONTINUATION OF THE FEDERAL HEAD START/PUBLIC SCHOOLS EARLY CHILDHOOD TRANSITION DEMONSTRATION GRANT

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96030 in the amount of \$800,000 for continuation of the U.S. Department of Health and Human Services' Head Start/Public School Transition Demonstration project.

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96032 FOR CONTINUATION OF THE FEDERAL HEAD START PROGRAM WITHIN THE OFFICE FOR CHILDREN

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#110.)

ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96028 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT THE TOWN OF HERNDON'S ANNUAL VIRGINIA DEPARTMENT OF FIRE PROGRAMS GRANT

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96028 in the amount of \$16,892 from the Town of Herndon, which is its allocation from the Virginia Department of Fire Programs.

ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96029 FOR THE FIRE AND RESCUE DEPARTMENT TO COVER ADDITIONAL REIMBURSABLE EXPENSES ASSOCIATED WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY ACTIVATION TO PROVIDE EMERGENCY DISASTER ASSISTANCE IN THE OKLAHOMA BUILDING EXPLOSION AFTERMATH

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96029 in the amount of \$30,000 for the Federal Emergency Management Agency (FEMA) Activation grant to cover expenses associated with the activation of the Department's Urban Search and Rescue (US&R) Task Force to provide disaster assistance for the Oklahoma building explosion.

ADMIN 11 - APPROVAL TO APPLY FOR GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO ASSIST IN THE PURCHASE/CONVERSION OF VEHICLES TO RUN ON COMPRESSED NATURAL GAS AND/OR ELECTRIC BATTERIES

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#11.)

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO EXPAND THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 16, 1995 at 5:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, Residential Permit Parking Districts (RPPD), Appendix G, to include Rocart Drive (Route 2783) from Ravensworth Road to Bristow Drive in the existing Annandale RPPD, District 14.

ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE A STORM DRAINAGE EASEMENT IN THE VILLA LORING SUBDIVISION (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 16, 1995 at 3:30 p.m.** to consider the vacation of a storm drainage easement in the Villa Loring Subdivision.

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED APPLICATIONS FOR THE VIRGINIA ENTERPRISE ZONE PROGRAM

- (A) Authorized the advertisement of a public hearing to be held before the Board on October 16, 1995 at 6:00 p.m. to consider the proposed applications for the Virginia Enterprise Zone Program.

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENTS TO CHAPTER 101 (SUBDIVISION ORDINANCE) OF THE COUNTY CODE RE: STATE CODE UPDATES AND EDITING REVISIONS (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Board on October 30, 1995 at 3:30 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) to update the Subdivision Ordinance to incorporate several recent revisions to the Code of Virginia and make editing revisions.

ADMIN 16 - ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A REFUNDING BOND ISSUED BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY(EDA) ON BEHALF OF CJC ASSOCIATES, A VIRGINIA LIMITED PARTNERSHIP (MASON DISTRICT)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#12.)

10. **ADMIN 1- PROPOSED STREET NAME CHANGE FOR A PORTION OF LADUE LANE (SPRINGFIELD DISTRICT)** (Tape 4)

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item CL#9.)

Supervisor McConnell moved approval of an official street name change for a portion of Ladue Lane in the Official Street Names and Property Numbering Atlas to Ladues End Lane, from its intersection with Fairfax County Parkway to the end of the cul-de-sac on Tax Map Number 067-4. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Frey being out of the room.

11. **ADMIN 11 - APPROVAL TO APPLY FOR GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO ASSIST IN THE PURCHASE/CONVERSION OF VEHICLES TO RUN ON COMPRESSED NATURAL GAS AND/OR ELECTRIC BATTERIES** (Tape 4)

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item CL#9.)

Following discussion, with input from Fred K. Kramer, Director, Department of General Services, and James D. Gorby, Director, Equipment Management Transportation Agency (EMTA), Supervisor Hyland moved approval of the application for grant funds in the amount of \$525,400 from the Virginia Alternative Fuels Revolving Fund (VAFRF) to assist with conversion of County and School Board vehicles to run on compressed natural gas (CNG) and/or electric batteries. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Alexander being out of the room.

12. **ADMIN 16 - ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A REFUNDING BOND ISSUED BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY(EDA) ON BEHALF OF CJC ASSOCIATES, A VIRGINIA LIMITED PARTNERSHIP (MASON DISTRICT)** (Tape 4)

(R) (NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item CL#9.)

Supervisor Dix disclosed that he has a relationship with George Mason Bank, the purchaser of the bonds, and therefore would not be participating in any action on this Resolution.

Supervisor Connolly moved adoption of the Resolution approving the issuance of a refunding bond issued by the Fairfax County Economic Development Authority (EDA) on behalf of CJC Associates, a Virginia Limited Partnership. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of nine, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Dix abstaining.

13. **A-1 - RESTRUCTURING OF EXTENSION AND CONTINUING EDUCATION** (Tape 4)

Supervisor Alexander moved that the Board concur in the recommendation of staff and approve the restructuring of the Extension and Continuing Education programs. This motion was seconded by Supervisor Hyland.

Following a brief discussion regarding the dissipation of funds for these programs at the State level, the question was called on the motion which carried by unanimous vote.

14. **A-2 - REVISED VERSION OF "CITIZEN'S GUIDE TO THE COMPREHENSIVE PLAN REVIEW PROCESS," INCLUDING FORM, INSTRUCTIONS, AND A PROPOSED CALENDAR FOR THE 1997 AREA PLANS REVIEW CYCLE** (Tape 4)

With a notation regarding the need to continue discussions with the Planning Commission regarding some of the submission dates, Supervisor Frey moved that the Board concur in the recommendation of staff and:

- Approved the revision of procedures for the 1997 Area Plans Review process; and
- Adopted the proposed calendar for the 1997 Area Plans Review Cycle.

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

15. A-3 - RECONFIRMATION OF BOARD SUPPORT FOR REVISING THE POTOMAC EMBAYMENT STANDARDS TO ESTABLISH A "POLICY FOR THE POTOMAC EMBAYMENTS" (Tape 4)

- (P) Supervisor Hyland moved that the Board concur in the recommendation of staff and reconfirm support for modifying the Potomac Embayment Standards and establishing a "Policy For the Potomac Embayments." This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board refer the report entitled, "The Virginia Potomac River Basin Nutrient Reduction Strategy" to staff for review and analysis. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

CM:cm

16. C-1 - 1995 VIRGINIA MUNICIPAL LEAGUE ANNUAL CONFERENCE (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 regarding designation of a voting and alternate voting delegate to represent Fairfax County at the Virginia Municipal League (VML) Annual Conference.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board designate:

- Supervisor Dix as the voting delegate; and
- Chairman Hanley as the alternate delegate.

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

Vice-Chairman Dix returned the gavel to Chairman Hanley.

17. C-2 - IMPLEMENTATION PLAN FOR ACCESS TO THE BOARD CHAMBERS
(Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 regarding consideration of an implementation plan for access to the Board Chambers.

Supervisor Dix moved approval of the staff recommendation. This motion was seconded by Supervisor Berger.

Following a lengthy discussion with input from William J. Leidinger, County Executive, Supervisor Connolly moved to table the motion. This motion was seconded by Chairman Hanley and **FAILED** by a recorded vote of six, Supervisor Alexander, Supervisor Connolly, Supervisor Frey, and Chairman Hanley voting "AYE."

Following further discussion, with input from Mr. Leidinger, Supervisor Bulova moved to amend the motion to change the posted signs on the doors leading to the Board Chambers to read "Visitors Please Check In With Receptionist." This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of eight, Supervisor Connolly and Supervisor Frey voting "NAY."

The question was called on the main motion, as amended, which **CARRIED** by a recorded vote of seven, Supervisor Connolly, Supervisor Frey, and Chairman Hanley voting "NAY."

(NOTE: Later in the meeting, there was additional action on this item. See Clerk's Summary Item CL#69.)

18. C-3 - APPROVAL OF HEALTH CENTER FOR THE FIRE AND RESCUE DEPARTMENT (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 regarding consideration of a Health Center for fire fighters and paramedics.

Supervisor Hyland moved approval of the staff recommendation to approve a Health Center for fire fighters and paramedics. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

19. C-4 - AUTHORIZATION TO TRANSMIT COMMENTS TO THE ADVISORY COMMITTEE ON AGING, DISABILITY AND LONG-TERM CARE SERVICES
(Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 regarding transmitting comments from the Board concerning the Draft Report for Public Comment on the Preliminary Recommendations for the Delivery of Long-Term Care Services at the Local Level.

Following a brief discussion, with input from Verdia L. Haywood, Deputy County Executive for Human Services, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of the staff recommendation to transmit comments from the Board. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being out of the room.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

20. **I-1 - ADOPT-A-CAUSE UPDATE** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 requesting authorization for the Steering Committee to continue with its current plans for Adopt-A-Cause.

The staff was directed administratively to proceed as proposed.

21. **I-2 - COSTS ASSOCIATED WITH THE OPERATION OF FASTRAN** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 presenting an update on the costs associated with the operation of FASTRAN.

Following discussion, with input from Wes Kendrick, Director, Community and Recreation Services, Supervisor Berger moved that the Board direct staff to again review this issue in an attempt to reduce the costs to conform with surrounding jurisdictions. The motion died for lack of a second.

Supervisor Dix asked unanimous consent that the Board direct staff to examine the possibility of making the vehicles available for non-County use during off peak hours, for a modest fee. Without objection, it was so ordered.

22. **I-3 - ACTION PLAN FOR THE SERIOUS OR HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM (SHOCAP) IN FAIRFAX COUNTY** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 requesting authorization for the Fairfax County Serious or Habitual Offender Comprehensive Action Program (SHOCAP) to become fully operational effective September 11, 1995.

The staff was directed administratively to proceed as proposed.

23. **I-4 - REPORT ON THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S (VDOT) PROPOSED REVISION OF THE SUBDIVISION STREET REQUIREMENTS** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 presenting a report on the Virginia Department of Transportation's (VDOT) proposed revision of the subdivision street requirements.

24. **I-5 - VIRGINIA DEPARTMENT OF TRANSPORTATION VDOT RIGHT-OF-WAY POLICIES (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 presenting information on the Virginia Department of Transportation's (VDOT) policies concerning the disposition of boarded-up properties.

25. **I-6 - REGIONAL SURFACE TRANSPORTATION AND CONGESTION MITIGATION AND AIR QUALITY PROGRAM PROJECTS FOR VIRGINIA DEPARTMENT OF TRANSPORTATION PROGRAM FISCAL YEAR (FY) 1997 (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 requesting authorization for staff to assume endorsement of the projects by the Board and will pursue funding for Fiscal Year (FY) 1997.

The staff was directed administratively to proceed as proposed.

26. **I-7 - WOODROW WILSON BRIDGE IMPROVEMENT STUDY UPDATE (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 presenting an update on the Woodrow Wilson Bridge Improvement Study.

Following discussion, Supervisor Dix moved that the Board direct staff to forward a letter to the Woodrow Wilson Bridge Coordination Committee urging that the public hearing process be expedited to this Fall if possible. This motion was seconded by Chairman Hanley and **CARRIED** by a recorded vote of seven, Supervisor Alexander abstaining, Supervisor Berger and Supervisor Connolly being out of the room.

27. **I-8 - BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 1996** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 requesting authorization for staff use the meeting calendar contained in the Memorandum to the Board for the purpose of scheduling.

The staff was directed administratively to proceed as proposed.

28. **I-9 - AWARD OF CONTRACT - ACTUARIAL SERVICES FOR THE FAIRFAX COUNTY RETIREMENT SYSTEM** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 requesting authorization for staff to award a contract to Milliman and Robertson in the amount of \$503,000 for the preparation of actuarial valuations and other actuarial studies for the three retirement systems currently in operation in Fairfax County. Of this total amount, \$74,000 is included in the adopted budget for Fiscal Year (FY) 1996.

The staff was directed administratively to proceed as proposed.

29. **I-10 - ADDENDUM NUMBER SIX TO THE ENGINEERING CONTRACT WITH PARSONS, BRINCKERHOFF, QUADE AND DOUGLAS, INCORPORATED FOR THE DESIGN OF I-95/SOUTH VAN DORN INTERCHANGE (LEE DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 requesting authorization for staff to award a contract addendum to Parsons, Brinckerhoff, Quade and Douglas, Incorporated in the amount of \$185,517.64 for the design of the I-95/South Van Dorn Interchange.

The staff was directed administratively to proceed as proposed.

30. **I-11 - AWARD OF CONTRACT - ELECTRIC AVENUE PHASE II (PROVIDENCE DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 requesting authorization for staff to award a contract to Hercules Construction Corporation in the amount of \$248,111 for the construction of Phase II of Electric Avenue, Project DF0292, in Subfund 490, Pro Rata Share Storm Drainage Construction.

The staff was directed administratively to proceed as proposed.

31. **I-12 - AWARD OF CONTRACT - I-66 TRANSFER STATION EXPANSION (SULLY DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 11, 1995 requesting authorization for staff to award a contract to Norair Engineering Corporation in the amount of \$6,757,000 including Alternate Two for the construction of Project 174002, I-66 Transfer Station Expansion, in Subfund 174, Refuse Disposal.

The staff was directed administratively to proceed as proposed.

CM:cm

32. **INFORMATION TECHNOLOGY SUBCOMMITTEE MEETING** (Tape 5)

Chairman Hanley announced that the new Information Technology Subcommittee held its first meeting this morning. Mr. Mario Marino of the Northern Virginia Project discussed some of the works in progress. One project discussed was the proposal to have a regional conference for local governments to discuss all of the options and possibilities in the area of technology, particularly communications.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board indicate Fairfax County's support for such a conference and the willingness to participate in helping such a regional effort occur. This motion was seconded by Vice-Chairman Dix and carried by unanimous vote.

Supervisor Hanley stated that Mr. Marino left a number of documents regarding what other governments are doing in this regard.

33. **RESOLUTION TO WELCOME THE MEMBERS OF THE MARY PRESTON HISTORICAL SOCIETY AS A CANADIAN DELEGATION TO FAIRFAX COUNTY** (Tape 5)

Supervisor Hanley announced that members of the Mary Preston Historical Society of Halifax, Dartmouth, Canada's Underground Railroad descendants, will travel from the Canadian province of Nova Scotia to Fairfax County to form an official delegation to celebrate the 12th anniversary of the Slave Memorial at Mount Vernon, Virginia. The commemoration of the Slave Memorial is sponsored by Black Women United for Action and the Mount Vernon Ladies Association. Black Women United for Action has requested that the Board present a resolution on the occasion of this visit of the Mary Preston Historical Society to Black Women United for Action.

Therefore, Supervisor Hanley moved that the Board direct staff to prepare a Resolution to welcome the members of the Mary Preston Historical Society as a Canadian Delegation to Fairfax County and invite the delegation and representatives from Black Women United for Action to appear before the Board on September 18, 1995 to receive this Resolution. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Berger being out of the room.

34. **DESIGNATION OF SEPTEMBER 15 THROUGH OCTOBER 15 AS HISPANIC HERITAGE MONTH IN FAIRFAX COUNTY** (Tape 5)

Supervisor Hanley stated that September 18 through October 18 is nationally designated as Hispanic Heritage Month to commemorate the Hispanic American contribution to the nation. In conjunction with Federal observances, the Office of Equity Programs has requested that

the Board recognize this occasion with a Proclamation declaring September 15, 1995 to October 15, 1995, as "**Hispanic Heritage Month**" in Fairfax County and invite Lagretta L. Butler, Director, Office of Equity Programs to appear before the Board on September 18, 1995 to receive this Proclamation. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Berger being out of the room.

35. **VIENNA-FALLS CHURCH CHORUS** (Tape 5)

Supervisor Hanley informed the Board that the Vienna-Falls Church Chorus was formed 30 years ago. In 1988 this Chorus won an international competition competing against 700 choruses. They have once again advanced to compete in an international competition taking place in November, 1995 in Fort Lauderdale, Florida.

Supervisor Hanley announced that on Friday, September 22, 1995 at 8:00 p.m., the Vienna-Falls Church Chorus of 90 women will present "Sweet Adelines," the American art form of barbershop harmony singing and dancing to traditional and contemporary music. Sweet Adelines is celebrating its 50th anniversary this year. The show will take place at the Ernst Center for the Performing Arts at the Annandale Campus of the Northern Virginia Community College (NOVA). For tickets or membership information, please call 703-242-SING.

36. **HOUSE TRANSPORTATION AND INFRASTRUCTURE COMMITTEE PROVISION TO THE NATIONAL HIGHWAY SYSTEM (NHS) BILL** (Tape 5)

Supervisor Hanley called the Board's attention to a provision to the National Highway System (NHS) currently being considered by the House Transportation and Infrastructure Committee that would allow states to take away from localities unobligated funds, that is funds for projects not yet under contract, and use them for "state priorities." The states would then have the ability to "reallocate" the funds without a public hearing or even without consulting the locality.

The Chairman of the Committee, Bud Shuster, of Pennsylvania, believes this provision to be the fix to an obscure provision of the Intermodal Surface Transportation Efficiency Act (ISTEA), Section 1003 (c), which sets a limit on annual obligation authority. He also believes that states will lose money if the limit is reached. Because the states have heavily obligated their funds for NHS projects, but have not spent down their funds for other programs, this provision would allow them to reprogram money dedicated to these other purposes, and the money in jeopardy is almost entirely money specifically allocated to metropolitan areas, either by formula or competitive process.

Therefore, Supervisor Hanley moved that the Board go on record as opposing such a provision by directing staff to send letters to Chairman Shuster and the congressional delegation. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

37. **REVISIONS TO THE AFFORDABLE DWELLING UNIT (ADU) ORDINANCE**
(Tape 5)

Supervisor Hanley reminded the Board that the Affordable Dwelling Unit Ordinance, as approved by the Board on December 11, 1989 included a provision that it could not be amended by the Board without approval of the General Assembly of Virginia for the first five years. The five year provision expired on July 31, 1995, giving the Board the ability to amend the original ordinance.

Supervisor Hanley stated that, now that the five year mark has passed, there are some areas of the original ordinance that need to be considered for revision.

To address these issues, Supervisor Hanley moved that the Board direct staff to report with a plan for a process to review the ADU Ordinance that includes those segments of the community who were involved with the original committee as well as other interested parties. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

38. **OPENING OF ANOTHER SEGMENT OF THE FAIRFAX COUNTY PARKWAY BETWEEN BRADDOCK ROAD AND INTERSTATE I-66** (Tape 5)

Supervisor Hanley called the Board's attention to the opening of another segment of the Fairfax County Parkway between Braddock Road and Interstate I-66 on September 19, 1995. With this opening, there will be a 14-mile continuous segment between Reston and Route 123.

Supervisor Hanley stated that the Parkway project has been funded through a variety of sources including local general funds, County and State bonds, State transportation funds, Defense Access funds, and the private sector and stated that there are authorized State bonds that have yet to be sold. Completion of this facility is a high priority for the County and is one of three regional priorities endorsed by the Transportation Coordinating Council (TCC).

Therefore, Supervisor Hanley moved that the Board direct staff to return with a status report on current fund allocations and funds programmed or projected by the State which may be available for completing the remaining segments of the Parkway so that the County may request the State to aggregate those funds so that the County may move forward with funding the remaining segments of the Parkway. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

39. **POWER PLANTS IN LOUDOUN COUNTY** (Tape 5)

Supervisor Hanley stated that she received a letter from the Chairman of the Environmental Quality Advisory Council (EQAC) concerning power plants in Loudoun County and stated that additional comments/concerns should be entered in the form of an Information Item for the September 18, 1995 Board meeting.

40. AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING SECTION 8-811 STANDARDS FOR A TEMPORARY PERMIT (Tapes 5-6)

Supervisor Hanley stated that on December 7, 1992 the Board adopted an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), which became Section 8-811. This amendment set forth standards for a temporary Special Permit to be approved by the Zoning Administrator for a mobile and land based telecommunication testing facility. However, if one reads the ordinance closely, the standards for a temporary permit are not clear. For example there is no criteria to determine if the facility will be used solely for testing, instead of temporary service. There is no criteria for what the permit holder must do when the permit expires, such as remove the temporary tower and restore the ground to its original condition. Also, there is no prohibition against applying for a temporary permit for the same site where an application for a permanent facility is pending. For these reasons, Supervisor Hanley asserted that the Board needs to consider a revision of this section of the Zoning Ordinance.

Additionally, Supervisor Hanley stated that this section of the Zoning Ordinance, as written, does not allow citizens to participate in the review process. The Ordinance needs to contain a citizen comment component as part of the approval process for a mobile and land based telecommunication facility, even if it is temporary.

Therefore, Supervisor Hanley moved that the Board direct staff to include on next week's Board agenda the advertisement of a proposal to delete and/or modify the provisions of Section 8-811 of the Zoning Ordinance, with respect to temporary mobile and land based telecommunication testing facilities. This motion was seconded by Supervisor Bulova.

Supervisor McConnell moved a substitute motion to refer this issue to the Telecommunications Committee. This motion was seconded by Supervisor Frey.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP), and Jane W. Gwinn, Division Director, Zoning Administration Division, OCP, and David P. Bobzien, County Attorney, the question was called on the substitute motion which **FAILED** by a recorded vote of six, Supervisor Berger, Supervisor Frey, Supervisor McConnell, and Vice-Chairman Dix voting "AYE."

The question was then called on the main motion which **CARRIED** by a recorded vote of nine, Supervisor Berger abstaining.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

41. ORDERS OF THE DAY (Tape 6)

Supervisor Alexander asked unanimous consent that due to the lateness of the hour the Board defer the remainder of the Board Matters until later in the meeting and recess for Executive Session. Without objection, it was so ordered.

42. RECESS/EXECUTIVE SESSION (Tape 6)

At 2:15 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in Virginia Code Section 2.1-344 and listed in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Jacqueline Ivy Barnes, et al. versus Fairfax County, et al., Civil Action Number 95-815-A;
- McLean Hamlet Citizens, Incorporated, et al. Versus the Board of Supervisors of Fairfax County, Virginia, et al., In Chancery Number 137177; and
- Supplemental Agreement to the Fairfax County-District of Columbia Waste Disposal Agreement of December 13, 1987.

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

AR:ar

At 3:50 p.m, the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Hyland, and with Chairman Hanley presiding.

ACTION FROM EXECUTIVE SESSION43. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION (Tape 7)

Supervisor Bulova moved that the Board of Supervisors certify that, to the best of their knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed, or considered by the Board during the Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Hyland being out of the room.

SBE:sbe

44. 3:30 P.M. - PH ON THE VACATION OF A PORTION OF H STREET IN THE NEW ALEXANDRIA SUBDIVISION (MOUNT VERNON DISTRICT) (Tape 7)

On behalf of Supervisor Hyland, Supervisor Alexander moved to defer the public hearing on the vacation of a portion of H Street in the New Alexandria Subdivision until October 16, 1995 at 5:30 p.m. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Hyland being out of the room.

45. INTENT TO DEFER PH ON REZONING APPLICATION RZ 94-P-057 (LAWRENCE DOLL COMPANY) (Tape 7)

Supervisor Connolly stated his intent to defer, at the appropriate time, the public hearing on Rezoning Application RZ 94-P-057 until October 16, 1995 at 5:30 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#60.)

46. 3:30 P.M. - PH ON REZONING APPLICATION RZ 95-P-012 (LITTLE ZION, INCORPORATED) (PROVIDENCE DISTRICT) (Tape 7)

Mr. Grayson P. Hanes reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-P-012 be amended from R-1, Highway Corridor and Sign Control Districts, to C-5, Highway Corridor and Sign Control Districts, subject to the executed proffers dated August 28, 1995; and
- Waiver of the minimum lot size requirement.

This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Berger, Supervisor Hyland, and Chairman Hanley being out of the room.

47. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-Y-016 (SHOPS AT FAIR LAKES, LIMITED PARTNERSHIP) (SULLY DISTRICT) (Tape 7)

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

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

Vice-Chairman Dix disclosed that previously he had a business relationship with Hunton and Williams.

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

Supervisor Frey moved approval of Special Exception Application SE 95-Y-016 subject to the development conditions dated September 11, 1995; the Planning Commission having previously approved Final Development Plan Amendment Application FDPA 82-P-069-4 on July 12, 1995. This motion was seconded by Vice-Chairman Dix and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Hyland, and Chairman Hanley being out of the room.

48. **3:30 PM. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-H-012 (THE GULICK GROUP) (HUNTER MILL DISTRICT) (Tape 7)**

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

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

Supervisor Connolly disclosed that Mr. James Webster Dyke, Jr. is a member of the Connolly for Supervisor Finance Committee and also is an attorney with McGuire, Woods, Battle and Booth.

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

Vice-Chairman Dix relinquished the Chair to Acting-Chairman McConnell and moved:

- Approval of Special Exception Application SE 95-H-012 subject to the development conditions dated July 15, 1995; and
- Approval of a waiver of the service drive requirement along Route 7.

This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Chairman Hanley being out of the room.

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

49. 3:30 P.M. - PH TO CONSIDER ADOPTING AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS) RELATING TO SHOOTING BB-GUNS, TO CARRYING OR POSSESSING LOADED RIFLES AND SHOTGUNS IN VEHICLES, AND TO CLARIFYING CERTAIN PROVISIONS (COUNTYWIDE) (Tapes 7-9)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of August 25 and September 1, 1995.

Following discussion, with input from Michael H. Long, Assistant County Attorney, Supervisor McConnell asked unanimous consent that the Board direct staff to clarify the definitions of loaded and unloaded shotguns. Without objection, it was so ordered.

Prior to the testimony presented by Paul Moog, speaker number three, Supervisor Berger moved that the Board direct staff to designate the Northern Virginia Citizen Defense League as a group allotted five minutes to present testimony before the Board. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

Following the public hearing, which included testimony by 19 speakers, Supervisor Berger moved to reject the proposed amendment to the Code of the County of Fairfax, Chapter 6 (Weapons) relating to the:

- Shooting of BB-guns;
- Carrying or possessing loaded rifles and shotguns in vehicles; and
- Clarifying of certain provisions.

This motion was seconded by Supervisor Frey.

Supervisor McConnell moved a substitute motion to refer this item to the Ad Hoc Citizens Committee on Hunting for review and documentation. This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Connolly moved to call the question on the substitute motion. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Supervisor Dix voting "NAY," Supervisor Hyland being out of the room.

The question was called on the substitute motion which **CARRIED** by a recorded vote of five, Supervisor Berger, Supervisor Connolly, Supervisor Dix, and Supervisor Frey voting "NAY," Supervisor Hyland being out of the room.

The question was then called on the main motion, as substituted, which **CARRIED** by a recorded vote of six, Supervisor Berger, Supervisor Dix, and Supervisor Frey voting "NAY," Supervisor Hyland being out of the room.

50. **3:30 P.M. - PH ON THE VACATION OF A PORTION OF H STREET IN THE NEW ALEXANDRIA SUBDIVISION (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, the public hearing on the Vacation of a Portion of H Street in the New Alexandria Subdivision was deferred. See Clerk's Summary Item CL#44.)

51. **3:30 P.M. - PH ON THE WAIVER OF THE BOARD OF SUPERVISORS' REVERSIONARY INTEREST IN PROPERTY OWNED BY THE BAILEY'S CROSSROADS VOLUNTEER FIRE DEPARTMENT, 3601 MADISON LANE, FALLS CHURCH (MASON DISTRICT)** (Tape 9)

- (R) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of August 25 and September 1, 1995.

Following the public hearing, which included testimony by one speaker, Supervisor Trapnell moved adoption of the Resolution which provides that the Board agrees that in the event the Bailey's Crossroads Volunteer Fire Department should lease approximately 1,200 square feet of the fire station site for the purpose of operating a monopole, then such lease will not cause title to the property to revert to the Board, provided space is made available on the monopole at no cost to the Board for public safety and other Fairfax County government communication purposes. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Alexander, Supervisor Connolly, Supervisor Dix, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Berger, Supervisor Bulova, Supervisor Frey, and Supervisor Hyland being out of the room.

AM:am

52. **4:00 P.M. - PH ON REZONING APPLICATION RZ 95-P-004 (EDGEMOORE HOMES PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 10)

Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Frey and Supervisor Hyland being out of the room.

Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-P-004 be amended from the R-1 and R-4 Districts to the R-4 and PDH-3 Districts subject to the revised proffers dated August 14, 1995; the Planning Commission having previously approved Final Development Plan Application FDP 95-P-004 on July 12, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Frey, and Supervisor Hyland being out of the room.

53. **4:00 P.M. - PH ON REZONING APPLICATION RZ 93-H-032 (RICHARD N. DAVIS, TRUSTEE) (HUNTER MILL DISTRICT)** (Tape 10)

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

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

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

Following discussion, Supervisor Dix moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-H-032 be amended from the R-1 District to the PDH-12 District subject to the revised proffers dated September 7 1995; the Planning Commission having previously approved Final Development Plan Application FDP 93-H-032 on September 7, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor Connolly, and Chairman Hanley being out of the room.

Supervisor Dix moved modification of the transitional screening and barrier around the periphery of the site in favor of that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP), and as further stipulated in the proffers. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Alexander, Supervisor Connolly, and Chairman Hanley being out of the room.

Supervisor Dix moved waiver of the 600-foot minimum length requirement for private streets. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor Connolly, and Chairman Hanley being out of the room.

54. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-M-029 (MRO MID-ATLANTIC CORPORATION) (MASON DISTRICT)** (Tape 10)

Ms. Meaghan S. Kiefer reaffirmed the validity of the affidavit for the record.

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

Supervisor Connolly disclosed the following:

- Mr. Jim Dyke is a member of the Finance Committee for Connolly for Supervisor and is also an attorney with McQuire, Woods, Battle and Boothe.

Following the public hearing, Supervisor Trapnell moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Trapnell moved approval of Special Exception Application SE 95-M-029 subject to the development conditions dated July 19, 1995. This motion was seconded by Supervisor Dix and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Trapnell moved:

- Waiver of the minimum lot size and width requirements;
- Waiver of the service drive requirement along Route 7; and
- Waiver of the required minimum separation of 20 feet between the curb cut and the side or rear lot pursuant to Section 4-805 of the Zoning Ordinance.

This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

55. 4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 80-L-117 (FIRST UNION NATIONAL BANK OF VIRGINIA) (LEE DISTRICT)
(Tape 10)

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

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

Following the public hearing, Supervisor Alexander moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Alexander moved approval of Special Exception Amendment Application SEA 80-L-117 subject to the development conditions dated September 8, 1995. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Chairman Hanley being out of the room.

Supervisor Alexander moved modification of the transitional screening and barriers along the western boundary (Fordson Road), in accordance with the Special Exception Plat, with supplemental plantings as recommended in the development conditions. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Chairman Hanley being out of the room.

56. **4:00 P.M. - PH ON A PROPOSAL TO ABANDON AND VACATE A PORTION OF RIDGE LANE (ROUTE 817) (HUNTER MILL DISTRICT)** (Tape 10)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of August 25 and September 1, 1995.

Following the public hearing, Supervisor Dix moved adoption of the Order abandoning and the Ordinance vacating a portion of Ridge Lane. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell voting "AYE," Supervisor Alexander, Supervisor Berger, Supervisor Trapnell, and Chairman Hanley being out of the room.

57. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) TO CLARIFY THE CALCULATION OF A MEMBER'S RETIREMENT ANNUITY DUE TO DEFERRED MERIT INCREMENTS** (Tapes 10-11)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of August 25 and September 1, 1995.

Following the public hearing, Supervisor Trapnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 3 (County Employees) regarding a revision to the Supplemental Retirement System Ordinance to clarify the calculation of a member's retirement annuity due to deferred merit increments. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Supervisor Trapnell and Chairman Hanley voting "AYE," Supervisor Alexander, Supervisor Berger, and Supervisor McConnell being out of the room.

58. 4:30 P.M. - PH ON REZONING APPLICATION RZ 95-Y-008 (FAIRFAX INVESTMENTS) (SULLY DISTRICT) (Tape 11)

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

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

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-Y-008 be amended from the R-1, I-5, C-8 and Water Supply Protection Overlay Districts to the PDH-20 and Water Supply Protection Overlay Districts subject to the revised proffers dated July 26, 1995; the Planning Commission having previously approved Final Development Plan Application FDP 95-Y-008 on July 26, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved modification of the transitional screening and barrier requirements along the eastern boundary and a portion of the western and southern boundaries. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved waiver of the service drive requirement along Route 29. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved waiver of the 600-foot maximum length of private streets requirement. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

59. 4:30 P.M. - PH ON REZONING APPLICATION RZ 95-Y-006 (MOHAMMAD M. AND FARIDEH F. EGHTEDARI) (SULLY DISTRICT) (Tape 11)

Mr. Zia U. Hassan reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-Y-006 be amended from the R-1, Highway Corridor and Water Supply Protection Overlay Districts to the PDH-3, Highway Corridor and Water Supply Protection Overlay Districts subject to the revised proffers dated September 6, 1995; the Planning Commission having previously approved Final Development Plan Application FDP 95-Y-006 on July 26, 1995. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved modification of the barrier requirements along the northern and western boundaries of the proposed townhouse units. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Bulova being out of the room.

60. **4:30 P.M. - PH ON REZONING APPLICATION RZ 94-P-057 (THE LAWRENCE DOLL COMPANY) (PROVIDENCE DISTRICT)** (Tape 11)

Supervisor Connolly moved to defer the public hearing on the Rezoning Application RZ 94-P-057, until **October 16, 1995 at 5:30 p.m.** This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Bulova, Supervisor Hyland, and Supervisor McConnell being out of the room.

61. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-Y-043 (FOX TELEVISION) (SULLY DISTRICT)** (Tape 11)

Mr. Richard Slenker reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved approval of Special Exception Application SE 95-Y-043 subject to the development conditions dated August 23, 1995. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Trapnell being out of the room.

62. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-V-025 (NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INCORPORATED) (MOUNT VERNON DISTRICT) (Tape 11)

Mr. John C. McGranahan reaffirmed the validity of the affidavit for the record.

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

Supervisor Dix disclosed the following:

- A previous attorney/client relationship with Hunton and Williams.

Following the public hearing, Supervisor Alexander moved that the Board waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

Supervisor Alexander moved:

- Approval of Special Exception Application SE 95-V-025 subject to the development conditions, dated August 16, 1995 with the following modification to Development Condition 14:
 - "If and when the tower ceases to be used for telecommunication purposes the applicant shall dismantle the tower and remove such portions of support structures that protrude about ground, if any, and unless the related equipment structures are to be used for other purposes shall remove such related equipment structures."
- Waiver of the transitional screening requirement on the northern, western, eastern and southern property boundaries, pursuant to paragraphs 5, 6 and 7 of Section 13-304 of the Zoning Ordinance.

This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

63. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-L-011 (DOUGLAS AND JOYCE JEMAL) (LEE DISTRICT) (Tape 11)

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

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

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

Supervisor Alexander moved approval of Special Exception Application SE 95-L-011 subject to the development conditions dated July 27, 1995. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Trapnell being out of the room.

Supervisor Alexander moved waiver of the service drive requirements where the property adjoins Richmond Highway. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Trapnell being out of the room.

Supervisor Alexander moved waiver of the transitional screening and barrier requirements between the C-8 and R-2 District on the parcel south of Clayborne Avenue in favor of the existing conditions shown on the Special Exception Plat. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Trapnell being out of the room.

Supervisor Alexander moved modification of the transitional screening requirements along the northern, southern and westernmost boundaries in favor of the existing conditions shown on the Special Exception Plat. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Trapnell being out of the room.

Supervisor Alexander moved modification of the yard width for peripheral parking lot landscaping where both parcels of the property adjoin Richmond Highway, and on the parcel south of Clayborne Avenue where it joins the Clayborne Avenue right-of-way in favor of the existing conditions as shown on the Special Exception Plat. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

Supervisor Alexander moved that the Board direct staff to request the Virginia Department of Transportation (VDOT) to erect "No Parking" signs on the north side of Clayborne and the south side of Groveton, between Denora Drive and Route 1. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

64. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-S-133 (MCDONALD'S CORPORATION) (LEE DISTRICT)** (Tape 11)

Mr. James Mansfield reaffirmed the validity of the affidavit for the record.

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

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

- A contribution in excess of \$200 from Mr. Bernard M. Fagelson.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous that the Board defer this item until later in the meeting. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, action was taken to defer this public hearing. See Clerk's Summary Item CL#68.)

65. **4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) TO ESTABLISH THE LANGLEY RESIDENTIAL PERMIT PARKING DISTRICT(RPPD) (DRANESVILLE DISTRICT)** (Tapes 11-12)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of August 25 and September 1, 1995.

Following the public hearing, which included testimony by one speaker, Supervisor Berger moved:

- Adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to establish the Langley Residential Permit Parking District (RPPD) (District 20), and include the following streets in the new District:
 - Ridge Drive (Route 6090) from Georgetown Pike (Route 193) to Sunny Hill Court (Route 6093);
 - Sandy Knoll Court (Route 6092) from Ridge Drive to the end; and
 - Sunny Hill Court from Ridge Drive to the end.

- That the Board direct staff to distribute the decals/permits for the Langley RPPD at the Fairfax County Government Center.

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

ADDITIONAL BOARD MATTER

66. RECOGNITION OF MS. REDELLA S. (DEL) PEPPER, MEMBER OF THE ALEXANDRIA CITY COUNCIL (Tape 12)

Chairman Hanley recognized the presence of Ms. Redella S. (Del) Pepper, Member of the Alexandria City Council, and warmly welcomed her to the Board Auditorium

67. 5:00 P.M. - PH ON REZONING APPLICATION RZ 94-M-060 (PULTE HOME CORPORATION) (MASON DISTRICT) (Tapes 12-13)

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

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

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

- In the amount of \$200 from Mr. Cyrus Katzen.

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

- In the amount of \$1000 from Mr. Cyrus Katzen.

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

- In the amount of \$500 from Mr. Cyrus Katzen in June 1995; and
- In the amount of \$1000 from Mr. Cyrus Katzen in July 1995.

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

- In the amount of \$225 from the Pulte Home Corporation.

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

- In excess of \$200 from Culmore Realty.

Following the public hearing, which included testimony by 12 speakers, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Trapnell moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-M-060 be amended from the R-2 District to the PDH-4 District subject to the revised proffers dated September 7, 1995. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Trapnell moved waiver of the 600 foot limitation on the length of private streets in residential developments. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Trapnell moved a modification of the 200 foot minimum distance required between all residential dwellings and the right-of-way of the interstate highways. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Trapnell moved:

- Waiver of the transitional screening; and
- Waiver of the barrier requirements along the northern property boundary in favor of that shown on the Conditional Development Plan/Final Development Plan CDP/FDP.

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

Supervisor Trapnell moved waiver of the barrier requirement along the southwest property line directly across Edsall Road from the Bren Mar Park Subdivision. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Trapnell moved waiver of the 200 foot privacy yard for single family attached units for the garage condominium units in Land Bay B2. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Trapnell moved that the Board advise the applicant to deed to the Fairfax County Park Authority for public park purposes part of Tax Map 81-1((14)) 1, 2, 3 formerly parcel 17 as referenced in proffer 36. This motion was seconded by Supervisor Berger and carried by unanimous vote.

68. 4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-S-133 (MCDONALD'S CORPORATION) (LEE DISTRICT) (Tape 14)

Supervisor Alexander moved to defer the public hearing on Special Exception Amendment Application SEA 80-S-133 until September 18, 1995 at 4:00 p.m. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Trapnell being out of the room.

NV:nv

ADDITIONAL BOARD MATTERS

69. ADDITIONAL ACTION REGARDING ACCESS TO THE BOARD CHAMBERS
(Tape 14)

(NOTE: Earlier in the meeting, action was taken by the Board regarding access to the Board Chambers. See Clerk's Summary Item CL#17.)

Supervisor Dix called the Board's attention to its earlier action regarding Consideration Item C-3 - Implementation Plan for Access to the Board Chambers and raised the issue of press credentials. He asked unanimous consent that the Board direct staff to:

- Review the possibility of creating a press credential to be issued to members of the press to provide access to the Board Chambers; and
- Report to the Board with their findings.

Following discussion, without objection, the request was so ordered.

70. THIRD PARTY FINANCING FOR NOISE BARRIERS (VICTORIA FARMS SUBDIVISION) (Tape 14)

Supervisor Dix reminded the Board that the Virginia Department of Transportation (VDOT) has an optional third party financing provision for the incremental cost of noise abatement measures which meet the noise and site development criteria of the State Noise Abatement Policy but exceeds the cost per receptor criteria. The Federal Aviation Administration/Dulles Toll Road criteria allows up to \$50,000 per receptor for noise barriers along the Dulles Toll Road corridor. Under the third party financing option, property owners must provide any incremental amount over \$50,000. Previously, the VDOT policy required that all third party funds be processed through the County, but VDOT recently amended that policy to allow the third party funds to be processed through the State Sound Barrier Committee. However, VDOT still requires property owners to provide a supporting statement by the Board of Supervisors along with the third party funds.

Supervisor Dix stated that Renaissance Housing Corporation, the property owner and developer of the Victoria Farms Subdivision, has indicated its intent to participate in third

party funding to construct a noise barrier. A check in the amount of \$200,256 for the third party share will be forwarded by the developer to VDOT for the incremental cost over \$50,000 per receptor for the following noise barrier:

- Barrier Number 26 located on the north side of the Dulles Toll Road from east of Hunter Mill Road to west of the Difficult Run crossing. The total length of the barrier is 673 meters (2,207 feet) and 4.0 to 6.4 meters (13 to 21 feet) in height.

Supervisor Dix moved that the Board endorse the proposed third party financing by Renaissance Housing Corporation for the Victoria Farms Subdivision in the amount of \$200,256 for the purpose of designing and constructing noise barrier number 26. There is no financial commitment on the County's part. This motion was seconded by Chairman Hanley.

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

Chairman Hanley relinquished the Chair to Acting-Chairman Hyland and asked unanimous consent that the Board direct staff to determine from VDOT:

- Why the standards for costs per receptor are different for the Fairfax County Parkway and the Dulles Toll Road; and
- What must be done to make all receptors eligible for \$50,000 from VDOT.

Without objection, it was so ordered.

Acting-Chairman Hyland returned the gavel to Chairman Hanley.

71. **SPECIAL EXCEPTION APPLICATION SE 95-H-036, EXXON CORPORATION**
(Tape 14)

Supervisor Dix stated that Exxon Corporation has filed a Special Exception Application SE 95-H-036 to renovate an Exxon Station located at the Hunters Woods Village Center in Reston. The application is currently scheduled to be heard by the Planning Commission on October 11, 1995 and by the Board on October 16, 1995.

Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to accept the Site Plan for this project for concurrent processing with the Special Exception request. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards and it does not prejudice the consideration of the Special Exception Application in any way. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being out of the room.

72. **SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 81-C-008, WENDY'S AT TYSONS SQUARE CENTER** (Tape 14)

Supervisor Dix stated that Wendy's at Tysons Square Center has filed Special Exception Amendment Application SEA 81-C-008 to permit a building addition, an expansion of the land area of the Special Exception, and an increase in seating capacity for the existing fast food restaurant on Leesburg Pike. The application is currently scheduled to be heard by the Planning Commission on October 12, 1995 and by the Board on October 30, 1995.

Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to accept the Site Plan for this project for concurrent processing with the SEA request. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the Special Exception Amendment Application in any way. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being out of the room.

73. **RECOGNITION OF BABA FREEMAN, HUNTER MILL DISTRICT REPRESENTATIVE TO THE ADVISORY SOCIAL SERVICES BOARD** (Tape 14)

Supervisor Dix stated that Ms. Baba Freeman has served as the Hunter Mill District appointee on the Advisory Social Services Board for the past 10 years and, having fulfilled the maximum tenure of service she regrettably, cannot be reappointed.

Supervisor Dix moved that the Board direct staff to invite Ms. Freeman to appear before the Board to recognize and express appreciation to her for her years of distinguished service to Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Alexander being out of the room.

74. **COMMENDATION FOR REAR ADMIRAL MARYANNE T. IBACH** (Tape 14)

Supervisor Dix announced that on September 8, 1995, Rear Admiral Maryanne T. Ibach retired from the United States Navy Reserve after an outstanding 30 years career in the Navy Nurse Corps.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Admiral Ibach to appear before the Board on September 18, 1995 to recognize her outstanding service to the United States. Without objection, it was so ordered.

75. **COMMENDATION FOR FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS - DIVISION OF SOLID WASTE** (Tape 14)

Supervisor Dix stated that he recently received a communication from Mark O'Brien, Director of Sales and Marketing for AAA Recycling and Trash Removal Services,

complimenting and expressing gratitude for the efforts and professionalism of the Department of Public Works, Division of Solid Waste. Mr. O'Brien also presently serves as Chairman of the Citizens Advisory Committee on Solid Waste.

Supervisor Dix asked unanimous consent that the Board direct the County Executive to include a copy of this letter in the appropriate personnel files. Without objection, it was so ordered.

76. **ZONING DISTRICTS FOR U-HAUL SERVICES** (Tape 14)

Supervisor Dix stated that he had received correspondence regarding U-Haul services in Fairfax County. He asked unanimous consent that the Board direct staff to review this correspondence as it relates to current U-Haul operations and zoning districts in which they are permitted. Without objection, it was so ordered.

77. **FREEDOM OF INFORMATION ACT (FOIA) - EXEMPTION OF CERTAIN POLICE DOCUMENTS** (Tape 14)

Supervisor Dix stated that he recently learned, through work on Virginia Municipal League's (VML) Legislative Committee, that there are potentially sensitive police training materials and tactical operations manuals which are not presently exempt under Virginia's Freedom of Information Act (FOIA) laws.

Supervisor Dix referenced a proposal for an amendment to Section 2.1-342 of the Code of Virginia related to these matters and moved that the Board refer it to staff and the Board's Legislative Committee for review and consideration for inclusion in the Board's Legislative Program. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being out of the room.

78. **SUNSET PROVISIONS FOR COUNTY ORDINANCES AND REGULATIONS** (Tape 14)

Supervisor Dix called the Board's attention to the establishment of a process to review existing Fairfax County ordinances and regulations to determine their validity and identify measures which may be outdated or no longer necessary and stated the need to examine a process for the future.

Supervisor Dix stated his position that newly adopted or amended ordinances and/or regulations should be reviewed at least every five years and perhaps more often. Accordingly, he asked unanimous consent that the Board direct staff to:

- Review whether the Board currently has the authority to include sunset provisions on any newly adopted or amended ordinances and/or regulations, requiring a review of those items for deletion or reaffirmation within a maximum time frame of five years; and

- Advise the Board accordingly in sufficient time to refer it to the Legislative Committee if there are legislative actions that would be required to achieve this authority.

Without objection, it was so ordered.

79. **VIRGINIA RAIL EXPRESS (VRE) AND NORFOLK-SOUTHERN RAILROAD RIGHT-OF-WAY** (Tape 14)

Supervisor Dix stated his support regarding the work on commuter rail, but he expressed his concern over some processes. He reported that at last week's meeting of the Northern Virginia Transportation Commission (NVTC), there was considerable discussion regarding the issue of the purchase of the Norfolk-Southern Railroad right-of-way in Fairfax and Prince William Counties for continued operation of commuter rail. He expressed his concern at both the process for reviewing the purchase and the question he had regarding the justification and potential costs associated with this proposal. He also voiced his concern regarding the VRE structure regarding the decision-making and his understanding that VRE can proceed with certain actions without seeking approval from the individual local governing bodies and imply an obligation or commitment on the County's behalf.

Supervisor Dix reported that the issue of redirecting \$500,000 of previously budgeted monies to fund studies related to the acquisition of this Norfolk-Southern Railroad right-of-way was discussed at the last meeting of NVTC. He expressed his position that the Board of Supervisors should be briefed on the matter prior to action by the NVTC.

Supervisor Dix asked unanimous consent that the Board direct staff to provide answers to the following questions or requests for information:

- Can the VRE Board take actions that are legally binding on the County if the County Board of Supervisors has not voted to support a VRE proposal?
- What agreements has VRE entered into that imply a commitment, particularly financial, on which this Board has not taken action?
- If this purchase goes through, what are the projected financial costs that the County will have to bear? Are these included in the Capital Improvement Program (CIP) or financial projections?
- If NVTC or other bonds are anticipated for this purpose, what impact, if any, would this have on the County's bond rating?
- Is the State proposing to participate in this purchase and if so, has a source of funding been identified?

- Provide a brief outline of the history of VRE in terms of what the costs and ridership was projected to be when this project was originally conceived and how these numbers have changed over time, both in terms of actual and projected costs and ridership and sources of funding.
- How many riders on the Norfolk Southern line currently under deliberation are from Fairfax County?
- Are consultant contracts competitively bid?
- Is there current information available from the current owner as to the physical condition of the Norfolk Southern railroad facility currently under consideration?
- How much total tax revenue is generated currently by the operation of the Norfolk Southern line currently being discussed?
- Are there other approvals necessary from other local, state, regional or national organization before such a transaction could be finalized; and
- Does the County's legal staff recommend amendments to the appropriate Enabling Legislation that would streamline the decision-making process associated with VRE in the sense that the participant local governing bodies would have to concur in proposed actions rather than these actions being ratified through majority vote at NVTC, PRTC, and VRE?

Following considerable discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Hyland and asked to amend the request to direct staff to also provide the process for budget approval and reprogramming of funds within regional committees, and this was accepted.

Acting-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, the request, as amended, was so ordered.

PMH:pmh

80.. **REZONING APPLICATION FILED BY ATLANTIC HOMESTEAD VILLAGE, INCORPORATED** (Tape 15)

Supervisor Frey stated that Atlantic Homestead Village, Incorporated has filed a rezoning request proposing that property identified as Tax Map Reference 56-1((1))20, 21 and 23 be rezoned to the PDC District. The rezoning will permit the construction of corporate

apartments which are marketed to the business traveler and will complement surrounding existing and planned uses. As a part of the rezoning, the applicant has requested the abandonment and vacation of a portion of Legato Road (Route 656). Legato Road presently terminates in an unimproved cul-de-sac and only serves the property which is the subject of the rezoning. The development will facilitate the installation of additional landscaping and a better overall design.

Supervisor Frey moved that the Board authorize inclusion of a dedicated right-of-way for Legato Road in the Rezoning Application filed by Atlantic Homestead Village, Incorporated with the understanding that doing so in no way prejudices the Board's actions on this application. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being out of the room.

81. **REQUEST FOR CONCURRENT PROCESSING OF PRELIMINARY AND FINAL SUBDIVISION/SITE PLANS FOR REZONING APPLICATION RZ 94-Y-059**
(Tape 15)

Supervisor Frey said that Rezoning Application RZ 94-Y-059 was approved by the Board on July 31, 1995 and that the applicant is requesting that the Board approve concurrent processing of the Preliminary and Final Subdivision/Site Plans for this development.

Therefore, Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept for concurrent processing the Preliminary and Subdivision/Site Plans. This motion was seconded by Supervisor Bulova and carried by a vote of Supervisor Alexander being out of the room.

82. **TRANSPORTATION PLANNING BOARD (TPB) LAUNCHES ITS VISION PLANNING EFFORT** (Tape 15)

As a Representative of the Transportation Planning Board (TPB), Supervisor Frey stated that he had received a letter from Patricia Ticer, Chairman, TPB concerning the Vision Planning Process and inquiring if Board Members were interested in receiving a briefing.

Supervisor Frey asked unanimous consent that the Board refer this issue to the Transportation Subcommittee for review and comment. Without objection, it was so ordered.

83. **FAIRFAX COUNTY SHERIFF'S OFFICE, IN CONJUNCTION WITH THE FAIRFAX COUNTY SHERIFF'S ASSOCIATION SPONSORS THE SECOND ANNUAL "SHOP WITH A SHERIFF" PROGRAM** (Tape 15)

Supervisor Frey said that on August 20, 1995, the Fairfax County Sheriff's Office, in conjunction with the Fairfax County Sheriff's Association, sponsored the second annual "Shop with a Sheriff" Program geared to children of needy families identified by the

Department of Social Services, and it was a huge success. The "Shop with a Sheriff" Program was modeled after a program initiated by the Fraternal Order of Police. The "Shop with a Sheriff" Program provided clothing, school supplies and other essentials without cost, to underprivileged children of Fairfax County so they may begin the school year prepared on a positive level.

Supervisor Frey asked unanimous consent that the Board direct staff to invite appropriate personnel from the Office of the Sheriff to appear before the Board to be recognized for their efforts. Without objection, it was so ordered.

84. **SUMMARY OF WHITE PAPER ON ALTERNATIVE ACCESS ARRANGEMENTS FOR THE VIRGINIA RAIL EXPRESS (VRE) ACCESS TO NORFOLK SOUTHERN**
(Tape 15)

Supervisor Bulova distributed to Board Members a four page summary of a 40 page White Paper on Alternative Access Arrangements for the Virginia Rail Express (VRE) access to the Norfolk Southern to be discussed in a work shop with the Operations Board on Friday, September 15, 1995. She added that following the Operations Board meeting there will be a meeting (at approximately 11:30 a.m. - 12:00 noon) of County staff, Operations Board Members and anyone else who would like to attend and participate.

85. **EXPANSION OF THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) AND WAIVER OF THE FEES** (Tape 15)

Supervisor Bulova stated that she has forwarded the Rocart Drive petition for the expansion of the Annandale Residential Permit Parking District (RPPD) to the Office of Transportation. This petition requests relief on Rocart Drive (from 7500 to 7504). To proceed with the request and schedule the public hearing to be held before the Board on October 16, 1995, the Office of Transportation needs Board approval to waive the fees.

Therefore, Supervisor Bulova moved that the Board direct staff to waive the fees and proceed as expeditiously as possible. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

86. **STATUS OF THE "NEIL SWANSON" LETTER** (Tape 15)

Supervisor Bulova stated that she had received a letter from Mr. Neil Swanson of Swanson Home Inspections, and she asked unanimous consent that the Board refer this letter to the Development Process Redesign Subcommittee for review. Without objection, it was so ordered.

David P. Bobzien, County Attorney, announced that the letter is being reviewed by the County Executive and by the County Attorney's Office.

87. CLIFTON DAY (Tape 15)

Supervisor McConnell announced that Clifton Day is scheduled for Sunday, October 8, 1995 from 12:00 noon until 6:00 p.m. She said that the event is quite popular and draws thousands of individuals from around the County. Because of the large number of people attending, police are used for traffic control. Clifton Day is largely sponsored by several nonprofit organizations. Due to the steep cost of police coverage for the event, Supervisor McConnell moved that the Board direct staff to waive the fees associated with police coverage for the event and provide the necessary police coverage to ensure safe pedestrian and traffic flow. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Dix and Supervisor Frey being out of the room.

88. REALLOCATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR CONSTRUCTION OF THE CLIFTON SIDEWALK PROJECT (Tape 15)

Supervisor McConnell said that there is a sidewalk project in the Town of Clifton which has been funded through Community Development Block Grant (CDBG) funds. She said that the Town of Clifton has requested that the project be completed this fall. She added that the lower cost proposal for the total project estimate for construction is \$34,962 which includes a 15 percent construction contingency. The remaining balance of funds in the Clifton Sidewalk Project is \$23,952. She pointed out that an additional \$11,000 is needed to complete the project. She said that funding is currently available in the CDBG Contingency Fund - 0038999 for Unanticipated Costs and Approved Capital Projects.

Supervisor McConnell said that funds in the amount of \$11,000 needs to be reallocated from the CDBG Contingency Fund to the Clifton Sidewalk Project. Any unused portion of these allocated funds will be returned to the CDBG Contingency Fund. Therefore, Supervisor McConnell moved that the Board approve the requested reallocation of \$11,000 of CDBG funds to construct the Clifton Sidewalk Project as proposed. This motion was seconded by Chairman Hanley.

Following input from Verdia Haywood, Deputy County Executive for Human Services, the question was called on the motion which carried by a vote of seven, Supervisor Alexander, Supervisor Dix and Supervisor Frey being out of the room.

89. REQUEST FOR SIMULTANEOUS PROCESSING OF THE PRELIMINARY PLANS WITH THE SITE PLAN FOR REZONING APPLICATION RZ 94-M-060 (PULTE CORPORATION) (Tape 15)

Supervisor Trapnell stated that Pulte Home Corporation has filed an application to build 414 single family attached units and 56 multiple family units on 121.79 acres of land located north of Edsall Road and south of I-395 in the vicinity of Colliers Lane and Rebel Lane.

Due to the magnitude of the project Supervisor Trapnell moved that the Board direct staff to accept and process the Preliminary Plan simultaneously with the Site Plan for Rezoning Application RZ 94-M-060. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the Rezoning Application in any way. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

90. **APPRECIATION EXPRESSED TO KAREN WEST OF SUPERVISOR TRAPNELL'S OFFICE** (Tape 15)

Supervisor Trapnell expressed her appreciation to Karen West of her staff for her invaluable assistance during the year long Pulte Home application process.

NV:nv

91. **EXPEDITIOUS AND CONCURRENT PROCESSING OF THE SITE PLAN FOR SPECIAL EXCEPTION APPLICATIONS SE 95-P-053 AND SE 95-P-035** (Tape 16)

Supervisor Connolly noted that there are two Special Exception Applications (SE 95-P-053 and SE 95-P-035) for a hotel and restaurant as a single development within the area of Gallows Road and Route 29 in Merrifield. The applicant has requested that the Board authorize early processing of their Site Plan. This request is being made to allow the hotel and diner to be built by Thanksgiving of 1996.

Therefore, Supervisor Connolly moved that the Board direct the Director of the Department of Environmental Management (DEM) and the Director of the Office of Comprehensive Planning (OCP) to expeditiously and concurrently process the Site Plan for Special Exception Applications SE 95-P-053 and SE 95-P-035. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of this application in any way. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

92. **REPORT ON "FIREFIGHTERS' FILL THE BOOT FOR MUSCULAR DYSTROPHY CAMPAIGN"** (Tape 16)

Supervisor Connolly announced that a weekend ago the Firefighters in the community held a fundraising effort for charity by passing a firefighter's boot to motorists at various intersections in the County.

Supervisor Connolly reported that the Firefighters' Fill the Boot for Muscular Dystrophy Campaign raised approximately \$72,000 and the bank has not finished counting. He expressed his appreciation to Todd Marshall, Coordinator of the Campaign, who made it happen and to all of the firefighters for their extra efforts on behalf of the community.

Supervisor Connolly noted that the top two fundraising Fire Stations were Fire Station 30 of Providence District, and Fire Station 18, on the border of Providence District, but actually located in Mason District. He pointed out that this is a credit to the efforts of the individuals in those two stations and also to the generous residents of Mason and Providence Districts.

Supervisor Connolly asked unanimous consent that the Board direct staff to send a letter under the Chairman's signature expressing the Board's appreciation for this effort. Without objection, it was so ordered.

93. **REQUEST FOR WITHDRAWAL OF REZONING APPLICATION RZ 83-V-018 (BOARD'S OWN MOTION)** (Tape 16)

Supervisor Hyland referred to his written Board Matters, as distributed to the Board, which explained that on April 4, 1983, Rezoning Application RZ 83-V-018 was initiated as a Board's Own Motion to permit the rezoning of a half acre tract located on Tax Map Reference 83-3 from the R-4 District to the C-8 District. The property is located in a floodplain adjacent to a car dealership and Park land.

Supervisor Hyland explained that this application has been indefinitely deferred for some time and that it has been inactive during the deferral period. Therefore, Supervisor Hyland moved that the Board withdraw Rezoning Application RZ 83-V-018. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

94. **HATS OFF TO FAIRFAX COUNTY ANIMAL SHELTER STAFF** (Tape 16)

Supervisor Hyland declared a "Hats off to the Fairfax County Animal Shelter staff." In his written Board matter he explained that he recently received a copy of a letter from Mrs. Lonnell Battle to the Acting Director of the Fairfax County Animal Shelter thanking the staff for the wonderful experience she and her family experienced in adopting a puppy.

Supervisor Hyland said that in her letter, Mrs. Battle highlighted the steps they had gone through before the family finally adopted Buddy, the Bichon Frise puppy. She was specifically grateful for the sensitivity and follow-through demonstrated by the staff and Mrs. Battle and her three daughters went away convinced that Fairfax County Animal Shelter "... has the best employees, shelter facility and animals in the metro area!"

Therefore, Supervisor Hyland asked unanimous consent that the Board acknowledge the efforts of the Animal Shelter staff and direct staff to place the correspondence in the personnel files of Ms. Cheryl Fletcher and Ms. Lillie Herbert. Without objection, it was so ordered.

95. REQUEST INSTALLATION OF STREET SIGNS FOR WOOD HAVEN ROAD
(Tape 16)

Supervisor Hyland stated that some time ago, residents living in homes on a newly constructed portion of 11th Street in New Alexandria requested a street name change from the Department of Environmental Management (DEM). The reason for this request was the continual confusion and erroneous mail and other deliveries to residents of the original 11th Street and the newly constructed portion of 11th Street.

Supervisor Hyland said that this street name change from 11th to Wood Haven Road was approved by the Board on April 25, 1994. Since that time, residents have been trying to obtain street signs to indicate the newly named street and have asked for help in this regard.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to immediately go forward with the preparation and installation of the necessary street signs for Wood Haven Road which was estimated at the time of the April 1994 Board Item to cost \$465. Without objection, it was so ordered.

96. CONSIDERATION ITEM: FAIRFAX COUNTY CITIZENS HANDBOOK (Tape 16)

Supervisor Hyland said that the last time the County of Fairfax published a Citizens Handbook was in 1990. This valuable tool for citizens to independently access County resources is woefully out of date. Residents of the Mount Vernon District call frequently to see if an update has occurred. He noted that since 1990, there have been a considerable number of changes in County facilities.

Supervisor Hyland asked unanimous consent that the Board direct staff to report at mid-year with cost estimates for reprinting the Fairfax County Citizen's Handbook. Without objection, it was so ordered.

97. REQUEST EXPEDITED DATES FOR CHILDTIME CHILDCARE, INCORPORATED (Tape 16)

Supervisor Hyland said that he has been asked by the applicant, BSM Corporation, for help in expediting their Special Exception Application SE 95-V-064 for a child care center. This application was filed Friday, August 25, 1995 to permit a child care center. Childtime Childcare, Incorporated is prepared to immediately occupy the space and such a facility is needed in this area.

Supervisor Hyland noted that the proposed child care center has the approval of the Huntington Community Association and the applicants will meet with the Mount Vernon Council's Planning and Zoning Committee on September 11, 1995 at 8:00 p.m. The application is not currently scheduled for public hearing before the Planning Commission. Given the possibility of losing a tenant who will provide child care services for the greater Alexandria, Franconia, Mount Vernon, and Springfield areas, Supervisor Hyland requested Board support for this item.

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

- Schedule a public hearing to be held before the Planning Commission as soon as possible;
- Schedule a public hearing to be held before the Board on October 30, 1995; and
- Provide concurrent Site Plan processing of this Special Exception Application.

This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

98. **FAIRFAX COUNTY CONTRACT WITH REDMOND TOWING SERVICE** (Tape 16)

Supervisor Hyland stated that a Mount Vernon District constituent whose van was badly damaged after being sideswiped was told by police that since his vehicle was blocking traffic he would not be allowed to wait for AAA Towing to his service station which would have cost \$32. The County's contract with Redmond Towing Service required that the citizen pay \$75 in cash to tow the car. Lacking sufficient cash on hand, the driver would have been forced to have his van towed to a yard and assessed additional daily storage fees.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the County Executive to:

- Review the County's contract with the towing service, particularly as to the acceptance of credit cards and towing to storage yards; and
- Report his findings to the Board.

Following discussion, Supervisor Hyland amended his request to refer this issue to the Towing Advisory Commission, and this was accepted.

Supervisor Dix asked to amend the request to extend this review to the entire issue of towing as it applies to the conditions of the contract instead of singling out one provider, and Supervisor Hyland expressed that this was his intent.

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

99. **ROUTE 123 WIDENING** (Tape 16)

Supervisor Hyland said that on August 22, 1995, the Virginia Department of Transportation (VDOT) held a public hearing at the Silverbrook Elementary School attended by more than 400 people.

Supervisor Hyland said that the proposed project involves widening Route 123 which is an existing two-lane road, to four lanes, divided on a six-lane right-of-way. This is the last segment to be widened and is generally located between the Occoquan River and a point certain south of Burke Lake road (approximately seven miles). There are at least three alternative road alignments being considered. Currently the average daily traffic is in excess of 26,000 vehicles and by the year 2020, it is expected to reach more than 56,000 vehicles per day. This road widening project will relieve the overburdened system in this southern section of Fairfax County and become a vital link between Fairfax County and Prince William County.

Supervisor Hyland pointed out that during the public hearing he noted there were significant concerns being raised, including but not limited to the lack of adequate opportunity to fully verbalize those concerns. The next official step in the VDOT process is to have Fairfax County staff prepare an Action Item for the Board to make a decision on what alignment the Board recommends to the Commonwealth Transportation Board (CTB).

Therefore, Supervisor Hyland moved that the Board direct staff to schedule a public hearing to be held before the Board as soon as possible in the evening on the Route 123/Ox Road Widening Project to receive input from citizens regarding the alignment and the issue of four lanes versus six lanes. This motion was seconded by Supervisor Connolly.

Following discussion, Supervisor Hyland withdrew his motion and deferred this issue pending discussion at the Transportation Subcommittee Meeting scheduled for Monday, September 18, 1995.

100. **SEPTEMBER 30, 1995 - PUBLIC LANDS APPRECIATION DAY** (Tape 16)

Supervisor Hyland noted that on September 30, 1995, in cooperation with the Northern Virginia Regional Park Authority and the Bureau of Land Management, a division of the U.S. Department of Interior, volunteers will celebrate Public Lands Appreciation Day at the popular Pohick Bay Regional Park located on Pohick Bay on historic Mason Neck.

Individuals interested in joining the work crew of 150 should call 440-1721 by September 22, 1995.

Therefore, Supervisor Hyland moved that the Board:

- Proclaim September 30, 1995 at **"Public Lands Appreciation Day in Fairfax County"**; and
- Direct staff to invite Walter Mess, Chairman of the Northern Virginia Regional Park Authority Board and Carson Culp, State Director of the Bureau of Land Management, to receive the Proclamation at the Board meeting scheduled for September 18, 1995.

This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

101. **OCTOBER 8-14, 1995 - FIRE PREVENTION WEEK** (Tape 16)

Supervisor Hyland announced that the week of October 8-14, 1995 is the designated "Fire Prevention Week." He added that it is a time to highlight the activities of the dedicated fire and rescue workers and the functions of the station houses. It also provides an opportunity to invite the public to learn more about what and how they protect, assist, and impact the public's quality of life. This year's theme is "Watch What You Heat, Prevent Home Fires."

Therefore, Supervisor Hyland moved that the Board proclaim the week of October 8-14, 1995 as "**Fire Prevention Week in Fairfax County.**" This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

102. **FIRE AND RESCUE PERSONNEL RETURNING TO OKLAHOMA CITY** (Tape 16)

Supervisor Hyland said that in response to the tragedy that occurred in Oklahoma City, 17 local fire and rescue departments for two months designated proceeds of the Washington Metropolitan Area Aluminum Cans for Burned Children recycling campaign to benefit the burned and injured children of the Oklahoma City bombing. On April 29, 1995 the Washington Metropolitan Area Aluminum Cans for Burned Children presented its check for \$20,000 to the families of the eight injured children. Subsequently, Ben Ettleman, Chief Executive Officer of Davis Industries, Incorporated, a metal recycler and metal processor industry located in Lorton, Virginia, pledged to match up to 50 percent of the proceeds of the firefighters' goal (not to exceed \$25,000 contribution). On June 23, 1995, Mr. Ettleman presented a check in the amount of \$25,800, representing his pledge and an additional \$800 from a business in Baltimore, Maryland and a staff member of his company.

Supervisor Hyland noted that later this month, representatives of the Washington Metropolitan Area Aluminum Cans for Burned Children program will meet with Pat Wimberley, Program Director at Children's Hospital, Oklahoma City, and the Oklahoma City Washington Metropolitan Area Aluminum Cans for Burned Children Program directors to present them with a final check in the amount of \$45,400 and Mr. Ettleman will join them.

Supervisor Hyland asked unanimous consent that the Board direct staff to write a letter for the Chairman's signature to Fire Chief Gary Marr, indicating that it was an honor and privilege to have been asked to assist Oklahoma City with the search and rescue efforts and that the Washington Metropolitan Area Aluminum Cans for Burned Children Program is presenting a final check bringing the total contribution to \$65,400 from the efforts of the Washington Metropolitan Area Aluminum Cans for Burned Children recycling campaign. Without objection, it was so ordered.

103. ACKNOWLEDGEMENT TO THE FIRE AND RESCUE TEAMS (Tape 16)

Supervisor Hyland said that he recently received a copy of a letter sent to Chief Gaines from Mrs. Coffman expressing her appreciation for the conscientious, timely and compassionate efforts when she called on three emergency situations within a two month period.

Supervisor Hyland stated that although Mrs. Coffman did not recall the names of the individuals involved in each of the emergency rescue efforts, she nevertheless found the time to send a letter of deep appreciation and admiration for the work they did.

Therefore, Supervisor Hyland asked unanimous consent that:

- The personnel be identified;
- The letter (distributed to Board Members) be included in their personnel file; and
- A letter from the Board signed by the Chairman be sent to each of the Fire and Rescue personnel involved.

Without objection, it was so ordered.

104. MCLEAN WINE FESTIVAL (Tape 16)

Supervisor Berger expressed his appreciation to the staff of the Park Authority and to fellow Board Members for the success of the McLean Wine Festival. He said that the Festival raised considerable funds for the arts in Dranesville District.

105. APPOINTMENT TO THE NEW STEERING COMMITTEE RELATED TO THE COMMUNITY INITIATIVE TO REDUCE YOUTH VIOLENCE (Tape 16)

(Appt)

Supervisor Berger moved the appointment of Mr. Donald E. deKieffer as the Dranesville District Representative to the Community Initiative to Reduce Youth Violence. This motion was seconded by Supervisor McConnell.

Chairman Hanley noted that this Initiative is now progressing to its second phase with the creation of a new steering committee and clarified that this appointment would be the first of 10 Board appointments.

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

106. METRO RIDERSHIP (Tape 16)

Supervisor Berger reminded the Board that Metro is facing a financial crisis due primarily to traffic pattern changes resulting from a loss of jobs in the core District of Columbia (D.C.) general area. He asserted that unless creative solutions are found, service must be seriously curtailed or the County will be asked to increase the subsidy in an amount in the range of \$3.5 to \$8 million.

As a way to increase ridership, Supervisor Berger proposed that the Board direct staff to work with the Northern Virginia Planning District Commission (NVPDC) or the Metropolitan Washington Council of Governments (COG), to determine, using 1990 census tract data, the number of residents whose work destination is actually the core-city area. He added that he believed that there is a transportation planning software package that could be used for this purpose.

Supervisor Berger said that once the information is available, the County could advertise and possibly attract entrepreneurs who would be willing on a demand basis to set up van shuttle services that would conveniently and quickly transport new riders to the nearest Metro station. He added that new technology entitled "Demand Response" is in use in Prince William County which allows for quick rerouting of bus routes.

Accordingly, Supervisor Berger asked unanimous consent that the Board direct staff to:

- Explore all the possibilities he previously outlined; and
- Report expeditiously.

Without objection, it was so ordered.

107. MCLEAN CITIZENS ASSOCIATION'S RESOLUTION CONCERNING THE UPCOMING SCHOOL BOND REFERENDUM (Tape 16)

Supervisor Berger called the Board's attention to a letter from the McLean Citizens Association which included a resolution concerning the upcoming school bond referendum. He stated that the resolution calls upon the School Superintendent to ensure that all information disseminated to the voters on school bond measures include a full disclosure of all of the appropriate information on the financial impact of each bond proposal in a manner and form that is clear and understandable by the voters.

Supervisor Berger explained that this information should include, but not be limited to:

- The cost of debt service;
- Any operational costs that will be incurred, such as increased personnel costs (the hiring of new personnel and the salary and benefits costs) and maintenance costs on construction projects; and

- An estimate of the possible impact, if any, on the County Budget and property taxes (stating that there will be no impact if such is the case).

He stated that such information and cost estimates should be provided for the proposed term of the bond or 20 years, whichever is greater.

Supervisor Berger added that the McLean Citizens Association Board requests that the Board ensure that any videotaped presentations on the bonds (used either in small gatherings or for public broadcast) include equal time for the airing of positions of those with opposing views, doing so at no cost to those making such presentations.

Accordingly, Supervisor Berger moved that the Board lend its support to the McLean Citizens Associations' resolution as outlined. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Berger clarified that this action would not apply to information already printed.

Following further discussion, with input from David P. Bobzien, County Attorney; and Jean V. White, Director, Office of Public Affairs; Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board direct staff to provide, as a Consideration Item at the Board meeting scheduled for September 18, 1995, the Policy for publications printed by the County related to bond referendums and the Board's action on the last referendum. Without objection, it was so ordered.

Supervisor Berger withdrew his motion.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

108. **SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 95-D-044** (Tape 16)

Supervisor Berger stated that the Most Reverend John R. Keating and the Youth Apostles Institute have each filed an application for the property that is developed as Saint John's Church. The rezoning application is referenced as Rezoning Application RZ 95-D-040 and the concurrent Special Permit Application is referenced as SP 95-D-044. The Special Permit Application cannot be scheduled before the Board of Zoning Appeals (BZA) until the Board of Supervisors takes action on the Rezoning Application.

Accordingly, Supervisor Berger moved that the Board direct staff to schedule a public hearing to be held before the Board on Rezoning Application RZ 95-D-040 as expeditiously as possible to allow both the Special Permit and Rezoning Applications to proceed in a timely fashion. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

109. **SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 90-D-041** (Tape 16)

Supervisor Berger explained that Rezoning Application RZ 90-D-041 has been pending since 1990. He said that the applicant has made significant progress in the redesign of the proposed office building which has met with the approval of the Great Falls Citizens Association. The application is presently scheduled for public hearing before the Planning Commission on October 11, 1995.

Supervisor Berger moved that the Board direct staff to schedule a public hearing on Rezoning Application RZ 90-D-041 to be held before the Board on October 16, 1995 or October 30, 1995. This motion was seconded by Supervisor Hyland and carried by eight, Supervisor Alexander and Supervisor Frey being out of the room.

Chairman Hanley reminded Board Members of the heavy schedule for both meetings in October and warned them to be prepared to meet very late into the night.

110. **ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96032 FOR CONTINUATION OF THE FEDERAL HEAD START PROGRAM WITHIN THE OFFICE FOR CHILDREN** (Tape 16)

(SAR) (NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#9.)

Chairman Hanley called the Board's attention to Administrative Item Eight - Supplemental Appropriation Resolution (SAR) AS 96032 for Continuation of the Federal Head Start Program within the Office for Children. She relinquished the Chair to Vice-Chairman Dix and moved approval of Supplemental Appropriation Resolution (SAR) AS 96032 in the amount of \$2,091,798 for continuation of ongoing Federal Head Start Programs. This motion was seconded by Supervisor Hyland and carried by a recorded vote of eight, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander and Supervisor Frey being out of the room.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

111. **BOARD ADJOURNMENT** (Tape 16)

At 10:40 p.m., the Board adjourned.