



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS

OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

This does not represent an official transcript of the Board Meeting, and is subject to minor change.

**MONDAY
JULY 22, 1991**

Board Package

27-91

CM:CM

The meeting was called to order at 10:05 a.m. with all Members being present, with the exception of Supervisor McConnell, and with Chairman Moore presiding.

Supervisor McConnell was absent from the entire meeting.

Others present were Richard A. King, Acting County Executive; Robert L. Howell, Deputy County Attorney; Theodore Austell, III, Executive Assistant to the County Executive; William Howland, Assistant to the County Executive; Viki L. Lester, Deputy Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

(NOTE: David T. Stitt, County Attorney, was absent from the entire meeting.)

2. ABSENCE OF SPRINGFIELD DISTRICT SUPERVISOR
ELAINE MCCONNELL (TAPE 1)

Chairman Moore announced that, because of a back injury, Springfield District Supervisor Elaine McConnell would be absent from the entire meeting.

3. CERTIFICATE OF APPRECIATION TO MR. J. KNOX
SINGLETON FOR YEARS OF SERVICE ON THE
COMMISSION ON AGING (TAPE 1)

Supervisor Hyland moved approval of the presentation of the Certificate of Appreciation presented to Mr. J. Knox Singleton for 10 years of exemplary service to the Commission on Aging, lifelong dedication to serving the Fairfax County community, and for promoting volunteerism and the well-being of senior citizens. This motion was jointly seconded by Supervisor Davis and Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being absent.

4. CERTIFICATES OF APPRECIATION TO COUNTY STAFF
FOR OUTSTANDING PERFORMANCE ON THE COMPREHENSIVE
PLAN (TAPE 1)

Supervisor Hyland moved approval of the presentation of the Certificates of Appreciation presented to County Planning staff members for their significant contributions to the revision of the Fairfax County Comprehensive Plan. This motion was seconded jointly by Supervisor Davis and Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being absent.

5. 10:00 A.M. - PRESENTATION OF THE ANNUAL REPORT
OF THE OVERSIGHT COMMITTEE ON DRINKING AND
DRIVING (TAPE 1)

(BACs)

Following the presentation of the annual report by Dr. Robert Voas, Chairman, Fairfax County Oversight Committee on Drinking and Driving, Supervisor Alexander asked unanimous consent that the Board direct staff to make available to the Committee, as expeditiously as possible, the proper equipment to develop a more effective tracking system. Without objection, it was so ordered.

Supervisor Pennino moved that the Board:

- Accept the annual report by the Fairfax County Oversight Committee on Drinking and Driving;
- Refer the report to the Acting County Executive for review of the recommendations for Board adoption; and
- Direct staff to prepare letters, under the Chairman's signature, to the following individuals, expressing the Board's appreciation for their years of service on the Committee:

<u>Name</u>	<u>Years of Service</u>
Dr. Voas, Chairman	6;
Marvin Wagner, Vice-Chairman	8;
Louis Herzog	8;
James Lowery	7;
Marvin Berger	4; and
Sheriff Carl R. Peed	6.

This motion was seconded jointly by Supervisor Davis and Supervisor Hanley.

In response to a query by Chairman Moore, Supervisor Pennino amended her motion to include that the Board direct staff to proceed to implement the Committee recommendations, and this was accepted.

Supervisor Hanley asked that the motion be amended to refer the recommendations contained on Pages 22 and 26 of the annual report to the Board's Legislative Subcommittee for its review, and this was accepted.

The question was called on the motion, which as amended, carried by a vote of eight, Supervisor McConnell being absent.

6. 10:15 A.M. - APPOINTMENTS TO CITIZEN BOARDS,
AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS
(TAPES 2-3)

(APPT)

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

(NOTE: The appointment of the At-Large Representative to the Alcohol Safety Action Program Local Policy Board was deferred.)

CONFIRMATIONS

Supervisor Pennino moved that the Board confirm the following appointments to the Alcohol Safety Action Program Local Policy Board:

- Mr. Robert Gore as the Mothers Against Drunk Driving (MADD) Representative;
- Dr. Joan Volpe as the Fairfax/Falls Church Community Services Board Representative; and
- Dr. Ron Bucknam as the Parents' Association to Neutralize Drug and Alcohol Abuse (PANDAA) Representative.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

ATHLETIC COUNCIL

(NOTE: The appointment of the Springfield District Alternate Representative to the Athletic Council was deferred.)

DISCUSSION REGARDING AT-LARGE APPOINTMENTS
TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS
AND ADVISORY GROUPS

Supervisor Hanley questioned whether the Board could proceed to take action on the At-Large appointments because of Supervisor McConnell's absence.

Following discussion, it was the consensus of the Board to proceed with At-Large appointments, with the understanding that the Board defer appointments on any position that is controversial.

BOARD OF BUILDING CODE APPEALS - HOUSING HYGIENE
DIVISION

Supervisor Davis moved the appointment of Ms. Marilyn Finley to fill the unexpired term of Ms. Zelma Thornton as the At-Large Representative to the Board of Building Code Appeals - Housing Hygiene Division. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Alexander moved the appointment of Mr. Roger Woodward to fill the unexpired term of Mr. Tom McCann as the At-Large Representative to the Board of Building Code Appeals - Housing Hygiene Division. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

BOARD OF BUILDING CODE APPEALS - TECHNICAL DIVISION

Supervisor Richards asked unanimous consent that the Board direct staff to announce on the cable television system, Channel 16 Bulletin Board, the vacancy of the At-Large (Builder Alternate) Representative, with a brief description of the requirements for the Board of Building Code Appeals - Technical Division.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the request be amended to include that the Board direct staff to also announce all other vacant positions and requirements that have been difficult to fill, and this was accepted.

Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

[NOTE: The appointment of the At-Large (Builder Alternate) Representative to the Board of Building Code Appeals - Technical Division was deferred.]

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

[NOTE: The appointments of the At-Large (Attorney) and the At-Large (Appraiser) Representatives to the Board of Equalization of Real Estate Assessments were deferred.]

COMMISSION ON AGING

Chairman Moore requested that staff from Supervisor McConnell's office contact the Board with any nominations for vacant Springfield District positions so that appointments can be made at today's meeting.

(NOTE: The appointment of the Springfield District Representative to the Commission on Aging was deferred.)

COMMUNITY ACTION ADVISORY BOARD

(NOTE: The appointment of the Springfield District Representative to the Community Action Advisory Board was deferred.)

COMMUNITY CORRECTIONS RESOURCES BOARD

Supervisor Alexander moved the reappointment of Mr. Dennis R. Braddock as the At-Large Representative to the Community Corrections Resources Board. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

COMMUNITY IMPROVEMENT COMMITTEE

(NOTE: The appointments of the Annandale and the At-Large Representatives to the Community Improvement Committee were deferred.)

CONSUMER PROTECTION COMMISSION

Supervisor Hanley moved the reappointment of Mr. Paul L. Bellamy as the At-Large Representative. This motion was seconded by Supervisor Davis.

Supervisor Pennino moved the reappointment of Mr. John Donelson as the At-Large Representative. This motion was seconded by Supervisor Davis.

Supervisor Davis moved the reappointment of Mr. Dennis D. Kirk as the At-Large Representative. This motion was seconded by Supervisor Hanley.

Chairman Moore moved the reappointment of Mr. Robert H. Nightlinger as the At-Large Representative. This motion was seconded by Supervisor Davis.

Supervisor Bulova moved the reappointments of Mr. Stanley Kieffer and Mr. William W. Watkins as the At-Large Representatives to the Consumer Protection Commission. This motion was seconded by Supervisor Pennino.

On behalf of Supervisor McConnell, Supervisor Davis moved the reappointment of Mr. Paul Robinson as the At-Large Representative. This motion was seconded by Supervisor Alexander.

The question was called on the motions which carried by a vote of eight Supervisor McConnell being absent.

(NOTE: The appointment of one At-Large Representative to the Consumer Protection Commission was deferred.)

COUNTYWIDE TRAILS COMMITTEE

(NOTE: The appointment of the At-Large Representative to the Countywide Trails Committee was deferred.)

CRIMINAL JUSTICE ADVISORY BOARD

Chairman Moore moved the reappointment of Mr. David Russell as the At-Large Representative.

Supervisor Alexander moved the reappointment of Mr. Jeff Craven as the Lee District Representative.

Supervisor Hanley moved the reappointment of Mr. Marvin Wagner as the Providence District Representative.

On behalf of Supervisor McConnell, Supervisor Davis moved the reappointment of Mr. Stephen Danzig as the Springfield District Representative.

These motions were seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

CONFIRMATIONS

Supervisor Pennino moved that the Board confirm the following appointments to the Criminal Justice Advisory Board:

- Mr. Rafael Madan to fill the unexpired term of Mr. Al Santiago as the Hispanic Committee of Virginia (Principal) Representative; and
- Mr. Octavio J. Ledon as the Hispanic Committee of Virginia (Alternate) Representative.

This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being absent.

ELECTRICAL ADVISORY AND LICENSING BOARD

Supervisor Hanley moved the reappointment of Mr. Justin E. Carlock as the At-Large (Tradesman) Representative.

Supervisor Pennino moved the reappointment of Mr. John D. Buhl as the At-Large (Class B Electrical Contractor) Representative.

The second to these motions were inaudible; however, carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Davis asked unanimous consent that the Board direct staff to report on the distinction of the requirements for the tradesman and the electrical contractor positions relating to the Electrical Advisory and Licensing Board. Without objection, it was so ordered.

[NOTE: The appointments of the two At-Large (Citizen) Representatives and the At-Large (Tradesman) Representative to the Electrical Advisory and Licensing Board were deferred.]

ENGINEERING STANDARDS REVIEW COMMITTEE

CONFIRMATION:

Supervisor Davis moved that the Board confirm the following appointment to the Engineering Standards Review Committee:

- Mr. Jeffrey A. Scouten as the Northern Virginia Building Industry Association's (NVBIA) Representative.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

HEALTH SYSTEMS AGENCY BOARD

Supervisor Pennino moved the appointment of Dr. Robert M. Greenberg as the At-Large (Provider) Representative to the Health Systems Agency Board. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being absent.

LIBRARY BOARD

(NOTE: The appointment of the At-Large Representative to the Library Board was deferred.)

MECHANICAL ADVISORY AND LICENSING BOARD

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to announce on the cable television system, Channel 16 Bulletin Board, the vacancy of the At-Large (Master Mechanic) Representative, with a brief description of the requirements for the Mechanical Advisory and Licensing Board. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

[NOTE: The appointment of the At-Large (Master Mechanic) Representative to the Mechanical Advisory and Licensing Board was deferred.]

NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

Chairman Moore moved the appointment of Mr. Robert A. Rogers as the At-Large Representative to the Northern Virginia Community College Board. This motion was seconded by Supervisor Pennino.

Following discussion regarding whether Mr. Rogers' resume' had been circulated in a timely manner to Board Members, Supervisor Davis moved that the Board defer this appointment for two weeks. This motion died for lack of a second.

The question was called on Mr. Rogers' appointment which carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Davis stated, for the record, that he did not receive Mr. Rogers' resume until earlier this morning.

NORTHERN VIRGINIA PLANNING DISTRICT COMMISSION

Supervisor Davis moved the reappointment of Mr. Charles Robinson as the At-Large (Resident/Fairfax County) Representative.

Supervisor Hanley moved that the Board:

- Direct staff to make the necessary revisions to the record to reflect only five vacancies on the Northern Virginia Planning District Commission (NVPDC); and
- Defer the NVPDC appointments until August 5, 1991.

This motion was seconded by Supervisor Richards.

Supervisor Davis asked that the motion be amended to direct staff to include Mr. Robinson's nomination for reappointment in the Board Package item for consideration on August 5, 1991, and this was accepted.

The question was called on the motion, which as amended, carried by a vote of eight, Supervisor McConnell being absent.

PLUMBING ADVISORY AND LICENSING BOARD

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to announce on the cable television system, Channel 16 Bulletin Board, the vacancy of the At-Large (Class A Plumbing Contractor) Representative, with a brief description of the requirements for the Plumbing Advisory and Licensing Board. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

[NOTE: The appointment of the At-Large (Class A Plumbing Contractor) Representative to the Plumbing Advisory and Licensing Board was deferred.]

PROJECT SELECTION COMMITTEE

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

TREE COMMISSION

(NOTE: The appointment of the Providence District Representative to the Tree Commission was deferred.)

VOLUNTEER FIRE COMMISSION

CONFIRMATIONS:

Supervisor Pennino moved that the Board confirm the following appointments to the Volunteer Fire Commission:

- Mr. John S. (Pete) Kirby as the Zone Three Representative;
- Mr. Gerald Strider as the At-Large Representative; and
- Mr. William Schmidt as the Volunteer Fireman's Association Representative.

This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being absent.

AD-HOCS

CITIZENS COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS AND DISCUSSION OF A-20 - ESTABLISHMENT OF NEW REPRESENTATIVES ON THE CITIZENS ADVISORY COMMITTEE (CAC) FOR SOLID WASTE DISPOSAL MATTERS (COUNTYWIDE)

Supervisor Hanley called to the Board's attention Action Item A-20 - Establishment of New Representatives on the Citizens Advisory Committee (CAC) for Solid Waste Disposal Matters. She stated that later in the meeting, action would be taken to add additional representatives to the CAC.

(NOTE: Later in the meeting, additional appointments/confirmations were made to the CAC. See Clerk's Summary Item CL#28.)

Chairman Moore moved the reappointment of Ms. Kimberly Green as the At-Large (Principal) Representative. This motion was seconded by Supervisor Pennino.

Supervisor Bulova moved the reappointments of Ms. Winifred Shapiro as the Annandale District (Principal) Representative and Mr. Steve Morgan as the Annandale District (Alternate) Representative. This motion was seconded by Supervisor Pennino.

Supervisor Pennino moved the reappointments of Mr. William S. Story as the Centreville District (Principal) Representative and Mr. Mark Hubal as the Centreville District (Alternate) Representative. This motion was seconded by Supervisor Alexander.

Supervisor Richards moved the reappointments of Ms. Patricia Franklin as the Dranesville District (Principal) Representative and Ms. Jeanne McChesney as the Dranesville District (Alternate) Representative. This motion was seconded by Supervisor Pennino.

Supervisor Alexander moved the reappointments of Ms. Sue Patterson as the Lee District (Principal) Representative and Mr. Tom Grey as the Lee District (Alternate) Representative. This motion was seconded by Supervisor Davis.

Supervisor Davis moved the reappointments of Mr. Ted Bristol as the Mason District (Principal) Representative and Ms. Helen Lidball as the Mason District (Alternate) Representative. This motion was seconded by Supervisor Pennino.

Supervisor Hyland moved the reappointments of Ms. Dorothy Spencer as the Mount Vernon District (Principal) Representative and Mr. Dana F. Arnold as the Mount Vernon District (Alternate) Representative. This motion was seconded by Supervisor Pennino.

Supervisor Hanley moved the appointment of Ms. Mary L. Wolfe as the Providence District (Principal) Representative and the reappointment of Mr. Mansfield I. Smith as the Providence District (Alternate) Representative. This motion was seconded by Supervisor Pennino.

The question was called on the motions which carried by a vote of eight, Supervisor McConnell being absent.

[NOTE: The appointments of the At-Large (Alternate) and the Springfield (Alternate) Representatives to the Citizens Committee on Solid Waste and Disposal Matters were deferred.]

CONFIRMATIONS:

Supervisor Davis moved that the Board confirm the following appointments to the Citizens Committee on Solid Waste and Disposal Matters:

- Mr. John J. Nowak as the Fairfax County Chamber of Commerce (Principal) Representative;
- Mr. Michael J. Andrejko as the Fairfax County Chamber of Commerce (Alternate) Representative;
- Mr. Roger Diedrich as the Fairfax County Federation of Citizens Association (Principal) Representative;
- Ms. Stella Koch as the Fairfax County Federation of Citizens Association (Alternate) Representative;
- Ms. Mickie Sullivan as the Federation of Lorton Communities (Principal) Representative;
- Ms. Laurie Frost as the Federation of Lorton Communities (Alternate) Representative;
- Mr. Dominic Ricciardella as the Fairfax County Business Recycling Task Force (Principal) Representative;

- Mr. Terry Fulton as the Fairfax County Business Recycling Task Force (Alternate) Representative;
- Mr. David Blake as the Sierra Club (Principal) Representative;
- Ms. Sandra Metzger as the Sierra Club (Alternate) Representative;
- Ms. Judith Prochko as the League of Women Voters of the Fairfax Area (Principal) Representative; and
- Ms. Sandy Blackwell as the League of Women Voters of the Fairfax Area (Alternate) Representative.

This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved that the Board establish a new position on the CAC for the Business Recycling Task Force. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

EMPLOYER CHILD CARE COUNCIL

CONFIRMATION:

Supervisor Pennino moved that the Board confirm the following appointment to the Employer Child Care Council:

- Ms. Sarah Larson to replace Ms. Sandra Ogden as the Child Care Advisory Board Representative.

This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being absent.

MINORITY UPWARD MOBILITY AND RETENTION IN FAIRFAX COUNTY GOVERNMENT TASK FORCE

Chairman Moore moved the appointment of Mr. Robert Rogers, Jr. as the At-Large Representative to the Minority Upward Mobility and Retention in Fairfax County Government Task Force. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Bulova moved the appointment of Mr. Mozart Chesson as the Annandale District Representative to the Minority Upward Mobility and Retention in Fairfax County Government Task Force. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Hanley moved the appointment of Mr. Luis Lopez as the Providence District Representative to the Minority Upward Mobility and Retention in Fairfax County Government Task Force. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

(NOTE: The appointments of the Mount Vernon, Mason, Dranesville, and the Lee District Representatives to the Minority Upward Mobility and Retention in Fairfax County Government Task Force were deferred.)

CITIZENS TASK FORCE - NEW GOVERNMENT CENTER

Supervisor Davis moved that the Board place a requirement on the Citizens Task Force for the New Government Center that NO political candidates may be appointed to this task force. This motion was seconded by Supervisor Pennino.

Supervisor Davis amended his motion to include additional representation by the Associated Builders and Contractors Association, and this was accepted.

The question was called on the motion, and as amended, carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Hanley asked unanimous consent that the Board direct staff to circulate to Board Members, names of the proposed members of the task force so that action could be taken later in the day to confirm the appointments. Without objection, it was so ordered.

(NOTE: Action on appointments to the Citizens Task Force - New Government Center was not taken later in the meeting.)

AR:AR

7. ADMINISTRATIVE ITEMS (TAPE 3)

Supervisor Davis moved approval of the Administrative Items. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM
(CENTREVILLE, PROVIDENCE AND SPRINGFIELD
DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated July 22, 1991 be recommended for acceptance into the State Secondary System.

ADMIN 2 - ACCEPTANCE OF NEW BRADDOCK ROAD
INTO THE SECONDARY SYSTEM (SPRINGFIELD
DISTRICT)

- (R) Approved the request that New Braddock Road, Springfield District, as listed in the Memorandum to the Board dated July 22, 1991, be recommended for acceptance into the State Secondary System.

ADMIN 3 - APPROVAL OF WATER MAIN EXTENSION,
GEORGETOWN PIKE (DRANESVILLE DISTRICT)

Approved the request for the extension of a 12-inch water main approximately 300 feet along the south side of Georgetown Pike. The proposed main will provide adequate domestic and fire protection service to meet Fairfax County standards.

ADMIN 4 - APPROVAL OF WATER MAIN EXTENSION,
MOUNT OLIVE (SPRINGFIELD DISTRICT)

Approved the request for the installation of approximately 1,500 feet of six-inch water main along Centreville Road (Route 28) in the Mount Olive area, Springfield District. The proposed main will replace inadequate well supplies pursuant to Fairfax County ordinances, and will be located in the Occoquan Basin.

ADMIN 5 - APPROVAL OF SHADOWBROOK PRESSURE
REDUCING VALVE VAULT (SPRINGFIELD DISTRICT)

Approved the request for the installation of a Pressure Reducing Valve Vault (PRV) in the Shadowbrook Subdivision, Springfield District. The proposed PRV will regulate the high water pressure in this area of the Fairfax County Water Authority (FCWA) system to acceptable levels pursuant to Fairfax County ordinances.

ADMIN 6 - APPROVAL OF RESTON NORTHERN SECTOR
PRESSURE REDUCING VALVE VAULT (CENTREVILLE
DISTRICT)

Approved the request for the installation of a Pressure Reducing Valve Vault (PRV) in the northern sector of Reston, Centreville District. The proposed PRV will regulate the high water pressure in this area of the Fairfax County Water Authority (FCWA) system to acceptable levels pursuant to Fairfax County ordinances.

8. A-1 - ADVANCE CONTRIBUTION TO THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FOR THE FRANCONIA-SPRINGFIELD METRORAIL FINAL DESIGN CONTRACT (COUNTYWIDE) (TAPE 3)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the actions listed in the Memorandum to the Board dated July 22, 1991 approving an advance contribution to the Washington Metropolitan Area Transit Authority (WMATA) for the Franconia-Springfield final design contracts and general terms and conditions of the proposed Credit and Project Agreements. These actions were requested so that progress may continue to be made on the Franconia-Springfield Metrorail segment and so that WMATA will be encouraged to include this segment early in its Rail Construction Program beyond 89.5 miles.

9. A-2 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT FOR IMPROVEMENTS TO BACKLICK ROAD (ROUTE 617) FROM FULLERTON ROAD TO BEVERLY LANE (LEE DISTRICT) (TAPE 3)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board DEFERRED until August 5, 1991 its endorsement of the Virginia Department of Transportation (VDOT) design plans for improvements of Backlick Road (State Route 617) from Fullerton Road to Beverly Lane (Project 0617-029-229, C502), as presented at the combined Location and Design Public Hearing held on June 20, 1991. This deferral is necessary in order to allow for additional consultations with VDOT.

10. A-3 - SCOPE AND SCHEDULE REVISIONS TO THE FAIRFAX COUNTY PARKWAY SEGMENT BETWEEN DULLES TOLL ROAD AND SUNSET HILLS ROAD/SPRING STREET (CENTREVILLE AND DRANESVILLE DISTRICTS) (TAPE 3)

Supervisor Richards moved that the Board concur in the recommendation of staff for the Fairfax County Parkway segment between the Dulles Toll Road and the Sunset Hills Road/Spring Street, as follows:

- That dual left turn lanes be incorporated into the Fairfax County Parkway plans at Sunset Hills Road/Spring Street to accommodate future anticipated growth in the traffic movement from northbound Parkway to westbound Spring Street;

- That the project bid advertisement be delayed by one to two months in order to make the appropriate plan revisions to accommodate the dual left turn lanes; and
- That the Virginia Department of Transportation (VDOT) be requested to identify potential future right-of-way requirements in the northeast and southeast quadrants of the Parkway/Sunset Hills Road/Spring Street interchange so that Fairfax County can preserve right-of-way wherever possible for future expansion of the interchange.

This motion was seconded by Supervisor Pennino.

In addition, Supervisor Richards asked that her motion be amended to include a request for staff to update the traffic projections, for planning purposes, on Spring Street, and this was accepted.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the motion be amended to include a request that the utility relocations and the design assistance be expedited in order to allow this project to move ahead more rapidly, and this was accepted.

Vice-Chairman Pennino emphasized the importance for VDOT to go ahead and continue to identify potential future right-of-way requirements in the northwest/southeast quadrants of the Parkway, Sunset Hills Road/Spring Street interchange, so that Fairfax County can preserve right-of-way wherever possible for future expansion of the interchange.

Supervisor Richards noted that the excellent work and coordination done by Katharine D. Ichter and Marshall Barron of the Office of Transportation staff contributed to the success of this project.

The question was then called on the motion, as amended, which carried by a vote of eight, Supervisor McConnell being absent.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

11. A-4 - SEWER POLICY FOR THE TOWN OF CLIFTON
(SPRINGFIELD DISTRICT) (TAPE 3)

Supervisor Davis asked unanimous consent that the Board DEFER until August 5, 1991 its decision to:

- Reaffirm its 1974 policy for providing sewer within the town of Clifton, including concurrence with staff's implementation of that policy, and adoption for the future of a comprehensive policy which incorporates the foregoing; and
- Approve sewer connections at 12631 Water Street and 12817 Chapel Street, town of Clifton.

Without objection, it was so ordered.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to take a look at the possibility of providing water to the town of Clifton as a solution to the town's water/sewer problems. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

12. A-5 - AUTHORIZATION FOR STAFF ATTENDANCE AT THE JULY 25 MEETING OF THE CHESAPEAKE BAY LOCAL ASSISTANCE BOARD'S NORTHERN AREA REVIEW COMMITTEE (TAPE 3)

Supervisor Davis moved that the Board concur in the recommendation of staff and direct staff to attend the July 25, 1991 meeting of the Chesapeake Bay Local Assistance Board's Northern Area Review Committee to represent the County's positions regarding the proposed Chesapeake Bay Preservation Ordinance. This motion was seconded by Supervisor Pennino.

Following discussion, with input from Robert L. Howell, Deputy County Attorney, and Karen J. Harwood, Assistant County Attorney, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved a substitute motion that the Board direct staff to attend the July 25th meeting to discuss the definitive opinion of State Attorney General Mary Sue Terry regarding the grandfathering recommendations of the Chesapeake Bay Preservation Ordinance, but not necessarily advocate them. This motion died for lack of a second.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

After additional discussion, Supervisor Hyland asked unanimous consent that the Board direct staff to provide each Board Member with a copy of the letter of inquiry submitted to Attorney General Terry from Delegate John Watkins, Chesterfield County, regarding the grandfathering provisions. Without objection, it was so ordered.

The question was then called on the motion, which CARRIED by a recorded vote of seven, Chairman Moore voting "NAY," Supervisor McConnell being absent.

13. A-6 - AN EVALUATION AND POLICY STATEMENT REGARDING THE ACTION BY THE LOUDOUN COUNTY BOARD OF SUPERVISORS ON THE ASHBURN VILLAGE PLANNED DEVELOPMENT APPROVING RESIDENTIAL ZONING INSIDE THE DULLES AIRPORT 65 DBA LDN NOISE CONTOUR (TAPE 3)

Supervisor Davis moved that this issue regarding an evaluation and policy statement on the action by the Loudoun County Board of Supervisors on the Ashburn Village planning development approving residential zoning inside the Dulles Airport 65 DBA LDN Noise Contour be referred to the Fairfax County Board of Supervisors' Loudoun County/Fairfax County Subcommittee for its recommendations and appropriate action. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

14. I-6 - THE HOMELESS POLICY IMPLEMENTATION TASK FORCE REPORT, STRATEGIES FOR SERVING THE HOMELESS IN FAIRFAX COUNTY (TAPE 3)

Supervisor Hyland called the Board's attention to Information Item 6 - The Homeless Policy Implementation Task Force Report, Strategies for Serving the Homeless in Fairfax County and asked Ms. Judy Booe to come forward and present her comments to the Board on this Task Force Report.

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 presenting the follow-up report regarding the strategies for serving the homeless in Fairfax County.

Following Ms. Booe's comments, Supervisor Hyland moved that the Board refer this report to the Human Services Council for its reactions and recommendations no later than the Board Meeting of September 16, 1991. This motion was seconded by Supervisor Davis and carried by a vote of eight, Supervisor McConnell being absent.

15. A-7 - ACCEPTANCE OF A FIVE YEAR CABLE TELEVISION FRANCHISE RENEWAL AWARD FROM THE TOWN OF CLIFTON, VIRGINIA (TAPE 3)

(R) On motion of Supervisor Davis, seconded by Supervisor Richards, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted a Resolution accepting the five year franchise renewal award made by the Town of Clifton, Virginia (Town) to the County of Fairfax (County) for the benefit of Media General Cable of Fairfax County, Incorporated (MGC).

16. A-8 - AUTHORIZATION TO TRANSMIT LETTERS TO CONGRESSIONAL MEMBERS ON THE DAVIS-BACON ACT PROPOSED REVISION (TAPE 3)

On motion of Supervisor Pennino, seconded by Supervisor Hyland, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved authorizing the Chairman to transmit a letter to members of the Virginia Congressional Delegation and the Chairman of the House Subcommittee on Labor Standards, and the Chairman of the House Education and Labor Committee urging support of H.R. 1987, a bill to raise the threshold for coverage under Davis-Bacon Act prevailing wage requirements.

17. A-9 - BOARD APPROVAL OF THE CORPORATE ELDERCARE TASK FORCE RECOMMENDATIONS: THE FAIRFAX PARTNERSHIP ON ELDER CAREGIVING (TAPE 3)

(BACs)

On motion of Supervisor Hyland, seconded by Supervisor Pennino, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the Fairfax Partnership on Elder Caregiving (FPEC) in the amount of \$8000, which includes the recommendations of the Corporate Eldercare Task Force report, The Missing Worker: Caring for Mom and Dad.

18. A-10 - APPROVAL OF AMENDMENTS TO SECTION 108 APPLICATIONS (COUNTYWIDE) (TAPE 3)

On motion of Supervisor Davis, seconded by Supervisor Alexander, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved amendments to the projected use of funds in three applications for loan funds guaranteed under Section 108 of the Housing and Community Development Act of 1974, as amended, to include the rehabilitation of publicly owned property, and relocation, clearance, and site preparation associated with any acquisition and rehabilitation undertaken with loan funds, as well as the acquisition of sites and units for low and moderate income housing.

19. A-11 - PROPOSED REVISION TO THE COMMUNITY IMPROVEMENT ASSESSMENT POLICY (TAPE 3)

(P) On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the proposed revisions to the policy for sidewalk assessment of abutting property owners for a portion of the cost of those improvements in the Community Improvement Program (CIP) projects.

20. A-12 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 92014 FOR THE HEALTH DEPARTMENT'S
COMPREHENSIVE AIDS RESOURCES EMERGENCY
(CARE) ACT PROGRAM (TAPE 3)

(SAR) Following input from Ms. Katie Conrad, Health Planner, Department of Health, Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt the Supplemental Appropriation Resolution (SAR) AS 92014 in the amount of \$13,707 to appropriate funds to the Health Department for the CARE Act contract with the Northern Virginia Planning District Commission (NVPDC) for the period of June 1, 1991 through May 31, 1992. This motion was jointly seconded by Supervisor Alexander and Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

21. A-13 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS92017 FOR DEPARTMENT OF RECREATION
AND COMMUNITY SERVICES' 1991 SUMMER LUNCH
PROGRAM FOR CHILDREN (TAPE 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Davis, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the Supplemental Appropriation Resolution (SAR) AS 92017 in the amount of \$75,502 including \$69,508 U.S.D.A. funds and \$5,994 local cash match for the Summer Lunch Program for Children during the grant period May 28, 1991 to September 6, 1991.

22. A-14 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS92016 FOR THE FAIRFAX COUNTY POLICE
DEPARTMENT, TRAFFIC SAFETY SECTION, (VIRGINIA
DEPARTMENT OF MOTOR VEHICLES GRANT) (TAPE 3)

(SAR) On motion of Supervisor Richards, seconded by Supervisor Pennino, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the Supplemental Appropriation Resolution (SAR) AS 92016 in the amount of \$7000 to purchase equipment for use by the Operations Support Bureau's Crime Analyst for Traffic Accident Location and Causation Analysis.

Supervisor Hanley asked unanimous consent that the Board direct staff to report back to the Board as expeditiously as possible on why it took one whole year to process this SAR. Without objection, it was so ordered.

23. A-15 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD TO ACCEPT A VIRGINIA
SEXUAL ASSAULT CRISIS PROGRAM GRANT FROM THE
VIRGINIA DEPARTMENT OF HEALTH (TAPE 3)

On motion of Supervisor Pennino, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board

concurred in the recommendation of staff and approved acceptance of a Virginia Sexual Assault Crisis Program grant from the Virginia Department of Health for \$21,341 to fund sexual assault crisis treatment.

24. A-16 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT A GRANT FROM THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES VIRGINIA FAMILY VIOLENCE PREVENTION PROGRAM (TAPE 3)

On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the grant acceptance for \$5000 to fund crisis intervention/volunteer coordination services.

25. A-17 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH SERVICES BOARD TO ACCEPT FISCAL YEAR (FY) 1992 MCKINNEY GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (DMHMRSAS) (TAPE 3)

On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the acceptance of the \$116,332 in PAIH/McKinney funds offered by the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to fund 3/2.5 SYE Mental Health Therapists.

26. A-18 - APPROVAL TO ACCEPT FEDERAL FUNDING FOR ALCOHOL AND DRUG SERVICES (TAPE 3)

On motion of Supervisor Hyland, seconded by Supervisor Pennino, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and accepted the Virginia Department of Criminal Justice Services grant in the amount of \$69,712 to provide drug treatment services to offenders in the Pre-Release Center (PRC).

27. A-19 - COUNCIL OF GOVERNMENTS' GRANT FOR TECHNICAL SERVICES - I-95 LANDFILL (MOUNT VERNON DISTRICT) (TAPE 3)

On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and authorized the County Executive to sign the grant with the Metropolitan Washington Council of Governments (COG) for technical services at the I-95 Landfill.

Citing the need to address this problem regionally, Supervisor Hanley asked unanimous consent that the Board direct staff to forward a copy of this agreement, for informational purposes, to the Federal Legislative Delegation. Without objection, it was so ordered.

28. A-20 - ESTABLISHMENT OF NEW REPRESENTATIVES ON THE CITIZENS ADVISORY COMMITTEE (CAC) FOR SOLID WASTE DISPOSAL MATTERS (COUNTYWIDE) (TAPE 3)

(BACs)
(APPI)

On motion of Supervisor Pennino, seconded by Supervisor Richards, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and:

- Approved the replacement of the Northern Virginia Solid Waste Association with the Virginia Waste Industries Association on the Citizens Advisory Committee (CAC) for Solid Waste Disposal Matters, and confirm the following appointments:
 - * Mr. Larry Edwards as the Virginia Waste Industries Association (Principal) Representative; and
 - * Mr. Paul Coury as the Virginia Waste Industries Association (Alternate) Representative.
- Established a new position on the CAC for the Business Recycling Task Force, and confirm the following appointments:
 - * Mr. Dominic Ricciardella as the Business Recycling Task Force (Principal) Representative; and
 - * Mr. Terry Fulton as the Business Recycling Task Force (Alternate) Representative.

29. A-21 - DESIGNATION OF PLANS EXAMINERS TO PARTICIPATE IN THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM (TAPE 3)

On motion of Supervisor Pennino, seconded by Supervisor Davis, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and designated the following

seven individuals identified with their registration number, as Plans Examiners:

- Theodore D. Britt (67);
- David A. Guetig (63);
- John E. Krobath (62);
- Richard E. Lawhun (68);
- Robert A. Munse (65);
- Myon M. Yoo (66); and
- William R. Zink (64).

30. A-22 - REPRINTING OF COUNTY HISTORY PUBLICATIONS
(TAPE 3)

On motion of Supervisor Hanley, seconded by Supervisor Pennino, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and authorized an expenditure of \$43,200 for the Office of Comprehensive Planning (OCP) to reprint the County history publications.

31. A-23 - APPROVAL TO APPLY FOR THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TRANSITIONAL HOUSING - SUPPORTIVE HOUSING DEMONSTRATION PROGRAM (TAPE 3)

On motion of Supervisor Pennino, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and authorized the application for grant funding from the Department of Housing and Urban Development (HUD) Transitional Housing-Supportive Housing Demonstration Program in the amount of \$3,636,256. The purpose of the grant is to develop innovative approaches for providing housing and supportive services to homeless persons to enable them to reach independent living within 24 months. This program is designed to develop supportive housing for homeless individuals with mental disabilities.

JLD:JLD

32. C-1 - APPEAL OF AN ARCHITECTURAL REVIEW BOARD (ARB) DECISION, COLVIN RUN MILL HISTORIC OVERLAY DISTRICT (DRANESVILLE DISTRICT) (TAPE 4)

(LEGAL)

The Board next considered an item contained in the Memorandum to the Board dated July 22, 1991 regarding the appeal of a decision of the

Architectural Review Board (ARB) to approve a Site Plan within the Colvin Run Mill Historic Overlay District.

Supervisor Richards asked unanimous consent that the Board add Consideration Item One - Appeal of an Architectural Review Board (ARB) Decision, Colvin Run Mill Historic Overlay District (Dranesville District) to the agenda for items to be discussed in Executive Session. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#116.)

33. C-2 - REVISION TO POLICY FOR ACCEPTING DONATED AND LOANED WORKS OF ART (TAPE 4)

- (P) The Board next considered an item contained in the Memorandum to the Board dated July 22, 1991 regarding the request by the McLean and Reston Community Center Governing Boards to have their centers excluded from the Policy for Accepting Donated and Loaned Works of Art.

Supervisor Richards moved that the Board:

- Concur in the request by the McLean and Reston Community Center Governing Boards to have their centers excluded from the Policy for Accepting Donated and Loaned Works of Art; and
- Delegate the responsibility to these two Community Centers for choosing their own artwork.

This motion was seconded by Supervisor Pennino.

Following discussion among Board Members, the question was called on the motion which carried by a vote of eight, Supervisor McConnell being absent.

In addition, Supervisor Richards asked unanimous consent that the Board not require review of loaned artwork, displayed in the offices of the Members of the Board of Supervisors, by the Fairfax County Council of Art as required by the Policy for Accepting Donated and Loaned Works of Art. Without objection, it was so ordered.

34. I-1 - PROGRAM TARGET (TAX ADMINISTRATION REVENUE GENERATING ENFORCEMENT TEAMS), REPORT ON FISCAL YEAR (FY) 1991 REVENUE (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 presenting Program TARGET

(Tax Administration Revenue Generating Enforcement Teams), report on Fiscal Year (FY) 1991 Revenue.

Following discussion among Board Members, Chairman Moore expressed her appreciation to staff for their diligent and innovative work on Program TARGET.

35. I-2 - THE 1990 ASSESSMENT-SALES REPORT FOR THE OFFICE OF ASSESSMENTS (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 presenting the 1990 Assessment-Sales Report for the Office of Assessments.

36. I-3 - STAFF REPORT REGARDING THE ASSESSMENT OF BUSINESS, PERSONAL PROPERTY TAXES TO CONDOMINIUM AND HOMEOWNER ASSOCIATIONS (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 presenting the Staff Report regarding the Assessment of Business, Personal Property taxes to Condominium and Homeowner Associations.

Supervisor Pennino moved that the Board refer the issue of the assessment of business and personal property taxes to condominium and homeowner associations to the Board's Legislative Subcommittee. The second to this motion was inaudible.

Following discussion among Board Members, the question was called on the motion which carried by a vote of eight, Supervisor McConnell being absent.

37. I-4 - FAIRFAX COUNTY WINS SEVEN NATIONAL AWARDS (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 announcing that Fairfax County has won seven 1991 National Achievement Awards for innovative programs from the National Association of Counties (NACo).

Supervisor Richards commended staff and community volunteers for all of their dedicated work which has made these County programs so successful.

38. I-5 - COUNTY HOLIDAY SCHEDULE -- CALENDAR YEAR 1992 (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 presenting the County Holiday Schedule -- Calendar Year 1992.

The staff was directed administratively to proceed as proposed.

39. I-6 - THE HOMELESS POLICY IMPLEMENTATION TASK FORCE REPORT, STRATEGIES FOR SERVING THE HOMELESS IN FAIRFAX COUNTY (TAPE 4)

(NOTE: Earlier in the meeting, the Board considered this item. See Clerk's Summary Item CL#14.)

40. I-7 - REVIEW AND EVALUATION OF AIRCRAFT NOISE IMPACT (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 presenting the review and evaluation of aircraft noise impact.

41. I-8 - REQUESTS FOR EXPEDITED HEARING DATES FOR REZONING AND SPECIAL EXCEPTION APPLICATIONS (COUNTYWIDE) (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 regarding requests for expedited hearing dates for rezoning and special exception applications.

ADDITIONAL BOARD MATTER

42. EXPEDITIOUS PROCESSING REQUESTED FOR MCLEAN YOUTH SOCCER CASE INVOLVING LEWINSVILLE SENIOR RESIDENTS (TAPE 4)

Supervisor Richards called to the Board's attention a McLean Youth Soccer case involving the Lewinsville senior residents which has been delayed. Accordingly, she asked unanimous consent that the Board direct staff to move as expeditiously as possible on the case. Without objection, it was so ordered.

43. I-9 - SPECIALIZED TRAINING FOR THE UNITED STATES DEPARTMENT OF THE ARMY (D.O.A.) (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 requesting authorization for the Fire and Rescue Department to provide the desired training to the Department of the Army (D.O.A.) and charge a per-student fee that will cover the cost involved in providing this training.

Following discussion among Board Members, the staff was directed administratively to proceed as proposed.

44. I-10 - CONTRACT AWARD - CONSTRUCTION OF LANDSCAPING AND IRRIGATION IN CENTER MEDIANS OF UNITED STATES (U.S.) ROUTE 1 AND OLD KEENE MILL ROAD (LEE AND MOUNT VERNON DISTRICTS) (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 requesting authorization for staff to award a contract to NeKoosa Contracting Corporation in the amount of \$162,250 for construction of the landscaping and irrigation at the locations listed and implement the funding sources as described in the Board Package.

The staff was directed administratively to proceed as proposed.

45. I-11 - ENGINEERING CONTRACT AWARD TO JOHN S. JONES AND ASSOCIATES, INCORPORATED, FOR THE DESIGN OF A PORTION OF THE HILLSIDE ROAD TRAIL IMPROVEMENTS (SPRINGFIELD DISTRICT) (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 requesting authorization for staff to award a contract to John S. Jones and Associates, Incorporated, in the amount of \$28,555.86 for installation of an asphalt trail and the installation of pedestrian bridge to provide a crossing of the Pohick Creek Tributary.

The staff was directed administratively to proceed as proposed.

46. I-12 - ARCHITECTURAL CONTRACT AWARD TO STRANG AND SAMAHA FOR THE DESIGN OF THE I-95 LANDFILL MAINTENANCE BUILDING (MOUNT VERNON DISTRICT) (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 requesting authorization for staff to award a contract to Strang and Samaha, in the amount of \$120,060 for the design and construction of a maintenance, fuel, and support facility located at 9850 Furnace Road, Lorton, Virginia.

The staff was directed administratively to proceed as proposed.

47. I-13 - ENGINEERING CONTRACT AWARD FOR GEOTECHNICAL AND ENVIRONMENTAL STUDIES FOR THE LORTON COMMUTER RAIL STATION PARKING LOT (MOUNT VERNON DISTRICT) (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 requesting authorization for

staff to award a contract to Geotechnical and Material Testing, Incorporated, in the amount of \$29,981.37 to perform geotechnical and environmental studies for the Lorton Commuter Rail Station Parking Lot.

The staff was directed administratively to proceed as proposed.

48. I-14 - APPROVAL OF ENGINEERING CONTRACT WITH WOODWARD-CLYDE CONSULTANTS TO PROVIDE FAIRFAX COUNTY WITH GEOTECHNICAL SERVICES IN SUPPORT OF THE IN-HOUSE DESIGN OF SLOPE STABILIZATION MEASURES AT THE TARTAN VILLAGE DEVELOPMENT, PHASE 1A (LEE DISTRICT) (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 22, 1991 requesting authorization for staff to award a contract to Woodward-Cycle Consultants in the amount of \$32,257 to perform geotechnical services in support of the in-house design of the project.

The staff was directed administratively to proceed as proposed.

49. RECESS/EXECUTIVE SESSION (TAPE 4)

At 12:00 noon, Supervisor Davis moved that the Board recess and go into Executive Session for discussion of matters set forth 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:

- Consideration Item One - Appeal of an Architectural Review Board (ARB) Decision on Colvin Run Mill Historic Overlay District scheduled for 3:00 p.m.

The second to this motion was inaudible.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked that the motion be amended to request legal counsel during Executive Session on Out-of-Turn Plan Amendment S91-IV-MV1, and this was accepted.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor Hyland announced his intent, following the public hearing on the Out-of-Turn Plan Amendment S91-IV-MV1 for the Lorton-South Route 1 and Mason Neck Areas, to defer Board decision until August 5, 1991.

(NOTE: Later in the meeting, the public hearing was held on Out-of-Turn Plan Amendment S91-IV-MV1. See Clerk's Summary Item CL#137.)

Supervisor Davis clarified the motion to recess and proceed with Executive Session, adding Out-of-Turn Plan Amendment S91-IV-MV1 to the Agenda scheduled for Executive Session.

Chairman Moore noted that discussion of S91-IV-MV1 is in addition to that on the ARB Decision and the opinion with regard to sewer, already on the Agenda for Executive Session.

The question was then called on the motion, as amended, which carried by a vote of eight, Supervisor McConnell being absent.

At 12:40 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor McConnell, and with Chairman Moore presiding.

50. ADDITIONAL ITEMS REQUESTED FOR CONSIDERATION
DURING EXECUTIVE SESSION (NO TAPE-VIDEO ONLY)

Supervisor Davis moved to add the following items to the agenda for Executive Session:

- Out-of-Turn Plan Amendment S91-IV-MV1; and
- NVLand Incorporated versus the Board of Supervisors of Fairfax County, In Chancery Number 105959.

This motion was seconded by Supervisor Richards and carried by a vote of eight, Supervisor McConnell being absent.

At 12:45 p.m., the Board recessed briefly.

PMH:PMH

At 1:55 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor McConnell, and with Chairman Moore presiding.

51. ACTIONS FROM EXECUTIVE SESSION (TAPE 5)

A. CERTIFICATION BY BOARD MEMBERS
REGARDING ITEMS DISCUSSED IN
EXECUTIVE SESSION

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 Pennino and carried by a vote of eight, Supervisor McConnell being absent.

B. SETTLEMENT OF JOSEPH F. AND ROSE E. MUIR VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, IN CHANCERY NUMBER 17549

Supervisor Davis moved that the Board authorize settlement of Joseph F. and Rose E. Muir versus Board of Supervisors of Fairfax County, in Chancery Number 17549 according to the terms outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

52. PROPOSED POLICY REGARDING THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)
(TAPE 5)

Chairman Moore stated that she had received a copy of a memorandum from Dr. John C. Kershenstein to Acting County Executive Richard King, requesting him to attend a meeting of the Fairfax County Redevelopment and Housing Authority (FCRHA) regarding an interest payment on the FCRHA note on Old Mill Road. She said that the FCRHA has requested the Board of Supervisors to deal with this issue and to readopt a policy related to whether the Board will provide funds to the FCRHA when it is in the middle of a construction project.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to report with a policy regarding this issue by August 5, 1991. Without objection, it was so ordered.

53. CIVIL SERVICE COMMISSION PUBLIC HEARING REGARDING THE MERIT INCREMENT POLICY OF FAIRFAX COUNTY
(TAPE 5)

Supervisor Moore stated that the Civil Service Commission had recently held a public hearing related to the issue of the Merit Increment Policy of Fairfax County. She said that the Chairman of the Civil Service Commission had suggested the following:

- That unless there is an emergency, the staff take any proposed policy issues related to personnel to the Civil Service Commission for recommendation to the Board;

- That staff review the issue to determine if all employees are treated equally (new employees versus current employees); and
- That the Board give consideration to a deferral of the Merit Increment Policy until next year.

Supervisor Moore moved that the Board direct the staff to bring issues to the Civil Service Commission related to personnel regulations unless there is an emergency.

Following discussion, Supervisor Moore moved to amend her motion to refer the issue to the Personnel Subcommittee. This motion was seconded by Supervisor Davis.

Supervisor Davis stated that one of his concerns was that when the step-increases did not "kick-in" this year, it will affect step-increases four and five years later. He noted that this issue needs to be resolved as expeditiously as possible.

Supervisor Bulova said that the Board is scheduled to have an item come before it (August 5, 1991) and she asked that the motion be amended to direct staff to address the many issues raised by the Chairman of the Civil Service Commission when the item comes before the Board and this was accepted.

Supervisor Hanley requested that a copy of the items distributed to employees and the items that were distributed to Board Members at the previous Personnel Subcommittee meeting regarding this issue be provided again.

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

54. \$100 AMBULANCE SERVICE FEE (TAPE 5)

Supervisor Moore stated that she had received numerous calls and letters expressing concern regarding the new \$100 Ambulance Service Fee. Supervisor Moore moved that the Board:

- Indicate its intent to use some funds which will be available at the time of "Carryover" to eliminate the ambulance fee;
- Direct staff to include the funds in the "Carryover" review to eliminate the ambulance fee; and

- Direct staff to stop the implementation of any administrative procedures that will be necessary to implement the fee.

This motion was seconded by Supervisor Davis.

Following discussion, Supervisor Hanley stated, for the record, that the Policy regarding the ambulance fee was not what she had voted for nor anything that any Member of the Board had voted for.

The question was called on the motion which carried by a vote of eight, Supervisor McConnell being absent.

55. RETIREMENT OF MR. W.D. CRAUN, VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) (TAPE 5)

Supervisor Moore announced that Mr. W.D. Craun, Virginia Department of Transportation (VDOT) had retired on June 28, 1991. She said Fairfax County has a better working relationship with VDOT as a result of Mr. Craun's efforts.

Therefore, Supervisor Moore asked unanimous consent that the Board direct staff to invite Mr. Craun to appear before the Board of Supervisors to receive a Certificate of Appreciation for all of his efforts. Without objection, it was so ordered.

56. PROCLAMATION TO BE PRESENTED TO THE FIRST AMERICAN BANK OF VIRGINIA (TAPE 5)

Supervisor Moore stated that the First American Bank of Virginia has donated free rental service to the Fairfax Affordable Housing, Incorporated. Therefore, she asked unanimous consent that the Board direct staff to prepare a Proclamation to be presented to the First American Bank of Virginia. Without objection, it was so ordered.

57. PROCLAMATION TO BE PRESENTED TO THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS - LOCAL 2068 (TAPE 5)

Supervisor Moore asked unanimous consent that the Board direct staff to prepare a Proclamation to be presented to the International Association of Fire Fighters - Local 2068 observing August 26 - 30, 1991 as Professional Fire Fighter Appreciation Week in recognition of their support of the Muscular Dystrophy Association. Without objection, it was so ordered.

58. HABITAT FOR HUMANITY (TAPE 5)

Supervisor Moore stated that she had recently received a letter informing her that there is a new Habitat for Humanity being organized in Northern Virginia. She said that the Habitat for Humanity was

founded in 1976 in an effort to eliminate poverty housing. She added that Habitat builds and rehabilitates homes using tax deductible donations of money, materials, and volunteer labor. She explained that electricians, plumbers, painters and carpenters are needed and that property is also needed.

Supervisor Moore said that the telephone numbers for Habitat for Humanity are as follows:

(703) 750-0785 or 276-3520

Supervisor Moore asked unanimous consent that the Board direct the Housing Authority to contact the Habitat for Humanity to make them aware of individuals already providing assistance in Fairfax County. Without objection, it was so ordered.

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to prepare a letter under the Chairman's signature to invite former President Carter and his wife to participate in this program. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Vice-Chairman Pennino.

59. ADDITIONAL REPRESENTATION ON THE WHITTIER SCHOOL TASK FORCE (TAPE 5)

(BACs)

Supervisor Moore stated that she receives letters from organizations now using the Whittier School requesting additional space. She said that among those groups is the Korean American Association of Virginia, Incorporated which uses the school.

Supervisor Moore asked unanimous consent that the Board expand the membership of the Whittier School Task Force to include representation from those groups utilizing the school. Without objection, it was so ordered.

60. WAIVER OF FEES REGARDING THE FAIRFAX COUNTY ADULT SOFTBALL COUNCIL (TAPE 5)

Supervisor Moore stated that the Fairfax County Adult Softball Council has recently donated a picnic pavilion to be built at Braddock Park. She said that the Council previously raised approximately \$120,000 to build the fields at this park. She said that they have raised enough money to pay for the pavilion but not for the various waivers and permits necessary.

Therefore, Supervisor Moore moved that the Board direct staff to waive the fees for this project. This motion was seconded by Vice-Chairman Pennino and carried by a vote of eight, Supervisor McConnell being absent.

61. EMBAYMENT STANDARDS (TAPE 5)

Supervisor Moore stated that she had recently received a letter from Mr. Noman Cole regarding the embayment standards that the Board endorsed and which are being discussed by the State Water Control Board.

Supervisor Moore said that Mr. Cole is concerned that by adoption of these standards, small sewage treatment plants could be built under those standards on the Potomac which would not meet the same standards as the Lower Potomac Pollution Control Plant.

Therefore, Supervisor Moore asked unanimous consent that the Board direct staff to:

- Provide the Board with a presentation on August 5, 1991; and
- Respond to questions regarding whether small treatment plants could be built on the Potomac that would have a lower standard of treatment than what is currently there.

Supervisor Hanley noted that the Northern Virginia Planning District Commission had provided a complete presentation regarding this issue.

Without objection, it was so ordered.

62. SEVEN-ELEVEN HAS AN ILLITERACY PROGRAM - "PEOPLE WHO READ SUCCEED" (TAPE 5)

Supervisor Moore stated that the Seven-Eleven stores have a program to combat illiteracy. She said that the program is called "People Who Read Succeed". She asked unanimous consent that the Board direct staff to prepare a letter of commendation under the Chairman's signature for the "People Who Read Succeed" Program to Ms. Kathleen Calahan Ginnian for their commitment to ending illiteracy. Without objection, it was so ordered.

63. KEENE MILL ROAD PROJECT (TAPE 5)

Supervisor Moore stated that she had attended a meeting in the Lee District portion of Springfield regarding the Keene Mill Road Project that would use right-of-way dedicated by a development along Keene Mill Road to provide an additional lane. She said that a suggestion was made

that the additional lane could be provided by going inside the median.

Therefore, Supervisor Moore moved that the Board direct staff to report by August 5, 1991 with a recommendation on this proposal.

Following discussion, Supervisor Alexander stated that it was his understanding that the agreement was that he would raise this issue at the Board meeting scheduled for August 5, 1991 when Supervisor McConnell would be present. He added that it was his recommendation that action regarding the improvement be deferred until the Parkway is open.

The motion died due to the lack of a second.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

64. POLICY REGARDING GOLF BALL DAMAGE (TAPE 5)

Supervisor Davis stated that he had received another complaint about someone hit by a golf ball. He said that a golf ball had hit the hood of an individual's vehicle while he was driving northbound on Ox Road.

Following discussion, Supervisor Hanley asked unanimous consent that the Board direct staff to review this issue. Without objection, it was so ordered.

65. AUTOMATIC WEAPONS FOR THE POLICE DEPARTMENT
(TAPES 5-6)

Supervisor Davis yielded a portion of his Board Matter time to Supervisor Alexander for the discussion regarding automatic weapons for the Police Department.

Supervisor Alexander stated that during the budget discussions, funding for automatic weapons for the Police Department was not provided. He said that most of the police officers have been purchasing the weapons themselves at approximately \$600-\$700 per gun and holster.

Supervisor Alexander moved that the Board allocate \$311,000 out of the year-end balance which would take care of half of the police force and also eventually take care of funding for those members of the force who have purchased their weapons. This motion was seconded by Supervisor Pennino.

Following discussion, with input from Acting County Executive Richard King, Supervisor Bulova moved a substitute motion that the Board defer action on this item and direct staff to report with a Consideration Item at the time of Carryover. This motion was seconded by Supervisor Richards.

Following additional discussion, it was the consensus of the Board to allow John Burdette, President, Fairfax Police Association, to appear before the Board.

Following Mr. Burdette's testimony the question was called on the substitute motion which FAILED by a recorded vote of five, Supervisor Bulova, Supervisor Hyland, and Supervisor Richards voting "AYE," Supervisor McConnell being absent.

The question was then called on the main motion which carried by a vote of eight, Supervisor McConnell being absent.

66. BOARD PACKAGE AVAILABILITY (TAPE 6)

Supervisor Davis noted that in previous years the Board of Supervisors' candidates have received the Board Package delivered by the County prior to the election. Supervisor Davis moved that the Board implement this procedure with the August 5, 1991 Board of Supervisors meeting. This motion was seconded by Supervisor Richards.

Following discussion, with input from Acting County Executive Richard King, Supervisor Hanley moved a substitute motion that the Board follow the normal procedures regarding this issue. This motion was seconded by Supervisor Alexander.

Following further discussion, Supervisor Hanley withdrew her motion.

The question was called on the main motion which carried by a vote of eight, Supervisor McConnell being absent.

67. REQUEST TO VACATE AN UNDEVELOPED RIGHT-OF-WAY IN MASON DISTRICT (TAPE 6)

Supervisor Davis asked unanimous consent that the Board direct staff to review the request of the residents of Wynfield, Alpine Drive and Roberts Avenue to vacate the following undeveloped right-of-way in Mason District:

- That part of Alpine Drive (Route 860) within the boundary of 71-2((5)) and west of Roberts Avenue--that is, upon which lots 71-2((1))8 and 9, and 71-2((5))58-72 and 74B front--except for sufficient land at the extreme western end of the right-of-way that the existing temporary turn-around in front of lot 71-2((3))13 can be moved approximately 120 feet eastward, to be rebuilt partly on the right-of-way and partly in the extreme southwest corner of lot 71-2((5))74.

Without objection, it was so ordered.

68. AFFORDABLE DWELLING UNIT ORDINANCE (ADU) (TAPE 6)

Supervisor Davis said that he had received a letter from Catholics for Housing requesting staff to review policy implications of criterion eight and the Affordable Dwelling Unit Ordinance (ADU) as it pertains to elderly housing developed as a special exception. Currently it does not allow for maximum bonus density credits even when it is 100 percent affordable. The objective of the ADU Ordinance is to increase affordable housing some of which would be small projects designed to serve special populations such as the elderly.

Therefore, Supervisor Davis asked unanimous consent that the Office of Comprehensive Planning (OCP) work with Geneva Cox, Executive Director of Catholics for Housing to bring about proposed changes in the ADU Ordinance as it relates to this issue. Without objection, it was so ordered.

69. NATIONAL NIGHT-OUT PROCLAMATION (TAPE 6)

Supervisor Davis moved that the Board authorize staff to issue a National Night-Out Proclamation to be brought before the Board on August 5, 1991. He said that it would be a good idea for all Supervisors to sign the Proclamation since it will affect all districts. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Hanley and Chairman Moore being out of the room, Supervisor McConnell being absent.

Supervisor Davis explained that "Night-Out" is a time when neighborhood watch groups have their night-out and individuals keep their lights burning.

70. SELECTION OF A CONSULTANT FOR THE NEXT PHASE OF COLUMBIA PIKE ROADWAY AND STREETScape PROJECT (TAPE 6)

Supervisor Davis asked unanimous consent that the Board direct staff to consult with members of the Annandale Central Business District (CBD) Planning Committee, Incorporated, in the selection of a consultant for the next phase of the Columbia Pike Roadway and Streetscape Project 8907 in the way they deem appropriate. Without objection, it was so ordered.

71. SOFTBALL GAME - FAIRFAX COUNTY BOARD OF SUPERVISORS AND STAFF VERSUS THE FAIRFAX JOURNAL (TAPE 6)

Supervisor Davis announced that a softball game is scheduled between the Fairfax County Board of Supervisors and staff versus the Fairfax Journal to be held on July 24, 1991 at 5:30 p.m. at a field located off of Commercial Drive.

Supervisor Davis invited all Board Members and their staff to attend.

72. PROPOSED ZONING ORDINANCE AMENDMENT FOR PRIVATE CLUBS AND PUBLIC BENEFIT ASSOCIATIONS IN THE R-C DISTRICT (TAPE 7)

On behalf of Supervisor McConnell, Supervisor Davis stated that the Police Association currently has a facility on Pope's Head Road which is zoned in the R-C District and located on land owned by the Board of Supervisors and leased to the Association. He said that this property is currently developed with a building and the Association would like to add an addition to this building which would negate the current need for the Association to be paying \$36,000 in rent for space at another building in order to accommodate their needs.

Supervisor Davis said that under the Zoning Ordinance this use has been determined to be a private club which is not allowed in the R-C District. He added that Supervisor McConnell has discussed this issue with the Zoning Administrator and she has indicated that an amendment to the Zoning Ordinance to allow private clubs and public benefit associations by special exception in the R-C District would be necessary and that staff could support such an amendment.

Therefore, Supervisor Davis moved that the Board direct staff to prepare an amendment to the Zoning Ordinance to allow by special exception private clubs and public benefit associations in the R-C District for Board authorization on August 5, 1991 to advertise the public hearing. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room.

CM:CM

73. A GROWING PROBLEM: DEVELOPER DEFAULT (TAPE 7)

Supervisor Hyland stated at the Board of Supervisors' meeting held on July 1, 1991, he called to the Board's attention a developer default situation at Oxford-on-Potomac in the Mount Vernon District. Acting on the Board's request to expedite, staff promptly called for payment of the bond and received the amount held back for uncompleted work which, in this case, amounted to \$114,800.

Supervisor Hyland further explained that this past Wednesday he had attended an on-site meeting with County staff and residents of this subdivision, only to find that the work required to satisfy the punch list items would greatly exceed the amount received from the Letters of Credit paid by the bank. He was told that there was no General Fund contingency to cover the differential between the bond and the cost of project completion.

Supervisor Hyland stated that this was not the first time he had experienced this in the Mount Vernon District and felt confident that each Board Member had a number of horror stories along the lines of housing subdivisions whose developers have gone into default leaving a substantial amount of work to be completed.

Unfortunately, in all these cases, the homeowners are the victims. Through no fault of their own, they purchased homes on the premise that they would receive what they paid for -- homes, streets, sewer, stormwater management, etc. Today, there is no means for redressing the wrongs of a developer who has defaulted, especially where bankruptcy is an issue.

Supervisor Hyland stated that he believes there is something very wrong with the system of partial releasing of bond funds when time after time the work to be completed in a subdivision is either not done or needs to be redone because of developer error. It is also important to recognize that there is almost always a time difference from project start to finish causing inflation factors to increase costs. This leads to the County having to pick up the tab for the deficiencies.

Supervisor Hyland called to the Board's attention that the number of developer defaults is increasing and noted that currently, there are 39 projects in default now with another 25 in the pipeline. Where once a contingency line existed through the General Fund for adequate completion of work, today there is none.

In the face of this growing dilemma, Supervisor Hyland moved that staff provide some alternatives for resolving the issue arising out of developer default for the Board's consideration at its first meeting in September including answers to the following:

- What changes to our present regulations or laws are necessary to permit the County greater flexibility in not releasing bond funds until a subdivision is fully and satisfactorily completed and to increase the bonding requirement?
- How much money would be needed to cover developer default problems?
- What steps are currently being taken to recover money from developers who have left homeowners holding the bag?

This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Hanley and Chairman Moore being out of the room, Supervisor McConnell being absent.

Supervisor Alexander stated that many of the financial institutions are being taken over by the Residential Trust Corporation (RTC) and the RTC is not honoring the letters of credit. Therefore, Supervisor Alexander moved that the Board direct staff to review this issue and provide the Board with a recommendation. The second to this motion was inaudible. The motion carried by a vote of six, Supervisor Hanley and Chairman Moore being out of the room, Supervisor McConnell being absent.

74. MOUNT VERNON COUNCIL RESOLUTION ON ZONING CONTROLS
IN C-8 DISTRICTS (TAPE 7)

Supervisor Hyland called to the Board's attention a resolution recently adopted by the Mount Vernon Council which asks County staff to develop zoning ordinance amendments to cause certain businesses currently permitted by-right in C-8 zoned districts to fall under the special exception process. Among those named, only one --pawn shops-- has been addressed.

Supervisor Hyland explained that the Council feels that because of the possible deleterious effects of certain uses on the adjacent community, the following should be subject to the special exception process:

- Pizza establishments;
- Palm readers;
- Outdoor displays of retail goods; and
- Renovations or changes in ownership of current special exception retail uses.

Accordingly, Supervisor Hyland moved that this resolution be referred to staff for their reaction and recommendations to each of the points raised with a response to the Board for its consideration at the first meeting in September. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Hanley and Chairman Moore being out of the room, Supervisor McConnell being absent.

75. SEEK BOARD APPROVAL FOR REALLOCATION OF BOND FUNDS
(TAPE 7)

Supervisor Hyland announced that on July 10, 1991, he and Maureen Schreiner of Supervisor Alexander's office had met with representatives from the Southeast Fairfax Development Corporation, the Mount Vernon Council and the County to finalize the scope of Project 8913, Route One Plans, and to discuss the use of Project 8915, Route One Facade Upgrade funds.

Supervisor Hyland explained that the scope of Project 8913 is to update the plans for widening Route One between Buckman Road and Humphreys Road, and noted that both he and Supervisor Alexander agree that the upgrade to the plans for widening takes precedence over the facade upgrades. Furthermore, the County Attorney's Office has indicated that it would not be possible to allocate commercial revitalization bond funds for the purpose of improving private property with public funds.

In conclusion, Supervisor Hyland stated that it was agreed that the best purpose served would be to reallocate \$300,000 from Project 8915 (for facade upgrades) to Project 8913 (for plans upgrade) with the remaining \$50,000 in Project 8915 used to fund an access management study for Route One between I-495 and Buckman Road. He noted that staff is currently evaluating possibilities for the use of the \$50,000 and will return to the Board with its findings.

Accordingly, Supervisor Hyland moved, with the concurrence of Supervisor Alexander, that the Board:

- Approve the reallocation of \$300,000 in bond funds from Project 8915, Route One Facade Upgrade, to Project 8913, Route One Plans, in Subfund 489, Commercial Revitalization Program; and
- Authorize staff to initiate the A&E Selection process to begin the engineering design to update the Route One widening plans.

This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Hanley and Chairman Moore being out of the room, Supervisor McConnell being absent.

76. CHOICE OF THE BOARD OF ZONING APPEALS (BZA) --
MASSEY BUILDING BOARD ROOM (TAPE 7)

Supervisor Hyland stated that he had recently been contacted by members of the Board of Zoning Appeals (BZA) who asked that, despite the enhanced conditions offered at the new government center, the Board of Supervisors permit the BZA to continue meeting in the Massey Building Board Room.

He noted that the BZA feels so strongly about this that they passed a resolution at their meeting in June stating their position. BZA members have expressed the feeling that the current location is well-known by the general public and is more central to all County residents and BZA members.

Accordingly, Supervisor Hyland moved that the BZA be permitted to continue its use of the Massey Building Board Room for its meetings and public hearings. This motion was seconded by Supervisor Alexander.

Following discussion, Supervisor Richards moved a substitute motion to defer this item until the next Board Meeting in order to allow the BZA time to consider issues raised in the July 9, 1991, memorandum from Barbara A. Byron, Director, Zoning Evaluation Division, Office of Comprehensive Planning. Following further discussion, with input from Ms. Byron, Supervisor Richards withdrew her motion.

The question was then called on the motion (Supervisor Hyland's) which **CARRIED** by a recorded vote of four, Supervisor Pennino, Supervisor Richards and Chairman Moore voting "NAY," Supervisor Hanley being out of the room, and Supervisor McConnell being absent.

77. MOUNT VERNON COUNCIL'S RESOLUTION REGARDING FISCAL YEAR (FY) 1993 BUDGET GUIDELINES (TAPE 7)

Supervisor Hyland called to the Board's attention that the Mount Vernon Council, recognizing that Fairfax County may face further reductions in the level of County services if a balanced budget is to be achieved, has offered a resolution to help meet this objective.

Supervisor Hyland further noted that in its resolution, the Council requests that the Board direct both the County Executive and the School Board to prepare alternative budgets: a Base Budget that assumes no change in revenue levels from 1992 and a Maximum Budget that assumes total General Fund revenue increases by inflation and by the percentage of growth in County households. It is requested that the County Executive specify revenue sources and yields to fund at least three increments between the two budget levels.

The resolution further requests that for planning purposes all revenue estimates limit real estate tax rate increases to the rate of inflation and limit General Fund offsets to Federal/State funding reductions to 50 percent of the aggregate reduction in these funds. It is requested that unexpended 1991 and 1992 funds identified in Carryover and quarterly reviews be held in reserve to meet 1993 needs.

Supervisor Hyland noted that the Council asks that employee step increases be reinstated as well as adjustments for changes in the cost-of-living but that there be no "catch-up" for the current salary freeze. They point out that despite increases in automation-related costs, the number of county employees has increased at a rate greater than household growth. They suggest, as a first step in controlling growth, that the Board cap personnel costs at the Fiscal Year (FY) 1992 level, adjusted for inflation and growth.

Supervisor Hyland moved that the Board:

- Direct staff to review the Council's resolution;
- Address each of the points raised in the resolution; and
- Report its findings to the Board.

This motion was seconded jointly by Supervisor Bulova and Supervisor Pennino and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

78. OWNERSHIP OF COLVOS ISLAND IN THE POTOMAC RIVER (TAPE 7)

Supervisor Hyland stated that in 1987, Mr. Alden Colvocoresses laid claim to a certain parcel of land located just south of Belle Haven Marina and east of Dyke Marsh in the Potomac River. Mr. Colvocoresses is claiming the island as his and has paid real property taxes to Fairfax County which the County has accepted.

Supervisor Hyland further explained that Federal maps indicate this parcel of land is owned by the Federal Government, and because this land belongs to the Federal Government, Fairfax County has no legal right to accept Mr. Colvocoresses' taxes, nor should Mr. Colvocoresses be listed as the owner. Further, in 1988, the National Park Service requested Fairfax County rectify the tax and land records to reflect the rightful owner -- the U.S. Department of Interior, National Park Service -- to no avail.

Therefore, Supervisor Hyland moved that the Board:

- Direct staff to remove Mr. Colvocoresses' name from all County tax records;
- Return any funds received from Mr. Colvocoresses; and
- List the federal government as the rightful owner.

This motion was seconded by Supervisor Davis.

Supervisor Richards moved a substitute motion to refer this matter to the County Attorney. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

The question was then called on the main motion, as substituted, which carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

79. LETTER FROM MR. JOHN QUACKENBUSH REGARDING COUNTY PROCEDURES FOR INSPECTING PERSONAL HOISTS (TAPE 7)

Supervisor Hyland stated that he had received a letter from Mr. John Quackenbush, Business Manager for the International Union of Elevator Constructors, regarding consideration of current county procedures for inspection of personal hoists.

Supervisor Hyland asked unanimous consent that the letter be referred to staff for determination of what the Board's authority is concerning the inspections of these hoists and to report back to the Board. Without objection it was so ordered.

80. LETTER FROM MOUNT VERNON PARK ASSOCIATION REGARDING FEES FOR MINOR CHANGES TO PROPERTY (TAPE 7)

Supervisor Hyland stated that he had received a letter from the Mount Vernon Park Association regarding the replacement of a storage shed on its property. The Association is a non-profit organization and felt this was a minor change for which they it was charged over \$3,000, considered to be an unreasonable fee for such a minor change.

Supervisor Hyland asked unanimous consent that this matter be referred to staff to come back at the next meeting to determine whether or not these fees could be waived. Without objection it was so ordered.

81. CREATION OF TASK FORCE TO EXAMINE WORKABLE PLAN FOR THE ENHANCEMENT OF THE EMERGENCY MEDICAL SERVICE (EMS) (TAPE 7)

(BACs)

Supervisor Hyland called to the Board's attention that at a recent Fire Subcommittee meeting, a presentation was made regarding the Emergency Medical Service (EMS), the manning of the EMS units, the numbers of persons who should be committed to the EMS units, and the issue of trying to provide that service around the County.

In order to further review these issues, Supervisor Hyland moved that the Board create a task force to:

- Examine the issues in terms of the following and develop a workable plan for the enhancement of the EMS System:

- * Current manning of the EMS Units;
 - * Where EMS service is currently being provided around the County, and
 - * How better EMS service can be provided to those areas without adequate coverage or with no coverage;
- Report to the Board, within a 90 - 120 day timeframe, with its findings; and
 - Meet at least biweekly during this timeframe.

Supervisor Hyland further moved that the task force be comprised of the following representatives:

- One staff member from the County Executive's office;
- One representative from the EMS Advisory Council;
- One representative from the Federation of Citizens Associations;
- One representative from the Fairfax County Professional Firefighters Association;
- One representative from the Fairfax County Progressive Firefighters Association;
- One representative from the Volunteer Fire Chief's Association;
- One representative from the Fire and Rescue Medical Director's Office; and
- One representative from the Fire & Rescue Operations Division, EMS Section.

This motion was seconded by Supervisor Richards and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

82. AFFORDABLE HOUSING UNITS (TAPE 7)

Supervisor Pennino stated that earlier that morning, during the Board's Housing Subcommittee meeting, the Board discussed the issue of the 51 garden apartments/affordable housing units. She said that the Board

thought that the County was going to lose the units because the Department of Housing and Urban Development said that if there was not a specific site, it was going to withdraw the funds. She noted that it appears that the situation has been resolved.

(NOTE: Later in the meeting, there was additional discussion regarding this item. See Clerk's Summary Item CL#92.)

83. TOWN OF VIENNA POLICE FORCE (TAPE 7)

Supervisor Pennino stated that the Town of Vienna Police Force had outgrown its present space, the basement of the Town Hall, and is ready to proceed on a new building. She added that they are having a problem with the cost of the plan review permit and inspection fees in connection with the construction of the new police station and are asking for a waiver of the fees.

Supervisor Pennino moved that the Board waive the fees for the construction of the facility. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

84. EXPEDITIOUS PROCESSING REQUESTED FOR SPECIAL EXCEPTION APPLICATION SE 91-C-028 (TAPE 7)

Supervisor Pennino stated that the Board of Supervisors has a policy of not hearing rezonings after the Board Elections, which means that some hearings for special exceptions and rezonings must be accelerated, and if hearings are not heard by a certain date they will expire. She stated that she had received a request from Goodyear, which had signed a lease to occupy space at the Sully Place Shopping Center on Route 50 in Chantilly. Because of zoning ordinance regulations and an interpretation by the Zoning Administrator, it has been determined that the proposed Goodyear store is eliminated as a Permitted Use in the C-8 District and that Goodyear must seek a Special Exception. Applications for a Special Exception have been filed, but there is a need to move expeditiously or the terms of the lease will expire.

Therefore, Supervisor Pennino moved that the Board authorize the expedited scheduling of Special Exception Application SE 91-C-028, both for the Planning Commission and the Board of Supervisors' public hearings, in order that this case can be heard on or before the October 28, 1991 deadline. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

85. RESOLUTION REQUESTING THE CONSTRUCTION OF
DIRECTIONAL SIGNS FOR LAKE ANNE VILLAGE
CENTER IN RESTON (TAPE 7)

- (R) Supervisor Pennino stated that on June 17, 1991, the Board of Supervisors unanimously supported a request that signs be considered for Lake Anne Village Center of Reston because of its uniqueness in historical value. She stated that the citizens of Reston are most anxious that the signage be erected and it is necessary that the Virginia Department of Transportation (VDOT) approve the installation of these signs.

Supervisor Pennino moved that the Board adopt the Resolution requesting VDOT to:

- Authorize the construction of appropriately worded, prominent directional signs to the Lake Anne Village Center and Historic District, provided that these signs be constructed and maintained at no cost to Fairfax County or VDOT; and
- Cooperate with representatives of the Reston Community Association in determining safe and effective location and design for these signs.

This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

86. RESOLUTION REQUESTING PEDESTRIAN SIGNAL
CROSSING AT RESTON PARKWAY IN RESTON TOWN
CENTER (TAPE 7)

- (R) Supervisor Pennino stated that the Board unanimously supported her previous request that the Virginia Department of Transportation (VDOT) approve installation of pedestrian-activated signals at Reston Parkway and Market Street, synchronized with existing signals to the north and south, and that VDOT work with the developer, Reston Land Corporation, to ensure that the signals are operational at the time the high density residential units are occupied.

Supervisor Pennino moved that the Board adopt the Resolution requesting VDOT to:

- Approve the installation of pedestrian-activated signals at Reston

Parkway and Market Streets, synchronized with the existing signals to the north and south; and

- Work with the developer, Reston Land Corporation, to ensure that the signals are operational at the time that the high density residential units are occupied.

This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

87. NOISE ISSUE BETWEEN COPPER CROSSING COMMUNITY AND BFI REFUSE COLLECTION COMPANY (TAPE 7)

Supervisor Pennino stated that a noise issue has persisted between residents of Copper Crossing Community and the BFI Refuse Collection Company which picks up trash at the Renaissance Industrial Park. According to staff there is no violation of the noise ordinance and that any changes in the trash pick-up schedule would have to be made by BFI on a voluntary basis. Subsequently BFI determined that it could not modify its schedules. There are things that BFI could do voluntarily even though the Board cannot mandate that they do anything.

Supervisor Pennino moved that the staff contact GT Management and BFI to request that they consider providing shielding or sound diffusing materials to surround the area where the trash is picked up so that the noise does not carry over to the neighboring homes. This motion was seconded by Supervisor Richards and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

88. ADMISSION FEE TO THE MEADOWLARK GARDEN REGIONAL PARK (TAPE 7)

Supervisor Pennino stated that it has been called to her attention that the Northern Virginia Regional Park Authority intends to charge an admission fee to the Meadowlark Garden Regional Park. She stated that this park was a gift from the Means Family with the intention that fees not be charged for the public to enjoy this beautiful area.

Supervisor Pennino moved that the Board of Supervisors go on record requesting that the proposal by the Northern Virginia Regional Park Authority to charge a fee for persons visiting Meadowlark Garden Regional Park be eliminated. This motion was seconded by Chairman Moore and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

89. NATIONAL ARBORETUM (TAPE 7)

Supervisor Pennino related the story of the stealing of the Bonsai tree from the National Arboretum and stated that on one of her visits to the Meadowlark Gardens in early spring there was a beautiful little lady slipper, a fragile little thing that looked like a little ballerina in her pink tutu. She recalled that she rushed home to get her family and friends to share the beauty of the single little lady slipper standing there proudly in the coolness of this wooded area. She added that someone didn't just pick it, instead it was dug up. Supervisor Pennino noted that this may not be the greatest theft in the County, but it certainly shows the kind of thoughtlessness that sometimes takes place when a thing of beauty as fragile as this, is not left for all to enjoy.

90. PAYMENT IN LIEU OF TAXES LEGISLATION (TAPE 7)

Supervisor Pennino stated that the payment in lieu of taxes legislation has not been changed by Congress since it was enacted in 1976. House Resolution 1495 sponsored by Representative Pat Williams of Montana would increase payments to local government for public land.

Supervisor Pennino moved that the Board of Supervisors go on record requesting that our representatives to Congress and Senator Charles S. Robb co-sponsor S-140 and House Resolution 1495. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

91. NASA SPACE STATION (TAPE 8)

Supervisor Pennino stated that she was aware that Chairman Moore was meeting with Senator Barbara Mikulski (D-MD) and that she thought it was wonderful that the Senator was willing to recognize the importance of keeping the NASA Space Station in Fairfax County. She added that it's very important to make every effort to see that it remains here. She stated that in the past the Economic Development Authority (EDA) has had a special lobbying effort where they have reallocated funds within their budget up to the amount of \$35,000. They have also raised that much on the private side and are in need of additional funds. Supervisor Pennino stated that at present they are considering a \$30,000 additional fund, provided it is matched dollar for dollar. To date, \$7,500 has been raised.

Supervisor Pennino moved that the Board of Supervisors go on record requesting that the EDA be a little more flexible at this time so that their lobbying effort can continue while they continue to work with the private side to raise funds to match those that the public provides. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

92. FUNDS FOR THE 51 UNITS OF HOUSING (TAPE 8)

(NOTE: Earlier in the meeting, there was additional discussion regarding this item. See Clerk's Summary Item CL#82.)

Supervisor Pennino moved that the Board of Supervisors direct staff to put out an informational flyer to go to the press and members of the public who have expressed an interest in the 51 units of housing. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

AR:AR

93. AUTHORIZATION TO PURCHASE PARCELS 1, 1A, AND 3, TAX MAP NUMBER 57-4 ((1)), MORARITY PLACE (GEORGE MASON) SITE DEVELOPMENT (ANNANDALE DISTRICT) (TAPE 8)

Supervisor Bulova referred to the Board's decision on July 1, 1991, specifically regarding Action Item 10 - Authorization to Purchase Parcels 1, 1A, and 3, Tax Map Number 57-4 ((1)), Morarity Place (George Mason) Site Development (Annandale District), to delay the submission of the request for release of funds to Housing and Urban Development (HUD) until such time that a meeting with representatives of the City of Fairfax could be held to continue discussions of the concerns for the development of housing on the land adjacent to the City of Fairfax off Ox Road north of George Mason University.

Since that time, Supervisor Bulova stated that she has spoken with Mayor Mason of the City of Fairfax and has assured him of her continuing efforts to work with the City, to address its concerns regarding development in this area, through the Fairfax City/County Regional Committee.

Therefore, Supervisor Bulova moved that the Board concur in the recommendation of staff and approve, under Virginia Code Section 36-19.2 of the Fairfax County Redevelopment and Housing Authority (FCRHA), release of the funds to HUD for acquisition of Parcels 1, 1A, and 3, Tax Map Number 57-4 ((1)), Morarity Place (George Mason) Site Development, Annandale District. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Hanley, Supervisor Hyland, and Chairman Moore being out of the room, Supervisor McConnell being absent.

94. REDUCTION IN FILING FEES FOR SPECIAL PERMIT
USE APPLICATION OF LC TECHNOLOGIES,
INCORPORATED (TAPE 8)

Supervisor Bulova stated that Mr. and Mrs. Joseph Lahoud, residents of the Braddock District, are in partnership with another couple to operate a very small business, LC technologies, Incorporated, which is on the leading edge of technology for the disadvantaged with a product called the Eyegaze Computer. She added that, working out of his home, Mr. Lahoud and his partner design the software which allows the user to operate a computer with eye movement alone. In addition, since its introduction, the Eyegaze Computer has won several prestigious awards.

Supervisor Bulova noted, however, that even with overhead kept to a minimum, the cost of the computer is still beyond the reach of many who could benefit from its use. In order to keep expenses down, Mr. Lahoud would like to operate out of his home for another year and is applying for a special permit use.

With the belief that Mr. Lahoud is providing an invaluable product to the disadvantaged, Supervisor Bulova moved that the Board direct staff to reduce the filing fee for Mr. Lahoud's special permit use from \$1800.00 to \$250.00, which is the fee charged to professionals who apply for a permit to operate out of their homes. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Hanley, Supervisor Hyland, and Chairman Moore being out of the room, Supervisor McConnell being absent.

95. REQUEST FOR PUBLIC HEARING ON SPECIAL
EXCEPTION APPLICATION SE 91-L-012
(TAPE 8)

Supervisor Alexander moved that the Board direct staff to schedule a public hearing before the Board of Supervisors for a date certain of September 16, 1991 on Special Exception Application SE 91-L-012. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Hyland and Chairman Moore being out of the room, Supervisor McConnell being absent.

96. REVIEW OF USE OF COALSON'S LANDSCAPES AND
EXCAVATING, INCORPORATED PROPERTY
(TAPE 8)

Supervisor Alexander stated that when the Board approved the rezoning of Coalson's Landscapes and Excavating, Incorporated property to 1-5 (Rezoning Application RZ 87-L-120) on April 11, 1988, the Board also directed staff to return any Development Plan for any potential use of the subject property to the Board and the Planning Commission for approval.

Therefore, Supervisor Alexander moved that the Board:

- Direct the Office of Comprehensive Planning to immediately review the interpretation of the plan from Coalson's Landscapes and Engineering, Incorporated, 99-2-((1))-14, regarding the use of this property, in order to meet a Planning Commission date; and
- Prepare a Board Item for the agenda of the August 5, 1991 Board Meeting.

Supervisor Alexander added that the applicant understands that this action neither provides the applicant with a vested right in the plan approval nor relieves him from the responsibility of any plan modifications as a result of the Board's review. The motion was seconded by Vice-Chairman Pennino and carried by a vote of six, Supervisor Hyland and Chairman Moore being out of the room, Supervisor McConnell being absent.

97. SPECIAL SIGNAGE PLAN FOR THE MAJOR ROADWAYS
IN KINGSTOWNE DEVELOPMENT (TAPE 8)

Supervisor Alexander noted that each Board Member is familiar with the liability questions which often arise when new arterials are under construction by developers. He added that drivers who damage their tires or front-end alignment in a developer's construction zone are often shocked to hear that normal State compensation programs cannot help them.

Supervisor Alexander stated that, in his experience, developers have been very fair in their adjustment of such claims. Nevertheless, people often have to go through a difficult search just to find the responsible developer, let alone the appropriate contact within the company. He added that, in several cases, people have contacted the Virginia Department of Transportation (VDOT), the Fairfax County Office of Transportation (OT), their State elected officials, and the Board of Supervisors before finally reaching the appropriate contact. Supervisor Alexander acknowledged that a lot of trouble could be avoided if private construction areas were clearly identified by signs.

With reference to a sample sign which he and the Kingstowne Limited Partnership have worked to develop, and in an effort to advise citizens to be very aware of these road hazards, Supervisor Alexander moved that the Board direct staff to look into the possibility of making such signs a requirement for all arterials which will remain open to traffic during private construction. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Hyland and Chairman Moore being out of the room, Supervisor McConnell being absent.

98. PROPOSAL TO SUBDIVIDE PRIVATE PROPERTY ON
1.3 ACRES IN LEE DISTRICT (TAPE 8)

Supervisor Alexander called the Board's attention to a proposal by a resident of Lee District to subdivide 1.3 acres of private property located on Cobbs Road. He added that there are five or six homes on this private road. Supervisor Alexander stated that the only way this constituent can subdivide a property this size is to request a waiver of the existing Ordinance.

Therefore, Supervisor Alexander moved that the Board direct staff to advertise a public hearing to address the process of a waiver of the minimum requirements for subdivision of this property, which are required by the Department of Environment Management (DEM) under the existing Ordinance. This motion died for lack of a second.

Following discussion, Supervisor Alexander asked unanimous consent that the Board direct staff to bring this item back as a Consideration Item on August 5, 1991. Without objection, it was so ordered.

99. CONSIDERATION OF REINSTATEMENT OF \$100,000
FOR THE COMMUNITY SPORTS SUBSIDY AT
CARRYOVER (TAPE 8)

Supervisor Alexander moved that the Board direct staff to bring back, as a Consideration Item at Carryover, the reinstatement of \$100,000 for the Community Sports Subsidy. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

VLL:VLL

100. STATUS OF MODIFICATIONS TO THE EXISTING
MASTER DEVELOPMENT AGREEMENT FOR THE
GOVERNMENT CENTER PROJECT PROPOSED BY
THE SMITH/ARTERY PARTNERSHIP (TAPE 9)

Chairman Moore stated that at the Board of Supervisors' meeting held on December 10, 1991, action was taken to authorize County staff to finalize any details and prepare the necessary documents and modifications to the existing Master Development Agreement for the Government Center Project proposed by the Smith/Artery Partnership. She called the Board's attention to the fact that the contract revisions have yet to be signed and executed. Because of decreasing real estate values in today's economy, she stated that the Board may be able to renegotiate the contract for a lower rental cost.

Chairman Moore relinquished the Chair to Acting-Chairman Alexander and moved that the Board direct staff to brief the Board on the status of the contract. In addition, she moved that staff report with examples of current rents throughout Fairfax County so that the Board can determine whether to enter into discussions to try to improve the existing contract with Smith/Artery Partnership. This motion died for lack of a second.

Acting-Chairman Alexander returned the gavel to Chairman Moore.

Supervisor Richards moved that the Board refer the issue to the Board's Subcommittee (established to oversee the contract negotiations and comprised of Supervisor Davis and Supervisor Hyland) for its review and recommendation. This motion was seconded by Supervisor Hanley.

Following discussion, with input from Robert L. Howell, Deputy County Attorney, Supervisor Richards called the question on the motion.

For clarity purposes, Supervisor Richards restated her motion that the Board:

- Refer the issue to the Board's Subcommittee for its review; and
- Direct the Subcommittee to report to the Board with the final "proposed" contract documents, prior to execution, for Board approval.

The question was called on the motion which carried by a vote of eight, Supervisor McConnell being absent.

Prior to leaving the Board Room, Chairman Moore relinquished the Chair to Vice-Chairman Pennino.

101. TESTIMONY ON THE ISSUE OF THE STATUTORY
FORMULA FOR THE ALLOCATION OF THE
TRANSPORTATION TRUST FUND (TAPE 9)

Supervisor Richards moved that the Board approve, with minor editorial changes, the draft testimony distributed to Board Members entitled, "SJRI88 - Study on Restructuring of Transportation Fund Allocation," for presentation at the hearing scheduled on July 25, 1991 at George Mason University on the issue of "Statutory Formula for the Allocation of the Transportation Trust Fund." This motion was seconded by Supervisor Hanley.

Supervisor Hanley asked that the motion be amended to include that the Board designate Supervisor Richards to present the testimony on behalf of Fairfax County, and this was accepted.

The question was called on the motion, which as amended, carried by a vote of five, Supervisor Davis, Supervisor Hyland, and Chairman Moore being out of the room, Supervisor McConnell being absent.

102. RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO ADD A NEWLY-CONSTRUCTED SECTION OF WESTPARK DRIVE TO THE SECONDARY SYSTEM (TAPE 9)

- (R) Supervisor Richards called the Board's attention to the fact that the bridge to connect Lysons I with Lysons II has been recently completed and is ready for acceptance into the State Secondary System. In order for the bridge to be accepted for maintenance by the Virginia Department of Transportation (VDOT), Supervisor Richards moved that the Board adopt a Resolution requesting VDOT to add to the Secondary System of Fairfax County, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended, a newly-constructed section of Westpark Drive, a length of .12 mile, beginning at the intersection of the Route 123 service road and ending at a point 931 feet southeast at the south end of the south approach slab. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hyland, and Chairman Moore being out of the room, Supervisor McConnell being absent.

103. COUNTY ATTORNEY REQUESTED TO REVIEW POSSIBLE FILING OF A SUIT AGAINST THE BOARD OF ZONING APPEALS (BZA) FOR ITS DECISION ON VARIANCE APPLICATION VC 91-D-051 (TAPE 9)

Supervisor Richards stated that on July 9, 1991, the Board of Zoning Appeals approved Variance Application VC 91-D-051. The approval of this variance permits a four acre parcel of land on Lowston Road to be subdivided into two lots to allow the construction of an additional residence on the property. She stated that staff recommended denial because the application did not meet the nine required standards under the Zoning Ordinance for variance approval.

Supervisor Richards stated that it is her opinion that the approval of Variance Application VC 91-D-051 is not in the best interest of the community or the County and that the approval may set an adverse precedent. Accordingly, she moved that the Board refer this issue to the County Attorney for his review and direct him to report at the Board of Supervisors' meeting scheduled for August 5, 1991 on the possible filing of a suit in Circuit Court against the BZA. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hyland, and Chairman Moore being out of the room, Supervisor McConnell being absent.

104. RESOLUTION DIRECTING THE COUNTY ATTORNEY TO
INSTITUTE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE
LAND RIGHTS FOR A PORTION OF FOREST LANE
(TAPE 9)

- (R) Supervisor Richards stated that the Manors of Chain Bridge is an approved subdivision located off of Forest Lane in McLean. The plans were approved showing dedication of right-of-way from the center line of Forest Lane. Recently, it has been discovered that a portion of Forest Lane was never properly dedicated as right-of-way and the owners are unknown. The Virginia Department of Transportation requires that the title be cleared before the street is accepted into the State System. The residents of the subdivision are anxious for cable and will be unable to have their streets plowed this winter if Forest Lane is not properly dedicated.

Accordingly, Supervisor Richards moved that the Board adopt the Resolution directing the County Attorney to institute eminent domain proceedings to acquire the following land rights:

Property Owner: Unknown heirs of Horatio Reid, Jr.
Tax Map Number: 31-4 (portion of Forest Lane)
Land Rights: Street dedication of 11,712 square feet.

This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hyland, and Chairman Moore being out of the room, Supervisor McConnell being absent.

105. SPECIAL EXCEPTION APPLICATION REQUESTED FOR
MCLEAN YOUTH FOR CONSTRUCTION OF STORAGE
SHED AT LEWINSVILLE SENIOR CENTER (TAPE 9)

Supervisor Richards stated that McLean Youth has been working with the Facilities Management Division in an attempt to construct an 800 square foot storage shed at the Lewinsville Senior Center, which is a County-owned facility, located on Great Falls Street in McLean. The shed will be used to store sports equipment used by McLean Youth. It has been determined by the Office of Comprehensive Planning (OCP) that a Special Exception Application is needed in order to obtain a building permit for the shed.

Given the need for a Special Exception Application, Supervisor Richards moved that the Board direct the Facilities Management Division to submit to OCP, no later than July 26, 1991, a Special Exception Application for an alternate use of a public facility for all uses on the site. She further moved that the Board direct staff to expedite the processing of this Special Exception and schedule the application before the Board of Supervisors for public hearing before October 28, 1991. This motion was

seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hyland, and Chairman Moore being out of the room, Supervisor McConnell being absent.

106. LETTER OF INTENT TO OUTLINE LAND ACQUISITION
FOR BUCKS LANE (TAPE 9)

Supervisor Richards stated that between the historic Grange in Great Falls and the land acquired for the new library, there is a private lane called Bucks Lane. There is a proposal for a trade between the Park Authority and property owners to allow Fairfax County to acquire Bucks Lane for the library facility and the Park Authority. In order to accomplish the trade so that the processing of site plans for the library is not delayed, she moved that the Board direct the County Attorney to work with the Department of Public Works to expedite the preparation of a letter of intent outlining the terms of Fairfax County regarding the land acquisition. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Chairman Moore being out of the room, Supervisor McConnell being absent.

107. STAFF TO DETERMINE WHETHER NEIGHBORHOODS
CAN BE REQUIRED TO DISCLOSE TYPICAL COSTS
FOR THE MAINTENANCE OF STORM WATER
DETENTION PONDS TO NEW PROPERTY OWNERS
(TAPE 9)

Supervisor Richards stated that she had recently learned of a serious safety and financial problem encountered by a subdivision built in 1980. A small neighborhood in McLean needs to clean and dredge the homeowners association pond. Without having lived in the area long, the property owners have been faced by the \$40,000 price tag necessary to clean the pond. While the homeowners knew that the pond was their responsibility to maintain, they were unaware of the enormous financial burden associated with the maintenance.

Supervisor Richards asked unanimous consent that the Board direct staff to investigate whether there are any steps that the County can take to require neighborhoods to disclose typical costs for maintenance of storm water detention ponds to new property owners. She further asked unanimous consent that the Board direct staff to report on any recommendations to assist this subdivision in the maintenance of the pond. Without objection, it was so ordered.

108. UPDATE REQUESTED ON LETTERS REQUESTING SUPPORT
FOR LEGISLATION INCREASING EMPLOYER CONTRIBUTIONS
FOR TRANSIT PASSES (TAPE 9)

Supervisor Richards asked unanimous consent that the Board direct staff to brief Board Members on the status of the letters, for the Chairman's

signature and for transmittal to Senators Charles S. Robb and John Warner and Congressman Frank R. Wolf, requesting support for the legislation to increase the amount of money that could be given by employers for transit passes. Without objection, it was so ordered.

109. INVESTIGATOR JOHN D. SHEEHAN COMMENDED
FOR OUTSTANDING PERFORMANCE (TAPE 9)

Supervisor Richards commended Investigator John D. Sheehan for his outstanding performance in the case regarding the vandalism at the Little League Park in McLean.

110. EXPEDITIOUS PROCESSING REQUESTED TO REZONE
PROPERTY IDENTIFIED AS "MASSEY COMPLEX"
FOR EXPANSIONS OF ADULT AND JUVENILE
DETENTION CENTERS, JUDICIAL CENTER, AND
PARKING STRUCTURES (TAPE 9)

Supervisor Hanley stated that the Department of Public Works (DPW) is proposing to submit a rezoning application for the property identified on Tax Map Reference 57-4 ((1)) 14 and 14A, commonly referred to as the "Massey Complex." The proposed rezoning will change the zoning of the subject property from Highway Commercial District/C-8 to Planned Development Commercial District/PDC, thus allowing for the proposed expansions of the adult detention center, the juvenile detention center, the future expansion of the judicial center, and the construction of a parking structure. The subject property is owned by the Board of Supervisors and the Board must concur in the filing of the application in order for the process to proceed.

Supervisor Hanley moved that the Board:

- Concur in the filing of the proposed rezoning application for the property identified on Tax Map Reference 57-4 ((1)) 14 and 14A so that the application can proceed; and
- Direct the Department of Environmental Management to concurrently process the site plans for the proposed parking structure with the evaluation of the rezoning application.

Supervisor Hanley stated that this motion should not be construed as a favorable recommendation on the application by the Board and does not relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations or adopted standards. This motion was seconded by Supervisor Richards and carried by a vote of five,

Supervisor Alexander, Supervisor Davis, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

111. OPEN MEETING CONDUCTED BY THE DESIGN REVIEW DIVISION OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM) FOR COUNTY AGENCIES TO DISCUSS DEVELOPMENT ISSUES AND QUESTIONS (TAPE 9)

Supervisor Hanley announced that every Wednesday at 3:30 p.m., the Design Review Division of the Department of Environmental Management (DEM) conducts an open meeting for County agencies to discuss development issues and questions. Appointments are not needed and she urged all agencies to take advantage of this Wednesday meeting.

112. REQUEST TO WITHDRAW PROPERTIES FROM THE LEAF COLLECTION DISTRICT (TAPE 9)

Supervisor Hanley moved that the Board direct staff to begin the process to withdraw the following properties from the leaf collection district: 2921 Linden Lane and 6500 Arlington Boulevard at request of the managing partner of the Summit Properties. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

113. PROCESS TO SEPARATE REZONINGS TO ALLOW OWNERS TO REAPPLY INDIVIDUALLY (TAPE 9)

Supervisor Hanley stated that she had been recently contacted by a contract seller in the Horseshoe Drive area regarding a large rezoning that cannot be constructed because of the poor building market and the financial situation of the developers. The rezoning has occurred and the contract sellers are paying significantly higher real estate taxes on their rezoned property and individually are unable to reapply for rezonings. She asked unanimous consent that the Board refer this issue to the County Attorney's Office to determine what options and what process may be available to separate those rezonings. Without objection, it was so ordered.

114. LEGISLATIVE UPDATE (TAPE 9)

Supervisor Hanley called to the Board's attention, the following legislative issues and actions:

- Supervisor Hanley asked unanimous consent that the Board refer to the Legislative Subcommittee for its review and recommendation the Citizens Advisory

Committee (CAC) on Solid Waste and Disposal Matters legislative package which includes the Virginia Beverage Container Recycling Act and the Virginia Newspaper Recycling Content Act. Without objection, it was so ordered; and

- Supervisor Hanley moved that the Board direct staff to investigate areas of the Code of Virginia that may need clarification and/or the granting of additional authority to localities to assist efforts in future instances such as underground petroleum spills for the possible inclusion in next year's legislative package. This motion was seconded by Chairman Moore and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

115. UPDATE REQUESTED ON POLICY FOR FEES IN ALL AREAS OF THE COUNTY (TAPE 9)

Supervisor Hanley referred to the memorandum distributed to Board Members earlier that morning by the Human Services Council regarding a policy on fees in all areas of the County. She asked unanimous consent that the Board direct staff to brief Board Members on the status of this policy. Without objection, it was so ordered.

JLD:JLD

116. 3:00 P.M. - CONSIDERATION OF C-1 - APPEAL OF AN ARCHITECTURAL REVIEW BOARD (ARB) DECISION. COLVIN RUN MILL HISTORIC OVERLAY DISTRICT (DRANESVILLE DISTRICT) (TAPE 10)

(NOTE: Earlier in the meeting there was a brief discussion regarding this item. See Clerk's Summary Item CL#32.)

The Board next considered an item contained in the Memorandum to the Board dated July 22, 1991 regarding the appeal of a decision of the Architectural Review Board (ARB) to approve a Site Plan within the Colvin Run Mill Historic Overlay District.

Testimony was presented by the appellant, the representative of the owner of the property in question, a representative from the ARB, and representatives from County staff.

Following discussion among Board Members, with input from Robert L. Howell, Deputy County Attorney, Supervisor Richards moved that the Board:

- Affirm the decision of the ARB to the extent that it has disapproved a plan with the configuration of the second road; and
- Modify the ARB's decision by requiring the applicant to return to the Department of Environmental Management (DEM) and the ARB with an alternative location for the second access road to be reviewed by the ARB, which will, in turn, make a recommendation to DEM.

This motion was seconded by Supervisor Davis.

Following additional discussion among Board Members, the question was called on the motion which carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

SBE:SBE

117. 3:30 P.M. - PH ON REZONING APPLICATION RZ 90-A-005
(ALBERT J. DWOSKIN, TRUSTEE) (ANNANDALE DISTRICT)
(TAPE 11)

Ms. Roni Robins reaffirmed the validity of the affidavit for the record.

Ms. Robins 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, which included testimony by two speakers, Lisa Feibelman, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-A-005 be amended from the R-1, C-8 and Water Supply Protection Overlay Districts to the R-MHP and Water Supply Protection Overlay Districts subject to the executed proffers dated June 26, 1991. This motion was seconded by

Supervisor Pennino and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Richards being out of the room, Supervisor McConnell being absent.

In addition, Supervisor Bulova moved:

- Waiver of the average lot area;
- Waiver of the minimum lot width for the mobile home and rental office;
- Waiver of the minimum side yard requirements;
- Waiver of the minimum yard separation between mobile homes;
- Waiver of the minimum yard requirements to a public or private street;
- Waiver of the required private storage facilities in accordance with Section 2-820 of the Zoning Ordinance;
- Modification of the side yard requirements for sheds to reflect that shown on the General Development Plan (GDP) for the mobile home site;
- Waiver of the 600-foot maximum length of a private street in accordance with Paragraph 2, Section 11-302 of the Zoning Ordinance; and
- Modification of the transitional screen as depicted on the GDP and waiver of the barrier requirements along the west, south and southeast as depicted on the GDP, in accordance with Paragraph 2, Section 13-304 of the Zoning Ordinance.

This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Davis, Supervisor Hanley, and Supervisor Richards being out of the room, Supervisor McConnell being absent.

118. 3:30 P.M. - PH AND ADOPTION OF THE COMMUNITY PLAN FOR THE FAIRDALE COMMUNITY (MASON DISTRICT)
(TAPE 11)

- (R) Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Following the public hearing, Supervisor Davis moved adoption of the Resolution authorizing the Community Plan for the Fairdale Community Improvement Program project, Mason District, which calls for improvements such as curbs and gutters, sidewalk, storm drainage, and new roads in the community. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Pennino and Supervisor Richards being out of the room, Supervisor McConnell being absent.

119. 3:30 P.M. - PH AND ADOPTION OF THE COMMUNITY PLAN FOR THE WESTHAMPTON COMMUNITY (DRANESVILLE DISTRICT) (TAPES 11-12)

Chairman Moore relinquished the Chair to Acting-Chairman Alexander and left the Board Room to take care of important business in the Board Conference room.

Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Following the public hearing, which included testimony by 10 speakers, Supervisor Richards moved to defer Board Decision on Adoption of the Community Plan for The Westhampton Community, and to keep the record open for written testimony until September 16, 1991 at 4:30 p.m. This motion was seconded by Supervisor Davis and carried by a vote of five, Supervisor Hyland, Supervisor Pennino, and Chairman Moore being out of the room, Supervisor McConnell being absent.

120. 3:30 P.M. - PH SETTING ASSESSMENTS AND ORDERING IMPROVEMENTS TO LINCOLNIA HEIGHTS, PHASE II (MASON DISTRICT) (TAPE 12)

- (R) Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Following the public hearing, which included testimony by two speakers, Supervisor Davis moved adoption of the Resolution setting assessments and ordering improvements to Lincolnia Heights, Phase II, Mason District, which calls for improvements such as curbs and gutters, storm drainage, and street improvements on Summit Place, with the

understanding that the policy adopted by the Board earlier will relieve the costs to the residents for sidewalks in this area. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Hyland, Supervisor Richards, and Chairman Moore being out of the room, Supervisor McConnell being absent.

121. 3:30 P.M. - PH SETTING ASSESSMENTS AND ORDERING IMPROVEMENTS TO ENGLSIDE, PHASE II (LEE DISTRICT) (TAPE 12)

- (R) Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Following the public hearing, which included testimony by four speakers, Supervisor Alexander moved adoption of the Resolution setting assessments and ordering improvements to Engleside, Phase II, and also add Woodlawn Court to Phase II, Lee District, which calls for improvements such as curbs and gutters, storm drainage, and street improvements on Engleside Street, Highland Lane, and Woodlawn Street between Engleside and Highland. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Davis, Supervisor Richards, and Chairman Moore being out of the room, Supervisor McConnell being absent.

122. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING DWELLING UNIT AS AN ACCESSORY USE TO A FUNERAL HOME OR FUNERAL CHAPEL (TAPE 12)

- (O) Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to permit a residence for an employee and his or her family within the principal building for all funeral homes and chapels. This proposed amendment is to become effective on July 23, 1991, at 12:01 a.m. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of six, Supervisor Richards and Chairman Moore being out of the room, Supervisor McConnell being absent.

123. 4:00 P.M. - PH ON REZONING APPLICATION RZ 90-S-046 (RUTH H. VINOGRADOV) (SPRINGFIELD DISTRICT) (TAPE 12)

Mr. Douglas Walker reaffirmed the validity of the affidavit for the record.

Mr. Walker 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, Supervisor Davis 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 five, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room, Supervisor McConnell being absent.

On behalf of Supervisor McConnell, Supervisor Davis moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-S-046 be amended from the R-1 District to the R-3 District subject to the executed proffers dated June 27, 1991. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room, Supervisor McConnell being absent.

Supervisor Davis further moved that the Board waive the minimum district size required for the R-3 cluster zoning district. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room, Supervisor McConnell being absent.

Supervisor Davis moved that the Board waive the provision of a minimum of one acre of open space for a cluster subdivision. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Hanley, Supervisor Richards, and Chairman Moore being out of the room, Supervisor McConnell being absent.

124. 4:00 P.M. - PH ON REZONING APPLICATION RZ 89-P-011
(MILLER AND SMITH LAND, INCORPORATED, AND MILLER
AND SMITH, INCORPORATED) (PROVIDENCE DISTRICT)
(TAPES 12-13)

Supervisor Hanley stated that the new proffers and the new affidavit for this rezoning application have been distributed to Board Members.

Ms. Lynne 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.

Vice-Chairman Pennino returned the gavel to Chairman Moore upon her return to the Board Room.

Following the public hearing, which included testimony by seven speakers, Lisa Feibelman, Staff Coordinator, Zoning Evaluation Division,

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

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 89-P-011 be amended from the R-1 and Highway Corridor Districts to the PDH-3 and Highway Corridor Districts subject to the executed proffers dated July 22, 1991 and the development conditions dated July 22, 1991. This motion was seconded by Supervisor Hyland and CARRIED by a recorded vote of six, Supervisor Davis voting "NAY," Supervisor Alexander being out of the room, and Supervisor McConnell being absent.

Supervisor Hanley moved that the Board approve a modification of the transitional screening requirement to that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP) and approve a waiver of the barrier requirement. This motion was seconded by Supervisor Pennino and CARRIED by a recorded vote of six, Supervisor Davis voting "NAY," Supervisor Alexander being out of the room, and Supervisor McConnell being absent.

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to grant a waiver of the service drive requirement along the Route 50 frontage (a waiver of the construction, not a waiver of dedication). This motion was seconded by Supervisor Pennino and CARRIED by a recorded vote of five, Supervisor Davis voting "NAY," Chairman Moore abstaining, Supervisor Alexander being out of the room, and Supervisor McConnell being absent.

Supervisor Hanley moved the Board approve a waiver of the 600 foot maximum length of a private street. This motion was seconded by Supervisor Pennino and CARRIED by a recorded vote of six, Supervisor Davis voting "NAY," Supervisor Alexander being out of the room, and Supervisor McConnell being absent.

125. 4:00 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT
NOMINATION S91-III-P1 - PROPERTY LOCATED
APPROXIMATELY 2500 FEET WEST OF ROUTE 123
AND EAST OF ELK HORN RUN (MOUNT VERNON
DISTRICT) (TAPE 13)

Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Bulova, Supervisor Davis, and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Following the public hearing, which included testimony by two speakers, Supervisor Hyland moved approval of the Out-of-Turn Plan Amendment Nomination S91-III-P1 for the Comprehensive Plan for Tax Map 106-3 ((1)) 4B; 106-4 ((1)) 1B, 20B pt, 54 pt; and 112-2 ((1)) 12 located approximately 2500-2900 feet west of Route 123, generally west of the District of Columbia's Correctional Complex located at Lorton and east of Elk Horn Run, Mount Vernon District, as recommended by the Planning Commission on July 11, 1991. The amendment proposes industrial use to permit the expansion of the existing quarry and Comprehensive Plan language to address transportation, environment, and other planning issues. This land is located in the Pohick and Lower Potomac Planning Districts (Areas III and IV). This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Bulova, Supervisor Davis, and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

126. 4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) SECTION 3-1-2 (COUNTY SERVICE AND DIVISIONS THEREOF) REVISING THE MERIT SYSTEM ORDINANCE (TAPES 13-14)

Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Following the public hearing, which included testimony by five speakers, Supervisor Alexander moved that the Board:

- NOT ADOPT the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 1, Section 3-1-2 (County Service and Divisions Thereof) Revising the Merit System Ordinance;
- Suspend notification for those persons who have been advised of this amendment; and
- Direct staff to reexamine and redefine this amendment, including those persons affected by it.

This motion was seconded by Supervisor Davis.

Following discussion, Supervisor Pennino moved a substitute motion to defer this public hearing until August 5, 1991 in order to allow the Acting County Executive to provide the Board with additional information. This motion was seconded by Supervisor Bulova.

The question was called on substitute motion to defer the public hearing for two weeks which FAILED by a recorded vote of four, Supervisor Bulova, Supervisor Pennino, Supervisor Richards, and Chairman Moore voting "AYE," Supervisor McConnell being absent.

The question was then called on the main motion to NOT ADOPT this amendment, and return it to staff for reexamination and redefinition. This motion was carried by a vote of eight, Supervisor McConnell being absent.

127. 4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING HISTORIC OVERLAY DISTRICT REGULATIONS (NO TAPE)

(NOTE: Later in the meeting, action was taken on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Historic Overlay District Regulations. See Clerk's Summary Item CL#129.)

128. 4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING LOCATION REGULATIONS FOR FENCES AND WALLS ON CORNER LOTS (TAPE 14)

- (0) Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to amend Article 10, Section 10-104, Location Regulations, to permit an eight (8) foot fence or wall under certain conditions in the front yard of a residential corner lot that abuts a major thoroughfare. This proposed amendment is to become effective on July 23, 1991, at 12:01 a.m. This motion was seconded by Supervisor Richards and carried by a vote of six, Supervisor Alexander and Supervisor Davis being out of the room, Supervisor McConnell being absent.

As recommended by the Planning Commission, Supervisor Bulova moved that the Board waive the filing fees and expedite the request for a variance for Mrs. Isabelita Filamor of 4976 Dequincey Drive (at the intersection of Braddock Road and Dequincey Drive) in order to allow Mrs. Filamor to erect a fence. This motion was seconded by Supervisor Hyland.

Supervisor Hanley asked to amend Supervisor Bulova's motion by adding the names of Mr. and Mrs. Robert G. Kozan to the request, and this was accepted.

The question was then called on the motion, as amended, which carried by a vote of six, Supervisor Alexander and Supervisor Davis being out of the room, Supervisor McConnell being absent.

129. 4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING HISTORIC OVERLAY DISTRICT REGULATIONS (TAPE 14)

- (0) Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 4 and July 11, 1991.

Following the public hearing, Supervisor Richards moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to amend Section 7-204, Administration of Historic Overlay District Regulations, to allow the relative size of the building or structure to be considered by the Architectural Review Board when reviewing applications within Historic Overlay Districts. This proposed amendment is to become effective on July 23, 1991, at 12:01 a.m. This motion was jointly seconded by Supervisor Hanley and Supervisor Pennino and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

130. 4:30 P.M. - PH ON REZONING APPLICATION RZ 90-C-054 (LEONARD A. SHAPIRO) (CENTREVILLE DISTRICT) (TAPE 14)

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

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

Following the public hearing, Supervisor Pennino moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by a vote six, Supervisor Davis and Supervisor Richards being out of the room, Supervisor McConnell being absent.

Supervisor Pennino moved:

- That the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-C-054 be amended from the R-1 District to the PDH-2 District subject to the executed proffers dated June 24, 1991; and

- That the Board grant a waiver of the maximum length of the public street restriction applicable to this application.

This motion was seconded by Supervisor Alexander and CARRIED by a recorded vote of five, Supervisor Hyland voting "NAY," Supervisor Davis and Supervisor Richards being out of the room, Supervisor McConnell being absent.

131. 4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84 (PUBLIC TRANSPORTATION), ARTICLE 6 (RATES, FARES AND CHARGES) REGARDING: TAXICAB FARES (TAPE 14)

- (0) Certificates of Publication were filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 27 and July 4, 1991.

Following the public hearing, which included testimony by nine speakers, Supervisor Pennino moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 84 (Public Transportation), Article 6 (Rates, Fares and Charges), Sections 84-6-1(c)(1) and (c)(3), to provide for an increase in metered rates and waiting charges. This proposed amendment, which is the recommendation of the Consumer Protection Commission, shall become effective on September 1, 1991. This motion was seconded by Chairman Moore.

Supervisor Hyland moved a substitute motion that the Board adopt staff's recommendation, which is a lower increase, with the understanding that this item will be brought back to the Board in one year for a review of the rate structure for any Consumer Price Index (CPI) increases which may occur during that time. This motion was seconded by Supervisor Bulova.

The question was called on the substitute motion which FAILED by a recorded vote of three, Supervisor Bulova, Supervisor Hyland, and Supervisor Richards voting "AYE," Supervisor Davis and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

The question was then called on the main motion, which CARRIED by a recorded vote of five, Supervisor Richards voting "NAY," Supervisor Davis and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

JLD:JLD

132. 5:00 P.M. - PH ON REZONING APPLICATION RZ 86-S-048
AND SPECIAL EXCEPTION APPLICATION SE 90-S-017
(RICHARD L. LABBE, TRUSTEE AND STAR ENTERPRISE)
(SPRINGFIELD DISTRICT) (TAPE 15)

Ms. Melanie M. Reilly reaffirmed the validity of the affidavit for the record.

Supervisor Richards called the Board's attention to an error in the affidavit for Special Exception Application SE 90-S-017. She stated that there is no relationship between the Richards family trust and the law firm of McGuire, Woods, Battle and Boothe.

Ms. Reilly 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 Davis moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

On behalf of Supervisor McConnell, Supervisor Davis moved that the Zoning Ordinance, as it applied to the property which was the subject of Rezoning Application RZ 86-S-048, be amended from the R-1, C-8, Sign Control, Water Supply Protection Overlay, and Highway Corridor Districts to the C-8, Sign Control, Water Supply Protection Overlay, and Highway Corridor Districts subject to the executed proffers dated June 25, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

Supervisor Davis moved waiver of the minimum lot area and lot width requirements. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

Additionally, Supervisor Davis moved approval of Special Exception Application SE 90-S-017, subject to the revised development conditions dated July 10, 1991 and as amended by the Planning Commission. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

Further, Supervisor Davis moved:

- Modification of the transitional screening yard requirement and waiver of the barrier along the northern border of the property, as shown on the General Development Plan (GDP)/Special Exception (SE) Plat; and
- Modification of the transitional screening yard requirement and waiver of the barrier along the eastern side of the property, as specified in the proposed development conditions.

This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

133. 5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 90-L-049 (FAIRFAX COUNTY WATER AUTHORITY)
(LEE DISTRICT) (TAPE 15)

Supervisor Alexander moved to defer the public hearing on Special Exception Application SE 90-L-049 until August 5, 1991 at 8:30 p.m. due to deferral of the Planning Commission hearing. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

134. 5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 91-M-004 (ANNANDALE VOLUNTEER FIRE DEPARTMENT)
(MASON DISTRICT) (TAPE 15)

Deputy Chief Michael Karas reaffirmed the validity of the affidavit for the record.

Deputy Chief Karas 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.

CHANGE IN ORDER OF SPEAKERS LIST FOR PUBLIC HEARING
ON OUT-OF-TURN PLAN AMENDMENT S91-IV-MV1

Calling the Board's attention to Speaker 14 (Ms. Erika Knudsen and Speaker 15 (Ms. Regina Hall) scheduled to speak at the public hearing on the Out-of-Turn Plan Amendment S91-IV-MV1, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board change the order of the speakers

scheduled to speak at the hearing in order to allow Ms. Knudsen and Ms. Hall to speak first due to their young age and the lateness of the hour. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

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

Following a notation that the option to work with the State of Virginia Department of Motor Vehicles (DMV) must be kept open, Supervisor Davis moved approval of Special Exception Application SE 91-M-004 subject to the revised development conditions dated July 17, 1991. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

Additionally, Supervisor Davis moved:

- Waiver of the service drive requirement on Columbia Pike; and
- Waiver to permit a curb cut of 9.9 feet from the western property boundary.

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

Supervisor Davis moved that the Board direct staff to transmit correspondence from the Acting County Executive to the DMV requesting a meeting as expeditiously as possible. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

135. 5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 90-L-049 (FAIRFAX COUNTY WATER AUTHORITY)
(LEE DISTRICT) (NO TAPE)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Special Exception Application SE 90-L-049 until August 5, 1991 at 8:30 p.m. See Clerk's Summary Item CL#133.)

136. 5:00 P.M. - PH ON REZONING APPLICATION RZ 89-D-052
(RESTON LAND CORPORATION) (DRANESVILLE DISTRICT)
(TAPES 15-16)

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavit for the record.

Mr. Calabrese 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 eight speakers, Supervisor Richards submitted a number of letters for the record.

Supervisor Richards moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

Supervisor Richards moved that the Zoning Ordinance, as it applied to the property which was the subject of Rezoning Application RZ 89-D-052, be amended from the R-C District to the PRC District subject to the executed proffers dated July 18, 1991. This motion was seconded by Supervisor Pennino and CARRIED by a recorded vote of six, Chairman Moore abstaining, Supervisor Alexander being out of the room, and Supervisor McConnell being absent.

Additionally, Supervisor Richards moved that the application property be included in the areas subject to the north Reston street standards entitled, "Standard Typical Sections for Residential Streets for Use in Reston Northern Sector." This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

Supervisor Richards moved that the Board communicate to the Fairfax County Park Authority (FCPA) its strong recommendation that the pipe stem lots be a high priority for acquisition by the FCPA. This motion was seconded by Supervisor Hyland.

Following discussion among Board Members, the question was called on the motion which CARRIED by a recorded vote of six, Supervisor Pennino abstaining, Supervisor Alexander being out of the room, and Supervisor McConnell being absent.