



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS

OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

This does not represent an official transcript of the

Board Package.

**MONDAY
SEPTEMBER 23, 1991**

30-91

CM:CM

The meeting was called to order at 9:55 a.m. with all Members being present, with the exception of Supervisor Bulova, Supervisor McConnell, and Chairman Moore, and with Vice-Chairman Pennino presiding.

Supervisor Bulova arrived at 10:00 a.m.

Supervisor McConnell arrived at 10:15 a.m.

Chairman Moore arrived at 10:25 a.m.

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

2. CERTIFICATE OF APPRECIATION PRESENTED TO
MS. BERTHA LONG (TAPE 1)

Supervisor Hanley moved approval of the presentation of the Certificate of Appreciation presented to Ms. Bertha Long for 30 years of service to the government and citizens of Fairfax County. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Bulova, Supervisor McConnell, and Chairman Moore having not yet arrived.

3. CERTIFICATE OF APPRECIATION PRESENTED TO
MR. JOHN BOLLING (TAPE 1)

Supervisor Hanley moved approval of the presentation of the Certificate of Appreciation presented to Mr. John Bolling for his service on the Fairfax County Commission on Aging. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Bulova, Supervisor McConnell, and Chairman Moore having not yet arrived.

4. PROCLAMATION DESIGNATING "RECYCLING MONTH"
(TAPE 1)

Supervisor Davis moved approval of the Proclamation designating October 1991 as "RECYCLING MONTH" in Fairfax County, in order to draw attention

to the County government's continuing efforts to promote recycling among the residents. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Chairman Moore having not yet arrived.

5. PROCLAMATION DESIGNATING "LEARNING
DISABILITIES AWARENESS MONTH" (TAPE 1)

Supervisor McConnell moved approval of the Proclamation designating October 1991 as "LEARNING DISABILITIES AWARENESS MONTH" in Fairfax County. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander being out of the room, Chairman Moore having not yet arrived.

6. 10:00 A.M. - APPOINTMENTS TO CITIZEN BOARDS,
AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS
(NO TAPE)

(NOTE: Because a full Board was not present, Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups were deferred until later in the meeting. See Clerk's Summary Item CL#27.)

7. ADMINISTRATIVE ITEMS (TAPE 1)

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

Supervisor Hyland asked that the motion be amended that the Board pull and consider separately Administrative Item 10, and this was accepted. The question was called on the motion which carried by unanimous vote.

(NOTE: Administrative Item 10 was pulled and considered separately. See Clerk's Summary Item CL#8.)

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

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated September 23, 1991 be recommended for acceptance into the State Secondary System.

ADMIN 2 - APPROVAL OF WATER MAIN EXTENSION,
LOCUST HILL DRIVE - DEEP GLEN (DRANESVILLE
DISTRICT)

Approved the request for the extension of an eight-inch water main approximately 200 feet in length located along Locust Hill Drive. The proposed main will provide adequate water supply for domestic and fire protection service to meet Fairfax County Ordinances.

ADMIN 3 - ADDITIONAL TIME TO ESTABLISH THE USE
FOR SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 78-L-074-3 (HILLTOP SAND AND GRAVEL
COMPANY, INCORPORATED) (LEE DISTRICT)

- (ET) Approved the request for 12 months of additional time to commence construction for Special Exception Amendment Application SEA 78-L-074-3 until May 27, 1992 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PROPOSED
AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX
CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC),
ARTICLE 5A (RESIDENTIAL PERMIT PARKING
DISTRICTS - RPPD), APPENDIX G-12 FOR
THE INCLUSION OF OLD NUTLEY STREET IN
THE BRIARWOOD FARMS RPPD (PROVIDENCE
DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on October 28, 1991 at *5:00 p.m.* on the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A (Residential Permit Parking Districts), Appendix G-12 for the inclusion of Old Nutley Street in the Briarwood Farms Residential Permit Parking District, Providence District.

(*NOTE: Later in the meeting, additional action was taken to revise the time of the public hearing to 4:30 p.m. See Clerk's Summary Item CL#46.*)

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS
AND DEDICATIONS NECESSARY FOR CONSTRUCTION OF
THE DRANESVILLE ROAD SEGMENT OF COUNTY ROAD
BOND PROJECT - WIEHLE AVENUE (DRANESVILLE
DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on October 28, 1991 at *5:00 p.m.* on proposed acquisition of interests in real property necessary for the Dranesville Road Segment of County Road Bond Project 006495 - Wiehle Avenue, Dranesville District.

(NOTE: Later in the meeting, there was an additional notation by Supervisor Richards concerning this item. See Clerk's Summary Item CL#18.)

(*NOTE: Later in the meeting, additional action was taken to revise the time of the public hearing to 4:30 p.m. See Clerk's Summary Item CL#46.*)

ADMIN 6 - ADVERTISEMENT OF A PUBLIC HEARING ON
THE IMPROVEMENTS FOR THE GROVETON PHASE VI
COMMUNITY (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on October 28, 1991 at *5:00 p.m.* on a Resolution setting assessments and ordering improvements for the Groveton Phase VI Community, Lee District.

(*NOTE: Later in the meeting, additional action was taken to revise the time of the public hearing to 4:30 p.m. See Clerk's Summary Item CL#46.*)

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING REGARDING A LEASE AGREEMENT WITH
HEALTH DYNAMICS, INCORPORATED, FOR THE
DISTRICT NURSING HOME PROPERTY IN
WARRENTON, VIRGINIA

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on October 14, 1991 at 7:30 p.m. for the purposes of entering into a lease with Health Dynamics, Incorporated, for the District Nursing Home property in Warrenton, Virginia.

ADMIN 8 - ADVERTISEMENT OF A PUBLIC HEARING TO
AUTHORIZE THE EXECUTION OF A SUBDIVISION DEED
FOR THE DISTRICT HOME PROPERTY IN MANASSAS,
VIRGINIA

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on October 14, 1991 at 7:30 p.m. for the purposes of executing a subdivision deed for the District Home property in Manassas. Subdivision is required in order to clearly divide the property as a result of the development of the new nursing home on the site.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE CONTINUATION OF THE FAIRFAX
COUNTY PARK AUTHORITY FOR A PERIOD OF 30
YEARS, UNTIL OCTOBER 28, 2021

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on October 28, 1991 at 7:30 p.m. on a proposed amendment to amend and reenact Section III of the Ordinance which created the Fairfax County Park Authority on December 6, 1950, as amended, which would continue the existence of the Fairfax County Park Authority until October 28, 2021.

ADMIN 10 - AUTHORIZATION TO ADVERTISE
PROPOSED AMENDMENTS TO THE CODE OF THE
COUNTY OF FAIRFAX, CHAPTER 11 (HUMAN
RIGHTS ORDINANCE)

(NOTE: This item was pulled and considered separately. See Clerk's Summary Item CL#8.)

8. ADMIN 10 - AUTHORIZATION TO ADVERTISE
PROPOSED AMENDMENTS TO THE CODE OF THE
COUNTY OF FAIRFAX, CHAPTER 11 (HUMAN
RIGHTS ORDINANCE) (TAPES 1-2)

- (A) Supervisor Hyland called the Board's attention to Administrative Item 10 - Authorization to Advertise Proposed Amendments to the Code of the County of Fairfax, Chapter 11 (Human Rights Ordinance). He asked unanimous consent that the Board direct staff to amend the language on Page 8, Paragraph 19, to read:

"....shall not include alcoholism OR drug addition..."

Without objection it was so ordered.

Following discussion, Supervisor Hyland moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on November 18, 1991 at 4:00 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 11 (Human Rights Ordinance) and that the information discussed today be made available to the Board prior to the public hearing. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

AR:AR

9. A-1 - AUTHORIZATION TO PAY FISCAL YEAR (FY) 1992
SECOND QUARTER TRANSIT OPERATING SUBSIDY TO
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA) (COUNTYWIDE) (TAPE 2)

- (R) On motion of Supervisor Davis, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution authorizing payment of the Fiscal Year (FY) 1992 Second Quarter Transit Operating Subsidy billing in the amount of \$10,725,527.

10. A-2 - REVISIONS TO CHAPTERS 16 AND 17 OF THE PERSONNEL REGULATIONS REGARDING PROGRESSIVE DISCIPLINE AND THE GRIEVANCE PROCEDURE (TAPE 2)

On motion of Supervisor Davis, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 16 and 17 of the Personnel Regulations.

11. A-3 - OFFICE FOR CHILDREN APPLICATION FOR THE VIRGINIA COUNCIL ON CHILD DAY CARE AND EARLY CHILDHOOD PROGRAMS PROJECT TO PROVIDE CHILD CARE FOR HOMELESS CHILDREN (TAPE 2)

On motion of Supervisor Hanley, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of the application for the Virginia Council on Child Day Care and Early Childhood Programs Grant in the amount of \$20,000 in Fiscal Year (FY) 1992.

12. A-4 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 92026 TOTTALLING \$180,142 FOR THE VIRGINIA REFUGEE RESETTLEMENT PROGRAM GRANT FOR THE DEPARTMENT OF HUMAN DEVELOPMENT (TAPE 2)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 92026 totalling \$180,142. The Virginia Refugee Resettlement Program (VRRP) award will provide continued funding for two existing grant-funded positions (1.5 SYE).

13. A-5 - ADOPTION OF THE BOARD OF SUPERVISORS AND PARK AUTHORITY MEMORANDUM OF UNDERSTANDING (MOU) REGARDING THE RECERTIFICATION AGREEMENT (TAPE 2)

(BACs)

Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the Memorandum of Understanding between itself and the Fairfax County Park Authority. This agreement sets forth the responsibilities of both parties for the interactive operations of the Park Authority and the County. This motion was seconded by Supervisor Richards.

Following discussion, with input from William C. Beckner, Director of the Park Authority, Supervisor Alexander asked unanimous consent that the Board's Legislative Subcommittee review the specific Board policy regarding proffers on certain properties which are not proffered to the Park Authority. Without objection, it was so ordered.

The question was then called on the motion which carried by unanimous vote.

14. A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 92025 FOR THE OFFICE FOR CHILDREN
HEAD START PUBLIC HOUSING CHILD CARE
DEMONSTRATION PROJECT GRANT (TAPE 2)

(SAR) On motion of Supervisor Davis, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 92025, in the amount of \$189,666 for a 17-month period beginning September 1, 1991 and ending January 31, 1993. The grant will augment Head Start Expansion grant funding by providing additional funds to extend service hours from six to eight hours each day and service weeks from 42 to 52 weeks a year.

15. C-1 - PROPOSED SCOPE OF WORK FOR DEVELOPMENT OF
A STRATEGIC TRANSPORTATION PROGRAM FOR FAIRFAX
COUNTY (COUNTYWIDE) (TAPE 2)

The Board next considered an item contained in the Memorandum to the Board dated September 23, 1991 regarding Board approval of proposed Scope of Work for the development of a Strategic Transportation Program for Fairfax County.

Supervisor Alexander moved that the Board approve the proposed Scope of Work for the Development of a Strategic Transportation Program for Fairfax County, with the understanding that two members from the Transportation Advisory Commission (TAC) will be added as non-voting members to the Consultant Selection Committee. This motion was seconded by Supervisor Richards and carried by unanimous vote.

Supervisor Pennino called the Board's attention to Supervisor Richards' outstanding leadership as Chairman of the TAC.

16. I-1 - FAIRFAX COUNTY PARKWAY/FRANCONIA-SPRINGFIELD
STATUS REPORT (COUNTYWIDE) (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 presenting the Fairfax County Parkway/Franconia-Springfield Status Report, Countywide.

17. I-2 - STATUS REPORT ON HIGHWAY PROJECTS IN THE VIRGINIA DEPARTMENT OF TRANSPORTATION SIX-YEAR IMPROVEMENT PROGRAMS (COUNTYWIDE) (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 presenting the Status Report on Highway Projects in the Virginia Department of Transportation (VDOT) Six-Year Improvement Programs, Countywide.

With a notation of her opposition to what is being proposed on Page Five of the Status Report, Supervisor Hanley asked unanimous consent that the Board direct the Office of Transportation (in coordination with the Virginia Department of Transportation) to provide her office, as expeditiously as possible, with the construction plans for the project shown on Page Five. Without objection, it was so ordered.

18. FURTHER DISCUSSION ON ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS AND DEDICATIONS NECESSARY FOR CONSTRUCTION OF THE DRANESVILLE ROAD SEGMENT OF COUNTY ROAD BOND PROJECT - WIEHLE AVENUE (DRANESVILLE DISTRICT) (TAPE 2)

Supervisor Richards called the Board's attention to Admin 5, which was authorized for advertisement earlier in the meeting, and asked to go on record with a notation that some of the Wiehle Avenue bond money is being used to raise Dranesville Road so that it meets the new alignment of Wiehle Avenue. She further noted that it is going to involve 19 properties along Dranesville Road, but that the improvements will be significant.

(NOTE: Earlier in the meeting, Admin 5 was authorized by the Board for advertisement. See Clerk's Summary Items CL#7.)

19. I-3 - HUNTINGTON METRORAIL NORTH PARKING STRUCTURE COMPLETION (MOUNT VERNON DISTRICT) (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 presenting the details of the Huntington Metrorail North Parking Structure Completion Project, Mount Vernon District.

Following input from Shiva K. Pant, Director, Office of Transportation, Supervisor Hyland asked unanimous consent that the Board direct staff to provide a breakdown on the planned dissemination of the funds collected for parking fees (to pay the debt service and/or repayment of the borrowed capital, etcetera), if the fees are raised to \$2.50 instead of the present \$2.00. Without objection, it was so ordered.

20. I-4 - END OF YEAR REPORT ON REVENUE ENHANCEMENT PROGRAM (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 presenting the End of Year Report on Revenue Enhancement Program.

There was a brief discussion regarding this item.

21. I-5 - MEASURES TO ADDRESS PROBLEMS WITH DEVELOPER DEFAULT PROJECTS (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 presenting Measures to Address Problems with Developer Default Projects.

Following discussion, with input from Irving Birmingham, Director, Department of Environmental Management, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to:

- Provide a semi-monthly status report on the default situation;
- Attempt to get smaller bonds on smaller parcels; and
- Keep the Board advised as to how much of what kind of bonds are outstanding for public improvements which do not have the usual backing required by the County.

Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

22. I-6 - METRO CHILD CARE PILOT PROJECT (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 requesting authorization for staff to prepare a response for the Washington Metropolitan Area Transit Authority (WMATA) which summarizes the information contained in the Board Package.

There was a brief discussion regarding this item.

The staff was directed administratively to proceed as proposed.

23. I-7 - ANALYSIS OF FANNIE MAE AFFORDABLE HOUSING PROGRAM (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 presenting the Analysis of the Fannie Mae Affordable Housing Program.

Supervisor Pennino called the Board's attention to a special program in Howard County, Maryland for "mixed income housing projects" and asked unanimous consent that the Board direct staff to investigate this program and brief the Board on the feasibility of using this concept in Fairfax County. Without objection, it was so ordered.

24. I-8 - BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 1992 (TAPE 2)

(CLERK)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 directing staff to:

- Implement the schedule for the Board of Supervisors' meetings for January through April 1992 as contained in the Board Package for the purpose of scheduling land use public hearings and budget adoption;
- Report at the first meeting of the Board of Supervisors in January with the entire 1992 meeting calendar for Board adoption; and
- Report with a Consideration Item on whether to change the Board meeting day or adopt other alternatives to give the Board additional time to review the package.

There was a lengthy discussion regarding this item, and it was the consensus of the Board that the entire 1992 Board Meeting schedule should be addressed by the new Board at its first meeting on January 6, 1992.

The staff was directed administratively to proceed as proposed.

25. I-9 - APPROVAL OF AN ENGINEERING DESIGN CONTRACT ADDENDUM FOR BAILEY'S PHASE C (MASON DISTRICT) (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 requesting authorization for staff to award a contract in the amount of \$45,197.90 to T.Y. Lin International for an engineering design contract addendum for the final design of Project 003846, Bailey's Road Improvements Phase C, in Subfund 178, Community Development Block Grant.

The staff was directed administratively to proceed as proposed.

26. I-10 - ARCHITECTURAL CONTRACT AWARD TO HAYES, SEAY, MATTERN AND MATTERN, INCORPORATED FOR THE DESIGN OF THE PRE-RELEASE CENTER ADDITION (CENTRAL COUNTY COMPLEX) (TAPE 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 23, 1991 requesting authorization for staff to award a contract in the amount of \$90,000 to Hayes, Seay, Mattern and Mattern, Incorporated for the design of the Pre-Release Center Addition, Project 008025, within Subfund 461, County Construction.

The staff was directed administratively to proceed as proposed.

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27. 10:00 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS (TAPE 3)

ADVISORY SOCIAL SERVICES BOARD

Supervisor Pennino moved the reappointment of Ms. Baba Freeman as the Centreville District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Davis being out of the room.

Supervisor Alexander moved the appointment of Ms. Clara Holloway as the Lee District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Richards and carried by a vote of eight, Supervisor Davis being out of the room.

Supervisor Alexander moved that the Board direct staff to invite Ms. Magnolia Henderson to appear before the Board to receive recognition for her years of service on the Advisory Social Services Board. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Davis being out of the room.

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.)

ARCHITECTURAL REVIEW BOARD

Supervisor Pennino moved the reappointment of Mr. James V. Allred as the At-Large (Architect) Representative to the Architectural Review Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Moore moved the appointment of Mr. Stefan Nagel as the At-Large (Real Estate) Representative to the Architectural Review Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Davis moved the reappointment of Ms. Helen G. Tidball as the At-Large (Historian) Representative to the Architectural Review Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

ATHLETIC COUNCIL

Supervisor McConnell moved the appointment of Mr. Stephen Halfhill as the Springfield District Alternate Representative to the Athletic Council. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

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

BOARD OF BUILDING CODE APPEALS - TECHNICAL DIVISION

[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

Supervisor Davis moved the appointment of Mr. John Ahn as the At-Large (Attorney) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

CHILD CARE ADVISORY COUNCIL

Chairman Moore moved the appointment of Mr. Timothy J. McGary to fill the unexpired term of Ms. Kris Amundson as the At-Large Representative to the Child Care Advisory Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hanley moved the reappointment of Ms. Ernestine Heastie as the Providence District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Ms. Francine K. Jupiter as the Lee District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Frances M. Hicks as the Mount Vernon District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

COMMISSION FOR WOMEN

Supervisor Pennino moved the reappointment of Ms. Judith A. Skirbunt as the Centreville District Representative to the Commission for Women. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Moore moved the reappointment of Ms. Johnnye Sims as the At-Large (Minority) Representative to the Commission for Women. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Bulova moved the appointment of Ms. Sue Jones as the Braddock District Representative to the Commission for Women. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Richards moved the reappointment of Ms. Janet W. Arthur as the Dranesville District Representative to the Commission for Women. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

COMMISSION ON AGING

(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 IMPROVEMENT COMMITTEE

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

CONSUMER PROTECTION COMMISSION

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

COUNTYWIDE TRAILS COMMITTEE

(NOTE: The appointments of the At-Large and Springfield District Representatives to the Countywide Trails Committee were deferred.)

ELECTRICAL ADVISORY AND LICENSING BOARD

Chairman Moore moved the appointment of Mr. Frank Crosby as the At-Large (Citizen) (Principal) Representative to the Electrical Advisory and Licensing Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Davis moved the appointment of Mr. Bob Pescott as the At-Large (Citizen) (Alternate) Representative to the Electrical Advisory and Licensing Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Pennino moved the reappointment of Mr. Lemuel Bowden as the At-Large (Tradesman) Representative to the Electrical Advisory and Licensing Board. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

FAIRFAX COUNTY PARK AUTHORITY

Chairman Moore moved the appointment of Ms. Arleen Gilliam as the At-Large Representative to the Fairfax County Park Authority. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

HUMAN RIGHTS COMMISSION

Supervisor Hyland moved the appointment of Ms. Alice Bagwell as the At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Davis and carried by unanimous vote.

Chairman Moore moved the reappointment of Ms. Sally M. Moore as the At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Richards moved the appointment of Mr. Victor Dunbar as the At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Pennino moved the appointment of Mr. Monroe Freeman to fill the unexpired term of Ms. Brooks as the At-Large Representative to the Human Rights Commission. This motion was seconded by Chairman Moore and carried by unanimous vote.

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Pomerene and Ms. Brooks to appear before the Board for recognition of their service on the Commission. Without objection, it was so ordered.

Supervisor Hyland noted that the Human Rights Ordinance requires that the composition of the Human Rights Commission be demographically representative of the citizenry in Fairfax County and asked unanimous consent that the Board direct staff, for future reference, that when appointments to the Human Rights Commission are to be made, information is distributed to Board Members showing the present demographic mix of the current membership. Without objection, it was so ordered.

HUMAN SERVICES COUNCIL

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

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to determine an appropriate term for members of the Human Services Council. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

INDUSTRIAL DEVELOPMENT AUTHORITY

Supervisor Alexander moved the reappointment of Mr. Stephen B. Chytilo as the At-Large Representative to the Industrial Development Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Davis moved the reappointment of Mr. C.R. Rainey as the At-Large Representative to the Industrial Development Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

LIBRARY BOARD

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

MECHANICAL ADVISORY AND LICENSING BOARD

Chairman Moore moved the appointment of Mr. Joseph I. Bailey as the At-Large (Master Mechanic) Representative to the Mechanical Advisory and Licensing Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

NORTHERN VIRGINIA PLANNING DISTRICT COMMISSION

Supervisor Hanley moved to defer appointments to the Northern Virginia Planning District Commission until later in the day. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

(NOTE: Later in the day appointments were made to the Northern Virginia Planning District Commission. See Clerk's Summary Item CL#100.)

NORTHERN VIRGINIA REGIONAL PARK AUTHORITY

Supervisor Hanley moved the reappointment of Mr. Henry J. Mastenbrook as the At-Large Representative to the Northern Virginia Regional Park Authority. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

PLUMBING ADVISORY AND LICENSING BOARD

Supervisor Davis moved the reappointment of Mr. J.H. Strickler as the At-Large (Professional Engineer) Representative to the Plumbing Advisory and Licensing Board. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

(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 appointments of the Springfield and the Mount Vernon District Representatives to the Project Selection Committee were deferred.)

Supervisor Bulova moved the appointment of Ms. Linda Collins as the Braddock District Representative to the Project Selection Committee. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

TREE COMMISSION

(NOTE: The appointments of the Providence and the Lee District Representatives to the Tree Commission were deferred.)

Supervisor Richards moved the reappointment of Ms. Phyllis S. Verhalen as the Dranesville District Representative to the Tree Commission. This motion was seconded by Supervisor Davis and carried by unanimous vote.

Supervisor Pennino moved the reappointment of Mr. Richard Rein as the Centreville District Representative to the Tree Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

VOLUNTEER FIRE COMMISSIONCONFIRMATION NEEDED:

Supervisor Richards moved that the Board confirm the following appointment to the Volunteer Fire Commission:

- Mr. John E. Kirby as the Zone Four Representative.

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

AD-HOCSCITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS

Chairman Moore moved the appointment of Mr. Craig Cibak as the At-Large (Alternate) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Edward A. Harris as the Mount Vernon District (Alternate) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor McConnell moved the appointment of Mr. Bob Cordingley as the Springfield District (Alternate) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

CONFIRMATIONS NEEDED:

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

- Dr. Dewey Bond as the Environmental Quality Advisory Committee (Principal) Representative;
- Mr. Robert McLaren as the Environmental Quality Advisory Committee (Alternate) Representative;
- Ms. Virginia Weber as the Mount Vernon Council of Citizens Association (Principal) Representative;

- Mr. Donald Suberroc as the Mount Vernon Council of Citizens Association (Alternate) Representative;
- Mr. Gregory C. Evans as the Fairfax County Park Authority (Principal) Representative;
- Mr. Raymond W. Philipps as the Fairfax County Park Authority (Alternate) Representative;
- Ms. Helen Winter as the Clean Fairfax County, Incorporated (Principal) Representative;
- Mr. Mark Hubal as the Clean Fairfax County, Incorporated (Alternate) Representative;
- Mr. Edward A. Mainland as the Virginians for Recycling, Incorporated (Principal) Representative;
- Mr. Timothy E. Daly as the General Assembly Delegation (House) Representative;
- Mr. Richard A. Mitchell as the General Assembly Delegation (Senate) Representative;
- Ms. Jane Anderson as the National Park Service (Principal) Representative; and
- Mr. Robert N. Cook as the National Park Service (Alternate) Representative.

This seconder to the motion was inaudible. The question was called on the motion which carried by unanimous vote.

Supervisor Hanley moved to reconsider the confirmations to the Citizens Advisory Committee on Solid Waste and Disposal Matters. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Supervisor Hanley moved to defer confirmations to the Citizens Advisory Committee on Solid Waste and Disposal Matters until later in the day. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this matter. See Clerk's Summary Item CL#102.)

MINORITY UPWARD MOBILITY AND RETENTION IN FAIRFAX COUNTY
GOVERNMENT TASK FORCECONFIRMATIONS NEEDED:

Supervisor Davis moved that the Board confirm the following appointments to the Minority Upward Mobility and Retention in Fairfax County Government Task Force:

- Mr. John A. Keating as the Human Rights Commission Representative;
- Ms. Johnnye Sims as the Commission for Women Representative;
- Mr. James F. MacDonald as the American Association of Retired Persons (AARP) Representative;
- Mr. Rafik Kafity to fill the unexpired term of Mr. Fred Hadeed as the Arab-American Business and Professional Association Representative;
- Mr. John W. Grant as the National Association for the Advancement of Colored People Representative; and
- Mr. James T. Harrison III as the Progressive Firefighters of Fairfax County Representative.

The second to this motion was inaudible. The question was called on the motion which carried by unanimous vote.

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

ROUTE 28 DISTRICT TASK FORCE

Supervisor Pennino moved the appointment of Mr. Michael Cooper as the Landowner Representative to the Route 28 District Task Force to fill the unexpired term of Ms. Nancy Card. This motion was seconded by Supervisor Davis and carried by unanimous vote.

BOARD MATTERS

PMH:PMH

28. ECONOMIC DEVELOPMENT AUTHORITY (EDA) REQUESTED
TO EXPLORE "AZBECS" LOCATION TO FAIRFAX COUNTY
(TAPE 4)

Chairman Moore stated that the Associated Press recently reported that the organizers of the Small Business Stock Exchange, which provides financing opportunities for companies too small to be listed on existing stock exchanges, are considering Virginia locations for its activities. She said that a group called "AZBECS" expects to employ 350 individuals and is searching for a building with approximately 35,000 to 40,000 square feet. She said that she had been advised that there will be an exploratory meeting this week to examine what mutual benefit there might be in a Fairfax location for "AZBECS."

Therefore, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board encourage the Economic Development Authority (EDA) to expeditiously explore this opportunity thoroughly and to "work hard on it." Without objection, it was so ordered.

29. PROCLAMATION DESIGNATING "CONSTITUTION WEEK"
(TAPE 4)

Supervisor Moore moved that the Board approve a Proclamation designating the week of September 17, 1991 as "CONSTITUTION WEEK" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor Hanley being out of the room.

30. DEFERRAL OF ACTION ON PROCLAMATION DESIGNATING
"PAKISTANI DAY" (TAPE 4)

Supervisor Moore moved that the Board approve a Proclamation designating September 29, 1991 as "PAKISTANI INDEPENDENCE DAY" in Fairfax County. This motion was seconded by Supervisor Bulova.

Supervisor Pennino asked unanimous consent that the Board defer its consideration on this request. Without objection, it was so ordered

31. GUM SPRINGS HISTORY (TAPE 4)

Supervisor Moore stated that she had attended a fund raiser that was held in the Gum Springs area to raise money for markers for the history of Gum Springs. She said that Dr. Judith Burton has provided a history

of Gum Springs. Therefore, Supervisor Moore moved that the Board direct that staff historians meet with Dr. Judith Burton to determine what information could be included in the Comprehensive Plan. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Supervisor Davis being out of the room.

32. WATER PROBLEMS FOR THE RESIDENTS OF CLIFTON FOREST (TAPE 4)

Supervisor Moore stated that she had received a letter from the attorney representing the residents of Clifton Forest. She said that the residents continue to experience problems with low yield wells. She added that the community is requesting assistance in applying for available State funds for public work.

Therefore, Supervisor Moore moved that the Board direct the Water Authority to submit an application to the Virginia Department of Health for a grant from the State of Virginia Water Supply Revolving Fund for the residents.

Following discussion, Supervisor McConnell stated that she has been working for a year and a half trying to obtain funds from many sources to assist the residents of Clifton Forest.

Supervisor Richards asked unanimous consent that the Board direct staff to determine if a Sanitary District could be established to assist the residents of Clifton Forest. Without objection, it was so ordered.

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

33. ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)
REPORT REGARDING A NEW COMPREHENSIVE GROUND
WATER PROGRAM (TAPE 4)

Supervisor Moore stated that in its 1989 Annual Report on the environment, the Environmental Quality Advisory Council (EQAC) recommended the establishment of a new comprehensive ground water program in the County, the preparation of a ground water sensitivity map, and an increase in monitoring activities.

Supervisor Moore asked unanimous consent that the Board direct staff to make the report available for review by the Board. Without objection, it was so ordered.

34. ARCHAEOLOGY AND HISTORY PRESERVATION (TAPE 4)

Supervisor Moore stated that grant money was used to hire a Heritage Resources Volunteer Coordinator to encourage and support volunteer opportunities and archaeology and history preservation.

She said that a related issue involves a number of heritage resources that have been damaged or destroyed in the past few years due to poor communication between County agencies and construction companies. She listed the following sites that had been damaged:

- Frying Pan Church;
- Lanes Mill;
- Dranesville Tavern; and
- Spring House at Huntley Mansion.

Supervisor Moore said that most recently she is concerned about the accidental destruction of historic family cemeteries such as the Pearson Cemetery. She said that problems are most likely to occur during "by right" development. Therefore, Supervisor Moore asked unanimous consent that the Board direct the Environmental Coordinating Task Force to:

- Include heritage resource issues during its meetings to improve communication among County agencies; and
- Prepare a report for review by the Board on how heritage resources can best be protected from construction activities arising from miscommunication.

Following discussion, Supervisor Moore amended the request to include that systematic protection of family cemeteries and heritage resources at the site plan stage be incorporated as a part of this project.

Supervisor Hyland stated that he had recently visited a site in Fairfax County where the remains of an Indian Village and artifacts from 1346 have been found. He added that individuals are searching properties with or without the owners' permission scouring and digging up valuable artifacts that should be shared with County residents. He said that some form of protection should be established to preserve Fairfax County history.

Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

35. SUPPORT REQUESTED FOR FAIRFAX COUNTY
BICENTENNIAL COMMISSION'S PROPOSED
GARDEN (TAPE 4)

Supervisor Hyland called to the Board's attention that earlier this year, the Fairfax County Commission on the Bicentennial of the United States Constitution made an offer to the County to fund the planting of

a George Mason Memorial Garden at the County's new Government Center. The garden's design, created by Bill Ference, the County's landscape architect, has been accepted by the Office of General Services. The proposed location is to be at the rear of the building near the pond; however, the Commission noticed an undeveloped circular site at the immediate front of the building at the eastern terminus and, upon researching, found that no formal landscaping scheme had been planned for this area.

After considering both locations, the Commission expressed its preference for the site in front of the government center. Mr. Ference feels that the \$20,000 donated by the Commission for the garden project will adequately cover all costs.

Accordingly, Supervisor Hyland moved that the Board:

- Support the change of the location of the proposed George Mason Memorial Garden to the front of the Government Center, assuming no new plans have been formed for the site; and
- Direct staff to inform the Commission on how to proceed with the donation.

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

36. ENVIRONMENTAL IMPACT STUDIES FOR COUNTY PROJECTS (TAPE 4)

Supervisor Hyland stated that the Fairfax County Federation of Citizens Associations supports the development of a County ordinance to establish parameters for requiring environmental impact studies on proposed County projects. He moved that the Board direct staff to meet with Federation representatives and other interested parties to discuss this proposal and report with their findings and recommendations. This motion was jointly seconded by Supervisor Pennino and Supervisor Richards and carried by unanimous vote.

37. UPDATE ON PROCESS FOR CAPITAL IMPROVEMENT PROGRAMS (CIP) (TAPE 4)

Supervisor Hyland deferred a portion of his Board Matter time to Supervisor Hanley to permit her an opportunity to brief Board Members on the Capital Improvement Program (CIP) process.

Supervisor Hanley briefed Board Members that the CIP is presently separated from the Budget process and is scheduled for public hearing before the Planning Commission in October 1991 and before the Board of

Supervisors on November 18, 1991. She requested staff to begin reviewing the question of whether the Board should consider the CIP during the Comprehensive Plan process.

38. CLEANING AND MAINTENANCE OF ALL WET AND DRY PONDS [BEST MANAGEMENT PRACTICES (BMPS)] (TAPE 4)

Supervisor Hyland stated that the Fairfax County Federation of Citizens Associations supports adequate cleaning and maintenance of all wet and dry ponds [Best Management Practices (BMPs)] for which the County has maintenance responsibility. The Federation also supports the amendment of County Codes to require regular maintenance of such ponds which remain under private ownership. Because these ponds are not being maintained properly, pollution-laden sediments trapped in the ponds are being flushed by heavy rainfall into nearby streams, negating positive environmental effects.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to meet with Federation representatives to discuss a scheme whereby the County can ensure that the cleaning and maintenance of wet and dry ponds occurs not only by the County but also those ponds maintained by private ownership.

Supervisor Hanley stated that the Department of Environmental Management's (DEM) TEETH Subcommittee reviewed and discussed this issue. She asked that the request be amended to include that the Board direct staff to review the documentation from those discussions, and this was accepted.

Without objection, the amended request was so ordered.

VLL:VLL

39. PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 119 (GRASS OR LAWN AREA) REGARDING "GRASS ROOTS" (TAPE 4)

Supervisor Hyland stated that later in the meeting, the Board will be taking final action on the proposed amendment to the Code of the County of Fairfax to create a new Chapter 119 (Grass or Lawn Area) which has provoked considerable controversy and has pitted community associations and individuals against each other as to whether the height of grass should be regulated, whether "naturalized areas" should be exempt, and whether the ordinance should be mandatory for most property owners in Fairfax County.

Supervisor Hyland called to the Board's attention that several meetings ago, he had raised the issue regarding individuals who maintain their property as habitats for wildflowers, wildlife, naturally-wooded, and otherwise "naturalized" areas. Two examples of such "natural areas" are the Tauxemont and Hollin Hills communities where the environment has been recognized, protected, and preserved.

Supervisor Hyland distributed to Board Members the following documents:

- Attachment One - Letter dated September 21, 1991 from the Tauxemont Community Association, Incorporated, requesting an amendment to allow communities to "opt out" of the grass ordinance under certain circumstances; and
- Attachment Two - Proposed amendment to the grass ordinance which would allow organized community or homeowner associations to be exempted from the ordinance, provided that a majority of its members decide; and further, provided that such community or homeowner associations represent a minimum of 80 percent of the homeowners in that community.

Supervisor Hyland stated that the amendment would literally permit a "grass roots" determination by citizens as to whether the ordinance is necessary in their community, allow residents to retain control over this issue and, if chosen, would recognize and accommodate the disparate situations existing among the neighborhoods.

Accordingly, Supervisor Hyland moved that the Board refer the proposed amendment to staff for its review of the legal authority for such an amendment under the State Code and direct staff to be prepared to comment later in the meeting before the Board takes its final action on the proposed ordinance. This motion was jointly seconded by Supervisor Bulova and Supervisor Richards and carried by unanimous vote.

Supervisor Bulova asked unanimous consent that the Board direct staff to clarify later in the meeting that, if the proposed grass ordinance is adopted, County staff would not be removed from other projects to be utilized for mowing grass throughout the County. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board considered this matter. See Clerk's Summary Item CL#105.)

40. RECONSIDERATION OF AUTHORIZATION TO ADVERTISE
PROPOSED AMENDMENT TO THE CODE OF THE COUNTY
OF FAIRFAX TO ADD A NEW CHAPTER 118 (CHESAPEAKE
BAY PRESERVATION ORDINANCE) (TAPE 4)

- (A) Supervisor Hyland stated that at the Board of Supervisors' meeting held on September 16, 1991, action was taken to authorize staff to advertise a public hearing to be held before the Board of Supervisors on October 14, 1991 on the proposed amendment to the Code of the County of Fairfax to add a new Chapter 118 (Chesapeake Bay Preservation Ordinance) to implement the State Chesapeake Bay Preservation Act. He moved that the Board authorize staff to change the date of the public hearing before the Board of Supervisors on October 14, 1991 TO October 28, 1991 to allow the Board additional time to review the Chesapeake Bay Local Assistance Department's (CBLAD) actions on October 10, 1991.

As a point of order, Supervisor Hanley called to the Board's attention that this action had been TABLED at the meeting held on September 16, 1991 and, before discussion, required reconsideration of the motion in order to remove it from the table.

Supervisor Hyland moved that the Board remove from the table for discussion its action of September 16, 1991 requesting authorization for staff to advertise a public hearing to be held before the Board of Supervisors on the proposed amendment to the Code of the County of Fairfax to add a new Chapter 118. This motion was seconded by Supervisor Bulova and CARRIED by a recorded vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino voting "NAY."

Supervisor Hyland stated that Phase II (implementation) is currently scheduled for a public hearing before the Board of Supervisors on October 14, 1991. The public hearing on Phase I is pending CBLAD's action which will be forwarded to the Board of Supervisors tentatively on October 10, 1991.

Supervisor Hyland moved that the Board authorize staff to:

- Change the date of the public hearing scheduled before the Board of Supervisors on PHASE II from October 14, 1991 TO October 28, 1991; and
- Advertise a public hearing to be held before the Board of Supervisors on October 28, 1991 on PHASE I, pending action from CBLAD.

This motion was seconded by Chairman Moore for the purpose of discussion.

Following Board discussion, Anthony H. Griffin, Deputy County Executive for Planning and Development, gave the following staff recommendation:

That the Board:

- Authorize staff to proceed with the advertisement of a public hearing to be held before the Board of Supervisors on October 28, 1991 on PHASE II; and
- If action on PHASE I is not taken by the Board on October 14, 1991 because CBLAD's actions were not received in a timely manner or because the changes were substantial, authorize staff to pull the advertisement for the PHASE II public hearing on October 28, 1991.

Following further discussion, Supervisor Hanley clarified the motion further:

- That the Board must authorize the advertisement for PHASE II at today's meeting (because of advertisement requirements - fees) in order to proceed with the public hearing on October 28, 1991;
- If the Board receives CBLAD's actions, to authorize advertisement on October 14, 1991 for a public hearing to be held before the Board of Supervisors on October 28, 1991 on PHASE I; and
- If no response is received from CBLAD or if CBLAD responds with substantial changes, that the Board cancel both public hearings.

Supervisor Alexander asked that Supervisor Hanley's clarification be made part of the motion, and this was accepted.

Supervisor Davis questioned whether staff could identify those properties included in the Resource Protection Area (RPA) maps and provide notification to those individuals of the hearings.

Mr. Griffin responded that staff did not have the ability to conduct the mailout as described by Supervisor Davis. He stated that staff would distribute the proper notification to the community at-large announcing where the RPA maps would be available for review.

In response to a query by Supervisor Hanley, Mr. Griffin responded that the RPA maps will be made available to Fairfax County Libraries and Supervisor District Offices.

Supervisor Davis asked that the motion be amended to include that the Board direct staff to distribute the proper notification and maps to all generalized areas, whether or not the areas are affected.

Mr. Griffin responded that staff would report later in the meeting with:

- The type of notification that could be provided by staff;
- Where the RPA maps will be available; and
- The timeframe that the RPA maps will be available.

The amendment was accepted as part of the motion.

In response to a query by Supervisor Alexander, Supervisor Hyland restated that motion for the purpose of clarity:

- That the Board authorize staff to change the date of the public hearing scheduled before the Board of Supervisors on PHASE 11 from October 14, 1991 to October 28, 1991; and
- At its meeting on October 14, 1991, pending actions received from CBLAD, that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on October 28, 1991 on PHASE 1, with the understanding that if CBLAD makes such changes to the ordinance that make it impractical for the Board to proceed, that the Board cancel both public hearings and reschedule for future dates.

Supervisor Hyland restated the amendments that were accepted as part of the motion:

- That the Board direct staff to make the best possible efforts to notify those individuals that are affected, where and when the RPA maps are available.

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

41. RECONSIDERATION OF PROPOSED AMENDMENT TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING
ORDINANCE) TO ALLOW FOR MODIFICATIONS OF THE
YARD REQUIREMENTS FOR VIRGINIA RUN (TAPE 4)

Supervisor Hyland moved that the Board reconsider its action of September 16, 1991 that the Board not amend the Zoning Ordinance to allow for modifications of the yard requirements for Virginia Run as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor McConnell.

Supervisor Bulova moved a substitute motion that discussion on this matter be deferred until later in the meeting during Executive Session because of pending litigation, and this was accepted.

Following input from David T. Stitt, County Attorney, Supervisor Hyland moved that the Board reconsider its action of September 16, 1991 that the Board not amend the Zoning Ordinance to allow for modifications of the yard requirements for Virginia Run as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor McConnell and CARRIED by a recorded vote of eight, Supervisor Richards voting "NAY."

Following further guidance from Mr. Stitt, the Board deferred the question of deferring discussion on this matter until later in the meeting during its Executive Session to allow additional time for staff to prepare the appropriate language for the motion.

Supervisor McConnell announced, for the record, that the subdivision does not contain townhouses as reported in the press, that it is a single family subdivision.

(NOTE: Later in the meeting, following its Executive Session, additional action was taken on this matter. See Clerk's Summary Item CL#45E.)

42. STAFF TO REPORT ON WHAT EFFECT COURT CASE
WILL HAVE ON INVESTMENTS IN VIRGINIA BONDS
THROUGHOUT THE COMMONWEALTH (TAPE 4)

Supervisor Pennino stated that she had been approached by a number of individuals who are investors in Virginia bonds and who are concerned by the pending court case. She stated that the individuals wonder that, if the case is lost, what effect will the decision have on the value of their bonds and the interest. She requested the County's legal and financial staff to report, in writing, as to what effect this issue will have on investments in Virginia bonds throughout the Commonwealth.

David T. Stitt, County Attorney, responded that the Virginia Supreme Court will not be issuing its decision until November 8, 1991.

43. APPEAL OF LIBRARY BOARD OF TRUSTEES'
DECISION CONCERNING RENOVATIONS TO
THE PATRICK HENRY LIBRARY LOCATED
IN VIENNA (TAPES 4-5)

Supervisor Pennino called the Board's attention to an article appearing in the Journal newspaper regarding the decision of the Library Board of Trustees (Library Board) concerning the enlargement and renovation of the Patrick Henry Library. She provided a brief synopsis on the history of the structure.

Supervisor Pennino stated that six design options were originally presented and, following input from the Town of Vienna citizenry, two design options evolved for consideration by the Library Board. Design Option Four keeps the same shell of the present library structure, closing in the two courtyards, expanding the workspace, the space for books, and the space for quiet study. Design Option Six is considered "the ultimate."

Supervisor Pennino read into the record a statement that she had received from the Mayor of the Town of Vienna requesting the Board of Supervisors to appeal the Library Board's decision to proceed with design Option Six and that reconstruction of Patrick Henry Library should proceed according to design Option Four.

Supervisor Pennino recognized the presence in the Board Room of Martha Robinson, Mayor Robinson's wife and known as the "First Lady of Vienna," and Katie Hylton, Representative, Parents-Teachers Association.

Supervisor Pennino stated that at its September 18, 1991 meeting, the Library Board voted to instruct Berry-Rio Architects to pursue design Option Six as the plan for renovation and expansion of the Patrick Henry Community Library. She moved that design Option Four be pursued and that the Board instruct the Department of Public Works' staff to modify the contract with Berry-Rio Architects accordingly. This motion was seconded by Chairman Moore.

Supervisor Hanley asked that the motion be amended to include that the Board consider utilizing any funds saved as a result of design Option Four for the construction of a library facility in the Oakton area; however, following discussion, this was not accepted. She stated that she would separate her motion and request Board action following the Board's consideration of Supervisor Pennino's motion.

Supervisor Richards requested that the savings in funds be set aside for any contingencies needed in the Herndon and Great Falls libraries currently under construction.

Supervisor Hyland asked unanimous consent that the Board permit either Edwin S. Clay, III, Director of Libraries, or Louise L. Meade, Mount Vernon District Representative on the Library Board, to briefly address the Board on this issue. Without objection, it was so ordered.

Following brief comments by Ms. Meade, Supervisor Pennino asked unanimous consent that the Board permit either Ms. Robinson or Ms. Hylton to briefly address the Board on this issue. Without objection, it was so ordered.

Following brief comments by Ms. Robinson and Ms. Hylton, the question was then called on the motion (Supervisor Pennino's) that design Option Four be pursued and that the Board instruct the Department of Public Works' staff to modify the contract with Berry-Rio Architects accordingly, which CARRIED by a recorded vote of eight, Supervisor McConnell being out of the room.

Supervisor Hanley moved that the Board authorize a portion of money saved in design Option Four to be utilized to fund the feasibility study of acquiring property and the need to locate a community library in the Oakton area. This motion was seconded by Chairman Moore with the understanding that the Board direct staff to review ways to co-locate a library facility in this area, and this was accepted.

Supervisor Davis moved a substitute motion that the Board direct the Library Board to consider the request for a feasibility study of acquiring property and the need to locate a community library in the Oakton area. This motion was seconded by Supervisor Pennino.

Following discussion, the question was called on the substitute motion which FAILED by a recorded vote of four, Supervisor Bulova, Supervisor Davis, Supervisor Pennino, and Supervisor Richards voting "AYE," Supervisor McConnell being out of the room.

The question was then called on the main motion (Supervisor Hanley's) to authorize a portion of money saved in design Option Four to be utilized to fund the feasibility study of acquiring property and the need to locate a community library in the Oakton area, with the understanding that the Board direct staff to review ways to co-locate a library facility in this area, which CARRIED by a recorded vote of five, Supervisor Bulova, Supervisor Davis, and Supervisor Richards voting "NAY," Supervisor McConnell being out of the room.

JLD:JLD

44. RECESS/EXECUTIVE SESSION (TAPE 6)

At 1:40 p.m., 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 concerning:

- Wetlands Board action against Universal Motor Lodges, the owner of Howard Johnson Hotel on Richmond Highway;
- Board of Supervisors versus the Board of Zoning Appeals in Chancery Number 122586;
- The Virginia Run setback requirements;
- Wijffels versus Board of Supervisors in Chancery Number 78458 and related litigation.

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

At 3:25 p.m., the Board reconvened in the Board Room with all Board Members present, and with Chairman Moore presiding.

45. ACTIONS FROM EXECUTIVE SESSION (TAPE 6)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 unanimous vote.

B. TYSONS INTERNATIONAL LIMITED
PARTNERSHIP VERSUS BOARD OF
SUPERVISORS AND TYSONS OFFICE
CENTER LIMITED PARTNERSHIP
VERSUS BOARD OF SUPERVISORS

Supervisor Hanley moved that the Board authorize settlement of Tysons International Limited Partnership versus Board of Supervisors, At Law Numbers 91189 and 102946, and Tysons Office Center Limited Partnership versus Board of Supervisors, At Law Numbers 91404 and 102947, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

C. BOARD OF SUPERVISORS VERSUS
FEDERAL DEPOSIT INSURANCE
CORPORATION

Supervisor McConnell moved that the Board authorize settlement of Board of Supervisors versus Federal Deposit Insurance Corporation as Receiver for The National Bank of Washington, C.A. Number 91-0958, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

D. GENERAL ASSETS, INCORPORATED VERSUS
BOARD OF SUPERVISORS

Supervisor Richards moved that the Board authorize settlement of General Assets, Incorporated versus Board of Supervisors of Fairfax County, At Law Number 105111, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

E. COMPLETION OF HOMES IN THE VIRGINIA RUN
SUBDIVISION

(NOTE: Earlier in the meeting, there was additional discussion regarding this matter. See Clerk's Summary Item CL#41.)

Supervisor Hyland moved that the County Attorney be authorized to contact the opposing parties in the litigation which resulted in the date of January 19, 1992 within which time all of the homes in the Virginia Run Subdivision had to be completed within the existing rules and authorize the County Attorney, in agreement with the opposing counsel, to consider applying to the court for a consent order that would amend that decree in such a fashion that that development can be completed within a time considered to be reasonable but a time that would be later than January 19, 1992 date. This motion was seconded by Supervisor McConnell and CARRIED by a recorded vote of six, Supervisor Bulova, Supervisor Hanley, and Supervisor Richards voting "NAY."

PMH:PMH

46. ADDITIONAL ACTION REGARDING THE ADMINISTRATIVE ITEMS: ADMIN 4 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A (RESIDENTIAL PERMIT PARKING DISTRICTS - RPPD), APPENDIX G-12 FOR THE INCLUSION OF OLD NUTLEY STREET IN THE BRIARWOOD FARMS RPPD (PROVIDENCE DISTRICT); ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS AND DEDICATIONS NECESSARY FOR CONSTRUCTION OF THE DRANESVILLE ROAD SEGMENT OF COUNTY ROAD BOND PROJECT - WIEHLE AVENUE (DRANESVILLE DISTRICT) AND ADMIN 6 - ADVERTISEMENT OF A PUBLIC HEARING ON THE IMPROVEMENTS FOR THE GROVETON PHASE VI COMMUNITY (LEE DISTRICT) (TAPE 7)

- (A) (NOTE: Earlier in the meeting, action was taken to approve the Administrative Items. See Clerk's Summary Item CL#7.)

Supervisor Alexander called to the Board's attention to the following Administrative Items that had been approved earlier in the meeting:

- Admin 4 - Authorization To Advertise A Proposed Amendment To The Code Of The County Of Fairfax Chapter 82 (Motor Vehicles And Traffic), Article 5A (Residential Permit Parking Districts - RPPD), Appendix G-12 For The Inclusion Of Old Nutley Street In The Briarwood Farms RPPD (Providence District);
- Admin 5 - Authorization To Advertise A Public Hearing On The Acquisition Of Certain Easements And Dedications Necessary For Construction Of The Dranesville Road Segment Of County Road Bond Project - Wiehle Avenue (Dranesville District); and
- Admin 6 - Advertisement Of A Public Hearing On The Improvements For The Groveton Phase VI Community (Lee District).

Supervisor Alexander moved that the Board amend the Administrative Items listed above to revise the time scheduled for the public hearings previously scheduled for 5:00 p.m. TO October 28, 1991 at 4:30 p.m. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

47. DEFERRAL OF THE PUBLIC HEARING ON REZONING APPLICATION RZ 91-Y-006 (TRUSTEES OF THE PENDER UNITED METHODIST CHURCH) [SULLY DISTRICT (FORMERLY CENTREVILLE DISTRICT)] (TAPE 7)

At the request of the applicant, Supervisor Pennino moved to defer the public hearing on Rezoning Application RZ 91-Y-006 until October 28, 1991 at 4:30 p.m. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

48. INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION RENEWAL APPLICATION SER 86-D-113 (HARDEE'S, INCORPORATED) (DRANESVILLE DISTRICT) (TAPE 7)

Supervisor Richards announced her intent, later in the meeting at the appropriate time, to defer the public hearing on Special Exception Renewal Application SER 86-D-113 until October 28, 1991 at 4:30 p.m. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

49. REQUEST TO DETERMINE IF THE RESIDENTIAL PERMIT
PARKING DISTRICT (RPPD) PROCESS CAN BE EXPEDITED
(TAPE 7)

Supervisor Bulova referred to the \$100 parking fee for students at schools and expressed concern about the results of students parking in the neighborhoods. She said that she had requested staff to determine if the process to establish a Residential Permit Parking District (RPPD) could be expedited. She noted that the process currently takes four to six months.

Therefore, Supervisor Bulova moved that the Board direct staff to review this issue and report with methods of shortening the RPPD process. This motion was jointly seconded by Supervisor Alexander and Supervisor Pennino.

Following discussion, the question was called on the motion which carried by a vote of seven, Supervisor Hyland and Supervisor McConnell being out of the room.

Supervisor Bulova also expressed concern regarding the cost of the RPPD process and its enforcement. Therefore, Supervisor Bulova moved that the Board direct staff to provide an accounting of the how much this process will cost. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Hyland and Supervisor McConnell being out of the room.

(NOTE: Later in the meeting, there was additional discussion regarding this issue. See Clerk's Summary Item CL#62.)

50. ENDORSEMENT AND ADOPTION OF THE TRANSPORTATION
ADVISORY COMMISSION'S PROPOSED "FAIRFAX COUNTY
POLICY FOR TRANSPORTATION ALTERNATIVES STUDIES"
(TAPE 7)

- (P) Supervisor Richards stated that earlier in the day at the Transportation Subcommittee Meeting, the Board considered the Transportation Advisory Commission's (TAC) proposal for the policy for corridor studies. Supervisor Richards moved that the Board endorse and adopt the proposed "Fairfax County Policy for Transportation Alternatives Studies" that was provided by the TAC. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Hyland and Supervisor McConnell being out of the room.

51. DULLES CORRIDOR PARK-AND-RIDE - RESTON EAST
(TAPE 7)

Supervisor Richards announced that the grant for Dulles Corridor Park-and-Ride Reston East will go forward as soon as a contract

amendment is accepted by the Urban Mass Transportation Administration (UMTA). She added that \$11.1 of the \$16 million from UMTA has been spent.

Supervisor Richards stated that a report had been requested for plans on the Tysons Station at the next meeting of the Transportation Subcommittee.

52. MAINTENANCE OF THE LOCK AND GATE ON THE ALGONKIAN PARKWAY (TAPE 7)

Supervisor Richards stated that since the Algonkian Parkway was constructed, which connects Loudoun and Fairfax Counties, the gate that closes off Brockman Lane from through traffic has been breached several times. She said that there seems to be no end to the number of times the lock and gate are tampered with to allow Loudoun County cut-through traffic to proceed unhampered through a Fairfax County residential neighborhood.

Supervisor Richards reported that once again, the lock has been removed and the gate is now open. She noted that this violates the 1988 Memorandum of Understanding (MOU) between the Loudoun County and Fairfax County Boards of Supervisors which permits authorized emergency access only. Supervisor Richards moved that the Board:

- Direct the Department of Public Works and the Fire Department to work up a written understanding which specifies which agency is responsible for the gate and which maintains the locks; and
- Enlist the aide of the Loudoun County Board in these never-ending efforts.

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

53. COMMUTER PARKING REQUESTED FOR 23K RIDERS FOR METROBUS STOP AT BARON CAMERON ROAD/HUNTER MILL ROAD (TAPE 7)

Supervisor Richards stated at the August 5, 1991 Board of Supervisors meeting, she had raised the issue that the Metrobus 23X Route, which is the only public transit serving Great Falls, will be terminated effective September 27, 1991 due to low ridership.

Because much of Great Falls is convenient to an existing Metrobus stop at Baron Cameron and Hunter Mill Road, Supervisor Richards had requested the Board to:

- Direct staff to work with the Virginia Department of Transportation (VDOT) and the landowners in the vicinity of this stop to provide some commuter parking for 23X riders; and
- Direct staff to determine whether the Farm Market could be utilized for commuter parking.

Supervisor Richards stated that she still had not received a staff report on this issue. Therefore, Supervisor Richards asked unanimous consent that the Board direct staff to review this issue as expeditiously as possible. Without objection, it was so ordered.

54. RECYCLING OF LASER PRINTER TONER CARTRIDGES AND PRINTER RIBBONS (TAPE 7)

Supervisor Richards expressed her appreciation to staff regarding the recycling of laser printer toner cartridges and printer ribbons. Supervisor Richards said that she had previously raised this issue and the County has now implemented a recycling program for laser printer toner cartridges and printer ribbons.

55. WOODROW WILSON BRIDGE PUBLIC HEARING FOR NORTHERN VIRGINIA IS SCHEDULED FOR SEPTEMBER 24, 1991 (TAPE 7)

Supervisor Richards announced that the public hearing regarding the Woodrow Wilson Bridge is scheduled for September 24, 1991 - The Speak-Out Hearing at 4:00 p.m. at the Old Colony Inn located in Alexandria, Virginia.

56. HERNDON HISPANIC FIESTA (TAPE 7)

Supervisor Richards announced that the Herndon Hispanic Fiesta had been held on Saturday, September 21, 1991. She said that it was an "absolutely spectacular, warm and friendly event in every way."

Supervisor Richards congratulated Ms. Lucy Santiago on her efforts regarding this event.

57. MCLEAN TEEN CENTER (TAPE 7)

Supervisor Richards announced that the Old Firehouse Teen Center located in McLean, Virginia had held its first anniversary celebration on Saturday, September 21, 1991.

Supervisor Richards stated that the fall hours for the seventh and eighth grades are Monday through Thursday from 2:45 p.m. until 6:15 p.m. and on Fridays from 2:45 until 11:00 p.m.

Supervisor Richards said that the high school students could use the facility Monday through Thursday from 6:30 p.m. until 10:00 p.m. and on Saturdays from 1:00 p.m. until 12:00 midnight, and on Sundays from 2:00 p.m. until 6:00 p.m.

58. BRIDGE CONNECTING TYSONS I AND TYSONS II IS NOW OPEN (TAPE 7)

Supervisor Richards announced that the bridge connecting Tysons I and Tysons II is now open.

59. REQUESTS FOR WAIVER OF THE FEES FOR REZONING, SPECIAL EXCEPTION AND VARIANCE REQUESTS FOR THE GREATER SPRINGFIELD VOLUNTEER FIRE STATION (TAPE 7)

Supervisor Alexander asked unanimous consent that the Board direct staff to process the requests for waiver of the fees for rezoning, special exception and variance requests for the Greater Springfield Volunteer Fire Station located at 7011 Backlick Road.

Supervisor Alexander stated that due to the increased need for service from this fire station, the station is in the process of acquiring additional needed equipment. The proposed addition is for storage of this equipment.

Supervisor Alexander said that it was his opinion that since the Greater Springfield Volunteer Fire Station provides such valuable service it is in the best interest of the County to waive the application fees.

Supervisor Alexander explained that the applicant understands that this neither provides him with a vested right in the plan approval nor relieves him from the responsibility of any plan modifications as a result of Board review.

Without objection, it was so ordered.

60. INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 90-L-039 (CENTENNIAL VAN DORN BUSINESS PARK ASSOCIATES, LIMITED PARTNERSHIP) (LEE DISTRICT) (TAPE 7)

Supervisor Alexander announced his intent, later in the meeting at the appropriate time, to indefinitely defer the public hearing on Rezoning Application RZ 90-L-039.

61. REPAIR OF TDD HEARING IMPAIRED EQUIPMENT
(TAPE 7)

Supervisor Alexander stated that the Department of Fire Services has several TDD facilities for the hearing impaired. He said that the one located in the Office of Public Affairs (385-4419) is out for repairs. He asked unanimous consent that the Board direct staff to have the repairs made as expeditiously as possible. Without objection, it was so ordered.

62. REQUEST REGARDING THE RESIDENTIAL PERMIT PARKING
DISTRICT (RPPD) (TAPE 7)

(NOTE: Earlier in the meeting, action was taken regarding this issue. See Clerk's Summary Item CL#49.)

Supervisor Alexander stated that he has had a number of communications regarding the congestion resulting from the \$100 parking fee for students especially at Hayfield and Edison High Schools.

Supervisor Alexander moved that the Board direct the County Attorney to provide an opinion as to the legality of the School Board levying a tax that would "go back into their fund." The second to this motion was inaudible. The motion carried by a vote of seven, Supervisor McConnell and Chairman Moore being out of the room.

63. AUTHORIZATION TO BEGIN CONSTRUCTION (TAPE 7)

Supervisor Alexander stated that a major effort had been made by Combined Properties to keep the Safeway Store at the Rosehill Shopping Center. He said that the applicant has submitted a Site Plan and all appropriate documents to the Department of Environmental Management (DEM). He said that the Virginia Department of Transportation (VDOT) now wants Franconia Road and Rosehill Drive to be widened to six-lanes as well as a number of other changes which the conditions of the Special Exception Application forbid.

Because the Safeway Store has a time commitment to try to get the building under roof, Supervisor Alexander moved that the Board direct DEM to authorize Combined Properties to start the footings on Site Plan 7686-SP-02-1 at this time so that they can move ahead pending the result of the transportation issues. He added that this does not give the applicant any additional rights and they must follow all of the Site Plan requirements. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Bulova, Supervisor Hanley, and Chairman Moore being out of the room.

AR:AR

64. RESOLUTION TO SUPPORT THE RESTORATION OF THE VIRGINIA HOUSING PARTNERSHIP FUND TO THE GENERAL FUND BUDGET OF THE COMMONWEALTH OF VIRGINIA FOR THE 1993-94 BIENNIUM (TAPE 8)

Supervisor Davis called the Board's attention to the Resolution to Support the Restoration of the Virginia Housing Partnership Fund to the General Fund Budget of the Commonwealth of Virginia for the 1993-94 biennium and moved that each Board Member sign and adopt this Resolution for presentation to Governor L. Douglas Wilder. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Bulova, *Supervisor Hanley*, Supervisor McConnell, and *Chairman Moore* being out of the room.

(*Later in the meeting, Supervisor Hanley and Chairman Moore asked to be recorded as voting "AYE" on this Resolution. See Clerk's Summary Items CL#66 and CL#71.)

65. TESTIMONY FOR VIRGINIA HOUSING STUDY COMMISSION HEARINGS (TAPE 8)

Supervisor Davis stated that on Wednesday, September 25, 1991, the Virginia Housing Study Commission will be holding its annual public hearings to receive public comment prior to the 1992 General Assembly Session. He noted that the hearings for Northern Virginia will be held at the Center for Innovative Technology in Herndon.

With a notation by Supervisor Davis that testimony is being prepared by the Department of Housing to comment on the specific issues raised, as well as to address some additional issues of particular interest or concern to the Housing Authority, Supervisor Richards moved that the Board designate Supervisor Davis and Supervisor Hanley to attend this public hearing in order to present testimony on behalf of the Board. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor McConnell and Chairman Moore being out of the room.

66. REQUEST TO RECORD VOTE ON RESOLUTION TO SUPPORT THE RESTORATION OF THE VIRGINIA HOUSING PARTNERSHIP FUND TO THE GENERAL FUND BUDGET OF THE COMMONWEALTH OF VIRGINIA FOR THE 1993-94 BIENNIUM (TAPE 8)

(NOTE: Earlier in the meeting, action was taken on this matter. See Clerk's Summary Item CL#64.)

Upon returning to the Board Room, Supervisor Hanley asked unanimous consent to be recorded as voting "AYE" on the Resolution to Support the Restoration of the Virginia Housing Partnership Fund to the General Fund Budget of the Commonwealth of Virginia for the 1993-94 Biennium. Without objection, it was so ordered.

67. WAIVER OF FILING FEES FOR A SITE PLAN WAIVER
FOR THE RAINTREE HOMEOWNERS ASSOCIATION (TAPE 8)

Supervisor Davis moved that the Board direct staff to waive the filing fees for a Site Plan Waiver for the Raintree Homeowners Association. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Moore being out of the room.

68. WAIVER OF VARIANCE FILING FEE FOR WILLSTON
SHOPPING CENTER AND REQUEST FOR THE BOARD OF
ZONING APPEALS (BZA) TO EXPEDITE APPLICATION
(TAPE 8)

As a result of a staff recommendation, and pursuant to Section 18-106 of the Zoning Ordinance, Supervisor Davis moved that the Board:

- Direct staff to waive the variance filing fee for the Willston Shopping Center, Tax Map Number 51-3((18))-4; and
- Request the Board of Zoning Appeals (BZA) to expedite the processing of the variance application once it is filed.

This motion was seconded by Vice-Chairman Pennino and carried by a vote of seven, Supervisor Alexander and Supervisor Richards being out of the room.

69. SCHEDULING OF THE NEXT CITIZEN COMMENT TIME
FOR OCTOBER 14, 1991 (TAPE 8)

- (A) With reference to Supervisor Hyland's Board Matter of September 16, 1991, regarding the rescheduling of Citizen Comment time to take place every month, beginning in October, Supervisor Hanley moved that the Board direct staff to schedule the next Public Hearing for Citizen Comment for October 14, 1991 at 7:30 p.m. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to limit the number of persons on the speakers list to 10 and to remind all speakers of their time and subject limitations. Without objection, it was so ordered.

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

70. PROVISION OF INFORMATION TO THE GENERAL REGISTRAR (TAPE 8)

During this election year, and in order to assist the General Registrar in notifying some Fairfax County citizens of their new voting precincts, Supervisor Hanley moved that the Board direct staff to provide the necessary address information from tax records to the General Registrar in order that appropriate notifications to the correct address may be mailed. This motion was seconded by Supervisor Richards and carried by a vote of eight, Supervisor Davis being out of the room.

71. REQUEST TO RECORD VOTE ON RESOLUTION TO SUPPORT THE RESTORATION OF THE VIRGINIA HOUSING PARTNERSHIP FUND TO THE GENERAL FUND BUDGET OF THE COMMONWEALTH OF VIRGINIA FOR THE 1993-94 BIENNIUM (TAPE 8)

(NOTE: Earlier in the meeting, action was taken on this matter. See Clerk's Summary Item CL#64.)

Upon returning to the Board Room, Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent to be recorded as voting "AYE" on the Resolution to Support the Restoration of the Virginia Housing Partnership Fund to the General Fund Budget of the Commonwealth of Virginia for the 1993-94 Biennium. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

72. REQUEST TO EXPEDITE PROCESSING OF PROFFERED CONDITION AMENDMENT AND/OR FINAL DEVELOPMENT PLAN (TAPE 8)

Supervisor McConnell stated that her staff has been reviewing a difficult situation wherein a family is unable to go to settlement on a home located at 8149 River Creek Way, Springfield Glen, because the lot is in a PDH District with a 25 foot building restriction shown on the proffered development plans at the periphery of the zoning application property which applies to this. She noted, however, that the house was built 20.1 feet from the property line, with permission from County staff, within the building restriction line.

Accordingly, Supervisor McConnell moved that the Board direct staff to expedite the processing of a Proffered Condition Amendment and/or a Final Development Plan for Lot Number 90A, Springfield Glen, in order to immediately correct this situation. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Hanley being out of the room.

73. INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 90-S-013 (RAJ K. SINGLA) (SPRINGFIELD DISTRICT) (TAPE 8)

Supervisor McConnell announced her intent to defer, at the proper time later in the meeting, the public hearing on Rezoning Application RZ 90-S-013 until October 14, 1991 at 7:30 p.m.

74. BUILDING OF SYDENSTRICKER METHODIST CHURCH (TAPE 8)

In an effort to expedite the building of the Sydenstricker Methodist Church, Supervisor McConnell asked unanimous consent that the Board direct the County Attorney to report as expeditiously as possible on efforts to resolve the problems involving right-of-way and the Fairfax County Parkway in the area of the church's building lot. Without objection, it was so ordered.

75. REQUEST TO WAIVE FEES FOR SPECIAL PERMIT APPLICATION AND EXPEDITE APPROVAL (TAPE 8)

In accordance with Paragraph One of Section 18-106 of the Zoning Ordinance, Supervisor McConnell asked unanimous consent that the Board:

- Direct staff to waive fees for the Special Permit application; and
- Request the Board of Zoning Appeals expedite its hearing in order to permit the operation of a weekend horseback riding program for handicapped children, on property identified as Tax Map Number 76-1((1))-1, as soon as possible.

Without objection, it was so ordered.

76. RENAMING OF LEE ROAD TO OLD LEE ROAD BETWEEN BRADDOCK ROAD TO WILLARD ROAD (TAPE 8)

Supervisor McConnell stated that on November 25, 1985, the Board of Supervisors approved Rezoning Application RZ 78-S-063 which included a cul-de-sac at the existing section of Lee Road at its intersection with Willard Road. She added that associated with this rezoning was the applicant's commitment to realign Lee Road north of Willard Road to its intersection with Route 50 (Lee Jackson Memorial Highway). This will effectively create two distinct sections of Lee Road.

In order to prevent future confusion for the Fire and Rescue staff who may be unaware that Lee Road will no longer cut through directly to Route 50 from Braddock Road, Supervisor McConnell stated that a street name change to Old Lee Road has been suggested for the existing section of Lee Road between Braddock Road and Willard Road.

Accordingly, Supervisor McConnell moved that the Board direct staff to take the necessary action to rename the existing section of Lee Road between Braddock Road and Willard Road to the name of "Old Lee Road" upon the future completion of the cul-de-sac at Lee and Willard Roads. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Alexander, Supervisor Hanley, and Supervisor Hyland being out of the room.

77. CLARIFICATION OF DEVELOPMENT CONDITIONS FOR
SPECIAL EXCEPTION APPLICATION 90-M-056
(TAPE 8)

Supervisor Davis stated that on September 16, 1991, the Board approved Special Exception Application 90-M-056 subject to development conditions. For the record, Supervisor Davis moved that the Board clarify Development Condition Number Eight, which should read as follows:

- "A four foot wide sidewalk shall be provided along the frontage of Leesburg Pike subject to approval of the Department of Environmental Management (DEM)."

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

78. REVIEW OF EXERCISE EQUIPMENT REGULATIONS
(TAPE 8)

Supervisor Davis asked unanimous consent that the Board direct staff to provide, in response to his and Supervisor Hanley's previous requests, information regarding the regulations pertaining to the placement of exercise equipment in health clubs and office spaces. Without objection, it was so ordered.

JLD:JLD

79. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING
ORDINANCE) REGARDING NOISE BARRIERS (TAPE 9)

- (0) A Certificate of Publication was 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 September 5 and September 12, 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 allow, with special permit approval, an increase in the permitted height and/or

modifications to the location regulations for fences or walls designed as noise barriers providing noise attenuation for commercial and industrial uses.

The effective date of this amendment will be 12:01 a.m., September 24, 1991.

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

Additionally, Supervisor Bulova moved that the Board direct staff to review the ordinance and report on the feasibility of including a process for administrative review in cases of strong community support for having a wall erected. This motion was jointly seconded by Supervisor Hanley and Supervisor Pennino and CARRIED by a recorded vote of seven, Supervisor Richards voting "NAY," Supervisor McConnell being out of the room.

For the purpose of clarification, Supervisor Bulova stated that the administrative process referred to in her motion could include a certified notification letter to community residents requesting their concurrence.

80. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY FAIRFAX, CHAPTER 112
(ZONING ORDINANCE), ARTICLES 6, 8, 9, 16,
AND 18 - ADMINISTRATIVE APPROVAL OF MINOR
MODIFICATIONS AND ADDITIONS TO APPROVED
REZONINGS, SPECIAL EXCEPTIONS, AND SPECIAL
PERMITS (TAPE 9)

Supervisor Davis moved to defer indefinitely the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to amend Articles 6, 8, 9, 16, and 18.

Following discussion among Board Members, with input from Barbara A. Byron, Division Director, Zoning Evaluation Division, Office of Comprehensive Planning, it was noted that the Board's deferral of the public hearing is necessary due to the Planning Commission's indefinite deferral of its decision.

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

81. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE INITIAL APPROVAL PERIOD AND ADDITIONAL TIME FOR SPECIAL EXCEPTIONS, SPECIAL PERMITS, AND VARIANCES (TAPE 9)

Supervisor Davis moved to defer the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) extending the initial approval period and revising the provisions regarding requests for additional time to establish the use or activity or commence construction for approved special exceptions, special permits, and variances until October 28, 1991 at 7:30 p.m. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

82. 3:30 P.M. - PH ON REZONING APPLICATION RZ 91-D-015 (BOARD OF SUPERVISORS, OWN MOTION) (DRANESVILLE DISTRICT) (TAPE 9)

Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, reaffirmed the validity of the affidavit for the record.

Ms. James announced that the necessary notices had been filed showing that at least 25 adjacent and/or interested persons had filed notified of the date and hour of this public hearing.

Following the public hearing, Ms. James presented the staff and Planning Commission recommendations.

Supervisor Richards moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 91-D-015 be amended from the C-8 District to the R-2 District subject to the execution of the revised proffers. This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

83. 3:30 P.M. - BOARD DECISION ON PROPOSED AMENDMENT TO CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING DRIVE-IN BANKS, FAST FOOD RESTAURANTS, QUICK-SERVICE FOOD STORES, AUTOMOBILE-ORIENTED USES AND VEHICLE LIGHT SERVICE ESTABLISHMENTS IN THE RETAIL COMMERCIAL DISTRICTS (TAPE 9)

- (A) (NOTE: The public hearing on this item was held on September 16, 1991 and Board Decision deferred until September 23, 1991.)

A Certificate of Publication was 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 August 29 and September 5, 1991.

Following a presentation by staff, Supervisor Alexander moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on October 28, 1991 at 3:00 p.m. on the revised language for the proposed amendment to Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding drive-in banks, fast food restaurants, quick-service food stores, automobile-oriented uses and vehicle light service establishments as permitted uses in the C-5, C-6, C-7, and C-8 Districts to become effective upon adoption. This motion was seconded by Supervisor Pennino.

Supervisor Bulova moved a substitute motion that the Board concur in the recommendation of staff and:

- Adopt the proposed amendment to Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding drive-in banks, fast food restaurants, quick-service food stores, automobile-oriented uses and vehicle light service establishments as permitted uses in the C-5, C-6, C-7, and C-8 Districts to become effective upon adoption; and
- Authorize the advertisement of a public hearing to be held before the Board of Supervisors on October 28, 1991 on the revised language for the proposed amendment to Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding drive-in banks, fast food restaurants, quick-service food stores, automobile-oriented uses and vehicle light service establishments as permitted uses in the C-5, C-6, C-7, and C-8 Districts to become effective upon adoption.

The substitute motion was seconded by Chairman Moore.

The question was called on the substitute motion (adoption) which FAILED by a recorded vote of four, Supervisor Bulova, Supervisor Hanley, Supervisor Richards, and Chairman Moore voting "AYE," Supervisor McConnell being out of the room.

Following discussion among Board Members and staff, the question was called on the main motion (public hearing) which CARRIED by a recorded unanimous vote.

SBE:SBE

84. 4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101
(SUBDIVISION ORDINANCE) CONCERNING PRIVATE
STREETS (TAPE 10)

- (0) A Certificate of Publication was 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 September 5 and September 12, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor Alexander moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Section 101-2-2 (Minimum Requirements) concerning subdivisions on private streets. This motion was seconded by Supervisor Pennino and CARRIED by a recorded vote of six, Supervisor Richards and Chairman Moore voting "NAY," Supervisor Davis being out of the room.

The effective date of this amendment will be 12:01 a.m.,
September 25, 1991.

85. 4:00 P.M. - PH ON PROPOSED AMENDMENT TO
THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 101 (SUBDIVISION ORDINANCE),
CONCERNING MINOR PROPERTY LINE
ADJUSTMENTS (TAPE 10)

- (0) A Certificate of Publication was 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 August 29 and September 5, 1991.

Following the public hearing, Supervisor Richards moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Article 2 (Subdivision Application Procedure and Approval Process), Section 101-2-9 (Fees) and Article 3 (Definitions), Section 101-3-1 to define "minor property line adjustment" and reduce the fee for review of requests for waiver associated with the minor adjustment of property lines from \$500 to \$150, as recommended by staff, with the following modification to Section 101-3-1, Paragraph 13:

- Substitute the words, "Minor adjustment of property lines," for "Minor property line adjustment."

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

The effective date of this amendment will be 12:01 a.m., September 25, 1991.

86. 4:00 P.M. - PH ON REZONING APPLICATION
RZ 87-V-106 (HOLLAND ROAD VENTURES I.
INCORPORATED) (MOUNT VERNON DISTRICT)
(TAPE 10)

Alan Jacobs reaffirmed the validity of the affidavit for the record.

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

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

- In the amount of \$99.00 from Robert Sproles (firm of Huntley, Nyce and Associates) in 1987.

Following the public hearing, which included testimony by one speaker, 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 six, Supervisor Alexander, Supervisor Davis, and Supervisor Hanley being out of the room.

Supervisor Hyland moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 87-V-106 be amended from the R-3 District to the PDH-8 District subject to the execution of the revised proffers dated August 29, 1991. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor Hanley being out of the room.

87. 4:00 P.M. - PH ON REZONING APPLICATION
RZ 90-V-030 (THIEVES MARKET ASSOCIATES
LIMITED PARTNERSHIP) (MOUNT VERNON
DISTRICT) (TAPE 10)

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

Mr. Stearns 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 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 six, Supervisor Alexander, Supervisor Davis, and Supervisor Hanley being out of the room.

Supervisor Hyland moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 90-V-030 be amended from the C-8, R-2 and Highway Corridor Districts to the C-8 and Highway Corridor Districts subject to the execution of the revised proffers dated July 24, 1991. This motion was seconded by Supervisor Richards and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor Hanley being out of the room.

Supervisor Hyland moved modification of the transitional screening requirements along the northern and southern property boundaries, pursuant to Paragraph Two, Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Richards and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Hyland moved waiver of the barrier requirements along Richmond Highway (Route 1) and Mount Vernon Highway (Route 235), pursuant to Paragraph Two, Section 13-304 of the Zoning Ordinance. This motion was jointly seconded by Supervisor McConnell and Supervisor Richards and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor Hyland moved waiver of the service drive requirement along Richmond Highway (Route 1) in favor of the 24-foot travelway depicted on the Generalized Development Plan (GDP). This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

88. 4:00 P.M. - PH ON SPECIAL EXCEPTION RENEWAL
APPLICATION SER 81-D-010 (JOHN E. TERMINI)
(DRANESVILLE DISTRICT) (TAPE 10)

Dr. John Termini reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Richards moved approval of Special Exception Renewal Application SER 81-D-010 subject to the revised development conditions dated July 10, 1991, with the following revisions:

- Deletion of Development Conditions 10 and 11, given that this use is limited to three (3) years.

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

Supervisor Richards moved modification of the transitional screening yard requirements and waiver of the barrier requirement as shown on the Special Exception Plat. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Davis, Supervisor Hanley and Supervisor Hyland being out of the room.

Supervisor Richards moved waiver of the barrier requirements. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room.

89. 4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 90-P-028 (STOUFFER RESTAURANT COMPANY) (PROVIDENCE DISTRICT) (TAPE 10)

Supervisor Hanley moved deferral of the public hearing on Special Exception Amendment Application SEA 90-P-028 until October 14, 1991 at 5:00 p.m. due to the deferral of the Planning Commission public hearing. This motion was seconded by Supervisor Richards and carried by a vote of seven, Supervisor Davis and Supervisor Hyland being out of the room.

90. 4:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PUBLIC NOTICE FOR REZONINGS AND MANUFACTURED HOMES IN THE R-A DISTRICT (TAPE 10)

- (0) A Certificate of Publication was 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 September 5 and September 12, 1991.

Following the public hearing, Supervisor Pennino moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to incorporate 1990 and 1991 amendments to the Code of Virginia regarding public notice for rezonings and manufactured homes

in the R-A District. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Davis, Supervisor Hyland, and Supervisor Richards being out of the room.

The effective date of this amendment will be 12:01 a.m., September 24, 1991.

91. 4:30 P.M. - PH ON REZONING APPLICATION
RZ 89-L-082 (K AND K DEVELOPMENT
CORPORATION) (LEE DISTRICT) (TAPE 10)

Supervisor Alexander moved to defer the public hearing for Rezoning Application RZ 89-L-082 until October 14, 1991 at 7:30 p.m. This motion was seconded by Supervisor McConnell and carried by a vote of five, Supervisor Davis, Supervisor Hyland, Supervisor Richards, and Chairman Moore being out of the room.

92. 4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 81-C-081 (GIRL SCOUT COUNCIL
OF THE NATION'S CAPITAL) (SULLY DISTRICT
(FORMERLY CENTREVILLE DISTRICT)) (TAPE 10)

Mr. Thomas W. Smith reaffirmed the validity of the affidavit for the record.

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

Supervisor Pennino recognized the presence of Girl Scout representative Lorraine Covill, a former County employee with the Road Program, and welcomed her back to the Board Room.

Following the public hearing, Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Alexander and moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Richards, and carried by a vote of six, Supervisor Davis, Supervisor Hyland and Chairman Moore being out of the room.

Supervisor Pennino moved:

- Approval of Special Exception Amendment Application SEA 81-C-081 subject to the revised development conditions dated September 11, 1991; and
- Modification of the transitional screening and the barrier requirements in favor of that existing on the site.

This motion were seconded by Supervisor Richards and carried by a vote of six, Supervisor Davis, Supervisor Hyland, and Chairman Moore being out of the room.

93. 4:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT
S91-III-BR1 FOR THE AREA WEST OF CENTREVILLE
ROAD (ROUTE 28) AND EAST OF CENTREWOOD DRIVE
(SULLY DISTRICT -(FORMERLY SPRINGFIELD
DISTRICT)) (TAPES 10-12)

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

A Certificate of Publication was 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 September 5 and September 12, 1991.

Following the public hearing, which included testimony by 16 speakers, Supervisor McConnell moved that the Board adopt the Out-of-Turn Plan Amendment language concerning S91-III-BR1 to amend land units D-1, D-2, and D-3 and allow the option for a movie theater in D-2 and at the recommendation of the blanket organization. This motion was seconded by Supervisor Alexander.

Supervisor Bulova moved a substitute motion to defer Board decision on S91-III-BR1 until January 1992, when there is a Sully District Supervisor, in order to give the new Supervisor an opportunity to work closely with this community. This motion was seconded by Supervisor Richards.

The question was called on Supervisor Bulova's motion to defer decision on S91-III-BR1 until January 1992 which FAILED by a recorded vote of four, Supervisor Bulova, Supervisor Richards, and Chairman Moore voting "AYE," Supervisor Davis and Supervisor Hanley being out of the room.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved a substitute motion that the Board defer its vote on S91-III-BR1 until the presence of a full Board. This motion was seconded by Supervisor Richards and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

Supervisor McConnell moved to defer Board decision on S91-III-BR1 until later in the meeting at 7:30 p.m, prior to the other scheduled Board Decisions, when all Members of the Board would be present. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Davis and Supervisor Hanley being out of the room.

(NOTE: Later in the meeting, Out-of-Turn Plan Amendment S91-III-BR1 was approved by the Board. See Clerk's Summary Item CL#104.)

94. 5:00 P.M. - PH ON REZONING APPLICATION
RZ 90-S-013 (RAJ K. SINGLA) (SPRINGFIELD
DISTRICT) (TAPE 12)

Supervisor McConnell moved to defer the public hearing for Rezoning Application RZ 90-S-013 until October 14, 1991 at 7:30 p.m. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Hyland, and Chairman Moore being out of the room.

95. 5:00 P.M. - PH ON REZONING APPLICATION
RZ 91-Y-006 (TRUSTEES OF THE PENDER
UNITED METHODIST CHURCH) (SULLY
DISTRICT (FORMERLY CENTREVILLE
DISTRICT)) (TAPE 12)

Vice-Chairman Pennino relinquished the Chair to Acting-Chairman Alexander and moved to defer the public hearing for Rezoning Application RZ 91-Y-006 until October 28, 1991 at 4:30 p.m. This motion was seconded by Acting-Chairman Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Hyland, and Chairman Moore being out of the room.

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

96. 5:00 P.M. - PH ON REZONING APPLICATION
RZ 90-L-039 (CENTENNIAL VAN DORN
BUSINESS PARK ASSOCIATES, LIMITED
PARTNERSHIP) (LEE DISTRICT) (TAPE 12)

Supervisor Alexander moved to defer the public hearing for Rezoning Application RZ 90-L-039 indefinitely. This motion was seconded by Supervisor McConnell and carried by a vote of five, Supervisor Davis, Supervisor Hanley, Supervisor Hyland, and Chairman Moore being out of the room.

97. 5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATION PCA 79-S-119-2 (LEE ROAD LIMITED
PARTNERSHIP) (SULLY DISTRICT (FORMERLY
SPRINGFIELD DISTRICT)) (TAPE 12)

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

Mr. William E. Donnelly reaffirmed the validity of the affidavit for the record.

Mr. Donnelly 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 McConnell 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 Alexander, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room.

Supervisor McConnell moved approval of Proffered Condition Amendment Application PCA 79-S-119-2 subject to the execution of the revised proffers dated September 6, 1991. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room.

Supervisor McConnell moved modification of the transitional screening and barrier requirements along the western portion of the boundary in favor of those depicted on the landscaping plan. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room.

98. 5:00 P.M. - PH ON SPECIAL EXCEPTION RENEWAL
APPLICATION SER 86-D-113 (HARDEE'S,
INCORPORATED) (DRANESVILLE DISTRICT)
(TAPE 12)

Supervisor Richards moved to defer indefinitely the public hearing on Special Exception Renewal Application SER 86-D-113 due to notification problems by the applicant. This motion was seconded by Supervisor Pennino and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Hanley, and Supervisor Hyland being out of the room.

99. BOARD RECESS (TAPE 12)

At 7:10 p.m., the Board recessed briefly for dinner, and at 8:20 p.m. reconvened in the Board Room with all Board Members present, and with Chairman Moore presiding.

JLD:JLD

ADDITIONAL BOARD MATTERS

100. APPOINTMENTS TO THE NORTHERN VIRGINIA PLANNING
DISTRICT COMMISSION (TAPE 13)

(BACs)

(NOTE: Earlier in the meeting, additional action was taken regarding the Northern Virginia Planning District Commission. See Clerk's Summary Item CL#27.)

Supervisor Pennino moved the reappointment of Mr. James M. Scott as the AL-Large (Resident of Fairfax County) Representative to the Northern Virginia Planning District Commission.

Supervisor Bulova moved the reappointment of Ms. Brenda Green as the AL-Large (Resident of Fairfax County) Representative to the Northern Virginia Planning District Commission.

Supervisor Richards moved the reappointment of Ms. Margaret Vanderhye as the AL-Large (Resident of Fairfax County) Representative to the Northern Virginia Planning District Commission.

Supervisor Davis moved the reappointment of Mr. Charles Robinson as the AL-Large (Resident of Fairfax County) Representative to the Northern Virginia Planning District Commission.

Supervisor Hanley moved the reappointment of Mr. James Pickford as the AL-Large (Resident of Fairfax County) Representative to the Northern Virginia Planning District Commission.

The second to this motion was inaudible, and the motion carried by unanimous vote.

101. MINORITY UPWARD MOBILITY AND RETENTION IN FAIRFAX COUNTY GOVERNMENT TASK FORCE (TAPE 13)

(NOTE: Earlier in the meeting, additional action was taken regarding the Minority Upward Mobility and Retention in Fairfax County Government Task Force. See Clerk's Summary Item CL#27.)

Supervisor Hanley noted that the Board's earlier action to appoint Mr. John W. Grant as the National Association for the Advancement of Colored People Representative was correct. She stated that there had been a question regarding Mr. Grant's full name.

102. CITIZENS COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS (TAPE 13)

(NOTE: Earlier in the meeting, additional action was taken regarding the Citizens Committee on Solid Waste and Disposal Matters. See Clerk's Summary Item CL#27.)

Following a query by Supervisor Richards, Supervisor Hanley stated that earlier in the meeting the following confirmations made by the Board to the Citizens Committee on Solid Waste and Disposal Matters were correct:

- Dr. Dewey Bond as the Environmental Quality
Advisory Committee (Principal)
Representative;

- Mr. Robert McLaren as the Environmental Quality Advisory Committee (Alternate) Representative;
- Ms. Virginia Weber as the Mount Vernon Council of Citizens Association (Principal) Representative;
- Mr. Donald Suberroc as the Mount Vernon Council of Citizens Association (Alternate) Representative;
- Mr. Gregory C. Evans as the Fairfax County Park Authority (Principal) Representative;
- Mr. Raymond W. Philipps as the Fairfax County Park Authority (Alternate) Representative;
- Ms. Helen Winter as the Clean Fairfax County, Incorporated (Principal) Representative;
- Mr. Mark Hubal as the Clean Fairfax County, Incorporated (Alternate) Representative;
- Mr. Edward A. Mainland as the Virginians for Recycling, Incorporated (Principal) Representative;
- Mr. Timothy E. Daly as the General Assembly Delegation (House) Representative;
- Mr. Richard A. Mitchell as the General Assembly Delegation (Senate) Representative;
- Ms. Jane Anderson as the National Park Service (Principal) Representative; and
- Mr. Robert N. Cook as the National Park Service (Alternate) Representative.

103. ORDERS OF THE DAY (TAPE 13)

Chairman Moore announced that the following decisions still remained to be considered by the Board:

- Revised draft of the proposed amendment to the Code of the county of Fairfax to add new Chapter 119 (Grass or Lawn Area);

- Out-of-Turn Plan Amendment S91-III-BR1 for the Area West of Centreville Road (Route 28) and East of Centrewood Drive; and
- Out-of-Turn Plan Amendment S91-IV-MV1 for the Lorton-South Route 1 and Mason Neck Areas.

It was the consensus of the Board to proceed with the continuation of the public hearing on Out-of-Turn Plan Amendment S91-III-BR1, followed by the Board Decisions on the revised draft of the proposed amendment to the Code of the County of Fairfax creating a new Chapter 119 (Grass or Lawn Area), and then, Out-of-Turn Plan Amendment S91-IV-MV1.

104. CONTINUATION OF PH ON OUT-OF-TURN PLAN AMENDMENT S91-III-BR1 FOR THE AREA WEST OF CENTREVILLE ROAD (ROUTE 28) AND EAST OF CENTREWOOD DRIVE [SULLY DISTRICT -(FORMERLY SPRINGFIELD DISTRICT)] (TAPE 13)

(NOTE: Earlier in the meeting, the public hearing was held on Out-of-Turn Plan Amendment S91-III-BR1 and decision deferred until later in the meeting when a full Board would be present. See Clerk's Summary Item CL#93.)

Supervisor Alexander stated that, when the Board recessed, the following main motion was on the floor:

- That the Board adopt the Plan Amendment language concerning S91-III-BR1 amending land units D-1, D-2, and D-3, and allowing the option for a movie theater in D-2.

Supervisor McConnell restated the motion which she made following the public hearing on S91-III-BR1, prior to the Board's recess:

- That the Board adopt the Plan amendment language contained in the two page document distributed to Board Members, with subtitles, "Proposed Plan Text for Land Unit D-1," "Proposed Plan Text for Land Unit D-2 to Allow for Movie Theater Use," and "Proposed Plan Text for Land Unit D-3," concerning S91-III-BR1 amending land units D1, D2, and D3, allowing the option for a movie theater in D2.

This motion was seconded by Supervisor Davis.

Following discussion among Board Members, the question was called on the main motion which CARRIED by a recorded vote of six, Supervisor Bulova, Supervisor Richards, and Chairman Moore voting "NAY."

105. 7:30 P.M. - BOARD DECISION ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX TO ADD NEW CHAPTER 119 (GRASS OR LAWN AREA) (TAPE 13)

- (0) (NOTE: Earlier in the meeting during Board Matters, there was additional discussion on this matter. See Clerk's Summary Item CL#39.)

(NOTE: The public hearing was held on August 5, 1991 and Board decision deferred until September 16, 1991 and again deferred until September 23, 1991.)

Following discussion among Board Members and staff, and a presentation by staff, Supervisor Richards moved that the Board further defer decision on the revised draft of the proposed amendment to the Code of the County of Fairfax to add a new Chapter 119 (Grass or Lawn Area) in order to allow staff to reconsider the ordinance and receive input from a committee of citizens. The second to this motion was inaudible.

Supervisor Bulova moved a substitute motion that the Board concur in the recommendation of staff and:

- Adopt the revised draft of the proposed amendment to the Code of the County of Fairfax to add a new Chapter 119 (Grass or Lawn Area) to implement legislation enacted by the 1991 Session of the Virginia General Assembly; and
- Implement the authority provided in the Code of Virginia, Section 15.1-11.

This motion was seconded by Supervisor Davis.

Following discussion among Board Members, with input from staff, Supervisor Hyland moved to amend the substitute motion to revise Section 119-3-1 of Chapter 119 to add paragraph (e), as follows:

- "(e) Residential and other properties within the areas served by organized community associations or homeowner associations shall be exempted from this ordinance upon notice to the Director, by the duly elected chief officer of that association, that the association has

determined that a majority of its members wishes the community to be exempted from the ordinance. To be eligible for such exemption, the association must be one that represents a minimum of 80 percent of the homeowners within that community."

This motion was seconded by Supervisor Pennino.

After additional discussion by Board Members, the question was called on the amendment to the substitute motion which FAILED by a recorded vote of five, Supervisor Hyland, Supervisor McConnell, Supervisor Pennino, and Supervisor Richards voting "AYE."

The question was called on the substitute motion which CARRIED by a recorded vote of six, Supervisor McConnell, Supervisor Pennino, and Supervisor Richards voting "NAY."

The question was then called on the main motion, as substituted, which CARRIED by a recorded vote of six, Supervisor McConnell, Supervisor Pennino, and Supervisor Richards voting "NAY."

Additionally, Supervisor Bulova moved that the Board direct staff to report on the feasibility of including an opt-out provision in Chapter 119 (Grass or Lawn Area), as proposed by Supervisor Hyland in his earlier amendment which failed. This motion was jointly seconded by Supervisor Hyland and Supervisor Pennino.

Supervisor Hyland asked that the motion be amended to direct staff to report on amending the ordinance to also include vacant undeveloped commercial properties, and this was accepted.

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

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to examine natural habitat landscaping and advise the Board whether any programs, educational or other, now exist within the Park Authority or Extension Service to encourage appropriate use of natural landscapes and habitats. Without objection, it was so ordered.

106. 7:30 P.M. - BOARD DECISION ON OUT-OF-TURN PLAN
AMENDMENT S91-IV-MV1 FOR THE LORTON-SOUTH
ROUTE 1 AND MASON NECK AREAS (MOUNT VERNON
DISTRICT) (TAPES 14-15)

Following discussion among Board Members, with input from James P. Zook, Director, Office of Comprehensive Planning and Robert L. Howell, Deputy County Attorney, Supervisor Hyland moved that the Board approve the motions he introduced on August 5, 1991 concerning S91-IV-MV1, Draft

Area I Plan for LP2, the Lorton-South Route 1 Community Planning Sector as contained in Attachment 1 of the Director of the Office of Comprehensive Planning's memorandum dated September 16, 1991, and include the amendments distributed to the Board on September 23, 1991.

Following input from Mr. Howell, Supervisor Hyland clarified his motion for the record. He noted that the documents referred to in his motion are entitled as follows:

- "Attachment 1, Supervisor Hyland's Motion to Adopt Planning Commission Recommendations as Amended (Offered at the Board of Supervisors' August 5, 1991 Meeting)," Pages A1-1 - A1-84, which also includes staff recommendations on the right half of the page; and
- "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991," Pages 1-10, distributed to the Board on September 23, 1991, which amends the aforementioned document.

In addition, Supervisor Hyland amended his motion to include Board adoption of the motions contained in the document distributed to Board Members on September 23, 1991 and entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments," on Pages 1-10, which modify and amend the document entitled, "Attachment 1, Supervisor Hyland's Motion to Adopt Planning Commission Recommendations as Amended (Offered at the Board of Supervisors' August 5, 1991 Meeting)," Pages A1-1 - A1-84. He noted that the motions contained in the document entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments," specifically reference the pages in the "Attachment 1" document to be amended.

This motion was seconded by Supervisor Alexander.

Following a query by staff, Supervisor Hyland amended his motion to withdraw Page 10 from the document entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments," and stated that his motion only included the motions up through Page 9. This was accepted.

Following another query by staff, Supervisor Hyland further amended his motion, as follows:

- Withdraw the map on Page 7 of the document entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments" from the motion;

- Specify Sub-unit H2-a at a planned density of .2-.5 dwelling units per acre, despite the contradictory language on Sub-unit H2-a found on Pages 1 and 3 of the document entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments;" and
- Establish, throughout the entire Plan, the planned density for Sub-unit H2-b at .2-.5 dwelling units per acre.

This was accepted.

Following a query from staff, Supervisor Hyland clarified his last amendment: in the last paragraph on Page 1 of the document entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments," the planned density for Sub-unit H2-a would be .2-.5 dwelling units per acre instead of 1-2 dwelling units per acre and H2-b would be .2-.5 dwelling units per acre instead of .5-1 dwelling units per acre.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved to amend the motion that:

- The Lorton-South Route One Community Planning Sector consist of approximately 3000 acres, as listed on the right-hand side of Page 1 of "Attachment 1, Supervisor Hyland's Motion to Adopt Planning Commission Recommendations as Amended (Offered at the Board of Supervisors' August 5, 1991 Meeting);"
- Sewer be left out of the areas south of Gunston Road and east of Route 1; and
- The densities in those areas and the designations on the Plan remain as recommended by staff.

This motion was seconded by Supervisor Bulova and FAILED by a recorded vote of seven, Supervisor Bulova and Chairman Moore voting "AYE."

Supervisor Moore moved to amend the motion that the areas south of Gunston Road and east of Route 1, which are not already zoned industrial or commercial, but are zoned residential, be downplanned to .1-.2 dwelling units per acre with the intent to subsequently rezone in accordance with the Plan. This motion was seconded by Supervisor Bulova.

Following additional discussion and input from staff, Supervisor Moore asked that her motion to amend be amended by removing any reference to downzoning, and this was accepted.

Following continued discussion among Board Members, Supervisor Moore restated her motion: downplan the land that is residentially zoned to .1-.2 dwelling units per acre south of Gunston Road and east of Route 1.

Subsequent to additional discussion among Board Members and Mr. Zook, the question was called on the motion to amend, as amended, which FAILED by a recorded vote of seven, Supervisor Bulova and Chairman Moore voting "AYE."

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Following a query from staff, Supervisor Hyland described the document entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991," referenced in his motion, as follows:

- Page 1 - "LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991;"
- Page 2 - "Hyland LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991, Page Two," with motions concerning A1-20 - A1-49;
- Page 3 - Not numbered, but includes motions concerning A1-50 - A1-51;
- Page 4 - "Hyland LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991, Page Three," with motions concerning A1-54 - A1-58;
- Page 5 - "Hyland LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991, Page Four," with motion concerning A1-59;
- Page 6 - includes motions concerning A1-67 with five numbered paragraphs;
- Page 7 - which includes the map that has been removed from the motion;

- Page 8 - "Hyland LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991, Page Six," with motions concerning A1-70; and
- Page 9 - "Hyland LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991, Page Seven," with motions concerning LP3 Mason Neck Community Planning Sector.

The question was then called on the main motion (Supervisor Hyland's), as amended, which CARRIED by a recorded vote of seven, Supervisor Bulova and Chairman Moore voting "NAY."

Following a query from staff, Supervisor Hyland moved that staff be permitted the flexibility to make modifications to "Attachment 1, Supervisor Hyland's Motion to Adopt Planning Commission Recommendation as Amended (Offered at the Board of Supervisors' August 5, 1991 Meeting)" to reflect the motions approved by the Board and to ensure consistency throughout the two documents. This motion was seconded by Supervisor Pennino and CARRIED by a recorded vote of eight, Chairman Moore abstaining.

Supervisor Hyland moved that the Board:

- Consider amendments to the Policy Plan contained on Page 10, "Hyland LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991, Page Eight," of the document entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991;" and
- Direct staff to properly advertise the amendments to be brought back before the Board.

This motion was jointly seconded by Supervisor Alexander and Supervisor McConnell.

Following input from Mr. Zook, Supervisor Hyland withdrew his motion to consider for advertisement the amendments to the Policy Plan contained on Page 10, and agreed to consider these amendments in the future with other amendments to the Policy Plan.

Following a staff request for clarification, Supervisor Hyland moved that the language contained on Page 3, which contains motions for A1-50 - A1-51, of the document entitled, "Supervisor Gerry Hyland, LP2 and LP3 Land Use Motions and Policy Plan Amendments, September 23, 1991," be the controlling language over that in the last paragraph on Page 1, because of the inconsistency. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Following additional input from Mr. Zook and Lynda L. Stanley, Division Director, Planning Division, Office of Comprehensive Planning, Supervisor Hyland moved that Sub-units H3 and H5 be .2-.5 dwelling units per acre and that this change be made consistent throughout the two documents referenced in the original motion. This motion was jointly seconded by Supervisor Alexander and Supervisor Pennino and carried by unanimous vote.

107. BOARD ADJOURNMENT (TAPE 15)

At 10:45 p.m., the Board adjourned.