



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS

OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

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

**MONDAY
NOVEMBER 18, 1991**

Board Package

33-91

CM:CM

The meeting was called to order at 10:05 a.m. with all members being present and with Chairman Moore presiding.

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

2. CERTIFICATE OF RECOGNITION PRESENTED TO MS. CATHERINE SHOUSE FOR HER OUTSTANDING CONTRIBUTIONS TO FAIRFAX COUNTY THROUGH HER ESTABLISHMENT OF WOLFTRAP (TAPE 1)

(Verbatim)

Supervisor Pennino moved approval of the presentation of the Certificate of Recognition presented to Ms. Catherine Shouse for her outstanding contributions to Fairfax County through her establishment of Wolftrap. This motion was seconded by Supervisor Richards and carried by unanimous vote.

Supervisor Pennino asked unanimous consent that the Board direct staff to prepare a verbatim transcript of the remarks and forward a copy to Ms. Shouse. Without objection, it was so ordered.

3. RESOLUTION HONORING THE LATE CHIEF WARREN ISMAN, FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT (TAPE 1)

(Verbatim)

Supervisor Hyland moved adoption of the Resolution, presented to Ms. Marguerite Isman, honoring the late Chief Warren Isman, Fairfax County Fire and Rescue Department, for his many contributions to Fairfax County as its Chief. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board direct staff to prepare a verbatim transcript of the remarks made by Board Members and forward a copy to Ms. Isman. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

4. CERTIFICATE OF APPRECIATION PRESENTED TO
MS. MARGARET LUCA FOR HER YEARS OF SERVICE
ON THE COMMISSION FOR WOMEN (TAPE 1)

Supervisor Bulova moved approval of the presentation of the Certificate of Appreciation presented to Ms. Margaret Luca for her years of service on the Commission for Women. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

5. PROCLAMATION DESIGNATING "SUBSTANCE ABUSE
AWARENESS WEEK" (TAPE 1)

Supervisor Pennino moved approval of the Proclamation, presented to Pat McConnell, Representative, Fairfax-Falls Church Community Services Board, Alcohol and Drug Services, designating November 17 through November 23, 1991 as "SUBSTANCE ABUSE AWARENESS WEEK" in Fairfax County, and urging all citizens to take advantage of this opportunity to increase their awareness of the impact substance abuse has on the health of the community. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

6. 10:00 A.M. - 1991 EXCEPTIONAL DESIGN AWARDS
CEREMONY (TAPES 1-2)

Mark R. Lewis, ASLA, Chairman, Design Jury, presented the following 1991 Exceptional Design Awards for design excellence:

Honor Awards:

- Chandler Residence
(Residential, Single-Family Detached),
Great Falls, Donald R. Chandler, AIA,
McLean; and
- Reston Town Center Fountain Square
(Recreational, Urban Civic Plaza),
Reston, By Sasaki Associates,
Incorporated, Watertown Massachusetts;
Reston Town Center Phase I Associates, a
Mobile Venture; and Himmel and Company,
Incorporated.

Merit Awards:

- A Farmhouse Addition and Remodeling
(Residential, Single-Family Detached),
Vienna, By Susan Woodward Notkins, AIA,
Associates, McLean; and Mr. and Mrs. Fred
Zenone, Vienna;
- Transformation of the Corcoran Residence
(Residential, Single-Family Detached),
Great Falls, By James William Ritter,
Architect, Alexandria; and Tom and
Helen-Marie Corcoran, Great Falls;
- StoneCroft Condominiums
(Residential, Multifamily), Fairfax, by
Martin Organization, Fairfax; and
Hazel/Peterson Companies, Fairfax;
- Federal Home Loan Mortgage Corporation
(Commercial, Office), McLean, By
Hellmuth, Obata and Kassabaum, P.C.,
Washington, D.C.; and West*Mac
Associates, McLean; and
- United Christian Parish
(Institutional/Church), Reston, By
Lawrence Cook Associates, P.C., Falls
Church; and United Christian Parish of
Reston, Reston.

Honorable Mentions:

- One Cambridge Court
(Commercial/Office), Falls Church, By the
Weihe Partnership, Washington, D.C.; and
Baier Properties, Rockville, Maryland;
- Burke Presbyterian Church Phase II
(Institutional/Church), Burke, By
Lawrence Cook Associates, P.C., Falls
Church; and Burke Presbyterian Church,
Burke; and
- Heritage Fellowship Church
(Institutional/Church), Herndon, By
Lawrence Cook Associates, P.C., Falls
Church; and Heritage Fellowship Church,
Herndon.

7. 10:15 A.M. - APPOINTMENTS TO CITIZEN BOARDS,
AUTHORITIES, COMMISSIONS AND ADVISORY
GROUPS (TAPE 2)

(BACs)

Following discussion Supervisor Pennino moved that appointments to Citizen Boards, Authorities, Commissions and Advisory Groups be deferred until November 25, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Davis and Supervisor McConnell being out of the room.

SBE:SBE

8. ADMINISTRATIVE ITEMS (TAPE 3)

Supervisor Hanley moved approval of the Administrative Items. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM
(LEE, PROVIDENCE AND SULLY-FORMERLY
SPRINGFIELD-DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated November 18, 1991 be recommended for acceptance into the State Secondary System.

ADMIN 2 - CONNECTION TO THE UPPER OCCOQUAN
SEWAGE AUTHORITY (UOSA) SYSTEM (SULLY
DISTRICT)

- (R) Adopted a Resolution requesting the Upper Occoquan Sewage Authority (UOSA) System to permit the following connection, which is within the County's approved limits of sewer service, to be made to the UOSA System:

● SULLY STATION - THE ESTATES

Construct a manhole over the existing Upper Cub Run Interceptor between Manhole 5-1 and metering site 38 with an eight-inch connection to serve the proposed subdivision.

ADMIN 3 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENTS TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 68 (INDIVIDUAL SEWAGE
DISPOSAL FACILITIES)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on December 16, 1991 at 3:30 p.m. on proposed

amendments to the Code of the County of Fairfax, Chapter 68 (Individual Sewage Disposal Facilities). Recommended amendments are to:

- Be consistent with State regulations;
- Amend fees for services to become effective upon adoption; and
- Comply with provisions of the Chesapeake Bay Preservation Act.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED ACQUISITION OF A CERTAIN TRACT OF LAND NECESSARY FOR THE CONSTRUCTION OF THE RESTON SOUTH COMMUTER PARK-AND-RIDE LOT (CENTREVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on December 16, 1991 at 4:00 p.m. on the proposed acquisition of real property necessary for Project 88A004 - Reston South Park-and-Ride Lot, Centreville District.

9. A-1 - AUTHORIZATION FOR CONDEMNATION OF A CERTAIN PARCEL OF LAND NEEDED FOR THE NORTH POINTS FIRE STATION FACILITY (CENTREVILLE DISTRICT) (TAPE 3)

- (R) On motion of Supervisor Pennino, seconded by Supervisor Richards, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a Resolution authorizing the necessary legal proceedings to acquire one parcel, comprising approximately 3.9 acres, in fee by the process of eminent domain, needed for the North Pointe Fire Station facility, Centreville District.

10. A-2 - BOARD APPROVAL OF THE 1992 GYPSY MOTH SUPPRESSION PROGRAM (TAPE 3)

On motion of Supervisor Hanley, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the following actions concerning Fairfax County's 1992 Gypsy Moth Suppression Program:

- Continue participation in the Virginia Cooperative Gypsy Moth Suppression Program;
- Conduct an aerial (helicopter) treatment program of approximately 21,000 acres using Bt and Dimilin(R) according to established biological criteria;

- Conduct a voluntary program with 200-foot buffer zones around properties of non-participants and with ground treatment of properties within buffer zones;
- Authorize the Department of Extension and Continuing Education (DECE) to borrow two staff from the Department of Environmental Management (DEM) and four vehicles from the Equipment Management and Transportation Agency (EMTA) Motor Pool to assist in commanding and controlling the treatment program;
- Authorize the DECE to contract for ground support staff and equipment to mark treatment areas, non-participant properties, and buffer zones; and
- Authorize the purchase of 150,000 pieces of burlap banding for issue to County citizens as part of the citizen Self-Help Program.

11. A-3 - APPROVAL TO ACCEPT FEDERAL ALCOHOL, DRUG ABUSE AND MENTAL HEALTH SERVICES (ADMS) BLOCK GRANT FUNDING FOR ALCOHOL AND DRUG SERVICES OF THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) (TAPE 3)

On motion of Supervisor Hanley, seconded by Supervisor Pennino, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to accept Alcohol, Drug Abuse and Mental Health Services (ADMS) Block Grant funding in the amount of \$51,000.

12. A-4 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT FUNDS FOR A DEMONSTRATION GRANT FROM THE OFFICE FOR TREATMENT IMPROVEMENT FOR THE STONEGATE VILLAGE ALCOHOL AND DRUG TREATMENT DEMONSTRATION PROJECT (TAPE 3)

On motion of Supervisor Pennino, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to accept the grant from the Office for Treatment Improvement through the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services to continue operation of the Stonegate Village Demonstration Project.

13. A-5 - APPROVAL OF THE COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY (CHAS) FOR FISCAL YEAR (FY) 1992-1996 (TAPE 3)

Supervisor Davis moved that the Board concur in the recommendation of staff and approve the Comprehensive Housing Affordability Strategy (CHAS) for federal Fiscal Years (FY) 1992-1996 as recommended by the CHAS Coordinating Committee. The period is from October 1, 1991 through September 30, 1996. This motion was seconded by Supervisor Hyland.

Supervisor Hanley asked unanimous consent that the Board direct staff to deliver to newly-elected Members of the Board of Supervisors copies of the CHAS Report, as well as all reports and documentation referred to in the footnotes of the Report, including the Human Services Program Budget. Without objection it was so ordered.

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

(NOTE: Later in the meeting there was additional discussion regarding this report. See Clerk's Summary Item CL#16.)

14. A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION AS 92036 FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT UNITED STATES (US) DEPARTMENT OF JUSTICE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION GRANT AWARD (TAPE 3)

(SAR) On motion of Supervisor Pennino, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS92036, in the amount of \$68,544, from the United States Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) for the Juvenile and Domestic Relations District Court to develop and implement a program matching court-involved minority youth with community volunteers.

15. C-1 - REFUSE COLLECTION PARKOUT PROGRAM - FISCAL YEAR (FY) 1992 OPERATIONS (SULLY, DRANESVILLE, PROVIDENCE AND SPRINGFIELD DISTRICTS) (TAPE 3)

The Board next considered an Item contained in the Memorandum to the Board dated November 18, 1991 requesting consideration of the operation of the six refuse collection parkout sites (McLean, Great Falls, Oakton, Burke, Clifton, and Centreville).

Supervisor Bulova moved that the Board approve staff Recommendation Three contained on Page 25 of the Memorandum to the Board dated November 18, 1991 as follows:

"III. County Operation of the six parkout \$402,345(1) sites through January 15, 1992 with establishment of a pay-by-the-bag County operated program beginning Saturday, January 18, 1992 and continuing until June 30, 1992. Continued operation of the parkouts for FY 1993 will be considered for a private contract. Citizens would purchase stickers to place on bags.

(1) To be funded through service fee of \$2/bag. Cost includes Refuse Collection, Newspaper Recycling and Multi-Material Recycling."

(NOTE: Later in the meeting, the Board continued its discussion on this item. See Clerk's Summary Item CL#17.)

16. ADDITIONAL DISCUSSION REGARDING A-5-
APPROVAL OF THE COMPREHENSIVE HOUSING
AFFORDABILITY STRATEGY (CHAS) FOR FISCAL
YEAR (FY) 1992-1996 (TAPE 3)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#13.)

Chairman Moore recognized the presence of Embry C. Rucker, Chairman, CHAS Coordinating Committee, and she warmly welcomed him and other Committee Members to the Board Room. On behalf of the Board, she commended the outstanding performance of the Committee in its preparation of the report.

17. CONTINUATION OF C-1 - REFUSE COLLECTION PARKOUT
PROGRAM - FISCAL YEAR (FY) 1992 OPERATIONS (SULLY,
DRANESVILLE, PROVIDENCE AND SPRINGFIELD DISTRICTS)
(TAPE 3)

(NOTE: Earlier in the meeting, the Board considered this item, See Clerk's Summary Item CL#15.)

For clarification purposes, Supervisor Bulova restated her motion, as follows:

Supervisor Bulova moved that the Board approve staff Recommendation Three contained on Page 25 of the Memorandum to the Board dated November 18, 1991 as follows:

"III. County Operation of the six parkout \$402,345(1) sites through January 15, 1992 with establishment of a pay-by-the-bag County operated program beginning Saturday, January 18, 1992 and continuing until June 30, 1992. Continued operation of the parkouts for FY 1993 will be considered for a private contract. Citizens would purchase stickers to place on bags.

(1) To be funded through service fee of \$2/bag. Cost includes Refuse Collection, Newspaper Recycling and Multi-Material Recycling."

This motion was seconded by Supervisor Alexander.

Supervisor McConnell moved a substitute motion that the Board defer its consideration of this item until January to allow her additional time to work with constituents in the Springfield District, as well as allow action by newly-elected Members to the Board of Supervisors. This motion was seconded by Supervisor Davis.

Following discussion, with input from John W. diZerega, Director, Department of Public Works, Supervisor Davis asked that the substitute motion be amended to defer Board consideration until January 1992; however, defer agency implementation until February 15, 1992, and this was accepted.

The question was called on the substitute motion, as amended, which FAILED by a recorded vote of five, Supervisor Davis, Supervisor McConnell, Supervisor Richards, and Chairman Moore voting "AYE."

The question was then called on the main motion (Supervisor Bulova's) which CARRIED by a recorded vote of five, Supervisor Davis, Supervisor McConnell, Supervisor Richards, and Chairman Moore voting "NAY."

18. C-2 - TRANSITION ACTIVITIES FOR THE BOARD OF SUPERVISORS (TAPE 3)

The Board next considered an Item contained in the Memorandum to the Board dated November 18, 1991 requesting consideration of the provision of temporary office space and clerical assistance for newly-elected Members to the Board of Supervisors.

Supervisor Davis moved that the Board approve the provision of temporary office space and clerical assistance for newly-elected Members to the Board of Supervisors. This motion was seconded jointly by Supervisor Hyland and Supervisor McConnell and carried by unanimous vote.

19. I-1 - CITIZENS BUDGET OVERVIEW COMMITTEE
(CBOC) REPORT AND RECOMMENDATIONS ON
COUNTY REVENUES (TAPE 3)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 18, 1991 presenting the Citizens Budget Overview Committee (CBOC) Report and Recommendations to the Board of Supervisors on County Revenues.

Following discussion, with input from William J. Bestimt, Representative, CBOC, Supervisor Pennino moved that the Board accept the report from the CBOC and express the Board's deep appreciation for the outstanding performance of the CBOC in preparing the report. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Davis being out of the room.

20. I-2 - VIRGINIA STATE TAX CREDIT PROGRAM
(TAPE 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 18, 1991 responding to the Board's request to determine why no Fairfax County properties have taken advantage of the Virginia State Tax Credit Program.

21. I-3 - PERSONAL PROPERTY TAX ON MOTOR
VEHICLES OWNED BY PERSONS WHO HAVE
BEEN APPOINTED TO SERVE AS AUXILIARY
POLICE OFFICERS PURSUANT TO VIRGINIA
CODE 15.1-159.2 ET SEQ (TAPES 3-4)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 18, 1991 requesting authorization for staff to implement the necessary provisions to accommodate a lower personal property tax rate on certified vehicles owned by persons who have been appointed to serve as auxiliary police officers pursuant to Virginia Code Section 15.1-159.2 et seq., in the event the Board of Supervisors enacts a rate change for these vehicles as part of their deliberations on the Fiscal Year (FY) 1993 Adopted Budget Plan.

The staff was directed administratively to proceed as proposed.

There was brief discussion on this item, with input from Kevin C. Greenlief, Director, Administration, Personal Property, State Income, and License Division, Office of Assessments.

22. I-4 - EVALUATION OF THE USE OF VALUE
ENGINEERING IN COUNTY GENERAL FUND
EXPENDITURES (TAPE 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 18, 1991 responding to the Board's request of June 17 and October 28, 1991 regarding the issue of using value engineering on General Fund expenditures and additional information regarding how the issue relates to House Bill 423.

BOARD MATTERS

23. PROPOSED TESTIMONY FOR THE VIRGINIA
DEPARTMENT OF TRANSPORTATION (VDOT)
PUBLIC HEARING (TAPE 4)

Supervisor Alexander referred to the memorandum distributed to Board Members dated November 15, 1991 from Richard A. King, Acting County Executive, containing the proposed testimony for the Virginia Department of Transportation (VDOT) public hearing scheduled for Thursday, November 21, 1991 at 7:00 p.m. at Fairfax High School. The purpose of the public hearing is to receive testimony on the recent recommendations of John G. Milliken, Secretary of Transportation, Commonwealth of Virginia, regarding changes in Virginia's transportation programs.

Supervisor Alexander asked unanimous consent that the Board:

- Endorse the proposed testimony; and
- Designate Supervisor Richards, Chairman, Board's Transportation Subcommittee, to deliver the testimony on behalf of the Board.

Without objection, it was so ordered.

VLL:VLL

24. DONATION TO THE "FRIENDS OF THE COURT"
IN RECOGNITION OF THE RECENT COURT
DECISION REGARDING THE COMMERCIAL
AND INDUSTRIAL (C&I) DISTRICTS
ISSUE (TAPE 5)

On behalf of the "Friends of the Court," Ms. Connie Houston accepted a donation in the amount of \$100 from Chairman Moore. Chairman Moore received the \$100 from Supervisor Davis in recognition of the recent court decision regarding the Commercial and Industrial (C&I) Districts issue.

Supervisor Pennino commended the outstanding performance of the County Attorney's office in this matter.

25. MOUNT VERNON COUNCIL OF CITIZENS ASSOCIATIONS (MVCCA) RESOLUTION ON CHARTER FORM OF GOVERNMENT FOR FAIRFAX COUNTY; EXPEDITIOUS PROCESSING OF SPECIAL EXCEPTION APPLICATION FILED BY THE SAINT LOUIS CHURCH; ROUTE 123 LORTON SANITARY SEWER EXTENSION AND IMPROVEMENT (E&I) PROJECT X00819; AND RESTRICTIVE COVENANT FOR 8305 TELEGRAPH ROAD (TAPE 5)

Supervisor Hyland distributed to Board Members a memorandum dated November 18, 1991 containing his Board Matters. He briefly highlighted those items and requested Board action as follows:

- Bullet One - Mount Vernon Council of Citizens Associations (MVCCA) Resolution on the Charter Form of Government for Fairfax County

In response to a Resolution adopted by the Mount Vernon Council of Citizens Association (MVCCA), Supervisor Hyland moved that the Board:

- * Support in concept the Fairfax County Citizens Assembly's proposed charter;
- * Direct staff to pursue the process necessary for submitting to the Virginia General Assembly Fairfax County's request for a charter form of government; and
- * Direct staff to brief the Board within 60 days with the results of its review and with its recommendations.

- Bullet Two - Expeditious Processing of Special Exception Application Filed by the Saint Louis Church

In order to allow the Saint Louis Church to construct an addition of a garage and bell tower to its facilities by the Spring, Supervisor Hyland moved that the Board authorize staff to expedite the processing of the Special Exception Application filed by the Church so that it can be heard by the Board of Supervisors in concert with the Board of Zoning Appeal (BZA) hearing of the Special Permit.

- Bullet Three - Route 123 Lorton Sanitary Sewer Extension and Improvement (E&I) Project X00819

In order to provide sewer to individuals' homes that have failing septic on both the east and west sides of Route 123 in Lorton, Supervisor Hyland moved that the Board remove the restriction of the 400 foot rule for the entire area that was added to the Approved Sewer Service Area by the Board of Supervisors in 1985. (NOTE: Later during the Board's discussion of this issue, Supervisor Hyland amended his language concerning this action.)

- Bullet Four - Restrictive Covenant for 8305 Telegraph Road

Supervisor Hyland moved that the Board direct the County Attorney's Office to review, for the purposes of resolving the outstanding violations at 8305 Telegraph Road, the request of Mr. Robert Scrimshaw, property owner, to record a restrictive covenant on the property and record an exhibit depicting such land which is subject to the covenant in lieu of a standard floodplain and storm drainage easement and associated certified plat.

These motions were seconded by Supervisor Pennino.

With regard to Bullet One (Resolution adopted by MVCCA), Supervisor Hanley announced that the issue of a charter form of government would not make this year's Session of the General Assembly.

With regard to Bullet Three (Route 123 Lorton Sanitary Sewer E&I Project X00819), Supervisor Hyland AMENDED his motion, as follows:

- In order to move the Route 123 Lorton Sanitary Sewer E&I Project X00819 forward, Supervisor Hyland moved that the Board remove the restriction of the 400 foot rule for the entire area that was added to the Approved Sewer Service Area by the Board of Supervisors in 1985.

This amendment was accepted.

The questions were then called on the motions which carried by the following votes:

- Bullets One, Two, and Four: Carried by a vote of eight, Supervisor Richards being out of the room; and
- Bullet Three: Carried by a vote of seven, Chairman Moore abstaining, Supervisor Richards being out of the room.

26. AUTHORIZATION TO AWARD CONTRACT FOR THE DEVELOPMENT OF CONSTRUCTION DRAWINGS FOR THE BLAND STREET DEMONSTRATION PROJECT (TAPE 5)

Supervisor Alexander stated that at the Board of Supervisors' meeting held on October 14, 1991, action was taken to approve and endorse the Springfield Streetscape Improvement Plan which is part of the overall effort to revitalize the Central - Springfield Business District. Part of this plan includes a section of Bland Street which has been designated by the Central-Springfield Area Revitalization Council (C-SPARC) as the best location for a full scale demonstration of the streetscape plan.

Supervisor Alexander stated that though the construction phasing, maintenance, and public/private responsibilities are still being resolved by staff, it is clear that the Bland Street demonstration project area is the logical place for a full scale streetscape demonstration. While these issues are being resolved, he stated that it would save a great deal of time to proceed with the construction drawings. The preparation of the plans would not commit the County to build any particular portion of the Streetscape Plan.

Accordingly, Supervisor Alexander moved that the Board authorize the Department of Public Works to prepare the necessary documents to bid and/or award a contract for the development of construction drawings for the Bland Street Demonstration Project. Funding is available from Springfield's portion of approved Commercial Revitalization Bonds. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room.

27. INVESTIGATION OF THE SUBDIVISION DOCUMENT APPROVAL PROCESS WITHIN THE COUNTY ATTORNEY'S OFFICE (TAPE 5)

Supervisor Alexander stated that he has received complaints regarding the difficulties and time delays faced by individuals seeking document review and approval by the County Attorney's Office. He stated that it is not uncommon for document review and approval to take two to three times as long as plat review and approval by the Department of Environmental Management (DEM).

Supervisor Alexander asked unanimous consent that the Board request the County Executive to investigate the subdivision document approval process within the Office of the County Attorney and to report with findings within the next few weeks. He stated that with the economic climate of today, the County needs to ensure that the process for the development industry is both effective and efficient. Without objection, it was so ordered.

Robert L. Howell, Acting County Attorney, responded that the County Attorney's Office has been taking steps to reduce the time delays and would report in writing with an update on these measures.

28. WAIVER OF APPLICABLE FEES ASSOCIATED WITH THE SPECIAL EXCEPTION APPLICATIONS REQUIRED FOR THE FRANCONIA-SPRINGFIELD METRORAIL STATION AND ALIGNMENT (TAPE 5)

Supervisor Alexander briefed Board Members that the design for the Franconia-Springfield Metrorail Station and Alignment is moving forward. He stated that it has been determined that two Special Exception Applications are necessary for the project. The Special Exceptions are for:

- A Category 4 for the transportation center, metrorail alignment, wetland mitigation, and electrical facility substations; and
- A Category 6 for filling in the floodplain.

Given that the County subsidizes Metro operations and capital construction costs such as this, Supervisor Alexander moved that the Board direct staff to waive the applicable fees for the Special Exceptions required for the Franconia-Springfield Metrorail Station and Alignment. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being out of the room.

29. COMPLETION OF THE 103-MILE FRANCONIA-SPRINGFIELD METRORAIL LINE AND STATION ON AN ACCELERATED SCHEDULE (TAPE 5)

Supervisor Alexander stated that the Board previously endorsed the "fast track" approach to completing the 103-mile system. Discussions and negotiations regarding the regional agreement are currently underway and, while these discussions are continuing, there are several critical dates associated with keeping the design and engineering work on the Franconia-Springfield Metrorail Line and Station on an accelerated schedule. To ensure that the Washington Metropolitan Area Transit Authority (WMATA) is able to maintain this schedule, Supervisor Alexander moved that the Board:

- Reaffirm its support for the proposed plan for completing the system; and
- Authorize the Acting County Executive to execute the appropriate amendments to the credit agreement to advance additional County funds to keep the design and engineering work on schedule.

Supervisor Alexander stated that it is understood that, as in the past, additional advances will be subject to credits against the County's Metrorail capital contributions.

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

30. BOARD'S LEGISLATIVE SUBCOMMITTEE TO REVIEW LEGISLATION THAT WOULD ALLOW FAIRFAX COUNTY A SEPARATE AUDIT FUNCTION (TAPE 5)

(BACs)

As a result of this morning's earlier Personnel Subcommittee meeting, Supervisor Alexander moved that the Board advance to its Legislative Subcommittee for its review the legislation that would allow for a separate audit function for Fairfax County. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being out of the room.

31. APPOINTMENT TO THE FAIRFAX COUNTY PARK AUTHORITY (TAPE 5)

(APPT)

Supervisor Alexander moved the appointment of Mr. Richard Pro as the Lee District Representative to the Fairfax County Park Authority. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room.

Supervisor Alexander asked unanimous consent that the Board direct staff to prepare the appropriate Certificate of Appreciation for presentation to Ms. Laurie Sisson before the Board of Supervisors. Without objection, it was so ordered.

32. WAIVER OF THE REQUIREMENT TO HOLD A REGULAR BOARD MEETING ON DECEMBER 9, 1991 (TAPE 5)

Supervisor Alexander called to the Board's attention that only two items were scheduled for its December 9, 1991 Agenda: the Legislative Subcommittee meeting scheduled for 8:00 a.m. and Presentations scheduled for 9:30 a.m. He asked unanimous consent that the Board waive its requirement to hold a regular meeting on December 9, 1991. Without objection, it was so ordered.

In response to a query by Supervisor Richards, William O. Howland, Jr., Assistant to the County Executive, responded that any Administrative Items that were to be placed on the Board's Agenda for December 9, 1991 would be placed on the Agenda for December 16, 1991.

Supervisor Hanley called to the Board's attention that the breakfast meeting with Fairfax County's General Assembly Delegation is scheduled for December 18, 1991. She stated that Legislative Subcommittee meetings have been scheduled for November 25 and December 9, 1991 and it had been the Subcommittee's intent to ratify the package on December 9, 1991.

Supervisor Bulova announced that the Budget Subcommittee meeting is scheduled for December 6, 1991 and she suggested that the Legislative Subcommittee meeting be rescheduled for this day rather than December 9, 1991.

Supervisor Hanley responded that she would determine whether there are any scheduling conflicts in Richmond for December 6, 1991 and she would report later in the meeting regarding whether the Legislative Subcommittee meeting could be changed to December 6, 1991.

(NOTE: Later in the meeting, Supervisor Hanley announced that, because of scheduling conflicts in Richmond, the Legislative Subcommittee meeting would remain scheduled for December 9, 1991 at 9:00 a.m. See Clerk's Summary Item CL#54.)

PMH:PMH

33. TEMPORARY PARK-AND-RIDE LOT LOCATED NEXT TO THE RESTON EAST (TAPE 6)

Supervisor Richards stated that the Board will be addressing a Board item next week regarding a temporary park-and-ride lot located next to the Reston East.

Supervisor Pennino moved that the Board authorize the Acting County Executive to negotiate and execute a park-and-ride agreement with the J.A. Loveless Company and the Virginia Department of Transportation (VDOT). This motion was seconded by Supervisor Richards and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor McConnell being out of the room.

Supervisor Richards asked unanimous consent that the Board direct staff to report as expeditiously as possible as to whether bus service can be planned to serve that lot at such time as the lot is available. Without objection, it was so ordered.

34. BIDS FOR THE SECTION OF FAIRFAX COUNTY PARKWAY
BETWEEN THE DULLES TOLL ROAD AND SUNSET HILLS
ROAD (TAPE 6)

Supervisor Richards stated that bids have been advertised for the section of the Fairfax County Parkway between the Dulles Toll Road and Sunset Hills Road. She expressed her appreciation to staff for working out compromises with the Town of Herndon so that lanes could be added.

35. NATIONAL CAPITOL REGION TRANSPORTATION PLANNING
BOARD SPONSORS A FORUM ON CIRCUMFERENTIAL
TRANSIT (TAPE 6)

Supervisor Richards announced that on December 6, 1991 from 9:30 a.m. until 12:00 noon the National Capitol Region Transportation Planning Board is sponsoring a forum on Circumferential Transit.

36. CONCURRENT REVIEW OF THE SITE PLAN WITH THE
DEVELOPMENT PLAN AMENDMENT APPLICATION FOR
WORLDGATE (TAPE 6)

Supervisor Richards stated that the developer for Worldgate has reactivated a Development Plan Amendment (DPA) Application to permit the construction of garden apartments on the property which is now entirely planned for office use.

Therefore, Supervisor Richards moved that the Board direct the staff to process the review of the Site Plan concurrently with the DPA Application. She said that this does not provide a pre-judgment as to the outcome of the application and does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor McConnell being out of the room.

37. AUTHORIZATION TO RELEASE SAINT JOHN'S
CATHOLIC CHURCH FROM OBLIGATION TO
CONSTRUCT IMPROVEMENTS ALONG CARLIN
LANE (DRANESVILLE DISTRICT) (TAPE 6)

Supervisor Richards briefed Board Members that the County has undertaken an improvement project in Dranesville District to enable Carlin Lane to be accepted into the State Secondary System for maintenance. One of the property owners along Carlin Lane is Saint John's Catholic Church from which the County needs a street dedication and various easements.

Supervisor Richards stated that the Board took action on September 16, 1991 to authorize:

- The release of Saint John's Catholic Church, located in Dranesville District and known as Tax Map Number 31-3 ((1)) 25, 26 and 27, from any obligation it has to construct improvements along Carlin Lane which arose in connection with Site Plan Number SP#921 involving the building of a convent at the site of the Church; and
- The release of Saint John's Catholic Church from any other claim the County may have for any other church contributions which are related to the currently-planned improvements to Carlin Lane.

Supervisor Richards explained that technically it was erroneous to release the Church itself. She said that the release should run to the owner of Saint John's - The Most Reverend John J. R. Keating, Bishop of the Catholic Diocese of Arlington and his successors in office.

Therefore, Supervisor Richards moved that the Board now make the above-stated correction and authorize the release of The Most Reverend John J. R. Keating, Bishop of the Catholic Diocese of Arlington, Virginia and his successors in office from any obligation to construct improvements along Carlin Lane which arose in connection with Site Plan Number SP#921 and/or from any claim the County may have for any other contributions related to the currently planned improvements to Carlin Lane. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor McConnell being out of the room.

38. AUTHORIZATION FOR AN OUT-OF-TURN PLAN AMENDMENT
FOR PROPERTY LOCATED AT 1446 EMERSON LANE
(TAPE 6)

Supervisor Richards stated that the Planning Commission has sent a letter to the Chairman requesting that the Board authorize an Out-of-Turn Plan Amendment on an expedited basis for the property located at 1446 Emerson Avenue which is Tax Map Reference 30-2((9))61 and 62. She said that during its public hearing on Special Exception Application SE 91-0-019 (American Campus Management, Incorporated) it was brought to the Commission's attention that an oversight had been made by the Commission during the Plan Review Process. She said that as a result the renewal of this use would not be in conformance with the Comprehensive Plan. She added that the Commission noted that the application was in keeping with the intended use of the McLean Central Business (CBD) Plan and that the oversight should be corrected through the Plan amendment process as expeditiously as possible. Supervisor Richards noted that there was language that there could be no Special Exceptions or Special Permits granted in the area, where in fact, those interim uses are desired.

Therefore, Supervisor Richards moved that the Board authorize the advertisement of the correction. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Alexander, Supervisor Davis, and Supervisor McConnell being out of the room.

39. EXTENSION OF TIME UNTIL THE END OF FEBRUARY 1992
FOR THE COMMISSION RECOMMENDATIONS ON THE
COMPREHENSIVE PLAN ACTION AGENDA ITEMS
(TAPE 6)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board approve the request by Peter F. Murphy, Jr., Chairman, Planning Commission, for an extension of time until the end of February 1992, for the Commission recommendations on the Comprehensive Plan Action Agenda Items. Without objection, it was so ordered.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

40. WAIVERS REGARDING THE JARVIS SUBDIVISION
(TAPE 6)

Supervisor Richards stated that the proposed Jarvis Subdivision located on Georgetown Pike in McLean is currently being reviewed for approval by the Department of Environmental Management (DEM) and it appears that the latest submission meets all of the minimum requirements under the Code. However, in order to address an existing drainage problem, the developer is willing to design a regional stormwater detention facility on the Langley High School property which is north of the proposed site. She said that this regional pond would be in lieu of on-site detention requirements. She noted that the developer is also willing to relocate the approved sanitary sewer line to save some mature trees along the west end of the property.

In order to facilitate these changes, Supervisor Richards moved that the Board:

- Waive the necessary filing fees associated with the relocation of the sanitary sewer line; and
- Waive the on-site detention and the fees associated with the design of the regional pond on the Langley School property.

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

41. INFORMATION ON USE OF LAWN CARE CHEMICALS BY COUNTY AGENCIES (TAPE 6)

Supervisor Richards stated that in recent months County residents have become increasingly concerned about the use of lawn care chemicals, fertilizers, and pesticides.

Noting that it would be helpful to have a general idea of the different kinds of chemicals, and the quantities used, over the course of a year by County agencies on our parks, schoolgrounds, libraries and other government properties, Supervisor Richards reiterated her request of October 14, 1991 that:

- The Board direct the staffs of the County agencies which maintain outdoor areas to provide the Board, within 30 days, with a list of what and how much is used per year; and
- The Department of Extension provide assistance on this matter at the request of any other County agencies.

Without objection, it was so ordered.

42. EXPEDITED PUBLIC HEARING FOR SPECIAL EXCEPTION APPLICATION SE 91-P-044 (TAPE 6)

Supervisor Hanley moved that the Board expedite the public hearing for Special Exception Application SE 91-P-044 to enable Defense Systems, Incorporated to occupy 7913 West Park Drive as a scientific research and development establishment. She added that the applicant understands that that does not necessarily mean that the application will be granted. This motion was seconded by Supervisor Richards and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor Pennino, and Supervisor McConnell being out of the room.

43. PRIVATE ENTITY REIMBURSEMENT FOR PETROLEUM SPILL (TAPE 6)

Supervisor Hanley stated that Fairfax County Government, along with the City of Fairfax and the Environmental Protection Agency, (EPA) has been working diligently to stem the massive underground petroleum leak at the Pickett Road Tank Farm. Accordingly Fairfax County has expended a considerable amount of effort and money in order to protect the health, and safety of the residents of this small, but very important part of Fairfax County.

Supervisor Hanley said that several weeks ago Fairfax County sent a request for reimbursement to Star Enterprises which was rejected. She noted that Starr has reimbursed the EPA and the City of Fairfax for their initial expenses incurred.

Therefore, Supervisor Hanley moved that the Board direct staff to draft a letter for signature by the Chairman, to Star Enterprises indicating Fairfax County's great displeasure with Star's refusal to fulfill their responsibility to pay for the costs associated with the underground spill coming from their facility. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

44. LEAF COLLECTION DISTRICT (TAPE 6)

Supervisor Hanley moved that the Board direct staff to begin the process for removal from the Leaf Collection District, for the Timberlane Condominiums as requested by the property manager in the letter to her dated November 8, 1991. This motion was seconded by Supervisor Bulova and carried by a vote five, Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino being out of the room.

45. LEGISLATIVE SUBCOMMITTEE REPORT (TAPE 6)

Supervisor Hanley referred to two regional positions regarding education funding and social services. She said that the education funding position contains very specific formula issues. Therefore, Supervisor Hanley moved that the Board go on record as supporting the education funding and social services positions that have been worked out with other localities. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander being out of the room.

46. SCHOOL BUS - FAILURE TO STOP - REPORTING BY CITIZENS (TAPE 6)

Supervisor Hanley stated that there is a problem with individuals not stopping for school buses and she moved that the Board direct staff to:

- Determine if legislation would be useful that would allow citizens to report failures; and
- Determine what measures could be taken to strengthen the reporting situation.

There was a brief discussion among Board Members with input from Acting County Executive Richard A. King.

Without objection, it was so ordered.

47. ALTERNATIVE FUELS (TAPE 6)

Supervisor Hanley asked unanimous consent that the Board direct staff to determine if legislative permission is necessary to require on alternative fuels and vapor control recovery devices. Without objection, it was so ordered.

48. PROPOSED AMENDMENT TO THE ZONING ORDINANCE REGARDING THE NUMBER OF UNRELATED ADULTS THAT CAN SHARE A SINGLE FAMILY HOUSEHOLD (TAPE 6)

Supervisor Bulova stated that she has previously raised the issue of students renting housing in neighborhoods close to George Mason University (GMU). She said that she has recently received a request from an individual endorsed by the Hickory Farms Homeowner's Association to change the Zoning Ordinance so that only three instead of four unrelated adults can share a single family household. Therefore, Supervisor Bulova moved that the Board direct staff to:

- Review the occupancy ordinances in neighboring jurisdictions so that the Board can see a comparison between Fairfax County and the City of Alexandria, Arlington County, the City of Falls Church, the City of Fairfax, and Montgomery County; and
- Prepare for a discussion and recommendations at the Housing Subcommittee.

This motion was seconded by Supervisor Alexander.

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

49. REQUEST FROM THE BOARD OF ZONING APPEALS (BZA) REGARDING ACCESSORY DWELLING UNITS (TAPE 6)

Supervisor Bulova stated that she had received a request from the Board of Zoning Appeals (BZA) regarding the Accessory Dwelling Unit Ordinance. She said that the BZA is asking if the Board might like to make it more stringent.

Therefore, Supervisor Bulova moved that the Board refer this issue to the Housing Subcommittee for discussion. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Hanley and Chairman Moore being out of the room.

AR:AR

50. PLANNING FOR RETREAT IN JANUARY 1992 FOR
THE NEW BOARD OF SUPERVISORS (TAPE 7)

With a notation that Supervisor Hyland has once again offered to be in charge, Supervisor Davis asked unanimous consent that the Board direct staff to begin planning for a retreat in January 1992 for the new Board of Supervisors. Without objection, it was so ordered.

51. INSTALLATION OF "NO PARKING HERE TO CORNER"
SIGNS ON MAPLE COURT (TAPE 7)

Supervisor Davis stated that Maple Court, located in Mason District across from an apartment complex, is experiencing an ongoing problem with people working on their cars and literally trashing the area. He noted that, although letters have been placed on cars in several languages asking people to keep the area clean and the Police Department has been asked to check for expired license tags and drinking in public, the problem still persists. Supervisor Davis added that the Virginia Department of Transportation (VDOT) has refused to install "No Parking" signs because no capacity or safety problem exists in that area.

Therefore, Supervisor Davis moved that the Board direct the Office of Transportation to install "No Parking Here to Corner" signs on both sides of Maple Court, including the property frontage of 3517 and 3518 Maple Court, as authorized under Section B2-5-37(1) of the Code of the County of Fairfax. This motion was seconded by Supervisor Pennino and carried by unanimous vote.

52. CONSIDERATION OF ESTABLISHMENT OF RESIDENTIAL
PERMIT PARKING DISTRICT (RPPD) IN MUNSON HILL
AREA (TAPE 7)

In response to petitions received from concerned residents, Supervisor Davis moved that the Board direct staff to:

- Consider the establishment of a Residential Permit Parking District (RPPD) in the Munson Hill area, including Munson Hill Road, Afton Court, Row Place, Apex Circle, and Brook Drive; and
- Waive the \$10.00 per household fee.

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

53. INCLUSION OF MASON DISTRICT RESIDENTS
IN COUNTY LEAF COLLECTION (TAPE 7)

Supervisor Davis asked unanimous consent that the Board direct staff to explore the feasibility of including Annandale residents Lieutenant Colonel and Mrs. Frank Adams of 8208 Hillcrest Road, Mill Creek Park Subdivision, in the County's leaf collection. Supervisor Davis added that this couple is incapacitated, unable to bag their own leaves, and does not live in a Sanitary District. Without objection, it was so ordered.

54. LEGISLATIVE SUBCOMMITTEE MEETING (TAPE 7)

(NOTE: Earlier in the meeting, there was Board discussion on the scheduling of a Legislative Subcommittee Meeting. See Clerk's Summary Item CL#32.)

Due to a meeting in Richmond on December 6, 1991, Supervisor Hanley reiterated that it would be necessary to schedule the Board's Legislative Subcommittee Meeting for December 9, 1991, at 9:00 a.m.

55. SCHOOL CROSSING GUARD OR NEW CROSSWALK
REQUESTED ON VALE ROAD (TAPE 7)

Supervisor Pennino stated that it has been called to her attention by Master Davis Moralis, a student Boy Scout from Flint Hill Elementary School, that there is a very dangerous crossing area on Vale Road. She asked unanimous consent that the Board refer this issue to the appropriate staff for necessary action to place an additional School Crossing Guard or a new crosswalk in this area. Without objection, it was so ordered.

56. EER SYSTEMS HAS PERFECT LAUNCH (TAPE 7)

Supervisor Pennino called the Board's attention to the fact that EER Systems, located in the Westwood Industrial Park at Tysons Corner, has been very successful in the launching of experimental rockets. She noted that EER Systems had a textbook-perfect launch just last Saturday containing 37 experiments and asked unanimous consent that the Board direct staff to prepare a letter of congratulations and encouragement for the Chairman's signature. Without objection, it was so ordered.

57. EXPEDITED PROCESSING OF SPECIAL EXCEPTION
APPLICATION SE 90-C-044 (NATIONAL COUNCIL
OF TEACHERS OF MATHEMATICS) (TAPE 7)

Supervisor Pennino asked unanimous consent that the Board direct staff to expedite the processing of Special Exception Application SE 90-C-044. Without objection, it was so ordered.

58. ELIMINATION OF STREET SIGN FOR KING'S RIDGE LANE (TAPE 7)

Supervisor McConnell called the Board's attention to a letter and petition received from Ms. Judy Richer and Ms. Inger Kuzych of 8336 King's Ridge Court in Springfield noting that the court on which they reside is currently called two names, King's Ridge Court and King's Ridge Lane. It was noted that there are no houses located on King's Ridge Lane and the designation of the court and lane in this small community of only 23 homes creates a lot of confusion for delivery trucks.

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

- Eliminate the street sign of King's Ridge Lane; and
- MOVE the King's Ridge Court sign from the front of Lot Number 24 TO the intersection at Gambrill Road.

Without objection, it was so ordered.

59. REPORT ON TRANSPORTATION MONEY (TAPE 7)

Chairman Moore called the Board's attention to a recent report on the expenditure of bond funds for transportation projects since 1982. She noted that, under both expended and encumbered funds, out of a total of \$335 million, \$262 million have been expended in the last four years.

60. RECESS/EXECUTIVE SESSION (TAPE 7)

At 1:15 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, as well as matters concerning:

- Star Enterprises and the tank farm in the Fairfax City area, and the claim for reimbursement that Fairfax County may have on this item.

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

JLD:JLD

At 2:10 p.m., the Board reconvened in the Board Room with all Board Members present, and with Chairman Moore presiding.

61. ACTIONS FROM EXECUTIVE SESSION (TAPE 8)

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. VIRGINIA RUN SUBDIVISION

Supervisor McConnell moved that the Board authorize the Acting County Attorney to enter into a consent decree with certain property owners in the Virginia Run subdivision according to terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Davis and carried by unanimous vote.

C. METROPOLITAN COMMUNICATIONS NETWORK COMPANY
V. FAIRFAX COUNTY

Supervisor Alexander moved that the Board authorize settlement of the Metropolitan Communications Network Company v. Fairfax County, At Law Number 94765, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

D. REIMBURSEMENT OF LEGAL FEES TO OFFICER DANIEL W. GOLLHARDT

Supervisor Hyland moved that the Board authorize reimbursement of legal fees incurred by Officer Daniel W. Gollhardt, as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

E. BILL OF COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF AGAINST PHRA VIMOLSRILAJARN

Supervisor Hyland moved that the Board concur with the Zoning Administrator in the filing of a Bill of Complaint for Declaratory Judgment and Injunctive Relief against Phra Vimolsrilajarn, as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

F. HOLLINSWOOD ASSOCIATES V. BOARD OF SUPERVISORS OF FAIRFAX COUNTY

Supervisor Hanley moved that the Board authorize settlement of Hollinswood Associates v. the Board of Supervisors of Fairfax County, At Law Number 97159, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Davis and carried by unanimous vote.

62. BOARD RECESS (TAPE 8)

At 2:15 p.m., the Board recessed briefly, and at 3:50 p.m., reconvened in the Board Room with all Members present, with the exception of Supervisor Davis and Supervisor McConnell, and with Chairman Moore presiding.

63. 3:30 P.M. - PH ON THE FAIRFAX COUNTY ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS 1993-1997 (TAPE 9)

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 October 31 and November 7, 1991.

Following a brief presentation by Anthony H. Griffin, Deputy County Executive for Planning and Development, discussion ensued among Board Members and Mr. Griffin.

Supervisor Hanley referred to Page 78 of the Fairfax County Advertised Capital Improvement Program (CIP) for Fiscal Years 1993-1997 which lists deferred projects and she asked unanimous consent that the Board direct staff to report on the County's developer street light program, specifically with regard to the decision not to turn on street lights after their installation by builders in new developments. Without objection, it was so ordered.

Supervisor Bulova called to the Board's attention Page 148 of the CIP which lists the operating costs for the expansion of the Kings Park Community Library.

Following discussion among Board Members, with input from Mr. Griffin and David B. Marshall, Chief, Public Facilities and Services Branch, Office of Comprehensive Planning, Supervisor Bulova asked unanimous consent that the Board direct staff to report with a breakdown of the operating costs. Without objection, it was so ordered.

Supervisor Bulova also called to the Board's attention Page 138 of the CIP and she noted that the projects at the Massey Complex are listed as "Braddock" District; however, are actually located in the "Providence" District. She asked unanimous consent that the Board direct staff to make the appropriate revisions to reflect the correct location. Without objection, it was so ordered.

Additional discussion ensued among Board Members and staff regarding the developer street light program.

Supervisor Richards called to the Board's attention Page 138 of the CIP and she noted that the Herndon Library was listed but that the Great Falls Library was not, even though both are at the same stage in the design process. She asked unanimous consent that the Board direct staff to correct this oversight. Without objection, it was so ordered.

Following the public hearing, which included testimony by two speakers, Supervisor Richards moved approval of the CIP, as amended; however, this motion died for lack of a second.

Supervisor McConnell moved that the Board defer decision on the CIP to allow additional time for staff to provide adequate figures.

Following discussion among Board Members, with input from Mr. Griffin, Supervisor McConnell amended her motion that the Board defer decision on the CIP and direct staff to report at the first meeting in January, 1992 with the time frame in which the adequate figures will be provided; however, this motion died for lack of a second.

Supervisor Hanley moved that the Board defer decision on the CIP until the Board's Budget Subcommittee has had an opportunity to discuss the CIP in relation to revenues. This motion was seconded by Supervisor Pennino.

Following a query from Supervisor Richards, Supervisor Hanley stated that the changes made to the CIP by the Planning Commission will be considered during Board discussion and action.

For the purpose of clarity, Supervisor Hanley restated her motion, as follows:

- That the Board review the CIP at the Budget Subcommittee meetings, while taking into account the School's recommendations and revenue projections; and
- That the Board take action on the CIP by the first meeting in January, 1992.

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

Following a query from Supervisor Richards, Supervisor Bulova stated that the CIP will be on the agenda of the Budget Subcommittee meeting on December 6, 1991.

64. 3:30 P.M. - PH ON PROPOSED PROHIBITION OF THROUGH TRUCK TRAFFIC ON TWO PORTIONS OF OLLEY LANE (ROUTES 787 AND 5102) (BRADDOCK DISTRICT) (TAPE 9)

(Verbatim)

(Rs) 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 October 31 and November 7, 1991.

Following the public hearing, which included testimony by five speakers, Supervisor Bulova moved adoption of the Resolutions requesting the Virginia Department of Transportation (VDOT) Commonwealth Transportation Board to prohibit through truck traffic on two portions of Olley Lane: Route 787 located between Little River Turnpike (Route 236) and Braddock Road (Route 620), and Route 5102 located between Lake Braddock Drive (Route 5101) and Guinea Road (Route 651). This motion was seconded by Supervisor Pennino and carried by a vote of seven, Supervisor Hanley and Supervisor McConnell being out of the room.

Additionally, Supervisor Bulova moved that the Board direct staff to prepare an administrative item, including a draft resolution, for Board authorization of a public hearing to restrict through truck traffic on Guinea Road and Wakefield Chapel Road between Route 236 and Braddock Road. This motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Hanley and Supervisor McConnell being out of the room.

65. 3:30 P.M. - PH ON PROPOSED PROHIBITION OF THROUGH TRUCK TRAFFIC ON OLD TELEGRAPH ROAD (ROUTE 634) (LEE DISTRICT) (TAPE 9)

(Verbatim)

- (R) 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 October 31 and November 7, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor Alexander moved adoption of the Resolution requesting the Virginia Department of Transportation (VDOT) Commonwealth Transportation Board to prohibit through truck traffic on both sections of Old Telegraph Road located to the north and to the south of Hayfield Road (Route 635). This motion was jointly seconded by Supervisor Hyland and Supervisor McConnell and carried by a vote of five, Supervisor Bulova, Supervisor Davis, Supervisor Hanley, and Chairman Moore being out of the room.

66. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING) REGARDING FLOODPLAIN REGULATIONS (TAPES 10-11)

- (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 October 31 and November 7, 1991.

Discussion ensued among Board Members with input from Jeffrey Blackford, Deputy Director/Site Inspections, Design Review Division, Department of Environmental Management.

Following the public hearing, which included testimony by 13 speakers, additional discussion ensued among Board Members, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development; Mr. Blackford; and Shiva K. Pant, Director, Office of Transportation.

Supervisor Pennino moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning), as recommended by the Planning Commission, regarding Article 2, General Regulations, Part 9, Floodplain Regulations, Section 2-903, Permitted Uses. The proposed amendment specifies that the 5,000 square foot maximum fill and pavement area for permitted uses does not apply to minor floodplains; Metrorail, railroad, and roadway floodplain crossings; public and private utility lines; or to public uses and public improvements. This motion was seconded by Supervisor Alexander.

Following discussion among Board Members and staff, the question was called on the motion which CARRIED by a recorded vote of seven, Supervisor Hyland voting "NAY," Supervisor Hanley being out of the room.

This amendment shall become effective on November 19, 1991, at 12:01 a.m.

Additionally, Supervisor Pennino moved that the Board appoint Mr. Robert Moran and Mr. Donald B. Chace as representatives of the Bradley Farms Subdivision to work with the Fairfax County Office of Transportation, as well as the Virginia Department of Transportation (VDOT), on the issues of landscaping, screening, and elevation of the Lawyers Road extended project. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Hanley being out of the room.

67. 3:30 P.M. - PH ON THE LEASE OF COUNTY-OWNED PROPERTY TO THE CENTREVILLE VOLUNTEER FIRE DEPARTMENT (SULLY DISTRICT - FORMERLY SPRINGFIELD DISTRICT) (TAPE 11)

Supervisor McConnell moved to defer the public hearing on the lease of County-owned property to the Centreville Volunteer Fire Department until December 16, 1991 at 4:00 p.m. in order to allow additional time to resolve outstanding legal issues regarding the proposed lease agreement. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Hanley being out of the room.

68. PH ON THE LEASE OF COUNTY-OWNED PROPERTY TO THE CENTREVILLE UNITED METHODIST CHURCH AND CENTREVILLE PRESBYTERIAN CHURCH (SULLY DISTRICT - FORMERLY SPRINGFIELD DISTRICT) (TAPE 11)

Supervisor McConnell moved to defer the public hearing on the lease of County-owned property to the Centreville United Methodist Church and the Centreville Presbyterian Church until December 16, 1991 at 4:00 p.m. in order to allow additional time to resolve outstanding legal issues regarding the proposed lease agreements and issues regarding the future use of the facility by the community. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor Hanley being out of the room.

69. 4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 11 (HUMAN RIGHTS) (TAPES 11-12)

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 October 31 and November 7, 1991.

Discussion ensued among Board Members with input from Edward E. Rose, Assistant County Attorney; Fred L. Allen, Executive Director, Human Rights Commission; and Jon David Strother, At-Large Representative, Human Rights Commission.

Supervisor Hyland moved that the Board endorse, in concept, the proposed amendment to the Code of the County of Fairfax, Chapter 11 (Human Rights), and defer final decision until November 25, 1991, when a clean copy is returned to the Board which incorporates all changes discussed at today's meeting. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Davis and Chairman Moore being out of the room.

Following the public hearing, Supervisor Alexander asked unanimous consent that the Board direct staff to schedule on its Executive Session Agenda a discussion among Board Members, the County Attorney, and Human Rights Commission Representatives regarding the Commission's request for outside legal counsel. Without objection, it was so ordered.

Discussion continued among Board Members and Mr. Rose, Mr. Allen, and Mr. Strother.

For the purpose of clarity, it was stated that final decision on the proposed amendment to Chapter 11 (Human Rights) was deferred until November 25, 1991 at 3:30 p.m.

70. 4:00 P.M. - PH ON THE LEASE OF COUNTY-OWNED PROPERTY TO THE CENTREVILLE UNITED METHODIST CHURCH AND CENTREVILLE PRESBYTERIAN CHURCH (SULLY DISTRICT - FORMERLY SPRINGFIELD DISTRICT) (NO TAPE)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on the lease of County-owned property to the Centreville United Methodist Church and the Centreville Presbyterian Church until December 16, 1991 at 4:00 p.m. See Clerk's Summary Item CL#68.)

71. 4:00 P.M. - BOARD DECISION ON THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE FAIRFAX COUNTY PARK AUTHORITY IN POPES HEAD PARK (SPRINGFIELD DISTRICT)
(TAPE 12)

(NOTE: On October 14, 1991, the public hearing was held on the conveyance of County-owned property to the Fairfax County Park Authority in Popes Head Park, Springfield District, and decision deferred until November 18, 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 September 26 and October 3, 1991.

At the request of Chairman Moore, Supervisor McConnell announced that Board decision on the conveyance of a parcel of County-owned property, previously part of Tax Map Number 67-4((1))-22-B, to the Fairfax County Park Authority is further deferred until November 25, 1991 at 3:30 p.m. in order to allow a citizen meeting with County staff.

72. BOARD ADJOURNMENT (TAPE 12)

At 7:20 p.m., the Board adjourned.