



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
DECEMBER 16, 1991**

35-91

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

Supervisor McConnell was absent from the entire meeting.

Others present were Richard A. King, Acting County Executive; Robert L. Howell, 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. REMEMBRANCE OF DANIEL SMITH, FORMER CHAIRMAN
AND MEMBER OF THE BOARD OF ZONING APPEALS (BZA)
DURING MOMENT OF SILENT MEDITATION (TAPE 1)

Chairman Moore announced the recent death of Daniel Smith, former Chairman and Member of the Board of Zoning Appeals (BZA) for thirty years, and asked everyone present to remember him during the moment of silent meditation.

3. EXPRESSION OF APPRECIATION TO BOARD MEMBERS
AND STAFF (TAPE 1)

With a notation that this is the last meeting of this Board, Chairman Moore stated that it has been an honor for her to serve on this Board. She expressed her appreciation to all Board Members and the County staff for their contributions of time and effort.

4. CERTIFICATE OF APPRECIATION PRESENTED
TO MS. MIRIAM KEACH FOR 32 YEARS OF
SERVICE TO CITIZENS AND GOVERNMENT
OF FAIRFAX COUNTY
(NO TAPE)

(Ms. Miriam Keach could not be present to receive this Certificate of Appreciation in person.)

5. ABSENCE OF SPRINGFIELD DISTRICT SUPERVISOR
ELAINE MCCONNELL FROM TODAY'S BOARD MEETING
(TAPE 1)

Chairman Moore announced that Springfield District Supervisor Elaine McConnell would be absent from today's Board Meeting due to illness.

6. ABSENCE OF SUPERVISOR HYLAND IN ORDER TO ATTEND
FUNERAL OF DANIEL SMITH (TAPE 1)

Supervisor Hyland stated that he would be absent from the Board Meeting in order to attend the funeral of Mr. Daniel Smith at 1 p.m. today.

7. 10:00 A.M. - PRESENTATION BY THOMAS J. BULGER,
GOVERNMENT RELATIONS, INCORPORATED, ON THE
NEW FEDERAL SURFACE TRANSPORTATION ACT
(TAPES 1-2)

Following the presentation by Thomas J. Bulger, Government Relations, Incorporated (Legislative Liaison), on the Impact of the 1991 Intermodal Surface Transportation Act on Fairfax County, a question-and-answer period ensued among Board Members, with input from Mr. Bulger and Shiva K. Pant, Director, Office of Transportation.

Supervisor Hyland expressed his appreciation to Mr. Bulger for his diligent efforts during the past several years.

Supervisor Davis moved that the Board direct staff to continue to work with the State and Federal governments during the regulatory process of the interpretation of the 1991 Intermodal Surface Transportation Act. This motion was jointly seconded by Supervisor Hanley and Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

Mr. Bulger thanked the Board of Supervisors for its input and support during this entire process.

JLD:JLD

8. ADMINISTRATIVE ITEMS (TAPE 3)

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

Chairman Moore called to the Board's attention Administrative Item One - Advertisement for a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 1992 Revised Budget Plan. She relinquished the Chair to Vice-Chairman Pennino and asked that the motion be amended to consider this item separately, and this was accepted.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

Supervisor Hanley called to the Board's attention Administrative Item Eight - Additional Time to Commence Construction for Special Exception Application SE 89-D-044 (Chevron U.S.A., Incorporated) (Providence District-Formerly Dranesville District). She asked that the motion be amended to defer this item until January 6, 1992, and this was accepted.

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

(NOTE: Later in the meeting, discussion ensued among Board Members on Administrative Item Two and Supervisor Hyland asked to be recorded as voting "NAY." See Clerk's Summary Item CL#9.**)**

[NOTE: Later in the meeting, action was taken on Administrative Item One - Advertisement for a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 1992 Revised Budget Plan. See Clerk's Summary Item CL#10.]

ADMIN 1 - ADVERTISEMENT FOR A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1992 REVISED BUDGET PLAN

[NOTE: Later in the meeting, action was taken to authorize the advertisement of a public hearing to be held before the Board of Supervisors on January 6, 1992 at 10:00 a.m. on the proposed adoption of an increase in the Fiscal Year (FY) 1992 Appropriation Level, including both the County and the Schools' Midyear Reviews. See Clerk's Summary Item CL#10.]

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER REQUESTS FOR SPECIAL LEGISLATION TO CONFER PROPERTY TAX EXEMPTION ON THE GREATER ANNANDALE RECREATION ASSOCIATION AND THE ROBERT PIERRE JOHNSON CORPORATION

- (A) Authorized the advertisement of a public hearing, in accordance with Virginia Code Section 30.19.04 (Supp. 1991), to be held before the Board of Supervisors on January 6, 1992 at 4:30 p.m. to consider the requests for special legislation which would confer a property tax exemption status on the following two non-profit organizations:

- The Greater Annandale Recreation Center; and
- The Robert Pierre Johnson Housing Corporation, Incorporated.

(NOTE: Later in the meeting, discussion ensued on Administrative Item Two and Supervisor Hyland asked to be recorded as voting "NAY" on this item. See Clerk's Summary Item CL#9.)

ADMIN 3 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 46 (HEALTH OR SAFETY MENACES)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on January 27, 1992 at 4:30 p.m. on a proposed amendment to the Code of the County of Fairfax, Chapter 46 (Health or Safety Menaces). The proposed amendment contains revisions to clarify the definition of a public health or safety menace, to become effective upon adoption.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PROPOSED PROHIBITION OF THROUGH TRUCK TRAFFIC ON WAKEFIELD CHAPEL ROAD (ROUTE 710) (BRADDOCK DISTRICT)

- (A) Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on January 27, 1992 at 4:30 p.m. on the proposed restriction of through truck traffic on Wakefield Chapel Road (Route 710), located between Little River Turnpike (Route 236) and Braddock Road (Route 620), in accordance with Section 46.1-171-2 of the Code of Virginia. A possible alternate route which would be available for through trucks is by way of Little River Turnpike, the Capital Beltway (Interstate 495), and Braddock Road, Braddock District.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PROPOSED PROHIBITION OF THROUGH TRUCK TRAFFIC ON GUINEA ROAD (ROUTE 651) (BRADDOCK DISTRICT)

- (A) Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on January 27, 1992 at 4:30 p.m. on the proposed restriction of through truck traffic on Guinea Road (Route 651), located between Little River Turnpike (Route 236) and Braddock Road (Route 620), in accordance with Section 46.1-171-2 of the Code of Virginia. A possible alternate route which would be available for through trucks is by way of Little River Turnpike, the Capital Beltway (Interstate 495), and Braddock Road, Braddock District.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE APPOINTMENT OF A SCHOOL BOARD MEMBER FOR THE SULLY DISTRICT

(BACs)

- (A) Authorized the advertisement of a public hearing, in accordance with Virginia Code Section 22.1-19.1 (Supp. 1991), to be held before the Board of Supervisors on January 27, 1991 at 7:30 p.m. to receive the views of the citizens on the appointment of an additional member to the Fairfax County School Board who is a resident of the Sully District.

(NOTE: This statute provides that no nominee whose name has not been considered at the public hearing shall be appointed as a school board member. The statute does not require that the name of any nominee be advertised in advance nor does it preclude the nomination of new names at the public hearing by either the Board or the public. The School Board appointment will be made at the Board of Supervisors' meeting scheduled for January 27, 1992.)

ADMIN 7 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE AND MOUNT VERNON DISTRICTS)

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated December 16, 1991 be recommended for acceptance into the State Secondary System.

ADMIN 8 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 89-D-044 (CHEVRON U.S.A., INCORPORATED) (PROVIDENCE DISTRICT-FORMERLY DRANESVILLE DISTRICT)

(NOTE: During approval of the Administrative Items, Administrative Item Eight, a request for 12 months of additional time to commence construction for Special Exception Application SE 89-D-044 pursuant to the provisions of Section 9-015 of the Zoning Ordinance, was deferred until January 6, 1992.)

ADMIN 9 - PROPOSED INSTALLATION OF "NO PARKING" SIGNS ALONG HUNTSMAN BOULEVARD (SPRINGFIELD DISTRICT)

- (R) As contained in Attachment One of the Memorandum to the Board dated December 16, 1991:
- Adopted a Resolution prohibiting parking on both sides of Huntsman Road, between Sydenstricker Road and Spelman Drive, from 7:00 a.m. to 9:00 a.m., Mondays through Fridays, except Holidays, Springfield District; and

- Directed staff to install the "NO PARKING" signs along the subject roadway section upon approval by the Virginia Department of Transportation (VDOT).

ADMIN 10 - PROPOSED RESTRICTIVE PARKING ON MAPLE COURT (MASON DISTRICT)

(R) As contained in Attachment One of the Memorandum to the Board dated December 16, 1991:

- Adopted a Resolution restricting parking on both sides of Maple Court, from Columbia Pike to the property boundaries of 3517 and 3518 Maple Court, Mason District; and
- Directed staff to secure the necessary permits from the Virginia Department of Transportation (VDOT) for the installation of the "NO PARKING" signs.

ADMIN 11 - PROPOSED RESTRICTIVE PARKING ON EMMETT DRIVE (MOUNT VERNON DISTRICT)

(R) As contained in Attachment One of the Memorandum to the Board dated December 16, 1991:

- Adopted a Resolution restricting parking on Emmett Drive from 7:00 a.m. to 4:00 p.m., Monday through Friday, Mount Vernon District; and
- Directed staff to secure the necessary permits from the Virginia Department of Transportation (VDOT) for the installation of the "NO PARKING" signs.

9. ADDITIONAL DISCUSSION ON ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER REQUESTS FOR SPECIAL LEGISLATION TO CONFER PROPERTY TAX EXEMPTION ON THE GREATER ANNANDALE RECREATION ASSOCIATION AND THE ROBERT PIERRE JOHNSON CORPORATION (TAPE 3)

(NOTE: Earlier in the meeting, action was taken to approve Administrative Item Two. See Clerk's Summary Item CL#8.)

Discussion ensued among Board Members, with input from Michael Long, Assistant County Attorney, regarding the issue of property tax exemption for recreation associations.

Supervisor Hyland asked unanimous consent that he be recorded as voting "NAY" on the part of Administrative Item Two which authorizes the advertisement of a public hearing to consider a request for special legislation to confer property tax exemption on the Greater Annandale Recreation Association. Without objection, it was so ordered.

For the purpose of clarification, the question was reiterated on the previous motion to approve the Administrative Items which carried by a vote of seven, Supervisor Alexander being out of the room, Supervisor McConnell being absent.

10. ADMIN 1 - ADVERTISEMENT FOR A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 1992 REVISED BUDGET PLAN (TAPE 3)

- (A) (NOTE: Earlier in the meeting, during approval of the Administrative Items, action was taken to consider Administrative Item One separately. See Clerk's Summary Item CL#8.)

Discussion ensued among Board Members, with input from James P. McDonald, Deputy County Executive for Management and Budget, and Edward L. Long, Jr., Director, Office of Management and Budget.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide information from each agency regarding the specific cuts being made. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide information from each agency regarding further cuts for next year's budget. Without objection, it was so ordered.

Supervisor Bulova moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on January 6, 1992 at 10:00 a.m. on the proposed adoption of an increase in the Fiscal Year (FY) 1992 Appropriation Level, including both the County and the Schools' Midyear Reviews. The public hearing is to be held in accordance with Section 15.1-162.1 of the Code of Virginia. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

11. A-1 - AUTHORIZATION TO PAY FISCAL YEAR (FY) 1992
THIRD QUARTER TRANSIT OPERATING SUBSIDY TO THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY
(WMATA) (COUNTYWIDE) (TAPE 3)

- (R) Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt a Resolution authorizing payment to the Washington Metropolitan Area Transit Authority (WMATA) of the Fiscal Year (FY) 1992 Third Quarter Transit Operating Subsidy Billing in the amount of \$10,725,524. This motion was seconded by Supervisor Hanley.

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

12. A-2 - AUTHORIZATION TO MAKE COMMUTER RAIL PAYMENT
(BRADDOCK, LEE, MOUNT VERNON AND SPRINGFIELD
DISTRICTS) (TAPE 3)

On motion of Supervisor Bulova, jointly seconded by Supervisor Davis and Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and authorized a payment, of up to \$568,163, to the Northern Virginia Transportation Commission (NVTC) for the remaining portion of Fairfax County's share of the Fiscal Year (FY) 1992 Virginia Railway Express (VRE) Budget. (The payment is due on January 1, 1992.)

13. A-3 - FAIRFAX COUNTY POLICE DEPARTMENT, HELICOPTER
DIVISION, GRANT APPLICATION TO THE VIRGINIA
DEPARTMENT OF TRANSPORTATION (VDOT) (TAPE 3)

Supervisor Alexander moved that the Board concur in the recommendation of staff and approve the Fairfax County Police Department's submission of a grant application to the Virginia Department of Transportation (VDOT), in the amount of \$300,000, to purchase video and communications equipment for use by the Helicopter Division. This motion was seconded by Supervisor Bulova.

Following discussion among Board Members, with input from Captain Ronald P. Miner, Traffic Division, Operations Support Bureau, Police Department, and Richard A. King, Acting County Executive, the question was called on the motion which carried by a vote of eight, Supervisor McConnell being absent.

14. A-4 - BOARD OF SUPERVISORS' ADOPTION OF THE
UNIFORM PRO RATA SHARE ASSESSMENT PROGRAM
FOR STORM DRAINAGE IMPROVEMENTS
(COUNTYWIDE) (TAPE 3)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the proposed

Uniform Pro Rata Assessment Procedure for County Stormwater Management Improvements contained in the Memorandum to the Board dated December 16, 1991.

15. A-5 - VIRGINIA POWER APPLICATION FOR RATE INCREASE - CASE NUMBER PUE 910047 (TAPE 3)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and authorized the Department of Consumer Affairs and the County Attorney's Office to intervene, on behalf of the Board of Supervisors, before the State Corporation Commission (SCC) hearing on the Virginia Power application to revise its tariffs to increase revenues by approximately \$184 million or 8.8 percent. The SCC hearing is scheduled for January 29, 1992.

16. A-6 - DELINQUENT REAL ESTATE AND PERSONAL PROPERTY TAX LISTS FOR 1989 AND 1990 (TAPE 3)

Supervisor Richards moved that the Board concur in the recommendation of staff and take the following actions regarding delinquent real estate and personal property tax lists for 1989 and 1990:

- Make available the list of first and second year delinquent taxpayers for public review in all Fairfax County Public Libraries and NOT print the list in newspapers; and
- Credit the Director of Finance a total of \$84,878 for tax year 1990 real estate and personal property accounts less than \$5.00 for which no bills were sent.

This motion was seconded by Supervisor Alexander.

Supervisor Davis moved a substitute motion that the Board direct staff to send a letter to each delinquent taxpayer stating the Board's intention to publish a delinquent taxpayer list in newspapers if prompt payment is not received. This motion was seconded by Supervisor Pennino.

Following discussion among Board Members, with input from Susan S. Planchon, Director, Office of Finance, the question was called on the substitute motion which CARRIED by a recorded vote of seven, Supervisor Pennino being out of the room, Supervisor McConnell being absent.

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

17. A-7 - OFFICE FOR CHILDREN APPLICATION FOR MOBIL
FOUNDATION GRANT FOR THE EMPLOYER CHILD CARE
COUNCIL QUALITY CHILD CARE INITIATIVE
(TAPE 3)

On motion of Supervisor Hanley, seconded by Supervisor Davis, and carried by a vote of seven, Supervisor Pennino being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the submission of an application by the Office for Children (OFC) to apply for a Mobil Foundation grant, in the amount of \$30,800 in Fiscal Year (FY) 1992, to make the Employer Child Care Council Child Care Initiative available to family child care providers who care for children of low-income families.

18. A-8 - APPROVAL TO SUBMIT A REGIONAL PROPOSAL
FOR MENTAL RETARDATION CHILD DAY CARE AND
FAMILY SUPPORT SERVICES (TAPES 3-4)

On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of seven, Supervisor Pennino being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the submission of a proposal by the Fairfax-Falls Church Community Services Board (CSB) to the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), in the amount of \$43,651 for family support, and in the amount of \$37,043 for day care, for a funding initiative for Child Day Care and Family Support for individuals with mental retardation.

19. A-9 - ADOPTION OF FINAL ASSESSMENTS FOR CALVERT
PARK (MOUNT VERNON DISTRICT) (TAPE 4)

(Rs) On motion of Supervisor Hyland, seconded by Supervisor Davis, and carried by a vote of seven, Supervisor Pennino being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted Resolutions establishing the final amount to be assessed against each landowner in the Calvert Park Community Improvement Program project, Mount Vernon District.

20. A-10 - ADOPTION OF FINAL ASSESSMENTS FOR BUCKNELL
HEIGHTS (MOUNT VERNON DISTRICT) (TAPE 4)

(Rs) On motion of Supervisor Hyland, seconded by Supervisor Davis, and carried by a vote of seven, Supervisor Pennino being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted Resolutions establishing the final amount to be assessed against each landowner in the Bucknell Heights Community Improvement Program project, Mount Vernon District.

21. A-11 - AMENDMENT OF A BOARD OF SUPERVISORS
RESOLUTION ORDERING IMPROVEMENTS AND AUTHORIZING
ASSESSMENTS FOR THE ENGLSIDE, PHASE II COMMUNITY
IMPROVEMENT PROJECT (LEE DISTRICT) (TAPE 4)

- (Rs) Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt an amendment to the Resolutions ordering improvements and authorizing assessments for Phase II of the Engleside Community Improvement project to eliminate Woodlawn Court.

Following discussion among Board Members, this motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Davis being out of the room, Supervisor McConnell being absent.

22. A-12 - PROPOSED VACATION OF A PORTION OF A STORM
DRAINAGE EASEMENT ON PROPERTY OWNED BY WILLARD C.
LAMBERT AND BILLIE J. LAMBERT (LEE DISTRICT)
(TAPE 4)

- (R) On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by a vote of seven, Supervisor Davis being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted a Resolution authorizing the Acting County Executive to execute, on behalf of the Board of Supervisors, a quitclaim deed releasing a storm drainage easement located on Tax Map Number 92-2 ((15)) 33, as shown on the plat contained in the Memorandum to the Board dated December 16, 1991, Lee District.

23. A-13 - AUTHORIZATION FOR CONDEMNATION OF A PUBLIC
INGRESS EGRESS EASEMENT TO PROVIDE LEGAL AND
ADEQUATE ACCESS TO A MEDIAN CROSSOVER (LEE
DISTRICT) (TAPE 4)

- (R) On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by a vote of seven, Supervisor Davis being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted a Resolution authorizing condemnation of the public ingress egress easement in order to provide a crossover at a median break on Richmond Highway (U.S. Route 1), Lee District.

24. A-14 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN EASEMENTS NECESSARY FOR THE REPAIR AND MAINTENANCE OF A WALKWAY AND PEDESTRIAN BRIDGE ALONG GEORGETOWN PIKE (DRANESVILLE DISTRICT)
(TAPE 4)

- (R) On motion of Supervisor Richards, seconded by Supervisor Pennino, and carried by a vote of seven, Supervisor Davis being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted a Resolution authorizing condemnation of certain easements necessary for repair and maintenance of a walkway and pedestrian bridge along Georgetown Pike, Project X00405 - Langley High School Sidewalk, Dranesville District.

25. A-15 - ADOPTION OF AMENDMENTS TO THE COMPENSATION PLAN AND CAFETERIA PLAN (TAPE 4)

On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by a vote of seven, Supervisor Davis being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the revision of the Compensation and Cafeteria Plans to include the Medical Spending Account Plan.

26. A-16 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 92038 FOR THE DEPARTMENT OF HUMAN DEVELOPMENT TRANSITION HOUSING PROGRAM GRANT AWARD FOUR FROM THE UNITED STATES (U.S.) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) - PROGRAM YEAR TWO (TAPE 4)

- (SAR) On motion of Supervisor Alexander, seconded by Supervisor Pennino, and carried by a vote of seven, Supervisor Davis being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted Supplemental Appropriation Resolution (SAR) AS 92038 in the amount of \$1,066,664 for Program Year Two of the Transitional Housing Program Grant Award Four for the period beginning March 1, 1992 through February 28, 1993.

27. A-17 - AUTHORIZATION FOR THE ADVANCE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE FUTURE CONSTRUCTION OF THE FAIRFAX COUNTY PARKWAY AT THE WASHINGTON AND OLD DOMINION TRAIL (W&OD) (CENTREVILLE AND DRANESVILLE DISTRICTS AND THE TOWN OF HERNDON) (TAPE 4)

- (R) On motion of Supervisor Pennino, seconded by Supervisor Richards, and carried by a vote of seven, Supervisor Davis being out of the room, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted a Resolution authorizing the advance acquisition of certain easements from the Northern Virginia Regional Park Authority (NVRPA) necessary for the future construction of the Fairfax County Parkway at the Washington and Old Dominion Trail, Centreville and Dranesville Districts and the Town of Herndon.

28. A-18 - REVIEW OF ARCHITECTURAL AND ENGINEERING CONTRACT AWARD AND APPROVAL OF ADDITIONAL HOUSING TO BE DEVELOPED BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) IN HERNDON (DRANESVILLE DISTRICT) (TAPE 4)

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

- Authorized additional housing to be developed by the Fairfax County Redevelopment and Housing Authority (FCRHA) for up to 120 independent living elderly housing units, a senior center, and an adult day health care center on a site located in the Town of Herndon, Tax Map Numbers 10-4-0010-A & B and 10-4-002-14 pursuant to the provisions of Virginia Code Section 36-19.2; and
- Awarded an architectural and engineering contract to Heffner Architect, P.C., in the amount of \$503,000.

29. C-1 - AUTHORIZATION TO NEGOTIATE UNDER THE PRIVATE DEVELOPER ASSISTANCE PROGRAM FOR MADISON LANE PARTNERSHIP (MASON DISTRICT) (TAPE 4)

The Board next considered an Item contained in the Memorandum to the Board dated December 16, 1991 regarding authorization to negotiate under the Private Developer Assistance Program at the request of the Madison Lane Partnership for certain land rights on property identified as Tax Map Number 61-4-01-0157 owned by Frank and Alls, a Virginia General Partnership.

Supervisor Davis moved that the Board authorize staff to proceed with negotiations under the Private Developer Assistance Program for Madison Lane Partnership for certain land rights on property identified as Tax Map Number 61-4-01-0157 owned by Frank and Alls, a Virginia General Partnership. This motion was seconded by Supervisor Alexander.

Following discussion among Board Members, the question was called on the motion which CARRIED by a recorded vote of seven, Chairman Moore voting "NAY," Supervisor McConnell being absent.

30. C-2 - CITIZEN APPOINTMENTS TO THE SECURITY
ALARM SYSTEMS COMMISSION (TAPE 4)

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated December 16, 1991 regarding appointment of additional citizen representatives to the Security Alarm Systems Commission.

The Board noted that there are no objections.

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31. I-1 - EMPLOYEE SURVEY (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 presenting the Employee Survey.

Following a query from Supervisor Hyland, Cornelius J. O'Kane, Director, Office of Personnel, emphasized the fact that the Internal Audit Office, which will collect the employee surveys, will work closely with the Employee Advisory Council (EAC), the principal participant in the construction of the survey.

Supervisor Hyland suggested that the request for information might be prefaced with a statement to all County employees from the Acting County Executive encouraging participation and stressing the importance of the survey.

Supervisor Hyland asked unanimous consent that the Board request staff to consider the addition of the following questions to the survey questionnaire:

- Are there any functions in your office for which a fee could be reasonably charged?;
- What work is being performed in your section or department which you find is unnecessary or overlaps other functions?; and
- What changes do you believe could be made to improve the operation in your office, agency or division within the current budget?

In addition, Supervisor Hyland suggested that the survey form include a section which provides for the addition of other observations and recommendations, a section which encourages employees to make general comments in addition to those within the confines of the survey.

Without objection, it was so ordered, with the understanding that Supervisor Hyland will meet with Mr. O'Kane to work on language changes and/or additions to the employee survey form.

(NOTE: Later in the meeting, there was additional discussion regarding this item. See Clerk's Summary Item CL#33.)

ADDITIONAL BOARD MATTER

32. FORMAL RECOGNITION OF OUTGOING BOARD MEMBERS (TAPE 5)

Supervisor Davis stated that he wished to formally recognize this as the last Board Meeting for three Board Members. Accordingly, in recognition of the tough decisions which she has made during her tenure on the Board, Supervisor Davis presented Chairman Moore with some hard candy and oranges.

In addition, Supervisor Davis presented Vice-Chairman Pennino with a scrap "piece" of the New Governmental Center.

Supervisor Davis presented Supervisor Richards with a small, live, decorated Christmas tree for planting in downtown McLean.

In honor of her reputation as a "fisherman", Supervisor Richards presented a videotape of the movie, "A Fish Called Wanda," to Supervisor Davis.

As a result of what has been reported in the press regarding Supervisor McConnell's job as "enforcer" on the new Board, Supervisor Richards presented Supervisor McConnell, in absentia, with a red and white polka dotted "boxer shorts apron".

In addition, Chairman Moore, Vice-Chairman Pennino, and Supervisor Richards were presented with individual plaques in recognition of their service on the Board, and a picture was taken of the entire Board.

Supervisor Alexander asked unanimous consent that letters from Supervisor McConnell to Chairman Moore, Vice-Chairman Pennino, and Supervisor Richards, wishing them great success, be entered into the record of today's meeting. Without objection, it was so ordered.

Chairman Moore expressed her wishes to the new Board of Supervisors for great success and wonderful things for Fairfax County.

Supervisor Hanley noted that Supervisor Richards has served Fairfax County citizens forthrightly and well as a member of the Board of Supervisors with her knowledge of land use and transportation, and her efforts to coordinate these items has been outstanding.

Supervisor Hanley praised Chairman Moore for her dedication and consciousness-raising efforts on behalf of the environment and the many other very important issues in Fairfax County.

Supervisor Hanley recognized Vice-Chairman Pennino as the longest serving local elected woman official in the State of Virginia, and lauded Vice-Chairman Pennino as a pioneer and role model for all women.

33. ADDITIONAL DISCUSSION OF I-1 - EMPLOYEE SURVEY
(TAPE 5)

(NOTE: Earlier in the meeting, there was discussion of this item. See Clerk's Board Summary Item CL#31.)

Supervisor Bulova referred to Part II, Salary Benefit Reductions, and asked unanimous consent that the Board direct staff to find some way to preface this part with a breakdown of figures showing what percentage of the County budget goes for salaries. She noted that there is a lot of misunderstanding or lack of knowledge about the budget in general, and perhaps a sentence or two on the budget breakdown would be helpful. Without objection, it was ordered.

34. I-18 - APPROVAL OF AGREEMENT WITH THE PARSONS CORPORATION FOR AN ENGINEERING STUDY FOR THE EXPANSION OF THE LOWER POTOMAC POLLUTION CONTROL PLANT (MOUNT VERNON DISTRICT)
(TAPE 5)

Prior to his departure from the Board Room, Supervisor Hyland called the Board's attention to Information Item I-18 - Approval of Agreement with the Parsons Corporation for an Engineering Study for the Expansion of the Lower Potomac Pollution Control Plant.

Following input from John W. di Zerega, Director, Department of Public Works, Supervisor Hyland asked unanimous consent that the Board direct staff to provide a copy of the Request for Proposal (RFP) on this item. Without objection, it was so ordered.

35. I-2 - ROAD BOND PROGRAM - BOARD OF SUPERVISORS'
MONTHLY STATUS REPORT FOR NOVEMBER, 1991
(TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 presenting the Road Bond Program - Board of Supervisors' Monthly Status Report for November, 1991.

There was a brief discussion regarding this item.

36. I-3 - FAIRFAX COUNTY PARKWAY/FRANCONIA -
SPRINGFIELD PARKWAY STATUS REPORT
(COUNTYWIDE) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 presenting the Fairfax County Parkway/Franconia - Springfield Parkway Status Report.

37. I-4 - STATUS REPORT ON HIGHWAY PROJECTS IN
THE VIRGINIA DEPARTMENT OF TRANSPORTATION
(VDOT) SIX-YEAR IMPROVEMENT PROGRAMS
(COUNTYWIDE) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 presenting the Status Report on Highway Projects In The Virginia Department of Transportation (VDOT) Six-Year Improvement Programs.

There was a brief discussion regarding this item, with input from Shiva K. Pant, Director, Office of Transportation.

38. I-5 - STAFF SUMMARIES OF OCTOBER, 1991
TRANSPORTATION ADVISORY COMMISSION
MEETINGS (COUNTYWIDE) (TAPE 5)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 presenting Staff Summaries of October, 1991 Transportation Advisory Commission meetings.

39. I-6 - COMMENTS ON PROPOSED FEDERAL OIL
POLLUTION PREVENTION REGULATIONS
(TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to prepare the necessary comments for submittal to the Environmental Protection Agency (EPA) regarding proposed regulations that revise the requirements for Spill Prevention, Control, and Countermeasures Plans.

Following a brief discussion, Supervisor Bulova asked unanimous consent that the Board direct staff to return as expeditiously as possible with information on any specific regulations and coverage by the Environmental Protection Agency (EPA) regarding pipeline safety. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

40. I-7 - FAIRFAX COUNTY PARTICIPATION IN HOME PROGRAM AND ACCEPTANCE OF \$1,771,000 IN FUNDING AND AUTHORIZATION OF THE ACTING COUNTY EXECUTIVE TO TAKE ALL NECESSARY ACTIONS IN ORDER TO MEET THE SUBMISSION AND PROGRAM REQUIREMENTS FOR PARTICIPATION IN THIS PROGRAM (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for:

- The Department of Housing and Community Development (HCD) to pursue the grant award in the amount of \$1,771,000; and
- The Acting County Executive to take all necessary actions in order to meet the submission and program requirements for participation in the HOME Program.

The staff was directed administratively to proceed as proposed.

41. I-8 - CONTRACT AWARD - ANNUAL CONTRACT FOR STRUCTURAL ENGINEERING SERVICES (COUNTYWIDE) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to award a contract to Sverdrup Corporation, in the amount of \$200,000 for consulting engineering services for County projects which are being designed by County staff and/or when these services are not part of a design contract with an outside consulting firm.

There was a brief discussion regarding this item, with input from John W. diZerega, Director, Department of Public Works.

The staff was directed administratively to proceed as proposed.

42. I-9 - CONTRACT RENEWAL - ANNUAL CONTRACT FOR TRAFFIC SIGNAL ENGINEERING SERVICES (COUNTYWIDE) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to award a contract to Bellomo-McGee, in the amount of \$100,000 for consulting engineering services necessary to provide traffic signal design plans on County projects which are being designed by County staff and/or when traffic signal designs are not part of a design contract with an outside consulting firm.

The staff was directed administratively to proceed as proposed.

43. I-10 - CONTRACT RENEWAL - AGREEMENT FOR ENGINEERING SERVICES FOR LANDFILL CLOSURE AND SOLID WASTE ISSUES (MOUNT VERNON DISTRICT) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to renew a contract with Post, Buckley, Schuh and Jernigan with a maximum limit of \$600,000 for engineering services related to solid waste activities.

The staff was directed administratively to proceed as proposed.

44. I-11 - CONTRACT AWARD - CONSTRUCTION OF AN ENTRANCE ROAD, PARKING LOT, TRAILS AND LANDSCAPING AT NEWINGTON PARK (MOUNT VERNON DISTRICT) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to award a contract to D & F Construction Company of Arlington, Virginia in the amount of \$129,528 for construction of an entrance road, parking lot, trails and landscaping for Project 004316, Newington Park, in Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

45. I-12 - AWARD OF A CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE RENOVATION/ EXPANSION OF THE GUM SPRINGS COMMUNITY CENTER (MOUNT VERNON DISTRICT) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to award a contract to Stanmyre and Noel, Architects in the amount of \$129,544 for engineering services required for the renovation/expansion of the Gum Springs Community Center.

The staff was directed administratively to proceed as proposed.

46. I-13 - CONTRACT AMENDMENT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR MORARITY PLACE (BRADDOCK DISTRICT) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to:

- Amend the contract with Rust, Orling, and Neal Architects in the amount of \$54,429; and
- Reallocate funds from Subfund 411, FCRHA Revolving Development Fund to amend the contract for Project 013889 and to fund the associated contingency.

There was a brief discussion regarding this item.

The staff was directed administratively to proceed as proposed.

47. I-14 - AWARD OF FINAL DESIGN ADDENDUM FOR MOUNT ZEPHYR PHASE I - COMMUNITY IMPROVEMENT (MOUNT VERNON DISTRICT) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to award an addendum to The B.C. Consultants, Incorporated, in the amount of \$31,090 for Project C00087, Mount Zephyr in Subfund 488, Neighborhood Improvement Program.

The staff was directed administratively to proceed as proposed.

48. I-15 - APPROVAL OF ENGINEERING DESIGN CONTRACT FOR HAYFIELD ROAD (LEE DISTRICT) (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to award a contract to The B.C. Consultants, Incorporated, in the amount of \$57,463.90 to perform the engineering design for Project 064142, Hayfield Road, in subfund 463, Primary and Secondary Road Bond Construction.

The staff was directed administratively to proceed as proposed.

49. I-16 - APPROVAL OF DESIGN CONTRACT FOR WEST OX ROAD EXTENSION IMPROVEMENT (SULLY DISTRICT)
(TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to execute the design contract with HSM&M, in the amount of \$106,392 for the West Ox Road Extension Project, 40X489E.

The staff was directed administratively to proceed as proposed.

50. I-17 - AWARD OF CONTRACT - PHYSICAL EXAMINATIONS FOR VOLUNTEER FIRE PERSONNEL (TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to award a contract to Inova Health Systems for the provision of physical examinations for volunteer fire personnel.

The staff was directed administratively to proceed as proposed.

51. I-18 - APPROVAL OF AGREEMENT WITH THE PARSONS CORPORATION FOR AN ENGINEERING STUDY FOR THE EXPANSION OF THE LOWER POTOMAC POLLUTION CONTROL PLANT (MOUNT VERNON DISTRICT)
(TAPE 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 requesting authorization for staff to proceed to execute the engineering study agreement in the amount of \$2,995,000 with the Parsons Corporation for expansion of the Lower Potomac Pollution Control Plant beyond 54MGD and reallocate funds as described in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#34.)

52. I-19 - INFORMATION REGARDING THE EXPANSION OF THE FAIRFAX COUNTY HISTORY COMMISSION (TAPE 5)

(R)
(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 16, 1991 presenting the staff comments regarding the expansion of the History Commission.

BOARD MATTERS

AR:AR

53. RECOGNITION OF ACCOMPLISHMENTS OF THE NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT
(TAPE 5)

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and asked unanimous consent that the Board commend the Northern Virginia Soil and Water Conservation District upon its receipt of the following important awards:

- Third place winner in the National Association of Conservation Districts' Annual Newsletter contest out of 3,800 Conservation Districts in the United States; and
- Virginia winner in the 1991 Virginia "Take Pride in America" Program, which makes the District a nominee in the national program.

In addition, Supervisor Moore asked that her request include a commendation to the Northern Virginia Soil and Water Conservation District and the Fairfax County Health Department for their participation in the Difficult Run project.

Accordingly, Supervisor Moore asked that her request also include continued participation by the Board in the award-winning Difficult Run project.

Without objection, the above requests were so ordered.

54. PROBLEM WITH THE CONDITIONS AT WHITTIER SCHOOL (TAPE 5)

Supervisor Moore called the Board's attention to the ongoing problems concerning the conditions at Whittier School. She added that there are two very important community groups, who get no County financing whatsoever, which use Whittier School on Saturdays to train people.

Supervisor Moore asked unanimous consent that the Board direct the Acting County Executive to make every effort to help the groups which presently meet at Whittier School to find alternative space, or to stay there, and to continue using Whittier until the repairs can be accomplished to the extent which their programs require.

Supervisor Hanley noted that the meetings of the formal Whittier School Task Force are about to begin to determine the use of this school. She added that this is of great interest not only to the groups using Whittier, but to the City of Falls Church and to the surrounding neighborhood.

Supervisor Moore emphasized that the purpose of her request is to ensure that these important programs have space to continue.

Without objection, it was so ordered.

(NOTE: Later in the meeting, an appointment was made by Supervisor Hanley to the Whittier School Task Force. See Clerk's Summary Item CL#80)

55. REQUEST FROM THE CITIZENS ADVISORY COMMITTEE
(CAC) FOR SOLID WASTE AND DISPOSAL MATTERS
FOR REPRESENTATION BY THE ISAAC WALTON LEAGUE
(TAPE 5)

Supervisor Moore stated she was in receipt of a letter from Roger Diedrich, Chairman of the Citizens Advisory Committee (CAC) for Solid Waste and Disposal Matters requesting that a member of the Isaac Walton League be appointed to the CAC because of the League's excellent record on water quality issues. In addition, a letter has been received from Joe Boden, Chairman of the Isaac Walton League, requesting representation by the League.

Following discussion, with input from Robert L. Howell, Acting County Attorney, Supervisor Moore asked unanimous consent that the Board direct the Acting County Attorney to review this matter and return to the Board as expeditiously as possible with his recommendations. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional discussion regarding this item. See Clerk's Summary Item CL#105.)

56. CLIFTON FOREST: ASSISTANCE WITH WATER PROBLEMS
(TAPE 5)

With reference to the ongoing problem in the Clifton Forest community regarding the lack of water, Supervisor Moore moved that the Board direct staff to return to the Board with a full report on all of the options possible for providing water to this community. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Hyland being out of the room, Supervisor McConnell being absent.

Supervisor Moore noted that some residents in the Clifton community do qualify for assistance in the form of provision of funds under the Community Development Block Grant (CDBG) and she expressed hope that the incoming Board of Supervisors will pursue this matter further.

Supervisor Moore asked unanimous consent that the Board direct staff to draft an ordinance consistent with State Law 32.176.5, which regulates water quality in the wells, for consideration by the Board for advertisement. Without objection, it was so ordered.

Additionally, Supervisor Moore moved that the Board direct staff to reexamine of issue of regulating water in Fairfax County to include:

- Either legislation to give the County authority to regulate new wells for water quantity; or
- The authority to tell new homeowners that, basically, "you're on your own."

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

Vice-Chairman Pennino returned the gavel to Chairman Moore.

57. ESTABLISHMENT OF SHORT TERM CHILD CARE FACILITIES IN REGIONAL SHOPPING MALLS
(TAPE 5)

Supervisor Alexander stated that his office has been approached by Mall Nannies, Incorporated, a small business hoping to become established in several Fairfax County shopping malls to provide short term child care for parents while they are shopping. He added that the average stay for a child is 42 minutes; so, Mall Nannies, Incorporated does not provide many of the requirements and services of a regular daycare center.

Therefore, Supervisor Alexander moved that the Board direct the Office of Comprehensive Planning, as expeditiously as possible, to explore the possibilities of a zoning ordinance amendment to allow for the establishment of short term, occasional care for children six weeks to six years of age in regional shopping malls. This motion was seconded by Supervisor Pennino.

Supervisor Hanley asked that the motion be amended to include input from the Child Care Advisory Council, and this was accepted.

Supervisor Alexander further amended his motion to include direction that staff take a look at the ordinances of Montgomery and Prince Georges Counties in Maryland, where this type of child care is already in place.

Supervisor Richards asked that the motion be amended to include staff review of how, and under what regulation, are babysitting services in hotels in the County covered, and this was accepted.

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

58. RECOGNITION OF DEPARTMENT OF PUBLIC WORKS'
EMPLOYEE TOM ELLIS FOR HIS WORK IN LEE
DISTRICT (TAPE 5)

Supervisor Alexander stated that he was pleased to announce that Tom Ellis, an employee of the Utilities Planning and Design Division of the Department of Public Works, has been awarded the "Shield of Masonry" for his excellent design and construction management of the Devonshire Townhouse sound attenuation wall. The six foot high wall is approximately 650 feet long, and was built as part of several developer default items in the community. Supervisor Alexander added that the Masonry Institute, a building industry trade association, has reviewed this project along with other masonry projects within the State of Virginia, and presented this award to Mr. Ellis at an awards ceremony on December 11, 1991.

59. AWARDS AT UPCOMING LEE DISTRICT BANQUET
(TAPE 5)

Supervisor Alexander announced that at the Lee District Banquet, scheduled for next Thursday evening, the following awards will be presented:

- Leadership Award to Mr. Carl Sell of the Planning Commission; and
- Professional Service Award to Mohammad L. Gharavi, of the Office of Road Program Management for his work on Telegraph Road, Van Dorn Street, and the Parkway, and also the community improvement area.

60. APPOINTMENT OF MR. CHAPIN WILSON AS LEE DISTRICT
REPRESENTATIVE ON THE ENVIRONMENTAL QUALITY
ADVISORY COUNCIL (EQAC) (TAPE 5)

(Appt)

Supervisor Alexander moved the appointment of Mr. Chapin Wilson as the Lee District representative on the Environmental Quality Advisory Council (EQAC). This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hyland being out of the room, Supervisor McConnell being absent.

61. WAIVER OF FEE FOR SPECIAL EXCEPTION
APPLICATION SE 89-S-058 (TAPE 5)

On behalf of Supervisor McConnell, Supervisor Alexander moved that the Board direct staff to waive the filing fee for Special Exception Application SE 89-S-058, which involves the renovation of an Amoco Station at Old Keene Mill Road and Torrance Street, because the \$1800 fee has already been paid for the Special Exception. Supervisor Alexander added that this is an amendment and does not involve new construction. The motion was seconded by Supervisor Davis and carried by a vote of seven, Supervisor Hyland being out of the room, Supervisor McConnell being absent.

62. CONSERVATION EASEMENT IN CENTRE RIDGE COMMUNITY
(TAPE 6)

On behalf of Supervisor McConnell, Supervisor Alexander called the Board's attention to a matter involving a final house location survey for the dwelling location on Lot 41, Section 7, Centre Ridge, which has identified a nominal intrusion in a conservation easement that was granted to the Board of Supervisors. This involves a very small corner of an existing house lot which intrudes 1.7 feet into the easement. The intrusion is nominal and did not result in a loss of any trees or vegetation within a particular segment of the easement.

Therefore, Supervisor Alexander moved that the Board of Supervisors authorize the two intrusions which are represented in the house location survey of Lot 41, Section 7, Centre Ridge, prepared by Dewberry and Davis, be allowed to remain with the understanding that no additional intrusions such as accessory structures will be permitted with the easement.

As the settlement of the sale of this dwelling has been deferred pending the resolution of this matter, Supervisor Alexander also asked that the Clerk to the Board provide a copy of this motion to Mr. Yates in a timely manner.

The motion was seconded by Supervisor Davis for the purpose of discussion.

Following discussion, Supervisor Alexander withdrew his motion.

Supervisor Bulova asked unanimous consent that the Board defer consideration of this matter until January 6, 1992 in order to allow additional input from staff. Without objection, it was so ordered.

VLL:VLL

63. DONATION OF BICYCLE REQUESTED FROM FAIRFAX COUNTY POLICE DEPARTMENT'S "BIKE POUND" (TAPE 7)

At the request of the Belvedere Elementary School Parents-Teachers Association (PTA), Supervisor Davis moved that the Board authorize the donation of a bicycle from the Fairfax County Police Department's "Bike Pound" for a seven year old student who is ill with leukemia. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Hyland and Chairman Moore being out of the room, Supervisor McConnell being absent.

64. ADDITIONAL INFORMATION TO BE ADDED TO FLYERS ENTITLED, "JOB NEWS, EMPLOYMENT OPPORTUNITIES WITH FAIRFAX COUNTY" (TAPE 7)

For future printings of "Job News, Employment Opportunities with Fairfax County," Supervisor Bulova asked unanimous consent that the Board direct staff to include:

- An explanation regarding the County's current job freeze and what the freeze means; and
- A sentence under each position description explaining why the particular position is critical and is being advertised during the freeze.

In response to a query by Supervisor Hanley, Supervisor Bulova clarified that it was her intent that this information be included on both the green flyer (opportunities for the general public) and the blue flyer (promotional opportunities for County employees).

Without objection, it was so ordered.

65. FAIRFAX COUNTY/MOSCOW COLLABORATIVE RELATIONSHIP (TAPE 7)

Supervisor Bulova called to the Board's attention the fact that several months ago she had been approached by Dr. Beverly Blois, a Northern Virginia Community College (NVCC) professor and Executive Director for Project International Emphasis regarding an exciting opportunity for Fairfax County. Dr. Blois had been contacted by a representative of the Russian Embassy inviting a delegation of community leaders and academicians from Fairfax County to visit the Western District of Moscow.

Officials in Moscow are now interested in learning from Fairfax County municipal democracy, capitalism, and economic development. In particular, the officials would like to learn more about the County's human services programs (child care, affordable housing, health care), educational system, political party structure and election process, budget, economic development, and the relationship between industry and government in a capitalistic society.

Moscow officials hope that after the initial one week trip, planned in February, a similar delegation of Russians could visit Fairfax County. A collaborative working relationship between the two jurisdictions is the goal. For instance, Moscow officials would like to establish contacts in Fairfax County with whom they could communicate about how to implement certain programs and policies.

Supervisor Bulova stated that besides herself, Projects International has invited Arthur Negrin, Virginia Department of Economic Development and Fairfax County Chamber of Commerce, and Douglas Neal, Professor of Local Government at NVCC to make the trip. Individuals are expected to pay their own airfare and Moscow hosts will assume all "in country" expenses.

Supervisor Bulova stated that she has already spoken to Gerald L. Gordon, Executive Director, Economic Development Authority (EDA), regarding materials for a brief presentation in Russia. With very little effort, Mr. Gordon can modify a video presentation done previously for a Japanese visit. Similarly, the Fairfax County Schools' Media Center has materials regarding the County's school system that would be applicable for this visit. NVCC has informed her that it will provide translation capabilities.

Supervisor Bulova requested full Board concurrence for a jurisdiction-to-jurisdiction collaborative relationship with the Western District of Moscow for the purpose of sharing information. In addition, she moved that the Board:

- Direct staff from EDA and the Office of Public Affairs, etcetera, to assist with preparing the materials for a presentation in Moscow, with the understanding that the costs of these materials should be negligible (The Chamber of Commerce and NVCC also will be assisting with materials to present); and

- Direct staff to prepare a Resolution, for Board adoption, to express greetings and good wishes to the officials and residents of the Western District of Moscow.

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

66. APPOINTMENT TO THE FAIRFAX COUNTY HUMAN SERVICES COUNCIL (TAPE 7)

(Appt)

Supervisor Bulova moved the appointment of Ms. Joseanne Z. Eisenhower as the Braddock District Representative to the Fairfax County Human Services Council to replace Ms. Kate Kellenberg Madrigal who had resigned. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

67. APPOINTMENT TO THE COMMUNITY ACTION ADVISORY BOARD (CAAB) (TAPE 7)

(Appt)

Supervisor Bulova moved the appointment of Ms. Patricia Wright as the Braddock District Representative to the Community Action Advisory Board (CAAB) to fill the unexpired term of Ms. Joseanne Z. Eisenhower who had resigned to serve on the Fairfax County Human Services Council. This motion was seconded by Chairman Moore and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

68. APPOINTMENT TO THE FORESTED WETLANDS COMMITTEE (TAPE 7)

(Appt)

Supervisor Bulova moved the appointment of Ms. Jean Packard as the Braddock District Representative to the Forested Wetlands Committee. This motion was seconded by Supervisor Hanley and carried by a vote of five, Supervisor Alexander, Supervisor Davis, and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

69. ADDITIONAL INFORMATION REQUESTED REGARDING THE ADMINISTRATIVE COSTS FOR THE COUNTY'S TRASH PARKOUT PROGRAM (TAPE 7)

Supervisor Richards stated that staff previously distributed to Board Members information regarding the County's trash parkout program dated December 11, 1991. She called to the Board's attention that this information did not include an explanation of the administrative costs

of the program. She asked unanimous consent that the Board direct staff to forward to the incoming Board a breakdown of the financing plans for the additional administrative staff positions for the County's trash parkout program. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional discussion regarding the County's Parkout Program. See Clerk's Summary Item CL#104.)

70. RESIDENTS OF SUGAR CREEK SUBDIVISION ARE EXPERIENCING MECHANICAL PROBLEMS WITH HEAT PUMPS (TAPE 7)

Supervisor Richards stated that residents along Silver Beech Road in Section One of the Sugar Creek Subdivision are experiencing mechanical problems with their heat pumps. The residents have petitioned Washington Gas to extend its service to this neighborhood; however, the Virginia Department of Transportation (VDOT) has not accepted Silver Beech Road into the State System and the developer of Sugar Creek has not been willing to allow Washington Gas to extend a gas line down this street. Therefore, these residents must wait until Silver Beech Road is accepted into the State System before natural gas can be brought to their homes.

Supervisor Richards moved that the Board direct staff to expedite the processing of accepting Silver Beech Road into the State System as soon as the work remaining on the punch list is complete. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Alexander and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

71. APPOINTMENTS TO THE COMMUNITY IMPROVEMENT COMMITTEE (TAPE 7)

(Appts)

Supervisor Richards moved the appointments of Ms. Janice Kennedy as the Ellison Heights Representative and Mr. Peter Reynolds as the Westhampton Representative to the Community Improvement Committee. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

72. COMMENTS REGARDING COUNTY'S NEW GOVERNMENT CENTER (TAPE 7)

In response to a query by Supervisor Richards regarding the County's new Government Center, Supervisor Bulova responded that the obelisk is eliminated and staff is exploring other alternatives for a centerpiece for the circular area previously designated for the obelisk.

73. PROPOSED AMENDMENT TO HOUSE RESOLUTION
H.R.#6, HOUSE BANKING BILL, INTRODUCED
BY CONGRESSMAN JAMES P. MORAN, EIGHTH
DISTRICT OF VIRGINIA (TAPE 7)

In response to a query by Supervisor Richards, Supervisor Bulova responded that at its meeting held on November 25, 1991, the Board addressed House Resolution H.R.#6, House Banking Bill, and Congressman James P. Moran's proposed amendment which acknowledges the existence of a credit crunch of crisis proportions and offers possible solutions.

74. SUPERVISOR LILLA RICHARDS, DRANESVILLE DISTRICT,
EXPRESSES APPRECIATION TO MANY INDIVIDUALS FOR
THEIR ASSISTANCE DURING THE PAST FOUR YEARS
(TAPE 7)

Supervisor Richards expressed her appreciation to many individuals of the private sector, as well as County staff and Board Members, for their assistance to her during the past four years that she has served on the Board of Supervisors. She acknowledged the completion of many projects throughout the County, as well as in the Dranesville District, that may not have been possible without the assistance and expertise of those individuals.

PMH:PMH

75. REQUEST TO REFER TO THE LEGISLATIVE SUBCOMMITTEE
THE ISSUE OF A BREAKDOWN OF COUNTY TAXES
(TAPE 8)

Supervisor Pennino stated that she was a property owner in Bethany Beach, Delaware and is required to pay real estate taxes. She said that in that state there is a breakdown of County taxes. She said that it occurred to her that the County of Fairfax should consider requesting the General Assembly to provide the County with authority to separate out County real estate taxes from school costs and taxes and be given authority to levy a separate school tax which could be a differential tax. She distributed to Board Members for their consideration a copy of this method of taxation.

Supervisor Pennino asked unanimous consent that the Board refer this issue to the Legislative Subcommittee for consideration. Without objection, it was so ordered.

76. APPOINTMENT OF MS. JANE VITRAY TO THE ADVISORY COMMITTEE OF THE FEDERAL ELECTIONS COMMISSION
(TAPE 8)

Supervisor Pennino stated that Jane Vitray, Secretary of the Electoral Board, has received a very distinguished appointment from the Federal Elections Commission. She said that she currently serves on the Fairfax County Council of the Arts and has served on the Civil Service Commission as well as having been Chairman of the Commission for Women.

Supervisor Pennino said that she has been appointed to serve on the Advisory Committee of the Federal Elections Commission which is made up of only 20 individuals nationwide. Supervisor Pennino moved that a letter of congratulations be sent to Ms. Vitray on her appointment to the Advisory Committee of the Federal Elections Commission. This motion was seconded by Chairman Moore and carried by a vote of six, Supervisor Davis and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

77. REDISTRICTING OF RESTON (TAPE 8)

Supervisor Pennino stated that she has recently been approached by several residents concerning an issue regarding the redistricting of Reston Land. She said that there is one small area of Reston which lies in the Dranesville District and as the redistricting law currently reads, no changes may be made until redistricting takes place in the year 2000. However, she said that it is her understanding that an amendment to the State Code can be made through the General Assembly.

Therefore, Supervisor Pennino asked unanimous consent that the Board direct the County Attorney to investigate this issue so it can be included in the Legislative Package for the 1992 General Assembly Session.

Following discussion, Supervisor Pennino amended her request to ask unanimous consent that the Board refer this issue to the Legislative Subcommittee. Without objection, the request as amended, was so ordered.

78. REQUEST FOR FOX MILL AND WAPLES MILL ROADS TO BE DESIGNATED AS SCENIC HIGHWAYS (TAPE 8)

Supervisor Pennino stated that the Fox Mill Community's Preservation Association has requested the Board's continued assistance in preserving the character of Fox Mill and Waples Mill Roads between Lawyer's Road and Route 66. She said that under the provisions of Virginia's Scenic Highways and Byways Act the Association is seeking to have the roads designated as scenic highways as they traverse through the Difficult Run Watershed within the 4.75 mile area of the Watershed affected. She said that these roads parallel Difficult Run and its tributaries for approximately 2.25 miles, crossing the stream more than a dozen times.

She added that part of the process for obtaining Scenic Byway Status requires the passing of a Resolution by the Board of Supervisors requesting the Commonwealth Transportation Board (CTB) to make such a designation.

Supervisor Pennino moved that the Board reiterate that the Board of Supervisors advises the CTB that the Board supports the efforts of the Fox Mill Community's Preservation Association in their effort to have Fox Mill and Waples Mill Roads designated as Scenic Byways between Lawyer's Road and Route 66. This motion was seconded by Chairman Moore and carried by a vote of six, Supervisor Davis and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

79. REQUEST FOR REPORT ON THE CIVIL SERVICE COMMISSION'S BACKLOG (TAPE 8)

Supervisor Hanley said that it was her understanding that the Civil Service Commission is extraordinarily backlogged. Supervisor Hanley asked unanimous consent that the Board direct staff to provide it with a report on the Commission's backlog including a recommendation of how to solve the problem. Without objection, it was so ordered.

80. APPOINTMENT TO THE WHITTIER SCHOOL TASK FORCE (TAPE 8)

(BACs)
(Appt)

Supervisor Hanley moved the appointment of Ms. Wilma Hudson to the Whittier School Task Force. This motion was seconded by Supervisor Davis and carried by a vote of six, Supervisor Hyland and Chairman Moore being out of the room, Supervisor McConnell being absent.

81. SCHEDULING OF SPECIAL EXCEPTION APPLICATION SE 91-P-007 (TAPE 8)

Supervisor Hanley said that Special Exception Application SE 91-P-007 has been deferred for an amendment and needs to be scheduled for a public hearing before the Planning Commission in February and before the Board as expeditiously as possible.

Therefore, Supervisor Hanley moved that the Board direct staff to schedule February public hearing dates for the Planning Commission and Board public hearings as expeditiously as possible. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Hyland and Chairman Moore being out of the room, Supervisor McConnell being absent.

82. EXTENSION OF TIME TO HOLD PUBLIC HEARING FOR
456-W91-20 (MASSEY COMPLEX) (TAPE 8)

Supervisor Hanley stated that due to the deferral of the public hearing for 456-W91-20 (Massey Complex) the time to hear the application needs to be extended until January 31, 1992 and she so moved. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Hyland and Chairman Moore being out of the room, Supervisor McConnell being absent.

83. FAIR LAKES NOW LOCATED IN THE SULLY DISTRICT
AND MASSEY COMPLEX NOW IN PROVIDENCE DISTRICT
(TAPE 8)

Supervisor Hanley announced that Fair Lakes was now located in Sully District.

Supervisor Bulova announced that everything in the "Massey Complex" was now located in the Providence District.

84. TWO LAND CONSOLIDATIONS AROUND HORSESHOE DRIVE
(TAPE 8)

Supervisor Hanley stated that she had previously referred an item to the County Attorney. She said that there were two land use consolidations around Horseshoe Drive by two different developers which were joined together by the same proffers. At that point in time some of the contracts had run out and some of the citizens no longer wanted to be a part of the consolidation. She said that she had requested a recommendation from staff on how to handle the situation.

Supervisor Hanley noted that the RTC has taken over part of the development and has sold part of it. So now there are some owners of one piece of land who do not want to be part of the consolidation and there are now new buyers who are requesting information about how to handle the situation.

Therefore, Supervisor Hanley asked unanimous consent that the Board direct the County Attorney to review this complicated situation. Without objection, it was so ordered.

85. REQUEST FOR FUNDING FOR SERVICE DRIVE LOCATED IN
FRONT OF THE VIRGINIAN (TAPE 8)

Supervisor Hanley referred to an issue regarding a service drive on Arlington Boulevard (Route 50) located in front of the Virginian. She said that the funds that were escrowed for the service drive were \$125,000. She said that the estimated cost of completion was \$232,392 leaving a funding deficiency of \$107,392. She said that she had been advised that the accrued interest on the funds was \$25,000 which left a funding deficiency of \$81,792.

Therefore, Supervisor Hanley asked unanimous consent that the Board refer this issue to the Acting County Executive to review and determine other possible funding sources. Without objection, it was so ordered.

86. EMERGENCY COLD WEATHER SHELTER PROGRAM (TAPE 8)

Supervisor Hanley stated that she had received a letter expressing concern about the funding for the Emergency Cold Weather Shelter Program. Supervisor Hanley asked unanimous consent that the Board direct staff to respond to this issue. Without objection, it was so ordered.

87. STATUS OF EARLY CHILDHOOD PROGRAMS (TAPE 8)

Supervisor Hanley announced that the Board had received a report on the status of Early Childhood Programs that the Board had previously requested.

88. HISTORY COMMISSION REPRINT (TAPE 8)

Supervisor Hanley stated that she had received a letter from a member of the History Commission requesting a reprint of the pamphlet entitled George Mason and the Bill of Rights.

Supervisor Hanley asked unanimous consent that the Board direct staff to determine the cost to reprint the pamphlet. Without objection, it was so ordered.

89. APPEALS FOR REDUCED TAX ASSESSMENTS FILED BEFORE THE BOARD OF EQUALIZATION (BOE) (TAPE 8)

Supervisor Hanley stated that there were approximately 1000 appeals for reduced tax assessments filed before the Board of Equalization (BOE). Supervisor Hanley asked unanimous consent that the Board refer to the Budget Subcommittee the issue of whether a fee should be established for hearing the appeals, particularly those that are not granted.

Following discussion, with input from Robert Howell, Acting County Attorney, Supervisor Hanley amended her request to refer the issue to the Legislative Subcommittee. Without objection, the request as amended, was so ordered.

90. ENDORSEMENT OF LEGISLATIVE PACKAGE (TAPE 8)

Supervisor Hanley moved that the Board endorse the Committee Report of the New Positions and General Policy Statement on Mandates to be Communicated as the Board's General Policy and the Human Services Positions with Specific Concerns About the Youth and Families Recommendation. This motion was seconded by Supervisor Alexander.

Supervisor Davis stated that, in the past, the Board had a research and development exemption to the BPOL Tax. He said that there was difficulty when adjoining counties reviewed the total gross receipts that a business had paid for the year and whatever they did not pay to Fairfax the jurisdiction would then assume was payable in that jurisdiction. Supervisor Davis asked that the motion be amended to include a request for an exemption from the State that would not allow other jurisdictions to seek these funds.

Following discussion, Supervisor Davis asked unanimous consent that the Board refer his request to the Legislative Subcommittee. Without objection, it was so ordered.

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

91. OUTLOT "A" - MANCHESTER LAKES (TAPE 8)

Supervisor Alexander stated that pursuant to Proffer Condition Amendment Application PCA 82-L-030-2, in October 1984 the developer of Manchester Lakes committed to dedicate right-of-way across neighborhoods five and six "to provide public access to the Pettitt property. Such dedication and construction of the access road shall meet DEM and VDH&T standards." In December, 1989, a deed conveying to the Fairfax County Board of Supervisors the 0.2313 acres contained in Outlot "A", identified as Tax Map Parcel 91-2((1))31A, was recorded in deed book 7491 at Page 322 among the land records of Fairfax County. The dedication plat previously approved by Fairfax County for Outlot "A" does not appear to have been recorded at the same time.

Supervisor Alexander said that on July 13, 1990, DEM gave "Final As-Built Approval" to the "as-built" previously filed for Manchester Lakes Outlot "A" road. It appears the road has been built for approximately two years, the land contained in Outlot "A" has been conveyed to Fairfax County, the as-built reflecting construction in accordance with the Site Plan approved by DEM itself approved in July 1990, but it does not appear that the dedication for the public right-of-way intended by the Board at the time of the rezoning, proffer condition amendment, and Site Plan approval had been accomplished at the time, even though that was the Board's intent.

Therefore, Supervisor Alexander moved that the Board:

- Direct DEM to forthwith obtain and record the dedication plat for Manchester Lakes Outlot "A" road, which was approved pursuant to DEM approval of Site Plan 5318-SP-20-3;

- Provide no further bond releases within neighborhoods five or six or other areas of Manchester Lakes being constructed by entities responsible for construction of Outlot "A" and, until Outlot "A" has been dedicated; and
- Reaffirm its previous understanding and intent that Outlot "A" is to be utilized for public street purposes, and specifically to provide public street access to the Petitt property which is Tax Map Parcel 91-1((1))80.

This motion was seconded by Supervisor Davis.

Following discussion, this item was deferred until later in the day.

(NOTE: Later in the meeting, there was additional discussion regarding this item. See Clerk's Summary Item CL#106.)

92. APPEAL OF PROFFER INTERPRETATION OF THE COUNTY
SQUIRE SITE REZONING APPLICATION RZ 88-M-057
(TAPE 8)

Supervisor Davis moved that the Board appeal the Proffer Interpretation of the County Squire Site Rezoning Application RZ 88-M-057. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Hyland and Chairman Moore being out of the room, Supervisor McConnell being absent.

93. ATTENDANTS IN HEALTH CLUBS (TAPE 8)

Supervisor Davis stated that an issue had been raised regarding health clubs in office buildings and whether an attendant is necessary at all times.

Supervisor Davis asked unanimous consent that the Board direct staff to address this issue in January 1992. Without objection, it was so ordered.

94. RECESS/EXECUTIVE SESSION (TAPE 8)

At 2:20 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:

- The Board of Supervisors versus Tripham Systems Incorporated, At Law No. 99422 in the Fairfax County Circuit Court.

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

JLD:JLD

At 4:30 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor McConnell, and with Chairman Moore presiding.

95. ACTIONS FROM EXECUTIVE SESSION (TAPE 9)

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

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

B. STEPHENSON INCORPORATED, ET AL. V.
BOARD OF SUPERVISORS OF FAIRFAX
COUNTY, ET AL, AT LAW NUMBER 101986

Supervisor Alexander moved that the Board authorize settlement of Stephenson Incorporated, et al. v. Board of Supervisors of Fairfax County, et al, At Law Number 101986, 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 a vote of eight, Supervisor McConnell being absent.

C. APPLICATION FOR A SUBPOENA DUCES TECUM ON THE PEARLE VISION EXPRESS

Supervisor Hyland moved that the Board authorize application for a Subpoena Duces Tecum to be served on the Pearle Vision Express, as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being absent.

ADDITIONAL BOARD MATTERS

AR:AR

96. RECYCLING OF "JUNK" AUTOMOBILES (TAPE 10)

Supervisor Hyland stated that, in response to his request of June 3, 1991 to publicize the National Kidney Foundation's recycling of junk cars, the Office of Public Affairs issued a news release, published an article in the Weekly Agenda, and ran messages on the Channel 16 Bulletin Board.

Supervisor Hyland added that the Foundation accepts any car, whether or not it runs, tows it at no cost, and contributors receive a receipt for the current market value which could entitle them to take a deduction on their income tax returns. The Foundation sells the cars at auctions or to dismantlers with proceeds going for medical research, organ donor programs, patient services and public education.

With a notation that the National Kidney Foundation asks the source of information about their program when an individual contacts them to donate their car, Supervisor Hyland stated that he was pleased to report that the Foundation tracked 62 contributors to the Board's action of last June, the Public Affairs announcement in Journal - 24; the Cable TV - 22; the Weekly Agenda - 16.

Therefore, Supervisor Hyland moved that the Board direct the Office of Public Affairs to once again take the necessary action to publicize the recycling of "junk" cars by the National Kidney Foundation. This motion was seconded by Supervisor Pennino and carried by a vote of six, Supervisor Davis and Supervisor Hanley being out of the room, Supervisor McConnell being absent.

97. FORT BELVOIR GRANTED THE DEPARTMENT OF DEFENSE NATURAL RESOURCES CONSERVATION AWARD (TAPE 10)

Supervisor Hyland announced that Fort Belvoir has recently been recognized by the Department of Defense (DOD) as outstanding in its

stewardship of its natural resources through the presentation of the DOD's Natural Resources Conservation Award, the top conservation prize among DOD posts.

Supervisor Hyland stated that Fort Belvoir received the award for:

- Creation of wildlife refuges such as the J. M. Abbott Wetlands Refuge and the Accotink Bay Wildlife Refuge, totaling 1,461 acres;
- Development of a comprehensive natural resource planning system; and
- Establishment of a highly successful recycling program.

Supervisor Hyland added that Fort Belvoir has demonstrated, on numerous occasions, its commitment to the environment. He expressed his hope that all development in Fairfax County would follow the lead of Fort Belvoir.

Supervisor Hyland asked unanimous consent that the Board direct staff to prepare a letter, under the Chairman's signature, to General Adams-Ender commending Fort Belvoir for its efforts. Without objection, it was so ordered.

98. CLEANER AIR (TAPE 10)

Supervisor Hyland referred to a recent meeting of the Metropolitan Area Council of Governments (COG) at which a representative of the State of Virginia suggested that there is presently authority in the State Code in Title 10.1, Conservation, Air Pollution Control, Section 17.30, which states that local ordinances can be adopted in connection with putting into place those plans which would have an impact on clean air.

Supervisor Hyland stated that this may give Fairfax County the authority to require larger employers to submit to Fairfax County for approval a vehicle reduction plan which will adequately demonstrate that employer's commitment to ozone and carbon monoxide reduction. This will aid the County in meeting its legal obligation to this important environmental issue.

Therefore, Supervisor Hyland asked unanimous consent that the Board refer this matter to the Acting County Attorney for review of this code, and any other applicable codes, to determine if the County has this authority, and if we do, to involve the Chamber of Commerce in drafting an appropriate ordinance. In addition, Supervisor Hyland asked that this information be returned to the Board no later than mid-February of 1992. Without objection, it was so ordered.

99. DESIGNATION OF FEBRUARY 1992 AS "HOMELESS AWARENESS MONTH" AND CONVENING OF THE HOMELESS SUMMIT (TAPE 10)

Supervisor Hyland stated that in Fiscal Year 1991, Fairfax County served 3,300 homeless persons. He noted that families are 40 percent of homeless population; single men are 45 percent; single women are 14 percent; and 25 percent are children and youth. Children are the fastest growing segment of the homeless population and growing by 25 percent each year.

Supervisor Hyland noted that it is clear that this is a problem which is not going to go away, and one which is becoming an increasing one due to the difficult times that many persons find themselves in nowadays.

Due to the gravity of this problem, Supervisor Hyland stated that it is time for Fairfax County to convene those persons in the County who are faced with the awesome task of meeting the needs of the homeless, specifically the Chamber of Commerce, the United Way, the Fairfax County offices of housing and human services, to address the present and prospective homeless problem which this area faces.

Therefore, Supervisor Hyland moved that the Board:

- Designate February 1992 as "Homeless Awareness Month" in Fairfax County; and
- Direct staff to convene a group of persons in Fairfax County to address the problems of the homeless and to include the above mentioned organizations.

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

100. MOUNT VERNON DISTRICT REPRESENTATIVE APPOINTMENTS (TAPE 10)

(Appts)

Supervisor Hyland moved the appointment of Vi Taylor as the Mount Vernon District Fair Haven Representative to the Project Selection Committee. This motion was seconded by Supervisor Richards.

Supervisor Hyland moved the appointment of Sandra Hartley as the Mount Vernon District Chapel Acres Representative to the Project Selection Committee. This motion was seconded by Supervisor Alexander.

Supervisor Hyland moved the appointment of John Geary as the Mount Vernon District Representative on the Transportation Advisory Commission (TAC) to fill the unexpired term of Davis Brown, who has resigned. This motion was seconded by Supervisor Alexander.

The question was then called on the above motions, which carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

101. PROPOSED CONSTRUCTION OF A PIER ON PROPERTY
IN MOUNT VERNON DISTRICT (TAPE 10)

With reference to a property owner in Mount Vernon District who proposes to construct a pier on his property, Supervisor Hyland moved that the Board direct the Acting County Executive to sign the form, on behalf of Fairfax County, indicating that the County does not object to the construction of the pier. This motion was seconded by Chairman Moore and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor McConnell being absent.

102. PLANS FOR THE BOARD RETREAT (TAPE 10)

Supervisor Hyland announced that plans are moving ahead for the Board's retreat and should be finalized before the end of today's meeting.

(NOTE: This item was not discussed later in the meeting.)

SBE:SBE

103. 4:00 P.M. - PH ON THE LEASE OF COUNTY-OWNED
PROPERTY TO THE UNITED METHODIST CHURCH AND
CENTREVILLE PRESBYTERIAN CHURCH (SULLY DISTRICT-
FORMERLY SPRINGFIELD) (TAPES 10-11)

Following a brief discussion, with input from staff, Supervisor Alexander moved to defer the public hearing on the proposed lease of County-owned property to the United Methodist Church and Centreville Presbyterian Church until January 27, 1992 at 5:00 p.m. This motion was seconded by Supervisor Pennino and carried by a vote of eight, Supervisor McConnell being absent.

ADDITIONAL BOARD MATTERS

104. DISCUSSION REGARDING THE COUNTY'S TRASH
PARKOUT PROGRAM (TAPE 11)

(NOTE: Earlier in the meeting, there was a brief discussion concerning the County's trash parkout program. See Clerk's Summary Item CL#69.)

Supervisor Davis stated that earlier in the meeting, Supervisor Richards called the Board's attention to information, dated December 11, 1991, which was previously distributed to the Board. Staff had indicated its intention to begin implementation on Saturday, December 21, 1991 with the sale of bags to County residents.

Supervisor Davis moved that the Board direct staff to defer any implementation of the Board's policy on the County's trash parkout program, with regard to notifications to the public, until January 6, 1992 in order to allow time for the incoming Board to review the policy. This motion was seconded by Supervisor Richards and FAILED by a recorded vote of four, Supervisor Alexander, Supervisor Davis, Supervisor Richards, and Chairman Moore voting "AYE," Supervisor McConnell being absent.

Following Board discussion, Supervisor Pennino moved that the Board reconsider its motion to defer implementation of the Board's policy on the parkouts until January 6, 1992. This motion was seconded by Supervisor Alexander and CARRIED by a recorded vote of six, Supervisor Bulova and Supervisor Hanley voting "NAY," Supervisor McConnell being absent.

For clarification purposes, Supervisor Davis restated his previous motion that the Board defer implementation of the Board's policy on the County's trash parkout program, with regard to notifications to the public, until January 6, 1992 in order to allow time for the incoming Board to review the policy. This motion was seconded by Supervisor Alexander.

Supervisor Hanley asked that the motion be amended to clarify that the motion is only delaying the implementation of the policy, and not reversing the Board's position on the funding of the County's parkout program from the General Fund, and this was accepted.

The question was then called on the motion, as amended, which CARRIED by a recorded vote of six, Supervisor Hanley voting "NAY," Chairman Moore abstaining, and Supervisor McConnell being absent.

105. REQUEST FOR REPRESENTATION BY THE ISAAC WALTON
LEAGUE ON THE CITIZENS ADVISORY COMMITTEE (CAC)
FOR SOLID WASTE AND DISPOSAL MATTERS (TAPE 11)

(BACs)

[NOTE: Earlier in the meeting, action was taken to request additional information from staff regarding the Board's authority to increase membership on the Citizens Advisory Committee (CAC) for Solid Waste and Disposal Matters to include representation from the Isaac Walton League. See Clerk's Summary Item CL#55.]

Robert L. Howell, Acting County Attorney, briefed Board Members that there are no restrictions on the Board in making appointments for additional representation on the CAC.

Chairman Moore relinquished the Chair to Vice-Chairman Pennino and moved that the Board add a member to the CAC to include representation from Isaac Walton League. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being absent.

Vice-Chairman Pennino returned the gavel to Chairman Moore.

106. DEDICATION OF ROADWAY, TAX MAP 92-2
((1)) PARCEL 31A (MANCHESTER LAKES) (TAPE 11)

(NOTE: Earlier in the meeting, the Board discussed the issue of Manchester Lakes. See Clerk's Summary Item CL#91.)

Robert L. Howell, Acting County Attorney, advised Board Members that the dedication of the roadway located at Tax Map Reference 92-2 ((1)) Parcel 31A (Manchester Lakes) had been accomplished some time ago.

Supervisor Alexander asked unanimous consent that the Board direct the County Attorney's Office to inform the appropriate individuals of this dedication. Without objection, it was so ordered.

107. 3:30 P.M. - PH TO ADOPT AMENDMENTS TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 68 (INDIVIDUAL
SEWAGE DISPOSAL FACILITIES) (TAPE 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 November 28 and December 5, 1991.

Following the public hearing, which included testimony by two speakers, discussion ensued among Board Members and James V. McGettrick, Assistant County Attorney.

Following discussion, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 68 (Individual Sewage Disposal Facilities) to become effective January 1, 1992, with the following revision:

- Page Seven, Line 226 - Amend reference "...Section 103.2 of the Uniform Statewide Building Code 1987 edition," to read as follows:

"...Section 103 of the Uniform Statewide Building Code 1990 edition."

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

Supervisor Hyland moved that the Board direct staff to:

- Meet with the individuals testifying at today's public hearing, as expeditiously as possible, to address their concerns relating to bond requirements, permitting issues, liability insurance, and inlet issues; and
- Report to the Board on January 27, 1992 with proposed changes to address these issues.

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

108. 3:30 P.M. - PH ON APPLICATION 456-P91-23;
PATRICK STREET GROUP HOME (PROVIDENCE
DISTRICT) (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 November 28 and December 5, 1991.

Following the public hearing, Supervisor Hanley moved that the Board:

- Affirm the determination of the Planning Commission that the proposed use of a single-family residence located at 2504 Patrick Street as a Group Home is in accord with the County's Comprehensive Plan and, therefore, with the provisions of Section 15.1-456 of the Code of Virginia, as amended.

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

Supervisor Hanley moved that the Board authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to acquire Parcel 39-3 ((5)) (3) 32 for lease to the Fairfax-Falls Church Community Services Board (CSB). This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Pennino, and Supervisor Richards being out of the room, Supervisor McConnell being absent.

Supervisor Hanley moved that the Board authorize the FCRHA to acquire housing, pursuant to Section 36-19.2 of the Code of Virginia of 1952, as amended; specifically the property and all improvements thereon located at 2504 Patrick Street [Tax Map 39-3 ((5)) (3)-32] for use as a group home. This motion was seconded by Supervisor Hyland and carried by five, Supervisor Davis, Supervisor Richards, and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

109. 3:30 P.M. - PH ON APPLICATION 456-V91-22; BEACON HILL GROUP HOME (MOUNT VERNON DISTRICT) (TAPE 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 November 28 and December 5, 1991.

Following the public hearing, Supervisor Hyland moved that the Board:

- Affirm the determination of the Planning Commission that the proposed use of a single-family residence located at 2605 Beacon Hill Road as a Group Home is in accord with the County's Comprehensive Plan and, therefore, with the provisions of Section 15.1-456 of the Code of Virginia, as amended.

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

Supervisor Hyland moved that the Board authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to acquire Parcel 93-1 ((15)) 1A for lease to the Fairfax-Falls Church Community Services Board (CSB). This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Pennino, and Supervisor Richards being out of the room, Supervisor McConnell be absent.

Supervisor Hyland moved that the Board authorize the FCRHA to acquire housing, pursuant to Section 36-19.2 of the Code of Virginia of 1952, as amended; specifically the property and all improvements thereon located at 2605 Beacon Hill Road [Tax Map 93-1 ((15)) 1A] for use as a group residence. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Pennino, and Supervisor Richards being out of the room, Supervisor McConnell being absent.

110. 4:00 P.M. - PH ON THE LEASE OF COUNTY-OWNED PROPERTY TO THE CENTREVILLE VOLUNTEER FIRE DEPARTMENT (SULLY DISTRICT - FORMERLY SPRINGFIELD) (TAPE 12)

Supervisor Alexander moved that the Board defer indefinitely the public hearing on the proposed lease of County-owned property to the Centreville Volunteer Fire Department. This motion was seconded by Supervisor Hyland and carried by a vote of five, Supervisor Davis, Supervisor Pennino, and Supervisor Richards being out of the room, Supervisor McConnell being absent.

111. 4:00 P.M. - PH ON THE LEASE OF COUNTY-OWNED PROPERTY TO THE UNITED METHODIST CHURCH AND CENTREVILLE PRESBYTERIAN CHURCH (SULLY DISTRICT - FORMERLY SPRINGFIELD) (NO TAPE)

(NOTE: Earlier in the meeting action was taken to defer the public hearing on the proposed lease of County-owned Property to the United Methodist Church and Centreville Presbyterian Church until January 27, 1992 at 5:00 p.m. See Clerk's Summary Item CL#103.)

112. 4:00 P.M. - PH ON THE ACQUISITION OF A CERTAIN TRACT OF LAND NECESSARY FOR CONSTRUCTION OF THE RESTON SOUTH COMMUTER PARK AND RIDE LOT (CENTREVILLE DISTRICT) (TAPE 12)

(R)
(O)

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 November 28 and December 5, 1991.

Following the public hearing, Supervisor Bulova moved, on behalf of Supervisor Pennino, that the Board adopt the Resolution authorizing the acquisition of interests in real property necessary for the construction of Project 88A004, Reston South Commuter Park and Ride Lot, Centreville District. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Davis, Supervisor Hyland, and Supervisor Pennino being out of the room, Supervisor McConnell be absent.

113. 4:00 P.M. - PH REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE SAINT JOHN'S CATHOLIC CHURCH (DRANESVILLE DISTRICT) (TAPE 12)

(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 November 28 and December 5, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor Richards moved that the Board adopt the Resolution authorizing the conveyance of a parcel of County-owned property located on Tax Map Number 31-3 ((1)), Part of 31A, to the Saint John's Catholic Church, Dranesville District. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

114. 4:00 P.M. - PH ON THE ABANDONMENT AND CONVEYANCE
OF COUNTY-OWNED PROPERTY TO THE LAKE BRADDOCK
HOMEOWNERS ASSOCIATION (BRADDOCK DISTRICT)
(TAPE 12)

- (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 November 28 and December 5, 1991.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved that the Board adopt the Resolution authorizing the abandonment and conveyance of a portion of County-owned property, Tax Map Number 69-3 ((6))-D, 69-4 ((10))-C, to the Lake Braddock Homeowners Association, subject to the easement for the drainage culvert at the intersection of Olley Lane and Guinea Road. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of six, Supervisor Davis and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

Supervisor Bulova moved that the Board approve the Order of Abandonment for the subject property. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Davis and Supervisor Pennino being out of the room, Supervisor McConnell being absent.

115. RECESS (TAPE 12)

At 6:05 p.m., the Board recessed briefly for dinner and, at 7:45 p.m., reconvened in the Board Room, with all Members being present, with the exception of Supervisor Alexander, Supervisor Davis, Supervisor McConnell, and Supervisor Pennino, and with Chairman Moore presiding.

116. 7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON
ISSUES OF CONCERN (TAPE 12)

(Verbatim)

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 November 28 and December 5, 1991.

Citizens of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: Issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Citizens must call the Office of the Clerk to the Board to register to speak and provide their names, addresses, phone numbers, and topics they wish to address.

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

117. BOARD ADJOURNMENT (TAPE 12)

At 8:10 p.m., the Board adjourned.