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The meeting was called to order at 10:00 a.m., with all Members being present, with the exception of Supervisor Alexander, Supervisor Berger, Supervisor Dix, Supervisor McConnell and Supervisor Trapnell, and with Chairman Davis presiding.

Supervisor Dix arrived at 10:25 a.m.

Supervisor Trapnell arrived at 10:30 a.m.

Supervisor Berger arrived at 10:35 a.m.

Supervisor McConnell arrived at 10:45 a.m.

Supervisor Alexander was absent from the entire meeting.

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

(NOTE: Theodore Austell, III, Executive Assistant to the County Executive, was absent from the entire meeting.)

2.9:30 A.M. - PRESENTATIONS (No Tape)

(NOTE: There were no presentations scheduled for this meeting.)

3.10:00 A.M. - PRESENTATION ON THE UNITED

STATES (U.S.) SAVINGS BOND CAMPAIGN BY
ROBERT SCHUMACHER, U.S. TREASURY
DEPARTMENT (Tape 1)

Following a presentation by Kim Treat, Area Director, Savings Bond Program, and Robert Schumacher, United States (U.S.) Treasury Department, on the U.S. Savings Bond Campaign, on behalf of Secretary of Treasury Nicholas F. Brady and the U.S. Treasury Department, Mr. Treat presented Jane Copeland, Employee Awards, Employee Relations Division, Office of Personnel, with the Patriotic Service Award for support of the U.S. Savings Bond Program and for leading the 1991 Savings Bond Campaign.

4.10:15 A.M. - PRESENTATION ON THE AMERICANS WITH

DISABILITIES ACT AND INFORMATION ITEM I-4 -
AMERICANS WITH DISABILITIES ACT (Tape 1)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, outlining the Americans with Disabilities Act.

During the presentation by LaGretta L. Butler, Director, Office of Equity Programs; Robert Koreski, Director, Office of Human Services; Peter Clark, Staff Coordinator, Commission for Disabled Persons; and Chris Jenks, Section Chief, Office of Transportation, Supervisor Hanley asked unanimous consent that the Board direct staff to provide copies of the information displayed during the presentation to Board Members not present in the Board Room. Without objection, it was so ordered.

Following discussion among Board Members and staff, Supervisor Hyland asked unanimous consent that the Board direct staff to determine the budget impact during Fiscal Year (FY) 1993, and the out years, to accommodate the handicapped at all County buildings and to comply with the Americans with Disabilities Act. Without objection, it was so ordered.

Following additional discussion among Board Members and staff, Supervisor Hyland asked unanimous consent that the Board direct staff to determine:

- Whether the Fairfax County Building Code needs to establish requirements for new construction to ensure compliance with the Americans with Disabilities Act;
- Whether new construction is immediately subject to the requirements of the Act; and
- The appropriate County staff who will be reviewing plans to ensure compliance with the Act.

Without objection, it was so ordered.

5.10:30 A.M. - BOARD DECISION ON THE APPOINTMENT
OF AN ADDITIONAL MEMBER TO THE FAIRFAX COUNTY
SCHOOL BOARD WHO IS A RESIDENT OF SULLY
DISTRICT (Tape 1)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer the decision on the appointment of a Sully District Representative to the Fairfax County School Board until after the report on General Assembly Activities. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken to appoint a Sully District Representative to the Fairfax County School Board. See Clerk's Summary Item CL#7.)

6.10:45 A.M. - REPORT ON GENERAL ASSEMBLY

ACTIVITIES (Tape 1)

Supervisor Hanley, Chairman, Board's Legislative Subcommittee, briefly outlined the package distributed to Board Members entitled, "1992 General Assembly--Legislative Report Number 1," dated January 27, 1992.

Supervisor Hanley moved that the Board adopt the Legislative Report, as recommended by the Board's Legislative Subcommittee, with the following amendment:

- That the Board withhold its recommendation on Senate Bill (SB) 492, the Beverage Container Recycling Act, until a presentation can be made by the supporters of the recycling bill.

This motion was jointly seconded by Supervisor Bulova and Supervisor Hyland.

Following a query from Supervisor Bulova, Supervisor Hanley clarified her amendment:

- That the Board defer its recommendation on SB 492, the Beverage Container Recycling Act, until there has been an opportunity to hear from proponents of both sides of the issue on Friday.

Following discussion among Board Members on the Statewide bond issue, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to provide a notation in the Legislative Report that it is the intent of the Board of Supervisors to not support any legislation or Statewide bond issue, or possible revenue enhancement that would be included, unless significant transportation improvements are a part of the package, and this was accepted.

Following a query from Supervisor Hyland, for the purpose of clarification, Supervisor Davis noted that the "significant transportation improvements" would have to include transportation improvements in Northern Virginia such as, but not limited to, the Franconia-Springfield Metro Station and the Fairfax County Parkway.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley called to the Board's attention a letter to the Northern Virginia Delegation from Delegate Vincent F. Callahan, Jr., announcing a Delegation meeting scheduled for January 27, 1992 at 5:00 p.m. The discussion topic will be the Federal Surface Transportation Act.

Supervisor Hanley also announced that the Republican Caucus has scheduled a hearing on economic recovery and the State budget for Wednesday, January 29, 1992 at 7:30 p.m. to be held at the Washington Gas Light Building.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board authorize his attendance as the representative of the Board at the hearing on economic recovery. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley noted that should any legislative actions occur throughout the day, she will update the Board.

7. BOARD DECISION ON THE APPOINTMENT OF AN

ADDITIONAL MEMBER TO THE FAIRFAX COUNTY
SCHOOL BOARD WHO IS A RESIDENT OF SULLY
DISTRICT (Tape 2)
(Appt)

(NOTE: The decision on the appointment of a Sully District representative to the Fairfax County School Board was deferred from earlier in the meeting. See Clerk's Summary Item CL#5.)

[NOTE: In accordance with Virginia Code Section 22.1-19.1 (Supp. 1991), the Board of Supervisors is required to hold a public hearing to receive the views of citizens on the appointment of a School Board Member at least seven days prior to an appointment. No person whose name was not considered at the public hearing may be appointed. The public hearing was held on January 6, 1992.]

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 December 19 and 26, 1991.

After submitting a number of letters and phone calls for the record, Supervisor Frey moved the appointment of Mr. Gary Reese as the Sully District Representative to the Fairfax County School Board. This motion was seconded by Supervisor Hyland and CARRIED by a recorded vote of six, Supervisor McConnell voting "NAY," Supervisor Berger and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

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8.SCHEDULING OF BOARD DECISION ON FINANCING OPTIONS

FOR THE FAIRFAX COUNTY PARKWAY (Tape 3)

Chairman Davis announced that at the conclusion of this evening's public hearing on the financing options for the Fairfax County Parkway, the Board would recess for Board decision until Monday, February 3, 1992 at 10:00 a.m.

(NOTE: Later in the meeting, the public hearing was held and the meeting recessed until Monday, February 3, 1992. See Clerk's Summary Item CL#119.)

9.11:00 A.M. - APPOINTMENTS TO CITIZEN BOARDS,

AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS

(Tape 3)

(BACs)

(APPT)

Chairman Davis announced, that at the request of Supervisor Alexander, the Board would proceed with District appointments and defer At-Large appointments until Supervisor Alexander is present.)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Supervisor McConnell moved the appointment of Mr. Philip Rosenthal as the Springfield District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland, on behalf of Supervisor Alexander, moved the reappointment of Ms. Gloria Hafer as the Lee District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Bulova moved the reappointment of Mr. Paul Martin as the Braddock District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley moved the appointment of Ms. Barbara Hildreth as the Providence District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointments of the At-Large, Centreville, Dranesville, Mason, Mount Vernon, and Sully District Representatives to the A. Heath Onthank Memorial Award Selection Committee were deferred.)

**ADVISORY PLANS EXAMINER BOARD
CONFIRMATION:**

Supervisor Hanley moved that the Board confirm the following appointment to the Advisory Plans Examiner Board:

·Mr. Irving Birmingham as the Fairfax County Employees Representative.

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

AFFORDABLE DWELLING UNIT ADVISORY BOARD

[NOTE: The appointment of the At-Large (Lending Institution) Representative to the Affordable Dwelling Unit Advisory Board was deferred.]

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

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

ARCHITECTURAL REVIEW BOARD

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

ATHLETIC COUNCIL

Supervisor Frey moved the appointment of Mr. Harold L. Strickland as the Sully District Representative to the Athletic Council. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

[NOTE: The appointments of the At-Large and the Providence (Alternate) Representatives to the Athletic Council were deferred.]

BOARD OF BUILDING CODE APPEALS - HOUSING HYGIENE DIVISION

(NOTE: The appointments the At-Large Representatives to the Board of Building Code Appeals - Housing Hygiene Division were deferred.)

BOARD OF BUILDING CODE APPEALS - TECHNICAL DIVISION

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

CIVIL SERVICE COMMISSION

Supervisor Bulova asked unanimous consent that the Board direct staff to provide the Board with information regarding the requirements for filling the vacancy on the Civil Service Commission. Without objection, it was so ordered.

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

COMMISSION FOR DISABLED PERSONS

Supervisor Trapnell moved the appointment of Ms. Julia Treagy to fill the unexpired term of Ms. Sandra Kidd as the Mason District Representative to the Commission for Disabled Persons. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

COMMISSION ON AGING

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

COMMUNITY ACTION ADVISORY BOARD

Supervisor Hanley moved the reappointment of Ms. Yvonne Lee Tso as the Providence District Representative to the Community Action Advisory Board. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland moved the reappointment of Margaret S. Knudsen as the Mount Vernon District Representative to the Community Action Advisory Board. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

CONFIRMATION:

Supervisor Hanley moved that the Board confirm the following appointment to the Community Action Advisory Board:

·Ms. Jo Ann Feder as the League of Women Voters Representative.

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

COMMUNITY IMPROVEMENT COMMITTEE

Supervisor Berger moved the appointment of Mr. Mike Dennis as the Dranesville District Representative to the Community Improvement Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointment of the Springfield and the Braddock District Representatives to the Community Improvement Committee were deferred.)

COUNTYWIDE TRAILS COMMITTEE

Supervisor Trapnell moved the reappointment of Ms. Lorraine Foulds as the Mason District Representative to the Countywide Trails Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland moved the reappointment of Mr. Gustav Braun as the Mount Vernon District Representative to the Countywide Trails Committee. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

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

ECONOMIC DEVELOPMENT AUTHORITY

Supervisor Dix moved the appointment of Mr. George Newstrom as the At-Large Representative to the Economic Development Authority. This motion was seconded

by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

Supervisor Hanley moved the appointment of Ms. Mary Wolfe as the Providence District Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley asked unanimous consent that the Board direct staff to invite Mr. Richard G. Terwilliger to appear before the Board to receive a Certificate of Appreciation for his years of service on the Environmental Quality Advisory Council. Without objection, it was so ordered.

Supervisor Trapnell moved the appointment of Mr. Clarence Faulkner as the Mason District Representative to the Environmental Quality Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix moved the appointment of Mr. William Thompson as the Centreville District Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland moved the reappointment of Mr. J. Craig Potter as the Mount Vernon District Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Frey moved the appointment of Ms. Hettie Hervey as an At-Large Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointments of the At-Large Representatives to the Environmental Quality Advisory Council were deferred.)

EXPANSION OF THE FAIRFAX COUNTY AIRPORTS ADVISORY COUNCIL

Following discussion, Supervisor Hanley moved that the Board:

- Expand the Fairfax County Airports Advisory Council by one to include a member from the Sully District; and
- Change the Springfield Business District Representative to the Sully Business District Representative.

This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Alexander being absent.

FAIRFAX COUNTY AIRPORTS ADVISORY COUNCIL

Supervisor Dix moved the appointment of Mr. John Hannigan as the Centreville Business District Representative to the Fairfax County Airports Advisory Council. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland, on behalf of Supervisor Alexander, moved the reappointment of Mr. Thomas S. Pendergast as the Lee District Representative to the Fairfax County Airports Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Frey moved the appointment of Mr. Larry Palmer as the Sully District Representative to the Fairfax County Airports Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Berger moved the appointment of Mr. Ronald Jerro as the Dranesville District Representative to the Fairfax County Airports Advisory Council. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley moved the reappointment of Mr. Gerald Connolly as the Providence District Representative to the Fairfax County Airports Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Bulova moved the appointment of Mr. Lawrence Huff as the Braddock District Representative to the Fairfax County Airports Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointment of the Springfield District Representative to the Fairfax County Airports Advisory Council was deferred.)

CONFIRMATION:

Supervisor Hyland moved that the Board confirm the following appointment to the Fairfax County Airports Advisory Council:

·Mr. Emmit J. McHenry as the Fairfax County Economic Development Authority Representative.

This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

FAXFAIR CORPORATION BOARD

(NOTE: The appointments of the At-Large Representatives to the Faxfair Corporation Board were deferred.)

GEOTECHNICAL REVIEW BOARD

CONFIRMATIONS:

Supervisor Hanley moved that the Board confirm the following appointments to the Geotechnical Review Board:

·Mr. Ralph W. Beene, P.E., as the Virginia Society of Professional Engineers Principal Representative; and

·Mr. J. Christopher Giese, P.E., as the Washington Area Council of Engineering Laboratories, Incorporation Alternate Representative.

This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

HUMAN SERVICES COUNCIL

Supervisor Frey moved the appointment of Ms. Elaine Stottlemyer as the Sully District Representative to the Human Services Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

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

JUVENILE COURT CITIZEN ADVISORY COUNCIL

Supervisor Hyland, on behalf of Supervisor Alexander, moved the reappointment of Ms. Helen Hester as the Lee District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Bulova moved the reappointment of Mr. Roy Warner as the Braddock District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley moved the appointment of Ms. Morgan Brooke-Devlin as the Providence District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Trapnell moved the reappointment of Mr. James G. Lamb as the Mason District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor McConnell moved the reappointment of Ms. Judith A. Isom as the Springfield District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointment of the Dranesville District Representative to the Juvenile Court Citizen Advisory Council was deferred.)

LIBRARY BOARD

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

PLUMBING ADVISORY AND LICENSING BOARD

(NOTE: The appointment of the Class A Plumbing Contractor Representative to the Plumbing Advisory & Licensing Board was deferred.)

PROJECT SELECTION COMMITTEE

Supervisor McConnell asked unanimous consent that the Board direct staff to determine if the Springfield District Representative should be changed to the Sully District. Without objection, it was so ordered.

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

CONFIRMATIONS:

Supervisor Hyland moved that the Board confirm the following appointments to the Project Selection Committee:

- Ms. Margarie Morrison as the Federation of Citizens Association Representative;
- Mr. Robert Hull as the Fairfax County Park Authority Representative;
- Ms. Dorolyn Cotton as the Fairfax County Community Action Board Representative;
- and
- Mr. Christopher J. Riddick as the Town of Herndon Representative.

This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

TRANSPORTATION SAFETY COMMISSION

(NOTE: The appointments of the At-Large Representatives to the Transportation Safety Commission were deferred.)

TREE COMMISSION

Supervisor Bulova moved the reappointment of Ms. Joan Tullington as the Braddock District Representative to the Tree Commission. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

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

AD-HOCS

CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS

CONFIRMATIONS:

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

- Mr. Robert A. Potts as the Business Recycling Task Force Representative;

- Mr. Tom Smith as the Prince William County Principal Representative; and
- Mr. Paul Campbell as the Prince William County Alternate Representative.

This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

FORESTED WETLANDS COMMITTEE

Supervisor Trapnell moved the appointment of Ms. Mollie Hewitt as the Mason District Representative to the Forested Wetlands Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointments of the Springfield and the Providence District Representatives to the Forested Wetlands Committee were deferred.)

TYSONS CORNER TASK FORCE

Supervisor Dix moved the appointment of Mr. Edward S. Byrne to replace Mr. Robert Dix, Jr. as the Centreville District Representative to the Tysons Corner Task Force. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix moved the appointment of Mr. Louis J. Zone to replace Mr. John Shoberlein as the Centreville District Representative to the Tysons Corner Task Force. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Berger moved the appointment of Mr. Jeff Saxe to replace Mr. E. Wayne Angle as the Dranesville District Representative to the Tysons Corner Task Force. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Alexander being absent.

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10. ADMINISTRATIVE ITEMS (Tape 4)

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

Supervisor Hanley called the Board's attention to Administrative Item Three - Additional Time to Commence Construction for Special Exception Application SE 89-P-038 (Exxon Company, U.S.A.) (Providence District) and Administrative Item

Four - Additional Time to Commence Construction for Special Exception Application SE 89-D-044 (Chevron U.S.A., Incorporated) (Providence District - Formerly Dranesville District) and asked that the motion be amended to withdraw these items and consider each one separately, and this was accepted.

Supervisor Hanley called the Board's attention to Administrative Item Nine - Advertisement of a Public Hearing Authorizing Assessments and Ordering Improvements for the Brookland-Bush Hill Community, Phase II (Lee District) and asked that the motion be amended to withdraw this item and consider it separately, and this was accepted.

Supervisor McConnell called the Board's attention to Administrative Item Twelve - Authorization to Advertise a Public Hearing on the Site Plan for the Criminal Justice Facility (Sully District) and asked that the motion be amended to withdraw this item and consider it separately, and this was accepted.

Supervisor Frey called the Board's attention to Administrative Item Fourteen - Authorization to Advertise a Public Hearing on the Acquisition of Certain Easements Necessary for the Acceptance by the Virginia Department of Transportation (VDOT) of the East Monument Drive Extension (Sully District) and Administrative Item Fifteen - Authorization to Advertise a Public Hearing on the Lease of County-Owned Property (Centreville United Methodist Church) (Sully District) and asked that the motion be amended to withdraw these items and consider them separately, and this was accepted.

The question was then called on the motion to approve the Administrative Items, as amended, which carried by a vote of nine, Supervisor Alexander being absent.

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

(R)Approved the request that certain streets listed in the Memorandum to the Board dated January 27, 1992 be recommended for acceptance into the State Secondary System.

**ADMIN 2 - ADDITIONAL TIME TO COMMENCE
CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 81-M-058-2 (MCDONALD'S
CORPORATION) (MASON DISTRICT)**

(AT)Approved the request for 12 months of additional time to commence construction for Special Exception Amendment Application SEA 81-M-058-2 until January 9, 1993 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION
SE 89-P-038 (EXXON COMPANY, U.S.A.) (PROVIDENCE
DISTRICT)

(NOTE: This item was withdrawn and considered separately. See Clerk's Summary
Item CL#11.)

ADMIN 4 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION
SE 89-D-044 (CHEVRON U.S.A., INCORPORATED)
(PROVIDENCE DISTRICT - FORMERLY DRANESVILLE
DISTRICT)

(NOTE: This item was withdrawn and considered separately. See Clerk's Summary
Item CL#12.)

ADMIN 5 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION
SE 87-L-069 (MCDONALD'S CORPORATION) (LEE
DISTRICT)

(AT)Approved the request for six months of additional time to commence
construction for Special Exception Application SE 87-L-069 until July 9, 1992
pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 - DISCONTINUANCE OF MAINTENANCE BY THE
VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) ON
A PORTION OF HILLTOP ROAD (ROUTE 744)
(PROVIDENCE DISTRICT)

(R)Adopted a Resolution concurring with the Virginia Department of Transportation's
(VDOT) request to discontinue maintenance on a portion of Hilltop Road (Route
744), Providence District.

ADMIN 7 - AUTHORIZATION TO ADVERTISE PROPOSED

AMENDMENTS TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES),
REVISIONS TO THE MERIT SYSTEM ORDINANCE
DEFINING EXEMPT EMPLOYEES

(A)Authorized the advertisement of a public hearing to be held before the Board of
Supervisors on February 24, 1992 at 4:00 p.m. on proposed amendments to the Code
of the County of Fairfax, Chapter 3 (County Employees), proposed revisions to the

Merit System Ordinance. Changes to Procedural Memorandum Number 134 (Exempt Service) and other related changes will be considered in the same action.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS
NECESSARY FOR CONSTRUCTION OF THE RED ROOF INN
SANITARY SEWER RELOCATION PROJECT (MOUNT VERNON
DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on February 24, 1992 at 3:30 p.m. on the proposed acquisition of certain easements necessary for the construction of Project X00905 - Red Roof Inn Sanitary Sewer Relocation Project, Mount Vernon District.

ADMIN 9 - ADVERTISEMENT OF A PUBLIC HEARING
AUTHORIZING ASSESSMENTS AND ORDERING IMPROVEMENTS
FOR THE BROOKLAND-BUSH HILL COMMUNITY, PHASE II
(LEE DISTRICT)

(NOTE: Later in the meeting, action was taken by the Board to defer action on this item until February 10, 1992. See Clerk's Summary Item CL#14.)

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON PROPOSED AMENDMENTS TO THE CODE OF
THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR
VEHICLES AND TRAFFIC), ARTICLE 5A [RESIDENTIAL
PERMIT PARKING DISTRICTS (RPPD)], APPENDIX G,
TO ESTABLISH THE MUNSON HILL RPPD (MASON DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on February 24, 1992 at 4:00 p.m. on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A [Residential Permit Parking Districts (RPPD)], Appendix G, to establish the Munson Hill RPPD in the vicinity of the Dar Al-Hijrah Mosque, Mason District.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON A PROPOSAL TO VACATE A PORTION OF OLDE
TOWNE ROAD (ROUTE 1502) (MOUNT VERNON DISTRICT)

(A)Directed staff to post notice of the intent to vacate and authorized the advertisement of a public hearing to be held before the Board of Supervisors on March 9, 1992 at 3:30 p.m. on the proposed vacation of a 10-foot wide portion of Olde Towne Road (Route 1502), Mount Vernon District.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE SITE PLAN FOR THE CRIMINAL JUSTICE FACILITY (SULLY DISTRICT)

(NOTE: Later in the meeting, the Board authorized advertisement of this item. See Clerk's Summary Item CL#15.)

ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ARTICLES OF INCORPORATION OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on March 9, 1992 at 3:30 p.m. to amend the Articles of Incorporation of the Fairfax County Solid Waste Authority to allow for a 10 member Board of Directors since the members of the Board of Supervisors also act as members of the Authority. In addition, the Authority's principal office address must be revised to reflect the imminent move to the new Government Center.

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE ACCEPTANCE BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) OF THE EAST MONUMENT DRIVE EXTENSION (SULLY DISTRICT)

(NOTE: Later in the meeting, the Board authorized advertisement of this item. See Clerk's Summary Item CL#16.)

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE LEASE OF COUNTY-OWNED PROPERTY (CENTREVILLE UNITED METHODIST CHURCH) (SULLY DISTRICT)

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Items CL#13 and CL#112.)

11.ADMIN 3 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 89-P-038 (EXXON COMPANY, U.S.A.) (PROVIDENCE DISTRICT) (Tape 4)

(AT)Supervisor Hanley moved that the Board approve a three month extension of additional time to commence construction for Special Exception Application SE 89-P-038 pursuant to the provisions of Section 9-015 of the Zoning Ordinance. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

12.ADMIN 4 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION
SE 89-D-044 (CHEVRON U.S.A., INCORPORATED)
(PROVIDENCE DISTRICT - FORMERLY DRANESVILLE
DISTRICT) (Tape 4)

(AT)Supervisor Hanley moved that the Board approve 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. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

13.ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE LEASE OF COUNTY-OWNED PROPERTY
(CENTREVILLE UNITED METHODIST CHURCH) (SULLY
DISTRICT) (Tape 4)

Supervisor McConnell asked unanimous consent that the Board put this item on the Agenda for today's Executive Session. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken by the Board to authorize advertisement of this item. See Clerk's Summary Item CL#112.)

14.ADMIN 9 - ADVERTISEMENT OF A PUBLIC HEARING

AUTHORIZING ASSESSMENTS AND ORDERING IMPROVEMENTS
FOR THE BROOKLAND-BUSH HILL COMMUNITY, PHASE II
(LEE DISTRICT) (Tape 4)

Supervisor Hanley asked unanimous consent that the Board defer action on this item until February 10, 1992. Without objection, it was so ordered.

15.ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE SITE PLAN FOR THE CRIMINAL JUSTICE
FACILITY (SULLY DISTRICT) (Tape 4)

(A)Following discussion, Supervisor Frey moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on February 24, 1992 at 4:00 p.m. on the proposed Site Plan for the Criminal Justice

Facility, Sully District. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

16.ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS
NECESSARY FOR THE ACCEPTANCE BY THE VIRGINIA
DEPARTMENT OF TRANSPORTATION (VDOT) OF THE EAST
MONUMENT DRIVE EXTENSION (SULLY DISTRICT)

(Tape 4)

(A)Following discussion, with input from John W. diZerega, Director, Department of Public Works, Supervisor Frey moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on February 24, 1992 at 4:30 p.m. on the proposed acquisition of land rights necessary for the acceptance by the Virginia Department of Transportation (VDOT) of the East Monument Drive Extension, Sully District. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

17.A-1 - FAIRFAX COUNTY ROAD MAINTENANCE AND

IMPROVEMENT PROGRAM (FCRMIP): APPROVAL OF
THE ANNUAL FCRMIP STATUS REPORT (COUNTYWIDE)

(Tape 4)

On motion of Supervisor Hanley, seconded by Supervisor Trapnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the Annual Fairfax County Road Maintenance and Improvement Program (FCRMIP) Status Report as outlined in the Memorandum to the Board dated January 27, 1992.

18. A-2 - AUTHORIZATION TO LEASE THE DEVELOPMENT

RIGHTS ASSOCIATED WITH THE BACKLICK ROAD
COMMUTER RAIL STATION PROPERTY TO THE
WASHINGTON METROPOLITAN AREA TRANSIT
AUTHORITY (WMATA) (LEE DISTRICT) (Tape 4)

Following discussion, with input from Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, Supervisor Bulova moved that the Board concur in the recommendation of staff and authorize the Acting County Executive to:

- Lease the development rights associated with the Backlick Road Commuter Rail Station Property, Tax Map Reference 80-2 ((1)) 24, Lee District, and execute a Lease Agreement with the Washington Metropolitan Area Transit Authority (WMATA), which generally conforms to the document contained in Attachment One of the Memorandum to the Board dated January 27, 1992;
- Execute an Amendment to the previous executed Contract of Sale to provide consistency with the Lease Agreement;
- Advise the Virginia Department of Transportation (VDOT) to begin construction of the Backlick Road Commuter Rail Station parking lot as soon as practicable; and
- Request VDOT to prepare a cost estimate and schedule for completing the parking by May 1, 1992, if possible.

In addition, Supervisor Bulova moved that the Board approve the following changes to the draft lease, as recommended by staff:

- The County will have five (5) years after it notifies WMATA of its intent to construct a structured parking facility to complete construction of the structured parking facility. (The draft lease contains no time limit for construction.)
- If the County makes certain changes in the zoning for this particular property, the County will, subject to annual appropriations, compensate WMATA for the diminution of consideration for the property. (The draft lease provides that for any change in zoning affecting I-2 or I-5 properties, the issue of compensation due to WMATA, if any, would be resolved by the parties.)
- The lease will include a reference to two letters, which will be included as exhibits to the lease. These letters clarify what Floor Area Ratio (FAR) the existing Zoning Ordinance would allow on this property.

This motion, which includes the changes to the draft lease recommended by staff, was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

19.A-3 - AMENDMENT TO THE FAIRFAX COUNTY

CONSTRUCTION SAFETY RESOLUTION (Tape 4)

Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt the amendments to the Fairfax County Construction Safety Resolution as

contained in Attachment Two of the Memorandum to the Board dated January 27, 1992. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Dix moved a substitute motion that the Board defer any action on this item until February 10, 1992 in order to allow time for Board review of the comments of the Associated Builders and Contractors (ABC). This motion was seconded by Chairman Davis and carried by a recorded vote of eight, Supervisor Hanley abstaining, Supervisor Alexander being absent.

The question was then called on the main motion, as substituted, which carried by a recorded vote of eight, Supervisor Hanley abstaining, Supervisor Alexander being absent.

20.A-4 - APPOINTMENT OF MEMBERS TO THE SOLID

WASTE AUTHORITY (Tape 4) (Appt)

On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and appointed/reappointed the following successors to the Members of the Solid Waste Authority:

Appointments:

- Mr. Ernest Berger;
- Mr. Robert Dix; and
- Ms. Christine Trapnell.

Reappointments:

- Mr. Joseph Alexander;
- Ms. Sharon Bulova;
- Mr. Thomas Davis;
- Mrs. Katherine Hanley;
- Mr. Gerald Hyland; and

·Mrs. Elaine McConnell.

The following non-voting Member is recommended for appointment to the Authority, pending completion of the public hearing process to revise the Articles of Incorporation:

·Mr. Michael Frey.

(NOTE: Action was taken earlier in the meeting on Administrative Item 13 to authorize the advertisement of a public hearing to be held before the Board of Supervisors on March 9, 1992 at 3:30 p.m. to amend the Articles of Incorporation of the Fairfax County Solid Waste Authority to allow for a 10 member Board of Directors. See Clerk's Summary Item CL#10.)

21.A-5 - SUPPLEMENTAL APPROPRIATION RESOLUTION

AS 92039 FOR THE OFFICE FOR CHILDREN MOBIL
FOUNDATION GRANT FOR THE EMPLOYER CHILD
CARE COUNCIL QUALITY CHILD CARE INITIATIVE
(Tape 4)

(SAR)On motion of Supervisor Bulova, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS 92039, in the amount of \$50,000, for the Mobil Foundation grant to make the Employer Child Care Council Quality Child Care Initiative available to family child care providers who care for children of low-income families.

22.A-6 -SUPPLEMENTAL APPROPRIATION RESOLUTION

AS 92040 TALLING \$191,922 FOR THE DEPARTMENT
OF HUMAN DEVELOPMENT TO ACCEPT ADDITIONAL STATE
FUNDING FOR THE AID TO DEPENDENT CHILDREN (ADC),
JOB OPPORTUNITIES AND BASIC SKILLS (JOBS) AND
TRANSITIONAL DAY CARE PROGRAMS (Tape 4)

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution AS 92040, in the amount of \$191,922, for the Department of Human Development (DHD) to accept additional State funding for Aid to Dependent Children (ADC), Job Opportunities and Basic Skills (JOBS), and Transitional Day Care Programs.

23. A-7 - SUPPLEMENTAL APPROPRIATION RESOLUTION

AS92041 FOR THE JUVENILE AND DOMESTIC
RELATIONS DISTRICT COURT OF THE DEPARTMENT
OF CRIMINAL JUSTICE SERVICES GRANT AWARD

(Tape 4)

(SAR)Supervisor Hyland moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution AS 92041, in the amount of \$34,700, for the Juvenile and Domestic Relations District Court of the Department of Criminal Justice Services Grant Award. This motion was seconded by Chairman Davis.

Supervisor McConnell asked that the motion be amended to change the language in the grant which reads, ".....services to drug dealers," TO READ: ".....rehabilitation services to drug dealers," and this was accepted.

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

24. A-8 - FAIRFAX AREA AGENCY ON AGING

APPLICATION FOR AT&T FAMILY CARE
DEVELOPMENT FUND GRANT FOR ELDER
CARE IN-HOME VOLUNTEER PROGRAM
INITIATIVE (Tape 4)

On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the submission of the Fairfax Area Agency on Aging application for the AT&T Family Care Development Fund Grant in the amount of \$36,000 in Fiscal Year (FY) 1992-93 for the development of community based volunteer, in-home services for 50 to 75 aging persons during the grant period and for development of the Northern Virginia Coalition of Interfaith Caregivers, Incorporated's (NOVACIVC) on-going capacity to deliver volunteer in-home services.

25. A-9 - REQUEST FOR AN EMERGENCY AMENDMENT

AND AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENTS TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 68 (INDIVIDUAL SEWAGE
DISPOSAL FACILITIES (Tape 4)

(EO)

(A) On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and:

- Adopted an emergency amendment to the Code of the County of Fairfax, Chapter 68 (Individual Sewage Disposal Facilities); and

- Authorized the advertisement of a public hearing to be held before the Board of Supervisors on February 24, 1992 at 4:30 p.m. to adopt the emergency ordinance on a permanent basis.

26. A-10 - EXPANSION OF THE APPROVED SEWER SERVICE

AREA: CUB RUN WATERSHED (SULLY DISTRICT)

(Tape 4)

On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and added a portion of the Cub Run Watershed, as shown on the map contained in Attachment One of the Memorandum to the Board dated January 27, 1992, to the Approved Sewer Service Area, subject to the following condition:

- "In no event shall the County's 400 foot rule for extending public sewer be applied to this area without explicit approval from the Board of Supervisors."

27. A-11 - AMENDMENT TO AN APPROVED PARKING

REDUCTION FOR FAIRFAX SQUARE AT TYSONS CORNER (PROVIDENCE DISTRICT) (Tape 4)

On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved a change in condition to allow a medical parking reduction for Fairfax Square at Tysons Corner, Tax Map Reference 39-2 ((2)) 106 through 112, Providence District, subject to the conditions listed in the Memorandum to the Board dated January 27, 1992.

28.A-12 - ENGINEER PROVING GROUND (EPG) REDEVELOPMENT

PLAN (LEE, MOUNT VERNON AND SPRINGFIELD DISTRICTS) (Tape 4)

Following discussion, with input from Anthony H. Griffin, Deputy County Executive

for Planning and Development, Supervisor McConnell moved that the Board concur in the recommendation of staff and:

- Approve for submission the comments on the draft Environmental Impact Statement (EIS) for the Engineer Proving Ground (EPG) as contained in Attachment One of the Memorandum to the Board dated January 27, 1992;
- Request representatives of the Board, the Fort Belvoir/EPG Task Force, and staff to meet with the Congressional Delegation and Army representatives to discuss issues related to the development proposal, including the timing of conveyance of right-of-way for the Fairfax County Parkway, the public-private partnership agreement, and the overall level of development and requested that these individuals continue looking at alternatives with significantly less development, including an alternative to build the desired 3.1 million square feet of Army space with Federal funds; and
- Direct staff to expand the study of the EPG site to include the I-95 Corridor and the Springfield Transit Area as approved by the Board of Supervisors on July 1, 1991 with the adoption of the Area Plans.

This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

29.I-1 - STAFF SUMMARIES OF NOVEMBER, 1991

TRANSPORTATION ADVISORY COMMISSION MEETINGS (COUNTYWIDE) (Tape 4)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, presenting the staff summaries for the Transportation Advisory Commission (TAC) meetings for November 1991.

30. I-2 - ANNUAL ADJUSTMENT OF RATE OF PARTICIPATION

IN FAIRFAX CENTER AREA ROAD FUND ACCOUNT (BRADDOCK, SULLY AND PROVIDENCE DISTRICTS) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, announcing that, because of the insignificant increase in the bid index, the rate of participation in the Fairfax Center Area Road Fund Account for calendar year 1992 will remain the same as the rates for calendar year

1991: \$3.97 per gross square foot building structure of the non-residential space and \$883 per residential unit. Because the annual adjustments are based on 10-year trends, this negligible change will be reflected in subsequent modifications of the formula.

The staff was directed administratively to proceed as proposed.

31. I-3 - DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

(DEM) POLICY FOR DETERMINATION OF THE AMOUNT OF DEVELOPER BOND REDUCTION (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, presenting the Department of Environmental Management (DEM) policy for determination of the amount of developer bond reduction. This issue is in response to the Board's request on July 22, 1991 for staff to respond with recommendations on the following: "What changes to the present regulations or laws are necessary to permit the County greater flexibility in not releasing bond funds until a subdivision is fully and satisfactorily completed, and to increase the bonding requirements?"

32. I-4 - AMERICANS WITH DISABILITIES ACT (No Tape)

(NOTE: Earlier in the meeting, a presentation on the Americans with Disabilities Act was given by LaGretta L. Butler, Director, Office of Equity Programs. See Clerk's Summary Item CL#4.)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1991, outlining the Americans with Disabilities Act.

33. I-5 - SURVEY OF LEAD IN DRINKING WATER IN

COUNTY OWNED OR LEASED FACILITIES (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, presenting the survey of lead in drinking water in County-owned or County-leased facilities.

34. I-6 - FAIRFAX COUNTY RADON PROJECT - FINAL

REPORT ON THE 12-MONTH MEASUREMENT PHASE (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the

Board dated January 27, 1992, presenting the Fairfax County Radon Project - Final Report on the 12-Month Measurement Phase.

35. I-7 - TASK FORCE ON MINORITY UPWARD MOBILITY

AND RETENTION - STATUS REPORT (Tape 4)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, presenting the Status Report of the Task Force on Minority Upward Mobility and Retention.

36. I-8 - STUDY TASK FORCE ON TOWING (Tape 4)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, presenting the report of the Study Task Force on Towing.

Following discussion, with input from Captain Ronald P. Miner, Traffic Division, Police Department, Supervisor McConnell asked unanimous consent that the Board direct staff to continue to review the towing procedures in other jurisdictions in the area in order to ascertain what, if any, improvements Fairfax County can include in its operations. Without objection, it was so ordered.

37. I-9 - CONTRACT AWARD - ENGINEERING SERVICES

FOR THE LAKE BARCROFT WASTEWATER DRAINAGE
FEASIBILITY STUDY (MASON DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, requesting authorization for staff to award a contract to BCM Engineers, in the amount of \$71,500, for engineering services for the Lake Barcroft Wastewater Drainage Feasibility Study, Mason District.

The staff was directed administratively to proceed as proposed.

38. I-10 - APPROVAL OF ADDITIONAL SERVICES BY DELON

HAMPTON & ASSOCIATES, CHARTERED TO PROVIDE
EXTENDED CONSTRUCTION ADMINISTRATION SERVICES
FOR THE HUNTINGTON METRORAIL PARKING STRUCTURE
(MOUNT VERNON DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, announcing the approval of additional services by Delon Hampton and Associates, Chartered, to provide extended construction administration services for the Huntington Metrorail Parking Structure, Mount Vernon District.

Following discussion, with input from John W. di Zerega, Director, Department of Public Works, Supervisor Hyland asked unanimous consent that the Board direct staff to provide his office with a more detailed accounting of the monies involved in this contract. Without objection, it was so ordered.

39. I-11 - CONTRACT AWARD - LITTLE VIENNA ESTATES

(CENTREVILLE DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, requesting authorization for staff to award a contract to Miller Industries, in the amount of \$528,220.60, for the Little Vienna Estates project, Centreville District.

The staff was directed administratively to proceed as proposed.

40. I-12 - CONTRACT AWARD - OXFORD DEVELOPER

DEFAULT (MOUNT VERNON DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, requesting authorization for staff to award a contract to Rock Hard Excavating, Incorporated, in the amount of \$78,860.96, for the Oxford Developer Default, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

41. I-13 - AWARD OF CONTRACT FOR THE RENOVATION

OF MURRAYGATE VILLAGE APARTMENTS; AND
AMENDMENT TO ARCHITECTURAL CONTRACT FOR

ADDITIONAL ARCHITECTURAL, ENGINEERING AND
OTHER RELATED SERVICES FOR MURRYGATE
VILLAGE (LEE DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 27, 1992, requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to:

- Award a contract to Harkins Builders, Incorporated, in the amount of up to \$4,183,000 for the renovation of Murrygate Village Apartments, Lee District; and
- Amend the architectural contract with Dewberry and Davis, for an amount up to \$104,800, to include additional architectural, engineering and other related services for Murrygate Village, Lee District.

The staff was directed administratively to proceed as proposed.

BOARD MATTERS

PMH:pmh

42.RESOLUTION ON WASHINGTON REDSKINS SUPER BOWL

VICTORY (Tape 5)

(R)Supervisor Dix moved that the Board adopt the Resolution saluting the Washington Redskins for the achievement of winning Super Bowl XXVI and declaring the week beginning January 27, 1992 as Redskin Appreciation week. The motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

43.EXTENSION FOR 90 DAYS OF THE PAYMENT DUE DATE

FOR ANY BUSINESS, PROFESSIONAL, OCCUPATIONAL
LICENSE (BPOL) BILLS LEVIED TO REAL ESTATE
BROKERS (Tape 5)

Chairman Davis stated that the Office of Finance has sent out a number of bills to the real estate brokers throughout the County. He said that currently penalties will be imposed starting February 1, 1992. To allow time for additional discussions and to show good faith on the part of the Board, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board grant, pursuant to Virginia Code, Section 58.1-3916, an extension for 90 days of the payment due date for any

Business, Professional, Occupational License (BPOL) bills levied to real estate brokers pursuant to audit for tax years 1988 - 1991. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

44. PROCLAMATIONS TO BE PREPARED BY THE OFFICE OF PUBLIC AFFAIRS WITHOUT COMING TO THE BOARD OF SUPERVISORS (Tape 5)

Supervisor Davis stated that he has received requests for proclamations from the Adopt-a-family organization supporting their efforts; the Vietnamese Community of Washington, Maryland, and Virginia, for recognition of the Lunar New Year; and Congratulations for the 50th wedding anniversary of Samuel and Janie Whitt.

In order to expedite these types of requests, Supervisor Davis moved that effective today, the Chairman's office can have proclamations prepared by the Office of Public Affairs without coming to the Board of Supervisors. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

45. CHESAPEAKE BAY ORDINANCE (Tape 5)

Supervisor Davis stated that recently he had spoken at a number of forums and one issue that was recurrent was the Chesapeake Bay Ordinance. Supervisor Davis asked unanimous consent that the Board at its February 10, 1992 meeting, proceed to advertise two ordinances if there has been no action by the Chesapeake Bay Local Assistance Board (CBLAB):

- One which would meet the minimum State requirements;
- The second would be what the Board has passed previously; and
- That this item would come before the Board in the form of a Consideration item.

Without objection, it was so ordered.

46. SUPPORT FOR SHIVA K. PANT, DIRECTOR, OFFICE OF TRANSPORTATION (Tape 5)

Supervisor Davis stated he had read a commentary in the Connection newspapers which talks about Fairfax County's Transportation Director as presumably a "lame-duck" Transportation Director.

Supervisor Davis reiterated his support for Shiva K. Pant, Director, Office of Transportation. He said that Mr. Pant has guided the County through some very difficult times and as the County looks forward to getting its fair share of State money, he looks forward to Mr. Pant's continued support.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

47.RECYCLING OF OLD TELEPHONE DIRECTORIES (Tape 5)

Supervisor Dix said that a press conference was scheduled to announce the first regionwide effort at recycling old telephone directories. He said that it was a public/private enterprise that had already started. Supervisor Dix commended the Vienna Jaycees and the Town of Vienna for initiating this type of activity last year.

48.ROUTE 28 TASK FORCE (Tape 5)

(BACs)

(APPT)

Supervisor Frey said that the Board established the Route 28 Task Force and appointed the Planning Commissioners from the districts included in the Route 28 Corridor. He said that with the redistricting most of Route 28 is located in the Sully District.

Supervisor Frey moved that the Board add the Sully District Planning Commissioner to the Task Force. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

49.COMMENCEMENT FOR CONSTRUCTION REGARDING SPECIAL

PERMITS AND SPECIAL EXCEPTIONS (Tape 5)

Supervisor Frey stated that a business in the Sully District had gotten underway with its site work and then found that its Special Permit had expired. He said that he was working with the Zoning Administrator to try and resolve the issue. He explained that one of the difficulties seemed to be the language in the Special Permits and Special Exceptions that relates to the commencement of construction.

Supervisor Frey said that there was no definition of commencement contained in the Zoning Ordinance. Therefore, he asked unanimous consent that the Board direct staff

to review this issue and report with recommendations and language to include in the Zoning Ordinance so that there is clear definition and guidance as to what is the commencement of construction.

Following discussion, with input from Irving Birmingham, Director, Department of Environmental Management (DEM), the request without objection, was so ordered.

50.DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

(DEM)/CHURCH COMMITTEE (Tape 5)

(BACs)

As the new Chairman of the Board's Development Process Committee, Supervisor Frey stated that he has spent the past several weeks talking to many different people about the Department of Environmental Management (DEM). He said that one of the most frequently heard complaints is the difficulty churches have in getting their plans and permits through Fairfax County.

Supervisor Frey explained that part of the problem stems from the fact that churches are not developers but for the most part are one-time users of DEM. Also, most churches except the larger ones use mostly volunteer help in getting through the process, generally people with little experience in dealing with the County bureaucracy.

Supervisor Frey said that much of the difficulty also lies in the fact that Fairfax County essentially treats churches like commercial businesses. There is no recognition of the unique and special nature of churches.

Therefore, Supervisor Frey suggested that the Board establish a task force comprised of County officials and representatives of some of the churches to review the development process churches must go through and report with some ideas and recommendations as to how to streamline the process to make it simpler and less time consuming for churches to obtain plan and permit approvals. He added that the task force should focus on the planning and zoning processes as well as the DEM side of things.

Supervisor Frey said that the County representatives should include the Deputy County Executive for Planning and Development and the Directors of DEM and the Office of Comprehensive Planning (OCP) as well as the Zoning Administrator and the County Attorney's office. He added that from the private sector it should include

representatives of the churches, both large and small, as well as the engineering industry and a land use attorney who deals with churches.

Supervisor Frey moved that the Board endorse this task force in concept today and ratify the specific members along with an outline for a work plan and timetable on February 10, 1992. This motion was seconded by Supervisor McConnell.

Following discussion, with input from Irving Birmingham, Director, DEM, Supervisor Bulova amended the motion to include Homeowners Associations and Recreation Associations on the Task Force, and this was accepted.

Following further discussion, the question was called and the motion carried by a vote of nine, Supervisor Alexander being absent.

AR:ar

51. TRAFFIC SIGNALIZATION (Tape 6)

Supervisor Berger called attention to a letter recently received by all Board Members from Donald Emerson, Chairman of the Transportation Advisory Commission (TAC) regarding the Commission's recommendations concerning traffic signalization.

Supervisor Berger noted that he and the TAC are convinced that developments in computerization of traffic signals in Fairfax County and greater County control of the operation and maintenance of signals and signs would result in significant cost effective, positive traffic impacts, and that there are no other projects capable of providing greater or more effective dollar-for-dollar improvements in traffic operations.

Supervisor Berger added that the Virginia Department of Transportation (VDOT) recently completed a statewide signalization study. A National Signal Timing Optimization Project (STOP) served as the basis for the Virginia program (VASTOP). The Fairfax County Office of Transportation assisted the TAC in reviewing the results of the study and, even with its limited scope and function, the study demonstrated the cost effectiveness of signal timing. The study estimated that computer optimized timing would result in cost savings of \$72 million to motorists, a 3.7 percent decrease in fuel consumption, and reductions in pollutant emissions of 15 to 20 percent, which was of particular interest to the TAC in light of the new Clean Air Act.

Supervisor Berger stated that the VASTOP study recommends implementation of a microprocessor based computer controlled system. He added that, despite current budgetary constraints, this is something that the Board needs to seriously consider.

Therefore, Supervisor Berger moved that the Board:

- Direct staff to identify possible funding sources within the Federal Transportation Surface Act which can be used for a project such as this computerization of traffic signals; and
- Report to the Board's Transportation Subcommittee Meeting on February 10, 1992 with information regarding what will be needed in order to implement this program.

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

52.REQUEST FOR BOARD OF ZONING APPEALS TO

WAIVE FEE FOR SALEM BAPTIST CHURCH

(Tape 6)

Supervisor Berger noted that it has come to his attention that the Salem Baptist Church in Dranesville District has applied for a variance because it does not meet the 40 foot setback requirement off of Georgetown Pike to build an addition onto the existing church building, to include a room for Sunday School classes and the church's first rest room. He added that this very small church is an historic building, dating back to 1920, and currently approximately 50 people attend services on Sunday.

Therefore, Supervisor Berger moved that the Board request the Board of Zoning Appeals (BZA) to waive the \$900 fee in order that the Salem Baptist Church may proceed with the building of its addition. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

53.PUBLIC/PRIVATE PARTNERSHIP IN THE DULLES

CORRIDOR (Tape 6)

Supervisor Berger moved that the Board adopt a Resolution to the Commonwealth Transportation Board (CTB) on mass transit in the Dulles Corridor, to read as follows:

WHEREAS, the extension of Metro Rail Service from the District of Columbia through the Tysons/Dulles Corridor to Washington Dulles International Airport is a top priority mass transportation improvement objective of Fairfax County; and

WHEREAS, on September 20, 1990, the Commonwealth Transportation Board (CTB) adopted a Resolution calling for the development of a comprehensive, multi-modal mass transit system, including rail, in the corridor at the earliest date practicable; and

WHEREAS, in December 1991, the President signed into law the Intermodal Surface Transportation Efficiency Act of 1991 which provides approximately 32 billion dollars for mass transit construction across the country over the next six years; and

WHEREAS, the Act requires at least 20 percent of capital funding for mass transit projects to come from non-federal sources; and

WHEREAS, it is both likely and desirable that a significant portion of the non-federal construction funds for Metro rail in the corridor will come from a public/private partnership resulting from formation of one or more special taxing districts under Title 15.1 of the Code of Virginia; and

WHEREAS, the Act expressly provides \$6 million to be paid over to the Commonwealth of Virginia pursuant to an agreement to be entered into with the U.S. Secretary of Transportation on or before April 30, 1992, to fund a transit alternative analysis and preliminary engineering for rail in the corridor; and

WHEREAS, the availability of the federal planning funds, the possibility of significant federal funding for construction under the Act, and the prospect of substantial private sector contributions, make the immediate initiation of coordinated project planning of a multi-modal mass transit system in the corridor, involving Metro, the Northern Virginia Transportation Commission (NVTC), Fairfax and Loudoun Counties, the Town of Herndon, the Metropolitan Washington Airports Authority, the commercial and industrial landowners in the corridor, the Citizens Advisory Committee to the Northern Virginia Transportation Coordinating Council, and other interested governmental and citizen organizations an urgent and immediate priority so that implementation of the Fairfax County express bus program and the extension of Metro rail service are properly designed, phased, and financed as expeditiously as possible:

NOW THEREFORE, it is hereby resolved that the Fairfax County Board of Supervisors expresses its strong support for formation of a public/private partnership to pursue funding for the extension of Metro rail service through the corridor to Dulles Airport under the Federal Act; and it is

RESOLVED further that the Board urges the Commonwealth Transportation Board to pursue the \$6 million federal grant for planning immediately, and to use the proceeds of that grant to expedite all planning and analysis, and the formation of a

public/private initiative to pursue a multi-modal mass transit system in the corridor, including the extension of Metro rail service into Dulles Airport, immediately.

This motion was seconded by Supervisor Dix for the purpose of discussion.

Following discussion, Supervisor Hanley asked unanimous consent that the Board defer any action on this Resolution until review by Supervisor Alexander and the appropriate County staff. Without objection, it was so ordered.

54.ENDORSEMENT OF SENATE BILL 461 (Tape 6)

Supervisor Berger announced his endorsement of Senator Waddell's Senate Bill 461.

Chairman Davis noted, for the record, that the Board of Supervisors has taken no position thus far on SB 461.

55.WAIVER OF FEE FOR HARDSHIP CASES AT TRASH

PARKOUTS (Tape 6)

Due to numerous telephone calls and letters from constituents expressing hardship in bearing the cost of the trash parkout permit, Supervisor Berger moved that the Board adopt the following a policy to exempt payment of parkout fees by any Fairfax County citizen who currently receives:

- Disability assistance;
- Federal, State, or County relief; or
- Senior Citizen Real Estate Tax Relief as stated in the Application for Tax Relief Section entitled, "Permanently and Totally Disabled Applicants," which states: "Applicants must have a 100 percent disability from the Veterans' Administration or the Railroad Retirement board. Applicants who do not have the above certification may provide two sworn affidavits signed by two doctors who are either licensed to practice medicine in Virginia or are military officers on active duty who practice medicine with the United States Armed Forces; verifying permanent and total disability or certification from the Social Security Administration stating permanent and total disability."

Supervisor Berger noted that all citizens who qualify as stated above shall be exempt from payment of the Parkout User Fee and shall receive the Parkout User Permit at no cost.

In addition, Supervisor Berger noted that anyone who has already purchased a Parkout Permit and qualifies as stated above shall be entitled to a full refund of the fee.

This motion was seconded by Supervisor McConnell.

Supervisor Hyland called the Board's attention to the fact that there are approximately 32,000 households in Fairfax County which have a charge added to their tax bills to cover the cost of County trash pick-up. In addition, he noted that there are other citizens in Fairfax County who are paying for private trash pick-up. Supervisor Hyland stated that, to be consistent, the Board should also look into making all qualified citizens in these two categories exempt from the charge for trash pick-up.

With a notation of the broad definition under Federal, State, or County relief, Supervisor Hanley questioned the use of this particular category.

Following further Board discussion, Supervisor McConnell moved to amend the motion by referring this matter to staff for a more detailed clarification of each exempt category referred to in Supervisor Berger's motion. This motion to amend was seconded by Supervisor Bulova.

Following input from Richard A. King, Acting County Executive, it was the consensus of the Board to defer action on any exemptions from the County Trash Parkout User Permit fees until a clarification report from staff on February 10, 1992.

Supervisor Bulova asked unanimous consent that the Board direct staff to also address Supervisor Hyland's concerns regarding the equity of other trash services throughout the County with regard to the proposed parkout fee exemption for certain individuals. Without objection, it was so ordered.

Supervisor Hanley noted that it would be helpful for the Board Members to receive information on what criteria are used for the Park Authority fees.

56.ADJUNCT COMMITTEE TO THE BLUE RIBBON

COMMISSION TO EXAMINE FEES FOR COUNTY SERVICES (Tape 6)

(BAC's)

With reference to the fees which County agencies charge for various permits and services, and in order to enlist the help of experts in the private sector in the fields of finance and accounting to perform a comprehensive look at the fee structure for

County services, Supervisor Berger moved the appointment of the following individuals to a commission to look into fees for permits, fees in the area of Human Services, and Park Authority fees for recreation:

- John Cherin, CPA, Arthur Anderson and Company;
- Jack Johnson, CPA, Holmes and Lowry;
- Joe West, CFA, Smith Barney;
- Bob Frank, CPA, Bob Frank and Company;
- Herman Nobrega, CPA, Brown, Dacker and Nobrega, also Member, State Board of Accountants;
- Meredith Griggs, CPA, Ross, Langan and Company; and
- Don Simpson, Fairfax County Human Services Council.

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

Supervisor Hyland stated that this proposed commission does not include the most important group of people who would be affected by any fee changes, namely the people who are paying and the people who are using. He stressed that this is particularly true with regards to areas of recreation and the Park Authority. Supervisor Hyland noted that the above listed appointed group would certainly not have the proper perspective on a very important subject. Therefore, Supervisor Hyland stated that he would prefer that the Board have the benefit of staff's thinking on this matter before it is turned over to an outside group.

Following input from Verdia L. Haywood, Deputy County Executive for Human Services, Supervisor Hanley moved to amend the motion to defer the establishment of any additional Boards and Commissions until it receives a report from staff on Supervisor Dix's Board Matter of January 6, 1992, entitled, "Remuneration for Individuals Serving on Appointed Boards and Commissions". This motion was seconded by Supervisor Bulova.

Following further discussion, including a query from Supervisor Bulova regarding the amount of staff assistance which would be required for the proposed commission, Supervisor McConnell moved a substitute motion that Supervisor Berger confer with the Blue Ribbon Commission (Cole Commission) to see if this proposed group might become an Adjunct Advisory Committee of the Blue Ribbon Commission, with the

assigned task of taking a comprehensive look at the fee structure for County services. This motion was seconded by Supervisor Hanley, with a notation of the withdrawal of her motion to amend.

Supervisor Hyland asked that the motion (Supervisor McConnell's) be amended to include representation on the Adjunct Advisory Committee by such affected County agencies as the Park Authority and the Department of Environmental Management (DEM), plus representatives from user groups who are paying these fees, and this was accepted.

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

The question was then called main motion, as substituted, which carried by a vote of nine, Supervisor Alexander being absent.

57.OUT-OF-TURN PLAN AMENDMENT FOR AREAS II AND

III (DRANESVILLE DISTRICT) (Tape 6)

Supervisor Berger stated that at the November 24, 1991 Board Meeting the Dranesville District Supervisor identified a possible omission in the Adopted Comprehensive Plan for Area II and Area III with respect to important language which applies to future improvements to Georgetown Pike. At that time, staff was directed to review the record to determine the exact language adopted by the Board and make a recommendation as to whether or not a Plan Amendment would be necessary to correct this omission.

Supervisor Berger noted that he has been informed by staff that the Planning Commission recommendation to the Board contained the following text with respect to Georgetown Pike:

·" . . .Georgetown Pike should be maintained within its existing right-of-way; center turn lanes and deceleration and acceleration lanes should be discouraged. . ."

Supervisor Berger stated that, in the Board action last year, the reference to deceleration lanes was omitted from this important plan text and that staff has suggested that an Out-Of-Turn Plan Amendment would be appropriate to make this correction.

Accordingly, Supervisor Berger moved that the Board authorize the consideration of an Out-of-Turn Plan Amendment in Area III, Upper Potomac Planning District, and in

Area II, McLean Planning District, to correct this omission and direct staff to schedule public hearings on this matter as soon as possible. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

58.APPOINTMENT OF MR. PHIL ROSEN AS THE
TYSONS II REPRESENTATIVE ON THE TYSONS
CORNER TASK FORCE (Tape 6)

(Appt)

Supervisor Berger moved:

·The expansion of the Tysons Corner Task Force to include:

*The appointment of Mr. Phil Rosen as the Tysons II representative on the Tysons Corner Task Force.

The second to this motion was inaudible.

Supervisor Hanley moved to amend the motion to include one (1) additional representative on the Tysons Corner Task Force from both the Centreville and Providence Districts. This motion was seconded by Supervisor Hyland.

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

59.C-7 ZONE FOR REGIONAL SHOPPING CENTERS (Tape 6)

Supervisor Hanley referred to the Board's previous action in December 1989 regarding a C-7 Zone for Regional Shopping Centers and moved that the Board direct staff to take the necessary action to establish a C-7 Zone for Regional Shopping Centers. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

60.PUBLIC SAFETY RESOLUTION (Tape 6)

Supervisor Hanley distributed to each Board Member a copy of a Public Safety Resolution, dated January 21, 1992, from the Providence District Council.

61.APPOINTMENT OF MR. ROBERT O'CONNER AS THE

PROVIDENCE DISTRICT REPRESENTATIVE TO THE
WHITTIER SCHOOL SITE TASK FORCE (Tape 6)

(Appt)

Supervisor Hanley moved the appointment of Mr. Robert O'Conner, from the East Hillwood Civic Association, as the Providence District Representative to the Whittier School Site Task Force. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

Supervisor Hanley asked unanimous consent that the Board direct staff to now move forward and work with the staff of the City of Falls Church to convene the Whittier School Site Task Force. Without objection, it was so ordered.

62.EXTENSION OF TIME FOR HEARING ON 456-P91-19

(Tape 6)

Supervisor Hanley moved that the Board direct staff to grant an extension of time for the hearing on 456-P91-19 until February 29, 1992. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

63.EXTENSION OF TIME FOR HEARING ON 456-W91-20

(Tape 6)

Supervisor Hanley moved that the Board direct staff to grant an extension of time for the hearing on 456-W91-20 until February 29, 1992. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

64.BLUE RIBBON COMMISSION MEETINGS (Tape 6)

Supervisor Hanley asked unanimous consent that the Board direct the Office of Public Affairs to make available, to all County citizens, the scheduled dates for the public meetings of the Blue Ribbon Commission Subcommittees. Without objection, it was so ordered.

65.RESCHEULING OF BOARD MEETING DATE (Tape 6)

Due to a conflict surrounding the public hearing for several District School Board Members scheduled for the night of June 15, 1992 (also high school graduation night),

Supervisor Hanley moved that the Board Meeting scheduled for June 15, 1992 be rescheduled for June 8, 1992. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

66.BOARD MEETING DATE ON MONDAY OR TUESDAY?

(Tape 6)

Supervisor Bulova called the Board's attention to its previous informal discussions regarding the changing of the scheduled days for the Board Meetings from Mondays to Tuesdays and asked that Board Members continue to give this matter serious consideration.

67.REORGANIZATIONAL EFFORTS (Tape 6)

Supervisor Bulova stated that, in a few months, Board Members will be marking up and adopting the County's Fiscal Year 1993 budget. She noted it will be one of the most difficult jobs this Board will have during its term, and that the process will not be over in April. During the upcoming months and years, this Board must look at long term reorganizational efforts in order to streamline the County government.

Supervisor Bulova stated that she is personally convinced that, while this may be a painful experience, the County will have a more efficient and better managed organization as a result.

Supervisor Bulova noted that Chairman Davis' Blue Ribbon Commission is looking for cost savings and will be making its recommendations to the Board in April. She added that the Board also has the Citizens' Budget Overview Committee's assistance, suggestions from County employees, and the Nolan Norton efforts underway. Board Members may also have ideas on structural changes and privatization opportunities. As the Board Member volunteering to oversee reorganizational efforts, along with Supervisor Dix, Supervisor Bulova stated that she is interested in getting Board Members' suggestions, and that she would also welcome recommendations from County staff and the public who are users of the County's services.

Accordingly, in order to get started, Supervisor Bulova asked unanimous consent that the Board direct staff to provide Board Members with a list of all services provided by the County, with a notation regarding which agency provides these services. Without objection, it was so ordered.

68.COMMUTER RAIL UPDATE (Tape 6)

Supervisor Bulova briefed Board Members on the status of the commuter rail project. She stated that, after many years of frustrating setbacks, most of the stations are almost completed and a start date may be announced at the next Northern Virginia Transportation Commission (NVTC) meeting on February 6, 1992. She noted that "station days" will be held this Spring at the new commuter rail stations, with a rail car available for the public to explore. This will provide a great opportunity for interested neighbors and potential riders to become familiar with the train, fare equipment, and the layout of the stations.

Supervisor Bulova added that the Rail Manager has recommended starting service on one line first, with the second line following in about four weeks. The Operations Board has recommended that service begin on the Norfolk Southern, Manassas line. Supervisor Bulova stated that, from Fairfax County's perspective, this is preferable since two, perhaps three, stations will be ready for service on opening day. She noted that if service were to start first on the Fredericksburg line, the Lorton station will not be quite ready. Additionally, the Fredericksburg station will not be completed until June 1, 1992.

Therefore, Supervisor Bulova moved that the Board formally endorse having commuter rail service begin on the Manassas line, with the understanding that service on the Fredericksburg line will begin about a month later. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

69.MEMORABILIA FOR RUSSIA (Tape 6)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct the Office of Public Affairs to provide Supervisor Bulova with a modest increment of flags, books, and other Fairfax County memorabilia to take along on her upcoming trip to Russia. Supervisor Davis noted, for the record, that all costs for this trip are being paid by Supervisor Bulova and there are no County dollars involved. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

VLL:vll

70.ECONOMIC RECOVERY ADVISORY COMMISSION

(Tape 7)

(BACs)

Supervisor McConnell distributed to Board Members the membership list for the newly-created Economic Recovery Advisory Commission. The list designates both confirmed members and members who have not yet responded. She announced that the first meeting of the Commission is scheduled for Thursday, January 30, 1992, 8:00 a.m. until 10:00 a.m., at the Northern Virginia Planning District Commission (NVPDC) Headquarters located on Route 236. She invited all Board Members to attend.

71. EXTENSION OF PUBLIC HEARING DATE FOR BRADDOCK

COMMUNITY CENTER (Tape 7)

Supervisor McConnell stated that the public hearing before the Planning Commission, pursuant to Section 15.1-456 of the Code of Virginia, on the proposed Braddock Community Center Facility (Application 456-S91-24) is currently scheduled for February 5, 1992. At the present time, there is an unresolved issue associated with sewer capacity for the proposed Braddock Community Center.

Supervisor McConnell said that she has consulted Peter F. Murphy, Jr., Chairman and Springfield District Representative to the Planning Commission, and staff from the Housing and Community Development (HCD) and the Department of Public Works who acknowledge that the unresolved sewer issue cannot be resolved prior to the Planning Commission's public hearing.

Because of the current 60-day limitation for the Planning Commission to hear this application, 456-S91-24, expires as of February 16, 1992, and considering current unresolved sewer issues associated with this application, Supervisor McConnell moved that the Board:

- Extend the public hearing indefinitely for Application 456-S91-24 until the sewer capacity issue related to the proposed Braddock Community Center has been resolved (NOTE: March 5, 1992 has been tentatively reserved on the Planning Commission calendar as a possible alternative date to February 12, 1992); and
- Direct staff to contact and proceed with acquiring permission from the Virginia Department of Transportation (VDOT) to reallocate VDOT's unused sewer capacity from their right-of-way for the proposed Fairfax County Parkway to the sewer capacity of the proposed Braddock Community Center.

This motion was seconded by Supervisor Hyland for the purpose of discussion.

Following discussion, with input from Robert L. Howell, Acting County Attorney, Supervisor Hyland asked that the motion be amended to defer the public hearing for Application 456-S91-24 until March 23, 1992, and this was accepted.

Following further discussion among Board Members and Mr. Howell, the question was called on the motion, and as amended, carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

72.RECOGNITION REQUESTED FOR THE BURKE VIRGINIA

VETERANS OF FOREIGN WARS (VFW) POST NUMBER 5412 FOR RECEIVING THE NATIONAL COMMANDER IN CHIEF'S AWARD (Tape 7)

Supervisor McConnell announced that the Burke Virginia Veterans of Foreign Wars Post Number 5412 has received the National Commander in Chief's award. She said that this award was presented to the Post in recognition of its exceptional record of growth during the period from July 1, 1990 to June 30, 1991.

Accordingly, Supervisor McConnell moved that the Board direct staff to prepare the appropriate Certificate of Appreciation for presentation before the Board commending the Burke Virginia VFW Number 5412 for its outstanding community services. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

73.INFORMATION REGARDING DELINQUENT TAXES (Tape 7)

Supervisor McConnell stated that she has been informed by staff that the tax information that she had requested at the Board of Supervisors' meeting held on January 6, 1992 is voluminous and may be expensive to produce.

Therefore, Supervisor McConnell moved that the Board direct staff to provide to Board Members, within 14 days, the following information regarding unpaid taxes:

- For each year, the total number of unpaid accounts and the total dollar amounts of delinquent taxes outstanding as of December 31, 1990 and as of December 31, 1991 for personal property for tax years 1988 through 1990, and Business, Professional and Occupational License (BPOL) for tax years 1987 through 1991;

- For each type of tax and tax year mentioned, the monthly totals of delinquent taxes collected in 1991;

- A statement of collection efforts now being taken to collect unpaid BPOL and personal property taxes for 1987 through 1989; and
- A statement of any plans and dates to issue a Request For Proposal (RFP) for outside contracting for the collection of taxes, including a description of interim collection efforts that will be taken on BPOL and personal property tax years 1987 through 1989 until a contract is awarded.

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

74.WETLANDS BOARD (Tape 7)

Supervisor McConnell said that it has come to her attention that the Wetlands Board has received money paid in fines for violations of the Wetlands Policy; however, there is confusion over how the Wetlands Board is to dispose of these monies. She said that it was her understanding that a change in legislation may be necessary to clarify how the Wetlands Board is to dispose of funds it receives from violations of the Wetlands Policy.

Accordingly, Supervisor McConnell moved that the Board direct staff to:

- Draft and forward to the appropriate parties the necessary change to the legislation; and
- Report on what should be done with the funds in the meantime.

Chairman Davis suggested that staff clarify whether the funds go to the General Fund or to a specific use.

Supervisor Hyland suggested that, similar to what is done by the Environmental Protection Agency (EPA), staff " earmark " the funds for use in connection with environmental issues in Fairfax County.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to direct staff to prepare, for Board action as expeditiously as possible, the appropriate Consideration Item on this issue, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The question was then called on the motion, and as amended, carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

75.SUGGESTIONS REGARDING THE BUDGET DEFICIT

(Tape 7)

Supervisor McConnell called to the Board's attention the following suggestions that she had received from constituents regarding the deficit in the County's budget:

·Elimination of Snow Dates:

Elimination of three snow dates from the Fairfax County Public Schools' (FCPS) budget would result in a savings of \$7 million. Supervisor McConnell requested Board Members to discuss this issue with their respective School Board Representatives; and

·Issuance of County Stickers:

Similar to other jurisdictions, the issuance of County Stickers for more than one year. Supervisor McConnell asked unanimous consent that the Board direct staff to review and report with recommendations on this issue. Without objection, it was so ordered.

76.FUNDING OF IMPROVEMENTS FOR THE INTERSECTION

OF ANNANDALE CENTER DRIVE AND COLUMBIA PIKE

(Tape 7)

Supervisor Trapnell stated that Annandale Center Drive, in the center of the Annandale Central Business District (CBD), has been a problem for many years. Once an alley, the street has evolved into a major artery carrying more than 5,000 cars per day. The street has never been included in the State Highway System because it is not up to the Virginia Department of Transportation (VDOT) standards, so it remains in the County road system and is the County's responsibility to maintain.

Supervisor Trapnell stated that there are funds currently available from the General Fund (I-00189) to upgrade the intersection of Annandale Center Drive and Columbia Pike. Although the funds are sufficient to upgrade the intersection, there is not enough money to underground utilities at that location which will eliminate three telephone poles that serve that area.

At the request of the Annandale CBD Planning Committee, Incorporated (ACDBPC), Supervisor Trapnell moved that the Board authorize that \$181,000 (plus land and

easement acquisition costs, as necessary) be taken from Project 8908 - Annandale Utilities (revitalization bond money authorized for the placement of utilities underground in the Annandale CBD) and used to supplement Project I-00189. This motion was jointly seconded by Supervisor Berger and Supervisor Bulova.

Following a brief discussion among Board Members, the question was called on the motion which carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

77.UPDATE REQUESTED ON THE EXPANSION OF THE

HISTORY COMMISSION (Tape 7) (BACs)

Supervisor Trapnell stated in December 1991, a presentation was made before the Board of Supervisors regarding the History Commission; however, no action was taken at that time. She asked unanimous consent that the Board direct staff to:

- Report to the Board as soon as possible for action on this issue; and
- Enlarge the History Commission to include one additional member.

Without objection, it was so ordered.

78.PARTICIPATION OF BOARD MEMBERS REQUESTED

IN 14TH ANNUAL PATRIOTS CUP, 8K CORPORATE CHALLENGE (Tape 7)

Supervisor Trapnell stated that she had received a request inviting a team of local politicians to participate in the 14th Annual Patriots Cup, 8K Corporate Challenge, scheduled for Sunday, May 10, 1992, at 9:00 a.m. She stated that the event will benefit ARC of Northern Virginia, a non-profit agency serving families and individuals with developmental disabilities.

Chairman Davis stated that he has participated in that particular race in the past, which is approximately a five-mile run, and he stated that he would be a member of the team. He suggested that Supervisor Bulova also participate since she is a "fellow jogger."

Chairman Davis requested that Supervisor Trapnell contact the appropriate individual to respond that the Board will "field a team of politicians" for this event.

79.AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS

TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101
(SUBDIVISION PROVISIONS), ARTICLE 2 (SUBDIVISION
APPLICATION PROCEDURE AND APPROVAL PROCESS),
SECTION 101-2-3 (PRELIMINARY SUBDIVISION PLAT)
(Tape 7)

(A)Supervisor Hyland moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Provisions), Article 2 (Subdivision Application Procedure and Approval Process), Section 101-2-3 (Preliminary Subdivision Plat), by revising Paragraph (d)(4) to read as follows:

"(4)A tentatively approved preliminary plat is valid for a maximum duration of one year and must comply with all provisions of law, except as qualified below. Except as qualified below, a preliminary plat is subject to all ordinances and Public Facilities Manual changes at all times. Such approval gives no grandfather rights against future ordinance amendments. Approval shall not be considered to be an acceptance of such plat for recordation.

For purposes of Paragraph Five of Section 2-803 of the Zoning Ordinance, a preliminary subdivision plat approved on or before July 31, 1990, which plat depicts a total maximum number of dwelling units and for which a site plan for roads and utilities was filed on or before July 31, 1990, may be reapproved without complying with the requirements of Part 8 of Article 2 of the Zoning Ordinance, provided that: (a) final subdivision plats are approved in accordance with Section 101-2-5(d) within five years of the initial approval of the preliminary subdivision plat, unless such time is extended by the Board of Supervisors; (b) subsequent construction plans associated with the residential development shown thereon are approved within 12 months of the approval or reapproval(s) of the preliminary subdivision plat; and (c) approvals of the construction plans remain valid."

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

80.PROCLAMATION DECLARING "EARTH DAY" (Tape 7)

Supervisor Hyland moved that the Board:

- Request Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Dix, Supervisor Frey, and Supervisor Hanley to co-sponsor the Difficult Run and Route One Clean Up events;

- Proclaim the month of April 1992 as "EARTH CARING MONTH" in Fairfax County and direct staff to report with the appropriate Proclamation at the Board of Supervisors' meeting scheduled for April 6, 1992; and

- Direct staff to publish these events periodically in the Weekly Agenda and provide the appropriate press releases.

This motion was seconded by Supervisor Dix.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include him as a participant to cosponsor the Difficult Run and Route One Clean Up events, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The question was then called on the motion, and as amended, carried by a vote of seven, Supervisor Frey and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

81.STATE WATER CONTROL BOARD'S (SWCB) PROPOSED

REGULATIONS ON TOXICS (Tape 7)

Supervisor Hyland moved that the Board direct staff to:

- Determine the date of the State Water Control Board's (SWCB) public hearing on its proposed regulations on toxics; and

- Report to the Board with draft comments for testimony to be submitted to the SWCB on this issue.

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

Supervisor Hanley asked unanimous consent that the Board direct staff to circulate to Board Members as expeditiously as possible a synopsis of the issues regarding the proposed regulations. Without objection, it was so ordered.

82. EXPEDITED REVIEW AND WAIVER OF FEES ASSOCIATED

WITH SENDI REZONING APPLICATION AS PART OF SETTLEMENT OF LAWSUIT (Tape 7)

Supervisor Hyland distributed to Board Members background information regarding the Sendi Rezoning Application. He briefed Board Members that the following action will resolve litigation currently pending against the Board of Supervisors and the Director of the Department of Environmental Management (DEM) which challenges the County's disapproval of the preliminary plat.

Accordingly, Supervisor Hyland moved that the Board agree to expedite the processing and review of the PDH-2 Rezoning Application, if filed, and to waive the fees associated with the filing of the application. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Frey and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

83. LOCATION OF THE MEMORIAL GARDEN AT THE

COUNTY'S NEW GOVERNMENT CENTER (Tape 7)

Following discussion between Supervisor Hyland and John diZerega, Director, Department of Public Works, regarding the placement of a memorial garden in front (as opposed to the rear) of the New Government Center in the circular area previously designated for the obelisk, Chairman Davis suggested that staff report to the Board with a map of the New Government Center which shows the alternatives for placement of the garden.

Supervisor Hyland asked unanimous consent that the Board direct staff to involve the United States (U.S.) Bicentennial Commission in the placement of the memorial garden. Without objection, it was so ordered.

84. UPDATE ON MOUNT VERNON DISTRICT'S FIFTH ANNUAL

TOWN MEETING (Tape 7)

Supervisor Hyland announced that Mount Vernon District's Fifth Annual Town Meeting was held on Saturday, January 25, 1992. He expressed his appreciation to all Board Members, County staff, and individuals who contributed to the success of the meeting.

85. RECESS/EXECUTIVE SESSION (Tape 7)

At 2:00 p.m., Supervisor Dix 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:

· Administrative Item 15 - Authorization to Advertise a Public Hearing on the Lease of County-Owned Property (Centreville United Methodist Church) (Sully District).

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

JLD:jld

At 2:40 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

86.ACTIONS FROM EXECUTIVE SESSION (Tape 8)

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

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

B.BELTWAY TOWING AND STORAGE, INCORPORATED,
ET AL. V. BOARD OF SUPERVISORS, ET AL.,
IN CHANCERY NUMBER 118511

Supervisor Hyland moved that the Board authorize an appeal of Beltway Towing and Storage, Incorporated, et al. v. Board of Supervisors, et al., In Chancery Number 118511, as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

87.RECESS (Tape 8)

At 2:45 p.m., the Board recessed briefly for lunch.

CM:cm

88. 3:30 P.M. - ANNUAL MEETING OF THE FAIRFAX COUNTY

SOLID WASTE AUTHORITY (Tape 9)

At 3:35 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Davis, in accordance with Article III, Section 1 of the Bylaws.

Supervisor Bulova moved that the Board appoint the following officers to the Fairfax County Solid Waste Authority:

OFFICERS

Thomas M. Davis, III Chairman

Chairman, Fairfax County

Board of Supervisors

Elaine McConnell Vice-Chairman

Vice-Chairman, Fairfax County

Board of Supervisors

Nancy Vehrs Secretary

Clerk to the Fairfax County

Board of Supervisors

Richard A. King Executive Director

Acting County Executive

Robert Howell Attorney

Acting County Attorney

Susan S. Planchon Treasurer

Director, Office of Finance

John W. diZerega Authority Representative

Director, Department of

Public Works

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

Supervisor Bulova moved approval of:

·The minutes for the Fairfax County Solid Waste Authority from its meeting of January 28, 1991; and

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

Supervisor Hanley moved approval of:

·The financial report for the Authority as contained in the Memorandum to the Board dated January 27, 1992.

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

At 3:40 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority adjourned.

89. 3:30 P.M. - PH ON REZONING APPLICATION

RZ 90-S-013 (RAJ K. SINGLA) (SPRINGFIELD DISTRICT) (Tape 9)

At the request of the applicant, Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 90-S-013 until March 9, 1992 at 3:30 p.m. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

90. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 90-Y-043 (AUBREY LIMITED PARTNERSHIP) (SULLY DISTRICT) (Tape 9)

Mr. William H. Hansbarger reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved approval of Special Exception Application SE 90-Y-043 subject to revised development conditions dated January 3, 1992. This motion was seconded by Supervisor Hyland and CARRIED by a recorded vote of six, Chairman Davis abstaining, Supervisor Hanley and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

ADDITIONAL BOARD MATTER

91.SCHEDULING OF PUBLIC HEARING ON SPECIAL EXCEPTION

APPLICATION SE 91-D-016 (ROTONISU INVESTMENT CORPORATION) (Tape 9)

Supervisor Berger moved that the Board direct staff to schedule the public hearing on Special Exception Application SE 91-D-016 on March 9, 1992 at 3:30 p.m. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Hanley and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

92. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 91-D-025 (BELL ATLANTIC MOBILE SYSTEMS, INCORPORATED) (DRANESVILLE DISTRICT) (Tape 9)

Mr. Frank W. Stearnes reaffirmed the validity of the affidavit for the record.

Supervisor Berger disclosed that he is a retiree of Bell Atlantic Mobile Systems, Incorporated; therefore, he announced that he would not be participating in any actions regarding this application.

Chairman Davis disclosed the following campaign contributions that he had received:

- In the amount of \$500.00 from Mr. Stearnes; and
- A contribution from the law firm of Wilkes, Artis, Hedrick and Lane.

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

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

Supervisor Bulova, on behalf of Supervisor Berger, moved approval of Special Exception Application SE 91-D-025 subject to revised development conditions dated January 17, 1992. This motion was seconded by Supervisor Hyland and CARRIED by a recorded vote of six, Chairman Davis abstaining, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

93. 3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 85-P-054 (MOBIL OIL CORPORATION) (PROVIDENCE DISTRICT) (Tape 9)

Ms. Lynn Strobel reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hanley moved approval of Special Exception Application SEA 85-P-054 subject to revised development conditions dated January 7, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved waiver of the minimum district size and lot width in accordance with Section 9-610 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved that the Board:

- Modify the transitional screening to that shown on the Special Exception Plat;

- Waive the barrier requirement in accordance with Paragraph 2 of Section 13-304 of the Zoning Ordinance; and

- Direct the Director of the Department of Environmental Management (DEM) to grant a modification of the service drive requirement along the Route 29 frontage of the property.

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

Supervisor Hanley further moved that the Board modify the peripheral parking lot requirement for landscaping in accordance with Paragraph 3 of Section 13-202 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

94. 3:30 P.M. - PH ON AGRICULTURAL/FORESTAL DISTRICT

APPLICATION AF 91-S-003 (J. WILLIAM AND SANDRA G. GILLIAM) (SPRINGFIELD DISTRICT) (Tape 9)

(O)Mr. Bill Gilliam reaffirmed the validity of the affidavit for the record.

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

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

Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F (Local Agricultural and Forestal Districts Ordinance), to establish the Gilliam Local Agricultural and Forestal District (AF 91-S-003) subject to the revised ordinance provisions listed in Appendix One of the Staff Report and dated October 9, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

ADDITIONAL BOARD MATTERS

95.REQUEST TO SUPPORT DELEGATE WOODRUM'S

BILL CREATING A SPORTS AUTHORITY (Tape 9)

Supervisor Hanley informed the Board that she had received a request from Roanoke to support a House Bill, Delegate Woodrum's Bill to create a sports authority in order to allow localities to have authority to create coliseums and sports authorities.

Supervisor Hanley moved that the Board support this Bill and send a letter of support to the public hearing. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

96.REQUEST FOR MORE RECYCLING BOXES (Tape 9)

Supervisor Bulova asked unanimous consent that the Board direct staff to replace the Board Members' recycling boxes in the Board Room. Without objection, it was so ordered.

97. DEFERRAL OF PH ON SPECIAL EXCEPTION APPLICATION

**SE 89-Y-035 (FIRST AMERICAN BANK OF VIRGINIA)
(SULLY DISTRICT) (Tape 9)**

Supervisor Frey moved deferral of the public hearing on Special Exception Application SE 89-Y-035 until later in the day. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

(NOTE: Later in the meeting, action was taken on this application. See Clerk's Summary Item CL#106.)

98. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

**SE 91-V-020 (PATRICK W. AND JOSEPHINE H. ARNOLD)
(MOUNT VERNON DISTRICT) (Tape 9)**

Mr. Patrick W. Arnold, Jr. reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by

Supervisor McConnell and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

Supervisor Hyland moved approval of Special Exception Application SE 91-V-020 subject to revised development conditions dated November 13, 1991. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

99. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 91-V-027 (LESTER L. STRIBLING) (MOUNT VERNON DISTRICT) (Tape 9)

Mr. Blaise Burry reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hyland moved approval of Special Exception Application SE 91-V-027 subject to revised development conditions dated December 19, 1991, with the following modification, to include Condition Eight, as recommended by the Planning Commission:

· Add Condition Number Eight to read:

"Proposed additional parking area shall be paved and striped as determined by the Department of Environmental Management (DEM)."

Supervisor Hyland further moved modification of the transitional screening and barrier requirement to that shown on the Special Exception Plat. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

100. 4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 89-C-027-2 (BAHMAN BATMANGHELIDJ)
(CENTREVILLE DISTRICT) (Tape 9)

Mr. Charles Shumate reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Dix moved that the Board:

- Approve Special Exception Amendment Application SEA 89-C-027-2 subject to revised development conditions dated January 3, 1992;
- Modify the transitional screening requirement in favor of the landscaping planting shown on the Special Exception Plat, subject to the final approval by the Chief of the Urban Forestry Branch of the Department of Environmental Management (DEM); and
- Waive the barrier requirement.

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

101. 4:00 P.M. - PH ON AGRICULTURAL RENEWAL APPLICATION

AR 83-S-007 (GIFFORD D. AND MARY E. HAMPSHIRE,
ET AL) (SPRINGFIELD DISTRICT) (Tape 9)

(O)Mr. Gifford D. Hampshire reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova and moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hyland and

carried by a vote of six, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F-6 (Local Agricultural and Forestal Districts Ordinance), to renew the Hantslot Local Agricultural and Forestal District (AR 83-S-007) subject to the revised ordinance provisions listed in Appendix One of the Staff Report and dated October 9, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room, Supervisor Alexander being absent.

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

102.BOARD RECESS (Tape 9)

At 4:20 p.m., the Board recessed briefly, and at 4:30 p.m., reconvened in the Board Room, with all Members being present with the exception of Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor McConnell, and with Chairman Davis presiding.

JLD;jld

103. 4:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT

S91-II-M1, REGARDING AREAS LOCATED BETWEEN CHAIN BRIDGE ROAD, LAUGHLIN AVENUE, EMERSON AVENUE AND WHITTIER AVENUE (DRANESVILLE DISTRICT) (Tape 10)

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 this Newspaper in the issues of January 9 and January 16, 1992.

Following the public hearing, Supervisor Berger moved approval of Out-of-Turn Plan Amendment S91-II-M1 as recommended by the Planning Commission with the following modification to the last sentence:

· "To encourage redevelopment of this sub-unit in conformance with the Plan, special permits or special exceptions for commercial uses issued for this area should not be approved for a period that exceeds beyond July 1, 1997, six years from the date of the adoption of the Plan."

This motion was seconded by Supervisor Dix and CARRIED by a recorded vote of seven, Supervisor Hanley voting "NAY," Supervisor Frey being out of the room, Supervisor Alexander being absent.

104. 4:30 P.M. - PH ON PROPOSED PROHIBITION OF THROUGH TRUCK TRAFFIC ON GUINEA ROAD (ROUTE 651) AND WAKEFIELD CHAPEL ROAD (ROUTE 710) (BRADDOCK DISTRICT) (Tape 10)

(Verbatim)

(Rs)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearings had been duly advertised in this Newspaper in the issues of January 9, and January 16, 1992.

Following the public hearing, which included testimony by 10 speakers, Supervisor Bulova moved adoption of the Resolutions requesting the Virginia Department of Transportation (VDOT) Commonwealth Transportation Board (CTB) to prohibit through truck traffic on Guinea Road (Route 651) and Wakefield Chapel Road (Route 710) located between Little River Turnpike (Route 236) and Braddock Road (Route 620). This motion was seconded by Supervisor Hanley.

Chairman Davis relinquished the Chair to Acting-Chairman Hyland and asked that the motion be amended to provide copies of the Resolutions to Senator Richard L. Saslaw, Delegate Robert E. Harris, Delegate Alan E. Mayer, and Delegate James H. Dillard, II, and this was accepted.

Acting-Chairman Hyland returned the gavel to Chairman Davis.

Supervisor Bulova amended the motion to include that copies of the testimony, or a summary of the testimony, be forwarded to the CTB, as well, and this was accepted.

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

105. 4:30 P.M. - PH ORDERING IMPROVEMENTS AND AUTHORIZING ASSESSMENTS IN COURTLAND PARK, PHASE II (MASON DISTRICT) (Tape 10)

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 this Newspaper in the issues of January 9, and January 16, 1992.

Following the public hearing, which included testimony by four speakers, Supervisor Trapnell moved that the Board concur in the recommendation of staff and adopt the Resolution ordering improvements and authorizing assessments in Courtland Park, Phase II with the stipulation to allow the flexibility of eliminating Gordon Street from the plan. The second to this motion was inaudible.

Following a clarification from Daryl Varney, Division of Community Development, Department of Housing and Community Development, Supervisor Trapnell amended her motion as follows: that the Board concur in the recommendation of staff and adopt the Resolution ordering improvements and authorizing assessments in Courtland Park, Phase II, and this was accepted.

Following a query from Chairman Davis, it was clarified by staff that the flexibility would remain on whether to remove Gordon Street from the plan should the majority of the residents decide to opt out.

Following additional discussion among Board Members, with input from Mr. Varney, Supervisor Trapnell WITHDREW her motion.

Supervisor Trapnell moved that the Board defer decision on the ordering of improvements and the authorization of assessments in Courtland Park, Phase II until **February 10, 1992 at 10:30 a.m.** This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

[NOTE: Later in the meeting, the decision on Courtland Park, Phase II was rescheduled to February 10, 1992 at 3:30 p.m. See Clerk's Summary Item CL#107.]

106. PH ON SPECIAL EXCEPTION APPLICATION SE 89-Y-035

(FIRST AMERICAN BANK OF VIRGINIA) (SULLY DISTRICT) (Tape 9)

[NOTE: Earlier in the meeting, discussion ensued on Special Exception Application 89-Y-035. See Clerk's Summary Item CL#97.]

Supervisor Frey noted that the applicant had arrived; however, due to complications, he moved that the Board defer the public hearing on Special Exception Application

SE 89-Y-035 (First American Bank of Virginia) until February 24, 1992 at 3:30 p.m. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor McConnell and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

107. PH ORDERING IMPROVEMENTS AND AUTHORIZING

ASSESSMENTS IN COURTLAND PARK, PHASE II
(MASON DISTRICT) (Tape 10)

[NOTE: Earlier in the meeting, the public hearing was held on ordering improvements and authorizing assessments for Courtland Park, Phase II. See Clerk's Summary Item CL#105.]

Following input from William O. Howland, Jr., Assistant to the County Executive, it was the consensus of the Board to reschedule the Board decision on ordering improvements and authorizing assessments in Courtland Park, Phase II for February 10, 1992 at 3:30 p.m.

Chairman Davis noted that the public hearing record is closed.

108. 4:30 P.M. - PH ON AMENDMENT TO THE CODE OF THE

COUNTY OF FAIRFAX CHAPTER 46 (HEALTH OR SAFETY
MENACES) (Tapes 10-11)

(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 January 9 and January 16, 1992.

Following the public hearing, discussion ensued among Board Members, with input from Richard K. Miller, M.D., M.P.H., Director of Health Services, Health Administration, Department of Health, and George A. Symanski, Jr., Deputy County Attorney.

Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 46 (Health or Safety Menaces). The second to this motion was inaudible. The motion carried by a vote of six, Supervisor Berger, Supervisor McConnell and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

109. 5:00 P.M. - PH ON REZONING APPLICATION

RZ 91-C-014 AND SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 84-C-092-4 (HCA HEALTH SERVICES
OF VIRGINIA, INCORPORATED) (CENTREVILLE
DISTRICT) (Tape 11)

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

Chairman Davis disclosed the following campaign contribution which he had received:

·In the amount of \$600 from James C. Cleveland, Reston Land Corporation.

Chairman Davis announced that he would abstain from the proceedings on this application; therefore, he relinquished the Chair to Vice-Chairman McConnell and left the Board Room.

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

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

Supervisor Dix moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 91-C-014 be amended from the I-3 District to the C-3 District subject to the executed proffers dated January 15, 1992. This motion was jointly seconded by Supervisor Berger and Supervisor Trapnell and carried by a vote of seven, Supervisor Frey and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved approval of Special Exception Amendment Application SEA 84-C-092-4 subject to the revised development conditions dated January 22, 1992. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix further moved that the Board approve the modification of Paragraph Five of Section 9-308 of the Zoning Ordinance, as it pertains to this application, to that shown on the General Development Plan/Special Exception Application plat. This motion was seconded by Supervisor Berger and carried by a vote of seven,

Supervisor Frey and Chairman Davis being out of the room, Supervisor Alexander being absent.

110. 5:00 P.M. - PH ON THE LEASE OF COUNTY-OWNED

PROPERTY TO THE CENTREVILLE UNITED METHODIST CHURCH AND CENTREVILLE PRESBYTERIAN CHURCH (SULLY DISTRICT - FORMERLY SPRINGFIELD)

(No Tape)

(Note: Later in the meeting, this public hearing was cancelled. See Clerk's Summary Item CL#112.)

111. 5:00 P.M. - PH ON THE AMENDMENT OF THE ORDINANCE

WHICH CREATED THE FAIRFAX COUNTY PARK AUTHORITY TO EXPAND THE NUMBER OF MEMBERS WHO ARE APPOINTED BY THE BOARD TO THE AUTHORITY (COUNTYWIDE)

(Tape 11)

(O)(NOTE: Upon his return to the Board Room, Vice-Chairman McConnell returned the gavel to Chairman Davis).

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 this Newspaper in the issues of January 9, and January 16, 1992.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendment to the Ordinance which created the Fairfax County Park Authority which would expand the Park Authority from 10 to 12 members. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger being out of the room, Supervisor Alexander being absent.

112. PH ON THE LEASE OF COUNTY-OWNED PROPERTY TO THE

CENTREVILLE UNITED METHODIST CHURCH AND CENTREVILLE PRESBYTERIAN CHURCH (SULLY DISTRICT - FORMERLY SPRINGFIELD) AND

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE LEASE OF COUNTY-OWNED PROPERTY (CENTREVILLE UNITED METHODIST CHURCH) (SULLY DISTRICT) (Tape 11)

(A)(NOTE: Earlier in the meeting, there was additional discussion on Administrative Item 15. See Clerk's Summary Item CL#13.)

Supervisor Frey moved that the Board cancel the public hearing on the lease of County-owned property to the Centreville United Methodist Church and Centreville Presbyterian Church which was scheduled for January 27, 1992 at 5:00 p.m. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Dix and Supervisor Berger being out of the room, Supervisor Alexander being absent.

Subsequently, Supervisor Frey moved approval of Administrative Item 15 to:

- Authorize the advertisement of a public hearing regarding the lease of County-owned property at 14040 Braddock Road, 1990 Tax Map Number 54-4 ((01)) 003-A, to be held before the Board of Supervisors on February 10, 1992 at 3:30 p.m.; and
- Direct staff to notify adjacent property owners of the public hearing by certified mail.

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

Additionally, Supervisor Frey moved that the Board direct staff to take appropriate action to ensure the security of the building and the continuance of the utilities. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

113.APPOINTMENT OF SULLY DISTRICT REPRESENTATIVE TO THE FAIRFAX COUNTY PARK AUTHORITY (Tape 11)

(Appt)

(NOTE: Earlier in the meeting, the Board took action to increase the membership on the Fairfax County Park Authority. See Clerk's Summary Item CL#111.)

Supervisor Frey moved the appointment of Mr. Theodore F. Moriak as the Sully District Representative to the Fairfax County Park Authority. This motion was jointly seconded by Supervisor Hanley and Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

Chairman Davis noted that an At-Large position on the Fairfax County Park Authority is also vacant as a result of earlier action by the Board and that the position will be filled at the next Board meeting.

114. 5:00 P.M. - PH ON SPECIAL LEGISLATION TO PROVIDE

PROPERTY TAX EXEMPTION FOR CERTAIN PROPERTY OWNED
BY THE NORTHERN VIRGINIA YOUTH SYMPHONY ASSOCIATION
(MASON DISTRICT) (Tape 11)

(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 this Newspaper in the issues of January 9 and January 16, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Hanley moved adoption of the Resolution endorsing State legislation to exempt certain property owned and used by the Northern Virginia Youth Symphony Association ("Youth Symphony") with the following modification to the resolution:

·Add "cultural" to the last sentence to read: "...exclusively for charitable, cultural and benevolent purposes."

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

Supervisor Hanley noted that this action needs to be brought to the attention of Senator Jane Woods as soon as possible because of time restrictions.

115.PH ON A MEALS TAX REFERENDUM AND PH ON FINANCING

OPTIONS FOR THE FAIRFAX COUNTY PARKWAY (Tape 11)

Chairman Davis announced his intent to offer proponents and opponents of the meals tax referendum, which is scheduled for public hearing later in the meeting, the opportunity to present consolidated testimony and then to proceed with the public hearing on the financing options for the Fairfax County Parkway with a similar offer to those speakers.

116.BOARD RECESS (Tape 11)

At 6:10 p.m., the Board recessed for dinner.

CM:cm

At 7:35 p.m., the Board reconvened in the Board Room, with all Members being present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

117. 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 January 9 and January 16, 1992.

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 five speakers.

118. 7:30 P.M. - PH ON A MEALS TAX REFERENDUM

(Tapes 12-15)

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 this Newspaper in the issues of January 16 and January 23, 1992.

Following the public hearing, which included testimony by 33 speakers, Supervisor Hyland moved that the Board:

- Adopt the Resolution concerning the Restaurant Meals Tax; and
- Direct the County Attorney to petition the Fairfax County Circuit Court to issue a Writ of Election calling for a special election on April 7, 1992.

This motion was seconded by Chairman Davis.

Supervisor Dix asked that the motion be amended to stipulate the following conditions, should the item move forward:

If the meals tax is approved by referendum that one quarter percent of the funds collected will be rebated to the effective restaurants for the administration of said meals tax;

One-quarter percent of the funds would be dedicated to the Economic Development Authority to promote tourism in the restaurant business in Fairfax County; and Included with this referendum would be a three year Sunset Clause such that if the economy does recover and expenses are controlled at the end of three years, the issue would go back to the voters for further approval.

This amendment was accepted.

The question was then called on the motion, as amended, which CARRIED by a recorded vote of seven, Supervisor Berger and Supervisor McConnell voting "NAY," Supervisor Alexander being absent.

119. 7:30 P.M. - PH ON FINANCING OPTIONS FOR THE
FAIRFAX COUNTY PARKWAY (Tapes 15-17)

(NOTE: Earlier in the meeting, it was announced that at the conclusion of this evening's public hearing on the financing options for the Fairfax County Parkway, the Board would recess for Board decision until Monday, February 3, 1992 at 10:00 a.m. See Clerk's Summary Item CL#8.)

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 this Newspaper in the issues of January 16 and January 23, 1992.

The public hearing was held and included testimony by 41 speakers.

(NOTE: The Board recessed the meeting and scheduled Board decision on this issue for Monday, February 3, 1992 at 10:00 a.m.)

120. BOARD RECESS (Tape 17)

At 1:25 a.m. on January 28, 1992, the Board recessed until Monday, February 3, 1992, at 10:00 a.m.