

**CM:cm**

The meeting was called to order at 9:50 a.m., with all Members being present, and with Chairman Davis presiding.

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

**2.CERTIFICATES OF RECOGNITION TO SPONSORS OF THE  
DEPARTMENT OF COMMUNITY ACTION'S "ADOPT-A-FAMILY  
BICYCLE PROGRAM" (Tape 1)**

Following a presentation by Sandra Lowe, Director, Department of Community Action, the Board presented Certificates of Recognition to the following sponsors of the Department of Community Action's "Adopt-A- Family Bicycle Program" for their dedication in assisting low income families in Fairfax County:

- Chief Glenn Gaines & Fairfax County Firefighters;
- INOVA Health Systems;
- Mobil Oil, Commercial Marketing;
- American Telephone and Telegraph (AT&T);
- Kaiser Permanente, Reston Branch;
- Heritage Bank;
- Signet Bank; and
- Firefighters Local Union 206A.

**3.CERTIFICATES OF RECOGNITION TO MEMBERS OF  
THE UNITED STATES (U.S.) CONSTITUTIONAL  
BICENTENNIAL PUBLIC INFORMATION COMMISSION**

**(Tape 1)**

Paul B. Terpak, Treasurer of the United States (U.S.) Constitutional Bicentennial Public Information Commission, presented to Board Members a check in the amount of \$37,893.75 and, on behalf of the Commission, recommended that the funds be applied to the Heritage Resources Branch of the Office of Comprehensive Planning (OCP).

Supervisor Hyland moved that, as recommended by the Commission, the Board apply the funds to the Heritage Resources Branch of OCP. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

The Board presented the Certificates of Recognition to the following Members of the Commission for their outstanding and dedicated accomplishments:

- John P. Riley, Chairman;
- Mary Lee Allen;
- Patricia E. Archer;
- Patricia Brady;
- Anthony P. Dzierski;
- William D. Grover;
- Richard Korink;
- Patricia Larsen, Secretary;
- Josephine F. Pacheco, Ph.D.;
- Donald M. Sweig, Ph.D., Executive Director; and
- Paul B. Terpak, Treasurer.

**4:9:45 A.M. - RECOGNITION OF THE BURKE, VIRGINIA**

**VETERANS OF FOREIGN WARS POST 5412 (Tape 1)**

The Board presented Certificates of Recognition to the Burke, Virginia Veterans of Foreign Wars Post #5412.

**5.9:45 A.M. - PRESENTATION ON BLACK HISTORY MONTH -  
AFRICAN AMERICAN EXPERIENCE...THE QUILT PROJECT**

**(Tape 1)**

Following a presentation by Sheila Coates, President, Black Women United for Action, on "Black History Month - African American Experience...The Quilt Project," Supervisor Hanley moved approval of the presentation of the Proclamation designating February 1992 as "**BLACK HISTORY MONTH**" in Fairfax County, and urging all citizens of the community to take this occasion to recognize the important contributions of blacks to their shared heritage. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**6.10:00 A.M. - PRESENTATION BY THE FAIRFAX SYMPHONY  
ORCHESTRA ON ITS PLANS AND SCHEDULES FOR THE YEAR**

**(Tape 1)**

Paul Geithner, President, First Virginia Banks, Incorporated, presented the Fairfax Symphony Orchestra's plans and schedules for this year.

**JLD:jld**

**7.10:15 A.M. - BOARD MARKUP ON THE CAPITAL  
IMPROVEMENT PROGRAM AND BOND SALE  
PRIORITIZATION FOR FISCAL YEARS (FY)**

**1993 - 1997 (Tape 2)**

[NOTE: At a recessed meeting on Monday, February 3, 1992, the Board held its Work Session on the Capital Improvement Program (CIP).]

Chairman Davis called the Board's attention to the four page document he distributed to Board Members containing the following charts: "Approved Restoration Detail," on Page 1; "Approved Restoration February 10 Recommendation," on Page 2; and "Approved Restoration February 10 Recommendation," on Page 4.

It was the consensus of the Board to recess briefly in order to allow Board Members an opportunity to review the document.

[NOTE: Later in the meeting, Board Markup on the Capital Improvement Program and Bond Sale Prioritization for Fiscal Years (FY) 1993-1997 continued. See Clerk's Summary Item CL#9.]

### **8. BOARD RECESS (Tape 2)**

At 10:35 a.m., the Board recessed briefly and, at 10:45 a.m., reconvened in the Board Room, with all Members being present, and with Chairman Davis presiding.

### **9. CONTINUATION OF BOARD MARKUP ON THE CAPITAL**

#### **IMPROVEMENT PROGRAM AND BOND SALE**

#### **PRIORITIZATION FOR FISCAL YEARS (FY)**

#### **1993 - 1997 (Tape 2)**

[NOTE: Earlier in the meeting, discussion commenced on the Board Markup on the Capital Improvement Program and Bond Sale Prioritization for Fiscal Years (FY) 1993-1997. See Clerk's Summary Item CL#7.]

Following a query to John W. diZerega, Director, Department of Public Works, Supervisor Alexander stated that the items listed under "Public Works" on Slide 9 (Revised), "Approved Restoration Detail," at the February 3, 1992 Work Session were approved.

Following discussion, Supervisor Alexander moved that the Board concur in the recommendation distributed to Board Members by Chairman Davis entitled, "Approved Restoration February 10 Recommendation" (Pages 2-3 of the four page document containing the following charts: "Approved Restoration Detail," on Page 1; "Approved Restoration February 10 Recommendation," on Page 2; and "Approved Restoration February 10 Recommendation," on Page 4). This motion was seconded by Supervisor Hanley.

Supervisor Alexander asked that the motion be amended to add \$6 million in FY 1994 for the South Van Dorn land acquisition, and this was accepted for the purposes of discussion.

Supervisor Hyland moved to amend the motion to add the following storm drainage projects:

- Quander Road, at \$0.37 million for FY 1993;
  - Cedar Court, at \$0.10 million for FY 1994; and
  - New Alexandria II, at \$1.30 million for FY 1993 and \$0.10 million for FY 1994,
- as recommended by staff. This motion was seconded by Supervisor Alexander.

Supervisor Hyland moved to amend the motion to add \$160,000 in FY 1994 for Gunston Manor for storm drainage. This motion was seconded by Supervisor Alexander.

Following queries to Mr. diZerega, Supervisor Hyland clarified the following projects:

- Mount Vernon Manor, in the "Neighborhood Improvements" category, is funded for design;
- Greenway, in the "Storm Drainage" category was included on the list approved at the February 3, 1992 Work Session; and
- Hollin Hall, Phase II, in the "Storm Drainage" category was included on the list approved at the February 3, 1992 Work Session.

Supervisor Hyland asked that the motion be amended to add \$1.3 million for Collingwood Road, Little Hunting Creek, which is a storm drainage issue, and this was accepted for the purposes of discussion.

Supervisor Trapnell moved to amend the motion to add \$60,000 in FY 1994 for neighborhood park improvements in Mason District, which includes seven neighborhood parks. This motion was seconded by Supervisor Hyland.

Following discussion among Board Members, with input from Mr. diZerega and Richard A. King, Acting County Executive, Supervisor Dix moved to amend the motion to add \$7.9 million in FY 1994 for the Police driving track only and to delete \$4.80 million shown in FY 1994 for the Police firing range. This motion was seconded by Supervisor Hanley.

Following a query to Shiva K. Pant, Director, Office of Transportation, Supervisor Dix stated that the Reston South Park-and-Ride facility is fully funded.

Following a query to Mr. Pant, Supervisor Hanley stated that the amount included in the main motion (Chairman Davis' recommendation) for the Spring Hill/Tysons Kiss-and-Ride facility is adequate funding through the design stage.

Following a query to Mr. diZerega, Supervisor Frey asked that the motion be amended to add \$2.2 million in FY 1997 for the West Centreville Fire Station, and this was accepted for the purposes of discussion.

Supervisor Bulova asked that the motion be amended to add \$1.2 million in FY 1993; \$60,000 in FY 1992; \$600,000 in FY 1994; and \$200,000 in FY 1995, for the maintenance facility and renovations at Lake Accotink Marina.

Following discussion, with input from William C. Beckner, Director, Park Authority, Supervisor Bulova **WITHDREW** her previous amendment and she asked that the motion be amended instead to add \$.5 million in FY 1993 for the maintenance facility and \$1.75 million in FY 1994 for the marina wall and concession stand at Lake Accotink Marina, and this was accepted for the purposes of discussion.

Supervisor Bulova moved to amend the motion to add \$.65 million for settlement of the remaining parcels at Shirley Gate, which is a park acquisition. This motion was seconded by Chairman Davis.

Supervisor McConnell asked that the motion be amended to add \$1.6 million in FY 1993 for the renovation of the Clifton West Fire Station, and this was accepted for the purposes of discussion.

Supervisor McConnell asked that the motion be amended to show that the \$0.50 million in FY 1994 for the Clifton West-design should be designated for the design of the Clifton South Mini-Fire Station, and this was accepted for the purposes of discussion.

Discussion ensued among Board Members, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, and Mr. King.

Following a recommendation from Mr. diZerega, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to move \$1 million back to FY 1993 from the \$1.4 million in FY 1994 for the Reston East Commuter Parking Lot, which was approved at the February 3, 1992 Work Session, and this was accepted for the purposes of discussion.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Alexander moved to amend his earlier amendment and asked that the \$6 million added in FY 1994 for the South Van Dorn land acquisition be split into \$3 million for FY 1994 and \$3 million for FY 1995. This motion was seconded by Supervisor Hyland.

Supervisor Alexander moved to amend the main motion to add \$.14 million in FY 1993 for the Franconia-Springfield Commuter Rail Station, as recommended by staff. This motion was seconded by Supervisor Hyland.

Supervisor Hyland moved to amend the main motion to add \$186,094 in FY 1994 for the renovation of fields and addition of facilities at Hollin Hall Park in the Mount Vernon District. This motion was seconded by Supervisor Alexander.

Supervisor Berger asked that the motion be amended to add \$.5 million in FY 1993 for the design of the firing range.

Following discussion among Board Members, with input from Mr. diZerega, Supervisor Berger amended his request to add \$2.5 million for the construction of the firing range.

Supervisor Berger **WITHDREW** his amendment.

Following discussion among Board Members, with input from staff, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended that the Board allow staff the discretion, as the projects go to bond, to move \$.46 million from FY 1993 to FY 1994, as the projects go out for bid, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

**CM:cm**

## **10.ORDERS OF THE DAY (Tape 2)**

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board change its Orders of the Day and proceed with the order of the following agenda items:

- Matters presented by the County Executive;
- Appointments to Boards, Authorities, and Commissions; and
- Matters presented by Board Members.

Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

### **11.ADMINISTRATIVE ITEMS (Tape 3)**

Supervisor Alexander moved approval of the Administrative Items. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM**

##### **(CENTREVILLE AND MOUNT VERNON DISTRICTS)**

(R)Approved the request that certain streets listed in the Memorandum to the Board dated February 10, 1992 be recommended for acceptance into the State Secondary System.

#### **ADMIN 2 - RENAMING PLANNING RESEARCH DRIVE IN**

##### **TYSONS-MCLEAN OFFICE BUILDING COMPLEX**

##### **(DRANESVILLE DISTRICT)**

In accordance with Section 102-1-9 of the Code of Virginia, approved the street name change from Planning Research Drive in the Official Street Names and Property Numbering Atlas, **TO** "PRC Drive," from its intersection with Lewinsville Road to the end of Planning Research Drive at its intersection with Farm Credit Drive, in the Tysons-McLean Office Building Complex on Tax Map Reference 030-1-01-009H, to become effective immediately.

#### **ADMIN 3 - ADDITIONAL TIME TO COMMENCE**

##### **CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION**

##### **SE 90-D-004 (SMC-MCLEAN LIMITED PARTNERSHIP)**



**(DRANESVILLE DISTRICT)**

(AT)Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 90-D-004 until **December 4, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 4 - DONATION OF SURPLUS VEHICLE TO THE  
BAILEY'S CROSSROADS VOLUNTEER FIRE DEPARTMENT**

Approved the donation of a 1984 Ford Ambulance to the Bailey's Crossroads Volunteer Fire Department.

**ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON AN AMENDMENT TO THE CODE OF THE  
COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND  
FINANCE), ARTICLE 23, SECTION 4-23.1,  
ESTABLISHING A FILING DEADLINE FOR THE  
BOARD OF EQUALIZATION**

(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 a proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 23, Section 4-23.1, establishing a filing deadline date of June 1st for the Board of Equalization.

**ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON A PROPOSAL TO VACATE A PORTION  
OF FALLFAX DRIVE (PROVIDENCE DISTRICT)**

(A)Authorized the posting of the notice of the intent and advertisement of a public hearing to be held before the Board of Supervisors on **March 23, 1992 at 3:30 p.m.** on the proposed vacation of a portion of Fallfax Drive, Providence District.

**ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON A PROPOSAL TO ABANDON A PORTION OF**

**FRONTIER DRIVE (LEE DISTRICT)**

(A)Authorized the posting of the notice of the intent and advertisement of a public hearing to be held before the Board of Supervisors on **March 23, 1992 at 3:30 p.m.** on the proposed abandonment of a portion of Frontier Drive, Lee District.

**ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC****HEARING ON THE PROPOSED VACATION OF EXCESS****STORM DRAINAGE EASEMENTS ON PROPERTY OWNED****BY FAWAZ MUSHTAHA (MASON DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 9, 1992 at 4:00 p.m.** on the proposed vacation of a portion of the storm drainage easements located on Tax Map Number 61-2 ((27)) 15, 16, 17, and 18, Section Five, Glen Forest Subdivision, Mason District, and directed staff to notify adjacent property owners of the public hearing by certified mail.

**ADMIN 9 - AUTHORIZATION TO ADVERTISE PROPOSED****AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,****CHAPTER 69 (SWIMMING POOL ORDINANCE)**

(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.** on a proposed amendment to the Code of the County of Fairfax, Chapter 69 (Swimming Pool Ordinance).

The Ordinance presently defines a health spa as an establishment that provides exercise equipment and one or more of the following: Spa pool, steam cabinet, steam room, sauna, vapor room, lavatories, dressing rooms, etcetera. The proposed amendment includes facilities such as office buildings, condominiums, and apartments would be excluded if the facility is used exclusively by employees or tenants. The exclusion does not apply if the facility has a spa pool.

**ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC****HEARING ON THE LEASING OF COUNTY-OWNED PROPERTY****BY THE MOUNT VERNON KNIGHTS OF COLUMBUS (LEE**

**DISTRICT)**

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 9, 1992 at 4:30 p.m.** on the proposed leasing of County-owned property located directly in front of 8592 Richmond Highway, Tax Map Number 101-3 ((1)) 63, to the Mount Vernon Knights of Columbus, Lee District, and directed staff to notify adjacent property owners of the public hearing by certified mail.

**12. A-1 - AMENDMENT TO THE FAIRFAX COUNTY****CONSTRUCTION SAFETY RESOLUTION (Tape 3)**

Following a brief discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer this item until **February 24, 1992** in order to allow the Associated Builders and Contractors Association (ABC) additional time to review and comment on this issue. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**13. A-2 - WAIVER OF THE PUBLIC STREET FRONTAGE****REQUIREMENT TO ALLOW THE SUBDIVISION OF PROPERTY****ON TILBURY ROAD (LEE DISTRICT) (Tape 3)**

On motion of Supervisor Alexander, seconded by Supervisor Berger, and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room, the Board concurred in the recommendation of staff and waived the public street frontage requirement for the proposed subdivision of Tax Map Reference 81-3-004, Lot 504 on Tilbury Road, Lee District, into two lots.

**14. A-3 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN****PARCELS OF LAND NEEDED FOR THE CONSTRUCTION OF****THE CENTREVILLE COMMUTER PARK AND RIDE LOT****(SULLY DISTRICT) (Tape 3)**

Supervisor Frey moved to defer this item until later in the day. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#94.)

**15. A-4 - EXTENSION OF THE PUBLIC/PRIVATE PARTNERSHIP  
PROJECT TO MEET THE EMPLOYMENT TRAINING NEEDS OF  
OLDER PERSONS (Tape 3)**

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Frey being out of the room, the Board concurred in the recommendation of staff and adopted Supplemental Appropriation Resolution (SAR) AS 92045 in the amount of \$75,000 from the Federal Department of Health and Human Services Administration on Aging to continue the public/private older worker employment project.

**16. A-5 - PERMISSION TO SUBMIT APPLICATION TO THE  
UNITED STATES (U.S.) DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT (HUD) FOR EMERGENCY SHELTER  
GRANT PROGRAM ENTITLEMENT ALLOCATION (Tape 3)**

On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Frey being out of the room, the Board concurred in the recommendation of staff and granted permission for the Department of Human Development to submit an application for an Emergency Shelter Grant Program (ESGP) entitlement funding award of \$90,000.

**17. A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
(SAR) AS 92043 FOR THE DEPARTMENT OF HUMAN  
DEVELOPMENT PY 1991 JOB TRAINING PARTNERSHIP  
ACT (JTPA), TITLE II-A, YEAR ROUND PROGRAM  
(Tape 3)**

(SAR)On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and

Supplemental Appropriation Resolution (SAR) AS 92043 totaling \$82,080 to appropriate Title II-A Job Training Partnership Act (JTPA) funds for the Department of Human Development to serve the economically disadvantaged.

**18. A-7 - FAIRFAX COUNTY PUBLIC LIBRARY GRANT**

**APPLICATION TO THE VIRGINIA STATE LIBRARY**

**AND ARCHIVES, FEDERAL FUNDING, LIBRARY**

**SERVICES AND CONSTRUCTION ACT (LSCA)**

**TITLE I, NETWORKING (Tape 3)**

On motion of Supervisor McConnell, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Library Administration's grant application in the amount of \$72,040 to provide a network link between the Fairfax Law Library and Fairfax County Public Library.

**19. A-8 - AUTHORIZATION FOR THE FAIRFAX-FALLS**

**CHURCH COMMUNITY SERVICES BOARD TO ACCEPT**

**THE VIRGINIA DEPARTMENT OF MENTAL HEALTH,**

**MENTAL RETARDATION AND SUBSTANCE ABUSE**

**SERVICES GRANT FUNDING TO PROVIDE SUPPORTED**

**HOUSING TO ADULTS WITH SERIOUS AND PERSISTENT**

**MENTAL ILLNESS (Tape 3)**

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the acceptance of a \$136,978 grant from the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) for the provision of supported housing services for adults with serious and persistent mental illness.

**20. A-9 - AUTHORIZATION TO SUBMIT A GRANT**

**APPLICATION TO THE UNITED STATES (U.S.)**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
FOR FUNDING UNDER THE SHELTER PLUS CARE-SPONSOR  
BASED RENTAL ASSISTANCE PROGRAM (Tape 3)**

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of a grant application by the Fairfax County Department of Housing and Community Development (HCD) to the United States (U.S.) Department of Housing and Urban Development (HUD) for the Shelter Plus Care-Sponsor Based Rental Assistance Program.

**21. A-10 - AWARD OF DESIGN CONTRACT ADDENDUM AND  
CHANGE OF SCOPE FOR I-95/SOUTH VAN DORN STREET  
INTERCHANGE PROJECT (LEE DISTRICT) (Tape 3)**

On motion of Supervisor Alexander, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff for the I-95/South Van dorn Street Interchange Project 064103, Subfund 463, Primary and Secondary Road Fund Construction as contained in the Memorandum to the Board dated February 10, 1992.

**22. A-11 - SUBMISSION OF OFFICE OF TRANSPORTATION  
GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION (VDOT) FOR MARKETING PROGRAM OF  
RIDERSHARING AND TRANSIT SERVICES (ALL  
DISTRICTS) (Tape 3)**

(R)On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the submittal of a grant application in the amount of \$203,390 to the Virginia Department of Transportation (VDOT) for the marketing and promotion of ridesharing and transit services during Fiscal Year 1993.

**23. A-12 - TOXIC REGULATIONS OF THE STATE WATER**

**CONTROL BOARD (COUNTYWIDE) (Tape 3)**

On motion of Supervisor Hyland, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Endorsed the comments contained in the Memorandum to the Board dated February 10, 1992; and
- Authorized staff to forward them to the State Water Control Board on behalf of the County.

**24. A-13 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**(SAR) AS 92042 FOR THE FAIRFAX COUNTY POLICE**

**DEPARTMENT, HELICOPTER DIVISION [VIRGINIA**

**DEPARTMENT OF TRANSPORTATION (VDOT) GRANT]**

**(Tape 3)**

(SAR)Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Alexander and moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 92042 in the amount of \$300,000 to purchase video and communications equipment for use by the Operations Support Bureau's Helicopter Division for monitoring and controlling traffic incidents. This motion was seconded by Acting-Chairman Alexander.

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

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

**AR:ar**

**25. C-1 - WAIVER OF FEE FOR HARDSHIP CASES AT TRASH**

**PARKOUTS (COUNTYWIDE) (Tapes 3-4)**

The Board next considered an item contained in the Memorandum to the Board dated February 10, 1992 regarding the waiver of fees for hardship cases at Trash Parkouts.

Following discussion, with input from John W. diZerega, Director, Department of Public Works, Supervisor Berger moved that the Board direct staff to waive the user fees for hardship cases at trash parkouts Countywide. This motion was seconded by Supervisor McConnell.

Chairman Davis clarified that such hardship cases would include those persons who currently receive disability assistance, Federal, State or County relief, and the senior and disabled citizens who receive real estate tax relief.

Supervisor Bulova moved a substitute motion that the Board direct staff to submit a report on the fiscal implications of exempting certain persons, as outlined above, from paying the parkout fees. This motion was seconded by Supervisor Hyland.

Supervisor McConnell asked unanimous consent that the Board direct staff to look into a recent incident where a Springfield District constituent recently lost her permit sticker (which originally cost one dollar), but was required to pay a \$50 fee for replacement. Without objection, it was so ordered.

Following additional discussion, Supervisor Bulova withdrew her substitute motion.

Following a query from Supervisor Dix regarding the Board's legal authority surrounding this exemption, and input from Robert L. Howell, Acting County Attorney, Supervisor Hyland moved a substitute motion that the Board **TABLE** this matter pending receipt of information from the County Attorney, as well as the definitive action to be taken by the General Assembly which may have an impact on this subject. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

(NOTE: Later in the meeting, there was additional discussion regarding accommodations for free recycling at the parkout sites. See Clerk's Summary Item CL#56.)

## **26. C-2 - AUTHORIZATION TO ADVERTISE PROPOSED**

### **AMENDMENT TO THE CODE OF THE COUNTY OF**

### **FAIRFAX TO ADD A NEW CHAPTER 118, CHESAPEAKE**

### **BAY PRESERVATION ORDINANCE (Tape 4)**

(A)The Board next considered an item contained in the Memorandum to the Board dated February 10, 1992 regarding the authorization for staff to advertise a proposed



amendment to the Code of the County of Fairfax to add a new Chapter 118, Chesapeake Bay Preservation Ordinance.

Supervisor Berger moved that the Board direct staff to advertise public hearings on:

- The proposed Chesapeake Bay Preservation Ordinance previously endorsed by the Board of Supervisors; and
- The Ordinance which meets the minimum State requirements.

This motion was seconded by Supervisor McConnell.

As a point of clarification, Chairman Davis stated that the proposed dates for the public hearings in the above motion would be: the Planning Commission on March 26, 1992; the Board of Supervisors on **April 27, 1992**.

Following Board discussion, with input Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Hanley moved a substitute motion that the Board direct staff to advertise a public hearing on the existing draft Chesapeake Bay Preservation Ordinance ONLY (the Ordinance previously endorsed by the Board), to be held when a response on the Ordinance is received from Chesapeake Bay Local Assistance Board (CBLAB). This motion was seconded by Supervisor Hyland.

Following further discussion, with input from Robert L. Howell, Acting County Attorney, the question was called on the substitute motion which **FAILED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE**."

The question was then called on Supervisor Berger's motion to advertise both Ordinances, which **CARRIED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**NAY**."

Supervisor Berger moved that the Board of Supervisors instruct the Chairman of the Board to promptly write a letter to the CBLAB to:

- Withdraw Fairfax County's present Chesapeake Bay Preservation Ordinance so that no further review or action will take place at this time; and
- Explain to CBLAB that the Fairfax County Board of Supervisors wishes to reconsider aspects of its ordinance and will resubmit a version in the near future upon completion of the Board's reconsideration.

This motion was seconded by Supervisor McConnell.

After additional discussion, the question was called on the motion which **FAILED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis voting "AYE."

#### **27. I-1 - DELINQUENT REAL ESTATE TAX ACCOUNTS**

**(Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 10, 1992 presenting a current list of the delinquent real estate tax accounts.

#### **28. I-2 - FAIRFAX COUNTY PARKING FEE AND BUS FARE**

##### **PRICING PROGRAM STATUS REPORT (COUNTYWIDE)**

**(Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 10, 1992 presenting the Fairfax County Parking Fee and Bus Fare Pricing Program Status Report.

There was a brief discussion on this item.

#### **29. I-3 - ENGINEERING CONTRACT AWARD TO URBAN**

##### **ENGINEERING AND ASSOCIATES FOR THE DESIGN**

##### **OF THE FAIRHAVEN PHASE VI COMMUNITY IMPROVEMENTS**

##### **PROJECT (MOUNT VERNON DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 10, 1992 requesting authorization for staff to award a contract to Urban Engineering and Associates in the amount of \$53,895.19 for the design of the Fairhaven Phase VI Community Improvements Project, Mount Vernon District.

#### **30. I-4 - INFORMATION REGARDING DELINQUENT TAXES**

**(Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 10, 1992 presenting information regarding four specific pieces of information regarding unpaid taxes.

Supervisor McConnell expressed her appreciation to staff for its prompt and comprehensive report.

**CM:cm**

**31. ORDERS OF THE DAY (Tape 5)**

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board change its Orders of the Day and proceed with the Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups as its next item on the agenda. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**32.1:45 P.M. APPOINTMENTS TO CITIZEN BOARDS,**

**AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS**

**(Tape 5)**

(Appt)

(BACs)

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

Chairman Davis moved the appointment of Ms. Julia Friar as the At-Large District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Lars E. Janson as the Mount Vernon District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Dix moved the appointment of Dr. Bishnu P. Poudel as the Centreville District Representative to the A. Heath Onthank Memorial Award Selection

Committee. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

(NOTE: The appointment of the Mason, Dranesville, and Sully District Representatives to the A. Heath Onthank Memorial Award Selection Committee were deferred.)

**AFFORDABLE DWELLING UNIT ADVISORY BOARD**

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

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to check with lending organizations within Fairfax County to determine whether they have nominees to recommend for this vacancy. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD**

Chairman Davis moved the appointment of Dr. Basil Delta as the At-Large Representative to the Alcohol Safety Action Program Local Policy Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

**ARCHITECTURAL REVIEW BOARD**

Supervisor Dix moved the appointment of Mr. John Boland as the At-Large Representative to the Architectural Review Board. This motion was seconded by Supervisor Frey and carried by unanimous vote.

**ATHLETIC COUNCIL**

Chairman Davis moved the appointment of Mr. Daniel Shoemaker as the At-Large Representative to the Athletic Council. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Alexander moved the appointment of Mr. Steven Saulnier to fill the unexpired term of Mr. Richard Pro as the Lee District (Alternate) Representative to the Athletic Council. This motion was seconded by Chairman Davis and carried by unanimous vote.

[NOTE: The appointment of the Providence District (Principal), Providence District (Alternate), and the Springfield District (Principal) Representatives to the Athletic Council were deferred.]

**BOARD OF BUILDING CODE APPEALS - HOUSING HYGIENE DIVISION**

Supervisor Dix moved the appointment of Mr. Paul O'Brien as the At-Large Representative to the Board of Building Code Appeals - Housing Hygiene Division. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Chairman Davis moved the appointment of Mr. Wayne Jordon as the At-Large Representative to the Board of Building Code Appeals - Housing Hygiene Division. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Peter Juanpere as the At-Large Representative to the Board of Building Code Appeals - Housing Hygiene Division. This motion was seconded by Supervisor McConnell and carried by a unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Sean Coleman as the At-Large Representative to the Board of Building Code Appeals - Housing Hygiene Division. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**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**

Chairman Davis moved the appointment of Ms. Norma Ragland as the At-Large Representative to the Civil Service Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to invite Ms. Judi Booe to appear before the Board to receive recognition for her many years of service on the Civil Service Commission. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**COMMISSION ON AGING**

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

**COMMUNITY IMPROVEMENT COMMITTEE**

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

**COUNTYWIDE TRAILS COMMITTEE**

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

**ENGINEERING STANDARDS REVIEW COMMITTEE**

**CONFIRMATIONS NEEDED:**

Supervisor Hyland moved that the Board confirm the following appointments to the Engineering Standards Review Committee:

- Mr. John L. Marshall as the Virginia Association of Surveyors Representative; and
- Mr. R. Lin Lemon, Jr. as the National Association of Industrial and Office Parks Representative.

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

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)**

Supervisor Alexander moved the reappointment of Mr. Bob McLaren as the At-Large Representative to the Environmental Quality Advisory Council (EQAC). This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Davis moved the appointment of Dr. Henry Fischbach as the At-Large Representative to EQAC. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointment of the Sully District Representative to the Environmental Quality Advisory Council was deferred.)

**FAIRFAX COUNTY AIRPORTS ADVISORY COUNCIL**

(NOTE: The appointment of the Sully and the Springfield District Representatives to the Fairfax County Airports Advisory Council were deferred.)

**CONFIRMATION NEEDED:**

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

•Mr. Joseph Annunziata as the Fairfax County Federation of Citizens Association Representative.

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

**FAIRFAX COUNTY PARK AUTHORITY**

Chairman Davis moved the appointment of Mr. Harold Pyon as the At-Large Representative to the Fairfax County Park Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**FAIRFAX/FALLS CHURCH COMMUNITY SERVICES**

**BOARD (CSB)**

Chairman Davis called to the Board's attention the fact that there are no representatives from the Sully District currently serving on the Fairfax/Falls Church Community Services Board (CSB). He relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the vacancy be filled by a representative from the Sully District. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: The appointment of the At-Large Representative to the Fairfax/Falls Church Community Services Board was deferred.)

**FAXFAIR CORPORATION BOARD**

Following discussion, Supervisor Alexander moved to defer appointments to the Faxfair Corporation Board until later in the meeting. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

(NOTE: Later in the day appointments were made to the Faxfair Corporation Board. See Clerk's Summary Item CL#36.)

## **HEALTH CARE ADVISORY BOARD**

(NOTE: The appointment of the Dranesville District Representative to the Health Care Advisory Board was deferred.)

## **HUMAN SERVICES COUNCIL**

(NOTE: The appointment of the Dranesville and Springfield District Representatives to the Human Services Council were deferred.)

## **JUVENILE COURT CITIZEN ADVISORY COUNCIL**

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

## **LIBRARY BOARD**

Chairman Davis moved the appointment of Ms. Joyce Andrews as the At-Large Representative to the Library Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

## **PLUMBING ADVISORY AND LICENSING BOARD**

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

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to invite various technical groups within the County to submit resumes of nominees for this position. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

## **PROJECT SELECTION COMMITTEE**

Supervisor Trapnell moved the appointment of Ms. Mary Chi-Ray as the Mason District Representative to the Project Selection Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

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



## **TRANSPORTATION SAFETY COMMISSION**

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that appointments to the Transportation Safety Commission be deferred until later in the day. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

## **TREE COMMISSION**

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

## **VOLUNTEER FIRE COMMISSION**

### **CONFIRMATION NEEDED:**

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

- Mr. Alan Caldwell to fill the unexpired term of Mr. David Miska as the Volunteer Fire Chief's Association Representative.

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

## **AD-HOCS**

## **FORESTED WETLANDS COMMITTEE**

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

## **33.THE FAIRFAX HOSPITAL BOARD (Tape 5)**

(Appt)

Supervisor Hanley stated that legislation was going through the General Assembly which removes the conflict that had been determined that Board Members had from serving on the Fairfax Hospital Board.

Chairman Davis pointed out that the vacancies were "At-Large" and that the statutory requirements do not require Board Members to serve. He added that it was important

that the Board have representation as soon as possible on The Fairfax Hospital Board whether or not it is Board Members.

Therefore, Supervisor Alexander moved the appointment of Supervisor Elaine McConnell to the Fairfax Hospital Board. This motion was seconded by Supervisor Berger.

Supervisor Berger moved the appointment of General Ira Hunt to the Fairfax Hospital Board. The second to this motion was inaudible.

Supervisor Trapnell moved the appointment of Dr. Thomas B. Malone to the Fairfax Hospital Board. The second to this motion was inaudible.

Supervisor Alexander moved the appointment of Supervisor Gerald Hyland to the Fairfax Hospital Board. This motion was seconded by Supervisor Hanley.

Following further discussion, Supervisor Trapnell withdrew her nomination of Dr. Thomas B. Malone.

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

#### **34.RECESS/EXECUTIVE SESSION (Tape 6)**

At 1:05 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 actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Dyne Corporate versus Fairfax County, At Law Number 102015; and
- The litigation connected with Zoning Ordinance Amendment 89-185.

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

**JLD:jld**

At 3:00 p.m., the Board reconvened in the Board Room with all Board Members present, and with Chairman Davis presiding.

#### **35.ACTIONS FROM EXECUTIVE SESSION (Tape 7)**

##### **A.CERTIFICATION BY BOARD MEMBERS**

**REGARDING ITEMS DISCUSSED IN****EXECUTIVE SESSION**

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

**B.CIRCLE ASSOCIATES PARTNERSHIP V.****THE BOARD OF SUPERVISORS OF FAIRFAX****COUNTY, AT LAW NUMBERS 100374 and****107633**

Supervisor Hanley moved that the Board authorize settlement of Circle Associates Partnership v. the Board of Supervisors of Fairfax County, At Law Numbers 100374 and 107633, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was jointly seconded by Supervisor Bulova and Supervisor Hyland and carried by unanimous vote.

**C.COLLECTION OF DELINQUENT TAXES**

Supervisor Bulova moved that the Board authorize commencement of legal proceedings to collect delinquent real estate taxes in those cases for which the taxpayers have not responded to demands for payment, where there is no firm plan of payment established or where there has been a default in a payment schedule or agreement as of December 31, 1991, as recommended by the Acting County Attorney. This motion was seconded by Supervisor Berger.

Supervisor Hanley asked that the motion be amended to exclude the property owner of Tax Map Reference 039-1-01-0055, and this was accepted.

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

(NOTE: Later in the meeting, there were additional Actions from Executive Session. See Clerk's Summary Item CL#99.

### **36.APPOINTMENT TO THE FAXFAIR CORPORATION BOARD**

**(Tape 7)**

(Appt)

(NOTE: Earlier in the meeting, discussion ensued on the appointments to the FaxFair Corporation Board. See Clerk's Summary Item CL#32.)

Chairman Davis called to the Board's attention the discussion earlier in the meeting regarding the appointments to the FaxFair Corporation Board for three vacant positions.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board:

• Appoint the following individuals to the FaxFair Corporation Board as At-Large Representatives:

\*Ms. Karen Martin;

\*Ms. Patricia J. Beck;

\*Ms. Sylvia Mundy; and

• Direct staff to transmit correspondence, signed by the Chairman, to the FaxFair Corporation Board requesting the consideration of Mr. Aubrey Tarkington for one of the three vacancies to be filled by the FaxFair Corporation Board.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Chairman Davis also noted that the appointments to the Transportation Safety Commission still need to be resolved.

### **37.1:30 P.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES**

**(Tape 7)**

Supervisor Hanley, Chairman, Board's Legislative Subcommittee, briefly outlined the package distributed to Board Members entitled, "1992 General Assembly--Legislative Report Number 3," dated February 10, 1992.

Supervisor Hanley moved that the Board adopt the Legislative Report, as recommended by the Board's Legislative Subcommittee. This motion was seconded by Supervisor Hyland.

Discussion ensued among Board Members, with input from Michael Long, Assistant County Attorney and Ellen Posner, Assistant County Attorney, on House Bill (HB) 1006, a bill to prohibit local business, professional, and occupational license (BPOL) taxes on businesses engaged in research and development or BPOL taxes on receipts from the sale of property that is resold to a government entity within two years, and its Senate companion, SB 475.

Supervisor Bulova asked to be recorded as opposing Senate Bill 270, a bill to provide that approved final subdivision plats and site plans shall be valid for at least five years and permit a locality to grant extensions for additional time; however, it was noted that this bill is not included in the legislative report pending before the Board.

Supervisor Hyland called the Board's attention to a document he distributed to Board Members regarding HB 30, Item 182, Amendment 4, which concerns the future budget of the Virginia Cooperative Extension Service, and subsequently moved to amend the motion that the Board include its support for HB 30, Item 182, Amendment 4. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Dix asked that the motion be amended to:

- Express the Board's continued support for HB 1006 and SB 475, recognizing that the definition of research and development needs additional clarification, while still providing the incentive that exists, and in terms of the resale and pass through expense benefit, recognizing and providing a benefit which is still contained in the language; and
- Direct staff to continue to work toward the language expressed by Board Members.

Following a query by Supervisor Hanley, Supervisor Dix stated that the language for Paragraph D of HB 1006 is preferable to the language for Paragraph D of SB 475, which is stated on Page 2 of the document entitled, "Staff Notes on Legislation Concerning Local Taxation of Certain Business Activity with the Federal Government," contained in the legislative report.

Supervisor Bulova stated her opposition to HB 1006 and SB 475.

The request (Supervisor Dix's) to amend the main motion (Supervisor Hanley's) was accepted.

For the purpose of clarity, Supervisor Dix restated his request to amend the main motion: continue to support HB 1006 and SB 475, with the advice that the Board has given to staff to pursue the Board's interest and concerns, and in the case of research and development, to have the greatest amount of definition about what is included.

Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland asked to be recorded as expressing dissent on HB 1006. Without objection, it was so ordered.

The question was then called on the main motion to approve the legislative report, as amended, which carried by unanimous vote.

Supervisor Hanley called the Board's attention to a document distributed at the Northern Virginia Delegation meeting on February 10, 1992 and discussed HB 1093, the Economic Recovery Act of 1992, which was introduced by Delegate Cranwell.

[NOTE: Later in the meeting, additional handouts were distributed to Board Members regarding the Cranwell proposal. The handouts contained educational numbers for Fiscal Years (FY) 1993 and 1994. See Clerk's Summary Item CL#96.]

**AR:ar**

### **38.FIVE MINUTE LIMITATION FOR BOARD**

#### **MATTER TIME (Tape 8)**

Chairman Davis suggested that Board Matter time for each Board Member be limited to five minutes unless there is a request, by unanimous consent, for an extension.

### **39.ACTIVITIES OF THE BLUE RIBBON**

#### **COMMISSION ON FISCAL AND SPENDING**

#### **PRIORITIES (Tape 8)**

Chairman Davis stated that, in light of the Board's interest in the activities of the Commission on Fiscal and Spending Priorities, he would like to take an opportunity to review the Commission's structure and relationship to the Board.

Chairman Davis noted that members of the Blue Ribbon panel are outstanding private citizens, scholars and business leaders whom he asked to advise him on the County budget and spending priorities in these difficult times. He expressed his appreciation for the panel's willingness to serve and give so generously of its time and own resources.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board consent to continuing the contact with the Blue Ribbon Commission on Fiscal and Spending Priorities. Without objection, it was so ordered.

#### **40. REQUEST FROM PRINCE WILLIAM COUNTY FOR REPRESENTATION ON THE FAIRFAX COUNTY**

##### **WATER AUTHORITY BOARD (Tape 8)**

(BACs)

At the request of the Prince William County Board of Supervisors, Supervisor Davis asked unanimous consent that the Board direct staff to review, and return with a Consideration Item on **February 24, 1992** regarding Prince William's request for representation on the Fairfax County Water Authority Board with all voting rights and privileges. Without objection, it was so ordered.

#### **41. FALL 1994 SCHOOL OPENING DATE**

**(Tape 8)**

Supervisor Davis stated that it has come to his attention that the proposed date for Fall 1994 opening of Fairfax County Public Schools is tentatively scheduled for September 6, 1994, a calendar matter which the School Board will be voting on in the upcoming months. He noted that the September 6 date corresponds with the Jewish Holiday of Rosh Hashana.

Citing an understanding that the School Board must meet State requirements regarding the length of the School year, that preference should not be given to one religious over another, and that allowances are made for students and staff who wish to observe this religious holiday, Supervisor Davis asked unanimous consent that the Board of Supervisors go on record as being aware of this situation and recommend to the School Board the option of extending the School year an additional day in order not to open the Schools on September 6. Without objection, it was so ordered.

**42.APPOINTMENT OF DRANESVILLE DISTRICT  
SUPERVISOR BERGER TO THE AGRICULTURAL  
AND FORESTAL DISTRICT ADVISORY  
COMMITTEE (Tape 8)**

(Appt)

Pursuant to Section 15.1-1510 of the Code of Virginia, Supervisor Davis moved that Supervisor Berger be appointed to serve on the Agricultural and Forestal District Advisory Committee. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Frey being out of the room.

**43.VIRGINIA ASSOCIATION OF COUNTIES (VACO)  
APPOINTMENTS (Tape 8)**

(Appt)

Pursuant to Article 9, Section 8 of the Virginia Association of Counties (VACo) Bylaws, Supervisor Hanley moved that Chairman Davis be appointed to represent the Fairfax County Board of Supervisors on the VACo Board. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

**44.SUPPORT OF SUPERVISOR HYLAND AS THE VIRGINIA  
ASSOCIATION OF COUNTIES (VACO) BOARD  
REPRESENTATIVE TO THE NATIONAL  
ASSOCIATION OF COUNTIES BOARD (NACO) (Tape 8)**

(Appt)

Supervisor Davis moved that the Board of Supervisors support the candidacy of Supervisor Hyland as the Virginia Association of Counties (VACo) Board representative to the National Association of Counties (NACo) Board. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Frey being out of the room.



**45. TRAFFIC SIGNALIZATION FOR EMERGENCY VEHICLES****(Tape 8)**

Supervisor Davis noted that the OPTICOM Priority Control System allows emergency vehicles to activate or hold a green light at signalized intersections. As a result, this avoids traffic conflict between emergency vehicles and opposing traffic, as well as eliminating the queuing encountered in intersections.

Supervisor Davis stated that the Fire and Rescue Department has already completed an evaluation which takes into consideration traffic flow and safety, emergency response times, and preliminary cost estimates to include purchase, installation and maintenance of such facilities.

Accordingly, Supervisor Davis asked unanimous consent that the Board direct staff to look into the possibility of seeking Federal funds allocated by the Federal Highway Administration to the State for a priority control system which gives emergency vehicles priority of movement over regular traffic at signalized intersections. He added that there is a possibility of receiving 100 percent grant money to install the OPTICOM Priority Control System under the Intermodal Surface Transportation Efficiency Act. Without objection, it was so ordered.

**46. SCHOOLS' HEALTH CARE PROGRAM (Tape 8)**

Supervisor Dix stated that there is a matter coming before the School Board on Thursday night which has to do with the Managed Health Care Program for the Schools. He noted that it has come to his attention that, as part of the proposal which is presently before the School Board, the Reston Hospital Center would be excluded from participation in the In-Network Program.

With a notation that Reston Hospital Center is a significant business, employer, and taxpayer in the Centreville District and Fairfax County, Supervisor Dix moved that the Board express its interest and concern to the School Board about:

- The expense involved; and
- The fact that the Reston Hospital Center is specifically excluded from the proposal before the School Board.

This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Frey being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**47.RESOLUTION REGARDING ZONING ORDINANCE**

**AMENDMENT NUMBER 89-185 (Tape 8)**

(R)

(A)Supervisor Dix moved that the Board adopt the following Resolution regarding Zoning Ordinance Amendment Number 89-185:

WHEREAS, the Fairfax County Board of Supervisors adopted Zoning Ordinance Amendment Number 89-185 on December 11, 1989; and

WHEREAS, there has been a substantial change in circumstances since the adoption of that amendment; and

WHEREAS, the Board desires to consider whether the Amendment should be altered or amended to minimize adverse impact on the public and on landowners within the County; and

WHEREAS, the Board desires to consider measures which encourage economic development activities that provide desirable employment and enlarge the tax base; and

WHEREAS, the Board finds that the public necessity, convenience and general welfare mandate that a review of the actions taken by Amendment Number 89-185 and other amendments be undertaken; and

WHEREAS, the Board has determined that it is appropriate to consider steps which might have the effect of ending all or the greater part of the litigation spawned by the adoption of Amendment Number 89-185,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors does hereby initiate consideration of the repeal of Zoning Amendment Number 89-185, and directs the Planning Commission to schedule public hearings thereon, and

BE IT FURTHER RESOLVED, that the Board of Supervisors does also hereby initiate consideration of the following amendments to the Fairfax County Zoning Ordinance, and directs the Planning Commission to schedule public hearings on both the repeal of 89-185 and the Amendments.

IT IS FURTHER RESOLVED that, in order to provide timely Board consideration of these proposed changes, that the Planning Commission is hereby directed to report its recommendations on both the repeal of ZOA 89-185 and these amendments to the Board not later than April 6, 1992.

IT IS FURTHER RESOLVED that the Board of Supervisors hold public hearings on both the repeal of ZOA 89-185 and these amendments commencing on **May 4, 1992 at 7:30 p.m.**

This motion was seconded by Supervisor McConnell.

Supervisor Alexander asked unanimous consent that the Board extend the Board Matter time for Supervisor Dix another 5-10 minutes for discussion of this matter. Without objection, it was so ordered.

Following Board discussion, Supervisor Bulova moved to amend the motion to include Planning Commission consideration of the Amicus/Fairfax proposal as an alternative, along with Supervisor Dix's proposal. This motion was seconded by Chairman Davis.

Supervisor Dix noted his concern regarding the words, "as an alternative."

Supervisor Bulova asked that her amendment read, "to the Planning Commission for their consideration as a possible alternative proposal," and this was accepted.

Following additional discussion, the question was called on the motion, as amended, which **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**NAY.**"

#### **48.SCHEDULING OF PUBLIC HEARING**

#### **ON PROFFERED CONDITION AMENDMENT/**

#### **FINAL DEVELOPMENT PLAN AMENDMENT**

#### **PCA/FDPA-86D-093-2 (Tape 8)**

Supervisor Berger moved that the Board direct staff to schedule a public hearing before the Board on Proffered Condition Amendment/Final Development Plan Amendment PCA/FDPA-86D-093-2 for **March 9, 1992**. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Trapnell being out of the room.

**49.SCHEDULING OF PUBLIC HEARING****ON SPECIAL EXCEPTION APPLICATION****SE 91-D-016 (Tape 8)**

Supervisor Berger moved that the Board direct staff to schedule a public hearing before the Board on Special Exception Application SE 91-D-016 for **March 23, 1992**. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor Trapnell being out of the room.

**50.STRATEGY FOR PRESERVING AND ENHANCING****THE HISTORIC, ENVIRONMENTAL, AND****VISUAL CHARACTER OF GEORGETOWN PIKE****CORRIDOR (Tape 8)**

With a notation that the residents in Great Falls feel that protecting Georgetown Pike is a top priority, Supervisor Berger moved that the Board direct the Office of Comprehensive Planning and the Office of Transportation to work with local citizen groups and appropriate State agencies to develop a strategy for preserving and enhancing the historic, environmental, and visual character of the Georgetown Pike corridor. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hanley and Supervisor Trapnell being out of the room.

**51.ELECTORAL BOARD REPLY (Tape 8)**

Supervisor Berger noted that Board action on January 6, 1992 directed the Electoral Board to provide the Board of Supervisors, in writing, the procedures regarding the absentee ballots in the 53rd District Legislative race. Since this information has not been received to date, Supervisor Berger asked unanimous consent that the Board direct the Electoral Board to provide this information as expeditiously as possible. Without objection, it was so ordered.

**VLL:vll**

**52.REQUEST FOR EXPEDITIOUS AND CONCURRENT****PROCESSING FOR SPECIAL EXCEPTION APPLICATION**

**SITE PLAN WAIVER FOR THE MOUNT VERNON****KNIGHTS OF COLUMBUS CLUB, INCORPORATED****(Tape 9)**

Supervisor Alexander moved that the Board direct staff to expedite and concurrently process the Special Exception Application and Site Plan waiver for the Mount Vernon Knights of Columbus Club, Incorporated, located at 8592 Richmond Highway. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Berger, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**53.WAIVER OF APPLICATION FEES FOR THE ALEXANDRIA,****VIRGINIA ELKS LODGE NUMBER 758 (Tape 9)**

Supervisor Alexander moved that the Board direct staff to waive the application fees for the Alexandria, Virginia Elks Lodge Number 758 Special Use Permit located at 7120 Richmond Highway. He stated that the applicant understands that this action neither provides him with a vested right in the Plan approval nor relieves him from the responsibility of any plan modifications as a result of Board review. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of five, Chairman Davis abstaining because he is a member of the Elks, Supervisor Berger, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**54.STAFF REQUESTED TO REDUCE EASEMENT FOR****PROPERTY LOCATED ON PARKRIDGE LANE IN****LEE DISTRICT (Tape 9)**

Supervisor Alexander said that in 1984, Ms. Mary T. Washington purchased a home at 5908 Parkridge Lane in Lee District, Fairfax County. He said that late in that same year, a garage was constructed on the property after applying for and receiving the appropriate permits from the Department of Environmental Management (DEM). Last year, Ms. Washington placed her home on the market for sale and subsequently learned that the garage addition was encroaching on a 15-foot wide Fairfax County storm drainage easement. This encroachment has made it impossible to sell the house with clear title.

Supervisor Alexander stated that after several months of attempting to reach an equitable solution with DEM and the Department of Public Works (DPW), no real progress has been made. He said that the most expeditious and reasonable solution to this problem is to reduce the existing storm drainage easement on the property concerned, and work to reestablish the easement a reasonable distance away from the garage.

Accordingly, Supervisor Alexander moved that the Board direct the DPW staff to take the necessary steps to ensure that Ms. Washington's garage is no longer encroaching into the easement by reducing and relocating the existing storm drainage easement a few feet away from the garage. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Robert L. Howell, Acting County Attorney; Chairman Davis clarified that the intent of the Board is to direct staff to accommodate the request if possible; however, if staff finds a legal complication in complying with the request, then staff is directed to notify the Board as expeditiously as possible, and this clarification was accepted.

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

## **55.REQUEST TO EXPEDITE THE CALAMO STREET**

### **MINI-PARK PLANS AND BID THE PROJECT FOR**

#### **CONSTRUCTION (Tape 9)**

Supervisor Alexander stated that in October, 1991, Fairfax County was notified by the Virginia Department of Forestry that a grant application for \$12,000 in federal Small Business Administration funds had been approved. The funds are to be used to contract with small businesses for the planting of trees on a small piece of surplus right-of-way in central Springfield. The project is known as the Calamo Street Mini-Park and is part of the ongoing commercial revitalization efforts for the Springfield Central Business District.

Supervisor Alexander said that one of the key grant requirements is to encumber project expenses by May 15, 1992. He said that he has patiently waited for over three months while representatives from various agencies try to finalize the project plans and develop bidding documents; however, Supervisor Alexander said he is now very concerned that the County will lose the \$12,000 grant because of the bureaucratic delay.

Supervisor Alexander stated that a preliminary design has been completed since last July. The members of the Central-Springfield Area Revitalization Council (C-SPARC) have proposed to arrange for maintenance of the mini-park to be conducted by neighboring businesses and civic groups. Nevertheless, the Park Authority refuses to commit to meeting the construction deadline because it does not want to accept maintenance responsibility for the one-third of an acre area.

Supervisor Alexander pointed out that the Board has already gone on record as approving this project and accepting the provisions of the grant which requires minimal maintenance of the new trees (e.g. watering, mulching).

Therefore, Supervisor Alexander moved that the Park Authority and the other involved agencies move to expedite the Calamo Street Mini-Park plans and bid the project for construction no later than March 31, 1992, so that construction may begin in time to utilize the federal grant. He further moved that the Board direct William O. Howland, Assistant to the County Executive, to ensure that these steps take place. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

## **56.ADDITIONAL ACTION REGARDING C-1 - WAIVER**

### **OF FEE FOR HARDSHIP CASES AT TRASH**

#### **PARKOUTS (COUNTYWIDE) (Tape 9)**

(NOTE: Earlier in the meeting during Consideration Item C-1 - Waiver of Fee for Hardship Cases at Trash Parkouts (Countywide), the Board discussed this item. See Clerk's Summary Item CL#25.)

Supervisor Berger stated that earlier in the meeting, the Board discussed how to continue free recycling at the parkout sites. He requested John W. diZerega, Director, Department of Public Works (DPW), to briefly address the Board with a possible solution.

Mr. diZerega stated that following the Board's earlier discussion, he had researched the amount of materials currently placed on the recycling truck to determine whether the existing truck could take additional recycling materials. At this time, based on one week's experience, it appears that the existing truck can handle the additional materials without using another vehicle.

Supervisor Berger moved that the Board direct staff to accommodate additional recycling materials at the parkout sites by using the existing truck (without additional

expense or use of an additional vehicle). This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell being out of the room.

In response to a query by Supervisor Berger, Mr. diZerega responded that staff is working on taking the recycling truck out of the regular parkout flow.

#### **57.APPOINTMENT TO THE TRANSPORTATION ADVISORY**

#### **COMMISSION (TAC) (Tape 9)**

(Appt)

(NOTE: Earlier in the meeting, there were additional appointments. See Clerk's Summary Items CL#32 and CL#36.)

Supervisor Frey moved the appointment of Dr. Sidney R. Steele as the Sully District Representative on the Transportation Advisory Commission (TAC). This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **58.REQUEST FOR ADDITIONAL REPRESENTATION ON THE**

#### **ROUTE 28 DISTRICT TASK FORCE TO INCLUDE**

#### **REPRESENTATION BY THE SULLY DISTRICT**

#### **REPRESENTATIVE TO THE TRANSPORTATION**

#### **ADVISORY COMMISSION (TAC) (Tape 9)**

(BACs)

(Appt)

Supervisor Frey asked unanimous consent that the Board direct staff to enlarge the Route 28 District Task Force to include representation by the Sully District Representative on the Transportation Advisory Commission (TAC), Dr. Sidney R. Steele, as a voting member. Without objection, it was so ordered.

#### **59.REQUEST FOR ADDITIONAL REPRESENTATION ON THE**

#### **FAIRFAX COUNTY WATER AUTHORITY TO INCLUDE**



**REPRESENTATION BY THE SULLY DISTRICT (Tape 9)**

(BACs)

In response to a query by Supervisor Frey, William O. Howland, Assistant to the County Executive, responded that the appropriate Resolution requesting additional representation on the Fairfax County Water Authority to include representation by the Sully District will be distributed to the Board at its meeting scheduled for February 24, 1992.

Supervisor Frey announced his intent, at the appropriate time, to nominate Mr. Phil Allen as the Sully District Representative to the Fairfax County Water Authority. He expressed his appreciation to the Water Authority for providing Mr. Allen with information in the interim.

**60.REQUEST FOR ADDITIONAL TIME LATER****IN MEETING TO ADDRESS THE VIRGINIA****RUN COMMUNITY (Tape 9)**

Supervisor Frey asked unanimous consent for additional time later in the meeting to address the Virginia Run Community. Without objection, it was so ordered.

(NOTE: There was no discussion regarding this item later in the meeting.)

**61.VALENTINES FROM STUDENTS AT FAIRVIEW ELEMENTARY****SCHOOL PRESENTED TO BOARD MEMBERS (Tape 9)**

Supervisor Bulova presented to Board Members valentines that had been created by Mrs. Widdifield's Third Grade Class at Fairview Elementary School. She stated that these valentines are part of an ongoing series of projects dealing with Fairfax County's 250th Anniversary Celebration and the pride the students feel in their community.

**62.CONTEST CONSIDERED FOR APPROPRIATE****MASCOT FOR FAIRFAX COUNTY (Tape 9)**

Supervisor Bulova distributed to Board Members excerpts from the recent letters of students from Mrs. Widdifield's Third Grade Class at Fairview Elementary School addressed to Ralph Koch, President of Fairfax Corporation, regarding Fairfax

County's 250th Anniversary Celebration. Several students suggested that Fairfax County adopt a mascot.

Chairman Davis suggested that Fairfax County conduct a competition among its students for ideas for an appropriate mascot for Fairfax County.

**63.PROHIBITION OF CUT THROUGH TRAFFIC IN  
CANTERBURY WOODS SUBDIVISION (Tape 9)**

Supervisor Bulova asked unanimous consent that the Board refer to the Office of Transportation staff for appropriate action the request from the Canterbury Woods Subdivision requesting relief from cut through traffic in their community. Without objection, it was so ordered.

**PMH:pmh**

**64.RECYCLING BRIEFING (Tape 10)**

Supervisor Hyland stated that in March, the staff from the Recycling Office will be briefing the Board on the merits of the multimaterial recycling curbside pilot program and will be making its recommendations as to whether the Board should make this a Countywide program.

Supervisor Hyland said that it would be prudent to have staff provide the Board with an overview of the entire recycling program including a status of the solid waste management plan that staff has been working on with the Citizens Advisory Committee on Solid Waste Matters (CAC).

Therefore, Supervisor Hyland moved that the Board:

- Direct the Department of Public Works' staff and the CAC to provide the Board with a briefing on the County's recycling program; and
- Direct staff to provide this overview at the same time the multimaterials program is brought forward in March.

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

**65.DREDGED MATERIAL MANAGEMENT SITE LOCATION**

**(Tape 10)**

Supervisor Hyland said that in the spring of 1989, there was considerable activity regarding the need to dredge the Port of Alexandria. He said that the proposed expansion of the Woodrow Wilson Bridge will also involve dredging. Little Hunting Creek, Dyke Marsh or the Hallowing Point area of the Potomac River have been suggested as either mitigation sites or for the creation of an island from these spoils.

Supervisor Hyland moved that the Board direct staff to request the Metropolitan Washington Council of Governments to coordinate, with all appropriate jurisdictions, the effort of locating a site for the disposition of Potomac River dredged materials. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor Frey being out of the room.

**66.REQUEST STAFF TO OPEN SHERWOOD REGIONAL LIBRARY****(Tape 10)**

Supervisor Hyland stated that the Sherwood Regional Library began its process of renovation/expansion almost two years ago. He said that today the facility is completed, ready to be restocked and opened, but due to a lack of nine staff positions, the library remains closed and inoperable.

Supervisor Hyland explained that in order to open the facility, staff needs authorization from the Board to fill eight of the nine positions which had been in effect prior to the hiring freeze but due to resignations and retirement were not filled; and to add one additional position. He said that this action would have a fiscal impact of \$9,791 in Fiscal Year (FY) 1992 and \$24,438 in FY 1993.

Therefore, Supervisor Hyland moved that the Board direct staff to provide the positions and personnel necessary to open Sherwood Regional Library as scheduled. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger and Supervisor Frey being out of the room.

**67.SUPPORT REQUESTED FOR FAUQUIER COUNTY BOARD OF****SUPERVISORS' RESOLUTION (Tape 10)**

Supervisor Hyland stated that he had received a copy of a letter to the Acting County Executive from G. Robert Lee, County Administrator for Fauquier County, on behalf of their Board of Supervisors which included a copy of their resolution requesting the

Governor and the General Assembly to support the continuation of the State Agriculture Laboratory in Warrenton.

Supervisor Hyland said that the letter suggests that the Fairfax County Board consider adoption of a similar resolution in order to continue the valuable services provided by such facilities.

Therefore, Supervisor Hyland moved that the staff prepare a resolution in support of the continuation of the State Agriculture Laboratory for inclusion with next month's Board package.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that this issue be referred to the Legislative Subcommittee for review. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

#### **68.SUGGESTION OF MR. FREDERICK DYKES AS COUNTY**

##### **EXECUTIVE (Tape 10)**

Supervisor Hyland stated that he had received a letter from Mr. Jim Dupont suggesting Mr. Frederick Dykes as County Executive. Supervisor Hyland referred the suggestion to Supervisor Alexander who is Chairman of the Search Committee.

#### **69.SIMULTANEOUS PROCESSING FOR A SITE PLAN AND A**

##### **SPECIAL PERMIT AMENDMENT FOR COUNTRY CLUB OF**

##### **FAIRFAX (Tape 10)**

Supervisor McConnell stated that final engineering and architectural design of the clubhouse addition did not provide parking up to the maximum which was approved by the Board of Zoning Appeals (BZA) on January 30, 1990 (SPA 82-3-102-1).

Supervisor McConnell said that the Club desires to take advantage of low construction prices now available and construct parking in an amount up to that permitted by the BZA. These changes necessitate a Special Permit Amendment (SPA) which must normally be applied for and granted by the BZA prior to any submission of a Site Plan or Site Plan Waiver.

Because this consecutive process for submission and approval would jeopardize the owners' ability to bid and construct these facilities with a limited budget within the next several months and thereby lose the opportunity of a very favorable construction market, Supervisor McConnell moved that the Board authorize simultaneous processing of a SPA and a Site Plan waiver for the construction of an additional parking lot which will bring parking on-site up to, but will not exceed, the amount approved by the BZA. She added that this motion is not intended to commit either the Board of Supervisors or the BZA to any future action or approval and is made with the full understanding of the Country Club of Fairfax that this action is done at the Club's own risk and no rights will be acquired by this action. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger and Supervisor Frey being out of the room.

**70.MAILING OF THE PERSONAL PROPERTY TAX BILL AND  
THE COUNTY DECAL FORM (Tape 10)**

Supervisor McConnell stated that the Office of Assessments and the Office of Finance could cut the mailing costs for the Personal Property Tax notifications and the County Decal forms if they mailed both of the forms at the same time.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to review this issue and report its findings. Without objection, it was so ordered.

**71.WELCOME TO JOHN ROBERT MCCONNELL (Tape 10)**

Supervisor McConnell announced the birth of her newest grandchild, John Robert McConnell, born on Saturday, February 8, 1992, weighing nine pounds.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to prepare a letter from the Chairman welcoming John Robert McConnell to Fairfax County. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

**72.REMOVAL OF YORKTOWNE SQUARE ASSOCIATION FROM THE  
LEAF COLLECTION DISTRICT (Tape 10)**

Supervisor Hanley stated that the Yorktowne Square Association has requested that they be removed from the Leaf Collection District. Therefore, Supervisor Hanley

asked unanimous consent that the Board refer this issue to staff for processing. Without objection it was so ordered.

**73.SCHEDULING OF THE PUBLIC HEARING FOR SPECIAL EXCEPTION APPLICATION SE 91-P-041 (Tape 10)**

On behalf of the SRO Plan moving forward within the County, Supervisor Hanley moved that the public hearing for Special Exception Application SE 91-P-041 be held on April 6, 1992. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Chairman Davis being out of the room.

**74.PRESS RELEASE REGARDING VOLUNTEER COORDINATOR POSITION (Tape 10)**

Supervisor Hanley stated that the Volunteer Coordinator position had been advertised in the County ads. In addition, she asked unanimous consent that the Board direct staff to prepare a Press Release regarding this issue. Without objection, it was so ordered.

**75.SITE PLAN APPLICATION PROCEDURE (Tape 10)**

Supervisor Hanley stated that when the Comprehensive Plan that went into effect on July 1, 1991 was established, the Board directed staff to report with a provision for how applications that were in the "pipeline" would be handled. She explained that Site Plans close to approval are now in a position (as of July 1, 1991) to not be "approvable".

Following discussion, James P. Zook, Director, Office of Comprehensive Planning, stated that staff would be reporting to the Board regarding this issue by March 9, 1992.

Supervisor Hanley asked unanimous consent that the Board direct staff to schedule this item to be presented to the Board at its March 9, 1992 meeting in the form of an Action Item. Without objection, it was so ordered.

**JLD:jld**

**76.BOARD MATTERS BY SUPERVISOR CHRISTINE TRAPNELL, MASON DISTRICT (Tape 11)**

Supervisor Trapnell announced that she had no Board Matters to present at today's meeting.

**SBE:sbe**

**77.4:30 P.M. - PH ON REZONING APPLICATION**

**RZ 89-V-059 (HARPER'S VIEW ASSOCIATES,**

**LIMITED PARTNERSHIP) (MOUNT VERNON**

**DISTRICT) (Tape 11)**

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 89-V-059 until **February 24, 1992 at 4:00 p.m.** to allow the applicant additional time to revise the affidavit. This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of nine, with Supervisor Hanley abstaining because the affidavit needs clarification.

**ADDITIONAL BOARD MATTER**

**78.CONSENT DECREE TO CLOSE THE LITTLE**

**HUNTING CREEK PLANT (Tape 11)**

Supervisor Hyland announced that he had just received from the Commonwealth of Virginia State Water Control Board (SWCB) an Order amending the consent decree for the Court in Richmond to sign. Fairfax County will now be able to close the Little Hunting Creek Plant and pump over to the Lower Potomac Plant.

**79.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 90-Y-11 AND SPECIAL EXCEPTION AMENDMENT**

**APPLICATION SEA 82-S-043 (LEO S. COATES, SR.)**

**(SULLY DISTRICT) (Tape 11)**

Mr. D. Thomas Basham reaffirmed the validity of the affidavit for the record.

Mr. Basham 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 Frey moved approval of Special Exception Application SE 90-Y-011 subject to the revised development conditions dated January 13, 1992. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 82-S-043 subject to the revised development conditions dated January 22, 1992, as amended by the Planning Commission. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room.

Supervisor Frey moved modification of the transitional screening and waiver of the barrier requirement along the eastern periphery of the C-8 portion of the site in favor of that shown on the Special Exception Amendment/Special Exception (SEA/SE) Plat. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room.

### **80.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

#### **SE 91-L-032 (HARDEE'S FOOD SYSTEMS, INCORPORATED)**

##### **(LEE DISTRICT) (Tape 11)**

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

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

Following the public hearing, Supervisor Alexander 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 seven, Supervisor Frey, Supervisor Hanley, and Supervisor Hyland being out of the room.

Supervisor Alexander moved approval of Special Exception Application SE 91-L-032 subject to the revised development conditions dated January 13, 1992. This motion



was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Supervisor Hyland being out of the room.

Supervisor Alexander moved:

- Modification of the peripheral parking lot landscaping requirement to that shown on the Special Exception Plat in accordance with Paragraph 2 of Section 13-202 of the Zoning Ordinance;
- Waiver of the barrier requirement in accordance with Paragraph 2 of Section 13-304 of the Zoning Ordinance; and
- Reaffirmation of the waiver of the minimum lot size requirements on this parcel which were approved on May 11, 1983 in Special Exception Application SE 82-L-102 by the Board of Supervisors.

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

**81.3:30 P.M. - PH ON THE LEASE OF COUNTY-OWNED**

**PROPERTY AT 14040 BRADDOCK ROAD (SULLY**

**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 one time only in the issue of January 30, 1992.

Following the public hearing, which included testimony by four speakers, Supervisor Frey moved that the Board endorse the Resolution authorizing staff to negotiate and execute a lease with the Centreville Presbyterian Church for the property located at 14040 Braddock Road, Sully District, contingent upon the staff:

- Continuing discussions of the lease rate with the church;
- Considering an amount more in line with the rate that the church is currently paying for use of the school site (as opposed to the higher rate recommended); and

in general conformance with the following terms:

- The facility will be used by the Centreville Presbyterian Church as a community church. The facility would also be available for use by community groups such as AA/Alanon, Scouts, CARES, Ski Patrol Training, Square Dance Club, and Clothes Closet. The facility will also be made available for use by other community groups on a space available basis;
- Payment of an annual rent of \$36,000, a portion of which would be used to make necessary repairs to the facility as mutually agreed upon by the County and the church. The Centreville Presbyterian Church will also be responsible for all routine maintenance, utilities and insurance; and
- A three year lease term renewable on an annual basis thereafter. Staff will include a termination clause that will allow the County to terminate the lease when the property is needed for the road project.

Supervisor McConnell stated that because the church will maintaining and keeping the building from being demolished, she felt that staff should negotiate an amount less than what the church is currently paying.

Following further discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include that the Board direct staff to forward to Board Members a copy of the negotiated contract, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The motion, as amended, was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being out of the room.

**82.3:30 P.M. - DEFERRAL OF BOARD DECISION ON  
ORDERING IMPROVEMENTS AND AUTHORIZING  
ASSESSMENTS IN COURTLAND PARK, PHASE II  
(MASON DISTRICT) (Tape 11)**

(NOTE: On January 27, 1992, the public hearing was held on ordering improvements and authorizing assessments in Courtland Park, Phase II, Mason District, and Board decision deferred until February 10, 1992.)

Supervisor Trapnell moved to further defer until **March 9, 1992 at 3:30 p.m.** Board decision on the proposed adoption of a Resolution ordering improvements and authorizing assessments in Courtland Park, Phase II, Mason District. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

**83.4:00 P.M. - PH ON AGRICULTURAL AND FORESTAL**

**DISTRICT RENEWAL APPLICATION AR 83-S-008**

**(CAROL C. AND HARRIET C. MATTUSCH)**

**(SPRINGFIELD DISTRICT) (Tape 11)**

(O)Ms. Harriet C. Mattusch affirmed the validity of the affidavit for the record.

Ms. Mattusch 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, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F-7 (Local Agricultural and Forestal Districts Ordinance), to renew the Popes Head Local Agricultural and Forestal District (AR 83-S-008) subject to the revised ordinance provisions contained in Appendix One of the Staff Report dated November 20, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

**84.4:00 P.M. - PH ON AGRICULTURAL AND FORESTAL**

**DISTRICT APPLICATION AF 91-D-004 (OLIVER AND**

**MANNING GASCH) (DRANESVILLE DISTRICT)**

**(Tape 11)**

(O)Mr. Manning Gasch reaffirmed the validity of the affidavit for the record.

Mr. Gasch 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, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Berger 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 Orchard Spring Nursery Local Agricultural and Forestal District (AF 91-D-004) subject to the revised ordinance provisions contained in Appendix One of the Staff Report dated November 20, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

#### **85.4:00 P.M. - PH ON AGRICULTURAL AND FORESTAL**

#### **DISTRICT RENEWAL APPLICATION AR 83-D-006**

#### **(CAJOLL COMPANY/JOHN W. HANES) (DRANESVILLE DISTRICT) (Tape 11)**

(O)Mr. Philip G. Masemer affirmed the validity of the affidavit for the record.

Mr. Masemer 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.

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

- In the amount of \$250.00 from Mr. Stephen Johnson.

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

Supervisor Berger moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F-5 (Local Agricultural and Forestal Districts Ordinance), to renew the Cajoll Local Agricultural and Forestal District (AR 83-D-006) subject to the revised ordinance provisions contained in Appendix One of

the Staff Report dated November 20, 1991. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Alexander and Supervisor McConnell being out of the room.

**86.4:00 P.M. - PH ON AGRICULTURAL AND FORESTAL**

**DISTRICT AMENDMENT APPLICATION AA 83-D-009**

**(DAVID B. KINNEY) (DRANESVILLE DISTRICT)**

**(Tape 11)**

(O)Mr. David B. Kinney reaffirmed the validity of the affidavit for the record.

Mr. Kinney 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, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Berger moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F-9 (Local Agricultural and Forestal Districts Ordinance), to amend the Dunbarton Local Agricultural and Forest District (AA 83-D-009) to permit the addition of land area to the previously approved Agricultural and Forestal District and to renew the existing District subject to the revised ordinance provisions contained in Appendix One of the Staff Report dated November 20, 1991. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**87.4:30 P.M.- PH ON REZONING APPLICATION**

**RZ 89-V-059 (HARPER'S VIEW ASSOCIATES,**

**LIMITED PARTNERSHIP) (MOUNT VERNON DISTRICT)**

**(Tape 11)**

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Rezoning Application RZ 89-V-059 until February 24, 1992 at 4:00 p.m. to allow the applicant additional time to revise the affidavit. See Clerk's Summary Item CL#77.)

For the record, Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 89-V-059 until **February 24, 1992 at 4:00 p.m.** to allow the applicant additional time to revise the affidavit. This motion was seconded by Chairman Davis and **CARRIED** by a recorded vote of nine, with Supervisor Hanley abstaining because the affidavit needs clarification.

#### **88.4:30 P.M. - PH ON REZONING APPLICATION**

#### **RZ 91-D-022 (ESQUIRE GROUP/HICKS**

#### **LIMITED PARTNERSHIP NUMBER 1)**

#### **(DRANESVILLE DISTRICT) (Tape 11)**

Mr. C. Thomas Hicks, III, reaffirmed the validity of the affidavit for the record.

Mr. Hicks 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, Cathy Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Berger moved that the Zoning Ordinance as it applied to the property which was the subject of Rezoning Application RZ 91-D-022 be amended from the R-1 District to the R-3 District subject to the executed proffers dated January 22, 1992, consistent with those contained in Appendix One, as amended on January 15, 1992 by the applicant and modified by the Planning Commission. This motion was jointly seconded by Supervisor Dix and Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor Hanley, and Supervisor McConnell being out of the room.

#### **89.4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT**

#### **APPLICATION PCA 88-S-095 (ROCKY GORGE COMMUNITIES,**

#### **INCORPORATED) (SULLY DISTRICT) (Tapes 11-12)**

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

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

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

Prior to leaving the Board Room to attend a meeting in the Conference Room, Chairman Davis relinquished the Chair to Acting-Chairman Bulova.

Supervisor Frey expressed his appreciation for the cooperation of those citizens and civic groups in the Centreville area who participated in this application.

Acting-Chairman Bulova returned the gavel to Vice-Chairman McConnell upon her return to the Board Room.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 88-S-095 subject to the execution of the revised proffers dated January 22, 1992 and the following development conditions:

- Relocate six parking spaces near Buildings 2 and 10 to the Mount Gilead House 2-acre dedication site. The final location of those parking spaces to be determined by the County at the time of the final disposition of the Mount Gilead House;
- The current driveway from Mount Gilead Road to remain as it is to provide access to Mount Gilead House so that access is not through the residential community and so that vehicular access is provided for parking for Mount Gilead House; and
- The 2-acre dedication site shall incorporate sufficient land area to include the Carriage House.

Upon his return to the Board Room, Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

Supervisor Frey moved waiver of the Public Facilities Manual requirements to permit driveway to remain in its current geometric condition and waiver any frontage improvements to Mount Gilead Road associated with the access road. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hanley being out of the room.

Supervisor Frey moved that the Board of Supervisors direct the Director of the Department of Environmental Management (DEM) to permit storm water runoff from both the commercial and residential components to be combined in one underground facility that would be maintained at private expense. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hanley being out of the room.

#### **90.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

#### **SE 91-Y-034 (MOBIL OIL CORPORATION AND MERCHANT'S, INCORPORATED) (SULLY DISTRICT) (Tape 12)**

Ms. Marie Travesky reaffirmed the validity of the affidavit for the record.

Ms. Travesky 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.

Chairman Davis recognized the presence of Ms. Travesky and he warmly welcomed her to the Board Room. He announced that Ms. Travesky had been a former Member of the Board of Supervisors, representing the Springfield District.

Following the public hearing, which included testimony by two speakers, Lorrie Kirst, Senior 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 91-Y-034 subject to the revised development conditions dated January 22, 1992, as revised by the Planning Commission. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hanley being out of the room.

Supervisor Frey further moved waiver of the minimum lot size requirements for the C-8 Zoning District. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hanley being out of the room.



Supervisor Frey moved waiver of the service drive requirement along Lee Highway. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hanley being out of the room.

**91.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION****SE 87-Y-035 (MERCHANT'S INCORPORATED) (SULLY DISTRICT) (Tape 12)**

Mr. John W. Grimsley reaffirmed the validity of the affidavit for the record.

Mr. Grimsley 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, Lorrie Kirst, Senior 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 87-Y-035 subject to the revised development conditions dated January 22, 1992, and as revised by the Planning Commission. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Hanley and Supervisor Trapnell being out of the room.

Supervisor Frey moved waiver of the minimum lot size and width requirements of the C-8 Zoning District. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Hanley and Supervisor Trapnell being out of the room.

Supervisor Frey moved modification of the peripheral parking lot landscaping requirements along Lee Highway, pursuant to the January 22, 1992 development conditions. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Hanley and Supervisor Trapnell being out of the room.

Supervisor Frey moved waiver of the service drive requirement along Lee Highway. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Hanley and Supervisor Trapnell being out of the room.

**92.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION****SE 90-P-013 (EXXON COMPANY, U.S.A.)**

**(PROVIDENCE DISTRICT) (Tape 12)**

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

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

•In the amount of \$500.00 from Mr. Stearns who participated in a campaign dinner held for Chairman Davis.

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

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

Supervisor Hanley moved that the Board approve Special Exception Application SE 90-P-013 subject to the development conditions dated January 24, 1992, with modifications made by the Planning Commission. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of eight, Chairman Davis abstaining, Supervisor Alexander being out of the room.

Supervisor Hanley moved waiver of the open space requirement subject to the development conditions. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Chairman Davis abstaining, Supervisor Alexander being out of the room.

Supervisor Hanley moved waiver of the transitional screening and barrier requirement between the C-5 and R-2 zoned portions of the site subject to the development conditions. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Chairman Davis abstaining, Supervisor Alexander being out of the room.

Supervisor Hanley moved waiver of the service drive requirement and, she further moved that a travel lane be provided in lieu of the service drive subject to the development conditions. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Chairman Davis abstaining, Supervisor Alexander being out of the room.

**93.7:30 P.M. - PH ON REZONING APPLICATION**

**RZ 91-W-023 (BOARD OF SUPERVISORS, FAIRFAX COUNTY) (COUNTYWIDE) (Tape 12)**

Supervisor Hanley moved to defer indefinitely the public hearing on Rezoning Application RZ 91-W-023. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Alexander being out of the room.

**ADDITIONAL BOARD MATTERS**

**94.ADDITIONAL ACTION ON A-3 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN PARCELS OF LAND NEEDED FOR THE CONSTRUCTION OF THE CENTREVILLE COMMUTER PARK AND RIDE LOT (SULLY DISTRICT) (Tape 12)**

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

Supervisor Frey moved that the Board:

- Defer action until **February 24, 1992** on the proposed adoption of a Resolution authorizing the condemnation of four parcels, comprising approximately 3.5804 acres, in fee for Project 88A005 - Centreville Commuter Park-and-Ride, Sully District; and
- Direct the Acting County Executive to personally review the situation and to report with any recommendations.

Chairman Davis stated that he would also review the situation.

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

**95.LETTER OF CONDOLENCE REQUESTED FOR FAMILY OF MR. PETER ALEXI (Tape 12)**

Supervisor Trapnell announced, with great sadness, the death of Mr. Peter Alexi, a long time resident of Lake Barcroft and an Olympic Athlete in 1936, participating as a runner with Mr. Jessie Owens. She stated that Mr. Alexi died last night at the age of 77.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to send a letter of condolence to Mr. Alexi's family expressing the Board's sympathy, Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**96.ADDITIONAL DISCUSSION REGARDING REPORT ON**

**GENERAL ASSEMBLY ACTIVITIES (Tape 12)**

(NOTE: Earlier in the meeting, the Board received the Report on General Assembly Activities. See Clerk's Summary Item CL#37.)

Supervisor Hanley, Chairman, Board's Legislative Subcommittee, distributed to Board Members additional handouts regarding the Cranwell proposal. The handouts contain educational numbers for Fiscal Years (FY) 1993 and 1994.

**97.CONCURRENT PROCESSING OF RESTON TOWN CENTER**

**(Tape 12)**

Supervisor Dix called to the Board's attention the fact that Reston Land Corporation is applying for a Comprehensive Sign Plan for the Reston Town Center and, included in that area is land owned by Fairfax County.

Accordingly, Supervisor Dix moved that the Board concur in the filing of the Comprehensive Sign Plan by Reston Land Corporation for the Reston Town Center. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being out of the room.

**98.EXECUTIVE SESSION (Tape 12)**

At 6:25 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion of Ernest L. Dove versus D.E. Boseman and Charles Hagan, At Law Number 93845. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

At 6:30 p.m., the Board reconvened in the Board Room with all Members being present, and with Chairman Davis presiding.

**99.ACTIONS FROM EXECUTIVE SESSION (Tape 12)**

(NOTE: Earlier in the meeting, there were additional Actions from Executive Session. See Clerk's Summary Item CL#35.)

**D.CERTIFICATION BY BOARD MEMBERS**

**REGARDING ITEMS DISCUSSED IN**

**EXECUTIVE SESSION**

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

**E.SETTLEMENT OF DOVE VERSUS BOSEMAN,**

**AT LAW NUMBER 93845**

Supervisor Hyland moved that the Board authorize settlement of Dove versus Boseman, At Law Number 93845, in accordance with the terms outlined by the Acting County Attorney in Executive Session. This motion was jointly seconded by Supervisor Bulova and carried by unanimous vote.

**100.APPOINTMENTS TO THE TRANSPORTATION SAFETY**

**COMMISSION (Tape 12)**

(Appt)

(NOTE: Earlier in the meeting, additional appointments were made. See Clerk's Summary Item CL#32.)

Supervisor Bulova called the Board's attention to the fact that appointments are needed to the Transportation Safety Commission. She stated that the Board has not met for the past month because the terms of the members have expired.

Chairman Davis stated that at this time he would withdraw his nomination to appoint Mr. Thomas Bowen; however, he announced that the next time that vacancies occur on the Transportation Safety Commission, he would reinstate this nomination.

Supervisor Bulova moved the reappointment of Ms. Barbara Nunes as the At-Large Representative to the Transportation Safety Commission.

Supervisor Trapnell moved the reappointment of Mr. H. Dean Fravel as the At-Large Representative to the Transportation Safety Commission.

Supervisor Hyland moved the reappointment of Mr. Curtis Shufflebarger as the At-Large Representative to the Transportation Safety Commission.

These motions were seconded by Supervisor Berger and carried by unanimous vote.

**101.BOARD ADJOURNMENT (Tape 12)**

At 6:35 p.m., the Board adjourned