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The meeting was called to order at 10:10 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.

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

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

**3.10:00 A.M. - BOARD ADOPTION OF THE CAPITAL
IMPROVEMENT PROGRAM (CIP) AND BOND SALE**

PRIORITIZATION FOR FISCAL YEARS (FY)

1993-1997 (Tape 1)

[NOTE: At a recessed meeting on Monday, February 3, 1992, the Board held its Work Session on the Capital Improvement Program (CIP) and bond sale prioritization for Fiscal Years (FY) 1993-1997. The Board held its Markup on February 10, 1992.]

Chairman Davis announced that the Board adoption of the CIP and bond sale prioritization for FY 1993-1997 has been postponed until **March 9, 1992 at 10:00 a.m.**

4.10:00 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES

(Tape 1)

Supervisor Hanley, Chairman, Board's Legislative Subcommittee, briefly outlined the package distributed to Board Members entitled, "1992 General Assembly--Legislative Report Number Four," dated February 24, 1992.

Supervisor Hanley moved that the Board adopt the Legislative Report, as recommended by the Board's Legislative Subcommittee.

Supervisor Hanley called the Board's attention to House Bill 1006, a bill to prohibit the local business, professional, and occupational license tax (BPOL tax) from taxing research and development or on receipts from the sale of property that is intended for resale to a government entity within two years. She stated that the Legislative Subcommittee, which supports the bill, opposes the reenactment clause and the delayed effective date. She also noted that there are still several Board Members who oppose the entire bill.

Following a query from Supervisor Alexander, Supervisor Hanley stated for the record that the Board supported the following position:

• "Any state capital financing should provide adequate resources for the County's transportation needs and priority should be given to Metro and to the Fairfax County Parkway. In addition, in order to provide maximum impact on the economy, any such capital financing should fund projects which already are designed and ready for construction."

The motion to adopt the Legislative Report was seconded by Supervisor Hyland.

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

Supervisor Hanley clarified that, in the motion to approve the Legislative Report, it was her intent to include all objections to bills previously noted by Board Members.

Supervisor Hanley called the Board's attention to legislation pertaining to a cigarette tax. She stated that the bill has passed the Senate and is pending in the House Committee on Counties, Cities and Towns.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to draft correspondence, for his signature, to the members of the House Committee on Counties, Cities and Towns expressing the Board's position.

Supervisor Hyland asked that the request be amended to send a facsimile of the correspondence today, and this was accepted.

Without objection, the amended request was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

5. BRIEFING ON TRIP TO RUSSIA (Tape 1)

Supervisor Bulova briefed Board Members on her trip to Moscow, which resulted from an invitation from officials of the Western District of Moscow for representatives of Fairfax County to visit and share with them aspects of local government. She stated that these officials are working toward privatization of their area and would like to promote investment opportunities in their jurisdiction. Representatives from the State Department of Economic Development were among the County's delegation.

Supervisor Bulova stated that the Prefecture (their governing body) is eager to develop a mutually profitable cooperation with the goal of strengthening mutual trust, business partnership, and friendship in Russian-American relations. Fairfax County is being requested to share its experience and assist the Prefecture in improving the operation of municipal services and increase the effectiveness of operation of local self-governing institutions. To do this, the Prefecture is interested in hosting the future voluntary visits of certain Fairfax County specialists, with the understanding that no County funds would be expended. Likewise, the Prefecture would be interested in sending Russian officials to the County as non-paid interns, to be placed in both County and private industry offices in order to learn more regarding the provision of services in a democratic society.

Supervisor Bulova stated that the responsibility for organizing and coordinating the development of the program of cooperation would be assigned to a coordinating committee "Cooperation in the Name of Progress (COPRO)." The creation of the committee would be accomplished in a special agreement that the Prefecture would like to negotiate when a small delegation from Moscow visits Fairfax County this spring. Others who have agreed to participate in this cooperative venture are the Fairfax Bar Association, the Northern Virginia Community College, and the Virginia Department of Economic Development.

Supervisor Bulova requested that the Board give its full support to this positive relationship continuing with the assistance of the Economic Development Authority, with the caveat that no County funds be expended.

Supervisor Bulova distributed gifts to Board Members, which she described as traditional soup spoons.

From the coordinator of the trip, Professor Beverly Blois, Director of Projects International of the Northern Virginia Community College, Supervisor Bulova presented Chairman Davis with the Autobiography of Thomas Jefferson, in Russian, purchased with American dollars at the Kremlin. She also presented him with a beautiful book of art work from Vladislav Butov, First Vice Prefect of the Western

District of Moscow; and a class project from a female member of the Prefecture who deals with education and social issues, whose message is "Don't duck the issues."

Chairman Davis asked that one of the books be presented to either a library or a school in the Braddock District and that the other book be presented to a school or library in the Mason District.

Supervisor Bulova suggested that a display of the gifts might be appropriate.

Chairman Davis requested that Supervisor Bulova and Supervisor Trapnell devise an appropriate display.

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6.ADMINISTRATIVE ITEMS (Tape 2)

Supervisor Alexander moved approval of the Administrative Items. This motion was seconded by Supervisor McConnell.

Chairman Davis called the Board's attention to Administrative Item Seven - Authorization to Advertise a Public Hearing on a Resolution to Expand the Membership of the Fairfax County Water Authority to Correspond to the Recent Expansion of the Board of Supervisors and noted that he has received a letter from the Chairman of the Prince William County Board of Supervisors requesting a seat on the Fairfax County Water Authority Board. Chairman Davis stated that it has been determined, through meetings with the Water Authority, that this representation by Prince William County would not be appropriate since it is only a user, as are several other jurisdictions in the area. Therefore, Prince William County has been notified that it will remain as a non-voting member of the Fairfax County Water Authority Board.

The question was then called on the motion which carried by a vote of nine, ***Supervisor Hanley*** being out of the room.

(*NOTE: Later in the meeting, upon her return to the Board Room, Supervisor Hanley asked to be recorded as voting "AYE" on the motion to approve the Administrative Items. See Clerk's Summary Item CL#7*.)

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM

(SULLY DISTRICT)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated February 24, 1992 be recommended for acceptance into the State Secondary System.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN SANITARY SEWER EASEMENTS NECESSARY FOR CONSTRUCTION OF THE LORFAX SUBDIVISION SANITARY SEWER EXTENSION PROJECT (MOUNT VERNON DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 23, 1992 at 4:00 p.m.** on the proposed acquisition of sanitary sewer easements necessary for the construction of Project X00819 (P00003), Lorfax Subdivision Sanitary Sewer Extension Project, Mount Vernon District.

ADMIN 3 - AUTHORIZATION TO ADVERTISE REVISIONS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 2 (FAIRFAX COUNTY SUPPLEMENTAL RETIREMENT SYSTEM), ARTICLE 3 (FAIRFAX COUNTY UNIFORMED RETIREMENT SYSTEM), ARTICLE 7 (FAIRFAX COUNTY POLICE OFFICERS RETIREMENT SYSTEM), REGARDING ASSIGNMENT OF BENEFITS, HANDICAPPED CHILD PROVISIONS, AND OTHER PROCEDURAL CHANGES

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 23, 1992 at 3:30 p.m.** on proposed revisions to the Code of the County of Fairfax, Chapter 3 (County Employees):

- Article 2 (Fairfax County Supplemental Retirement System);

- Article 3 (Fairfax County Uniformed Retirement System); and
- Article 7 (Fairfax County Police Officers Retirement System),

regarding assignment of benefits, handicapped child provisions, and other procedural changes.

**ADMIN 4 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 30 (MINIMUM PRIVATE SCHOOL AND CHILD
CARE FACILITY STANDARDS)**

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 23, 1992 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 30 (Minimum Private School and Child Care Facility Standards), to become effective upon adoption.

**ADMIN 5 - PROPOSED AMENDMENTS TO THE CODE OF
THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION
AND FINANCE), ARTICLE 7, SECTION 4-7-11(D);
ARTICLE 10, SECTION 4-10-1(C); ARTICLE 17,
SECTIONS 4-17-4(F) AND 4-17-7(E); AND
ARTICLE 21, SECTION 4-21-10(E), REGARDING
WAIVERS OF LATE FILING AND LATE PAYMENT
PENALTIES**

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 23, 1992 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance):

- Article 7, Section 4-7-11(d);
- Article 10, Section 4-10-1(c);

- Article 17, Sections 4-17-4(f) and 4-17-7(e); and
- Article 21, Section 4-21-10(e),

regarding waivers of late filing and late payment penalties and for compliance with the Code of Virginia, Section 58.1-3916, as amended in 1991.

**ADMIN 6 - ADDITIONAL TIME TO ESTABLISH THE USE
FOR SPECIAL EXCEPTION APPLICATION SE 87-D-084
(STANLEY MARTIN COMMUNITIES/HDC II LIMITED
PARTNERSHIP) (DRANESVILLE DISTRICT)**

(AT)Approved the request for 18 months of additional time to establish the use for Special Exception Application SE 87-D-084 until **August 1, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON A RESOLUTION TO EXPAND THE MEMBERSHIP
OF THE FAIRFAX COUNTY WATER AUTHORITY TO
CORRESPOND TO THE RECENT EXPANSION OF THE
BOARD OF SUPERVISORS**

(BACs)

(A)

(R)Adopted a Resolution authorizing the advertisement of a public hearing to be held before the Board of Supervisors on **April 6, 1992 at 4:00 p.m.** on the proposed adoption of a Resolution to amend the Articles of Incorporation of the Fairfax County Water Authority to expand the membership by adding a tenth member so that the number of members equal the number of the members of the Board of Supervisors.

(NOTE: See Page Four for additional discussion regarding this item.)

7.REQUEST TO RECORD VOTE (Tape 2)

Upon her return to the Board Room, Supervisor Hanley asked unanimous consent to be recorded as voting "AYE" on the motion to approve the Administrative Items. Without objection, it was so ordered.

8.A-1 - AMENDMENT TO THE FAIRFAX COUNTY

CONSTRUCTION SAFETY RESOLUTION (Tape 2)

(R)On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the amendments to the Fairfax County Construction Safety Resolution as contained in Attachment Two of the Memorandum to the Board dated February 24, 1992.

9.A-2 - PROPOSED FAIRFAX CONNECTOR BUS SERVICE

REDUCTIONS AND FARE ADJUSTMENTS (LEE, MOUNT

VERNON AND SPRINGFIELD DISTRICTS) (Tape 2)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the initiation of a public meeting process to receive citizen comments on the proposed FAIRFAX CONNECTOR bus service reductions and fare adjustments for Fiscal Year (FY) 1993 as described in Attachment A of the Memorandum to the Board dated February 24, 1992.

Supervisor Alexander encouraged the other concerned Board Members to attend the first public hearing on this matter scheduled for **March 18, 1992 at 7:30 p.m.** at Key Intermediate School.

10.A-3 - STAFF RECOMMENDATIONS CONCERNING METROBUS

SERVICE CHANGES PROPOSED IN THE WASHINGTON

METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)

PUBLIC HEARING DOCKET NUMBER B92-2 (ALL

DISTRICTS) (Tape 2)

Following Board discussion, with input from Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, Supervisor Bulova asked unanimous

consent that the Board defer any action regarding Metrobus service changes affecting Fairfax County proposed in the Washington Metropolitan Area Transit Authority (WMATA) Public Hearing Docket Number B92-2 until later in the meeting today. Specifically, Supervisor Bulova requested information from staff on the specific public comments made regarding the proposed changes to Routes 17H, 18B, 18P, and 26T. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#67.)

**11.A-4 - SERVICE AND FARE PROPOSALS FOR THE
RESTON INTERNAL BUS SYSTEM (RIBS)**

(CENTREVILLE DISTRICT) (Tape 2)

On motion of Supervisor Dix, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized a public meeting to be held on March 16, 1992 at 7:00 p.m. in Reston, Virginia, to receive citizen comments on proposed service and fare changes to the Reston Internal Bus System (RIBS). The results of the public meeting will be presented to Board Members at its meeting scheduled for April 6, 1992.

**12.A-5 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN
PARCELS OF LAND NEEDED FOR THE CONSTRUCTION OF
THE CENTREVILLE COMMUTER PARK AND RIDE LOT**

(SULLY DISTRICT) (Tape 2)

On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by unanimous vote, the Board deferred its adoption of the Resolution instituting the necessary legal proceedings to acquire four parcels, comprising of approximately 3.5804 acres, in fee for Project 88A005, Centreville Commuter Park and Ride Lot, Sully District, by the process of eminent domain until **March 9, 1992**.

**13.A-6 - PARKING REDUCTION FOR CHARLES WESLEY
CHURCH (DRANESVILLE DISTRICT) (Tape 2)**

On motion of Supervisor Berger, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a 19 percent parking reduction for the Charles Wesley Church, Tax Map Reference 30-4-001-26, Dranesville District, pursuant to Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance, subject to the conditions contained in the Memorandum to the Board dated February 24, 1992.

**14.A-7 - AUTHORIZATION FOR THE FAIRFAX-FALLS
CHURCH COMMUNITY SERVICES BOARD (CSB) TO
APPLY TO THE VIRGINIA DEPARTMENT OF SOCIAL
SERVICES FOR CONTINUATION OF A VIRGINIA
FAMILY VIOLENCE PREVENTION PROGRAM GRANT**

(Tape 2)

On motion of Supervisor Alexander, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the application by the Fairfax-Falls Church Community Services Board (CSB) to the Virginia Department of Social Services for a two-year Virginia Family Violence Prevention Program Grant, in the amount of \$36,593, to fund crisis intervention services.

**15.A-8 - AUTHORIZATION FOR THE FAIRFAX-FALLS
CHURCH COMMUNITY SERVICES BOARD (CSB) TO
APPLY TO THE VIRGINIA DEPARTMENT OF HEALTH
FOR CONTINUATION OF A GRANT FOR VIRGINIA
SEXUAL ASSAULT CRISIS INTERVENTION**

SERVICES (Tape 2)

On motion of Supervisor Bulova, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the application by the Fairfax-Falls Church Community Services Board (CSB) to the

Virginia Department of Health for a grant, in the amount of \$21,877, to fund sexual assault crisis intervention services.

**16.A-9 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 112 (ZONING) REGARDING TREE COMMISSION
MEMBERSHIP (Tape 2)**

(BACs)

(A)

(R)On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on March 19, 1992 and before the Board of Supervisors on **April 6, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning) to revise the membership of the Tree Commission to include citizen representation from the new Sully District, and to make minor editing revisions, to become effective upon adoption.

**17.A-10 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 112 (ZONING) REGARDING OFF-SITE
DIRECTIONAL SIGNS IN THE PRC DISTRICT**

(Tape 2)

(A)

(R)On motion of Supervisor Hanley, seconded by Supervisor Berger, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on March 19, 1992 and before the Board of Supervisors on **April 27, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the

County of Fairfax, Chapter 112 (Zoning) to allow off-site directional signs in the PRC District.

**18.A-11 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 112 (ZONING) REGARDING CHILD CARE
CENTERS FOR OCCASIONAL CARE (Tape 2)**

(A)

(R)Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on March 12, 1992 and before the Board of Supervisors on **March 23, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning) to establish child care centers for occasional care as a use by right in the C-7 District when located within the main structure of a regional shopping center.

Supervisor Alexander expressed his appreciation to staff for the expeditious manner in which this matter was returned to the Board.

Supervisor Hanley asked that the motion be amended to include ongoing coordination with the Office for Children, specifically the Child Care Advisory Council, and this was accepted.

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

**19.A-12 - RE-CONFIGURATION OF THE HOUSING
ASSISTANCE PLAN (HAP) ADVISORY COMMITTEE AS
THE CHAS COORDINATING COMMITTEE (Tape 2)**

(BACs)

On motion of Supervisor Trapnell, seconded by Chairman Davis, and carried by a unanimous vote, the Board concurred in the recommendation of staff and adopted the re-configuration of the Housing Assistance Plan (HAP) Advisory Committee as the

CHAS Coordinating Committee, as described in the Memorandum to the Board dated February 24, 1992.

20.I-1 - SPRING 1992 BOND SALE (Tape 2)

(Bonds)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 24, 1992, requesting authorization for staff to proceed to prepare an Official Statement for a Spring 1992 bond sale and directing staff to report with the appropriate Resolutions for Board adoption.

There was a brief discussion regarding this item.

The staff was directed administratively to proceed as proposed.

21.I-2 - STAFF SUMMARIES OF DECEMBER, 1991

TRANSPORTATION ADVISORY COMMISSION (TAC)

MEETINGS (COUNTYWIDE) (Tape 2)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 24, 1992, presenting the staff summaries of the December 1991 Transportation Advisory Commission (TAC) meetings.

22.I-3 - WASHINGTON METROPOLITAN AREA TRANSIT

AUTHORITY (WMATA) GENERAL MANAGER'S FISCAL

1993 PROPOSED OPERATING BUDGET AND ITS

IMPACT ON FAIRFAX COUNTY (COUNTYWIDE)

(Tape 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 24, 1992, presenting the Washington Metropolitan Area Transit Authority (WMATA) General Manager's Fiscal 1993 proposed operating budget and its impact on Fairfax County.

There was a brief discussion regarding this item.

**23.I-4 - CONTRACT AMENDMENT FOR ARCHITECTURAL
AND ENGINEERING SERVICES FOR THE FAIR OAKS
PROJECT (SULLY DISTRICT) AND AUTHORIZATION
ADVERTISE A PUBLIC HEARING (Tape 2)**

(A)The Board next considered an Information Item contained in the Memorandum to the Board dated February 24, 1992, requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to amend the contract with the architectural firm of Collins and Kronstadt, in the amount of \$249,000, for architectural and engineering services for the Fair Oaks Project, Sully District.

The staff was directed administratively to proceed as proposed.

Supervisor Frey moved that the Board authorize staff to advertise a public hearing on Proffered Condition Amendment/Conceptual Development Plan Amendment/Final Development Plan Amendment Application PCA/CDPA/FDPA 84-P-084 for **April 6, 1992**. This motion was seconded by Chairman Davis and carried by a unanimous vote.

**24.I-5 - APPROVAL OF AN AGREEMENT FOR THE
CONSTRUCTION OF A SANITARY SEWER MAIN, A
SANITARY SEWER MANHOLE, AND APPROXIMATELY
160 CUBIC YARDS (CY) OF A STRUCTURAL FILL
AS PART OF BROOKLAND/BUSH HILL (PHASE I)
NEIGHBORHOOD IMPROVEMENT PROJECT (LEE
DISTRICT) (Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated February 24, 1992, requesting authorization for staff to execute the enclosed agreement with MGP&MCC whereby the aforementioned is to reimburse Fairfax County construction costs estimated at \$14,130 and design costs of \$3,795 as

part of the Brookland/Bush Hill (Phase I) Neighborhood Improvement Project, Lee District.

The staff was directed administratively to proceed as proposed.

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25.RECESS/EXECUTIVE SESSION (Tape 3)

At 10:45 a.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 for discussion of:

- Christ College, Incorporated, versus the Board of Supervisors of Fairfax County, Docket Number 91-965.

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

At 1:05 p.m., the Board reconvened in the Board Room with all Board Members present, and with Chairman Davis presiding.

26.ACTIONS FROM EXECUTIVE SESSION (Tape 3)

A.CERTIFICATION BY BOARD MEMBERS

REGARDING ITEMS DISCUSSED IN

EXECUTIVE SESSION

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

B.CLAIM OF CHRISTINE CARLSEN

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board deny the claim of Christine Carlsen as recommended by the Acting County

Attorney in Executive Session. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

C.RESOLUTION REGARDING INSURANCE CONTRACT

WITH THE FAIRFAX COUNTY SCHOOL BOARD

(R) Following a brief statement by Richard A. King, Acting County Executive, regarding the signing of the contract by the County's Purchasing Agent for managed health care program services for the County School System employees, Supervisor Dix moved that the Board adopt the following Resolution:

"WHEREAS, the Fairfax County School Board has entered into Contract Number PC20034910A with The Prudential Insurance Company for the provision of managed health care program services for County School System employees; and

WHEREAS, Contract Number PC20034910A with The Prudential Insurance Company was awarded after receipt of proposals in response to (Request for Proposal) RFP Number 20034910 and competitive negotiations pursuant to the Fairfax County Purchasing Resolution and the Virginia Public Procurement Act; and

WHEREAS, questions have been brought to the attention of the Fairfax County Board of Supervisors concerning whether such contract is in the best interest of the County and the School Board in that, purportedly, the managed health care program services may be obtained for approximately \$4.5 million less than the amount of the contract awarded to The Prudential Insurance Company; and

WHEREAS, Contract Number PC20034910A provides for termination of the contract at any time whenever termination is in the best interest of the County and the School Board.

NOW, THEREFORE, BE IT RESOLVED that the School Board is hereby requested to reevaluate all proposals submitted in response to RFP Number 20034910; and

Should the School Board determine upon reevaluation of the proposals that the contract is not in the best interest of the County and the School Board, then Contract Number PC20034910A between The Prudential Insurance Company and the Fairfax County School Board should be terminated pursuant to the terms of the contract and that RFP Number 20034910 should be reissued expeditiously."

This motion was seconded by Supervisor Berger.

Following comments by individual Board Members regarding this issue, the question was called on the motion which carried by unanimous vote.

BOARD MATTERS

27.REQUEST FOR USE OF THE MASSEY COMPLEX PARKING

LOTS BY THE FAIRFAX CITY AUTO DEALERS ASSOCIATION

AND THE DOWNTOWN FAIRFAX COALITION (Tape 3)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and, at the request of Mayor John Mason, City of Fairfax, moved that the Board approve the use of the Massey Complex parking lots by the Fairfax City Auto Dealers Association and the Downtown Fairfax Coalition for two jointly planned auto sale shows scheduled for May 9 and 10, 1992 and October 3 and 4, 1992. He stated that both sponsoring organizations will indemnify the County against any and all damages and pay for costs incurred. In addition, all clean up, police protection, and temporary sanitary facilities will be provided by the sponsoring organizations. This motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

28.REQUEST FOR ADDITIONAL PUBLIC HEARINGS AND

IDENTIFICATION OF BUDGET REDUCTIONS IN THE

FISCAL YEAR (FY) 1993 ADVERTISED BUDGET PLAN

(Tape 3)

Supervisor Davis announced that Richard A. King, Acting County Executive, will be releasing his proposed Fiscal Year (FY) 1993 Advertised Budget Plan on Tuesday, February 25, 1992. He moved that the Board direct the Acting County Executive to identify budget reductions, in addition to those that may be included in the FY 1993 Advertised Budget Plan. These reductions should total up to \$200 million and be categorized in \$15 million segments. This motion was seconded by Supervisor Bulova and carried by a vote of nine, ***Supervisor Hanley*** being out of the room.

(*NOTE: Later in the meeting, Supervisor Hanley asked unanimous consent that she be recorded as voting "AYE" on this motion. See Clerk's Summary Item CL#56.*)

Supervisor Davis further moved that the Board:

- Extend the public hearings on the FY 1993 Advertised Budget Plan to include an additional public hearing to be scheduled before the Board of Supervisors on Saturday, **April 11, 1992 at 9:00 a.m.** (It was noted that the Saturday public hearing will conclude after all of the testimony has been presented); and
- Direct the Clerk to the Board to immediately schedule these public hearings accordingly.

This motion was seconded by Supervisor Bulova.

Supervisor Davis noted that, because record participation is anticipated in this year's budget process, the public hearings scheduled for April 6, 7, and 8, 1992 may commence earlier than planned.

For clarification purposes, the following public hearing schedule is noted:

- Monday, April 6, 1992;
- Tuesday, April 7, 1992;
- Wednesday, April 8, 1992; and
- Saturday, April 11, 1992.

Supervisor Hyland called the Board's attention to the fact that firehouse primaries for the Democratic Party are scheduled for April 11, 1992.

Supervisor Dix reminded Board Members that Little League Opening Days are also scheduled for April 11, 1992.

Supervisor Hanley asked that the motion be amended to include that the Board direct staff to:

- Estimate, from the number of speakers already signed up, how many speakers will be able to present testimony before 12:00 midnight on April 6, 7, and 8, 1992; and
- Contact those individuals and/or organizations remaining on the list (after midnight) for those public hearings and give them the option of moving to the newly-added Saturday public hearing.

This amendment was accepted by Supervisor Davis, with the understanding that Countywide organizations will be contacted first to determine whether they would like to move to Saturday, and this was accepted.

In response to a query by Supervisor Dix, Supervisor Davis stated that the April 6, 1992 public hearing is scheduled to commence at 7:30 p.m.; however, additional public hearings on proposed fee increases are scheduled to commence at 4:30 p.m. on April 7 and 8, 1992. He stated that the Board may be able to include additional speakers during that timeframe.

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

29. BUDGET SUBCOMMITTEE MEETINGS SCHEDULED

(Tape 3)

Supervisor Davis distributed to Board Members copies of a calendar designating the following Budget Subcommittee meetings. He moved that the Board adhere to the following schedule:

- Monday, March 2, 1992 at 10:00 a.m.;
- Monday, March 16, 1992 at 10:00 a.m.;
- Friday, March 20, 1992 at 4:00 p.m.
- Tuesday, March 24, 1992 at 9:00 a.m.;
- Wednesday, March 25, 1992 at 9:00 a.m.;
- Friday, March 27, 1992 at 9:00 a.m.;
- Monday, March 30, 1992 at 9:00 a.m.; and
- Tuesday, March 31, 1992 at 9:00 a.m.

Supervisor Davis clarified that March 2, 1992 will be the date that the Acting County Executive will be responding to the Board's earlier request for potential budget reductions. In addition, Deputy County Executives will also be in attendance for budget review with Board Members. He stated that this meeting is planned for approximately three hours.

Because of a scheduling conflict on March 2, 1992, Supervisor Hyland asked that the motion be amended to revise the meeting scheduled for **March 2, 1992 to commence at 11:00 a.m.**, and this was accepted.

Because Vice-Chairman McConnell will not be present at the meeting on March 2, 1992, Supervisor Davis stated that a private briefing will be arranged.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

30.REQUEST FOR WAIVER OF SUBDIVISION ORDINANCE

REQUIREMENTS (Tape 3)

Supervisor Bulova stated that the property owners of 10135 Glenmere Road resurveyed their property as part of the process to refinance their home. The survey revealed that a pedestrian bridge thought to be on the adjacent subdivision's open space was actually on their property. The bridge is heavily used and relocating it is not an option. Therefore, the owners must remove this portion of the property that contains the bridge and deed the property to the adjacent homeowners association in order to remove the liability.

Supervisor Bulova stated that this subdivision of property is governed by the Subdivision Ordinance which requires dedication of right-of-way, etcetera. Given the uniqueness of this situation and the fact that a buildable lot is not being created, Supervisor Bulova stated that it seems to be an undue burden to require the property owners to comply with the standards of the Ordinance.

Accordingly, Supervisor Bulova moved that the Board direct the Acting County Executive to waive all minimum requirements of Section 101-2-2 of the Subdivision Ordinance except for the requirement that monuments be set pursuant to Section 101-2-2(13) as it applies to this request for subdivision. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Frey being out of the room.

Following a query by Robert L. Howell, Acting County Attorney, it was clarified that the above-stated action is limited to waivers that the Board can legally act on.

31.FAIRFAX COUNTY DAY AT STRATFORD HALL

PLANTATION (Tape 3)

Supervisor Hyland briefed Board Members that Stratford Hall Plantation, located on the Potomac River off Route 3, 45 miles east of Fredericksburg, is a historic site that includes a 1,600 acre working plantation and "Great House" built in the 1738 era. This plantation is considered to be one of the finest museum houses in America. On a designated day each year, residents of neighboring counties and cities are admitted free to the Plantation when they show identification for purpose of establishing residency. This year, Sunday, March 15, 1992, has been designated as the day for Fairfax County residents to visit the Plantation at no charge.

The Plantation is open daily from 9:00 a.m. until 4:30 p.m. For further information, call Stratford Hall Plantation at (804) 493-8038 (weekdays) or (804) 493-8371 on weekends and holidays.

Supervisor Hyland urged County residents to take advantage of the offer and enjoy a truly memorable visit within a short driving distance.

32.DEMONSTRATIONS HELD AT SULLY PLANTATION**HONORING BLACK HISTORY MONTH (Tape 3)**

Supervisor Hyland briefed Board Members on the wonderful demonstrations that were held at Sully Plantation on Sunday, February 23, 1992 honoring Black History Month.

33.LAYING OF WREATHS ON THE TOMB OF**GEORGE WASHINGTON AND THE SLAVE****MEMORIAL AT MOUNT VERNON (Tape 3)**

Supervisor Hyland expressed his appreciation to Chairman Davis for attending the ceremonies held this past weekend at Mount Vernon. Activities included the laying of wreaths on the tomb of George Washington and the Slave Memorial.

Supervisor Hyland announced that the Kellogg Foundation has provided a grant of \$1.7 million for a new agricultural exhibit at Mount Vernon. The exhibit will be a working farm at Mount Vernon where school children will be able to visit and share in an agricultural experience.

PMH:pmh

**34.UPDATE REQUESTED ON THE EXPANSION OF THE
HISTORY COMMISSION (Tape 4)**

(BACs)

Supervisor Trapnell stated on January 27, 1992 she had raised the issue of the History Commission and the presentation that was made to the Board in December 1991. She said that the Board has not yet heard a response from staff. Therefore, she asked unanimous consent that the Board direct staff to report to the Board as soon as possible for action on this issue. Without objection, it was so ordered.

**35.WAIVER OF BOND EXTENSION FEES ASSOCIATED WITH
EXTENDING THE BOND FOR PUBLIC IMPROVEMENT PLAN
#6233-PI-01 AND EXTENSION OF BOND (Tape 4)**

Supervisor McConnell stated that over the past several months, representatives from the developer, J.H. Kim Company, have been working with staff to correct the unresolved problems in Vannoy Park left by the builder, Yeonas Company.

Supervisor McConnell explained that in the interim, the Kim Company has lost substantial time while attempting to help resolve the outstanding community concerns and waiting for County agencies to coordinate meetings to discuss bond release. Consequently, their bond has expired as of February 21, 1992.

Supervisor McConnell said that this Company's representative and staff seem to agree that a bond extension of only seven months would allow them to complete their bonded obligations. In consideration of the amount of time it has taken them to meet with all interested parties, the developer has requested the County's consideration to waive the fees associated with extension of this project's bond.

Therefore, Supervisor McConnell moved that the Board direct staff to waive the bond extension fees associated with extending the bond for Public Improvement Plan #6233-PI-01 and allow extension of the appropriate bond for an additional seven month period. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Trapnell and Supervisor Dix being out of the room.

36.APPOINTMENTS TO THE ATHLETIC COUNCIL (Tape 4)

(APPT)

Supervisor McConnell moved the appointment of Mr. Steven Halfhill as the Springfield District (Principal) Representative to the Athletic Council. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Trapnell and Supervisor Dix being out of the room.

Supervisor McConnell moved the appointment of Mr. Gregory Hogue as the Springfield District (Alternate) Representative to the Athletic Council. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Trapnell and Supervisor Dix being out of the room.

37.APPOINTMENT TO THE CRIMINAL JUSTICE ADVISORY

BOARD (Tape 4)

(APPT)

Supervisor McConnell moved the appointment of Mr. Charles A. Archer as the Springfield District Representative to the Criminal Justice Advisory Board. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Trapnell and Supervisor Dix being out of the room.

38.APPOINTMENT TO THE COMMISSION ON AGING (Tape 4)

(APPT)

Supervisor McConnell moved the appointment of Mr. Virginio S. Cruz as the Springfield District Representative to the Commission on Aging. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Trapnell and Supervisor Dix being out of the room.

39.CONCURRENT PROCESSING FOR SITE PLANS AND FINAL

DEVELOPMENT PLANS FOR FAIR LAKES LAND BAYS 4A

AND 4C (Tape 4)

Supervisor Frey moved that the Board authorize concurrent processing for the Site Plans and Final Development Plans for Fair Lakes Land Bays 4A and 4C with the understanding that the applicant assumes all costs and risks required during either review. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Berger, Supervisor Trapnell, and Supervisor Dix being out of the room.

40.OPENING OF THE NEW CENTREVILLE REGIONAL LIBRARY**(Tape 4)**

Supervisor Frey stated that it would cost the County more to keep the new Centreville Regional Library closed than it would to open it because of the need to renegotiate the lease for the existing facility and the need to keep some of the stock in storage.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to move forward with the opening of the new Centreville Regional Library and the closing of the existing storefront library.

Following discussion, with input from Richard A. King, Acting County Executive, Supervisor Frey amended his request that the Board direct staff to review this issue and report its findings at the next scheduled meeting of the Board. Without objection, the request as amended, was so ordered.

41.SIDE YARD REQUIREMENTS FOR THE VIRGINIA RUN**SUBDIVISION (Tape 4)**

Supervisor Frey stated that there are side yard requirements imposed on the lots in the Virginia Run Subdivision once they are occupied. Supervisor Frey moved that the Board direct staff to report at the next scheduled meeting of the Board with:

- Language that would authorize public hearings to allow the same opportunities for the Virginia Run residents to seek a Variance that the residents of the Pleasant Valley Subdivision have which allows them a fast track, low cost method of applying to the Board of Zoning Appeals (BZA) for a Variance.

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

42.FUNDS COLLECTED AS A RESULT OF CONDITION 18 -**SPECIAL EXCEPTION APPLICATION SE 78-L-074-3****HILLTOP SAND AND GRAVEL COMPANY (Tape 4)**

Supervisor Alexander stated that one of the conditions of the Special Exception Application (SE 78-L-074-3) Hilltop Sand and Gravel Company was that the applicant would collect \$.50 per truck load of debris and place it in a fund that would

go to Lee District Park and other things. Due to a funding shortage, Supervisor Alexander said that the Park Authority had suggested that the fund be changed to an endowment fund.

Therefore, Supervisor Alexander moved that the money that is collected as a result of Condition 18 of Special Exception Application SE 78-L-074-3 along with Civic Association contributions go into a fund that would eventually endow the annual cost of the fireworks. This motion was seconded by Supervisor McConnell.

Following discussion, with input from Robert L. Howell, Acting County Attorney, Supervisor Alexander amended the motion to refer this issue to staff for review and this was accepted.

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

43. COUNTY'S GENERAL RELIEF PLAN REGARDING CLIENT

PRESCRIPTIONS (Tape 4)

Supervisor Alexander stated that on January 6, 1992, the Board approved a proposed amendment to the County's General Relief Plan to allow the Department of Human Development to centralize General Relief client pharmaceutical purchases by requiring General Relief clients to get their prescriptions filled only at Giant, Incorporated (not all Giant stores have a pharmacy). He said that it was felt that this action would strengthen management control over pharmaceutical purchases and reduce expenditures. This change was put into effect on February 1.

Supervisor Alexander said that the Medical Assistance component of the County's General Relief Plan provides direct payment to the vendor for prescriptions. Until this change to Giant only, General Relief clients were allowed to fill their prescriptions at any drug store willing to provide services.

Supervisor Alexander expressed concerned over an action that makes it more difficult, if not impossible, for these citizens to obtain prescriptions. For example, a large number of General Relief recipients live along the Route One Corridor. Yet, there are no Giants on lower/central Route One. He also pointed out that clients from the Mount Vernon Center for Community Mental Health are among those affected by this change.

Supervisor Alexander moved that the Board direct staff to:

- Re-examine this issue and provide information on the selection of Giant, Incorporated as the only pharmacy that can fill prescriptions for these citizens; and
- Examine this issue in view of the hardships placed upon these citizens by the amendment.

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

AR:ar

44.SPECIAL RECOGNITION FOR MR. BILL ELVIN

(Tape 5)

Supervisor Berger announced that Mr. Bill Elvin had recently retired after a career of 50 plus years as a newspaper reporter in the Northern Virginia area. In recognition of this distinguished career, Supervisor Berger moved that the Board direct staff to schedule time for a special recognition before the Board of Supervisors to honor Mr. Elvin for his years of service to the citizens of the Greater McLean area. This motion was seconded by Chairman Davis with the understanding that an appropriate Resolution will be prepared as well. The question was then called on the motion which carried by a unanimous vote.

45.RESOLUTION CONCERNING IMPLEMENTATION

OF THE AMERICANS WITH DISABILITIES

ACT (ADA) (Tape 5)

(R)Supervisor Berger stated that, in order to comply with the Americans With Disabilities Act (ADA), industry is commencing building and site modifications which may require thousands of applications, including special exceptions, site waivers, proffered condition amendments, and potentially lengthy public hearings before the Planning Commission, Board of Zoning Appeals, and Board of Supervisors. He added that a significant backlog is presently accumulating and portends to create delays of "normal" County business.

Therefore, in order to reduce ADA related time and costs to government and industry, and to facilitate access for the County's citizens, Supervisor Berger moved that the Board adopt the following Resolution:

"WHEREAS, the federal government has passed the Americans with Disabilities Act in an effort to assure access to places of public accommodation by handicapped and/or disabled persons; and

WHEREAS, the modification and retrofitting of buildings and sites is required, under certain circumstances pursuant to the Americans with Disabilities Act and the Virginia Uniform Statewide Building Code; and

WHEREAS, the compliance with the Americans With Disabilities Act and related provisions of the Virginia Uniform Statewide Building Code could be delayed by the need to comply with all of the otherwise required provisions of the Code of the County of Fairfax, the Zoning Ordinance, the Public Facilities Manual, the Virginia Uniform Statewide Building Code and other County policies and procedures; and

WHEREAS, the compliance with all of the provisions of the Code of the County of Fairfax, the Zoning Ordinance, the Public Facilities Manual, the Virginia Uniform Statewide Building Code and other County policies and procedures may cause a backlog of normal business by the multiplicity of applications for special permits, special exceptions, site plan waivers, proffered condition amendments, etcetera; and

WHEREAS, changes in the County requirements could alleviate the cause of such backlog and promote accessibility of places of public accommodation for the benefit of handicapped and/or disabled persons;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Fairfax, Virginia does hereby direct staff to review the need for all of the normal requirements for construction and retrofitting where the work involved is exclusively or primarily for compliance with the Americans With Disabilities Act requirements and the Virginia Uniform Statewide Building Code. The staff is further directed to report back to the Board of Supervisors not later than its meeting on **May 4, 1992** with recommended changes to the Code of the County of Fairfax, Virginia, the Zoning Ordinance, the Public Facilities Manual and other County policies and procedures to reduce the administrative time and cost to government and industry related to compliance with the Americans With Disabilities Act and the Virginia Uniform Statewide Building Code."

This motion was seconded by Supervisor Bulova.

Supervisor Berger expressed his appreciation to the following County personnel and their staffs for support in drafting this Resolution:

•Irving Birmingham, Director, Department of Environmental Management;

- Jane Gwinn, Director, Zoning Administration Division, Office of Comprehensive Planning;
- LaGretta Butler, Office of Equity Programs, who is in charge of coordinating implementation of the ADA in Fairfax County; and
- Mark Taylor, Assistant County Attorney.

Supervisor Hanley noted that several Board Members could not be present for the ADA presentation on January 27, 1992, and she asked unanimous consent that the Board direct staff to make the materials from that presentation available to those Board Members. Without objection, it was so ordered.

The question was then called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

46.COMPENSATION TO BOARDS, AUTHORITIES, AND COMMISSION (BACs) (Tape 5)

(BACs)

Supervisor Berger moved that the Board of Supervisors adopt the Report entitled, "Fiscal Year (FY) 1992 Approved Compensation for Boards, Authorities, and Commissions (BACs)," with the following additions:

- Compensation for the Fairfax County Redevelopment and Housing Authority and the Fairfax County Park Authority be paid from their respective Trust Funds; and
- The Board of Supervisors stress volunteerism by requesting that all Board, Authority, and Commission members sign a request for payment to receive their allotted funds.

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

Following discussion, Supervisor Hyland moved a substitute motion that the Board defer any action on this matter until March 9, 1992 in order to allow time for all Members of the Board Supervisors to review the materials on this matter more thoroughly. This motion was seconded by Supervisor Alexander.

After further discussion, Supervisor Hyland withdrew his substitute motion with the understanding that this matter will be brought back before the Board later in the day after each Board Member's review of additional information.

Supervisor Dix called the Board's attention to his original request for an analysis of the costs associated with staff support of each of these BACs.

Supervisor Frey acknowledged the Board's efforts in trying to save money, and called attention to earlier discussions regarding the need to review duplication among the various BACs.

Following additional discussion, it was the consensus of the Board that this matter will be readdressed later in today's meeting.

(NOTE: Later in the meeting, there was further discussion on this matter. See Clerk's Summary Item CL#68.)

47.SCHOOL BOARD - MEALS TAX LOBBYING

(Tape 5)

Supervisor Berger stated that it was his understanding that the School Board has directed its Revenue Team to lobby on behalf of the meals tax. He expressed his concern as to whether this action in any way involves County funding for lobbying purposes in the way of political flyers in the classrooms or distribution through the schools, or is anyone on the Revenue Team currently on the County payroll.

Following discussion, Chairman Davis noted that the School Board Revenue Team consists of unpaid School Board appointees who have a right to lobby as private citizens.

48.APPOINTMENT TO THE JUVENILE COURT CITIZENS

ADVISORY COMMISSION (Tape 5)

(APPT)

Supervisor Berger moved the appointment of Mr. David Karmol as the Dranesville District Representative to the Juvenile Court Citizens Advisory Commission. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

49.APPOINTMENT TO THE HUMAN SERVICES COUNCIL

(Tape 5)

(APPT)

Supervisor Berger moved the appointment of Ms. April Young as the Dranesville District Representative to the Human Services Council. This motion was jointly seconded by Supervisor Hyland and Supervisor McConnell and carried by unanimous vote.

**50.AUTHORIZATION FOR ZONING ADMINISTRATOR TO
EDIT PROPOSALS FOR AMENDMENTS TO THE ZONING
ORDINANCE (Tape 5)**

Supervisor Dix called attention to the Board's action on February 10, 1992 directing staff to advertise for the Board's and Planning Commission's consideration certain amendments to the zoning ordinance involving the repeal or amendment of the Commercial and Industrial District regulations. In order to make it clear for the record, Supervisor Dix moved that the Board authorize the Zoning Administrator to edit the proposals; put the amendments in the appropriate format; correct incorrect paragraph references, punctuation, editing instructions and addition and deletion references; and make the language internally consistent within the advertised amendment as well as the Zoning Ordinance. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey being out of the room.

Supervisor Hanley noted, for the record, that her support of Supervisor Dix's motion indicates her concurrence in a correct advertisement, but in no way changes the fact that she did not support the Board's original action on February 10.

**51.SCHEDULE CHANGES FOR PUBLIC HEARING DATES
ON THE COMMERCIAL AND INDUSTRIAL DISTRICTS
AND THE CHESAPEAKE BAY ORDINANCE (Tape 5)**

(A)Supervisor Dix moved that the Board approve the following schedule changes:

•Modify the date for which the Board requests the Planning Commission's recommendations on the Commercial and Industrial Districts from April 6 **TO**

April 21, 1992; and

•Modify the public hearing date before the Board of Supervisors on the Chesapeake Bay Ordinance from April 27 **TO June 8, 1992 at 3:30 p.m.**

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

**52. CONCURRENT PROCESSING FOR SITE PLAN AND
CONCEPTUAL DEVELOPMENT PLAN APPLICATION
PURSUANT TO REZONING APPLICATION
RZ 86-C-121 (HAZEL PETERSON COMPANIES)**

(Tape 5)

Supervisor Dix moved that the Board direct the Department of Environmental Management to concurrently process the review of the Site Plan along with the Conceptual Development Plan application pursuant to Rezoning Application RZ 86-C-121 (Hazel Peterson Companies) for construction of 180 multi-family units in the Reston Town Center. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, adopted standards or executed proffers. In addition, this motion for concurrent processing does not prejudice the consideration of the Conceptual Development Plan in any way. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

53. REZONING APPLICATION FEE WAIVER (Tape 5)

Supervisor Dix stated that an application to rezone approximately 18.21 acres from the R-1 District to an R-2 Cluster District was filed with the County and accepted on March 10, 1989. Shortly after the submission of this application, a dispute arose as to the validity of purchase contracts for the property, and by letter dated March 22, 1989, the County was informed of this dispute.

Supervisor Dix noted that it was subsequently determined by the Zoning Administrator that this rezoning application did not comply with the submission requirements of the Zoning Ordinance, and the application was returned. The County retained the application fee of \$4,140 and County staff had not begun their internal review and processing of this application.

Supervisor Dix stated that the applicant has since resubmitted the application to the County and has requested that the original application fee which was previously paid to the County be reinstated and applied to the resubmission. Under the circumstances, Supervisor Dix moved that the Board direct staff to waive one-half of the fee for

resubmission of this application. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey being out of the room.

54.RESOLUTION COMMENDING THE EFFORTS OF SOUTH

LAKES HIGH SCHOOL STUDENTS (Tape 5)

(R)Supervisor Dix moved that the Board endorse the following Resolution:

"**WHEREAS**, we in Fairfax County appreciate the opportunity to recognize outstanding accomplishments achieved by young people in Fairfax County; and

WHEREAS, we in Fairfax County take great pride in the accomplishments of our young people; and

WHEREAS, students from South Lakes High School in Reston, and CH2M Hill, an environmental engineering firm, along with the Reston Association, have joined together to create a wetland area in Reston adjacent to the South Golf Course; and

WHEREAS, the students' aim is to create a wetland that will act as a natural filter for pesticide runoff coming off the golf course; and

WHEREAS, we in Fairfax County appreciate the opportunity to recognize outstanding accomplishments and ideas achieved by young people in Fairfax County; now therefore

BE IT RESOLVED, that I, Robert B. Dix, Jr., Centreville District Supervisor, on behalf of the entire Board, the citizens of Centreville District, and of Fairfax County, do hereby commend all parties involved, but most especially those students who care enough about their environment to take an active role in protecting it.

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

55.APPOINTMENT TO THE JUVENILE COURT ADVISORY

BOARD (Tape 5)

(APPT)

Supervisor Hyland moved the appointment of Ms. Jane B. Abel as the Mount Vernon District representative to the Juvenile Court Advisory Board. This motion was

seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Frey being out of the room.

JLD:jld

56.REQUEST TO RECORD VOTE ON INFORMATION

REGARDING POTENTIAL BUDGET REDUCTIONS

(Tape 6)

(NOTE: Earlier in the meeting, the Board discussed the Budget public hearing process. See Clerk's Summary Item CL#28.)

Supervisor Hanley called to the Board's attention Chairman Davis' earlier motion regarding reporting potential budget reductions by March 2, 1992, and she asked unanimous consent that she be recorded as voting "AYE" on the motion. Without objection, it was so ordered.

57.ADDITIONAL TIME FOR APPLICATION 456-P91-19

(Tape 6)

Supervisor Hanley moved that the Board allow additional time until March 31, 1992 for the Planning Commission to hear Application 456-P91-19. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Frey being out of the room.

58.REIMBURSEMENT FOR COUNTY SERVICES EXPENDED AT

THE VISA LOTTERY AT THE MERRIFIELD POST

OFFICE (Tape 6)

Supervisor Hanley called to the Board's attention the Visa lottery at the Merrifield Post Office in October, 1991. She stated that shortly thereafter, the Board took action to request reimbursement from the Federal government for the time and expense incurred by Fairfax County in its attempt to prevent minimal disruption to surrounding areas. The Board received a response from the United States (U.S.) Department of State, dated February 12, 1992, and Supervisor Hanley read the following excerpt:

• "...While the Department of State appreciates the public service Fairfax County personnel performed and regrets the extra cost, the department has no basis for reimbursing the cost. These services were not performed at the department's request. Therefore, there was no taking for governmental services..."

Therefore, Supervisor Hanley asked unanimous consent that the Board direct the County Attorney and the County Executive to review the letter from the U.S. Department of State and to determine if any other legal recourse is available to the County. Without objection, it was so ordered.

Supervisor Hanley moved that the Board direct staff to prepare correspondence from the Board to the U.S. Congressional Delegation, particularly Congressman Frank Wolf, requesting assistance with the reimbursement and input with regard to future lotteries. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Frey being out of the room.

59.HIGH OCCUPANCY VEHICLE (HOV) RAMP TO VIENNA

METRO STATION TO BE LOCATED AT THE CONNECTOR

BRIDGE (Tape 6)

Supervisor Hanley restated the following clarification made at the June 17, 1991, Board Meeting during consideration of Action Item Three - Allocation Public Hearing for the Virginia Department of Transportation (VDOT) Interstate, Primary and Urban Funds for Fiscal Year (FY) 1992:

• "...that construction of a High Occupancy Vehicle (HOV) ramp to the Vienna Metro Station be located at the connector bridge rather than at Blake Lane."

Supervisor Hanley stated, however, that in a subsequent letter dated June 18, 1991, from Shiva K. Pant, Director, Office of Transportation, to Claude D. Garver, Jr., VDOT, a recommendation was made for a study to be performed to determine if the connection from the interim HOV lanes to the Vienna Metrorail Station should be made at Blake Lane or at the Metro connector road over I-66. She noted that the letter does not reflect the Board's motion and moved that the Board direct staff to transmit a letter of clarification from the Office of Transportation to Mr. Garver stating the correct action taken by the Board. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Frey being out of the room.

60.CLARIFICATION OF APPOINTMENTS TO THE FAIRFAX

HOSPITAL BOARD AND THE INOVA BOARD (Tape 6)

(APPT)

Supervisor Hanley stated that at the February 10, 1992, Board Meeting three appointments were made to the Fairfax Hospital Board; however, she noted that one of the three vacancies was actually on the INOVA Board, while the other two were on the Fairfax Hospital Board.

Chairman Davis asked unanimous consent that the Board direct staff to specify Supervisor Gerald Hyland as the Representative to the INOVA Board, and Supervisor Elaine McConnell and General Ira Hunt as the Representatives to the Fairfax Hospital Board. Without objection, it was so ordered.

61.APPOINTMENT OF SUPERVISOR GERALD HYLAND TO THE COUNCIL OF GOVERNMENTS (COG) (Tape 6)

(APPT)

Chairman Davis stated that the Board is permitted additional representation on the Council of Governments (COG).

Therefore, Chairman Davis moved the appointment of Supervisor Gerald Hyland to COG. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

62.BOARD RECESS (Tape 6)

At 2:25 p.m., the Board recessed.

SBE:sbe

At 3:40 p.m., the Board reconvened in the Board Room with all Members being present, with the exception of Supervisor Bulova and Supervisor Dix, and with Chairman Davis presiding.

63.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 91-P-044 (WEST*PARK ASSOCIATES LIMITED

PARTNERSHIP) (PROVIDENCE DISTRICT) (Tape 7)

Ms. Kathryn A. MacLane reaffirmed the validity of the affidavit for the record.

Ms. MacLane 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, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Special Exception Application SE 91-P-044 subject to the revised development conditions dated February 24, 1992. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Bulova being out of the room.

Supervisor Hanley moved that the Board approve a modification of the barrier requirement and allow the existing vegetation to serve as the barrier subject to the revised development conditions. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Bulova being out of the room.

Supervisor Hanley moved that the Board determine that the proposed use, an establishment for scientific research and development, is compatible with the adjacent area in accordance with the C-3 zoning district regulations and the adopted Comprehensive Plan. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Bulova being out of the room.

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive the Site Plan requirement. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Bulova being out of the room.

64.3:30 P.M. - PH ON THE ACQUISITION OF SANITARY

SEWER EASEMENTS NECESSARY FOR CONSTRUCTION OF

THE RED ROOF INN SANITARY SEWER RELOCATION

PROJECT (MOUNT VERNON DISTRICT) (Tape 7)

(R)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of February 6 and February 13, 1992.

Following the public hearing, Supervisor Hyland moved that the Board adopt the Resolution authorizing the acquisition of sanitary sewer easements necessary for construction of Project X00905 - Red Roof Inn Sanitary Sewer Relocation Project. This motion was seconded by Supervisor Alexander and carried by vote of nine, Supervisor Bulova being out of the room.

65.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 89-Y-035 (FIRST AMERICAN BANK OF VIRGINIA)

(SULLY DISTRICT) (Tape 7)

Mr. Michael McHugh reaffirmed the validity of the affidavit for the record.

Mr. McHugh 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 noted for the record that his personal accounts and his wife's business accounts are all at First American Bank.

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

Supervisor Frey moved approval of Special Exception Application SE 89-Y-035 subject to the development conditions dated January 9, 1992. This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of eight, Supervisor Bulova abstaining, Supervisor Berger being out of the room.

Supervisor Frey moved approval of the requested waivers of minimum lot area and lot width. This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of eight, Supervisor Bulova abstaining, Supervisor Berger being out of the room.

66. 3:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE

CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4

(TAXATION AND FINANCE), ESTABLISHING A

FILING DEADLINE FOR THE BOARD OF

EQUALIZATION (BOE) (Tape 7)

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of February 11 and February 18, 1992.

Following the public hearing, Supervisor Hyland moved that the Board of Supervisors adopt the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), establishing a filing deadline date of June 1st for filing appeals to the Board of Equalization (BOE). This motion was seconded by Supervisor Alexander and carried by vote of eight, Supervisor Berger and Supervisor Bulova being out of the room.

ADDITIONAL BOARD MATTERS**67.A-3 - STAFF RECOMMENDATIONS CONCERNING METROBUS****SERVICE CHANGES PROPOSED IN THE WASHINGTON****METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)****PUBLIC HEARING DOCKET NUMBER B92-2 (ALL****DISTRICTS) (Tape 7)**

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#10.)

Supervisor Bulova moved that the Board concur in the recommendation of staff and approve the recommendations contained in Attachment A of the Memorandum to the Board dated February 24, 1992 regarding Metrobus service changes affecting Fairfax County proposed in the Washington Metropolitan Area Transit Authority (WMATA) Public Hearing Docket Number B92-2. The seconder to this motion was inaudible. The question was called on the motion which carried by a vote of seven, Supervisor Berger, Supervisor Dix, and Supervisor Frey being out of the room.

**68.COMMENTS RECEIVED FROM VARIOUS BOARDS, AUTHORITIES,
AND COMMISSIONS (BACs) REGARDING COMPENSATION CUTS****(Tape 7)**

(BACs)

(NOTE: Earlier in the meeting, the Board discussed this item. See Clerk's Summary Item CL#46.)

Supervisor Hyland reinstated his previous motion regarding the comments received from various Boards, Authorities and Commissions (BACs) and asked that action be deferred on this item until **March 9, 1992 at 3:30 p.m.**

Chairman Davis clarified that the deferral will allow Board Members additional time to review all comments received. He requested that the Board's Procedure Subcommittee meet in the interim to discuss a joint recommendation.

Supervisor Hyland requested staff to react to the comments and report its recommendations to the Board.

Chairman Davis requested Supervisor Berger, Chairman, and Supervisor Hyland, Vice-Chairman, of the Board's Procedure Subcommittee, to review the comments and report its findings to the Board.

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

69.PICTURE OF CHAIRMAN DAVIS (Tape 7)

Supervisor Alexander distributed to Board Members an old picture of Chairman Davis which shows how hard Chairman Davis is trying in his attempt to get money for the budget.

70.APPOINTMENT TO THE TYSONS TASK FORCE (Tape 7)

(APPT)

Supervisor Hanley moved the appointment of Ms. Sally Ormsby as the Providence District Representative to the Tysons Task Force. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Frey being out of the room.

71. 4:00 P.M. - PH ON THE SITE PLAN FOR THE CRIMINAL

JUSTICE FACILITY (SULLY DISTRICT) (Tapes 7-8)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of February 6 and February 13, 1992.

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved to defer Board decision on the Site Plan for the Criminal Justice Facility until **March 9, 1992 at 3:30 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Hanley being out of the room.

**72. 4:00 P.M. - PH FOR THE PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR
VEHICLES AND TRAFFIC), ARTICLE 5A (RESIDENTIAL
PERMIT PARKING DISTRICT), APPENDIX G TO ESTABLISH
THE MUNSON HILL RESIDENTIAL PERMIT PARKING
DISTRICT (MASON DISTRICT) (Tapes 8-9)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of February 6 and February 13, 1992.

In response to a query by Supervisor Berger, staff responded that it would review whether the ordinance could be amended, for this particular area only, to be site specific and report to the Board with recommendations.

Following the public hearing, which included testimony by 12 speakers, Supervisor Trapnell moved that the Board approve the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A (Residential Permit Parking District) to establish a Residential Permit Parking District (RPPD) in the vicinity of the Dar Al-Hijrah Mosque. The following streets are proposed for inclusion in this RPPD: Row Street (Route 2379) between Leesburg Pike and Munson Hill Road; Munson Hill Road (Route 2380) between Olin Drive and Apex Circle; Row Place (Route 2381) from Munson Hill Road to end; Apex Circle (Route 2380), the entire section; Afton Court (Route 1309) from Apex Circle to end; and Brook Drive (Route 1740) between Holly Street and Celadon Lane, with the following modification:

•As requested by Speaker Number Six, Mr. Michael Strong, to **EXCLUDE** his property (6133 Brook Drive) from the proposed amendment.

In response to a query by Chairman Davis, staff responded that the signs were scheduled to be installed before March 6, 1992.

Chairman Davis stated that he felt it was incumbent on the Police Department to strictly enforce the RPPD. He relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board request the Mason District Police Substation, when the signs are first installed, to send the message that the RPPD will be enforced. Without objection, it was so ordered.

The question was then called on the motion which carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

Supervisor Trapnell moved that the Board direct staff to return to the Board with additional language which would allow the flexibility of two to three guest passes per household. This motion was seconded by Chairman Davis and **CARRIED** by a recorded vote of six, Supervisor Hanley abstaining, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

CM:cm

**73.4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY
EMPLOYEES), SECTION 3-1-2 (COUNTY SERVICE AND
DIVISIONS THEREOF) TO THE MERIT SYSTEM
DEFINING EXEMPT EMPLOYEES (Tape 10)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of February 6 and February 13, 1992.

Following the public hearing, Supervisor Alexander moved that the Board approve the proposed amendment to the Code of the County of Fairfax, Chapter 3 (County

Employees), Section 3-1-2 (County service and divisions thereof) to the Merit System Ordinance. The proposed revisions clarify the categories of employees constituting the exempt service. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Supervisor Frey moved that the Board direct staff to report to the Personnel Subcommittee with suggestions regarding the possibility of allowing exempt employees in the Supervisors' offices with long tenure to be involved in the tenure part of the issue. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Trapnell being out of the room.

74. 4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 85-L-110-3 (WASHINGTON

INTERNATIONAL TELEPORT, INCORPORATED)

(MASON DISTRICT) (Tape 10)

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

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

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

Supervisor Trapnell moved:

- Approval of Special Exception Amendment Application SEA 85-L-110-3 subject to the revised development conditions dated January 15, 1992; and

- Modification of the transitional screening and barrier requirements along the southern boundary of the property line to that shown on the Special Exception Plat in accordance with the provisions of paragraph 11 of Section 13-304 of the Zoning Ordinance.

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

75. 4:00 P.M. - PH ON REZONING APPLICATION

RZ 89-V-059 (HARPER'S VIEW ASSOCIATES, L.P.)

(MOUNT VERNON DISTRICT) (Tape 10)

Mr. John H. Thillmann, reaffirmed the validity of the affidavit for the record.

Mr. Thillmann 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 \$500.00 from the campaign committee of Mr. Brent, an attorney with the Law Firm of Whitestone, Brent, Young and Merrill.

Supervisor Dix disclosed the following campaign contributions that he had received:

- In the amount of \$150.00 on July 11, 1991 and \$200.00 on August 16, 1991, from Mr. Gregory Beckwith and Mr. David Hall of the Law Firm of Phillips, Beckwith, and Hall.

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

Supervisor Hyland moved:

- That the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 89-V-059 be amended from the R-1 District to the C-6 District subject to the executed proffers dated December 19, 1991;

- Modification of the transitional screening in favor of that shown on the Generalized Development Plan (GDP) pursuant to Section 13-304 of the Zoning Ordinance;

- Modification of the barrier requirement in favor of the barrier shown on the Generalized Development Plan (GDP) pursuant to Section 13-303 of the Zoning Ordinance; and
- Waiver of the service drive along Route 123.

This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of five, Supervisor Dix abstaining, Supervisor Hanley, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Hanley disclosed that she was had been out of the room during discussion of Rezoning Application RZ 89-V-059 because Mr. Steve Merrill is the attorney for a member of her family.

**76. 4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 68 (INDIVIDUAL
SEWAGE DISPOSAL FACILITIES) (Tape 10)**

(O)(NOTE: On January 27, 1992, the Board adopted this amendment on an emergency basis and authorized the advertisement of a public hearing for permanent adoption on February 24, 1992.)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of February 6 and February 13, 1992.

Following the public hearing, Supervisor Alexander moved that the Board approve the proposed amendment to the Code of the County of Fairfax, Chapter 68 (Individual Sewage Disposal Facilities), Article 1. This proposal amends Section 68-1-26 by deleting paragraph (b) in its entirety. This amendment will eliminate the bonding requirements for sewage handlers. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Hanley, and Supervisor McConnell, being out of the room.

**77. 4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN
EASEMENTS NECESSARY FOR THE ACCEPTANCE BY THE
VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)**

OF THE EAST MONUMENT DRIVE EXTENSION (SULLY DISTRICT) (Tape 10)

Supervisor Frey informed the Board that the easements necessary for the acceptance by the Virginia Department of Transportation (VDOT) of East Monument Drive Extension had been acquired and the public hearing was no longer necessary.

78. 4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 83-P-107-2 (CENTENNIAL GATEWAY

LIMITED PARTNERSHIP) (SULLY DISTRICT) (Tapes 10-11)

Mr. Carlos M. Montenegro reaffirmed the validity of the affidavit for the record.

Supervisor Frey disclosed the following campaign contribution that he had received:

- In the amount of \$250.00 from Mr. Carlos Montenegro.

Supervisor Dix disclosed that Ms. Joan M. Dubois, a former agent, had recently joined his staff.

Mr. Montenegro 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 eight speakers, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Approval of Proffered Condition Amendment Application PCA 83-P-107-2 subject to the proffers dated February 19, 1992; the Planning Commission having previously approved Final Development Plan Amendment Application FDPA 83-P-107-2 on January 15, 1992; and
- Waiver of the 600-foot limitation for private streets.

This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of seven, Supervisor Bulova and Supervisor Hyland voting "NAY," Supervisor Alexander being out of the room.

79A. 4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 91-M-038 (DAVID W. BALL AND KEITH G. SWIRSKY)

(MASON DISTRICT) (Tapes 11-12)

Mr. David W. Ball reaffirmed the validity of the affidavit for the record.

Mr. Ball 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 five speakers, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Trapnell moved **DENIAL** of Special Exception Application SE 91-M-038. (The Planning Commission noted that the application was not in conformance with the Comprehensive Plan and that development of the property would have severe environmental impacts.) This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, and Supervisor Hanley being out of the room.

79B.RECESS (Tape 12)

At 7:30 p.m., the Board recessed briefly for dinner.

JLD:jld

At 7:55 p.m., the Board reconvened in the Board Room with all Members being present, with the exception of Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell, and with Chairman Davis presiding.

80. 7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON

ISSUES OF CONCERN (Tape 13)

(Verbatim)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1992.

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

ADDITIONAL BOARD MATTERS

Recognition of Boy Scout Troop Number 1501 from

West Springfield

Following the testimony by Speaker Number Two, Ms. Theresa White, Supervisor McConnell recognized the presence of Boy Scout Troop Number 1501 from West Springfield and she warmly welcomed them to the Board Room.

Response Requested to Testimony Regarding

Tree Cover Ordinance

Following the testimony by Speaker Number Four, Mr. Kenneth Moreland, Supervisor Hanley asked unanimous consent that the Board direct staff to respond, in the form of an Information Item at the Board of Supervisors' meeting scheduled for March 9, 1992, to Mr. Moreland's questions regarding the tree cover ordinance. Further, she asked that staff forward a copy of its response to Mr. Moreland. Without objection, it was so ordered.

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

81.BOARD RECESS (Tape 13)

At 8:20 p.m., the Board recessed briefly and at 8:30 p.m., reconvened in the Board Room with all Members being present, with the exception of Supervisor Alexander, and with Chairman Davis presiding. Also present were the Members of the Fairfax County Redevelopment and Housing Authority (FCRHA).

82. 8:00 P.M. - JOINT PUBLIC HEARING OF THE BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY ON THE COMMUNITY DEVELOPMENT BLOCK GRANT PROPOSED STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND USE OF FUNDS FOR FISCAL YEAR (FY) 1993 - PROGRAM YEAR 18 AND HOUSING AND COMMUNITY DEVELOPMENT NEEDS

(Tapes 13-16)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of February 6 and February 13, 1992.

Staff from the Department of Housing and Community Development (HCD) provided a brief presentation to Board Members.

The public hearing was held and included testimony by 43 speakers.

[The Fairfax County Redevelopment and Housing Authority (FCRHA) is scheduled to adopt its recommendations on the use of Fiscal Year (FY) 1993 Community Development Block Grant (CDBG) Funds on March 12, 1992. These funding recommendations will be forwarded to the Board of Supervisors for its consideration and action on April 21, 1991. These dates follow the timetable for the submission of a CDBG Final Statement of Community Development Objectives and Use of Funds for FY 1993 - Program Year 18 to the United States Department of Housing and Urban Development (HUD).]

ADDITIONAL BOARD MATTER

83. CONTRACT EXTENSION FOR TRANSPORTATION CONSULTING

**SERVICES TO THOMAS J. BULGER, GOVERNMENT RELATIONS,
INCORPORATED (LEGISLATIVE LIAISON), AND
AUTHORIZATION FOR STAFF TO PROCEED
WITH NEGOTIATIONS (Tape 16)**

Chairman Davis called the Board's attention to the expired contract for the transportation consulting services of Thomas J. Bulger, Government Relations, Incorporated (Legislative Liaison), and after relinquishing the Chair to Vice-Chairman McConnell, he moved that the Board extend the contract of Mr. Bulger with the conditions that his services be used on an as needed basis and that there be a ceiling on the amount for the services. The second to this motion was inaudible.

Following discussion among Board Members, Supervisor Davis clarified that Mr. Bulger's existing contract has expired and that the motion would allow staff to begin negotiations with Mr. Bulger for a new contract, after which staff would report to the Board for final approval of the new contract.

The question was then called on the motion which carried by a vote of nine, Supervisor Alexander being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

84. BOARD ADJOURNMENT (Tape 16)

At 11:00 p.m., the Board adjourned.