

**JDC:jdc**

The meeting was called to order at 9:35 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.CERTIFICATE OF APPRECIATION PRESENTED TO**

**MR. LEWIS M. ROBESON FOR HIS MANY YEARS**

**OF SERVICE ON THE FAIRFAX COUNTY ATHLETIC**

**COUNCIL (Tape 1)**

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Mr. Lewis M. Robeson, for his many years of dedicated service on the Fairfax County Athletic Council. This motion was jointly seconded by Supervisor Alexander and Supervisor Berger and carried by unanimous vote.

**3.MALFUNCTION OF BUZZER IN BOARD CHAMBERS (Tape 1)**

Supervisor Hanley announced that the buzzer, used to notify Board Members in the Board Chambers that their presence is needed in the Board Room, is not working.

Chairman Davis stated that the appropriate staff has been informed of the malfunction.

**4.CERTIFICATE OF APPRECIATION PRESENTED TO**

**DR. ANTHONY CARDINALE FOR HIS MANY YEARS**

**OF SERVICE ON THE FAIRFAX COUNTY SCHOOL**

**BOARD (Tape 1)**

Supervisor McConnell moved approval of the presentation of the Certificate of Appreciation, presented to Dr. Anthony Cardinale, for his many years of dedicated

service on the Fairfax County School Board. This motion was seconded jointly by Supervisor Frey and Supervisor Hanley and carried by unanimous vote.

**5. CERTIFICATE OF APPRECIATION PRESENTED TO  
MS. MURIEL STRICKLAND FOR HER MANY YEARS  
OF SERVICE ON THE FAIRFAX/FALLS CHURCH  
COMMUNITY SERVICES BOARD (CSB) (Tape 1)**

Supervisor Trapnell moved approval of the presentation of the Certificate of Appreciation, presented to Ms. Muriel Strickland, for her many years of dedicated service on the Fairfax/Falls Church Community Services Board (CSB). This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**6. CERTIFICATES OF APPRECIATION PRESENTED TO  
GUNSTON ELEMENTARY, THOREAU INTERMEDIATE,  
AND HERNDON HIGH SCHOOLS FOR RECEIVING  
"DRUG FREE AMERICA AWARDS" FROM WRC-TV  
CHANNEL 4 (Tape 1)**

Supervisor McConnell moved approval of the presentation of the Certificates of Appreciation, presented to the following Principals, in recognition of their respective schools receiving "Drug Free America Awards" from WRC-TV Channel 4:

- Dr. Elizabeth Henderson, Principal,  
Gunston Elementary School;
- Bruce Oliver, Principal,  
Thoreau Intermediate School; and
- Joanne Hargrove, Physical Education Teacher,  
Herndon High School.

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

Following a short presentation on drug awareness by the students of Thoreau Intermediate School, Jan Boswell, Director, Drug Free Zones Project, on behalf of Blue Cross/Blue Shield of the National Capital Area and WRC-TV Channel Four, co-sponsors of the Drug Free Zones Project, presented a t-shirt and hat to Chairman Davis in appreciation of his support for the school awards program.

**7. RESOLUTION RECOGNIZING THE RETIREMENT OF  
MASTER POLICE OFFICER SCOTTIE M. BOATWRIGHT  
FROM THE FAIRFAX COUNTY POLICE DEPARTMENT**

**(Tape 1)**

Supervisor McConnell moved approval of the presentation of the Resolution recognizing the retirement of Master Police Officer Scottie M. Boatwright from the Fairfax County Police Department, and expressing the Board's commendation and appreciation to Master Police Officer Boatwright for his many years of outstanding, loyal, and dedicated service, and extending its very best wishes for his future happiness and success. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

**8:9:30 A.M. - PRESENTATION BY MOSCOW OFFICIALS**

**VISITING FAIRFAX COUNTY DURING JUNE (Tape 1)**

Supervisor McConnell moved adoption of the Resolution, read into the record by Chairman Davis, transmitting Fairfax County's greetings to the government and citizens of the Commonwealth of Independent States. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Bulova introduced to Board Members the following individuals present in the Board Room:

- Kelly A. McLindon, Representative,  
Economic Development Authority (EDA);
- Beverly Blois, Representative,

Northern Virginia Community College (NVCC);

•Kay Burke, Representative,

State Economic Development Department;

•Art Negrin, Representative,

State Economic Development Department;

•Vladislav Butov, Chairman, Committee of Local

Governing Bodies and Inter-Regional Relations,

Moscow City; and

•Victor Danilenko, Doctor of Law, Professor,

Moscow State Institute of International

Relations, and Advisor to Parliament.

Supervisor Bulova announced that the Moscow officials will be visiting for two weeks in Fairfax County to learn how services are provided in the County, as well as to meet with local business representatives to encourage investment opportunities and a healthy economic relationship between the two countries.

Following brief comments by Chairman Butov, Supervisor Bulova moved that the Board formalize the relationship between the County of Fairfax and Moscow and formally state on the record that Fairfax County has a "sister relationship" with the Western District of Moscow. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

#### **9.9:30 A.M. - PRESENTATION OF PROCLAMATION**

#### **COMMEMORATING "FAIRFEST WEEK," AND FAIRFAX**

#### **COUNTY'S 250TH CELEBRATION (Tape 1)**

Supervisor McConnell moved approval of the Proclamation welcoming Nicholas and Annabel, Lord and Lady Fairfax, and their sons, the Honorable Edward and Johnny

Fairfax, in hopes that their visit will be enjoyable as they participate in the 250th Anniversary Celebration of Fairfax County. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

Following brief comments by Earl Gore, General Manager, Virginia Power, and Chairman, Lord Fairfax Committee, Lord and Lady Fairfax and their two sons were formally presented to Board Members.

Supervisor Hyland asked unanimous consent that the Board direct staff to forward to Lord and Lady Fairfax a copy of the videotape for this portion of today's proceedings. Without objection, it was so ordered.

Supervisor McConnell moved approval of the Proclamation, presented to Peter Faraone, Chairman, 250th Celebration Committee, designating the week of June 7 through June 14, 1992 as "FAIRFEST WEEK," in Fairfax County in celebration of the County's 250th Celebration. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Lord Fairfax, on behalf of his family, presented to Chairman Davis a duplicate of the fireback that was produced in 1770 for Lord Fairfax's ancestor, Thomas the Sixth, Lord Fairfax, after whom Fairfax County is named.

### **10:9:30 A.M. - PRESENTATION OF THE 1991 A. HEATH**

#### **ONTHANK AWARDS (Tapes 1-2)**

The A. Heath Onthank Memorial Award, named in honor of the first Chairman of the County's Civil Service Commission, is given for accomplishments which advance and improve public service to County citizens. The achievement must be a remarkable or unusual performance of the nominee's assigned duties, or above and beyond the assigned duties. Awardees must have shown exceptional initiative. Each of the recipients receive an engraved plaque and a \$2,000 cash award. Their names will also be added to the permanent plaque mounted near the Massey Building Board Room in the Lobby area.

Chairman Davis recognized the presence of John T. Frey, Clerk, Circuit Court and Records, in the Board Room and invited him to participate in the distribution of the awards.

Robin B. Gray, Jr., Chairman, Civil Service Commission; Donald Kaness, Chairman, A. Heath Onthank Memorial Award Selection Committee; Richard A. King, Acting

County Executive; Jay D. Jacobs, Deputy Superintendent, School Operations, Fairfax County Public Schools; and John Frey, Clerk of the Circuit Court, presented the 1991 A. Heath Onthank Memorial Award to the following general County and School Board employees:

•Mary D. Brantley, Acting Director,

Girls Probation House,

Juvenile and Domestic Relations Court;

•Michael F. Johnson, Historian III,

Heritage Resource Planner,

Office of Comprehensive Planning;

•Barry F. Lape, Game Warden

Department of Animal Control;

•Craig S. Luecke, Technician,

Hazardous Materials,

Fire and Rescue Department;

•Bruce Nassimbeni,

Acting Site Review Branch Chief

Lee/Providence Districts,

Department of Environmental Management;

•Balvinder Sandhu,

Lead Housing Services Specialist,

Department of Housing and

Community Development; and

•Jean B. Shaw, RD, Quality Control Coordinator,  
Office of Food Services,  
Fairfax County Public Schools.

**11.10:00 A.M. - PRESENTATION OF THE COMMISSION ON  
AGING'S OUTSTANDING EMPLOYEE AWARDS (Tape 2)**

On behalf of the Commission on Aging, Trudy Wright, Chairman, presented awards to the following individuals for outstanding service to elders by Fairfax area staff, paid and unpaid:

•Faye Adkins, Vienna-Oakton

Home-Delivered Meals;

•Gerald Berry, City of Fairfax

Senior Citizens' Program;

•Isabelle Foerst, Lincolnia

Senior Residence;

•Retha Lockhart, Area Agency on Aging;

•Rebecca Roellke, Area Agency on Aging; and

•Robert Thompson, Gum Springs

Community Development

Corporation's Community

Service Division.

**12.APPRECIATION EXPRESSED TO FAIRFAX COUNTY'S  
EMPLOYEES (Tape 2)**

Supervisor Dix moved that the Board reaffirm its appreciation to all Fairfax County employees for their continued commitment, dedication, and professionalism, on behalf of the citizens of Fairfax County. This motion was simultaneously seconded by Supervisor Bulova, Supervisor Hanley, and Supervisor McConnell and carried by unanimous vote.

### **13.BOARD POLICY REGARDING ACCESS TO THE BOARD**

#### **CHAMBERS (Tape 2)**

(P)Supervisor Berger, Chairman, Board Procedures Subcommittee, moved that the Board adopt a Policy to permit the Board Chambers (behind the Board Room) to be used in such a way that only those persons who have been invited by Board Members to conduct necessary business shall be permitted into that area. He stated that this area should be utilized so that the individual Board Members and their staff may conduct business without the "disruptive-type" atmosphere which prevailed in the Massey Building. He stated that throughout the Government Center, a great deal of time and attention had been committed to the creation of public space so that citizens may use the facility as necessary; however, the Board Chambers may be best utilized if access is managed better. Supervisor Berger further moved that accredited members of the press be automatically invited into the Board Chambers on a permanent basis. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Supervisor Hanley and Supervisor Hyland voting "**NAY.**"

#### **14.RECESS/EXECUTIVE SESSION (Tape 2)**

At 10:55 a.m., Supervisor Dix moved that the Board recess and go into Executive Session for consultation with legal counsel pertaining to actual and probable litigation and other specific legal matters requiring the provision of legal advice by counsel pursuant to Virginia Code §2.1-344(A)7, Reference Zoning Ordinance Amendments, December 11, 1989, Master File 115184, Proposed Zoning Ordinance Amendment, Reference Commercial, Retail, and Industrial Districts, as well as for discussion of personnel matters and matters set forth in the Agenda. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

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

### **15.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 seconded by Supervisor Hyland and carried by unanimous vote.

**B.CLAIM OF MARTIN AND GASS, BLAKE LANE****IMPROVEMENT PROJECT**

Supervisor Hanley moved that the Board authorize the payment of \$89,900 in connection with the claim of Martin and Gass on the Blake Lane Improvement Project as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**C.CLAIM OF MILTON E. MITLER**

Supervisor Hanley moved that the Board DENY the claim of Milton E. Mitler as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of nine, Chairman Davis abstaining.

**D.APPEAL OF BOARD OF SUPERVISORS VERSUS****RESOLUTION TRUST CORPORATION AS RECEIVOR****OF TRUSTBANK SAVINGS, F.S.B. (IN REGARD:****MANCHESTER LAKES ASSOCIATES), CASE****NUMBER 91-0032-M**

Supervisor Alexander moved that the Board authorize the appeal of the Board of Supervisors versus Resolution Trust Corporation as Receiver of Trustbank Savings, F.S.B. (In Regard: Manchester Lakes Associates), Case Number 91-0032-M. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Hanley being out of the room.

**E.CONTRACT WITH FEDERAL PAPER STOCK  
COMPANY**

Supervisor Hyland moved that the Board authorize the filing of a lawsuit against Federal Paper Stock Company as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Hanley being out of the room.

**F.SETTLEMENT OF PHYLLIS A. KROCHMAL VERSUS**

**MICHAEL KENDRICK, DIRECTOR, FAIRFAX**

**COUNTY RECREATION AND COMMUNITY SERVICES,**

**AND ALAN BAUER, AT LAW NUMBER 102017**

Supervisor McConnell moved that the Board authorize settlement of Phyllis A. Krochmal versus Michael Kendrick, Director, Fairfax County Recreation and Community Services, and Alan Bauer, At Law Number 102017, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Supervisor Dix abstaining, Supervisor Hanley being out of the room.

**G.APPOINTMENT OF MICHAEL W. YOUNG AS CHIEF**

**OF POLICE, FAIRFAX COUNTY**

Supervisor McConnell moved the appointment of Michael W. Young as Chief of Police, Fairfax County, at an annual salary of \$99,219 effective 12:01 a.m., June 27, 1992. In accordance with the Retirement System's Ordinance, Mr. Young's retirement annuity will be suspended for the duration of his employment. The Chief of Police, as are all department heads, is a member of the exempt service and serves at the pleasure of the Board of Supervisors. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hanley being out of the room.

**16.RECOGNITION OF JOHN E. GRANFIELD, CHIEF OF  
POLICE, ON HIS RETIREMENT (Tape 3)**

Supervisor Alexander announced, for the record, that John E. Granfield, Chief of Police, is retiring at the end of this month. He asked unanimous consent that the Board

direct staff to invite Colonel Granfield to appear before the Board on **June 22, 1992** to receive appropriate recognition by the Board. Without objection, it was so ordered.

**17.10:30 A.M. - BOARD DECISION ON THE PROPOSED  
AMENDMENT TO THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 112 (ZONING ORDINANCE),  
REGARDING COMMERCIAL RETAIL AND INDUSTRIAL  
(C&I) DISTRICTS (Tape 4)**

(NOTE: The public hearing was held on May 4, 1992 and action taken to defer Board decision until June 8, 1992. In addition, the Board conducted a work session on May 27, 1992 to discuss this issue.)

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 April 16 and April 23, 1992.

Supervisor Dix distributed to Board Members a document entitled, "Summary of Changes from Alternative 1A, dated May 4, 1992 as set forth in Alternative 1A, Revised June 8, 1992." He moved that the Board:

- Affirm its intent to adopt on June 22, 1992, proposed Zoning Ordinance amendments as set forth in Alternative 1A, dated June 8, 1992, and the grandfather provisions for Zoning Ordinance Amendment Number 89-185 and for this amendment as set forth in Alternative 1A, dated June 8, 1992; and
- Direct that, between now and June 22, 1992, all efforts be made to secure final disposition on damage claims and substance suits involved in this matter.

This motion was seconded by Supervisor McConnell.

**ADDITIONAL BOARD MATTER:**

**PRESENCE IN BOARD ROOM RECOGNIZED  
AND CONGRATULATIONS EXTENDED TO  
MICHAEL W. YOUNG ON HIS APPOINTMENT**

**AS CHIEF OF POLICE (Tape 4)**

(NOTE: Earlier in the meeting, action was taken to appoint Michael W. Young as Chief of Police. See Clerk's Summary Item CL#15G.)

Chairman Davis recognized the presence in the Board Room of Michael W. Young and, on behalf of the entire Board, congratulated him on his appointment as Fairfax County Chief of Police.

Supervisor Hyland moved a substitute motion that the Board affirm its intent to adopt the Planning Commission recommendations, as contained in Attachment III of the Memorandum to the Board dated June 8, 1992. This motion was seconded by Supervisor Hanley.

Following a brief discussion among Board Members, the question was called on the substitute motion which **FAILED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE**."

Supervisor Alexander moved to amend the main motion (Supervisor Dix's) that the Board adopt the Planning Commission recommendation for the C-7 Zoning District, which allows 0.5 Floor Area Ratio (FAR) by right and 0.70 by Special Exception for office. This amendment was seconded by Supervisor Hyland.

Following discussion among Board Members, with input from James P. Zook, Director, Office of Comprehensive Planning, the question was called on the amendment which **FAILED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE**."

Supervisor Alexander moved to amend the main motion (Supervisor Dix's) that the Board adopt the Planning Commission recommendation for the C-9 Zoning District, which limits the height to 60 feet, but allows 90 feet by Special Exception. This amendment was seconded by Supervisor Hyland.

Following discussion among Board Members, with input from Mr. Zook, Supervisor Alexander asked that his amendment be amended to correct that the Planning Commission recommendation for the C-9 Zoning District limits the height to 60 feet by right and allows any height in excess of 60 feet by Special Exception, and this was accepted.

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

Supervisor Frey asked that the main motion be amended to revise the definition of a Super-Regional Shopping Center, Page 35 of the Staff Report contained in the Memorandum to the Board dated June 8, 1992, which reads: "...(d) share a common parking area; and/or (e) otherwise present the appearance..." by deleting "/or," and this was accepted.

Following a query from Supervisor Hanley, Supervisor Dix clarified that the document he distributed includes the revision to the definition of Super-Regional Shopping Center which clarified that the shopping center must offer a range of retail commercial goods and services.

#### **ADDITIONAL BOARD MATTER:**

#### **PRESENCE IN BOARD ROOM RECOGNIZED**

#### **OF MARTHA PENNINO, FORMER SUPERVISOR,**

#### **CENTREVILLE DISTRICT (Tape 4)**

Supervisor Dix recognized the presence in the Board Room of Martha Pennino, former Supervisor, Centreville District, and he warmly welcomed her.

Supervisor Alexander moved to amend the main motion that the recommendations in Alternative 4 for the I-4, I-5 and I-6 Zoning Districts be substituted for the recommendations in Alternative 1A (Supervisor Dix' motion). This motion to amend was seconded by Supervisor Hyland.

Following discussion among Board Members, the question was called on the amendment which **FAILED** by a recorded vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Supervisor Trapnell voting "**AYE**."

Following comments by Board Members, Chairman Davis noted that the final vote on the proposed Zoning Ordinance amendments is scheduled for June 22, 1992.

The question was then called on the main motion (Supervisor Dix's), as amended, which **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**NAY**."

Following a query from Supervisor Hanley, Mr. Zook confirmed that there are no I-1 Zoning Districts in Fairfax County.

Following a query by Supervisor Alexander on mixed-use zones, he asked unanimous consent that the Board direct staff to report with a list of pending Zoning Ordinance amendments in order to allow prioritization of the list by the Board. Without objection, it was so ordered.

Supervisor Hanley, Chairman, Mixed-Use Committee, invited Board Members, industry representatives, and task forces to offer suggestions for the composition of the committee.

**SBE:sbe**

**18.ADMINISTRATIVE ITEMS (Tape 4)**

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

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

**(CENTREVILLE, DRANESVILLE, MASON,**

**SPRINGFIELD AND SULLY DISTRICTS)**

(R)Approved the request that certain streets listed in the Memorandum to the Board dated June 8, 1992 be recommended for acceptance into the State Secondary System.

**ADMIN 2 - ACCEPTANCE OF NEW BRADDOCK ROAD INTO**

**THE STATE SECONDARY SYSTEM (SULLY DISTRICT)**

(R)Approved the request that New Braddock Road, Sully District, be accepted into the State Secondary System.

**ADMIN 3 - ADDITIONAL TIME TO COMMENCE**

**CONSTRUCTION FOR SPECIAL EXCEPTION**

**AMENDMENT APPLICATION SEA 84-M-075-2**

**(MOBIL OIL CORPORATION) (MASON DISTRICT)**

(AT)Approved the request for 12 months of additional time to commence construction for Special Exception Amendment Application SEA 84-M-075-2 until **April 11, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 4 - ADDITIONAL TIME TO COMMENCE**

**CONSTRUCTION FOR SPECIAL EXCEPTION**

**APPLICATION SE 89-P-038 (EXXON COMPANY,**

**U.S.A.) (PROVIDENCE DISTRICT)**

(AT)Approved the request for six months of additional time to commence construction for Special Exception Application SE 89-P-038 until **October 9, 1992** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 5 - AUTHORIZATION TO ADVERTISE A**

**PUBLIC HEARING TO CONSIDER PROPOSED**

**RELOCATION OF THE BOUNDARY BETWEEN THE**

**TOWN OF VIENNA AND FAIRFAX COUNTY**

**(CENTREVILLE AND PROVIDENCE DISTRICTS)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **June 22, 1992 at 4:00 p.m.** to consider the relocation of the present boundary between the Town of Vienna and Fairfax County.

**ADMIN 6 - PROPOSED AMENDMENT TO THE CODE OF**

**THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION**

**AND FINANCE), ARTICLE 7 [BUSINESS, PROFESSIONAL**

**AND OCCUPATIONS LICENSE (BPOL) TAX]**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **July 27, 1992 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 7 [Business, Professional and Occupations License (BPOL) Tax], to conform with the Board's

approval to remove real estate brokers from Article 7, Section 4-7-21 (Professions, Specialized Occupations and Businesses) and tax them separately under Article 7, Section 4-7-34, entitled "Real Estate Brokers."

**ADMIN 7 - PROPOSED AMENDMENT TO THE CODE OF  
THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION  
AND FINANCE), RELATING TO THE ASSESSMENT AND  
COLLECTION OF PERSONAL PROPERTY TAXES ON  
MOTOR VEHICLES**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **July 27, 1992 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Sections 4-17-5(B), 4-17-5(C), and 4-17-7(D), relating to the assessment of prorated personal property taxes on motor vehicles and the collection of that tax.

**19.A-1 - BOARD OF SUPERVISORS' RESOLUTION  
AFFIRMING SUPPORT FOR AMERICANS WITH  
DISABILITIES ACT (ADA) (Tape 4)**

(BACs)

(R)Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt a Resolution which further reaffirms and expresses the County's support for the Americans with Disabilities Act and the intent to fully comply with the law. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Frey asked unanimous consent that the Board direct staff to include disabled business persons on the list of minorities contained on Page 12 of the Procurement Policy, A Guide for Business in Fairfax County. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board expand the membership of the Small and Disadvantaged Business Commission to include one representative from the disabled business community. Without objection, it was so ordered.



(NOTE: Later in the meeting, during Board Matters, there was additional discussion of the Americans with Disabilities Act. See Clerk's Summary Item CL#138.)

## **20.A-2 - AMERICANS WITH DISABILITIES ACT**

### **(ADA): DRAFT REGIONAL PARATRANSIT SERVICE**

#### **PLAN (ALL DISTRICTS) (Tape 4)**

Supervisor McConnell moved that the Board concur in the recommendation of staff and take the following actions to endorse the "brokerage" service concept outlined in the Draft Regional Paratransit Service Plan for the provision of required Americans with Disabilities Act (ADA) paratransit service:

- Endorse in principal the regional paratransit "brokerage" service concept outlined in the Draft Regional Paratransit Service Plan (a summary of the plan is contained in Attachment One of the Memorandum to the Board dated June 8, 1992);
- Concur in the use of the County's FASTRAN service as a component of the regional paratransit system;
- Endorse the submission of the Draft Regional Paratransit Service Plan to the United States Department of Transportation (USDOT) with the understanding that significant issues raised during the public hearing process will require further consideration during the implementation process; and
- Acknowledge the comments made by the County's Commission for Disabled Persons and direct County staff to analyze how these comments may be incorporated into the implementation of the Regional Paratransit Service Plan. Further, direct staff to return to the Board with a report regarding the staff's analysis.

This motion was seconded by Supervisor Bulova.

Following discussion, with input from Christopher W. Jenks, Planner, Transit Operations Division, Office of Transportation, Supervisor Dix moved a substitute motion that the Board defer decision until June 22, 1992 and direct staff to report with detailed information regarding the funding requirements. This motion was seconded by Supervisor McConnell.

Following further discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Bulova asked that the substitute motion be amended to endorse this issue in concept only and defer its formal decision **until June 22,**

1992, at which time staff is directed to report with additional detailed information regarding the funding requirements, and this was accepted.

Supervisor Hyland asked that the substitute motion be further amended to also direct staff to report with additional information on what the cost would be to Fairfax County, if the County opted not to participate in a regional approach, to meet the federal mandated requirements under the ADA, and this was accepted.

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

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

(NOTE: Later in the meeting, during Board Matters, there was additional discussion of the Americans with Disabilities Act. See Clerk's Summary Item CL#138.)

**21.A-3 - ALLOCATION PUBLIC HEARING FOR THE  
VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)  
SIX-YEAR IMPROVEMENT PROGRAM FOR FISCAL  
YEARS (FY) 1993 THROUGH 1998 (COUNTYWIDE)**

**(Tape 5)**

Supervisor Hyland moved that the Board concur in the recommendation of staff and endorse the Tentative Allocation for Fiscal Years (FY) 1993 through FY 1998, with the following comments:

- Approve the letter (contained in Attachment I of the Memorandum to the Board dated June 8, 1992) to Secretary Milliken, emphasizing the Board's position relative to the proposed allocations (Attachment II);
- Reaffirm the Board's previous recommendations of March 23, 1992 (Attachment III) as presented to the Commonwealth Transportation Board (CTB) at the April 1, 1992 public hearing;
- Request that the CTB reallocate any excess funds, programmed for the widening the entire Virginia Beltway to 10 lanes, that will not be able to be spend until later years in the Program to fund segments of the Fairfax County Parkway. The reallocation is

requested for Interstate Maintenance (IM) funds for the I-66/Fairfax County Parkway Interchange. National Highway System (NH) funds should be reallocated first to complete the segment of the Parkway between the I-66 interchange and the Braddock Road Interchange, then allocated to the segment from Route 123 to Hooes Road/Pohick Road;

- Reaffirm the Board's June 17, 1991 position that an High-Occupancy-Vehicle (HOV)/bus connection from I-66 to the Vienna Metro Station assumes use of the Metro connecting road over I-66 rather than Blake Lane; and
- Request the CTB allocate funds for preliminary engineering, right-of-way, and construction of park-and-ride facilities in the I-66 and I-95 corridors.

This motion was seconded by Supervisor Bulova.

Following discussion, with input from Shiva K. Pant, regarding the funding sources for the various segments of the Fairfax County Parkway, the question was called on the motion which carried by unanimous vote.

#### **22.A-4 - REVISIONS TO THE FAIRFAX COUNTY AND**

#### **WASHINGTON METROPOLITAN AREA TRANSIT**

#### **AUTHORITY (WMATA) LOCAL FUNDING AGREEMENT**

#### **(COUNTYWIDE) (Tape 5)**

On motion of Supervisor Alexander, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the general form of the County's revised Local Funding Agreement (LFA) with the Washington Metropolitan Area Transit Authority (WMATA) to provide the County's share of the local match for the Metrorail Construction Program and authorized the Chairman of the Board to execute the finalized version of the LFA, which shall include:

- The addition of Section 3E which states:

"In the event that any other Political Subdivision/Guarantor is unable to fulfill its commitment with respect to an Annual Rail Construction Budget, the Authority hereby covenants that the Contributor's capital contributions shall not be increased nor the timing of the Contributor's capital contributions be accelerated and that the

Authority shall continue to implement the J/H Route project in full conformance with the schedule set forth on Exhibit I of ICCA-V";

•The addition of Section 2E which states:

"The Authority agrees that it will construct the Franconia-Springfield (F-S) Metrorail Station and each project element thereof, in its entirety, including, but not limited to 3,400 parking spaces, as included in the Authority's General Plans approved on June 13, 1991";

•The deletion of the following sentence from Section 2D which deletes the requirement for a separate letter agreement involving investment of tax exempt bonds:

"The parties will agree, by separate letter, on the manner in which the proceeds of tax exempt bonds will be invested by the Authority."

### **23.A-5 - APPROVAL OF PROPOSED FISCAL YEAR**

#### **(FY) 1992 MARKETING AGREEMENT BETWEEN**

#### **FAIRFAX COUNTY AND ARLINGTON COUNTY**

#### **(ALL DISTRICTS) (Tape 5)**

On motion of Supervisor Hyland, seconded by Supervisor Berger, and carried by a vote of nine, **\*Supervisor Dix abstaining,\*** the Board concurred in the recommendation of staff and:

•Approved the general form of the proposed Marketing Agreement (contained in Attachment I of the Memorandum to the Board dated June 8, 1992) between Fairfax and Arlington Counties to expand Fiscal Year (FY) 1992 grant funds from the Virginia Department of Transportation (VDOT) to market and promote ridesharing and the use of regional public transportation services by Fairfax County commuters employed in the Crystal City area; and

•Authorized the Acting County Executive to execute the finalized form of this Agreement.

**(\*NOTE: Later in the meeting, Supervisor Dix clarified his vote as "abstaining" on this item. See Clerk's Summary Item CL#25.\*)**

### **24.A-6 - CANTERBURY WOODS CUT-THROUGH TRAFFIC**

**(BRADDOCK DISTRICT) (Tape 5)**

(R)On motion of Supervisor Bulova, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Adopted a Resolution requesting the Virginia Department of Transportation (VDOT) to conduct a review and address possible solutions to the cut-through concern in the Canterbury Woods area; and
- Directed staff to provide the necessary documentation with the Resolution.

**25.CLARIFICATION OF VOTE ON ACTION ITEM A-5 -**

**APPROVAL OF PROPOSED FISCAL YEAR (FY) 1992**

**MARKETING AGREEMENT BETWEEN FAIRFAX COUNTY**

**AND ARLINGTON COUNTY (ALL DISTRICTS) (Tape 5)**

[NOTE: Earlier in the meeting, action was taken on the proposed Fiscal Year (FY) 1992 Marketing Agreement between Fairfax County and Arlington County. See Clerk's Summary Item CL#23.]

Supervisor Dix asked unanimous consent that the Board request the Clerk to the Board to reflect his vote as "abstaining" on the Action Item A-5 - Approval of Proposed Fiscal Year (FY) 1992 Marketing Agreement Between Fairfax County and Arlington County. Without objection, it was so ordered.

**26.A-7 - VIRGINIA DEPARTMENT OF TRANSPORTATION**

**(VDOT) PROJECT FOR IMPROVEMENTS TO BRADDOCK**

**ROAD (ROUTE 620) BETWEEN ROUTE 123 (OX ROAD)**

**AND THE PROPOSED FAIRFAX COUNTY PARKWAY**

**(BRADDOCK, SPRINGFIELD AND SULLY DISTRICTS)**

**(Tape 5)**

Supervisor McConnell moved that the Board concur in the recommendation of staff and approve the Virginia Department of Transportation (VDOT) design plans to

widen Braddock Road between Route 123 (Ox Road) and the proposed Fairfax County Parkway to four lanes, with right-of-way for the ultimate six-lane facility, including the provision of an eight-foot trail on the south side of Braddock Road and a five-foot sidewalk on the north side of Braddock Road, as presented at VDOT's April 30, 1992 public hearing, subject to the provision that VDOT consider the following:

- Shift the horizontal alignment further to the north away from the electric towers so that all of the construction, including slopes, will be within the existing right-of-way limits on the south side of Braddock Road from Ox Road to Bentonbrook Drive. The horizontal alignment shift to the north was originally planned to prevent the need for adjustments to the Virginia Power Transmission Towers and the Colonial Pipelines; however, the plans still show impacts to some of the high voltage towers, requiring retaining walls or other protection;
- Reexamine the geometrics at the Route 123/Braddock road intersection to ensure that both the interim and the ultimate (Comprehensive Plan) lane configuration can be accommodated and aligned, providing dual left turn lanes on each approach; and
- Consider building the intersections of Braddock Road/Shirley Gate Road and Braddock Road/Route 123 initially to provide dual turn lanes.

This motion was seconded by Supervisor Alexander.

Supervisor Bulova asked that the motion be amended to include in the comments that residents to the north of the project had testified at the public hearing that it is their hope that their properties would be purchased as expeditiously as possible, and this was accepted.

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

## **27.A-8 - SALE OF GENERAL OBLIGATION REFUNDING**

### **BONDS, SERIES 1992B (Tape 5)**

(BONDS)

(Rs)On motion of Supervisor McConnell, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and took the following actions authorizing the sale of General Obligation Refunding Bonds in an amount not to exceed \$120,000,000, the proceeds of which will be held in escrow and used to pay or redeem portions of previously issued and outstanding

Public Improvement Bonds in Series 1983A, 1985B, and 1988A, totalling \$106,725,000, or as necessary to meet State Guidelines:

- Approved the Resolution authorizing the issuance of bonds and delegating to the Acting County Executive or the Deputy County Executive for Management and Budget authority to determine the details of the bonds;
- Approved the Resolution authorizing the sale, including preparation of the form of the notice, the preparation of the Official Statement, and the Chairman's signature on the Official Statement.

The Resolution also provides for the sale to be conducted and the award to be made at the discretion of the Acting County Executive or the Deputy County Executive for Management and Budget in consultation with the County's Financial Advisor not later than October 15, 1992. The winning bid must offer the lowest true interest cost, the interest rate may not exceed 6.5 percent, and the annual debt service shall not exceed the current annual debt service for the bonds refunded; and

- Approved the form of the Escrow Agreement.

#### **28.A-9 - AMENDMENTS TO THE COMPENSATION PLAN**

##### **AND CAFETERIA PLAN (Tape 5)**

On motion of Supervisor Trapnell, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the amendments to the Fiscal Year 1993 Compensation Plan (Attachment II) and Cafeteria Plan (Attachment I) to include the revised insurance premium rates.

#### **29.A-10 - EXPANSION OF CERTAIN FAIRFAX COUNTY**

##### **BOARDS, COMMISSIONS, AND COMMITTEES TO**

##### **PROVIDE FOR SULLY DISTRICT REPRESENTATION**

##### **(SULLY DISTRICT) (Tape 5)**

(BACs)

On motion of Supervisor Frey, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and revised the membership of the boards, commissions, and committees listed below to include a

representative from the Sully District. In addition, requested those entities to review the action which created it and report to the Board with appropriate recommendations to update that action:

- Child Care Advisory Council;
- Commission for Women;
- Community Action Advisory Council;
- Community Improvement Committee;
- Countywide Trails Committee;
- Health Care Advisory board;
- Juvenile Court Citizen Advisory Council;
- Project Selection Committee;
- Minority Upward Mobility and Retention in Fairfax County Government Task Force; and
- Forested Wetlands Task Force.

**30.A-11 - AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL FOR THE SALE OF REAL PROPERTY (FORMERLY PART OF THE DOGUE CREEK SEWAGE SURPLUS TREATMENT PLANT) (MOUNT VERNON DISTRICT) (Tape 5)**

On motion of Supervisor Hyland, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and directed staff to prepare and issue an Request for Proposal (RFP) for the sale of surplus real property, which was formerly part of the Dogue Creek Sewage Treatment Plant, Tax Map Reference 109-2 ((1)) 32 (part of), Mount Vernon District.

**31.A-12 - DESIGNATION OF PLANS EXAMINERS STATUS**



**UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW**

**PROGRAM (Tape 5)**

On motion of Supervisor Dix, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and designated the following individuals, identified with their registration numbers, as Plans Examiners to participate in the Expedited Land Development Review Program:

- Obaid R. Bactazh (93)• Kevin M. Noble (91)
- Harry C. Higman (92)• Jack W. Rinker (90)

In addition, concurred with the Advisory Plans Examiner Board (APEB) to place the following individuals in inactive status:

- Joseph Ballato• Rashid Siraj
- Winnant McGinty• Myon Yoo
- Laura McNamee• William Zink
- Robert Munse

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

**SAR AS 93004 FOR THE DEPARTMENT OF HUMAN**

**DEVELOPMENT PY 1992 ECONOMIC DISLOCATION**

**AND WORKER ADJUSTMENT ASSISTANCE (EDWAA)**

**PROGRAM (Tape 5)**

(SAR)On motion of Supervisor Hanley, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS 93004 in the amount of \$241,994 for the Department of Human Development PY 1992 Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program.

**33.A-14 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**SAR AS 93005 FOR THE DEPARTMENT OF HUMAN**

**DEVELOPMENT PY 1992 JOB TRAINING PARTNERSHIP**

**ACT (JTPA), TITLE II-B, SUMMER YOUTH EMPLOYMENT**

**PROGRAM (Tape 5)**

(SAR)On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS 93005 totalling \$611,839 for the Department of Human Development PY 1992 Job Training Partnership Act (JTPA), Title II-B, Summer Youth Employment Program.

**34.A-15 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**SAR AS 92063 FOR THE DEPARTMENT OF HUMAN**

**DEVELOPMENT TO ACCEPT ADDITIONAL STATE**

**FUNDING FOR THE AID TO DEPENDENT CHILDREN**

**(ADC), TRANSITIONAL AND JOBS DAY CARE**

**PROGRAMS (Tape 5)**

(SAR)On motion of Supervisor McConnell, the second to which was inaudible, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS 92063 totalling \$306,000 for the Department of Human Development to accept additional State funding for the Aid to Dependent Children (ADC), transitional and jobs day care programs.

**35.A-16 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**SAR AS 93003 FOR THE DEPARTMENT OF HUMAN**

**DEVELOPMENT TRANSITIONAL HOUSING PROGRAM**

**GRANT AWARD ONE FROM THE UNITED STATES**

**(U.S.) DEPARTMENT OF HOUSING AND URBAN**

**DEVELOPMENT (HUD) - PROGRAM YEAR FIVE**

**(Tape 5)**

(SAR)On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS 93003 in the amount of \$288,054 for the Department of Human Development Transitional Housing Grant Award One from the United States (U.S.) Department of Housing and Urban Development (HUD) - Program Year Five.

### **36.A-17 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

#### **SAR AS 93007 FOR THE DEPARTMENT OF HUMAN**

#### **DEVELOPMENT VIRGINIA SHELTER SUPPORT GRANT**

#### **PROGRAM (Tape 5)**

(SAR)On motion of Supervisor Hanley, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS 93007 in the amount of \$80,490 for the Department of Human Development Virginia Shelter Support Grant.

### **37.A-18 - APPROVAL TO ACCEPT FEDERAL FUNDING**

#### **FOR ALCOHOL AND DRUG COURT SERVICES**

#### **(Tape 5)**

On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the acceptance of the Virginia Department of Criminal Justice Services Grant, in the amount of \$73,200, for the Alcohol and Drug Court Services (ADCS) to provide drug treatment services to offenders in the Pre-Release Center (PRC).

### **38.A-19 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

#### **SAR AS 93009 FOR THE FAIRFAX COUNTY GENERAL**

#### **DISTRICT COURT PRETRIAL SERVICES SUPERVISED**

#### **RELEASE GRANT PROGRAM (Tape 5)**

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

Supplemental Appropriation Resolution SAR AS 93009 in the amount of \$119,984 for the Fairfax County General District Court Pretrial Services Supervised Release Grant Program.

**39.A-20 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**SAR AS 93010 FOR THE ELDER CARE IN-HOME**

**VOLUNTEER PROGRAM FOR THE FAIRFAX AREA**

**AGENCY ON AGING (Tape 5)**

(SAR)On motion of Supervisor McConnell, seconded by Supervisor Hyland and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS 93010 in the amount of \$32,000 for the Elder Care In-Home Volunteer Program for the Fairfax Area Agency on Aging.

**AR:ar**

**40.A-21 - SUPPLEMENTAL APPROPRIATION**

**RESOLUTION SAR AS 92065 FOR JOB**

**TRAINING PARTNERSHIP ACT (JTPA)**

**FUNDING FROM THE VIRGINIA DEPARTMENT**

**FOR THE AGING (Tape 6)**

(SAR)On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS 92065 in the amount of \$15,000 for the Job Training Partnership Act (JTPA) funding from the Virginia Department for the aging.

**41.A-22 - SUPPLEMENTAL APPROPRIATION**

**RESOLUTION SAR AS 93006 FOR THE**

**OFFICE OF HUMAN SERVICES FISCAL YEAR**

**(FY) 1993 COMMUNITY DIVERSION PROGRAM**

**AND THE COMMUNITY DIVERSION CENTER (Tape 6)**

(SAR)On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by a vote of nine, **\*Supervisor Hanley\*** being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution SAR AS 93006 totalling \$717,915 for the Office of Human Services Fiscal Year (FY) 1993 Community Diversion Program and the Community Diversion Center.

(\*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#52.)

**42.A-23 - AUTHORIZATION OF CONTINUATION GRANT**

**APPLICATION SUBMITTED BY JUVENILE AND**

**DOMESTIC RELATIONS DISTRICT COURT SERVICES**

**TO THE OFFICE OF JUVENILE JUSTICE AND**

**DELINQUENCY PREVENTION FOR COMMUNITY-BASED**

**PROGRAM SUPPORT TARGETED AT COURT-INVOLVED**

**MINORITY YOUTH (Tape 6)**

On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by a vote of nine, **\*Supervisor Hanley\*** being out of the room, the Board concurred in the recommendation of staff and authorized the Juvenile and Domestic Relations District Court Services application, in the amount of \$72,766, to the Office of Juvenile Justice and Delinquency Prevention for program support for court-involved minority youth.

(\*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#52.)

**43.A-24 - AUTHORIZATION OF GRANT APPLICATION**

**SUBMITTED BY FAIRFAX COUNTY JUVENILE AND**

**DOMESTIC RELATIONS DISTRICT COURT SERVICES**

**TO THE VIRGINIA DEPARTMENT OF CRIMINAL  
JUSTICE SERVICES FOR FUNDING OF JUVENILES  
FOR ENTRY INTO LOCAL PRIVATE COMMUNITY  
SUBSTANCE ABUSE TREATMENT PROGRAMS (Tape 6)**

On motion of Supervisor Alexander, seconded by Supervisor McConnell, and carried by a vote of nine, **\*Supervisor Hanley\*** being out of the room, the Board concurred in the recommendation of staff and authorized the Juvenile and Domestic Relations District Court Services to submit a grant application to the Virginia Department of Criminal Justice Services to receive funds to purchase residential substance abuse treatment services to adjudicated youth in need of immediate placement in residential treatment programs, and their families.

(\*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#52.)

**44.A-25 - OFFICE FOR CHILDREN APPLICATION FOR  
AN AT&T FAMILY CARE DEVELOPMENT FUND GRANT  
FOR THE EMPLOYER CHILD CARE COUNCIL QUALITY  
CHILD CARE INITIATIVE (Tape 6)**

On motion of Supervisor Hyland, seconded by Chairman Davis, and carried by a vote of nine, **\*Supervisor Hanley\*** being out of the room, the Board concurred in the recommendation of staff and approved the submission of an application by the Office for Children for the AT&T Family Care Development Fund Grant, in the amount of \$38,600, to be awarded in Fiscal Year (FY) 1992 and expended in FY 1993.

(\*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#52.)

**45.A-26 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH  
COMMUNITY SERVICES BOARD (CSB) ALCOHOL AND  
DRUG SERVICES TO ACCEPT A WOMEN AND CHILDREN'S**

**TREATMENT GRANT AWARD FROM THE OFFICE OF  
SUBSTANCE ABUSE PREVENTION (OSAP) (Tape 6)**

On motion of Supervisor McConnell, seconded by Supervisor Trapnell, and carried by a vote of nine, **\*Supervisor Hanley\*** being out of the room, the Board concurred in the recommendation of staff and approved the submission of the following for a women and children's treatment grant award:

- First year of an Office of Substance Abuse Prevention (OSAP) grant award in the amount of \$602,701 covering the period May 1, 1992 through April 30, 1993; and
- The establishment of 11.0 SYE merit grant positions under the Fairfax-Falls Church Community Services Board (CSB) to support the program.

(\*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#52.)

**46.A-27 - ADOPTION OF THE JEFFERSON MANOR**

**PUBLIC IMPROVEMENTS MASTER PLAN (LEE  
DISTRICT) (Tape 6)**

On motion of Supervisor Alexander, seconded by Supervisor McConnell, and carried by a vote of nine, **\*Supervisor Hanley\*** being out of the room, the Board concurred in the recommendation of staff and adopted the Jefferson Manor Public Improvements Master Plan, Lee District.

(\*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#52.)

**47.A-28 - CERTIFICATION OF COMPLIANCE WITH LOCAL  
ORDINANCES (Tape 6)**

Supervisor McConnell moved that the Board concur in the recommendation of staff and approve the issuance of the certification letter, contained in the Memorandum to the Board dated June 8, 1992, to the Virginia Department of Air Pollution Control. This motion was seconded by Chairman Davis.

Following input from Edgar M. Chase, Director of Air Pollution Control, Department of Health, Supervisor Dix moved that the Board defer this item until later in the day, pending receipt of additional information regarding the permitting requirements for DuBrook Concrete, the company involved in this transaction, whose main office is in Pennsylvania. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#88.)

#### **48.A-29 - AUTHORIZATION TO ADVERTISE PROPOSED**

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

#### **CHAPTER 112 (ZONING ORDINANCE), REGARDING THE**

#### **DEFINITION OF NET FLOOR AREA (NFA) (Tape 6)**

(A)

(R)Supervisor McConnell moved that the Board concur in the recommendation of staff and authorize the advertisement of a public hearing to be held before the Planning Commission on July 8, 1992 and before the Board of Supervisors on **July 27, 1992 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to exclude cellar area used exclusively for storage from the definition of Net Floor Area (NFA) for purposes of determining off-street parking requirements. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor McConnell asked unanimous consent that the Board adopt the following Parking Standards Resolution, with the understanding that it will be expanded to include parking in all commercial office areas:

**WHEREAS**, the backbone of the Fairfax Business community is the myriad of small businesses providing goods and services to the other businesses and residents of Fairfax County; and

**WHEREAS**, many retail businesses in Fairfax County are located in neighborhood shopping centers and find it imperative that operating costs be maintained at the lowest possible levels in order to permit the use of cash flow in further developing the businesses themselves, many of which are located in areas of the County specifically targeted for commercial revitalization; and



**WHEREAS**, Fairfax County, Virginia requires that adequate parking be provided on site for all uses, including neighborhood shopping centers; and

**WHEREAS**, Fairfax County, Virginia initiated a review of the parking ordinance in 1987 for the purpose of updating its ordinance to ensure that parking standards for all uses, including neighborhood and community shopping centers, accurately reflect parking demand; and

**WHEREAS**, in conjunction with the County review, the Board established a Parking Committee to which a Parking Study for Neighborhood and Community Shopping Centers was submitted in 1989 which represented a comprehensive, detailed study of parking demand at over 30 local serving shopping centers, covering three seasons for which over 2,000 hourly observations were collected; and

**WHEREAS**, this study and the study of the County's consultant, JHK, found the County's parking standards for shopping centers of 400,000 square feet of gross leasable area or similar to be excessive when compared to actual parking demand; and

**WHEREAS**, Fairfax County desire to promote environmental protection, encourage economic recovery in revitalization areas, combat the further decline of neighborhood shopping centers, provide adequate but not excessive off street parking spaces, and streamline the parking approval process; and

**NOW, THEREFORE BE IT RESOLVED** by the Fairfax County Board of Supervisors that the process for determining shopping center parking requirements should be streamlined to avoid unnecessarily cumbersome requirements for approval each time a new tenant occupies leased space and does, thereby, authorize for advertisement a proposed amendment to the Zoning Ordinance to establish a new separate parking standard for neighborhood and community shopping centers:

"For shopping centers of 400,000 square feet or less of gross floor area, 4.0 parking spaces per 1,000 square feet of gross floor area, plus additional parking for those eating establishments and fast food restaurants which are in excess of 15 percent of the gross floor area for the entire center, plus additional stacking spaces for drive-in windows, as applicable. For the purpose of this parking standard, malls, public toilets, and other common non-leasable area, including storage area, shall not be deemed gross floor area."

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor McConnell amended her request by asking unanimous consent that the Board direct staff to return as expeditiously as possible with specific language for the advertisement of a proposed amendment to the Zoning

Ordinance regarding parking standards in Fairfax County. Without objection, the amended request was so ordered.

**49.A-30 - DENSITY CREDIT FOR ADVANCE DEDICATION  
OF LAND FOR PUBLIC PURPOSES (MORARITY PLACE)  
(BRADDOCK DISTRICT) (Tape 6)**

(DC)

(R)On motion of Supervisor Bulova, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a Resolution, contained in Attachment Four of the Memorandum to the Board, approving density credit for the portion of the following parcels that are to be dedicated for public use for public street purposes. Based on the information available at this time, the following approximate amounts of land are to be dedicated from the following Tax Map Parcels:

**Tax Map Reference Density Credit**

57-4 ((1)) 1A3,398 square feet

57-4 ((1)) 13,615 square feet

57-4 ((1)) 31,525 square feet

57-4 ((1)) 7 218 square feet

**TOTAL**8,756 square feet

**50.A-31 - DENSITY CREDIT FOR ADVANCE DEDICATION  
OF LAND FOR PUBLIC PURPOSES (COMPTON ROAD  
AND UNION MILL ROAD) (SPRINGFIELD DISTRICT)**

**(Tape 6)**

(DC)

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

adopted a Resolution, contained in Attachment 6 of the Memorandum to the Board, approving density credit for the portion of the following lot or parcel that is to be dedicated for public use for public street purposes. Based on the information available at this time, the following approximate amount of land is to be dedicated from the following Tax Map Parcel:

**Tax Map Reference Density Credit**

74-2 ((1)) 7A pt.49,924 square feet

(Formerly 74-2 ((1)) 7

and pt. 10)

**TOTAL**49,924 square feet

**51.A-32 - SUPPLEMENTAL APPROPRIATION**

**RESOLUTION SAR AS 92055 FOR THE**

**DEPARTMENT OF HUMAN DEVELOPMENT TO**

**ACCEPT ADDITIONAL FEDERAL PASS THRU**

**FUNDING FOR THE FEE SYSTEM/AT-RISK**

**DAY CARE PROGRAMS (Tape 6)**

It was the consensus of the Board that this item on Supplemental Appropriation Resolution SAR AS 92055 totalling \$656,612 for the Department of Human Development to accept additional federal pass thru funding for the Fee System/At-Risk Day Care Programs should be deferred until later in the meeting.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#76.)

**52.REQUEST TO RECORD VOTE (Tape 6)**

Because she was out of the room at the time, Supervisor Hanley asked unanimous consent to be recorded as voting "AYE" on Action Items 22, 23, 24, 25, 26, and 27. Without objection, it was so ordered.

**53. C-1 - NATIONAL ASSOCIATION OF COUNTIES'**

**ANNUAL CONFERENCE (Tape 6)**

The Board next considered an item contained in the Memorandum to the Board dated June 8, 1992 regarding the designation of a voting and alternate delegate to represent the County at the National Association of Counties' (NACo) Annual Conference.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board designate Supervisor Hyland as the voting delegate to represent Fairfax County at the NACo Annual Conference. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**54. C-2 - PROPOSED SCHEDULE FOR FALL BOND**

**REFERENDUM ON TRANSPORTATION IMPROVEMENTS**

**(Tape 6)**

The Board next considered an item contained in the Memorandum to the Board dated June 8, 1992 regarding the proposed schedule for Fall Bond Referendum on Transportation Improvements.

Supervisor Berger moved that the Board adopt the proposed schedule for the Fall Bond Referendum on Transportation Improvements. This motion was seconded by Supervisor McConnell.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to delete the public hearing from the schedule because one was held on January 27, 1992, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, regarding the schedule for construction of certain segments of the Fairfax County Parkway, the question was called on the motion which carried by unanimous vote.

As a follow up on this item, Supervisor Berger moved that the Board:

- Direct Mr. Pant and the Office of Transportation staff to discuss with the Virginia Department of Transportation (VDOT) alternative options for the various segments of the Fairfax County Parkway so that County funds can be allocated towards expediting implementation of the Parkway, while at the same time ensuring that we keep the pressure on the State for continued allocation of Federal and State funds for this project;
- Direct staff to analyze the funding needed for Metrorail capital contributions in terms of the actual cash needed to make Fairfax County's payments over the next few years with the understanding that three or four years from now, another Metro referendum will be needed to fulfill our remaining obligations; and
- Direct staff to return to the Board with this information as expeditiously as possible.

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

Supervisor Bulova asked unanimous consent that the Board direct the Acting County Attorney to advise the Board regarding the procedures to be followed with regard to the timely scheduling of a referendum on elected School Board Members. Without objection, it was so ordered.

### **55. C-3 - FAIRFAX COUNTY PUBLIC LIBRARY HOURS**

#### **OF OPERATION-MINI-LIBRARIES (Tape 6)**

The Board next considered an item contained in the Memorandum to the Board dated June 8, 1992 regarding the Fairfax County Public Library hours of operation-mini-libraries.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct staff to make arrangements now to fund the following:

- \$400,000 for six mini-libraries;
- \$22,000 for Southeast Fairfax Development Corporation (SFDC); and
- Two Utilities Analysts for the Department of Consumer Affairs.

This motion was seconded by Supervisor Alexander.

Supervisor Hanley asked that the motion be amended to include approximately \$20,000 for the continuation of the Upper Holmes Run Environmental Monitoring Device, and this was accepted.

Supervisor Hanley asked that the motion be amended with a request for staff to return on **June 22, 1992** with detailed information on the Schools' projected revenue for the collection of recreation fees, and the present policy of the County on the charging of these fees, and this was accepted.

Supervisor Alexander asked that Supervisor Hanley's request also convey the sense of the Board's intent to refrain from charging both adults and children in the Little League, and this was accepted.

Supervisor Bulova asked that the motion be amended with a request that staff consider the reinstatement of \$53,547 to fund the Home Care Developer/Human Services Coordinator, and return to the Board with its recommendation, and this was accepted.

Supervisor Hyland called the Board's attention to his memo presented to the Board on May 4, 1992, which offered to utilize funds anticipated to be received from a negotiated lease prior to July 1, and asked that these funds be considered as an additional funding source.

Supervisor Dix asked that the motion be amended to request staff to consider the funding for the two Utilities Analysts in the Department of Consumer Affairs from the Enterprise Fund, and this was accepted.

Voicing his concern about the Board's funding, at this time, of these items, Supervisor Frey moved that the Board vote on each of the additionally funded items seriatimly. This motion died for lack of a second.

The question was then called on the main motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "**NAY.**"

Vice-Chairman McConnell returned the gavel to Chairman Davis.

## **ADDITIONAL BOARD MATTER**

### **56.RECOGNITION OF CUB SCOUT TROOP 113**

**(Tape 6)**

Supervisor Bulova recognized the presence of members of Cub Scout Troop 113 and warmly welcomed them to the new Board Room.

**57. I-1 - STAFF SUMMARIES OF MARCH AND APRIL, 1992**

**TRANSPORTATION ADVISORY COMMISSION MEETINGS**

**(COUNTYWIDE) (Tape 6)**

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 presenting the Staff Summaries of March and April, 1992 Transportation Advisory Commission (TAC) Meetings.

With a notation regarding the low attendance at the TAC Meetings, Supervisor Hyland asked unanimous consent that the Board direct staff to take the necessary steps to convey the Board's concern to the Chairman of this Commission and to encourage all of the members of the Commission to attend each meeting. Without objection, it was so ordered.

**58. I-2 - ROAD BOND PROGRAM - BOARD OF SUPERVISORS'**

**MONTHLY STATUS REPORT FOR MAY, 1992 (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 presenting the Road Bond Program - Bond of Supervisors' Monthly Status Report for May, 1992.

**59. I-3 - COMMUTER RAIL STATUS REPORT (BRADDOCK, LEE,**

**MASON, MOUNT VERNON AND SPRINGFIELD DISTRICTS)**

**(Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 presenting the Commuter Rail Status Report.

Supervisor Bulova and Supervisor McConnell briefed Board Members on the exciting opening of the Commuter Rail Stations at Burke Center and Rolling Road over the weekend, and announced that a grand time was had by all.

Chairman Davis expressed the Board's gratitude to Supervisor Bulova and Supervisor McConnell for their hard work and diligent efforts towards bringing Commuter Rail to Northern Virginia.

**60. I-4 - STATUS OF ADDITIONAL METROBUS SERVICE**

**REDUCTIONS INCLUDED IN THE FISCAL YEAR (FY) 93**

**ADOPTED BUDGET PLAN (ALL DISTRICTS) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 presenting the Status of additional metrobus service reductions included in the Fiscal Year (FY) 93 adopted Budget Plan and requesting authorization for staff to work with the Washington Metropolitan Area Transit Authority (WMATA) to implement the frequency adjustments (outlined in the Memorandum to the Board) under the WMATA General Manager's authority in lieu of eliminating the Metrobus Route 26G/H.

The staff was directed administratively to proceed as proposed.

**61.I-5 - RETIREMENT SYSTEMS CONTRIBUTION RATES FOR**

**FISCAL YEAR (FY) 1993 (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 presenting the Retirement Systems contribution rates for Fiscal Year (FY) 1993 and requesting authorization for staff to proceed to implement the contribution rates recommendations for FY 1993 for the three County Retirement Systems as outlined in the (Memorandum to the Board).

The staff was directed administratively to proceed as proposed.

**62.I-6 - INCLUSION OF THE FAIRFAX COUNTY EMPLOYEES**

**CREDIT UNION IN THE FAIRCHOICE HEALTH PLAN**

**(Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for staff to proceed to advise the Fairfax County Employees Credit Union that they may participate in the County FairChoice Health Plan beginning July 1, 1992.



The staff was directed administratively to proceed as proposed.

**63. I-7 - HOUSEHOLD HAZARDOUS WASTE PROGRAM**

**(COUNTYWIDE) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for staff to proceed with the Household Hazardous Waste Program as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

**64. I-8 - COMPREHENSIVE HOUSING AFFORDABILITY**

**STRATEGY (CHAS) CERTIFICATION - SECTION 202**

**FUNDING APPLICATION BY VIRGINIA DIOCESAN**

**HOMES (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for staff to sign the letter and Comprehensive Housing Affordability Strategy Certification Statement and forward it to the appropriate persons at Howell Associates, Incorporated.

The staff was directed administratively to proceed as proposed.

**65. I-9 - FAIRFAX COUNTY CHANNEL 16 WINS CABLE ACE**

**AWARDS (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 announcing that the Fairfax County Channel 16 won the Cable ACE Award.

**66. I-10 - FAIRFAX COUNTY ADULT DETENTION CENTER'S**

**FORENSIC STAFF TO PARTICIPATE IN INTERNATIONAL**

**MENTAL HEALTH CONFERENCE (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 announcing the Fairfax County Adult Detention Center's

Forensic Unit was recently declared to be a model for the nation by the State of Virginia and to be a leader in interagency cooperation relating to the care of mental illness in the criminal justice system.

An invitation was extended to Judi O'Neill, Chief of the Forensic Unit, and Dr. James Stratoudakis, Chairman of the Criminal Justice Policy Group's Mental Health Committee, to speak about the use of interagency initiatives at the international conference on the mentally ill being held in London, England in September 1992.

**67. I-11 - CONTRACT AWARD TO WHITENER AND JACKSON,  
INCORPORATED FOR RENOVATION TO HOPKINS GLEN  
APARTMENTS (PROVIDENCE DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for staff to:

- Award a contract to Whitener and Jackson, Incorporated in the amount of \$452,000; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

**68. I-12 - AWARD OF CONTRACTS - PROFESSIONAL  
PSYCHIATRIC SERVICES IN SUPPORT OF THE  
FAIRFAX-FALLS CHURCH COMMUNITY SERVICES  
BOARD (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for staff to execute the contracts as outlined in the Memorandum.

The staff was directed administratively to proceed as proposed.

**69. I-13 - INFORMATION REGARDING THE HEALTH  
DEPARTMENT INSPECTIONS OF RESTAURANTS**

**(Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992

Supervisor Frey asked unanimous consent that the Board refer this matter to the Legislative Subcommittee for its review and investigation of the possibility of the Board seeking enabling legislation (during the next Session of the General Assembly) to impose inspection fees on restaurants. Without objection, it was so ordered.

In addition, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct the Acting County Attorney to review the Virginia Attorney General's opinion on this matter and apprise the Board in Executive Session. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**70. I-14 - AWARD OF CONTRACT FOR CONSTRUCTION AND  
RELATED SERVICES AT THE FIRST STOP GROUP HOME**

**(SPRINGFIELD DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for staff to:

- Award a construction contract to D.D. & B. Construction, in the amount of \$342,000;
- Award a contract to the Fairfax County Water Authority in the amount of \$37,600;  
and
- Allocate funds in the amount of \$56,000 for estimated services for asbestos removal and geotechnical services.

The staff was directed administratively to proceed as proposed.

**71. I-15 - PROPOSAL TO MOVE THE HERITAGE RESOURCES  
BRANCH FROM THE OFFICE OF COMPREHENSIVE PLANNING  
(OCP) TO THE FAIRFAX COUNTY PARK AUTHORITY**

**(FCPA) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for staff to continue discussion of the proposed transfer of the Heritage Resources Branch from the Office of Comprehensive Planning (OCP) to the Fairfax County Park Authority (FCPA) and report back to the Board at its July 27, 1992 meeting.

The staff was directed administratively to proceed as proposed.

**72. I-16 - STATUS OF MARKETING PLAN FROM THE**

**ECONOMIC DEVELOPMENT AUTHORITY (EDA) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for the Economic Development Authority (EDA) to present the marketing plan to the Board in one-on-one meetings scheduled by EDA with Supervisors.

The staff was directed administratively to proceed as proposed.

**73. I-17 - ORGANIZATIONAL LOCATION OF STAFF FOR THE**

**COMMERCIAL REVITALIZATION PROGRAM (CRP) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated June 8, 1992 requesting authorization for staff to:

- Pursue other organizational possibilities for the Commercial Revitalization Program (CRP); and
- Give a status report and/or recommendations when the issue of maintenance of CRP streetscape is presented to the Board in July.

The staff was directed administratively to proceed as proposed.

**JDC:jdc**

**74. 2:00 P.M. - PH ON PROPOSED PROHIBITION OF THROUGH**

**TRUCK TRAFFIC ON MAPLE BRANCH ROAD (ROUTE 646)**

**(SPRINGFIELD DISTRICT) (Tape 7)**

(Verbatim)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearings had been duly advertised in this Newspaper in the issues of May 21 and May 28, 1992.

Following the public hearing, which included testimony by four speakers, Supervisor McConnell moved to defer Board decision until **June 22, 1992 at 3:30 p.m.** to allow additional time for her to conduct a town meeting to determine whether the outstanding issues can be resolved. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger and Supervisor Frey being out of the room.

**75. 2:00 P.M. - PH ON THE CHANGE IN APPROPRIATION****LEVEL TOTALLING \$656,612 FOR THE DEPARTMENT OF****HUMAN DEVELOPMENT TO ACCEPT ADDITIONAL FEDERAL****PASS THRU FUNDING FOR THE FEE SYSTEM/AT-RISK****DAY CARE PROGRAM (Tape 7)**

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearings had been duly advertised in this Newspaper in the issues of May 21 and May 28, 1992.

Following the public hearing, Supervisor Hanley moved approval of the change in the appropriation level for the Department of Human Development totalling \$656,612 for the Fee System/At-Risk Day Care Program. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger and Supervisor Frey being out of the room.

**76. A-32 - SUPPLEMENTAL APPROPRIATION RESOLUTION****SAR AS 92055 TOTALLING \$656,612 FOR THE****DEPARTMENT OF HUMAN DEVELOPMENT TO ACCEPT****ADDITIONAL FEDERAL PASS THRU FUNDING FOR THE**

**FEE SYSTEM/AT-RISK DAY CARE PROGRAM (Tape 7)**

(SAR)(NOTE: Earlier in the meeting there was discussion regarding this item. See Clerk's Summary Item CL#51.)

Supervisor Hanley moved approval of Supplemental Appropriation Resolution SAR AS 92055 totalling \$656,612 for the Fee System/At-Risk Day Care Program. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger and Supervisor Frey being out of the room.

**77. 2:00 P.M. - BOARD DECISION ON OUT-OF TURN PLAN**

**AMENDMENT S92-III-UP1; FOR PROPERTIES NORTH OF**

**THE DULLES AIRPORT ACCESS ROAD, SOUTH OF THE**

**TOWN OF HERNDON BOUNDARY LINE, BETWEEN THE**

**LOUDOUN COUNTY BOUNDARY LINE ON THE WEST AND**

**REFLECTION LAKE SUBDIVISION ON THE EAST**

**(DRANESVILLE DISTRICT) (Tape 7)**

Following discussion, it was the consensus of the Board to defer this item until later in the meeting.

(NOTE: Later in the meeting, action was taken regarding this issue. See Clerk's Summary Item CL#89.)

**78. 2:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 92-V-014 (MOUNT VERNON SEAFOOD) (MOUNT VERNON**

**DISTRICT) (Tape 7)**

Mr. Edward Wolf reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Frey being out of the room.

Supervisor Hyland moved:

- Approval of Special Exception Application SE 92-V-014 subject to the revised development conditions dated June 8, 1992;
- Waiver of the minimum lot area and open space requirements;
- Waiver of the interior parking lot landscaping and peripheral parking lot landscaping, with the exception of the area along Mohawk Lane where the peripheral parking lot landscaping shall be provided, in accordance with Development Condition Number 7;
- Waiver of the transitional screening and barrier requirements along the eastern side of the site adjacent to the school property;
- Waiver of the 10-day waiting period for a building permit required by Article 18-603 of the Zoning Ordinance; and
- That the Board of Supervisors direct the Clerk to the Board of Supervisors to complete the letter of approval and make it available to the applicant and appropriate staff by June 9, 1992.

The second to this motion was inaudible. The motion carried by a vote of nine, Supervisor Frey being out of the room.

**79. 2:00 P.M. - BOARD DECISION ON SPECIAL EXCEPTION**

**APPLICATION SE 91-S-013 (BURKE VILLAGE CENTER**

**ASSOCIATES, LIMITED PARTNERSHIP) (SPRINGFIELD**

**DISTRICT) (Tape 7)**

(NOTE: The public hearing was held on May 4, 1992 and Board decision deferred until May 27, 1992. Again, on May 27, 1992, the Board deferred decision until June 8, 1992.)

Prior to leaving the Board Room to attend to business in the Board Conference area, Chairman Davis relinquished the Chair to Vice-Chairman McConnell.

Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Alexander and moved approval of Special Exception Application SE 91-S-013 subject to the revised development conditions dated June 8, 1992 which include new Condition Numbers Seven through 18. This motion was seconded by Supervisor Hyland.

Supervisor McConnell stated that the conditions are permanent and that the Board would not consider removing the conditions at a later time even if there are no problems. She added that a commitment had been made to the surrounding neighborhoods and that she would not be favorable to amendments.

Following discussion, Supervisor McConnell amended the motion to include that if the neighborhood determines that there is no need for security personnel, the applicant would not need to provide security.

The question was called on the motion, and as amended, **CARRIED** by a recorded vote of seven, Supervisor Bulova voting "NAY," Supervisor Hanley abstaining, and Chairman Davis being out of the room.

Supervisor McConnell moved modification of the barrier and transitional screening requirements along Burke Lake Road in favor of planting and maintaining of evergreen trees and landscaping as shown on the revised Special Exception Plat dated June 8, 1992 and associated development conditions. This motion was seconded by Acting-Chairman Alexander and **CARRIED** by a recorded vote of seven, Supervisor Bulova voting "NAY," Supervisor Hanley abstaining, and Chairman Davis being out of the room.

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

#### **80. 2:30 P.M. - PH ON REZONING APPLICATION**

##### **RZ 91-Y-008 (ROBERT B. TURAK) (SULLY DISTRICT)**

**(Tape 7)**

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 91-Y-008 **until July 13, 1992 at 4:00 p.m.** due to the applicant's failure to notify the surrounding property owners. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Chairman Davis being out of the room.

#### **81. 2:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

##### **SE 91-M-040 (SONG BOK AND JAE HWA LEE) (MASON**



**DISTRICT) (Tape 7)**

Mr. John Denucci reaffirmed the validity of the affidavit for the record.

Mr. Denucci 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 Trapnell moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Dix and Chairman Davis being out of the room.

Supervisor Trapnell moved that the Board:

- Approve Special Exception Application SE 91-M-040 subject to the revised development conditions dated April 22, 1992;
- Modify the transitional screening to that shown on the Special Exception Plat.
- Waive the barrier requirements in accordance with Paragraph 2, Section 13-304 of the Zoning Ordinance; and
- Direct the Director of the Department of Environmental Management (DEM) to waive the service drive requirement for the property along its Little River Turnpike frontage.

This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Chairman Davis being out of the room.

**82. 2:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE****OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING****ORDINANCE) REGARDING MINIMUM YARD REQUIREMENTS****FOR CERTAIN R-C ZONED LOTS (Tape 7)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearings had been duly advertised in this Newspaper in the issues of May 21, and May 28, 1992.

Following the public hearing, Supervisor Frey moved approval of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise the Special Permit provisions regarding modifications to the minimum yard requirements for certain R-C zoned lots **to become effective on 12:01 a.m., June 9, 1992**. This motion was seconded by Vice-Chairman McConnell and carried by a vote of seven, Supervisor Bulova, Supervisor Hanley, and Chairman Davis being out of the room.

**83. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT**

**APPLICATION PCA 83-P-036-2 AND SPECIAL EXCEPTION**

**APPLICATION SE 92-P-015 (8400 OLD COURTHOUSE ROAD**

**ASSOCIATES, LIMITED PARTNERSHIP) (PROVIDENCE**

**DISTRICT) (Tape 7)**

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh 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 Hanley moved approval of Proffered Condition Amendment Application PCA 83-P-036-2 subject to the execution of proffers dated May 21, 1992, with an amendment to the traffic signal proffer to change the escalation date for contributions. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Chairman Davis being out of the room.

Supervisor Hanley moved approval of Special Exception Application SE 92-P-015 subject to the revised development conditions dated May 26, 1992. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Chairman Davis being out of the room.

Supervisor Hanley moved waiver of the minimum lot width requirements pursuant to Section 9-610 of the Zoning Ordinance. This motion was seconded by Supervisor

Alexander and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Chairman Davis being out of the room.

**84. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT**

**APPLICATION PCA 86-L-056-2 AND SPECIAL EXCEPTION**

**APPLICATION SE 92-M-020 (CONTINENTAL-BREN MAR**

**ASSOCIATES, L.P. AND CAFFERTY BREN MAR**

**ASSOCIATES, L.P.) (MASON DISTRICT) (Tape 7)**

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

Mr. Hurt 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, with testimony by one speaker, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Trapnell moved approval of Proffered Condition Amendment Application PCA 86-L-056-2 subject to the execution of proffers dated May 13, 1992. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Chairman Davis being out of the room.

Supervisor Trapnell moved that the Board:

- Approve Special Exception Application SE 92-M-020 subject to the revised development conditions dated May 12, 1992; and
- Reaffirm the waiver of the barrier requirements, pursuant to Section 13-104 of the Zoning Ordinance.

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

**85. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 91-M-058 (AMANDA CORPORATION, A VIRGINIA**

**CORPORATION) (MASON DISTRICT) (Tape 7)**

Mr. William B. Lawson, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Lawson 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.

Supervisor Trapnell disclosed the following campaign contribution that she had received:

- In the amount of \$200.00 from Mr. Payne.

On behalf of Chairman Davis, Supervisor Trapnell announced that he had also received a campaign contribution.

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

- In the amount of \$100.00 from Mr. Hubert Jay Hoffman.

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

Supervisor Trapnell moved that the Board:

- Approve Special Exception Application SE 91-M-058 subject to the revised development conditions dated May 22, 1992;
- Waive the open space requirement;
- Waive the transitional screening and barrier requirement along the property's Carlin Springs Road frontage in accordance with Paragraph 2 of Section 13-304 of the Zoning Ordinance; and
- Waive the interior and peripheral parking lot landscaping requirements.

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

**86. 3:30 P.M. - PH ON A PROPOSAL TO VACATE A PORTION  
OF CASEMONT DRIVE (ROUTE 2308) (DRANESVILLE  
DISTRICT) (Tape 8)**

(O)Certificates of Publication were 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 May 21 and May 28, 1991.

Following the public hearing, Supervisor Berger moved adoption of the Ordinance vacating a portion of Casemont Drive (Route 2308). This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Chairman Davis being out of the room.

**87. 3:30 P.M. - PH ON A PROPOSAL TO VACATE A PORTION  
OF ROSS STREET (ROUTE 1448) (MOUNT VERNON  
DISTRICT) (Tape 8)**

(O)Certificates of Publication were 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 May 21 and May 28, 1991.

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

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved adoption of the Ordinance vacating a portion of Ross Street (Route 1448). This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Trapnell being out of the room.

**88.ADDITIONAL INFORMATION REGARDING ACTION ITEM  
A-28 - CERTIFICATION OF COMPLIANCE WITH LOCAL  
ORDINANCES (Tape 8)**

(NOTE: Earlier in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#47.)

Following input from staff, it was determined that the applicant did not have a business license; however, he will apply for one.

Supervisor Dix asked unanimous consent that the Board direct the Acting County Executive to ensure that businesses coming from outside of the County and conducting business in the County are required to have a business license. Without objection, it was so ordered.

Following discussion, Supervisor Dix moved that the Board concur in the recommendation of staff and approve the issuance of the certification letter, contained in the Memorandum to the Board dated June 8, 1992, to the Virginia Department of Air Pollution Control. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor McConnell being out of the room.

#### **89. 2:00 P.M. - BOARD DECISION ON OUT-OF TURN PLAN**

#### **AMENDMENT S92-III-UP1; FOR PROPERTIES NORTH OF**

#### **THE DULLES AIRPORT ACCESS ROAD, SOUTH OF THE**

#### **TOWN OF HERNDON BOUNDARY LINE, BETWEEN THE**

#### **LOUDOUN COUNTY BOUNDARY LINE ON THE WEST AND**

#### **REFLECTION LAKE SUBDIVISION ON THE EAST**

#### **(DRANESVILLE DISTRICT) (Tape 8)**

(NOTE: On April 27, 1992 the public hearing was held and on May 4, 1992 there was a discussion of the issues related to this proposed Plan amendment. The Board passed a motion in support of the general intent and concepts of Option A, the Dranesville Task Force recommendation. Board decision was deferred until June 8, 1992.)

(NOTE: Earlier in the meeting, it was the consensus of the Board to defer this item until later in the meeting. See Clerk's Summary Item CL#77.)

Supervisor Berger expressed his appreciation to Supervisor Alexander and Supervisor Dix for joining him in meeting with representatives of the various community associations located adjacent to the Dulles Transition Area.

Supervisor Berger distributed to Board Members the recommendation for the Dulles Transition Area. Attached to his memorandum to Board Members dated June 4, 1992, the proposed recommendation is entitled, "Out-of-Turn Plan Amendment S92-III-UPI, Dulles Transition Area, June 8, 1992," and contains five pages.

Supervisor Berger briefed Board Members that the text incorporates the recommendation of the Dranesville Task Force (Option A) and the language proposed is a modification of the Dranesville Task Force language as set forth in the Staff Report. It includes some language changes which were discussed at a meeting held on May 13, 1992 which included citizen representatives of the various community associations, and Supervisor Alexander and Supervisor Dix. The recommendation also includes language which more specifically enforces that Rock Hill Road and Innovation Avenue will not be cut through to Reflection Lake and Four Seasons. Supervisor Berger stated that the Dranesville Task Force language has been clarified with specific language originally suggested by the Planning Commission which creates setbacks twice the standard applicable for R-20 Zoning Categories. In addition, because individuals expressed concerns regarding the airport noise, even though the Dulles Transition Area is outside of the 65 Ldn contour, the recommendation includes a specific noise attenuation standard adopted from provisions in the Zoning Ordinance Noise Overlay District.

Supervisor Berger moved that the Board approve the proposed recommendation, "Out-of-Turn Plan Amendment S92-III-UPI, Dulles Transition Area, June 8, 1992," with the following modifications:

•Page Four, first bullet, fourth line down, **ADD** the following language to the end of the sentence, to read:

"....additional plantings as appropriate **to screen the higher density residential areas from existing single family detached houses.**"

•Page Five, second bullet, fifth line down, **ADD** the following language to the end of the sentence, to read:

"....additional landscaping as appropriate **to screen the higher density residential areas from existing single family detached houses.**"

This motion was seconded by Supervisor Alexander.

Supervisor Hyland moved a substitute motion that the Board approve the Planning Commission recommendations as contained and modified, Option B, as set forth in the Staff Report. This motion was seconded by Supervisor Hanley.

The question was called on the substitute motion which **FAILED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE.**"

Following discussion, with input from staff, Chairman Davis stated that there is no language in the Plan which addresses any possible dedication or assistance from the applicant for a park-and-ride station. He stated that the Board would expect this to be an item for negotiation at the public hearing for the rezoning request. He recognized the presence in the Board Room of one of the potential applicants and, for the record, questioned whether it was the applicant's intent, as the rezoning request proceeds, to address either a dedication or an infrastructure contribution to a park-and-ride station as part of their rezoning application should the Virginia Department of Transportation (VDOT) determine that this would be an appropriate location. Brent Clark, Vice-President, Alan I. Kay Companies, responded that this is the applicant's intent.

Supervisor Hanley asked that the main motion (Supervisor Berger's) be amended to **ADD** bullets under Land Units C and D to include the following language from the "Hubbard Revisions," contained in the Memorandum to the Board dated June 8, 1992 and numbered as (handwritten) Page 38, as follows:

- "Provision is made for affordable housing either through compliance with the Affordable Dwelling Unit Ordinance, if applicable, or an appropriate proffer of units of land for affordable housing as defined by the ordinance."

This amendment was accepted.

Following further discussion, the question was called on the main motion (Supervisor Berger's), as amended, which **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**NAY.**"

In response to a request from staff, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board authorize staff to make minor modifications to Figure 136 which shows transit facilities. Currently, there is a notation that states that the "...facility should be less than .5 acres..." Staff suggests that this notation be deleted and leave the site to be determined. Without objection, it was so ordered.

With regard to the specific site location on the CIT property, in response to a request from staff, Supervisor Davis further asked unanimous consent that the Board authorize staff to modify the figure to show a more generalized location, unless a specific site has been selected, in which case the staff would reflect this. Without objection, it was so ordered.



With regard to the Comprehensive Plan map that now shows this area as planned for 2-3, in response to a request from staff, Supervisor Davis asked unanimous consent that the Board authorize staff to modify this to show mixed-use for the Dulles Transition Area. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**SBE:sbe**

**90. 3:30 P.M. - PH ON AN AMENDMENT TO THE CODE**

**OF THE COUNTY OF FAIRFAX, TO CREATE**

**CHAPTER 118 (CHESAPEAKE BAY PRESERVATION**

**ORDINANCE) (Tapes 9-13)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearings had been duly advertised in this Newspaper in the issues of May 14, and May 21, 1992.

Because of the lateness of the hour, Chairman Davis requested staff to waive its presentation. He announced that it is the Board's intent, following the public hearing, to defer Board decision on the proposed amendment to the Code of the County of Fairfax, to create Chapter 118 (Chesapeake Bay Preservation Ordinance), until June 22, 1992.

**Additional Board Matter:**

**PRESENCE IN BOARD ROOM RECOGNIZED:**

**JEAN PACKARD AND JACK HERRITY,**

**FORMER CHAIRMEN OF THE BOARD OF**

**SUPERVISORS (Tape 9)**

Chairman Davis recognized the presence in the Board Room of Jean Packard, former Chairman of the Board of Supervisors, and he warmly welcomed her.

Supervisor McConnell recognized the presence in the Board Room of Jack Herrity, former Springfield District Representative and Chairman of the Board of Supervisors, and she warmly welcomed him.

Because the Board's intent is to defer decision until June 22, 1992, Supervisor Bulova asked unanimous consent that the Board:

- Direct staff to schedule a work session for Board Members on this matter; and
- Direct staff to provide its presentation to Board Members at the work session.

Without objection, it was so ordered.

Following the testimony of Speaker Number 15, Al Hagelis, Supervisor of Architecture and Design, Reston Land Corporation, Supervisor Bulova asked unanimous consent that the Board direct staff to review Mr. Hagelis' testimony and report with comments at the Board's work session.

Supervisor Alexander asked that the request be amended to include that the Board also request staff to respond to Mr. Hagelis' testimony that addressed portions of the proposed ordinance that would prohibit multi-use developments similar to Reston, and this was accepted.

Without objection, the amended request was so ordered.

Following the testimony from Speaker Number 22, Stella Koch, Chairman, Environmental Subcommittee, Federation of Homeowners Association, Chairman Davis announced that the record would be held open **for written testimony only** until June 22, 1992. He requested Ms. Koch to submit for the record the chart and information regarding storm water management ponds she referred to in her testimony.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff, when setting up the Board's work session, to do so under the auspices of the Board's Environmental Subcommittee (Supervisor Hyland, Chairman), as well as the Environmental Quality Advisory Committee (EQAC). Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following the testimony from Speaker Number 56, Sandra Phelps, Representative, Mason District Land Use and Transportation Advisory Committee, Chairman Davis

relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to provide Board Members with an update at the work session regarding the property behind Ms. Phelps' home which borders on three sides by Holmes Run Stream Valley. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following the public hearing, which included testimony by 56 speakers, Supervisor Hanley moved that the Board defer decision on the proposed amendment to the Code of the County of Fairfax, to create Chapter 118 (Chesapeake Bay Preservation Ordinance) until **June 22, 1992 at 3:30 p.m.** and to keep the record open **for written testimony only**. This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked that the motion be amended to direct staff to schedule the Board's work session for **June 22, 1992 at 8:00 a.m.**, and this was accepted.

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

## **ADDITIONAL BOARD MATTERS**

### **91. DISTRICT ELECTION SCHEDULED FOR SCHOOL BOARD**

#### **FINALISTS FOR APPOINTMENT TO THE SPRINGFIELD**

#### **DISTRICT SEAT (Tape 13)**

(BACs)

Supervisor McConnell announced the names of the following individuals for consideration as the Springfield District Representative on the School Board:

- Mr. Bill Finefrock;
- Mr. Gary Jones;
- Ms. Donna Bruce; and
- Mr. Thomas A. Fabyanic.

Supervisor McConnell announced that a District Election will be held on Saturday, June 13, 1992 from 9:00 a.m. until 2:30 p.m. at the following voting locations:

- West Springfield Governmental Center;
- Sangster Elementary School;
- Terra Center Elementary School; and
- Clifton Elementary School.

Interested Springfield District residents may contact Supervisor McConnell's Office to determine whether they are eligible to vote. All absentee voting at Supervisor McConnell's Office will start on Wednesday from 9:00 a.m. until 5:00 p.m. These votes will be secured in a ballot box at the local police station and will be included as part of the process.

## **92.MARROW TESTING SCHEDULED AT THE FAIR LAKES**

### **FITNESS CENTER (Tape 13)**

Supervisor Frey announced that the National Institutes for Health will be conducting marrow testing on June 10, 1992 from 10:00 a.m. until 8:00 p.m. at the Fair Lakes Fitness Center. Volunteers will be tested and placed in the National Marrow Donor Program (NMDP).

Interested individuals are encouraged to participate. For further information, individuals can contact Anna Lee at 620-2558.

## **93.ABSENCE OF JOHN "LEE" CARROLL, ELECTRONIC**

### **EQUIPMENT TECHNICIAN, OFFICE OF GENERAL**

### **SERVICES (Tape 13)**

Chairman Davis noted the absence of John "Lee" Carroll, Electronic Equipment Technician, Office of General Services, who has provided 25 years of outstanding technical support for the Board Room. He stated that at the Board of Supervisors' meeting held on March 23, 1992, action was taken to request Mr. Carroll's presence, in the same capacity, at the New Government Center. He questioned why Mr. Carroll was not present during today's meeting.

As previously directed by the Board, Supervisor McConnell moved that the Board direct staff to resolve this issue and ensure, in the future, that the staffing at the Board

of Supervisors' meetings include Mr. Carroll. This motion was seconded by Chairman Davis and carried by unanimous vote.

**PMH:pmh**

**94. 7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON THE  
APPOINTMENT OF RESIDENTS FROM THE BRADDOCK, MOUNT  
VERNON, PROVIDENCE AND SPRINGFIELD DISTRICTS TO  
THE FAIRFAX COUNTY SCHOOL BOARD (Tapes 14-15)**

(BACs)

[NOTE: In accordance with Virginia Code, Section 22.1-29.1 (1987), the board of Supervisors is required to hold a public hearing to receive the views of citizens on the appointment of School Board Members at least seven days prior to an appointment. No person whose name has not been considered at the public hearing may be appointed. Appointments to these seats will be made at the Board of Supervisors' meeting scheduled for June 22, 1992.]

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of May 21 and May 28, 1992.

Supervisor McConnell announced the names of the following individuals for consideration as the Springfield District Representative:

- Mr. Bill Finefrock;
- Mr. Gary Jones;
- Ms. Donna Bruce; and
- Mr. Thomas A. Fabyanic.

Supervisor Hyland announced the names of the following individuals for consideration as the Mount Vernon District Representative:

- Ms. Kristen J. Amundson;

- Mr. Maurice L'Heureux;
- Mr. John G. Bowen; and
- Ms. Deborah J. Fountain.

Supervisor Hanley announced the name of the following individual for consideration as the Providence District Representative: Ms. Letty Fleetwood.

Supervisor Bulova announced the names of the following individuals for consideration as the Braddock District Representative:

- Ms. Laura McDowall; and
- Ms. Kathy Smith;
- Mr. James McConville;
- Dr. Alok K. Berry; and
- Mr. George D. Billinson.

The public hearing was held and testimony was given by 30 speakers.

It was the consensus of the Board to hold the record open on the public hearing to receive **written testimony only** until the Board's Decision on the appointments scheduled for **June 22, 1992 at 10:45 a.m.** It was noted that any comments submitted regarding individuals to be considered for the School Board vacancies are limited to those names proposed at the public hearing.

## **95.CREATION OF COUNTY GOVERNMENT COMMITTEE**

### **(Tape 15)**

#### **(BACs)**

Chairman Davis briefed Board Members that in 1966, Fairfax County voters elected to adopt the urban county executive form of government. He stated that this government has been durable and flexible and has served the County well, and continues to be the most progressive and autonomous form of government for any county in the Commonwealth.

Chairman Davis stated that Fairfax County's population has doubled since that time and local government's responsibilities have grown as well. While Board Members may differ on whether the County government needs much change, many citizens feel that the change should be considered. The recent petitions to change the government and the charter document prepared by the Citizens Assembly are evidence of that interest in change.

Accordingly, Chairman Davis relinquished the Chair to Acting-Chairman Bulova and moved that the Board adopt, in principle only, a committee to study the County's government to determine whether it has the structure and the tools to serve the future needs and interests of the community. The committee should review the County government to identify its strengths and to determine what, if any, improvements can be recommended. Particular emphasis should be placed on the roles of elected and administrative officials, as well as governmental powers and duties. The group should report its findings to the Board. The report should include recommendations on implementing any proposed changes. Options to be considered should include:

- Should the urban county executive form of government be revised;
- Should a new general form of government be adopted; or
- Should the County seek a special charter form of government as either a county or a city?

The study committee should include persons who have been nominated by groups which represent a broad range of interests. The membership should include:

- One member nominated by each Member of the Board;
- One member each nominated by the Republican and the Democratic Parties;
- One member nominated by the Federation of Citizens Associations;
- One member nominated by the League of Women Voters;
- One member each nominated to represent interests of asian, black, and hispanic citizens;
- One member nominated by the Taxpayers Alliance;
- One member nominated by the Citizens for Sensible Taxation;

- One member nominated by the Fairfax County Chamber of Commerce;
- One member nominated by the Fairfax Bar Association;
- One member nominated to represent the National Association of Industrial and Office Parks (NAIOP) and the Northern Virginia Building Industry Association (NVBIA);
- One House member nominated by the County's Republican Delegation to the House of Delegates;
- One House member nominated by the County's Democratic Delegation to the House of Delegates;
- One Senate member nominated by the County's Republican Delegation to the State Senate; and
- One Senate member nominated by the County's Democratic Delegation to the State Senate.

Supervisor Davis stated that this committee will take some time to appoint members and get underway, so at this time, his motion is to adopt this matter in principle only. Appointments should be listed for the Board of Supervisors' meeting scheduled for July 13, 1992, which will provide time for Board Members to receive nominations from those groups who are being invited to participate. The committee should plan on taking approximately one year to report its findings and recommendations, so that the Board of Supervisors can conduct public hearings, take action, and submit any desired legislative changes to the General Assembly in January 1994. The second to this motion was inaudible.

Supervisor Hanley asked that the motion be amended to accept any membership recommendations from the House of Delegates and State Senate on how they would like to be represented, and this was accepted.

Following a query by Supervisor Hyland, Supervisor Davis stated that once the County Government Committee has been established, a joint meeting with the Board of Supervisors or with the Board's Subcommittee would be scheduled.

Supervisor Dix asked that the motion be amended to include in the composition one member from the Northern Virginia Board of Realtors, and this was accepted.



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

(NOTE: Later in the meeting, staff members were commended for their outstanding performance on this issue. See Clerk's Summary Item CL#118.)

## **96.PURPOSE OF THE RESTRUCTURING AND**

### **REORGANIZATION SUBCOMMITTEE (Tape 15)**

(BACs)

Supervisor Davis recalled that the Board has received many comments and suggestions in recent months about methods to improve and streamline the provision of County services. He stated that the Board has established the County Charter Commission; the Fairfax County Chamber of Commerce has released a report; the Commission on Fiscal and Spending Priorities will soon present their findings to the Board; and employees have provided many important suggestions through their survey. In addition, he noted that the Board has received important comments from citizens in the course of the budget hearings, and many Board Members have read the best-seller, *Re-inventing Government*, which recommends many innovative techniques for structuring and governing municipalities. In January 1992, the Board created a subcommittee for Restructuring and Reorganization and named Supervisor Bulova as Chair and Supervisor Dix as Vice-Chair.

Supervisor Davis moved that the Board charge the Restructuring and Reorganization Subcommittee to serve as the coordinating body to gather and synthesize these various suggestions and recommend appropriate strategies for implementation. He stated that this will enable the Board's privatization efforts to continue and other initiatives, such as the information technology and business process redesign, to proceed. With the Board's support, the Restructuring and Reorganization Subcommittee will keep abreast of this work and develop a plan to implement their suggestions. He stated that it is essential that the Board charge the Restructuring and Reorganization Subcommittee with the proactive task of monitoring and promoting improvement in the County's structure and service delivery. This motion was jointly seconded by Supervisor Frey and Supervisor Hanley.

Following comments by Acting-Chairman Bulova, the question was called on the motion which carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**97.APPOINTMENTS TO THE SMALL AND DISADVANTAGED**

**BUSINESS COMMISSION (Tape 15)**

(APPTs)

Supervisor Davis moved the appointments of the following individuals to the Small and Disadvantaged Business Commission:

- Mr. Robert P. Rogers, Jr. as an At-Large Representative;
- Mr. Antonio Monroig as an At-Large Representative;
- Ms. Mary T. Hay as an At-Large Representative;
- Ms. Bonnie Horner as an At-Large Representative; and
- Mr. Donald Grant as the National

Association for the Advancement of

Colored Persons (NAACP) Representative.

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

**98.APPOINTMENTS TO THE CHAS (COMPREHENSIVE**

**HOUSING AFFORDABILITY STRATEGY) COORDINATING**

**COMMITTEE (Tape 15)**

(APPTs)

Supervisor Davis moved that the Board confirm the following appointments to the CHAS (Comprehensive Housing Affordability Strategy) Coordinating Committee:

- Dr. Eunice B. Kirkbride as the Homeless Service  
Provider Representative;

- Ms. Judi Booe as the Federation of

Citizen Associations Representative; and

•Mr. James Jenkins as the Countywide

Black Citizens' Association Representative.

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

## **99.APPOINTMENT TO THE PLUMBING ADVISORY AND**

### **LICENSING BOARD (Tape 15)**

(APPT)

Supervisor Davis stated that at the Board of Supervisors' meeting held on May 4, 1992, action was taken to request the Department of Environmental Management (DEM) to seek a representative to fill the At-Large Class A Plumbing Contractor vacancy on the Plumbing Advisory and Licensing Board.

Accordingly, Supervisor Davis moved the appointment of Mr. Fred W. Borden, III, as the At-Large Class A Plumbing Contractor Representative to the Plumbing Advisory and Licensing Board. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

## **100.REIMBURSEMENT RATES FOR USE OF COUNTY**

### **VEHICLES (Tape 15)**

Supervisor Davis stated that it has been called to his attention that there is a inconsistency between the School System and the general County government in the reimbursement rates for the use of personal vehicles for official County business. General County government reimburses at a rate of 26 cents per mile and the School System reimburses at a rate of 25 cents per mile.

Supervisor Davis stated that this inconsistency prompted an informal survey conducted by his office of reimbursement rate used by neighboring jurisdictions:

## **General**

**Schools Government Jurisdiction**

\$.21\$.26 City of Alexandria

\$.24\$.24 City of Arlington

\$.24\$.24 Loudoun County

\$.28\$.24 Montgomery County

The GSA maximum rate is 25 cents.

Supervisor Davis asked unanimous consent that the Board direct staff to report with a Consideration Item regarding this matter. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

**101. VACATION OF A PORTION OF BEVERLY ROAD****(Tape 15)**

(R)Supervisor Berger stated that a constituent of the Dranesville District is suffering an extreme hardship which can only be relieved through the expeditious vacation of a portion of Beverly Road. The owner purchased Lot 12B with the intent of building a house. This house, because of setback requirements, can only be built by placing it on a portion of the Beverly Road right-of-way. Beverly Road pavement does not exist on this portion of the right-of-way. When the owner purchased Lot 12B, the Circuit Court land records showed that this portion of Beverly Road was vacated and the surveyor's records certified this vacation. In addition, the land records showed that this portion of Beverly Road had been vacated at the time that the parcel had been approved for subdivision.

Following discussion, with input from Robert L. Howell, Acting County Attorney, regarding the public hearing requirements, Supervisor Berger moved that the Board adopt the Resolution granting to the Acting County Executive the authority to sign a deed of vacation which meets the requirements of Virginia Code §15.1-482(a), and all other necessary documents, on behalf of the Board, for the vacation of a portion of a plat of Beverly Manor Subdivision on which is shown a portion of Beverly Road from Melrose Drive to the western boundary of Lot 12, Block L, Beverly Manor Subdivision, as more particularly described and shown on a metes and bounds schedule dated May 19, 1992, and a plat entitled "Plat showing vacation of a portion of Beverly Road within Beverly Manor Subdivision," dated May 7, 1992, prepared by

Christopher Consultants, Incorporated, contingent on all criteria being met and the signatures of all abutting property owners. This motion was seconded by Chairman Davis.

Supervisor Dix asked that the motion be amended to include language that prior to the Acting County Executive's signature, as has been stated by Supervisor Berger: (a) that all signatures would be obtained; (b) that satisfactory comments are received as indicated on Page Two of the Resolution, third WHEREAS "...as a matter of standard County policy, requests comments from County agencies and utility companies..."; and (c) satisfactory results from those comments regarding potential requirements for easements be satisfied, and this was accepted.

The question was then called on the motion, and as amended, **CARRIED** by a recorded vote of six, Supervisor Hanley abstaining, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **102.APPOINTMENT TO FAIRFAX COUNTY WATER AUTHORITY**

**(Tape 15)**

(APPT)

Supervisor Berger moved the appointment of Ms. Pamela Danner as the Dranesville District Representative to the Fairfax County Water Authority. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **103.APPOINTMENT TO CHAS (COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY) COORDINATING COMMITTEE**

**(Tape 15)**

(APPT)

Supervisor Berger moved the appointment of Mr. Robert Spunar as the Dranesville District Representative to the CHAS (Comprehensive Housing Affordability Strategy) Coordinating Committee. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **104.APPOINTMENT TO PROJECT SELECTION COMMITTEE**

**(Tape 15)**

(APPT)

Supervisor Berger moved the appointment of Mr. Dale Adams as the Dranesville District Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**105.AUTHORIZATION TO ADVERTISE A PUBLIC HEARING****ON PROPOSED OUT-OF-TURN PLAN AMENDMENT,****AREA III PLAN UP7, WEST OX COMMUNITY****PLANNING SECTOR, LAWYERS BOULEVARD (Tape 15)**

(A)Supervisor Dix stated that Lawyers Boulevard has been an element of the Fairfax County Comprehensive Plan since the late 1960's, and particularly the Countywide Transportation Plan. The EDS Corporation has proffered to construct two lanes of Lawyers Boulevard between Centreville Road and West Ox Road.

Supervisor Dix stated that the design of Lawyers Boulevard has been extensively reviewed by and coordinated with local citizen groups and staff. The citizens are concerned that the construction of more than two lanes of Lawyers Boulevard prior to the completion of other planned road improvements in the area could adversely affect other connecting streets and adjacent communities. The citizens wish to be assured that the widening of Lawyers Boulevard will not take place until other planned improvements have been made. This condition can be included in language of the Comprehensive Plan. Because the area east of Centreville Road is not included within the Route 28 Area Study, references to this segment of Lawyers Boulevard could not be included in the Plan Amendment associated with this study.

Therefore, Supervisor Dix moved that the Board:

- Authorize staff to advertise a public hearing on an Out-of-Turn Plan Amendment to add language which addresses the timing of widening Lawyers Boulevard to four lanes to Page 371 of the Area III Plan; and
- Direct staff to schedule the necessary public hearings on this Countywide Transportation Plan element as expeditiously as possible.

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

#### **106.LAWYERS ROAD EXTENDED PROJECT (Tape 15)**

Supervisor Dix stated that the EDS Corporation has proffered to construct two lanes of Lawyers Road (to be named and referenced in the Comprehensive Plan as "Lawyers Boulevard" at some future date) between Centreville Road and West Ox Road. The design of this segment of (future) Lawyers Boulevard has been extensively reviewed by and coordinated with local citizen groups.

On September 17, 1990, action was taken by the Board of Supervisors to fund Lawyers Road Extended Project Number 64137, to complete the grading and drainage for the ultimate four-lane cross section of Lawyers Boulevard between Centreville Road and West Ox Road. The intent was to coordinate this additional two-lane grading with the EDS Corporation. Since January 1992, there have been additional discussions and meetings with citizen groups, most particularly representatives of the Bradley Farms Subdivision, regarding this project. It is the desire of the majority of the homeowners in that subdivision that will be impacted by this project to limit the scope of work at this time to only the two-lane construction proffered by EDS. The homeowners along the right-of-way have already been compensated for easements required for the four-lane construction of Lawyers Boulevard, and these easements will not expire until the additional grading for the ultimate four-lane section is completed in the future. In addition, the grading for the additional two-lanes cannot begin until Fiscal Year (FY) 1994 because of funding restrictions approved by the Board of Supervisors on February 10, 1992.

Therefore, Supervisor Dix moved that the Board direct staff to exclude the grading for the future two additional lanes of the Lawyers Road Extended Project along the Bradley Farms Subdivision between the area east of the Horsepen Run Crossing approximate (Station 47+00) and the West Ox Road Intersection (Station 61+00). This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **107.WOLF TRAP FOUNDATION - "BIG APPLE CIRCUS"**

##### **(Tape 15)**

Supervisor Dix stated that the Wolf Trap Foundation for the Performing Arts, as the local sponsor, has filed an application for a temporary Special Permit with the Board

of Zoning Appeals (BZA) to permit a circus to exceed its 21 consecutive day time limit defined by County zoning regulations. The Big Apple Circus, a not-for-profit performing arts organization, plans to locate for a month long engagement within the Reston Town Center this fall. The 1992 engagement represents the Big Apple Circus' Sixth Annual Washington area engagement and its first appearance in Northern Virginia. In addition to the temporary Special Permit, the Circus must also file a Site Plan waiver request with the Department of Environmental Management (DEM) and apply for other County agency approvals prior to occupying this site.

So that the Wolf Trap Foundation and the Big Apple Circus may now begin all of the necessary County approval processes and soon know, with confidence, the reality of the Northern Virginia engagement, Supervisor Dix moved that the Board:

- Authorize the concurrent processing of the Site Plan waiver request with the temporary Special Permit application now under consideration by the BZA to allow both the applicant and County staff sufficient lead time for the successful completion of the necessary permit approval requirements (this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the temporary Special Permit application in any way); and

- Request the BZA to schedule its public hearing on this application as early in June as possible.

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

## **108.APPOINTMENT TO THE COMMISSION ON AGING**

**(Tape 15)**

(APPT)

Supervisor Dix moved the appointment of Ms. Gerri F. Evans as the Centreville District Representative to the Commission on Aging. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

## **109.APPOINTMENT TO THE FAIRFAX COUNTY WATER**

**AUTHORITY (Tape 15)**



(APPT)

Supervisor Dix moved the appointment of Mr. Charles D. "Tony" Hylton as the Centreville District Representative to the Fairfax County Water Authority. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **110.APPOINTMENT TO THE SMALL AND DISADVANTAGED**

##### **BUSINESS COMMISSION (Tape 15)**

(APPT)

Supervisor Dix moved the appointment of Ms. Carole L. Wolfand as the Centreville District Representative to the Small and Disadvantaged Business Commission. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **111.APPOINTMENT TO THE CITIZENS COMMITTEE**

##### **ON SOLID WASTE AND DISPOSAL MATTERS**

**(Tape 15)**

(APPT)

Supervisor Dix moved the appointment of Mr. Mark A. Hubal as the Centreville District (Principal) Representative to the Citizens Committee on Solid Waste and Disposal Matters. This motion was seconded jointly by Supervisor Hanley and Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **112.APPOINTMENT TO THE LIBRARY BOARD (Tape 15)**

(APPT)

Supervisor Dix moved the appointment of Ms. Jane Seeman as the Centreville District Representative to the Library Board. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **113.APPOINTMENT TO THE JUVENILE COURT'S CITIZEN**

**ADVISORY COUNCIL (Tape 15)**

(APPT)

Supervisor Dix moved the appointment of Mr. Robert J. Hill as the Centreville District Representative to the Juvenile Court's Citizen Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**114.RESTORATION OF MERIT POSITIONS IN THE****DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**(DEM) (Tape 15)**

Supervisor Frey stated that the Department of Environmental Management (DEM) has experienced a significant increase in building construction activity this Spring. This increase is already taxing DEM's ability to accomplish plan review, inspection, and permit issuance in a timely fashion, yet DEM is faced with further reductions in the work force effective July 1, 1992. He noted that the increase in permits issued has resulted in the collection of year-to-date Fiscal Year 1992 revenues higher than those forecast earlier and revenue estimates for FY 1993 have in fact been revised upward. Given the above situation and the availability of funding, prudence suggests that the Board preserve DEM's ability to perform mission essential tasks by maintaining appropriate staffing levels.

Therefore, Supervisor Frey moved that the Board restore the following regular, merit positions to DEM to be located in the following branches:

- Three Engineer II's - Building Plan Review Branch;
- Four Engineering Technician I's - Permit Application Center; and
- One Secretary I - Bonds and Agreements Branch.

Supervisor Frey noted that the expenditures associated with restoring these eight positions amount to approximately \$300,000 and that the expenditures will be offset by a revision to the revenue forecast in the amount of \$300,000.

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

**115.APPOINTMENT TO THE FAIRFAX-FALLS CHURCH**

**COMMUNITY SERVICES BOARD (CSB) (Tape 15)**

(APPT)

Supervisor Frey moved the appointment of Mr. David T. Ralston as the Sully District Representative to the Fairfax-Falls Church Community Services Board (CSB). This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**116.APPOINTMENT TO THE TREE COMMISSION (Tape 15)**

(APPT)

Supervisor Frey moved the appointment of Mr. Richard Rein (formerly the Centreville District Representative) as the Sully District Representative to the Tree Commission. Because of redistricting, Mr. Rein is no longer in the Centreville District and will be submitting his resignation as the Centreville District Representative. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**117.APPOINTMENTS TO THE CHAS (COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY) COORDINATING COMMITTEE (Tape 15)**

(APPT)

Supervisor Frey moved the appointment of Mr. J. Patrick Moynahan as the Sully District Representative to the CHAS (Comprehensive Housing Affordability Strategy) Coordinating Committee. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**118.STAFF COMMENDED FOR OUTSTANDING PERFORMANCE ON PREPARING DOCUMENTS FOR THE CREATION OF COUNTY GOVERNMENT COMMITTEE (Tape 15)**

(NOTE: Earlier in the meeting, action was taken on the County Government Committee. See Clerk's Summary Item CL#95.)

Supervisor Frey commended the outstanding manner in which Chairman Davis presented his earlier Board Matter on the creation of a County Government Committee.

Chairman Davis commended the outstanding performance of Michael Long, Assistant County Attorney, Office of the County Attorney. He stated the Mr. Long drafted the appropriate documentation.

### **119.UPDATE ON THE FAIRFAX COUNTY ASSOCIATION FOR THE GIFTED (FCAG) (Tape 15)**

Supervisor Hanley briefed the Board on last week's presentation by the Fairfax County Association for the Gifted. Appreciation was expressed to the Fairfax County Board of Supervisors for its support of FCAG.

### **120.TAX RELIEF ELIGIBILITY (Tape 15)**

Supervisor Hanley stated that her office has been working with a constituent in the Providence District for the past two years regarding tax relief. On his own, the individual qualifies for real estate tax relief because he meets the income requirements and is disabled. One complication is that, in his divorce decree, his former wife still owns one-half of the house while, he alone, is responsible for the real estate payments. Staff from the Office of the County Attorney and Office of Assessments have stated that, although it violates the spirit of the law, the individual owning a house with another party makes him responsible for one-half of the taxes, the other half of the taxes that the other owner would have paid without the divorce decree stating otherwise.

Supervisor Hanley moved that the Board:

- Direct staff to study this situation and report with a proposed amendment to address this issue;
- Because any action taken on this matter today will only apply from January 1, 1993 forward, direct staff to investigate the way in which last year's taxes were previously forgiven, why last year's taxes were forgiven, and why this year's taxes are not; and

•Direct the Office of Assessments NOT to send the tax bill to the constituent until this matter has been resolved.

This motion was seconded by Supervisor Frey.

Supervisor Dix asked that the motion be amended to include a similar situation in the Centreville District whereby a constituent received tax forgiveness for two previous years and then not approved this year, and this was accepted. He stated that he would forward the appropriate documents to staff.

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

**121.STAFF REQUESTED TO CONSIDER FREE WEEKLY  
AGENDA SUBSCRIPTIONS TO HOMEOWNER, CIVIC,  
AND DISTRICT ORGANIZATIONS IN THE COUNTY**

**(Tape 15)**

Supervisor Hanley stated that she had been informed by the Mantua Citizens Association that "...due to budgetary constraints, the Weekly Agenda, previously distributed at no charge, will begin to charge an annual subscription rate of \$12.00 commencing on August 1, 1992." She stated that the Mantua Citizens Associations urges the Board to consider providing at least one, preferably two, free subscriptions to each homeowner, civic, and district association in the County. Each organization will determine who will be the designated recipient for their organization.

Supervisor Hanley asked unanimous consent that the Board direct staff to report on how much this recommendation would cost. Without objection, it was so ordered.

**122.CHANGES TO HUNTERS WOODS AND VALE PRECINCTS  
(CENTREVILLE AND SULLY DISTRICTS (Tape 15)**

(A)Supervisor Hanley reminded Board Members that last year's redistricting was complicated by the State decision to use its own boundary definitions for local precincts instead of using the boundaries which had been established by local governing bodies. She said that the Board adjusted many County precincts to remove those discrepancies to ease election administration.

Supervisor Hanley said that it has come to staff's attention that there is another discrepancy involving the Hunters Woods and the Vale Precincts. She added that the County has used Stuart Mill Road as a part of the boundary; the State has used Little Difficult Run instead. Adopting the State boundary would move approximately 13 homes and 40 residents from the Sully District to the Centreville District.

Supervisor Hanley pointed out that the Board has a public hearing on various other precinct changes scheduled for June 22, 1992. Therefore, she moved that the Board direct staff to include an adjustment to adopt the State Boundary for Hunters Woods and Vale for this hearing. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

### **123.VIENNA METRO STATION SUPPLEMENTARY PARKING**

#### **(Tape 15)**

Supervisor Hanley stated that all 3,558 parking spaces at Vienna Metrorail Station including the 1,300 additional spaces in the new parking structure are filling regularly each weekday. As a result, people driving to Vienna Station anytime after 9:00 a.m. risk not finding a legal parking space.

Supervisor Hanley said that the property owners of the adjacent Hunters Branch development who operated the alternative parking while the Vienna Parking Structure was under construction have approached her about reopening their facility to handle overflow of Vienna parking.

Supervisor Hanley moved that the Board direct the Office of Transportation and the County Attorney's Office to negotiate the proper amendments to the Vienna Alternative Parking Agreement with the property owners that incorporate the following principles:

- Hunters Branch daily parking fee shall be at least 50 cents greater per day than the Vienna daily fee during the AM peak period and at least 25 cents greater per day for the remainder of the day;
- If after one year of Hunters Branch parking operation the number of paid transactions at Vienna or Dunn Loring fall below a minimum threshold, the County reserves the right to terminate the agreement upon 60 days notice; and

•A portion of the gross or net monthly operating receipts from Hunters Branch parking shall be paid to Fairfax County to repay the County for funds expended to construct the original alternative parking facility.

After negotiations are completed, staff is directed to return to the Board for approval of the amended Alternative Parking Agreement.

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

#### **124.TOWNHOUSE DECKS IN THE PDH DISTRICT**

##### **(Tape 15)**

Supervisor Hanley stated that a problem has occurred in the Providence District with regard to the issue of townhouse decks in the PDH District. It appears that the Zoning Ordinance provisions which allow extension into minimum yards do not always provide sufficient flexibility for decks on townhouse units in the PDH District.

Supervisor Hanley moved that the Board direct staff to prepare the necessary Zoning Ordinance amendment to resolve this issue as expeditiously as possible. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **125.CAPITAL IMPROVEMENT PROGRAM (CIP)**

##### **SCHEDULE (Tape 15)**

Supervisor Hanley reminded staff that at the Board of Supervisors' meeting scheduled for June 22, 1992, she will be addressing the Capital Improvement Program (CIP) schedule.

#### **126.SPECIAL EXCEPTION AMENDMENT**

##### **APPLICATION SEA 87-P-022 (Tape 15)**

Supervisor Hanley called the Board's attention to Special Exception Amendment Application SEA 87-P-022 which was approved to permit elderly housing on a site on Hunter Mill Road near Route 123 in Oakton. She stated that a development condition imposed pursuant to the approval required that 10 units be provided for affordable housing, pursuant to the Affordable Dwelling Unit (ADU) Ordinance. Subsequent to

the approval, the applicant, Dominion Residence, requested a modification of the provisions of the ADU Ordinance so that a cash contribution to the Housing Trust Fund could be made in lieu of the provision of 10 units. Supervisor Hanley noted that on April 28, 1992, the ADU Advisory Board approved the requested modification; however, due to the specificity of the development condition associated with the Special Exception, a Special Exception Amendment is required so that the contribution can be made in lieu of the units.

Supervisor Hanley moved that whereas, the public interest shall be served by a Special Exception Amendment that will facilitate the provision of moderately-priced housing, and whereas, such an amendment is in the best interest of the health safety, and general welfare of the citizens of Fairfax County, the Board initiate a Board's Own Motion Special Exception Amendment to modify Development Condition Number 13 of SEA 87-P-022 as it pertains to the provisions of Part 8, Article 2 of the Zoning Ordinance. She further moved that the Board direct staff to expedite the processing of this application in order to schedule the public hearing before the Board of Supervisors on **August 3, 1992**. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **127.THE SALVATION ARMY CHILD CARE ADDITION (Tape 16)**

Supervisor Bulova stated that last March the Board approved her request to waive the Site Plan for the Salvation Army's small child care addition.

Supervisor Bulova said that since then she has learned that the building addition requires relocation of a segment of the sanitary sewer line. She noted that when a public improvement is required, the Site Plan cannot be waived.

Therefore, Supervisor Bulova moved that the Board direct staff to expedite the Site Plan for the Salvation Army addition when it is submitted to the County for review. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **128.HIGH SCHOOL BANDS AT THE GOVERNMENT CENTER**

##### **(Tape 16)**

Supervisor Bulova stated that she had recently received a letter from a constituent who also happens to be a County employee. She has "a suggestion for good will at a time when it is badly needed."



Supervisor Bulova said that the employee's son is a member of the award winning Fairfax High School Jazz Band and suggests that the County invite the band to play during the lunch hour in the lovely new atrium at the new Governmental Center.

Supervisor Bulova moved that the Board direct staff to review this request. She added that, if this works out, perhaps bands from other schools in the County can be invited to play in the atrium. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

### **129.ROBINSON HIGH SCHOOL RESIDENTIAL PERMIT PARKING**

#### **DISTRICT (RPPD) (Tape 16)**

(A)Supervisor Bulova stated that implementation of a \$100 student parking fee at Robinson High School has resulted in students parking on a number of streets within the Kings Park West Community. The community has submitted a petition asking for a Residential Permit Parking District (RPPD) and staff has been documenting the problem. So that a public hearing can be scheduled before the August recess and signs installed this Fall, Supervisor Bulova moved that:

- All fees for the affected residents be waived;
- The 100 parking space minimum criteria be waived; and
- Staff prepare an advertisement so that a public hearing can be held prior to the Board's August recess.

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

### **130.CAR PHONES/HUMAN AND SOCIAL SERVICES EMPLOYEES**

#### **(Tape 16)**

Supervisor Bulova said that when the Board adopted its 1993 budget, car phones were essentially eliminated, except for those needed for safety purposes. She said that there is some confusion and concern among some human services workers that their car phones will be discontinued and that when dealing with volatile clients (i.e. with child protective situations) they will lose immediate access to police.

Supervisor Bulova recalled that she stated for the record, during budget mark-up, that car phones, or radios if that is a more cost effective alternative, should not be discontinued for employees who need them for safety reasons. Supervisor Bulova asked unanimous consent that this intent be articulated again to staff. Without objection, it was so ordered.

### **131.COUNTRY CLUB VIEW CUT-THROUGH MEASURES (Tape 16)**

(A)Supervisor Bulova stated that her office has been working with the Virginia Department of Transportation (VDOT) and representatives of the Country Club View community to try to resolve problems resulting from cut-through traffic in their neighborhood. Some measures to slow down and discourage the traffic on Holden Street have been proposed by VDOT and tentatively agreed to by the community.

So that a public hearing can be held before the Board recesses in August, Supervisor Bulova moved that the Board direct staff to prepare an advertisement for a public hearing to be held by the Board on **July 27, 1992 at 4:00 p.m.** This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

### **132.SAFETY ON BRADDOCK ROAD FROM ROUTE 123 - SHIRLEY**

#### **GATE ROAD (Tape 16)**

Supervisor Bulova said that in the past she has brought to the Board's attention safety problems on the stretch of Braddock Road between Route 123 and Shirley Gate Road. Construction to widen this treacherous section of Braddock Road is scheduled to begin in the Spring of 1994. In the meantime, with improvements to Shirley Gate Road completed and the move to the new Government Center, traffic has increased and will probably increase more dramatically once Waples Mill Road and Shirley Gate Road are connected this Fall.

Supervisor Bulova stated that despite reduced speed limits and improved lane markings by Virginia Department of Transportation (VDOT), on May 5th, another fatality occurred on "dead man's hill" at Braddock Road and Prestwick Drive. She said that it is imperative that immediate action be taken to prevent more deaths from occurring on this road before it is widened and improved. Therefore, Supervisor Bulova moved that the Board initiate the following actions:

- The Office of Transportation, working with VDOT, should immediately begin the process of banning through trucks on Braddock Road between Shirley Gate Road and Route 123. An alternate route on Route 50 should be considered. If necessary, this

item should be added to the agenda of the next Fairfax City/County Regional Committee meeting;

- VDOT should be officially requested to install a flashing warning light at appropriate locations approaching "dead man's hill". A further reduction of the posted 35 MPH speed limit should also be considered; and
- While this project to widen Braddock Road along this stretch proceeds, it is requested that VDOT purchase in advance as many properties to the north as possible and proceed with making temporary safety enhancements, especially at the intersections of Belmont Drive and Prestwick Drive.

This motion was seconded by Supervisor Hyland.

Following a query from Supervisor Frey, Supervisor Bulova clarified her motion by stating the County staff needs to recommend an alternate route for truck traffic in this area.

The question was called on the motion which carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

### **133.ROSIE'S PATROL - CHILD SAFETY (Tape 16)**

Supervisor Bulova reminded Board Members that Dave Gordon of Rosie's Patrol had appeared before the Board regarding his organization's efforts to prevent crimes which make children victims. Rosie's Patrol will have a booth at the Fairfax Fair and will be distributing child safety information. She said that Rosie's Patrol also provides speakers and materials to Parents and Teachers Associations (PTA's), community associations, and civic groups.

Supervisor Bulova stated that she advertised this service in her district newsletter and she encouraged Board Members to let community groups in their districts know of Rosie's Patrol and their willingness to speak at meetings regarding child safety.

**AR:ar**

### **134.DAILY COMPUTATION OF INTEREST ON TAX**

#### **PAYMENTS (Tape 16)**

Supervisor Hyland stated that when the Office of Finance sends out bills for overdue taxes, the interest on the amount due is computed to the end of the month for payment

by mail. However, if a taxpayer pays the bill in person at the Government Center or at one of the satellite government centers, the interest can be calculated daily at the time of payment.

With a notation that this procedure is not generally known, Supervisor Hyland asked unanimous consent that the Board direct the Office of Public Affairs to publicize this information through a news release, with inclusion on the Cable Bulletin Board or other means, and that the Office of Finance consider printing a sentence to that effect on outgoing tax bills. Without objection, it was so ordered.

### **135.STATUS OF INOPERABLE VEHICLE LEGISLATION**

#### **(Tape 16)**

Supervisor Hyland noted that during the 1991 Session of the Virginia General Assembly, House Bill 1233 was passed granting Fairfax County a new inoperable motor vehicle law. According to information which was provided by the Virginia Association of Counties, this legislation differs from the present statute in that vehicles must have a current license plate and inspection decal, or one that has not been expired for more than 60 days. He added that this legislation, if adopted by Fairfax County, would relieve a great many of citizen concerns and complaints surrounding inoperable vehicles.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to take the necessary action required in order to bring this matter back to the Board for implementation of this legislation. Without objection, it was so ordered.

### **136.HISTORIC MOUNT AIR BURNS (Tape 16)**

Supervisor Hyland reminded Board Members that on May 19, 1992, historic Mount Air mansion burned, uncontrolled to the ground. He stated that essentially the mansion is gone with nothing remaining of walls, upper story floors or decorative features. According to the Fire Marshals, the fireball was so massive and heat so intense that the structure was quickly reduced to a pile of charcoal with no wood features remaining intact. In fact, all that remains are the brick chimneys and fireplaces standing amid the ruins. There was also major damage to nearby historic trees; however, most outbuildings including former slave quarters survived. The mansion, the key feature of the Mount Air Historic Overlay District, is gone along with much of the architectural significance of the site. What remains, however, is of extreme archaeological significance.

Given the fact that there are 13 Historic Overlay Districts in Fairfax County, four of which are in the hands of the Fairfax County Park Authority, Supervisor Hyland cited the need for the Board to put together a disaster preparedness plan, a plan which will protect these fragile historic and archaeologically significant sites. The purpose of this plan would be to establish a notification system among the public safety officers to inform them of the significance of each site and to develop fire fighting procedures and practices which would be unique to each of the sites in order to protect the trees, all archaeologically significant buildings and other significant heritage resources located on each site. Supervisor Hyland noted that there are at least 13 identified historic sites in Fairfax County and there are also others which are in the private sector.

Therefore, Supervisor Hyland moved that the Board direct the Heritage Resources Branch, the Police Department, the Fire and Rescue Department, and the Department of Environmental Management (DEM) Permit Branch to work together to develop an emergency disaster preparedness plan that will protect historic sites, to include the identification of all public as well as privately held historic sites. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**137.OUT-OF-TURN PLAN AMENDMENT AND  
REZONING APPLICATION FOR AREA AROUND  
LORTON AND SILVERBROOK ROADS (MOUNT  
VERNON DISTRICT) (Tape 16)**

(A)Supervisor Hyland stated that the Silverbrook Consortium Limited Partnership is in the process of developing a mixed use complex in and around Lorton and Silverbrook Roads in Lorton. The Partnership has been involved in this process prior to the time the newly adopted Comprehensive Plan language was developed and were developing the complex under the former Comprehensive Plan. Both the old and the new Plan maps for this area show a realigned Silverbrook Road, but during the review process of the Plan, the Virginia Department of Transportation (VDOT) requested that realigned Silverbrook Road be shifted, thus making the ultimate realignment of the road inconsistent with the Comprehensive Plan language and underlying zoning which now precludes some implementation of the mixed use development.

Supervisor Hyland noted that a zone line discrepancy was created in error by the Fairfax County Board of Supervisors in 1978 with the adoption of the new zoning

maps. Approximately 50,000 square feet of land area which was zoned C-8 was inadvertently placed into the R-20 zoning district.

Supervisor Hyland stated that the recently adopted Comprehensive Plan for the LP 2 Lorton-South Route 1 Planning Sector includes recommendations which are inconsistent with the underlying zoning of property located around the Lorton and Silverbrook Roads in Lorton. This inconsistency results from the realignment of Silverbrook Road. Therefore, Supervisor Hyland moved that the Board:

- Authorize the advertisement and direct the planning staff to prepare an Out-of-Turn Plan Amendment for land unit A3 and A4 of the LP 2 Planning Sector in order to clarify the Plan language and to plan the area in a manner consistent with its underlying zoning; and
- Authorize the advertisement and direct the planning staff to prepare a rezoning application for approximately 50,000 square feet, Tax Map 107-4((1))-1, from the R-20 District to the C-8 District in order to correct an error made in 1978 with the adoption of the new zoning maps.

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

### **138.AMERICANS WITH DISABILITIES ACT (ADA) - LOCAL**

### **GOVERNMENT MANDATES FROM THE COMMONWEALTH**

#### **(Tape 16)**

(NOTE: Earlier in the meeting, there were additional discussions regarding this matter. See Clerk's Summary Items CL#19 and 20.)

Supervisor Hyland noted that Governor L. Douglas Wilder has signed into law House Bill 15 to implement the federal Americans With Disabilities Act (ADA). The Commonwealth's law, which becomes effective on July 1, 1992, requires local governments to establish a Local Disability Services Board which will focus on the needs of persons with physical and sensory disabilities. This Board, which may be created in combination with other local jurisdictions, should be created by November 1, 1992. The Office of the Secretary of Health and Human Services will provide guidelines and a technical assistance package detailing basic functions of the Local Disability Services Board some time after July 1, 1992.

Supervisor Hyland moved that the Board direct the Acting County Executive to develop a recommendation for the Board of Supervisors' consideration with regard to the implementation of the Local Disability Services Board, to include input from the Fairfax County Commission for Disabled Persons in developing the recommendation, by **August 3, 1992**. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

### **139.NO CUT-THROUGH TRAFFIC ON WHERNSIDE STREET**

#### **(Tape 16)**

Supervisor Hyland stated that Whernside Street is a street which connects Southgate Woods and Worthington Woods Subdivisions. Whernside Street, which parallels Route 1 and is contiguous to Telegraph Road and Pohick Road, is now being used by trucks and other vehicles in order to avoid the signal lights at Route 1.

Therefore, Supervisor Hyland moved that the Board direct the Office of Transportation to work with the Virginia Department of Transportation (VDOT) to take the necessary actions to implement a no cut-through traffic plan for Whernside Street. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

### **140.SETTLEMENT AGREEMENT ON SENDI PROPERTY (Tape 16)**

Supervisor Hyland stated that in February 1991, Mr. and Mrs. Sendi filed a preliminary subdivision plat with the Department of Environmental Management (DEM) for the proposed subdivision of their property. On May 6, 1991, DEM disapproved the Sendis' preliminary plat because it did not have frontage on a State-maintained public road as required by § 2-102 of the Public Facilities Manual.

Supervisor Hyland noted that in July 1991, the Sendis filed suit in Fairfax County Circuit Court challenging the Director's disapproval of the preliminary plat. Since the filing of the lawsuit, extensive discussions have taken place between the Sendis, neighboring property owners in the Wellington Woods Subdivision, the National Park Service and County staff from DEM, the Office of Comprehensive Planning (OCP), and the County Attorney's office. In reviewing the issue of the Sendis' access road to East Boulevard Drive, the Park Service determined that the access road to East Boulevard Drive from the adjacent Wellington Woods Subdivision was also never authorized by the Park Service when the subdivision was approved in 1949 and, therefore, their access is illegal. The parties have been trying to reach an agreement on

how to settle both the lawsuit and the access issue confronting the residents of the Wellington Woods Subdivision.

Supervisor Hyland stated that on January 27, 1992, the Board unanimously agreed that if a settlement of these issues was reached, and if pursuant to the settlement the Sendis file a PDH-2 rezoning application application for their property as anticipated, that their rezoning application would receive expedited processing and review and the fees associated with the filing of the application would be waived. The Sendis are ready to file a PDH-2 rezoning application in conjunction with settling this matter.

Supervisor Hyland called the Board's attention to a proposed settlement agreement, which has been negotiated between all parties, which would dispose of the existing litigation against the Board and the Director of DEM, and would resolve the Park Service's access dispute with the property owners in the Wellington Woods Subdivision. The settlement agreement has been reviewed by attorneys for the Sendis, the Park Service, and the Wellington Woods Subdivision property owners, all of whom are in agreement with its terms and will execute the agreement if accepted by the Board. The County Attorney's Office has also reviewed the agreement on behalf of the Board.

Therefore, Supervisor Hyland moved that the Board direct the Acting County Executive to execute the settlement agreement on the Sendi property, on behalf of the Board, subject to final approval as to form by the County Attorney's Office, and subject to the receipt of a letter from the Virginia Department of Transportation (VDOT) that it will accept the public roadway proposed in the agreement. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **141.ILLEGAL FILL ACTIVITY IN THE LORTON AREA**

##### **(Tape 16)**

Supervisor Hyland moved that the Board authorize the Acting County Attorney to file injunctive action against the owner of property in the Lorton area which is designated as Tax Map 114-1-001-009 due to alleged illegal fill activity on that property. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **142.APPOINTMENT OF MASON DISTRICT REPRESENTATIVE TO THE FAIRFAX/FALLS CHURCH COMMUNITY SERVICES**



**BOARD (Tape 16)**

(APPT)

On behalf of Supervisor Trapnell, Chairman Davis relinquished the Chair to Acting-Chairman Hyland and moved the appointment of Mr. Joseph U. Hinshaw as the Mason District Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Acting-Chairman Hyland returned the gavel to Chairman Davis.

**143.CANCELLATION OF MEETING OF PROCEDURES****SUBCOMMITTEE (Tape 16)**

Supervisor Berger announced that the meeting of the Procedures Subcommittee scheduled for June 9, 1992 at 11 a.m. has been cancelled.

**144.RAT PROBLEM - KEENE MILL MANOR (Tape 16)**

On behalf of Supervisor McConnell, Supervisor Dix stated that the residents of Keene Mill Manor Subdivision in the Springfield District are extremely concerned over the recent influx of rats. One resident told how her cat has dragged eight rats home in the last few months.

Accordingly, Supervisor Dix moved that the Board request the Health Department to look into this problem and assist the residents of this neighborhood in any way possible. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**145.R-C LOT LINE ADJUSTMENTS (Tape 16)**

On behalf of Supervisor McConnell, Supervisor Dix called the Board's attention to a situation whereby a property owner in the R-C District is not permitted to do a simple lot line adjustment. He added that, according to the County's Subdivision Ordinance, Chapter 101 of the Code of the County of Fairfax, a property line adjustment is deemed a subdivision or resubdivision of property and is prohibited with tracts, parcels or plots of five acres or greater.

Supervisor Dix went on to say that, in this particular situation, two adjoining property owners want to trade equal amounts of property with one another; however, this is not allowed under the referenced ordinance.

Therefore, Supervisor Dix, on behalf of Supervisor McConnell, asked unanimous consent that the Board refer this matter to staff for its review and recommendations as expeditiously as possible. Without objection, it was so ordered.

#### **146.NON-WAIVER OF APPLICATION FEE FOR PROPERTY LOCATED**

##### **AT 8670 CENTER ROAD (Tape 16)**

On behalf of Supervisor McConnell, Supervisor Dix stated that Mrs. McConnell recently met with Samad and Ali Vassetizadeh regarding a parcel of property which they own located at 8670 Center Road. Supervisor Dix added that the parcel is currently zoned C-5 and is surrounded by either existing or planned residential development. The owners are interested in downzoning the property to R-3 in order to build a single home. The R-3 zoning is compatible with the Master Plan for that area.

In light of the fact that the property is going to be downzoned, Supervisor Dix, on behalf of Supervisor McConnell, moved that the Board waive the application fee and expedite the application for the lot shown on Tax Map 79-3((25))-10-C, 8670 Center Road. This motion was seconded by Supervisor Berger and **FAILED** by a recorded vote of five, with Supervisor Dix and Supervisor Berger voting "AYE," Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **147.WEST SPRINGFIELD HIGH SCHOOL GIRLS SOCCER TEAM**

##### **(Tape 16)**

On behalf of Supervisor McConnell, Supervisor Dix applauded the West Springfield High School Girls Soccer Team for winning the State Championship the second year in a row, and asked unanimous consent that the Board direct staff to schedule an appearance of the Soccer Team before the Board on June 22, 1992 to receive a certificate in recognition of this accomplishment. Without objection, it was so ordered.

#### **148."GUIDING LIGHT" PROCLAMATION (Tape 16)**

On behalf of Supervisor McConnell, Supervisor Dix stated that "Guiding Light", the longest-running program on television, will be celebrating its 40th anniversary on June 30, 1992. Since the daytime serial is set in the fictional town of Springfield, they

are contacting all 19 Springfields throughout the country to commemorate this milestone.

Supervisor Dix stated that a request has been made that each Springfield proclaim June 30 as "Guiding Light Day." On June 30 the show's producers and cast members will be honored at their studio with proclamations from the New York City Mayor's Office and the New York State Governor's Office. All of the proclamations will be presented at that time.

Therefore, on behalf of Supervisor McConnell, Supervisor Dix moved that the Board proclaim June 30, 1992 as "Guiding Light Day" and send a proclamation to the "Guiding Light" staff by the scheduled date of celebration. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

#### **149.BOARD ADJOURNMENT (Tape 16)**

At 1:25 a.m. on June 9, 1992, the Board adjourned.