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

Supervisor Alexander and Supervisor Hyland were absent from the entire meeting.

(NOTE: Later in the meeting, letters were read into the record regarding Supervisor Alexander's and Supervisor Hyland's absences. See Clerk's Summary Item CL#3.)

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. PRESENTATION BY DELEGATE ALAN MAYER OF
COMMENDATIONS TO THE OFFICE OF
TRANSPORTATION AND VIRGINIA DEPARTMENT
OF TRANSPORTATION FOR EFFORTS ON THE
KINGS PARK CUT-THROUGH TRAFFIC PROJECT**

(Tape 1)

Delegate Alan Mayer briefed Board Members on the Cut-Through-Traffic Policy. He stated that Kings Park is the first community in the entire Commonwealth to implement this policy successfully.

Supervisor Bulova moved approval of the Certificate of Commendation presented by Delegate Mayer to Bruce Taylor, Planner, Office of Transportation, for his outstanding efforts in improving traffic safety in the Kings Park area for all of Fairfax County citizens. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

Supervisor Bulova moved approval of the Certificate of Commendation presented by Delegate Mayer to William Harrell, Planner, Virginia Department of Transportation

(VDOT), for his outstanding efforts in improving traffic safety in the Kings Park area for all of Fairfax County citizens. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

Chairman Davis announced that there were other individuals who had worked on this project and, at the request of Supervisor Bulova, the Chairman's Office had sent letters to those individuals commending them for their outstanding performance.

3. ABSENCE OF SUPERVISOR JOSEPH ALEXANDER, LEE

DISTRICT AND SUPERVISOR GERALD HYLAND, MOUNT

VERNON DISTRICT (Tape 1)

Chairman Davis announced that both Supervisor Alexander and Supervisor Hyland would be absent from the entire meeting today. He read into the record letters that he had received from both Board Members.

Supervisor Alexander is out-of-town because of a prior business commitment. His letter expresses his support for Alternative 1A for the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding Commercial Retail and Industrial (C&I) Districts, scheduled for Board decision later in the meeting. He further requested that any matters which are before the Board at today's meeting that are of particular significance to the citizens of the County be deferred to allow him an opportunity to participate in the debate and to vote on behalf of the residents of the Lee District.

Supervisor Hyland is out-of-town serving as a Delegate to the Democratic National Convention being held in New York. He requested that any matters that are before the Board at today's meeting that are of particular significance to the citizens of the County be deferred to allow him an opportunity to participate in the debate and to vote on behalf of the residents of the Mount Vernon District.

4.10:00 A.M. - PRESENTATION OF THE REPORT

OF THE HUMAN RIGHTS COMMISSION (Tape 1)

(BACs)

Jon David Strother, Chairman, Human Rights Commission, introduced to Board Members those Commission Members present in the Board Room.

Mr. Strother presented the report of the Human Rights Commission to Board Members.

Supervisor Hanley asked that the Human Rights Commission submit a letter outlining its requests to the Legislative Subcommittee as early as possible so that the Subcommittee can consider their requests with the legislative agenda.

Following discussion, with input from Mr. Strother, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to prepare, for the Board's endorsement, a work-sharing policy agreement between the State and the County. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Chairman Davis commended the Human Rights Commission on its outstanding performance and expressed his appreciation to Mr. Strother and his staff for their efforts.

5.10:15 A.M. - PRESENTATION BY THE VOLUNTEER FIRE

COMMISSION OF THE ANNUAL VOLUNTEER FIREFIGHTER

OF THE YEAR AWARDS (Tape 1)

John F.X. Ryan, Chairman, Volunteer Fire Commission, Fire Chief Glenn Gaines and Sandy Werner, Staff Volunteer Coordinator, Fairfax County Fire and Rescue Department, presented the Annual Volunteer Awards to the following volunteers for their outstanding service during 1991:

•Administrative Officer:

William Schmidt

Centreville Volunteer Fire Department;

•Associate Member:

Paul Filipowicz (Not Present)

Greater Springfield Volunteer Fire Department;

•Volunteer Rookie:

Frank Grosso (Not Present)

Greater Springfield Volunteer Fire Department;

• **Volunteer Emergency Medical Specialist**

(EMS) Provider:

Michael Dunn

Greater Springfield Volunteer Fire Department;

• **Volunteer Officer:**

Stephen Willey

Fair Oaks Volunteer Fire Department;

• **Volunteer Firefighter:**

Fred Brandell

McLean Volunteer Fire Department; and

• **Fire Chief's Awards:**

Burke and Fair Oaks Volunteer Fire Departments for innovative approaches to the delivery of fire and rescue services to the citizens of Fairfax County.

AR:ar

6.10:30 A.M. - BOARD DECISION ON PROPOSED AMENDMENT

TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112

(ZONING ORDINANCE), REGARDING COMMERCIAL RETAIL

AND INDUSTRIAL (C&I) DISTRICTS (No Tape)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#3.)

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#69.)

7. ADMINISTRATIVE ITEMS (Tape 2)

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

Supervisor Frey called the Board's attention to Administrative Item 11 - Authorization to Advertise a Public Hearing on the Acquisition of Certain Easements necessary for the Construction of the Criminal Justice Site Collocation Project (Sully District) and asked unanimous consent that action on this item be deferred until later in the meeting. Without objection, it was so ordered.

The question was called on the motion to approve all Administrative Items, with the exception of Administrative Item 11, which carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

(NOTE: Later in the meeting, action was taken by the Board to approve Administrative Item 11. See Clerk's Summary Item CL#67.)

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM

(DRANESVILLE, SPRINGFIELD AND SULLY DISTRICTS)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated July 13, 1992 be recommended for acceptance into the State Secondary System.

ADMIN 2 - APPROVAL OF WATER MAIN EXTENSION,

SYCAMORE LAKES (CENTREVILLE DISTRICT)

Approved the request for the extension of a 12-inch water main approximately 1,150 feet along Monroe Street (Route 666), Centreville District. The proposed water main extension will provide public water to the proposed Sycamore Lakes Subdivision.

ADMIN 3 - APPROVAL OF WATER MAIN EXTENSION,

CROSSROADS CONVALESCENT FACILITY (LEE DISTRICT)

Approved the request for the extension of a 12-inch water main approximately 155 feet from an existing 12-inch main located along d'Evereux Circle Drive, Lee District.

The proposed water main extension will provide adequate water supply to meeting the County's ordinances for domestic uses and fire protection.

ADMIN 4 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION

AMENDMENT APPLICATION SEA 82-C-063-1

(AAL PARTNERSHIP) (CENTREVILLE DISTRICT)

(AT)Approved the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 82-C-063-1 until **November 1, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION

SE 88-D-059 (RUCKER-BEVERLY JOINT VENTURE)

(DRANESVILLE DISTRICT)

(AT)Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 88-D-059 until **May 13, 1994** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 6 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION

SE 87-L-069 (MCDONALD'S CORPORATION) (LEE

DISTRICT)

(AT)Approved the request for six months of additional time to commence construction for Special Exception Application SE 87-L-069 until **January 9, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 7 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION

**SE 89-S-034 (QUALITY CONSTRUCTION OF AMERICA,
INCORPORATED) (SULLY DISTRICT)**

(AT)Approved the request for 18 months of additional time to commence construction for Special Exception Application SE 89-S-034 until **January 28, 1994** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 8 - PROPOSED TIME-LIMITED PARKING

RESTRICTIONS: RIDGE HEIGHTS ROAD AT

LANGSTON HUGHES INTERMEDIATE SCHOOL

(CENTREVILLE DISTRICT)

(R)Adopted the proposed Resolution:

- Restricting parking on Ridge Heights Road;
- Directing staff to secure the necessary permits from the Virginia Department of Transportation (VDOT);
- Requesting VDOT to remove the existing "NO PARKING" signs; and
- Directing staff to install the "NO PARKING" signs with time limitations.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON A PROPOSAL TO ABANDON AN UNIMPROVED

PORTION OF FOX MILL ROAD (CENTREVILLE DISTRICT)

(A)Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on **September 14, 1992 at 3:30 p.m.** on the proposed abandonment of an unimproved portion of Fox Mill Road located between Lawyers Road (Route 673) and Reston Parkway (Route 602), Centreville District.

ADMIN 10 - ADVERTISEMENT OF A PUBLIC HEARING ON

THE BALLOU COMMUNITY PLAN (DRANESVILLE DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **August 3, 1992 at 4:00 p.m.** on the proposed adoption of a Resolution setting assessments for the Ballou Community, Dranesville District.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE CRIMINAL JUSTICE SITE COLLOCATION PROJECT (SULLY DISTRICT)

(NOTE: Later in the meeting, action was taken by the Board to authorize advertisement of this public hearing for **August 3, 1992 at 3:30 p.m.** See Clerk's Summary Item CL#67.)

ADMIN 12 - AUTHORIZATION TO ADVERTISE PROPOSED REVISIONS TO THE UNIFORMED AND POLICE OFFICERS RETIREMENT SYSTEM ORDINANCES REGARDING DEFINITION OF CREDITABLE COMPENSATION AND CALCULATION OF AVERAGE FINAL COMPENSATION FOR MEMBERS CALLED TO MILITARY SERVICE

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **August 3, 1992 at 3:30 p.m.** on proposed revisions to the Uniformed and Police Officers Retirement System Ordinances regarding the definition of creditable compensation and the calculation of average final compensation for members called to military service.

JDC:jdc

8.A-1 - FAIRFAX COUNTY'S COMMITMENT TO MAKE LOCAL PAYMENTS IN SUPPORT OF THE ADOPTED FISCAL YEAR (FY) 1993 METRORAIL CONSTRUCTION BUDGET (COUNTYWIDE) (Tape 3)

Supervisor Hanley moved that the Board concur in the recommendation of staff and take the following actions in response to the Washington Metropolitan Area Transit Authority's (WMATA) request that the Board approve Fairfax County's commitment to make local payments of \$15,732,500 as its share of the local match for the Fiscal Year (FY) 1993 adopted Metrorail Construction budget:

- Approve making the County's commitment called for in the Fifth Interim Capital Contributions Agreement (ICCA-V) to make local payments of \$15,732,500 in support of the FY 1993 Metrorail Construction Program. This commitment would be backed by two sources of funds: \$5,900,000 from applying credits earned from advance contributions; and, \$9,833,000 from previously authorized General Obligation bond funds;
- Authorize the Acting County Executive to advise WMATA of the County's commitment via the letter addressed to David L. Gunn, General Manager, WMATA, contained in Attachment II of the Memorandum to the Board dated July 13, 1992. By authorizing transmittal of this letter, the Board acknowledges that the County's FY 1993 commitment does not become effective until WMATA and the County execute the Letter Agreement clarifying implementation issues related to the Franconia-Springfield segment; and
- Authorize the Acting County Executive to execute a letter agreement with WMATA clarifying certain implementation issues related to Franconia-Springfield.

This motion was seconded by Chairman Davis.

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

9.A-2 - STAFF RECOMMENDATION REGARDING

CONSOLIDATION OF METRO ROUTES 20P AND

20L (PROVIDENCE AND SULLY DISTRICTS) (Tape 3)

Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the consolidation of Metrobus Routes 20P and 20L as proposed in the Washington Metropolitan Area Transit Authority's (WMATA) Public Hearing Docket B92-10, contained in Attachment I of the Memorandum to the Board dated July 13, 1992. This motion was seconded by Supervisor Frey.

Following discussion among Board Members, Supervisor Hanley asked that the motion be amended to include that the Board direct staff to review the issue of providing bus service to the Ellipse Apartments and to convey the interest in this service to WMATA, and this was accepted.

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

**10.A-3 - STAFFING REQUEST TO CONDUCT A COUNTY
FACILITIES AND BUILDINGS SURVEY AS MANDATED
BY THE AMERICANS WITH DISABILITIES ACT (ADA)**

(Tape 3)

Supervisor McConnell moved that the Board concur in the recommendation of staff and, as a start-up measure, approve funding for five engineering positions needed to conduct a survey of County facilities and buildings and to complete the County's Transition Plan as required by the Americans with Disabilities Act (ADA). These positions include: one Engineer III and four Engineering Technicians III's. This motion was seconded by Supervisor Hanley.

Following discussion among Board Members, with input from Richard A. King, Acting County Executive; LaGretta L. Butler, Director, Office of Equity Programs; and Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Hanley called to the Board's attention her previous request to staff to provide a list of agencies not relocating to the County's Government Center complex and moved that the motion be amended to direct staff to provide a response to her request. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Following additional discussion, with input from Shiva K. Pant, Director, Office of Transportation; Ms. Butler; and Mr. King, Supervisor Trapnell announced her intent to move a substitute motion to defer this item until the next Board meeting in order to allow additional clarification from staff.

Supervisor Dix asked unanimous consent that the Board direct staff to report on the plans and funding needs of the Fairfax County Water Authority, the Fairfax County Redevelopment and Housing Authority (FCRHA), and other agencies that are conducting their own surveys. Without objection, it was so ordered.

Supervisor Trapnell then moved a substitute motion that the Board defer action on this item until Carryover scheduled for September, 1992. This motion was seconded by Supervisor Berger.

Supervisor Hanley asked that the substitute motion be amended to include her amendment to Supervisor McConnell's main motion to request staff to report with information on County agencies not relocating to the Government Center complex, and this was accepted.

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

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

Supervisor Bulova asked unanimous consent that the Board direct staff to provide the information requested by Board Members prior to the September meeting. Without objection, it was so ordered.

11.A-4 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93016 FOR THE DEPARTMENT OF HUMAN

DEVELOPMENT PY 1992 JOB TRAINING PARTNERSHIP

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

PROGRAM (Tape 3)

(SAR)On motion of Supervisor Dix, seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS93015 totalling \$352,871 for the Department of Human Development PY 1992 Job Training Partnership Act (JTPA), Title II-B, Summer Youth Employment Program.

12.A-5 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93017 FOR THE DEPARTMENT OF HUMAN

DEVELOPMENT PY 1991 ECONOMIC DISLOCATION AND

WORKER ADJUSTMENT ASSISTANCE (EDWAA) PROGRAM**(Tape 3)**

(SAR) On motion of Supervisor Frey, seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS93017 totalling \$31,196 for the Department of Human Development PY 1991 Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program.

13.A-6 - AUTHORIZATION FOR THE FAIRFAX-FALLS**CHURCH COMMUNITY SERVICES BOARD (CSB) TO****APPLY TO THE STATE OF VIRGINIA MENTAL HEALTH****CONSORTIUM INTERAGENCY POOL FOR A DEMONSTRATION****GRANT TO PROVIDE IN-HOME THERAPY SERVICES****(Tape 3)**

Supervisor McConnell moved that the Board concur in the recommendation of staff and authorize the application by the Fairfax-Falls Church Community Services Board (CSB) to apply, with other Fairfax County agencies [Fairfax County Public Schools (FCPS), Department of Human Development (DHD), and the Juvenile and Domestic Relations District Court (JDRC)], to the Virginia Mental Health Consortium Interagency Pool for a Demonstration Grant of \$45,000 to provide in-home therapy services for two clients and their families, currently before the Interagency Case Planning and Review Team (ICPRT). This motion was seconded by Supervisor Trapnell.

Following discussion among Board Members, Supervisor Hanley asked unanimous consent that the Board direct staff to report on the difference between this program and the Comprehensive Youth Services program, which is currently under consideration at the State level. Without objection, it was so ordered.

The question was then called on the motion which carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

14.A-7 - VIRGINIA HOUSING DEVELOPMENT AUTHORITY

(VHDA) CERTIFICATION FOR FINANCING FOR THE AMES

STREET GROUP HOME (Tape 3)

(R)On motion of Supervisor Bulova, seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent, the Board concurred in the recommendation of staff and adopted a Resolution certifying approval of the application by Wellspring Ministries for financing of the Ames Street Group Home by the Virginia Housing Development Authority (VHDA).

15.C-1 - REVISION TO THE PERSONNEL REGULATIONS

EXTENDING MERIT INCREMENT PERIODS BY ONE YEAR

(Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated July 13, 1992, regarding a revision to Chapter 4 of the Personnel Regulations extending merit increment periods of one year.

Following discussion among Board Members, with input from James P. McDonald, Deputy County Executive for Management and Budget, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board approve the revision to Chapter 4 of the Personnel Regulations extending merit increment periods of one year. This motion was seconded by Supervisor Frey.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

16.C-2 - REIMBURSEMENT RATES FOR PERSONAL VEHICLES

USED TO CONDUCT COUNTY BUSINESS (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated July 13, 1992, regarding reimbursement rates for personal vehicles used to conduct County business.

Following discussion among Board Members, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board approve .24 cents as the

County mileage reimbursement rate for use of personal vehicles while on County business. This motion was seconded by Supervisor Dix.

Following discussion among Board Members, with input from James P. McDonald, Deputy County Executive for Management and Budget, and Edward L. Long, Jr., Director, Office of Management and Budget, Vice-Chairman McConnell relinquished the Chair to Acting Chairman Berger and asked unanimous consent that the Board direct staff to report with an Information Item at the August meeting to include the procedural memorandum specifying the policy for County mileage reimbursement and the use of the motor pool. Without objection, it was so ordered.

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

Supervisor Trapnell asked unanimous consent that the Board direct staff to include with the Information Item requested by Vice-Chairman McConnell details about the most frequent users, by position, of County mileage reimbursement. Without objection, it was so ordered.

The question was then called on the motion which carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**17.C-3 - AUTHORIZATION TO NEGOTIATE UNDER THE
PRIVATE DEVELOPER ASSISTANCE PROGRAM FOR
ASHGROVE PLANTATION, SECTION 2 (PROVIDENCE
DISTRICT) (Tape 3)**

The Board next considered an Item contained in the Memorandum to the Board dated July 13, 1992, requesting authorization to negotiate under the Private Developer Assistance Program for Ashgrove Plantation, Section 2 (Providence District).

Supervisor Hanley moved that the Board defer action on Consideration Item Three - Authorization to Negotiate Under the Private Developer Assistance Program for Ashgrove Plantation, Section 2 (Providence District) until the August 3, 1992 Board meeting. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

18.I-1 - PLANNING AND DEVELOPMENT (P&D) PROCESS

REDESIGN: STATUS OF INITIATIVES - ALTERNATE

TRACKS (COUNTYWIDE) (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 13, 1992, presenting the Planning and Development (P&D) Process Redesign: Status of Initiatives - Alternative Tracks.

Supervisor McConnell stated that she will be contacting staff to request clarification on several issues.

Supervisor Frey expressed his appreciation to staff.

19.I-2 - PROPOSED PROCESS FOR DEVELOPMENT OF

RETIREMENT FUNDS ACTUARIAL ASSUMPTIONS (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 13, 1992, presenting the proposed process for development of retirement funds from actuarial assumptions.

20.I-3 - APPLICATION FOR GRANT FUNDS FROM THE

VIRGINIA INDOOR PLUMBING/REHABILITATION PROGRAM

(Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 13, 1992, requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to proceed to apply for Grant funds and establish an Indoor Plumbing/Rehabilitation Program.

The staff was directed administratively to proceed as proposed.

21.I-4 - SUBMISSION OF GRANT APPLICATION TO THE

UNITED STATES (U.S.) DEPARTMENT OF HOUSING AND

URBAN DEVELOPMENT FOR NEIGHBORHOOD ECONOMIC

EMPOWERMENT (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 13, 1992, requesting authorization for staff to sign the CHAS Certification statement and forward it to the appropriate persons at Fairfax County Redevelopment and Housing Authority (FCRHA).

The staff was directed administratively to proceed as proposed.

22.I-5 - CHAS CERTIFICATION - SECTION 202 FUNDING

APPLICATION BY QUEZONIANS OF METROPOLITAN

WASHINGTON, D.C. (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 13, 1992, requesting authorization for staff to sign the CHAS Certification statement and transmittal letter and forward them to the appropriate persons at Quezonians of Metropolitan Washington, D.C.

Discussion ensued among Board Members with input from Richard A. King, Acting County Executive.

The staff was directed administratively to proceed as proposed.

23.I-6 - CHAS CERTIFICATION - TRANSITIONAL

HOUSING GRANT APPLICATION BY THE FAIRFAX

COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

(FCRHA) (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 13, 1992, requesting authorization for staff to sign the CHAS Certification statement and transmittal letter and forward them to the appropriate persons at the Fairfax County Redevelopment and Housing Authority (FCRHA).

The staff was directed administratively to proceed as proposed.

24.I-7 - WEEKLY AGENDA SUBSCRIPTION FEE WAIVERS

(Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 13, 1992, responding to the Board's request of June 8, 1992, that staff investigate how much it would cost to provide at least one, preferably two, free Weekly Agenda subscriptions to each homeowner, civic, and district association in the County.

Following discussion among Board Members, with input from Jean M. VanDevanter-White, Director, Office of Public Affairs, Supervisor Dix moved that the Board direct staff to provide one subscription of the Weekly Agenda to elected officials in Fairfax County. This motion was seconded by Supervisor Bulova.

For the purpose of clarification, Supervisor Dix specified Mayors, General Assembly members, and Town Council members as the elected officials referred to in his motion.

The question was then called on the motion which carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

25.RECESS/EXECUTIVE SESSION (Tape 4)

At 11:30 a.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- STN Enterprises Bid Protest;
- Claim of Martin & Gass on Blake Lane Improvement Contract;
- May Department Stores v. Board of Supervisors, Law 111394;
- In Re: Zoning Ordinance Amendment 12-11-89 Lawsuits Master File Number 115184; and
- Claim of Azar Shafri Akbari.

The second to this motion was inaudible and the motion carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

At 2:15 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Alexander and Supervisor Hyland, and with Chairman Davis presiding.

26.ACTIONS FROM EXECUTIVE SESSION (Tape 4)

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 Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

B.CLAIM OF AZAR SHAFRI AKBARI

Supervisor Hanley moved that the Board deny the claim of Azar Shafri Akbari, as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

BOARD MATTERS

27.CONTINUATION OF DR. JAMES COOPER'S TERM ON THE

HEALTH CARE ADVISORY BOARD (Tape 4)

(APPT)

Chairman Davis noted that at the previous Board of Supervisors meeting, he had appointed Dr. Vincent Maturi to the Health Care Advisory Board. Due to a miscommunication regarding that vacancy, Chairman Davis stated that he would like to make a change in the appointment. He explained that the Northern Virginia Planning District Commission (NVPDC) has appointed Dr. Maturi to the Health Systems Agency. Accordingly, Chairman Davis relinquished the Chair to Vice Chairman McConnell and moved that the Board continue Dr. James Cooper's term on the Health Care Advisory Board. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

28.PROCLAMATION DESIGNATING "CAPTIVE NATIONS WEEK"**(Tape 4)**

Supervisor Davis stated that each year, the United States (U.S.) President and the Congress observe the third week in July as "Captive Nations Week" to show support to the people of the world who live under Communist tyranny and that although we have witnessed the end of Communism in the former Soviet Union and Eastern Europe, more than one billion persons still struggle for their freedom in nations such as Mainland China, North Korea and Cuba. Supervisor Davis further noted that Congressman Gerald B. Solomon (R.-New York), Ranking Minority Member, U.S. House of Representatives Rules Committee, has requested that the County of Fairfax join in the observation of "Captive Nations Week" in 1992.

Supervisor Davis moved approval of the Proclamation designating the week commencing July 19, 1992 to be observed as "**CAPTIVE NATIONS WEEK**" in Fairfax County, and calling upon the citizens of Fairfax County to join with others in observing this week and dedicating their efforts for the peaceful liberation of the remaining captive nations. This motion was seconded by Vice Chairman McConnell.

Supervisor Davis noted that upon adoption, the proclamation will be forwarded to Congressman Solomon to be placed in the Congressional Record.

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

29.RECOGNITION OF BOY SCOUT TROOP 1507 FROM MARK**TWAIN INTERMEDIATE SCHOOL AND EDISON HIGH****SCHOOL IN BOARD ROOM (Tape 4)**

Supervisor Davis recognized the presence of Boy Scout Troop 1507 from Mark Twain Intermediate School and Edison High School in the Board Room and warmly welcomed them.

30.BOARD OF SUPERVISORS PARTICIPATION IN EDUCATION**SUMMIT (Tape 4)**

Supervisor Davis called to the Board's attention the issue of an education summit which was addressed at the June 11, 1992 School Board meeting. Participants, which would include the School Board, the Board of Supervisors, members of the Northern Virginia Delegation of the Virginia General Assembly, representatives from the business community, educators, leaders from the juvenile justice system, citizens, parents and students, would discuss strategies for supporting public education in Fairfax County and maintaining high academic standards in this time of increasing enrollment and uncertain funding.

Supervisor Davis moved that the Board express to the School Board in correspondence from the Chairman its support for the education summit and its commitment to participate. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

31.ADDITIONAL MEMBERSHIP ON THE SMALL AND DISADVANTAGED BUSINESS COMMISSION

(Tape 4)

(BACs)

Supervisor Davis called to the Board's attention the recently created Small and Disadvantaged Business Commission and stated his concern that this important commission be representative and a microcosm of small businesses and groups which play a significant role in the daily operation of those businesses in Fairfax County. Accordingly, he moved that the Board expand the membership of this commission by adding two additional members to accommodate the Minority Business Association of Northern Virginia and a highly technical and specialized business entity, which are both involved with activities that impact heavily on small business entrepreneurship and will give broader participation to the commission in addition to providing overall balance in its composition. This motion was seconded by Supervisor Trapnell.

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

32.ADDITIONAL REPRESENTATION ON THE COUNTY GOVERNMENT COMMITTEE (Tape 4)

(BACs)

(APPT)

Supervisor Davis called to the Board's attention action taken at the June 8, 1992 Board of Supervisors meeting to create a County Government Committee to examine the County's structure and municipal authority and recommend changes. Supervisor Davis announced his intention to broaden the membership on the committee.

Supervisor Davis stated that the Chairman of the County Government Committee can be determined by the Board at the August 3, 1992 Board meeting.

Following a brief discussion among Board Members, Supervisor Davis moved that the Board appoint Supervisor Christine R. Trapnell as the Board of Supervisors representative to the County Government Committee. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Supervisor Davis moved that the Board permit one representative from the Planning Commission to the County Government Committee. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Supervisor Davis moved that the Board appoint one representative each from the Towns of Vienna, Herndon, and Clifton to the County Government Committee. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Supervisor Davis moved that the Board permit one representative from the Apartment and Office Building Association to the County Government Committee. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

33.COMMITTEE APPOINTED TO BEGIN SEARCH FOR COUNTY

ATTORNEY (Tape 4)

(BACs)

Supervisor Davis noted that in addition to the Board's search for a County Executive, the Board will also begin its search for a permanent County Attorney. Accordingly, he moved that the Board create a committee to begin advertising for the position of County Attorney and that the following Board Members be appointed to the committee:

- Supervisor Katherine K. Hanley;
- Supervisor Elaine McConnell;
- Supervisor Gerald Hyland;
- Chairman Thomas M. Davis, III; and
- Supervisor Christine R. Trapnell.

This motion was seconded by Supervisor Hanley.

Following a query from Supervisor Dix, Supervisor Davis stated that he would be the Chairman of the committee.

The question was then called on the motion which carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Vice Chairman McConnell returned the gavel to Chairman Davis.

**34.WAIVER OF FILING FEES AND EXPEDITIOUS PROCESSING
FOR DEVELOPMENT PLAN AMENDMENT APPLICATION FOR
GULF RESTON CONVENIENCE CENTER (Tape 4)**

Supervisor Dix stated that in 1973, the property located on Sunrise Valley Drive at Tax Map Number 17-4 ((23)) was rezoned to the RPC, now PRC, District and was designated on the approved development plan for "Community Facilities." He further noted that the adjacent property [Tax Map Number 17-4 ((17)) 1C] was designated under the same rezoning as "Convenience Center," and that in 1977, at the request of Gulf Reston, owner of both parcels, the uses were switched administratively as minor modifications of the approved development plan. The Convenience Center that currently exists on the property was developed soon thereafter.

Supervisor Dix further stated that in 1990, in response to an inquiry from the current owner of Parcel 1C, the Zoning Administrator determined that, pursuant to the 1977 action, Parcel 1C is designated for Community Facilities, not Convenience Center use. This decision was appealed and on February 28, 1992, the Supreme Court of Virginia ruled in favor of the property owner. As a result of the Supreme Court decision, the existing Convenience Center is designated for Community Facilities on its approved development plan. Supervisor Dix explained that in order to rectify this problem by

bringing the use and the development plan into conformance with one another, the owners of the Convenience Center have filed a development plan amendment to change the designation on their site to Neighborhood Convenience Center.

Since the need for this action results from circumstances beyond the control of the owner, Supervisor Dix moved that the Board waive the filing fees for the development plan amendment application and schedule a public hearing on the application in September before the Planning Commission and on October 5, 1992 before the Board of Supervisors. This motion was seconded by Chairman Davis.

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

35.RELOCATION OF BOUNDARY LINE BETWEEN THE TOWN OF VIENNA AND THE COUNTY OF FAIRFAX (Tape 4)

Supervisor Dix called to the Board's attention action taken at the June 22, 1992 Board meeting regarding the relocation of the boundary line between the Town of Vienna and the County of Fairfax. He stated that of the parcels involved, action was taken on all but one for which he had agreed to hold a town meeting.

Supervisor Dix stated that the town meeting was held on July 8, 1992 and he expressed his appreciation to Chairman Davis; Anthony H. Griffin, Deputy County Executive for Planning and Development; staff from the Office of Comprehensive Planning (OCP); and the Mayor and staff from the Town of Vienna for their assistance.

Supervisor Dix further stated that 78 property owners were involved, of whom 66 cast ballots. Of the 66 votes cast, 34 voted in favor and 32 were opposed, which falls short of the 60% required to be in favor to proceed.

Accordingly, Supervisor Dix moved that:

- The Concord Green area, Lots 1A1 through 5 on Sideling Court and Lots 4 and 50A on Beulah Road, should not become part of the Town of Vienna;
- The three parcels that are part of Northside Park and owned by the Town of Vienna should become part of the Town of Vienna; and
- Lots 5A and 1A on Sideling Court should be transferred to the County.

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

**36.FAIRFAX COUNTY PARK AUTHORITY REQUESTED TO
PURSUE INITIATIVES FOR NEW PUBLIC GOLF
COURSES (Tape 4)**

Supervisor Dix stated that recently there have been reports by the local news media about the interest of the Fairfax County Park Authority in increasing the number of public golf courses in Fairfax County, following a recently-concluded consultant's study on golf course feasibility. While he wholeheartedly supports the County's commitment to public recreational facilities, Supervisor Dix stated that he believes that wherever possible such efforts should be pursued with private sector participation.

Accordingly, Supervisor Dix moved that the Board urge the Fairfax County Park Authority to pursue initiatives for new public golf courses only to the extent that they can be viable as public-private ventures where the private sector bears the primary capital cost and operating responsibility. He further moved that the Authority's Governing Board be requested to advise the Board of Supervisors of any progress on this matter prior to any final or binding disposition. This motion was seconded by Supervisor McConnell.

Chairman Davis relinquished the Chair to Vice Chairman McConnell and asked that the motion be amended to schedule a meeting with the Fairfax County Park Authority in order to share their ideas and plans and this was accepted.

Vice Chairman McConnell returned the gavel to Chairman Davis.

Following discussion among Board Members, Supervisor Frey asked that the two parts of the motion be voted on seriatimly.

Supervisor Dix clarified his motion: that the Fairfax County Park Authority study privatization efforts for the golf courses.

Chairman Davis ruled the request to vote on the motion seriatimly in order.

The question was then called on the part of the motion to meet with the Fairfax County Park Authority which carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Supervisor Dix restated the other part of the motion: that the Board urge the Fairfax County Park Authority to pursue initiatives for new public golf courses only to the extent that they can be viable as public-private ventures where the private sector bears the primary capital cost and operating responsibility.

Following additional discussion among Board Members, the question was called on the other part of the motion which **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Frey, and Supervisor Hanley voting "NAY," Supervisor Alexander and Supervisor Hyland being absent.

Chairman Davis relinquished the Chair to Vice Chairman McConnell and asked unanimous consent that the Board direct staff to schedule a meeting with the Fairfax County Park Authority as soon as possible, preferably prior to the August recess. Without objection, it was so ordered.

Vice Chairman McConnell returned the gavel to Chairman Davis.

37.MODIFICATION OF OPERATING HOURS FOR COUNTY

SCHOOL-AGE CHILD CARE (SACC) CENTERS (Tape 4)

Supervisor Dix stated that recently he had been contacted by a number of constituents, including several teachers, regarding the operating hours of County School-Age Child Care (SACC) centers and how this impacts on classroom teaching schedules.

In an effort to better accommodate the needs of classroom teachers, Supervisor Dix moved that the Board request the staff of the Office for Children to:

- Review and consider modifying the operating hours of County SACC centers such that they may open at 7:00 a.m., rather than 7:15 a.m.; and
- Report on whether this modification can be accomplished without increasing operating expenses.

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

38.GROSS RECEIPTS TAX AS IT RELATES TO 501(C)3

AND 501(C)6 ORGANIZATIONS (Tape 4)

Supervisor Dix called to the Board's attention Business, Professional and Occupational License (BPOL) taxation of associations and other corporations under the 501A provisions of the Internal Revenue Service (IRS) Code. He stated that there are a number of 501(c)3 and 501(c)6 business entities in Fairfax County which are taxed on all of their gross receipts, other than membership dues, and it is his feeling that this is putting the County in a non-competitive basis as it relates to associations. He further noted that a number of jurisdictions contiguous to Fairfax County have had increases in the number of associations locating in their localities, while Fairfax County has seen a decline. Other jurisdictions presently exempt associations from BPOL Tax.

In view of the desirability of attracting associations to Fairfax County, retaining those already located in the County and keeping the County on a level playing field with surrounding jurisdictions, Supervisor Dix moved that the Board direct staff to schedule a public hearing as soon as possible on an amendment to the Code of the County of Fairfax to provide that gross receipts do not include dues collected by trade, professional, business, service or civic associations, nor the receipts of such organizations that are exempt from Federal income tax. This motion was seconded by Supervisor McConnell.

Following a query from Chairman Davis, Supervisor Dix stated that the organizations referenced in his motion include both 501(c)3 and 501(c)6.

Supervisor Hanley asked unanimous consent that the Board direct staff to include in the Board package documentation information on all surrounding jurisdictions, including the District of Columbia and the Maryland suburbs, and also which organizations are leaving and where are they going. Without objection, it was so ordered.

Following discussion among Board Members, with input from Paul E. Smith, Supervisor of Assessments, Office of Assessments, Chairman Davis relinquished the Chair to Vice Chairman McConnell and asked unanimous consent that the Board direct staff to report with the fiscal impact. Without objection, it was so ordered.

Vice Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley asked that the parts of the motion be voted on seriatimly.

Chairman Davis ruled the request in order.

The question was called on the part of the motion regarding 501(c)6 organizations which carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

The question was then called on the part of the motion regarding 501(c)3 organizations which **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, and Chairman Davis voting "NAY," Supervisor Alexander and Supervisor Hyland being absent.

(NOTE: Later in the meeting, there was additional action regarding this issue. See Clerk's Summary Item CL#78.)

VLL:vll

39.APPOINTMENT TO THE COMMUNITY ACTION ADVISORY

BOARD (CAAB) (Tape 5)

(APPT)

Supervisor Frey moved the appointment of Ms. Bethany Hall-Long as the Sully District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

40.APPOINTMENT TO THE PROJECT SELECTION COMMITTEE

(Tape 5)

(APPT)

Supervisor Frey moved the appointment of Ms. Deanna Kay Bray as the Sully District Representative to the Project Selection Committee. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

41.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 5)

(APPT)

Supervisor Frey moved the appointment of Mr. Richard L. Korink as the Sully District Representative to the newly-created County Government Committee. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

42. EXPEDITED PROCESSING AND WAIVER OF FEES

REQUESTED FOR THE WALNEY MILLS TOWNHOUSE

DEVELOPMENT (SULLY DISTRICT) (Tape 5)

Supervisor Frey stated that Site Plans were approved and building permits issued for a swimming pool and bath house for the Walney Mills Townhouse Development. These facilities have now been constructed. Unfortunately, both the Artery Organization (the developer) and the County mistakenly overlooked the fact that a Board of Zoning Appeals (BZA) Special Permit was necessary for these uses in an R-8 zoned development. It is the developer's desire to correct this situation and a Special Permit Application is immediately being prepared.

In keeping with the request from the developer's attorney, Supervisor Frey moved that the Board direct staff to expedite the processing of this Special Permit Application for these recreational facilities, and, because the County was remiss in approving the plans and permits without the Special Permit, to also waive the filing fees. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

43. DENSITY CREDIT FOR ADVANCE DEDICATION OF LAND

FOR PUBLIC PURPOSES (COMPTON ROAD AND UNION

MILL ROAD) (SPRINGFIELD DISTRICT) (Tape 5)

(DC)

(R)Supervisor Frey stated that at the Board of Supervisors' meeting held on June 8, 1992, action was taken to approve advanced density credit for the Catholic Diocese property located at the intersection of Union Mill and Compton Roads. However, while the Resolution correctly identified the Tax Map Parcel and the amount of land to be dedicated it incorrectly identified the affected roadways.

Accordingly, to rectify this error, Supervisor Frey moved that the Board:

- Direct the Clerk to the Board to correct the roadway identified in the Resolution to read, "Union Mill and Compton Roads" rather than Vale Road; and
- Adopt the corrected Resolution 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

TOTAL49,924 square feet

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

**44. CONSIDERATION ITEM REQUESTED TO ADDRESS THE
SUBDIVISION OF LOTS ON PRIVATE STREETS****(Tape 5)**

Supervisor Frey moved that the Board direct the Department of Environmental Management (DEM) staff to prepare a Consideration Item for presentation to the Board at its meeting scheduled for **July 27, 1992** which addresses the subdivision of lots on private streets and provides a means through which these lots may, in appropriate instances, be subdivided. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

**45. ESTABLISHMENT OF A CITIZENS ADVISORY COMMITTEE
(CAC) BY THE METROPOLITAN WASHINGTON AIRPORTS****AUTHORITY (MWAA) (Tape 5)**

Supervisor Frey announced that the Metropolitan Washington Airports Authority (MWAA) has established a Citizens Advisory Committee (CAC) and is requesting the governors of respective states to submit names for appointment.

Supervisor Frey moved that the Board forward a letter to Governor Douglas Wilder, Commonwealth of Virginia, recommending the appointment of Larry Palmer, Chairman, Fairfax County Airports Advisory Committee, as a Representative to the MWAAC. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

46. STAFFING LEVELS AVAILABLE TO THE FAIRFAX

COUNTY AIRPORTS ADVISORY COMMITTEE AND

REQUEST FOR AN UPDATED REPORT ON ITS

ACTIVITIES (Tape 5)

Supervisor Frey stated that there were budget impacts on the staffing levels that are available to the Fairfax County Airports Advisory Committee. He stated that the Committee feels that it can get by with significantly less staff support; however, feels it needs some technical assistance.

Accordingly, Supervisor Frey asked unanimous consent that the Board direct the Office of Comprehensive Planning (OCP) staff to work out staffing at reduced levels with the Fairfax County Airports Advisory Committee. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to schedule a presentation, sometime in early fall before the Board, by the Fairfax County Airports Advisory Committee on the issues that it has been addressing. Without objection, it was so ordered.

47. REQUEST THAT FAIRFAX TOWNE CENTER BE

ALLOWED TO APPLY FOR FOOTINGS AND

FOUNDATION PERMITS PRIOR TO FINAL

SITE PLAN (Tape 5)

Supervisor Frey moved that the Board waive its criteria and permit the Director of the Department of Environmental Management (DEM) to accept applications for footings and foundation permits prior to final Site Plan by the Fairfax Towne Center in order to expedite the process. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Supervisor Frey stated that the Board's action does not mean that the permits will be approved but allows the Fairfax Towne Center to apply for the permits.

48.NATIONAL BUILDING OFFICIALS AND CODE

ADMINISTRATORS (BOCA) CODE TRANSLATED

INTO CHINESE (Tape 5)

Supervisor Frey announced that the National Building Officials and Code Administrators (BOCA) Code has now been translated into Chinese. He stated that Joseph Bertoni, Chief, Building Inspections Branch, Department of Environmental Management (DEM), and currently President of BOCA, was instrumental in getting this Code translated.

49.NOTIFICATION FOR CULTURALLY DIVERSE FAIRFAX

COUNTY RESIDENTS REGARDING MANDATED RECYCLING

EFFORTS (Tape 5)

Recently, Supervisor Bulova stated that a constituent called to her attention the problem of making the non-English speaking residents of his condominium complex aware of the requirement to recycle newspapers. It appears that the residents are not recycling because they do not know that they have to.

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

In addition to newspapers, recycling of bottles, cans, and brush will become mandatory in September 1992. Accordingly, Supervisor Bulova moved that the Board direct staff to search for volunteers (perhaps from the school system) to make translations of recycling requirements for distribution in communities that have non-English speaking residents. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Dix and Chairman Davis being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

50.FEES AT LANDFILL AND TRANSFER STATIONS

(Tape 5)

Supervisor Bulova stated that when the Board deliberated over the adoption of the County's Fiscal Year (FY) 1993 Budget, Board Members wrestled with several user fee initiatives including charging citizens who drop off trash at the landfill and transfer station sites. She stated that during one of the many budget workshops, she had argued that groups and individuals doing clean-up of their own communities would be penalized by this action.

Supervisor Bulova stated that many constituents have contacted her office to object to the fee and warn her that increased dumping of trash will be a result. She read into the record a letter that she had received from one of her constituents explaining his opposition to the fee.

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

Supervisor Bulova moved that the Board, at Carryover, re-evaluate the policy to charge a fee at the landfill and transfer stations. In addition, she moved that the Board direct staff:

- To include in the evaluation, information regarding increased dumping along roadsides and at other unauthorized sites; and
- To coordinate with the Virginia Department of Transportation (VDOT) and Fairfax County Park Authority staff to collect this information.

This motion was seconded by Supervisor Trapnell.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the motion be amended to include that the Board also re-evaluate, at Carryover, its policy regarding parkouts (Solid Waste Recycling and Reduction Centers-SWRRC) and to direct staff to provide an evaluation of the parkouts as well. This amendment was seconded by Supervisor Dix.

Following discussion, with input from Richard A. King, Acting County Executive, Supervisor Dix asked that the motion be amended to include, in the evaluation by staff, whether or not staff recommends consideration of making the SWRRC permit available for admission to the transfer station site, and this was accepted by Supervisor Davis as part of his amendment to the main motion.

The question was called on Supervisor Davis' amendment to the motion (which includes Supervisor Dix' accepted amendment) which **CARRIED** by a recorded vote

of five, Supervisor Bulova, Supervisor Frey, and Supervisor Hanley voting "NAY," Supervisor Alexander and Supervisor Hyland being absent.

The question was called on the main motion, as amended, which **CARRIED** by a recorded vote of six, Supervisor Frey and Supervisor Hanley voting "NAY," Supervisor Alexander and Supervisor Hyland being absent.

51.DEFERRAL OF THE PRO-RATA SHARE FOR BUILDING

PERMIT NUMBER 92174B0974 (OAK FOREST DRIVE)

AND ISSUANCE OF THE BUILDING PERMIT (Tape 5)

Supervisor Bulova stated that one of her constituents is in the process of obtaining a building permit for a house for himself and his family in the Braddock District. Due to a personal hardship, he has requested that his payment for the storm drainage pro-rata share be deferred until the house construction is substantially complete. The constituent would pay the pro-rata payment prior to receiving the Residential Use Permit (RUP) that must be issued by the County prior to his family occupying the house.

Because of the special circumstances concerning the situation, Supervisor Bulova asked unanimous consent that the Board direct staff to defer the pro-rata share for Building Permit Number 92174B0974 for the construction of a single-family residence at 4703 Oak Forest Drive and to issue the building permit prior to the payment of the pro-rata share. She further moved that the pro-rata payment be reassessed and payment be received from the constituent at a later date upon notification that the house is complete. The pro-rata share payment must be made to the County prior to the issuance of the RUP. Without objection, it was so ordered.

52.WAIVER OF FEES FOR THE SHARED PARKING

STUDY FOR THE BURKE PRESBYTERIAN CHURCH

PRESCHOOL (BRADDOCK DISTRICT) (Tape 5)

Supervisor Bulova stated that at the Board of Supervisors' meeting held in May 1992, action was taken to waive the filing fees and request the Board of Zoning Appeals (BZA) to expedite the Special Use Permit for the Burke Presbyterian Church Preschool. Presently, she reported that everything is on track and the application will be heard before the August recess.

Supervisor Bulova stated that the Office of Transportation has informally reviewed the Shared Parking Study and has agreed that there will be no problem approving it. The actual review time will be minimal and not anywhere near the \$6,000 filing fee. Additionally the Preschool may also have fees associated with revisions to the Site Plan or a new Site Plan waiver. Because the Preschool has been through so much and because this small non-profit organization cannot afford the fees, Supervisor Bulova moved that the Board waive the fee for the Shared Parking Study, as well as any fees related to the Site Plan or Site Plan waiver. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

PMH:pmh

53.APPOINTMENT TO THE HISTORY COMMISSION (Tape 6)

Supervisor Trapnell moved the appointment of Ms. Louise Juergens as the Citizen Representative to the History Commission.

Chairman Davis noted that the proposed appointment to the History Commission was an At-Large appointment and would require the entire Board be present for the appointment to be made.

54.MCLEAN MEADOWS ESTATES STORM DRAINAGE

(Tape 6)

Supervisor Berger stated that the Department of Environmental Management (DEM) has approved a subdivision for McLean Meadow Estates (Plan Number 7145-SD-01-5) which contains a section of open channel with gabion baskets on either side. He added that the developer has paid a construction avoidance payment in the amount of \$9,918.26 to the County in lieu of providing on site storm water management.

Supervisor Berger noted that the citizens living near the proposed subdivision are concerned with the potential hazard associated with the open channel and have petitioned the County to work with the developer in an effort to eliminate the open channel in favor of installation of pipe. The developer has agreed to pursue this alternative, provided that the construction avoidance sum of \$9,918.26 is made available for this purpose to offset the increased cost of installing pipe instead of an open channel with gabions.

Accordingly, Supervisor Berger moved that the Board authorize the Department of Public Works (DPW) to return a portion or all of the \$9,918.26 storm water

management cost avoidance payment to the developer of McLean Meadow Estates, as if it may be demonstrated to the satisfaction of the Department of Environmental Management (DEM) and DPW that this amount is required, above and beyond the cost of constructing the channel, in order to provide storm drainage pipe. This motion was seconded by Chairman Davis.

Following discussion and input by John diZerega, Director, DPW, the question was called on the motion which carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

55.PRIVATIZATION OF CERTAIN COUNTY SERVICES

(Tape 6)

Supervisor Berger called the Board's attention to the fact that the Board has spent a great deal of time over the past six months investigating the need for privatization of certain County services. He stated that enough time has passed and enough study of the issue has been done so that the process of privatizing some of our County services as a way to save money and improve County services can begin.

Therefore, Supervisor Berger moved that the Board direct staff to prepare a Request for Proposal (RFP) to develop specifications for the hiring of a privatization consultant to analyze the cost savings benefits from privatization and if a cost savings of at least 10 percent is projected, to write and issue RFPs on behalf of Fairfax County for the following:

- Privatizing the one new School Aged Child Care (SACC) Center as previously approved by the Board of Supervisors;
- Privatizing the maintenance of all County owned buildings, not separately, but as a whole; and
- Privatizing the entire County motor vehicle fleet operations and all Equipment Management Transportation Agency (EMTA) facilities.

In addition, Supervisor Berger further moved that the Board instruct staff to work up this RFP in conjunction with and with the agreement of the following committee members of the Blue Ribbon Commission and the Economic Recovery Commission: Dr. Mark Crain, Sid Dewberry, Noman Cole, and Donna Engelson and Don Boone, as an oversight body for the writing of this initial RFP seeking a consultant and to exercise oversight with the final RFPs and provide recommendations in conjunction with the staff and the consultant in the issuance of the RFPs.

Supervisor Berger asked that his motion include a request that staff and the members of the Committee return to the Board of Supervisors with an RFP for approval by the September 14, 1992 Board Meeting. This motion was seconded by Supervisor McConnell.

Following a question from Chairman Davis, Theodore Austell, III, Executive Assistant to the County Executive, responded that \$100,000 was appropriated to cover a number of initiatives that the Board might take in the next fiscal year.

Following discussion, Supervisor McConnell suggested the addition of the following: "and any other possible department."

Chairman Davis clarified that the Board is making no decision ultimately on what it does today regarding EMTA. He added that at this time, the Board was only reviewing cost benefits to determine if money can be saved. He said that EMTA managers would be part of the decision.

Supervisor Berger clarified that the motion would cause staff and the Commission to work towards doing a cost analysis between now and September. If in their opinion by September, it's appropriate, to come forward with an RFP to hire a consultant who would then come in and start the process for the three items.

Supervisor Berger noted that this action has the potential to make up as much as half of the projected budget shortfall for the next fiscal year.

The question was called on the motion which carried by a vote of six, Supervisor Bulova and Supervisor Hanley being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

56.TERMS FOR THE HUMAN SERVICES COUNCIL

(Tape 6)

Supervisor Berger stated that the Human Services Council is one of the Boards, Authorities or Commissions that has a lifetime term without an expiration date. He said that the Dranesville District has had two resignations from the Council within the last six months. He said that although he has had an opportunity to appoint two members to the Council other Board Members may never have the opportunity to anyone to the Council barring resignations or death.

Supervisor Berger moved that the Board:

- Limit the term for members of the Human Services Council to two years; and
- Designate that current members' expiration dates be determined by lottery with half of the members appointed in even years and half in odd years with the two appointments from each Supervisor District being held in separate years.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to report in two weeks (when the entire Board is present) with this item in the form of a Consideration Item. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

57. TRANSPORTATION ADVISORY COMMISSION REPORT

(Tape 6)

(BACs)

(R)Supervisor Berger moved that the Board adopt the following Resolution:

"**WHEREAS**, at the direction of the Board of Supervisors, the Transportation Advisory Commission has delivered to the Board its report entitled, Transportation Priorities In Fairfax County; and

WHEREAS, the report carries out the direction of the Board and recommends priorities for the unfunded transportation improvements in Fairfax County based on benefit/cost criteria;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors:

- Accepts the report of the Transportation Advisory Commission;
- Directs the Transportation Advisory Commission to seek comment on the report at a public meeting to be held in the fall of 1992; and
- Directs the Transportation Advisory Commission to refine and update the report for representation to the Board of Supervisors on or before January 15, 1993."

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

58.PARKOUT PROGRAM (Tape 6)

Supervisor Berger stated that the Board took action that, effective July 1, 1992, people who opt to use the parkouts buy a permit in the amount of \$125 which would carry them from July 1, 1992 until July 1, 1993. He expressed the opinion that the individuals who had paid the fee for the first six months which was the pilot project for this year were not properly notified.

Supervisor Berger said that this created a "fiasco" on July 4, 1992 as many individuals were unaware of the program.

Following discussion, with input from John diZerega, Director, Department of Public Works, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to follow the procedure outlined below:

- If individuals do not have the new sticker (or the previous sticker) that staff again notify them and take their garbage. If they do not have the sticker the following week then staff will turn them away.

Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

AR:ar

59.NO BOARD MATTERS FOR SPRINGFIELD DISTRICT

SUPERVISOR MCCONNELL (Tape 7)

Springfield District Supervisor Elaine McConnell announced that she had no Board Matters to present at this time.

60.PRO-RATA SHARE ON THE ROAD ORDINANCE (Tape 7)

Supervisor Hanley asked unanimous consent that the Board direct staff to provide information on the pro-rata share on the Road Ordinance which passed the General Assembly earlier this year. Without objection, it was so ordered.

**61.LETTER FROM VIRGINIA POWER REGARDING AN
APPLICATION TO CHANGE THE RATES ON OUTDOOR**

LIGHTING SERVICE (Tape 7)

Supervisor Hanley called the Board's attention to a letter from Virginia Power regarding an application to change the rates on outdoor lighting service. She asked unanimous consent that the Board direct staff to submit its comments and recommendations regarding this matter at the next Board meeting scheduled for **July 27, 1992**. Without objection, it was so ordered.

62. CONCURRENT PROCESSING OF SITE PLAN WITH**REZONING APPLICATION RZ 92-P-011 (Tape 7)**

Supervisor Hanley moved that the Board direct the Director of Department of Environmental Management to accept a Site Plan for concurrent processing with Rezoning Application RZ 92-P-011. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

63. REITERATION OF THE BOARD OF SUPERVISORS'**NON-AFFILIATION WITH A GROUP CALLED THE****"FAIRFAX LAW OVERSIGHT COMMITTEE" (Tape 7)**

Supervisor Hanley reiterated the fact that the County and the Board of Supervisors have **NO** affiliation with a group called "The Fairfax Law Oversight Committee." Supervisor Hanley stated that she wanted to make it very clear that the County has not sanctioned or recognized any group to enforce any part of the County code and that this Oversight Committee has no legal authority in the County.

64. ROTUNDA RESIDENTS NOT IN LEAF COLLECTION**DISTRICT (Tape 7)**

Supervisor Hanley stated that her office has been contacted by numerous residents of the Rotunda Condominium Complex located in McLean. She went on to say that these residents reported that they had been billed by the County for leaf collection even though they do not reside in a leaf collection district.

Since the bills including the erroneous charges for leaf collection are due on July 28, 1992, Supervisor Hanley moved that the Board direct the Office of Assessments to immediately contact the residents of the Rotunda Complex with instructions on how

to accurately submit their payments. Since prepayment of taxes is due the County on July 28th, Supervisor Hanley stated that prompt notice in the form of a corrected bill to these residents will be necessary to avoid widespread confusion. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

65.COMPETITIVE CHILD CARE DEMONSTRATION**PROJECT FOR GRANT (Tape 7)**

Supervisor Hanley asked unanimous consent that the Board quickly refer to Verdina L. Haywood, Deputy County Executive for Human Services, information regarding a grant for a Competitive Child Care Demonstration Project. Supervisor Hanley noted the short deadline for receipt of the application as July 27, 1992, and asked that her request include an expeditious review by Mr. Haywood. Without objection, it was so ordered.

66.APPOINTMENT OF MR. ROBERT LEE AS SULLY**DISTRICT REPRESENTATIVE TO THE FAIRFAX****COUNTY REDEVELOPMENT AND HOUSING AUTHORITY****(Tape 8)****(APPT)**

Supervisor Frey moved the permanent appointment of Mr. Robert Lee as the Sully District Representative to the Fairfax County Redevelopment and Housing Authority. Supervisor Frey noted that Mr. Lee was appointed on an interim basis last Spring, pending the effective date (July 1, 1992) of the State law allowing the expansion of the Authority. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

**67.ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS
NECESSARY FOR THE CONSTRUCTION OF THE CRIMINAL
JUSTICE SITE COLLOCATION PROJECT (SULLY DISTRICT)**

(Tape 8)

(A)(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#7.)

Supervisor Frey called the Board's attention to Administrative Item 11 and moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **August 3, 1992 at 3:30 p.m.** on the proposed adoption of a Resolution authorizing the acquisition of certain easements necessary for the construction of the Criminal Justice Site Collocation Project Number 008051, Sully District. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

68.AUTHORIZATION OF SETTLEMENT OF PARK RIDGE**FIVE ASSOCIATES VERSUS THE BOARD OF****SUPERVISORS, IN CHANCERY NUMBER 116346,****MASTER FILE NUMBER 115184 (Tape 8)**

Supervisor Dix moved that the Board authorize settlement of Park Ridge Five Associates Versus the Board of Supervisors, in Chancery Number 116346, Master File Number 115184, as presented by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

69.BOARD DECISION ON PROPOSED AMENDMENT TO THE CODE**OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING****ORDINANCE), REGARDING COMMERCIAL RETAIL****AND INDUSTRIAL (C&I) DISTRICTS (Tape 8)**

(O)(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. On June 8, 1992, and again on June 22, 1992, the Board further deferred decision.)

[NOTE: Earlier in the meeting, Chairman Davis read into the record a letter that he had received from Supervisor Alexander who is absent from the entire meeting today.

The letter expressed his support for Alternative 1A for the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding Commercial Retail and Industrial (C&I) Districts. See Clerk's Summary Item CL#3.]

(NOTE: Earlier in the meeting, the Board decision on this item was deferred until later in the meeting. See Clerk's Summary Item CL#6.)

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 moved that the Board of Supervisors adopt Alternative 1A, dated June 8, 1992, of the proposed Amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding Commercial Retail and Industrial (C&I) Districts, along with the Grandfather Provisions dated June 18, 1992, all as set forth in the Board package, and with the understanding that the motion includes the amendments approved by the Board during mark-up. This amendment shall **become effective on July 14, 1992, at 12:01 a.m.** This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova and Supervisor Hanley voting "NAY," Supervisor Alexander and Supervisor Hyland being absent.

CM:cm

**70.3:30 P.M. - PH ON THE ACQUISITION OF A
DEDICATION AND EASEMENTS NECESSARY FOR
THE CONSTRUCTION OF THE GUM SPRINGS STORM
DRAINAGE IMPROVEMENTS PHASE II PROJECT
(MOUNT VERNON DISTRICT) (Tape 9)**

(R)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 June 25 and July 2, 1992.

Following the public hearing Supervisor Bulova, on behalf of Supervisor Hyland, moved adoption of the Resolution authorizing the acquisition of land rights necessary to implement the construction of Project 003905 - Gum Springs Storm Drainage Improvements Phase II. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

**71.3:30 P.M. - PH ON THE ACQUISITION OF A
DEDICATION AND EASEMENTS NECESSARY FOR
THE CONSTRUCTION OF ENGLSIDE PHASE II,
NEIGHBORHOOD IMPROVEMENT PROJECT (LEE
DISTRICT) (Tape 9)**

(R)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 June 25 and July 2, 1992.

Following the public hearing Supervisor Hanley, on behalf of Supervisor Alexander, moved adoption of the Resolution authorizing the acquisition of land rights necessary to implement the Engleside Phase II, Neighborhood Improvement Project - C00077. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

**72.3:30 P.M. - PH SETTING ASSESSMENTS IN ELLISON
HEIGHTS (DRANESVILLE DISTRICT) (Tape 9)**

(R)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 June 25 and July 2, 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.

Following the public hearing, which included testimony by four speakers, Supervisor Berger moved adoption of the Resolution setting assessments for Ellison Heights. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Frey and Chairman Davis being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

**73.3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING ORDINANCE) REGARDING ZOOLOGICAL PARKS**

(Tape 9)

(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 June 25 and July 2, 1992.

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

Following the public hearing, which included testimony by 17 speakers, Supervisor Dix moved approval of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding zoological parks to allow this use as a permitted secondary use in the PDH District and as a special permit use in the R-E and R-1 Districts, and to revise the use limitations for secondary uses in the PDH District. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Trapnell abstaining, Supervisor Hanley being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

74.4:00 P.M. - BOARD DECISION ON PROPOSED**PROHIBITION OF THROUGH TRUCK TRAFFIC ON****MAPLE BRANCH ROAD (ROUTE 646) (SPRINGFIELD****DISTRICT) (Tape 10)**

(Verbatim)

(NOTE: The public hearing was held on June 8, 1992 and Board Decision deferred until June 22, 1992 and again deferred until July 13, 1992.)

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.

Supervisor McConnell moved to **indefinitely defer** Board Decision on through truck traffic on Maple Branch Road (Route 646) located between Henderson Road (Route 612) and Clifton Road (Route 645). This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

75.4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE

**CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82
(MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A
[(RESIDENTIAL PERMIT PARKING DISTRICT
(RPPD)], APPENDIX G TO ESTABLISH A RPPD
IN THE VICINITY OF CENTREVILLE HIGH
SCHOOL (SULLY DISTRICT) (Tape 10)**

(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 June 25 and July 2, 1992.

Following the public hearing, which included testimony by five speakers, Supervisor Frey moved adoption of the proposed amendment to Chapter 82 (Motor Vehicles and Traffic), Article 5A [Residential Permit Parking District (RPPD)], Appendix G to establish a RPPD in the vicinity of the Centreville High School. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Hanley being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

76.4:00 P.M. - PH ON REZONING APPLICATION

**RZ 91-Y-008 (ROBERT B. TURAK) (SULLY
DISTRICT) (Tapes 10-11)**

Mr. Donald Smith, reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 91-Y-008 be amended from the R-1 and

Water Supply Protection Overlay District to the R-2 and Water Supply Protection Overlay District subject to the proffers dated May 14, 1992. This motion was seconded by Supervisor Trapnell and **CARRIED** by a recorded vote of five, Supervisor Bulova abstaining, Supervisor Hanley and Supervisor McConnell being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

77.4:00 P.M. - PH ON AGRICULTURAL/FORESTAL (A/F)

DISTRICT RENEWAL APPLICATION AR 84-D-004

(CHARLES AND LAURA NICHOLS) (DRANESVILLE

DISTRICT) (Tape 11)

(O)Mr. Charles Nichols reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Berger moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (District Ordinances for Local Agricultural and Forestal Districts), to renew the Hidden Springs Farm Local Agricultural and Forestal District (AR 84-D-004) subject to the conditions contained in Appendix One of the Staff Report dated May 6, 1992. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Alexander and Supervisor Hyland being absent.

ADDITIONAL BOARD MATTER

78.MOTION TO RECONSIDER THE BOARD'S ACTION FROM EARLIER

IN THE DAY REGARDING A PUBLIC HEARING ON BUSINESS

PROFESSIONAL OCCUPATIONAL LICENSE (BPOL) ASSESSMENTS

(Tape 11)

(NOTE: Earlier in the meeting, there was action regarding this item. See Clerk's Summary Item CL#38.)

Supervisor Dix moved that the Board reconsider actions taken earlier in the day to schedule a public hearing regarding Business Professional Occupational License (BPOL) Assessments and 501(c)3 Corporations. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Supervisor Dix moved that 501(c)3 Corporations not be included at this time in the public hearing which will address BPOL Assessments for trade, professional, business services and civic associations. The second to this motion was inaudible. The question was called on the motion which carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

79.PH ON SPECIAL EXCEPTION APPLICATION SE 92-C-001

(VIRGINIA ELECTRIC AND POWER COMPANY)

(CENTREVILLE DISTRICT) (Tape 11)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the public hearing on Special Exception Application SE 92-C-001 be deferred until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, the public hearing on Special Exception Application SE 92-C-001 was held. See Clerk's Summary Item CL#81.)

Vice-Chairman McConnell returned the gavel to Chairman Davis.

80.4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

**APPLICATION SEA 80-L-139 (MOUNT VERNON KNIGHTS
OF COLUMBUS CLUB, INCORPORATED) (LEE DISTRICT)**

(Tape 11)

Mr. Jim Williams, reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hanley, on behalf of Supervisor Alexander, moved approval of Special Exception Amendment Application SEA 80-L-139 subject to the proposed development conditions dated June 11, 1992. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being absent.

Supervisor Hanley, on behalf of Supervisor Alexander, further moved:

- Modification of the transitional screening requirement and barriers as depicted on the Special Exception Amendment Plat;
- Waiver of the peripheral parking lot landscaping along the eastern side of the parking lot; and
- Waiver of the minimum lot width.

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

81.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 92-C-001 (VIRGINIA ELECTRIC AND POWER COMPANY)

(CENTREVILLE DISTRICT) (Tape 11)

Mr. Randall Church, reaffirmed the validity of the affidavit for the record.

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

Chairman Davis disclosed that from time to time, Hunton and Williams has represented the Planning Research Corporation, which is now PRC, which employs Thomas M. Davis, but Hunton and Williams has no business or financial relationship

with Thomas M. Davis, either personally or through PRC. He stated that he was an officer in the Corporation prior to his election as the Chairman of the Fairfax County Board of Supervisors.

George A. Symanski, Jr., Senior Assistant County Attorney, recommended that Chairman Davis absent himself from the public hearing.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and he left the Board Room.

Supervisor Trapnell stated that she also has been advised to absent herself from the hearing and she left the Board Room.

Supervisor Bulova disclosed that two individuals whose tickets were purchased by Virginia Power attended her Re-elect Bulova 1991 Octoberfest and Auction, however that would not preclude her from participating in this public hearing.

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

Supervisor Dix moved approval of Special Exception Application SE 92-C-001 subject to the proposed development conditions dated June 23, 1992, with the addition of the following two conditions:

- Condition Number 9: "A similar evergreen species with a minimum of eight feet in height may be substituted for the leland cypress depicted along Sunset Hills Road as determined by the Urban Forester;" and
- Condition Number 10: "If a stormwater management waiver is not granted a stormwater management facility shall be provided near the western boundary as depicted on Option A. To the extent possible, as determined by the County Arborist, landscaping along the western boundary as depicted in Option B shall be provided in the area outside the stormwater management facility."

Supervisor Dix further moved:

- Modification of the transitional screening requirement along the northern boundary to that shown on the Special Exception Plat.

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

82.BOARD ADJOURNMENT (Tape 11)

At 6:20 p.m., the Board adjourned.