

CM:cm

The meeting was called to order at 9:40 a.m. with all Members being present, with the exception of Supervisor Alexander and Supervisor Frey and with Chairman Davis presiding.

Supervisor Frey arrived at 9:45 a.m.

Supervisor Alexander was absent from the entire meeting.

Others present were Richard A. King, Acting County Executive; Robert L. Howell, Acting County Attorney; 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 COMMENDING

MILDRED W. BISHOP FOR HER MANY YEARS OF

SERVICE TO FAIRFAX COUNTY AS AN EMPLOYEE

WITH THE OFFICE OF ASSESSMENTS (Tape 1)

Supervisor Bulova moved approval of the presentation of the Certificate of Appreciation, presented to Mildred W. Bishop, commending her retirement after 30 years of dedicated service to the citizens and government of Fairfax County as an employee with the Office of Assessments. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander being absent, Supervisor Frey having not yet arrived.

3.CERTIFICATE OF APPRECIATION COMMENDING

EMERSON ROSE FOR HIS MANY YEARS OF

SERVICE TO FAIRFAX COUNTY AS AN EMPLOYEE

WITH THE DEPARTMENT OF PUBLIC WORKS (Tape 1)

Supervisor McConnell moved approval of the presentation of the Certificate of Appreciation, presented to Emerson Rose, commending his retirement after 35 years of dedicated service to the citizens and government of Fairfax County as an employee

with the Department of Public Works. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander being absent, Supervisor Frey having not yet arrived.

4.CERTIFICATE OF APPRECIATION COMMENDING

THOMAS R. RIGGLES FOR HIS MANY YEARS OF

SERVICE TO FAIRFAX COUNTY AS AN EMPLOYEE

WITH THE DEPARTMENT OF PUBLIC WORKS (Tape 1)

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Thomas R. Riggles, commending his retirement after 32 years of dedicated service to the citizens and government of Fairfax County as an employee with the Department of Public Works. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

5.CERTIFICATE OF APPRECIATION COMMENDING

JOSEPH R. STOWERS FOR HIS MANY YEARS OF

SERVICE ON THE TRANSPORTATION ADVISORY

COMMISSION (Tape 1)

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation presented to Joseph R. Stowers for his many years of dedicated service to the citizens and government of Fairfax County as a member of the Transportation Advisory Commission. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

6.9:45 A.M. - PRESENTATION OF ANNUAL AWARDS FOR

CONTRIBUTIONS TO HISTORIC PRESERVATION BY THE

FAIRFAX COUNTY HISTORY COMMISSION (Tape 1)

(BACs)

On behalf of the Fairfax County History Commission, Reverend Clinton W. Austin, Chairman, presented the Commission's awards to the following individuals:

- **Levelle W. Dupell**, on behalf of the Newington Civic Association, for its adoption and protection of the historic Chichester family cemetery;
- **Joyce Pearsall**, who has given 13 years of volunteer work in the Heritage Resources Volunteer Program;
- Nan and Ross Netherton, who, singly and together, have made important contributions to both history and preservation in Fairfax County, including the County History Book, as well as the County Historic Preservation Ordinance; and
- **Rocky Gorge Development Communities, Incorporated**, which, in plans for development within the Centreville Historic Overlay District, has made every effort to produce a site plan which would enhance the historic district, and has also given support to archaeological work on the site.

Following the presentation, Supervisor Hyland moved that the Board send a letter under the Chairman's signature, on behalf of the Board, expressing its appreciation to Mr. Thomas Pomeley for allowing the Heritage Resources Branch to do the archaeological dig on his property to preserve an important piece of the County's history. This motion was jointly seconded by Supervisor Frey and Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

7.10:00 A.M. - PRESENTATION OF ITS ANNUAL REPORT

BY THE OVERSIGHT COMMITTEE ON DRINKING AND

DRIVING (Tape 1)

(BACs)

Louis L. Herzog, Chairman, presented to Board Members the annual report by the Fairfax County Oversight Committee on Drinking and Driving and requested that the Board aggressively promote the passage of legislation for a national model Administrative License Revocation Program and that such legislation contain provisions of making the penalties of administrative license revocation applicable to persons under the age of 21 with any measurable alcohol content when stopped by the police.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the administrative license revocation matter be referred to the Legislative Subcommittee. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

BOARD MATTERS

8.REQUEST TO ADJUST PODIUM IN THE BOARD ROOM

(Tape 1)

During the presentation by Mr. Herzog of the annual report by the Fairfax County Oversight Committee on Drinking and Driving, Supervisor Hanley asked unanimous consent that the Board direct staff to review the possibility of having the podium adjusted so that during presentations to the Board speakers will have access to a smaller screen on the podium so that they will not have to look up at the big screen. Without objection, it was so ordered.

9.ABSENCE OF SUPERVISOR JOSEPH ALEXANDER

LEE DISTRICT (Tape 2)

Chairman Davis announced that Supervisor Alexander would be absent from the entire meeting today. He read into the record a letter that he had received from Supervisor Alexander.

Chairman Davis stated that Supervisor Alexander is out-of-town representing the Board of Supervisors on official business at an American Public Transit Association (APTA) and a Metro Board meeting.

10.BOARD RECESS (Tape 2)

At 10:40 a.m. the Board recessed and reconvened in the Board Room at 10:55 a.m. with all Board Members present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

11.INTERVIEWING CANDIDATES FOR THE POSITION OF

COUNTY EXECUTIVE (Tape 2)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board of Supervisors go into Executive Session for the purpose of interviewing candidates for the position of County Executive at an undisclosed location within the next 15 days in accordance with the provisions of Virginia Code 2.1-344.1. This

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

12.10:30 A.M. - BOARD MARKUP ON PROPOSED CHESAPEAKE

BAY PRESERVATION ORDINANCE (Tapes 2-4)

(NOTE: The public hearing was held on June 8, 1992 and action taken to schedule a markup session on the proposed Chesapeake Bay Preservation Ordinance for July 27, 1992. Board decision is scheduled for August 3, 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 14, and May 21, 1992.

Supervisor Hyland moved the Planning Commission's recommendation on the Proposed Chesapeake Bay Preservation Ordinance dated May 21, 1992, found in today's Board Package as Attachment 2 (handwritten pages 6-37). This motion was seconded by Supervisor Bulova.

Supervisor Hyland moved the following amendments to the Planning Commission's recommendation on the Proposed Chesapeake Bay Preservation Ordinance dated May 21, 1992:

Section 118-3-2(f)(1), page 11 (handwritten page 18):

- Change the language that now reads "...no less than 45 percent..." to read "...no less than 40 percent..."; and
- Delete the underlined language.

Following discussion, Supervisor Frey moved to amend the motion to:

- Change the language that now reads "...no less than 45 percent..." to read "...no less than 40 percent..."; **AND**
- Leave in the portion of the underlined text that reads "...that does not result in an impervious area of 18 percent or greater on the lot or parcel on which the development will occur."

This motion was seconded by Supervisor Hanley.

Following further discussion, the question was called on Supervisor Frey's amendment which **FAILED** by a recorded vote of six, Supervisor Bulova, Supervisor Frey, and Supervisor Hanley voting "**AYE**," Supervisor Alexander being absent.

Supervisor Dix amended the motion to:

- Reduce the phosphorus loads to "40 percent;" AND
- Leave the underlined text as written by the Planning Commission.

This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Chairman Davis voting "**NAY**," Supervisor Alexander being absent.

Supervisor Hyland moved to amend the Planning Commission's recommendation on Section 118-3-2(g), top of page 12 (handwritten page 19) to add the following language to the end of the paragraph:

- "...and evidence of such permits provided to the Director."

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

Supervisor Hyland moved to amend the Planning Commission's recommendation on Section 118-6-10(a)(4)(iii), page 27 (handwritten page 34), at the end of the paragraph to add the following language:

- "or within twelve (12) months of the effective date of this Ordinance, whichever is later."

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

Following discussion with input from staff, Supervisor Bulova amended the motion to insert as part of the motion that same language on page 29 (handwritten page 36) and this was accepted.

The question was called on the amendment which carried by a vote of nine, Supervisor Alexander being absent.

Following further discussion with input from Karen J. Harwood, Assistant County Attorney, Supervisor Hyland moved to amend the Planning Commission's recommendation to add language to address Section 118-6-6, as recommended by staff in a memo dated July 27, 1992, given to Board Members at today's meeting, Item 2 on the first page of the memo and also found on the first page of Attachment 2 in the same memorandum. This language would serve to add, as a factor for consideration in the review of the Resource Protection Area (RPA) exceptions, the presence of downstream BMP and regional stormwater management facilities. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

(Tape 3)

Supervisor Hyland moved for purposes of discussion to reinstitute within Section 118-6-10(a)(6) the date of May 21, 1991, to establish a cut-off date in terms of the applicability of the Ordinance to make it definitive. This motion was seconded by Supervisor Bulova.

Following discussion, the question was called on the amendment which **FAILED** by a recorded vote of eight, Supervisor Hyland voting "**AYE**," Supervisor Alexander being absent.

Following a query to Ms. Harwood, Supervisor Dix amended the motion to add language to Section 118-6-10(a) page 28 (handwritten page 35) beginning of Item 8, to read as follows:

• "...Construction plans, grading plans, conservation plans filed prior to the effective date of this ordinance **AND** construction plans, grading plans, conservation plans and building permits containing all the required information filed pursuant to a plat..."

This motion was seconded by Supervisor Berger.

Following further discussion Supervisor Hanley asked unanimous consent that staff from the Department of Environmental Management (DEM), Site Review Division, be invited to the meeting. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board allow him to **WITHDRAW** his motion until later in the meeting after staff arrives from Site Review. Without objection, it was so ordered.

(NOTE: Later in the meeting there was further discussion regarding this item. See Page 10.)

Supervisor Hyland moved to amend Article 7, Appeals Section found on page 30 (handwritten page 37) to:

- Reinstate the language that has been crossed out to read as follows: "the provisions of this Chapter which the applicant alleges to have been violated by the decision and the reasons..."; and
- Delete the word "grounds."

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

Supervisor Hyland further moved to delete the underlined language added to Article 7, the section on "Appeals," found on page 30 (handwritten page 37). This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Berger moved to amend Section 118-1-7(b), page 7 (handwritten page 14) to revise the definition of the RPAs as follows:

- Delete Item B, Number 3;
- Delete Item B, Number 4;
- Delete from Number 6 (i), (ii); and
- Retain Number 6 (iii).

The second to this motion was inaudible.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and amended the motion to add the major floodplain areas of 360 acres or greater and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following further discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Trapnell moved an amendment to reinstate the slope language as recommended by the Planning Commission. This motion was seconded by Supervisor Hyland.

Supervisor Frey informed the Board Members that the Planning Commission's language refers to slopes greater than or equal to 15 percent where such a slope begins within 50 feet of a floodplain whereas the Comprehensive Plan defines Environmental Quality Corridor (EQC) as slopes that begin within 50 feet of the water course and slopes that are adjacent to floodplains and suggested that the Planning Commission language be amended to match that of the Comprehensive Plan to protect the same slopes.

Supervisor Trapnell amended the motion to modify the language.

Following further discussion, Supervisor Trapnell clarified her amendment to keep the slope language as recommended by the Planning Commission.

The question was called on the amendment which **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland and Supervisor Trapnell voting "**AYE**," Supervisor Alexander being absent.

Supervisor Frey moved to amend the language to read as follows:

- "Any land with a slope greater than or equal to 15 percent where such slope is immediately adjacent to a major floodplain."

This motion was seconded by Supervisor Trapnell.

Following further discussion, the question was called on the motion which **CARRIED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis voting "**NAY**," Supervisor Alexander being absent.

The question was then called on Supervisor Berger's amendment to allow RPAs to include the major floodplains AND slopes, which **FAILED** by a recorded vote of five, Supervisor Berger, Supervisor Frey, Supervisor Trapnell, and Chairman Davis voting "**AYE**," Supervisor Alexander being absent.

Supervisor Berger asked unanimous consent that he be recorded as voting "**NAY**." Without objection, it was so ordered.

Supervisor Berger moved to revise the definition of the Resource Management Areas (RMAs) of Section 3.3B, page 6, in the hand-out to Board Members, to include only those elements in the land categories specifically identified in the State Chesapeake Bay Preservation regulation. This motion was seconded by Supervisor McConnell

and **FAILED** by a recorded vote of six, Supervisor Berger, Supervisor Dix, and Supervisor McConnell voting "**AYE**," Supervisor Alexander being absent.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved to amend Section 118-1-7, page 7 (handwritten page 14) to delete floodplains that are not major floodplains from the Resource Protection Area (RPA). This motion was seconded by Supervisor Trapnell.

Supervisor Davis amended the motion to add to Section 6 (iv) the following language: "50 feet of a major floodplain."

Chairman Davis clarified his motion as the Planning Commission's recommendation to keep in only the major floodplains and to clarify the term "floodplain."

The question was called on the amendment which **FAILED** by a recorded vote of five, Supervisor Berger, Supervisor Frey, Supervisor Trapnell, and Chairman Davis voting "**AYE**," Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Dix moved to amend Section 118-3-2(f), page 11 (handwritten page 18) to add an Item 8 to read as follows:

• "All plans of development which are subject to review under Section 15.1-475 of the Virginia State Code shall comply with the provisions of this paragraph regardless of whether or not the property is located either within or without the Chesapeake Bay Preservation Area."

Following discussion with input from Ms. Harwood, Supervisor Frey moved a substitute motion to direct staff to investigate the implementation of county-wide (BMPs) and report back to the Board next week in conjunction with the final vote on the Chesapeake Bay Ordinance with a recommended series of steps. This motion was seconded by Supervisor Hanley and **CARRIED** by a recorded vote of seven, Supervisor Dix and Supervisor McConnell voting "**NAY**," Supervisor Alexander being absent.

(Tape 4)

Supervisor Dix moved to amend Section 118-6-2, page 20 (handwritten page 27) to replace the phrase "...all buildable area.." with "...a reasonable buildable area..." This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

Following a recommendation from Ms. Harwood, Supervisor Dix asked unanimous consent that the word "all" be deleted from the heading of Section 118-6-2. Without objection, it was so ordered.

Supervisor Dix moved to amend the section on Intensely Developed Areas (IDAs) that IDAs be retained as an option to be considered at a later date. The second to this motion was inaudible.

Following further discussion with input from Mr. Zook, the question was called on the amendment which carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix moved that the Board adopt a Resource Protection Area (RPA) that includes the provisions of the definition of the State requirements of the ordinance **PLUS** major floodplains only. The second to this motion was inaudible. The question was called on the motion as amended which **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Supervisor Trapnell voting "**NAY**," Supervisor Alexander being absent.

Supervisor Dix further moved that the Board adopt a Resource Management Area (RMA) that includes the definition as presented by state requirements of the ordinance to include only minor floodplains. This motion was seconded by Supervisor McConnell.

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

(NOTE: Earlier in the meeting discussion was held regarding Section 118-6-10(a). See Page 7.)

Following a query from Supervisor Dix, regarding a motion he made earlier in the discussion, Ms. Harwood advised that any new language for Section 118-6-10(a) would not be necessary.

The question was then called on the main motion of the final mark-up of the Chesapeake Bay Ordinance as amended which **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Supervisor Trapnell voting "**NAY**," Supervisor Alexander being absent.

13. BOARD RECESS (Tape 4)

At 1:15 p.m., the Board recessed briefly and, at 1:20 p.m., reconvened in the Board Room with all Members being present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

SBE:sbe

14.RECESS/EXECUTIVE SESSION (Tape 5)

At 1:25 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Briefing on the Metro IG investigation.

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

At 3:15 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

15.ACTIONS FROM EXECUTIVE SESSION (Tape 5)

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

B.EIGHTH SKYLINE ASSOCIATES VERSUS

BOARD OF SUPERVISORS OF FAIRFAX COUNTY,

AT LAW NUMBER 111386

Supervisor Trapnell moved that the Board authorize settlement of Eighth Skyline Associates versus Board of Supervisors of Fairfax County, At Law Number 111386, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

C.REFUND TO STATE CORPORATION COMMISSION**AND APPLICATION OF VIRGINIA ELECTRIC****AND POWER COMPANY FOR EXPEDITED****INCREASE IN RATES**

Supervisor Berger moved that the Board withdraw its notice of appeal of the order requiring refund to the State Corporation Commission, dated June 2, 1992, to the Supreme Court of Virginia and the Application of the Virginia Electric and Power Company for an Expedited Increase in Rates, Case Number PUE 900023. This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "NAY," Chairman Davis abstaining, Supervisor Alexander being absent.

D.BOARD OF SUPERVISORS OF FAIRFAX COUNTY,**VIRGINIA VERSUS REAL ESTATE CORPORATION OF****MCLEAN, ALSO KNOWN AS MAGRUDER AND****DIBENEDETTO REAL ESTATE CORPORATION,****ET AL., AT LAW NUMBER 97307**

Supervisor McConnell moved that the Board authorize settlement of Board of Supervisors of Fairfax County, Virginia versus Real Estate Corporation of McLean, also known as Magruder and DiBenedetto Real Estate Corporation, et al., At Law Number 97307, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

16.ADMINISTRATIVE ITEMS (Tape 5)

Supervisor McConnell moved approval of the Administrative Items. The second to this motion was inaudible and the motion carried by a vote of nine, Supervisor Alexander being absent.

**ADMIN 1 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE SALE OF COUNTY-OWNED PROPERTY
TO THE DEVONSHIRE TOWNHOMES ASSOCIATION (LEE
DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 14, 1992 at 3:30 p.m.** regarding the proposed sale of a parcel of County-owned property, Tax Map Number 91-1 ((1)) 20, Lee District, to the Devonshire Townhomes Association, in exchange for fair market value and directed staff to notify adjacent property owners by certified mail.

17.A-1 - FALL 1992 TRANSPORTATION BOND REFERENDUM

(Tape 5)

(BONDS)

(R)Supervisor Dix moved that the Board concur in the recommendation of staff and adopt a Resolution "Requesting the Circuit Court of Fairfax County to Order an Election on Issuing \$130,000,000 of Bonds for Transportation Improvements." This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

Discussion ensued among Board Members regarding the procedure for lobbying on bond issues. It was announced that it is the Board's policy to establish a committee whose mission would be to address the pros and cons of the issue.

**18. A-2 - BIG ROCKY FOREST STORMWATER MANAGEMENT
POND REIMBURSEMENT AGREEMENT (SULLY DISTRICT)**

(Tape 5)

On motion of Supervisor Frey, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the

recommendation of staff and authorized the execution of an agreement to reimburse Maplewood Development Company, Incorporated, from developer pro rata share collections for the construction cost of Big Rocky Forest Regional Stormwater Management Pond (Regional Pond C-30), Sully District.

19.A-3 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93019 FOR THE DEPARTMENT OF

RECREATION AND COMMUNITY SERVICES' 1992

SUMMER LUNCH PROGRAM FOR CHILDREN (Tape 5)

(SAR)On motion of Supervisor Hanley, seconded by Chairman Davis, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93019, in the amount of \$66,695, for the Department of Recreation and Community Services' 1992 Summer Lunch Program for Children.

20.A-4 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93018 TOTTALLING \$450,283 FOR THE

DEPARTMENT OF HUMAN DEVELOPMENT'S CASE

MANAGEMENT PROJECT FOR THE ELDERLY GRANT

(Tape 5)

(SAR)Supervisor Dix moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 93018, totalling \$450,283, for the Department of Human Development's Case Management Project for the Elderly Grant. This motion was seconded by Supervisor Trapnell.

Following discussion, with input from the Department of Human Development (DHD) staff, the question was called on the motion which carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley expressed her concern regarding the timing of the item. She called to the Board's attention that the item had been signed by staff prior to being forwarded to the Board.

ADDITIONAL BOARD MATTER

21.RECOGNITION OF R. SCOTT SILVERTHORNE, MEMBER,

FAIRFAX CITY COUNCIL (Tape 5)

Chairman Davis recognized the presence of R. Scott Silverthorne, Member, Fairfax City Council, and he warmly welcomed him to the Board Room.

22.A-5 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93020 FOR THE DEPARTMENT OF HUMAN

DEVELOPMENT PY 1992 ECONOMIC DISLOCATION AND

WORKER ADJUSTMENT ASSISTANCE (EDWAA) PROGRAM

(Tape 5)

(SAR)On motion of Supervisor Hyland, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93020, in the amount of \$225,000, for the Department of Human Development PY 1992 Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program.

23.A-6 - MCLEAN COMMUNITY CENTER'S VIRGINIA

COMMISSION FOR THE ARTS TOURING ASSISTANCE

GRANT APPLICATIONS (DRANESVILLE DISTRICT)

(Tape 5)

On motion of Supervisor Berger, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the McLean Community Center's application to the Virginia Commission for the Arts for \$3,000, which, along with local funds in the amount of \$8,000, will provide \$11,000 toward performances and activities by Wayside Theater.

24.A-7 - PERMISSION FOR THE DEPARTMENT OF HUMAN

**DEVELOPMENT TO SUBMIT AN APPLICATION TO THE
VIRGINIA DEPARTMENT OF SOCIAL SERVICES (VDSS)
FOR CHILD ABUSE AND NEGLECT TREATMENT SERVICES
GRANT FUNDING (Tape 5)**

On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the submission of an application by the Department of Human Development (DHD) to the Virginia Department of Social Services (VDSS) for child abuse and neglect treatment services totalling \$12,700.

**25.A-8 - GRANT TO COUNCIL OF GOVERNMENTS FOR
TECHNICAL SERVICES - I-95 LANDFILL (MOUNT
VERNON DISTRICT) (Tape 5)**

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the Acting County Executive to sign a grant to the Metropolitan Washington Council of Governments (COG) for technical services at the I-95 Landfill, Mount Vernon District. This motion was seconded by Supervisor Trapnell.

Supervisor Hanley expressed her concern regarding the timing of the item. She called to the Board's attention that the item had been signed by staff prior to being forwarded to the Board.

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

**26.A-9 - APPROVAL OF CERTIFICATION OF ZONING
AND SUBDIVISION ORDINANCE COMPLIANCE FOR
CORBALIS WATER TREATMENT PLANT (DRANESVILLE
DISTRICT) (Tape 5)**

Supervisor Berger moved that the Board concur in the recommendation of staff and authorize the Acting County Executive to sign a certificate stating that the Corbalis

Water Treatment Plan facility, as identified below, is consistent with the Fairfax County Zoning and Subdivision Ordinances so that an application for a Virginia Pollutant Discharge Elimination System (VPDES) Permit may be filed with the State Water Control Board (SWCB), Dranesville District:

12015 John Donnelly Street

Tax Map Reference: 11-1 ((1)) 1 and 3

Zoning District: R-1

Special Exception: SE 78-D-064.

This motion was seconded by Supervisor McConnell.

Following discussion, with input from the Office of Comprehensive Planning (OCP) staff, the question was called on the motion which carried by a vote of nine, Supervisor Alexander being absent.

27.A-10 - AUTHORIZATION TO ADVERTISE PROPOSED

AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,

CHAPTER 112 (ZONING ORDINANCE) REGARDING

FREESTANDING SHOPPING CENTER SIGNS (Tape 5)

(R)

(A)On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and authorized the advertisement of a public hearing to be held before the Planning Commission on September 16, 1992 and before the Board of Supervisors on **October 5, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow the names of individual enterprises located within a shopping center to be displayed on a freestanding shopping center sign.

28.A-11 - AUTHORIZATION TO ADVERTISE PROPOSED

AMENDMENT TO THE CODE OF THE COUNTY OF

**FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE),
ARTICLE 14 (EXEMPTION OF REAL ESTATE TAXES),
SECTION 4-14-5 (AMOUNT OF EXEMPTION) (Tape 5)**

(A)Supervisor Hanley moved that the Board concur in the recommendation of staff and authorize the advertisement of a public hearing to be held before the Board of Supervisors on **September 14, 1992 at 4:00 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 14 (Exemption of Real Estate Taxes), Section 4-14-5 (Amount of Exemption), to revise the proration provisions of real estate tax exemptions, based on one's percentage of ownership. This motion was seconded by Chairman Davis.

Following discussion, with input from the Office of Assessments staff, the question was called on the motion which carried by a vote of nine, Supervisor Alexander being absent.

**29.A-12 - APPOINTMENT OF MEMBERS TO THE NORTHERN
VIRGINIA MANPOWER CONSORTIUM PRIVATE INDUSTRY
COUNCIL (PIC) (Tape 5)**

(BACs)

(APPT)

On motion of Supervisor Dix, seconded by Chairman Davis, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and reappointed the following representatives to the Northern Virginia Manpower Consortium Private Industry Council:

•Mr. Ronald Gunn

National Alliance of Business

New Term to Expire: June 30, 1993; and

•Mr. William E. Offutt, III

Offutt, Childers and Putnam

New Term to Expire: June 30, 1993.

AR:ar

30. C-1 - SUBDIVISION OF LOTS ON PRIVATE STREETS

(Tape 6)

(A)

(Verbatim)

The Board next considered an item contained in the Memorandum to the Board dated July 27, 1992 regarding consideration of a proposed amendment to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), concerning subdivision of lots on private streets.

Supervisor Frey moved that the Board authorize the advertisement of public hearings on the proposed amendment to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), concerning the subdivision of lots on private streets, as follows:

- Before the Planning Commission on September 16, 1992; and
- Before the Board of Supervisors on **October 5, 1992 at 4:00 p.m.**

This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Hanley asked unanimous consent that the Board direct staff to provide verbatims of the Board discussions on November 5, 1990, and September 23, 1991, as well as verbatims of any Planning Commission discussions, concerning this portion of the Subdivision Ordinance. Without objection, it was so ordered.

The question was then called on the motion which **CARRIED** by a recorded vote of eight, Chairman Davis voting "NAY," Supervisor Alexander being absent.

31. C-2 - CLARIFICATION OF SUPERVISOR BERGER'S

JULY 13, 1992 MOTION ON THE PRIVATIZATION OF

CERTAIN COUNTY SERVICES (Tape 6)

The Board next considered an item contained in the Memorandum to the Board dated July 27, 1992 considering clarification of Supervisor Berger's July 13, 1992 motion on the privatization of certain County services.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer consideration of this item in order to allow additional time to confer with staff. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

32. I-1 - ZONING ORDINANCE AMENDMENT WORK

PROGRAM - FISCAL YEAR (FY) 1993

(Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 presenting a response to the Board's request for information regarding the status of the Office of Comprehensive Planning's (OCP) Zoning Ordinance Amendment Work Program for Fiscal Year (FY) 1993; and requesting authorization for staff to proceed with Priority One list of requested amendments for FY 1993.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, the staff was directed administratively to proceed as proposed.

33. I-2 - REVIEW AND PROCESSING OF APPLICATIONS

FOR CELLULAR TELEPHONE FACILITIES (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 requesting authorization for staff to proceed to work with the Planning Commission and the telecommunication industry to facilitate necessary modifications to the Zoning Ordinance and/or adopted Comprehensive Plan to facilitate objectives described in this item.

There was a brief discussion regarding this item.

The staff was directed administratively to proceed as proposed.

34. I-3 - VIRGINIA POWER APPLICATION TO REVISE THE

TARIFF ON OUTDOOR LIGHTING SERVICES (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 presenting the Virginia Power Application to revise the tariff on outdoor lighting services.

There was a brief discussion regarding this item, with input from John W. diZerega, Director, Department of Public Works.

35. I-4 - PAYMENT OF CERTAIN COURT FEES TO THE

STATE TREASURY (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 presenting information on payment of certain court fees to the State Treasury.

There was a brief discussion regarding this item, with a presentation by Robert Beers, Accounting Comptroller, Circuit Court and Records.

36. I-5 - SUBMISSION OF GRANT APPLICATION TO THE

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

URBAN DEVELOPMENT FOR LOCAL ECONOMIC EMPOWERMENT

(Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 requesting authorization for the United States (U.S.) Department of Housing and Urban Development (HUD) to proceed with preparation of the application and the Acting County Executive will execute the application for submission by HUD by the due date.

The staff was directed administratively to proceed as proposed.

37. I-6 - COUNTY HOLIDAY SCHEDULE -- CALENDAR

YEAR 1993 (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 presenting the County Holiday Schedule -- Calendar Year 1993.

Following discussion, Supervisor Bulova reminded Board Members of her previous request for consideration of a permanent change in the scheduled day of the week for Board Meetings from Mondays to Tuesdays.

The staff was directed administratively to proceed as proposed.

38.I-7 - AMENDMENT TO THE ARCHITECTURAL CONTRACT TO

STRANG AND SAMAHA FOR THE DESIGN OF THE RESTON

COMMUNITY CENTER NATATORIUM RENOVATION

(CENTREVILLE DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 requesting authorization for staff to award a contract amendment to Strang and Samaha in the amount of \$32,736 for the Reston Community Center Natatorium Renovation, Project 003712, within Subfund 180, Reston Community Center.

The staff was directed administratively to proceed as proposed.

39. I-8 - APPROVAL OF CONTRACT ADDENDUM WITH CAMP,

DRESSER AND MCKEE FOR THE OPERATION OF THE

KINGSTOWNE ENVIRONMENTAL MONITORING PROGRAM

(LEE DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 requesting authorization for staff to award a contract amendment to Camp, Dresser and McKee in the amount of \$87,146 for Project L00034, Kingstowne Environmental Monitoring Program, in Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

**40. I-9 - CONTRACT AWARD - STRUCTURAL AND MECHANICAL
RENOVATION AT PROVIDENCE AND MOUNT VERNON
RECREATION CENTERS (PROVIDENCE AND MOUNT
VERNON DISTRICTS) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 requesting authorization for staff to award a contract to 722 Construction of Sterling, Virginia in the amount of \$1,047,722 for Project 004748, General Park Improvements, in Subfund 950.

Following a brief discussion, with input from William C. Beckner, Director, Park Authority, the staff was directed administratively to proceed as proposed.

**41. I-10 - CONTRACT AWARD - ARCHITECTURAL AND
ENGINEERING DESIGN SERVICES FOR THE RENOVATION
OF THE CLARK HOUSE (MASON DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 requesting authorization for staff to award a contract to John Cole of Cole and Denny, Incorporated in the amount of \$83,528 for Project 475888, Park Building Renovation, in Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

**42.I-11 - PARK AUTHORITY/RECREATION DEPARTMENT
REORGANIZATION STUDY (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated July 27, 1992 requesting authorization for staff to proceed to implement the study as outlined.

The staff was directed administratively to proceed as proposed.

PMH:pmh

43. COUNTY GOVERNMENT COMMITTEE (Tape 7)

Chairman Davis noted that next week (August 3, 1992 Board Meeting) the Board will be making appointments to the Committee studying a possible change in the form of the County Government Committee.

44. COUNTY "HERITAGE DAY" (Tape 7)

Chairman Davis noted that the Board has endorsed the designation of a County "Heritage Day" in October to commemorate Fairfax's 250th anniversary, the 500th anniversary of Christopher Columbus' voyage, and to dedicate the government center. He said that planning for this event is underway by the Faxfair Corporation and County staff.

Chairman Davis said that a significant component of the Heritage Day will be events staged inside the government center and tours of the building. He added that it is essential that citizens become acclimated to this building and become aware of the many services and features available to them here.

Chairman Davis announced that his office will be open that day. He said that it would be appropriate for the customer-oriented agencies on the first or second floors of the building (or elsewhere) to be open to the public on this very important occasion. He said that staff should be available to explain the program functions and answer questions.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct staff, in conjunction with the Faxfair Corporation, to make arrangements to have the appropriate offices open to the public during open house hours on Heritage Day. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

45. APPOINTMENT TO COMMISSION FOR WOMEN (Tape 7)

(APPT)

Supervisor Davis moved the appointment of Ms. Mary M. Wolf Hammond as the At-Large Representative on the Commission for Women to fill the unexpired term of Ms. Charlotte Newton who had recently resigned. He noted that Ms. Hammond's appointment leaves the Mason District Representative position that she had currently filled vacant. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

**46.EXPRESSION OF SYMPATHY TO THE FAMILY AND FRIENDS
OF MR. STEVEN A. WEINBERG, MOBIL OIL CORPORATION**

(Tape 7)

Supervisor Davis stated that last week, Board Members had received a copy of a resolution by the Fairfax County Business Recycling Task Force recognizing the significant contribution of the late Steven A. Weinberg of the Mobil Oil Corporation to the success of the Fairfax County Business Recycling Program. He moved that the Board join the Task Force in its recognition of Mr. Weinberg and express its deepest sympathy to his family and friends for their loss. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

47.PROCESSING FEES FOR THE CIRCUIT COURT

(Tape 7)

Supervisor Davis said that under Virginia Code, Section 58.1-1718 - Local governing bodies have the authority to enact legislation to levy a fiduciary processing fee for the Circuit Court. At the request of the Clerk to the Circuit Court, Supervisor Davis asked unanimous consent that the Board direct staff to work with the Clerk to the Circuit Court and report to the Board with the appropriate information at its August 3, 1992 Board meeting so that a new ordinance can be considered and enacted if so decided. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

48.DEFERRAL OF CENTREVILLE DISTRICT SUPERVISOR

ROBERT DIX'S BOARD MATTERS (Tape 7)

Supervisor Dix stated that in the interest of time, he would reserve his Board Matter time for other matters of agenda interest.

49.REQUEST FOR INSTALLATION OF "NO PARKING"

SIGNS ALONG METROVIEW PARKWAY (Tape 7)

(R)Supervisor Hyland stated that he had received a letter from the Starr Management Corporation identifying safety hazards which have developed at the Value Engineering Building parking lot entrance on Metroview Parkway (which runs

perpendicular to Huntington Avenue) as a result of vehicles continually parking along that road.

Supervisor Hyland said that the Virginia Department of Transportation (VDOT) is prohibited from imposing any restrictions on this roadway because it has not been received into their system and the County Office of Transportation is unable to post "NO PARKING" signs without Board authorization.

Therefore, Supervisor Hyland moved that the Board adopt the following Resolution requesting the installation of "NO PARKING" signs along Metroview Parkway:

"WHEREAS, after a duly conducted public hearing, the Fairfax County Board of Supervisors on February 9, 1981, adopted a parking ordinance enabling the restriction of parking on a portion of the secondary road system; and

WHEREAS, the parking ordinance specifies the conditions under which parking restrictions are warranted; and

WHEREAS, Metroview Parkway, from Huntington Avenue to the cul-de-sac, has been reviewed and found to meet the conditions of the parking ordinance in that parking along this street creates a safety hazard for pedestrians, cyclists or motorists entering or exiting the roadway from driveways;

NOW, THEREFORE, BE IT RESOLVED, that parking anytime is hereby prohibited on Metroview Parkway from Huntington Avenue to the cul-de-sac; and

FURTHER, staff is directed to install "NO PARKING" signs along the subject roadway section and to obtain a permit from VDOT for the continuance of the signs at such time as the roadway is taken into the VDOT Secondary Road System."

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

50.BOARD SUPPORT FOR CITY OF ALEXANDRIA'S OPPOSITION

TO THE STATE LEGISLATION WHICH WOULD OVERRULE

LOCAL LAND-USE REGULATIONS (Tape 7)

Supervisor Hyland stated that a major effort has been launched by Governor Douglas Wilder, Commonwealth of Virginia, and Washington Redskins' owner, Jack Kent Cooke, to situate a new stadium at Potomac Yards in the City of Alexandria. The

announcement was made without consultation and approval of the affected local jurisdiction.

Accordingly, Supervisor Hyland moved that the Board go on record as:

- Opposing action of the State legislature which would overrule local land-use regulation in the City of Alexandria, Fairfax County or elsewhere in the Commonwealth of Virginia;
- Directing the Chairman of the Board to continue efforts to find an acceptable location for the Redskins in Fairfax County, if possible; and
- Indicating that, in the event that Mr. Cooke intends to move the stadium out of the District of Columbia (D.C.), there are locations in Northern Virginia and Fairfax County that perhaps would be appropriate for the stadium.

Following discussion, it was the consensus of the Board to vote on the items seriatimly.

The question was called on the following portion of the motion:

- Opposing action of the State legislature which would overrule local land-use regulation in the City of Alexandria, Fairfax County or elsewhere in the Commonwealth of Virginia.

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

The question was called on the following portion of the motion:

- Directing the Chairman of the Board to continue efforts to find an acceptable location for the Redskins in Fairfax County, if possible (providing land-use goals are met); and
- Indicating that in the event that Mr. Cooke intends to move the stadium out of the District of Columbia (D.C.) there are locations in Northern Virginia and Fairfax County that perhaps would be appropriate for the stadium.

which **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Frey, and Supervisor Hanley abstaining, Supervisor Alexander being absent.

51.DISTRIBUTION OF PAMPHLET LISTING THE HISTORICAL

PUBLICATIONS AVAILABLE TO THE PUBLIC (Tape 7)

Supervisor Hyland stated that the Heritage Resources Program was created in 1969 with a mission to provide the public with information, research, and preservation. Research is done on broad topics such as the history of Fairfax County, on native-American life, and work on both architectural and archaeological sites. The Heritage Resources Program also increases the knowledge of Fairfax County's past which is shared by the public through many books, photographs, chronicles, reprints of original historical maps, drawings, land grants, and surveys.

Supervisor Hyland distributed to Board Members a pamphlet listing the historical publications compiled by the County that are available to the public. He asked unanimous consent that the Board express its support by requesting staff to provide this pamphlet to all Fairfax County libraries, parks visitors centers, tax offices, the Economic Development Authority (EDA), and any other marketing opportunity that would advertise these available materials. Without objection, it was so ordered.

52. CONCURRENT SITE PLAN PROCESSING FOR SPECIAL

EXCEPTION APPLICATION SE 91-V-050 (EXXON

SERVICE STATION) (MOUNT VERNON DISTRICT)

(Tape 7)

Supervisor Hyland stated that the Exxon Corporation has filed Special Exception Application SE 91-V-050 to permit the construction of a service station at the intersection of Silverbrook and Lorton Roads. The Special Exception Application was scheduled, but then indefinitely deferred to allow the applicant additional time to process a Comprehensive Plan Amendment and a concurrent Rezoning Application due to a mapping error. These applications have now been scheduled for public hearings sometime in the Fall.

Because the applicant has already been delayed due to circumstances beyond his control, he is requesting concurrent processing of a Site Plan in conjunction with the proposed Special Exception. Concurrent processing will allow the Department of Environmental Management (DEM) to review the Site plans while the applicant proceeds with the public hearing process.

Accordingly, Supervisor Hyland moved that the Board direct the Director of DEM to process a Site Plan concurrently with Special Exception Application SE 91-V-050, Tax Map Reference 107-4-2-1 and 107-4-9, portions of Lots 1, 2, 3, 4, and 5. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

**53.MEMORANDUM OF UNDERSTANDING BETWEEN THE
NORTHERN VIRGINIA SOIL AND WATER CONSERVATION
DISTRICT AND THE COUNTY OF FAIRFAX (Tape 7)**

Supervisor Hyland stated that the Commonwealth of Virginia Soil and Water Conservation Board, which provides oversight and funding for Virginia's Soil and Water Conservation Districts, has advised the local District to enter into a Memorandum of Understanding with the County of Fairfax. This will facilitate cooperation, will more adequately clarify lines of responsibility between these entities as programs are undertaken related to conservation, development, and use of soil, water, the Chesapeake Bay, and other natural resources, and will establish the working relationship between the County and the Soil and Water Conservation District.

Accordingly, Supervisor Hyland distributed to Board Members copies of the draft Memorandum of Understanding and he moved that the Board direct the County Attorney to review and negotiate the draft documents with the Northern Virginia Soil and Water Conservation District and report to the Board with an Action Item for approval. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

**54.THE AIDS (ACQUIRED IMMUNE DEFICIENCY
SYNDROME) CRISIS (Tape 7)**

Supervisor Hyland called to the Board's attention that during a briefing at the Washington Council of Governments' (COG) Human Services and Public Safety Policy Committee meeting held last week, conducted by Dr. Susan Allan, Director, Arlington County Health Department, and Dr. Mohammad Akhter, Commissioner, District of Columbia (D.C.) Commission of Public Health, a major AIDS (Acquired Immune Deficiency Syndrome) HIV prevention campaign was announced to combat the alarming rise in AIDS/HIV infection.

Supervisor Hyland briefed Board Members on the statistics given at the Committee meeting and stated that, although those statistics relate to D.C.'s population, they are extremely alarming. He moved that the Board request the Director of the Department of Health to meet with D.C.'s Commissioner of Health and the Director of Arlington County's Health Department to review their programs and to report to the Board with a recommendation for a course of action, including but not limited to conducting a

survey of Fairfax County's prison population, schools, and general population. This motion was seconded by Supervisor Bulova.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include the assistance of the Health Care Advisory Board, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

55.ADDITIONAL REPRESENTATION FOR THE COUNTY

GOVERNMENT COMMITTEE (Tape 7)

(BACs)

Supervisor Hyland stated that, inasmuch as the Fairfax County Citizens Assembly has been one of the leading organizations to not only support a change to the County's Charter and, in fact, has already done a great deal of work toward the areas of reviewing and resubmitting several draft proposals of the document, he moved that the Board increase the membership of the County Government Committee to include one representative from this group. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

56.STREAMLINING ACCESS TO LAND RECORDS (Tape 7)

Supervisor Hyland stated that at the annual meeting of the National Association of Counties (NACo) he recently attended, a program implemented in Tulsa, Oklahoma by the Clerk of Court had been called to his attention. He briefed Board Members that Tulsa has placed all of their land records, tax information, and court records pertaining to the requirements of title searches of the property on-line and accessible off-site to the private sector. The system makes it possible for title insurance companies, for a fee, to access court records through terminals in their own offices, which is an incredible time and expense saving procedure. The procedure also reduces the workload of the court employees, reduces dozens of persons who flood the land records office to search titles, and reduces the number of copies made of the documents.

Accordingly, Supervisor Hyland moved that the Board request the Clerk of the Circuit Court to contact the Clerk of Court in Tulsa, Oklahoma to obtain details of their land records access system with a view towards implementing such a program for Fairfax County. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Hanley, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

57.STATUS REPORT REQUESTED ON REALLOCATION OF BOND**FUNDS FROM THE ROUTE ONE FACADE UPGRADE PROJECT****TO THE ROUTE ONE COMMERCIAL REVITALIZATION****PROGRAM (Tape 7)**

Supervisor Hyland stated that on July 22, 1991, action was taken by the Board of Supervisors to approve the reallocation of \$300,000 in bond funds from the Route One Facade Upgrade Project to the Route One Commercial Revitalization Program and to authorize staff to initiate the selection process to begin the engineering design to update the Route One widening plans.

On behalf of Supervisor Alexander, Supervisor Hyland asked unanimous consent that the Board direct staff to report on August 3, 1992 with the status of the \$300,000 in bond funds. Without objection, it was so ordered.

58.APPOINTMENT TO THE TRANSPORTATION ADVISORY**COMMISSION (Tape 7)**

(APPT)

Supervisor Hyland moved the appointment of Mr. Lee V. Dickinson as the Mount Vernon District Representative to fill the unexpired term of Mr. John Geary to the Transportation Advisory Commission. This motion was seconded by Chairman Davis and carried by a vote of five, Supervisor Berger, Supervisor Dix, Supervisor Hanley, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

59.GUNSTON COMMERCE CENTER APPLICATION (Tape 7)

Supervisor Hyland stated that the application for the Gunston Commerce Center is located at Route 1 and Furnace Road. Supervisor Hyland moved that the Board direct the Planning Commission and the staff to schedule the public hearing on this

application before the Planning Commission as expeditiously as possible (September or October), and then schedule the public hearing before the Board of Supervisors. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Dix, Supervisor Hanley, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

AR:ar

60.RECOGNITION OF COUNTY EMPLOYEES' OFFICIAL

POSITIONS WITH BUILDING OFFICIALS AND

CODE ADMINISTRATORS (BOCA) (Tape 8)

Supervisor Frey called the Board's attention to the official positions held by several County employees with Building Officials and Code Administrators (BOCA) and asked unanimous consent that the Board direct the Acting County Executive and the Office of Public Affairs to schedule a time in September 1992 for official recognition before the Board of Supervisors for this dedicated group of County employees. Without objection, it was so ordered.

61.RENAMING A PORTION OF SHIRLEY GATE ROAD

(Tape 8)

Supervisor Bulova noted that the intersection of Shirley Gate Road and Braddock Road has been realigned as part of the Shirley Gate Road widening project. As a result of this realignment, a portion of Shirley Gate was cul-de-saced with a new access point onto the new section of Shirley Gate Road. In order to avoid confusion, it is necessary to rename this section of "old" Shirley Gate Road. No property owners live on this road segment who would be impacted by this name change.

Supervisor Bulova stated that Ms. Mattie Moore, a long time resident of this area, and her family owned much of the land on Shirley Gate Road. It has been suggested by the Department of Public Works (DPW) that the old portion of Shirley Gate Road be renamed to honor the memory of this former resident.

Therefore, Supervisor Bulova moved that the Board direct staff to rename that portion of Shirley Gate Road from its intersection of improved Shirley Gate to the end of the cul-de-sac as "Mattie Moore Court." This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Berger, Supervisor Hanley, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

62.RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)-**POMPONIO PLACE (Tape 8)**

Supervisor Bulova stated that several years ago, a Residential Permit Parking District (RPPD) which excluded Pomponio Place, a cul-de-sac with 15 homes immediately adjacent to the school, was established around Annandale High School. She noted that many years ago, in a previous attempt to deal with student parking, the Virginia Department of Transportation (VDOT) installed "No Parking" signs on Pomponio Place. When the RPPD was established, those existing "No Parking" signs precluded Pomponio Place from being included. This meant that residents of this street are not able to park in front of their own homes, while their neighbors in the RPPD may do so. In September 1990, residents of Pomponio Place petitioned to be added to the Annandale High School RPPD, but were told by staff that they did not meet the criteria because not enough cars were parked on the street.

Accordingly, Supervisor Bulova moved that the Board:

- Direct staff to waive the applicable criteria in order to allow Pomponio Place to be included as part of the Annandale High School RPPD;
- Waive the application fee; and
- Direct staff to work with VDOT to make sure that the "No Parking" signs are not removed until the RPPD signs can be installed.

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

63.FREE CONSUMER REFERRAL SERVICE IN**FAIRFAX COUNTY (Tape 8)**

Supervisor Bulova stated that one of her constituents has called attention to a free consumer referral service in Fairfax County. Supervisor Bulova noted that, using this free service, citizens have been able to obtain important information about contractors in over 230 home construction specialties. Current plans for this service include the publication of a book called, "Improving Your Home," as well as plans to go national with this referral service.

Therefore, Supervisor Bulova moved that the Board officially recognize the efforts of this very important service which takes away some of the guesswork for consumers using home contractors. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Berger and Supervisor Frey being out of the room, Supervisor Alexander being absent.

64.APPOINTMENT OF STUDENT REPRESENTATIVE**TO THE ENVIRONMENTAL QUALITY ADVISORY****COUNCIL (EQAC) (Tape 8)**

(APPT)

Supervisor Bulova noted that the search procedure for a student representative to the Environmental Quality Advisory Council (EQAC) is a very competitive one. Application forms are distributed to all public and private high schools throughout Fairfax County. Applicants are evaluated based on academic achievement, extracurricular activities, and a 500 word essay on an environmental issue of the applicant's choice. Supervisor Bulova added that this year there were 10 applicants.

Accordingly, and at the request of EQAC, Supervisor Bulova moved the appointment of Ms. Helen Woods, a rising senior at Annandale High School, Braddock District, who chose the topic of recycling for her essay, as the student representative to EQAC through June 1993. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Berger and Supervisor Frey being out of the room, Supervisor Alexander being absent.

65.CONCERNS FOR SAFETY SITUATION AT WHITTIER**SCHOOL (Tape 8)**

Supervisor Hanley called the Board's attention to a letter from the Co-Chairs of the Whittier School Task Force, expressing their concerns about the safety situation at Whittier School, and asked unanimous consent that the letter be referred to the Acting County Executive for his review and recommendations concerning what corrective measures need to be taken at the school. Without objection, it was so ordered.

66.PUBLIC MEETING OF THE VIRGINIA WATER**CONTROL BOARD ON SPECIFIC REGULATIONS**

FOR ABOVE GROUND STORAGE TANKS (Tape 8)

Supervisor Hanley stated that a public meeting has been scheduled by the Virginia Water Control Board for August 24, 1992 at 7 p.m. in the Board Room of Prince William County. This meeting will address the specific proposed regulations for above ground storage tank prevention standards and operational requirements, registration requirements, and financial responsibility requirements.

Supervisor Hanley moved that the Board direct staff to provide testimony on behalf of the Fairfax County Board of Supervisors which she (Supervisor Hanley) will present at the scheduled public meeting. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger, Supervisor Frey, and Chairman Davis being out of the room, Supervisor Alexander being absent.

67.REVIEW OF MERRIFIELD AND DUNN LORING**MASTER PLAN LANGUAGE (Tape 8)**

In view of the recent Board action on the Commercial and Industrial District amendments, Supervisor Hanley moved that the Board direct staff to review the Merrifield and Dunn Loring plans in order to determine how the Master Plan language should be changed to make it consistent with the current Zoning Ordinance, and that this draft language be presented to the Board in September 1992. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger, Supervisor Frey, and Chairman Davis being out of the room, Supervisor Alexander being absent.

68.HOUSE BILL 5653 (Tape 8)

Supervisor Hanley asked unanimous consent that the Board direct staff to review the situation with regard to the reporting mandates imposed on local government by House Bill 5653. Without objection, it was so ordered.

VLL:vll

**69.EFFECTIVENESS OF TARGET HOTLINE FOR THE
COLLECTION OF PERSONAL PROPERTY TAXES**

(Tape 9)

Supervisor Trapnell stated that constituents have often called her office to report that the TARGET Hotline is ineffective. It seems that many times the Office of Assessments does not follow-up on the collection of personal property taxes from owners of vehicles without a valid County decal. Accordingly, she asked unanimous consent that the Board direct staff to investigate this issue, with the understanding that this is a priority item, and report its findings. Without objection, it was so ordered.

70.REAPPOINTMENT TO THE PLUMBING ADVISORY AND

LICENSING BOARD (Tape 9)

(APPT)

Supervisor Trapnell moved the reappointment of Mr. Gerald M. Kassalow as the At-Large (Resident) Representative to the Plumbing Advisory and Licensing Board. This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Chairman Davis being out of the room, Supervisor Alexander being absent.

71.APPOINTMENT TO THE SMALL AND DISADVANTAGED

BUSINESS COMMISSION (Tape 9)

(APPT)

Supervisor Trapnell moved the appointment of Mr. Harry R. Schurr as the Mason District Representative to the Small and Disadvantaged Business Commission. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Chairman Davis being out of the room, Supervisor Alexander being absent.

72.REQUEST FOR CERTIFICATE OF APPRECIATION FOR

THE STAFF AND VOLUNTEERS AT GREEN SPRING

GARDENS PARK (Tape 9)

Supervisor Trapnell asked unanimous consent that the Board direct staff to prepare the appropriate Certificate of Appreciation, for presentation at the Board of Supervisors' meeting scheduled for August 3, 1992, for the staff and volunteers at Green Spring Gardens Park for their outstanding performance in keeping the park operational with reduced staff and funds. Without objection, it was so ordered.

73.WAIVER OF FEES REQUESTED FOR SINGLE-FAMILY DWELLING BEING CONSTRUCTED BY "HABITAT FOR HUMANITY" AND LOCATED IN THE GUM SPRINGS AREA OF MOUNT VERNON DISTRICT

(Tape 9)

Supervisor Trapnell stated that "Habitat for Humanity" is a non-profit organization which builds single family residences affordable to those who would not be otherwise be able to afford home ownership. The Northern Virginia affiliate, which serves Fairfax and Arlington Counties and the City of Alexandria, is preparing to break ground for its first new construction of a three-bedroom home in the Gum Springs Neighborhood of Mount Vernon District.

Due to the charitable nature of this volunteer endeavor, Supervisor Trapnell moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive all fees associated with the construction of this single family residence. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Chairman Davis being out of the room, Supervisor Alexander being absent.

74.REQUEST FOR ADDITIONAL AND CLEARER SIGNAGE FOR GOVERNMENT CENTER (Tape 9)

Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova and moved that the Board authorize staff to install additional signage along the major routes leading to the Government Center, including I-66. She stated that the size and type of signs should be similar to the green street signs installed in medians by the Virginia Department of Transportation (VDOT) depicting an upcoming intersection. This motion was seconded by Supervisor Dix.

Supervisor Berger asked that the motion be amended to include that the Board direct staff to review and report with recommendations on how to provide signage that would better lead individuals to the Government Center, which would include the possibility of enlarging the existing blue signs posted, and this was accepted.

In response to a query by Supervisor Hanley regarding the signage inside the Government Center that leads individuals to the Board Room, Fred K. Kramer,

Director, Office of General Services, responded that better signage is on order and will be installed sometime in September. He stated that the signs are brushed aluminum and are much larger than the current signs.

Following further discussion, the question was called on the motion, and as amended, carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

75.ELIMINATION OF HIGH-OCCUPANCY-VEHICLE (HOV)

RESTRICTIONS ON INTERSTATE I-95, FROM THE

SPRINGFIELD INTERCHANGE TO THE FAIRFAX

COUNTY PARKWAY (Tape 9)

Supervisor McConnell called to the Board's attention the newly- constructed High-Occupancy-Vehicle (HOV) lanes on Interstate I-95, from the Springfield Interchange to the Fairfax County Parkway. Since the opening of this segment in early July, she stated that her office has received numerous calls regarding the HOV-3 use policy during afternoon rush hours.

During evening rush hour, non-HOV-3 can enter the HOV-3 lanes at Edsall Road and exit at Springfield. Individuals cannot, however, continue on HOV-3 and exit at the Fairfax County Parkway, which is only a quarter of a mile stretch.

Because this has created such an unnecessary back-up at Springfield, she moved that the Board direct the Office of Transportation staff to work in cooperation with the Virginia Department of Transportation (VDOT) to review the elimination of the HOV-3 restrictions for the stretch between Springfield and the Fairfax County Parkway, during evening hours only. This motion was seconded by Supervisor Berger.

Supervisor Berger asked that the motion be amended to include that the Board also refer this issue to the Transportation Advisory Commission (TAC) for its review and recommendation, and this was accepted.

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

Acting-Chairman Bulova returned the gavel to Chairman Davis upon his return to the Board Room.

**76.FEASIBILITY OF COST-SHARING FINGERPRINTING
SCANNER AND PRINTER AMONG COUNTY AGENCIES
AND THE SCHOOL ADMINISTRATION (Tape 9)**

Supervisor Berger stated that last Thursday, the School Board voted to spend \$100,000 on a proposal for school administrators to revise the process of screening applicants for school positions with a state-of-the-art fingerprinting scanner and printer.

Supervisor Berger said that this equipment automatically reads an individual's fingerprint card. The device eliminates the need for messy ink printing and the often poor quality prints which result. A fingerprint card which cannot be classified by the Virginia State Police or the Federal Bureau of Investigations (FBI) because of messy or incomplete print images causes the card to be returned without a criminal record check.

Supervisor Berger suggested that it would be more cost effective to share the burden of funding and the benefits of this technology among all the County agencies with this need. Accordingly, Supervisor Berger moved that the Board direct staff to expeditiously review the feasibility of this proposal and report its finding at the meeting scheduled for August 3, 1992. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

**77.REDUCTION OF DEPARTMENT OF ANIMAL CONTROL'S
RESPONSE TIME TO SITUATIONS INVOLVING RABID
ANIMALS (Tape 9)**

Supervisor Berger briefed Board Members on a serious situation involving rabid foxes biting two children in two separate instances in the Great Falls area last week. He stated that the Director of Animal Control reported that the response involving sick or aggressive raccoons, skunks, or foxes, is approximately 90 minutes, and further, that this is Animal Control's priority response.

Therefore, Supervisor Berger moved that the Board direct the Acting County Executive to review this matter immediately and find a resolution to the Department's unacceptable response time including, if necessary, the reallocation of existing funding within the Department of Animal Control to ensure the safety of the citizens of Fairfax County as the Department of Animal Control's number one priority. This motion was seconded by Supervisor McConnell.

Supervisor Hyland asked that the motion be amended that the Board direct Barbara A. Snow, Director, Department of Animal Control, to appear before the Board to report on what measures it would take, within her Department, to decrease the response time and whether this can be done within the existing budget constraints, and this was accepted.

Following discussion, with input from Richard A. King, Acting County Executive, Supervisor Berger restated his motion that the Board direct the Acting County Executive to meet with the Director of the Department of Animal Control to determine what can be done, within the constraints of the budget, to reduce the response time for situations involving rabid animals.

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

SBE:sbe

78. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATIONS

SE 92-P-007, SE 92-P-010, SE 92-P-011 AND

SE 92-P-012 (WEST*GATE, A VIRGINIA LIMITED

PARTNERSHIP) (PROVIDENCE DISTRICT) (Tape 10)

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

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

•In the amount of \$620.00 from Ms. Emily Myatt.

Mr. Fleury 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 Special Exception Application SE 92-P-007 subject to the development conditions dated July 8, 1992. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved approval of Special Exception Application SE 92-P-010 subject to the development conditions dated July 8, 1992. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved approval of Special Exception Application SE 92-P-011 subject to the development conditions dated July 8, 1992. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved approval of Special Exception Application SE 92-P-012 subject to the development conditions dated July 8, 1992. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

79. 3:30 P.M. - DEFERRAL OF PH ON SPECIAL EXCEPTION

APPLICATION SE 92-V-019 (PRATAP SINGH)

(MOUNT VERNON DISTRICT (Tape 10))

Due to the Planning Commission's deferral of its public hearing on Special Exception Application SE 92-V-019 until September 10, 1992, Supervisor Hyland moved to defer the Board's public hearing on Special Exception Application SE 92-V-019 until **September 14, 1992 at 4:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

80. 3:30 P.M. - DEFERRAL OF PH ON PROPOSED AMENDMENTS

**TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING ORDINANCE) AND PUBLIC FACILITIES MANUAL
(PFM) REGARDING ACCESSIBILITY PROVISIONS FOR
PERSONS WITH DISABILITIES (Tape 10)**

Due to the Planning Commission's deferral of its decision on the proposed amendments until July 30, 1992, Supervisor Hanley moved to defer the Board's public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) and to the Public Facilities Manual (PFM) regarding accessibility provisions for persons with disabilities until **August 3, 1992 at 4:00 p.m.** This motion was seconded by Dix and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**81. 3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE
PUBLIC FACILITIES MANUAL (PFM) AND THE CODE OF THE
COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)
REGARDING STORM DRAINAGE PRO RATA SHARE
CONTRIBUTIONS; AND AMEND THE PFM TO CLARIFY
CERTAIN TECHNICAL REQUIREMENTS (Tape 10)**

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

Following the public hearing, Supervisor Frey moved:

- Adoption of the proposed amendments to the Public Facilities Manual (PFM) and to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Article Two, regarding storm drainage and pro rata share provisions and technical clarifications, as set forth in the Staff Report, to include staff modifications regarding Preliminary Subdivision Plan revisions and the pro rata share program,

to become effective at 12:01 a.m., October 1, 1992 and that the following be grandfathered: Subdivision Plans (excluding preliminary plans), Site Plans (excluding preliminary site plans), and public improvement plans approved prior to 12:01 a.m., October 1, 1992.

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

82. 3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN

AMENDMENT S91-CW-2CP FOR THE JOHNNY MOORE

COMMUNITY PLANNING SECTOR (P3) IN THE POHICK

PLANNING DISTRICT IN AREA III (SPRINGFIELD

DISTRICT) (Tape 10)

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

Following the public hearing, Supervisor McConnell moved approval, as recommended by staff, of Out-of-Turn Plan Amendment S91-CW-2CP to amend the Comprehensive Plan to delete the prohibition on the provision of public water to the Johnny Moore Community Planning Sector (P3). This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Berger and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

JDC:jdc

83. 4:00 P.M. - PH ON REZONING APPLICATION

RZ 92-W-007 (FIRST BALMORAL CORPORATION)

(SPRINGFIELD AND SULLY DISTRICTS) (Tapes 10-11)

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

Chairman Davis disclosed that the company for which he has been General Counsel has conducted business with Hunton and Williams; therefore, he disqualified himself from participation in this application.

Supervisor Trapnell disclosed that Randolph W. Church, a partner with Hunton and Williams, was the registered agent for two corporations of which she is the secretary. Therefore, she disqualified herself from participation in this application and departed the Board Room.

Upon departing the Board Room, Chairman Davis relinquished the Chair to Acting-Chairman Frey.

Mr. McDermott 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 two speakers, Marilyn Anderson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-W-007 be amended from the R-C, R-1, and Water Supply Protection Overlay Districts to the R-C, R-1, and Water Supply Protection Overlay Districts (with proffers) to permit cluster residential development, subject to the execution of the proffers dated July 24, 1992. The second to this motion was inaudible and the motion carried by a vote of seven, Supervisor Trapnell and Chairman Davis being out of the room, Supervisor Alexander being absent.

Acting-Chairman Frey relinquished the Chair to Vice-Chairman McConnell.

84. 4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 89-P-063 (MILTON V. PETERSON

AND VICTOR LIMITED PARTNERSHIP) (SULLY DISTRICT)

(Tape 11)

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

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

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

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 89-P-063 subject to the executed proffers dated July 7, 1992. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive the Public Facilities Manual (PFM) provision restricting the use of wet ponds in residential development to regional facilities or residential developments where there are no other reasonable options available for compliance with water quality requirements. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved that the Board direct the Director of DEM to allow the concurrent review of the Preliminary and Site Plans for this project. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

85. 4:00 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE

OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND

FINANCE), ARTICLE 7 (BUSINESS, PROFESSIONAL AND

OCCUPATIONAL LICENSE TAX), SECTION 4-7-1(A)(2) -

DEFINITIONS (Tape 11)

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of July 2 and July 9, 1992.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), 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. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**86. 4:00 P.M. - PH ON A 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**

(Tape 11)

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of July 2 and July 9, 1992.

Following the public hearing, Supervisor Frey moved adoption of the 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. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**87. 4:00 P.M. - PH ON A PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING ORDINANCE) REGARDING THE DEFINITION
OF NET FLOOR AREA (NFA) (Tape 11)**

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

Following the public hearing, Supervisor Hanley moved adoption of the 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 the purposes of determining off-street parking requirements **to become effective at 12:01 a.m., July 28, 1992**. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**88. 4:00 P.M. - JOINT PH WITH THE VIRGINIA DEPARTMENT
OF TRANSPORTATION (VDOT) TO CONSIDER CUT-THROUGH
TRAFFIC RESTRICTIONS IN COUNTRY CLUB VIEW
(BRADDOCK DISTRICT) (Tape 11)**

(Verbatim)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 9 and July 16, 1992.

Following the public hearing, which included testimony by three speakers, Supervisor Bulova moved that the Board:

- Approve the measures proposed by the Virginia Department of Transportation (VDOT) to reduce cut-through traffic and enhance safety on Holden Street, Braddock District, as contained in Attachment One of the Memorandum to the Board dated July 27, 1992; and
- Request VDOT to install the proposed signage using existing VDOT operations funds.

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

**89. 4:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR
VEHICLES AND TRAFFIC) TO ESTABLISH A RESIDENTIAL**

**PERMIT PARKING DISTRICT (RPPD) IN THE VICINITY OF
ROBINSON HIGH SCHOOL (BRADDOCK DISTRICT) (Tape 11)**

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

Upon departing the Board Room, Chairman Davis relinquished the Chair to Acting-Chairman Hyland.

Following the public hearing, which included testimony by six speakers, Supervisor Bulova moved adoption of the 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 the Robinson High School. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Berger and Chairman Davis being out of the room, Supervisor Alexander being absent.

90. 4:30 P.M. - DEFERRAL OF PH ON PROFFERED CONDITION

**AMENDMENT APPLICATION PCA 87-S-046 (TRAFALGAR HOUSE
PROPERTY, INCORPORATED) (SPRINGFIELD
DISTRICT) (Tape 11)**

Supervisor McConnell moved to defer the public hearing on Proffered Condition Amendment Application PCA 87-S-046 until **August 3, 1992 at 4:30 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

Acting Chairman Hyland relinquished the Chair to Vice-Chairman McConnell.

**91. 4:30 P.M. - PH ON A PROPOSAL TO VACATE A PORTION
OF DOYLE LANE (SULLY DISTRICT) (Tape 12)**

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

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved that the Board adopt an Ordinance vacating a portion of Doyle Lane (Route 3738), Sully District. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

92. 5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATIONS PCA 88-C-039-4 AND PCA 88-C-091-4

AND SPECIAL EXCEPTION AMENDMENT APPLICATION

SEA 89-C-027-3 (BAHMAN AND ROSHANAK

BATMANGHELIDJ) (CENTREVILLE DISTRICT) (Tape 12)

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

Supervisor Dix disclosed the following contributions that he had received from Beckwith and Hall to the "Friends of Bob Dix":

- In the amount of \$150 on July 11, 1991; and
- In the amount of \$200 on August 16, 1991.

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

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

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA 88-C-039-4 subject to the executed proffers dated May 6, 1992. This motion was seconded by Supervisor Berger and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA 88-C-091-4 subject to the executed proffers dated May 6, 1992. This motion was seconded by Supervisor Berger and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved approval of Special Exception Application Amendment SEA 89-C-027-3 subject to the development conditions dated May 27, 1992. This motion was seconded by Supervisor Berger and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved, as it pertains to the three applications, modification of the transitional screening requirements in favor of the landscape plantings shown on the Generalized Development Plan/Special Exception Plat subject to final approval by the Chief of the Urban Forestry Branch of the Department of Environmental Management (DEM) and waiver of the barrier requirement. This motion was seconded by Supervisor Berger and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

93. 5:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 83-D-030-4 (THE MADEIRA SCHOOL)

(DRANESVILLE DISTRICT) (Tape 12)

Mr. Steven A. Montgomery reaffirmed the validity of the affidavit for the record.

Mr. Montgomery 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, Gregory Chase, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Berger moved approval of Special Exception Amendment Application SEA 83-D-030-4 subject to the proposed development conditions dated June 23, 1992. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Berger moved modification of the transitional screening and barrier requirements in accordance with Section 13-104 of the Zoning Ordinance. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

94.5:00 P.M. - DEFERRAL OF PH TO RECEIVE CITIZEN

COMMENT ON ISSUES OF CONCERN (Tape 12)

Vice-Chairman McConnell announced that the public hearing to receive citizen comment has been deferred to **August 3, 1992**.

95. 5:00 P.M. - PH ON REZONING APPLICATION RZ 91-C-026

AND SPECIAL EXCEPTION APPLICATION SE 91-C-042

(GEORGE H. RUCKER REALTY CORPORATION)

(CENTREVILLE DISTRICT) (Tapes 12-13)

Mr. Richard C. Wolff reaffirmed the validity of the affidavit for the record.

Mr. Wolff 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 12 speakers, Cathy Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning/Conceptual Development Plan Application RZ/CDP 91-C-026 be amended from the R-1 District to the PDH-1 and PDH-2 Districts subject to the executed proffers dated July 21, 1992 and the development conditions dated July 27, 1992. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved approval of Special Exception Application SE 91-C-042 subject to the development conditions dated June 24, 1992. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved modification of the open space requirement on parcel B, paragraph 1, Section 6-110 of the Zoning Ordinance, to permit open space to be used as grazing land for the Reston Pet Farm Park until the Park ceases operations, pursuant to Paragraph 8 of Section 16-401 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved waiver of the Public Facilities Manual (PFM) requirement for paved parking for Phases One and two of the Reston Farm Market, pursuant to Paragraph 7 of Section 16-401 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved waiver of the service drive requirement on Route 7. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved waiver of the 600-foot maximum length for private streets. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved waiver of the interparcel connection to Bishopsgate Way. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hanley and Chairman Davis being out of the room, Supervisor Alexander being absent.

96.BOARD ADJOURNMENT (Tape 13)

At 7:35 p.m., the Board adjourned.