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The meeting was called to order at 9:35 a.m. with all Members being present, with the exception of Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland, and with Chairman Davis presiding.

Supervisor Alexander arrived at 9:45 a.m.

Supervisor Bulova arrived at 9:45 a.m.

Supervisor Hanley arrived at 9:45 a.m.

Supervisor Hyland arrived at 9:45 a.m.

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.LAST MEETING OF THE BOARD OF SUPERVISORS (Tape 1)

Chairman Davis announced that today's meeting would be the last and the only meeting of the Board of Supervisors in August, 1992, before the Board's summer recess.

Board Meetings will resume September 14, 1992.

3.ENVIRONMENTAL SUBCOMMITTEE MEETING (Tape 1)

Chairman Davis announced that some of the Board Members are attending an Environmental Subcommittee Meeting and would be arriving late for the Board meeting.

4.PROCLAMATION DESIGNATING "NATIONAL NIGHT OUT"

IN FAIRFAX COUNTY (No Tape)

(NOTE: Later in the meeting action was taken to designate August 4, 1992 as "NATIONAL NIGHT OUT" in Fairfax County. See Clerk's Summary Item CL#10.)

**5. CERTIFICATE OF APPRECIATION COMMENDING THE
OUTSTANDING SERVICE OF VOLUNTEERS AND STAFF
OF GREEN SPRING GARDENS PARK (Tape 1)**

Supervisor Trapnell moved approval of the presentation of the Certificate of Appreciation, presented to the staff and volunteers of Green Spring Gardens Park, commending them for continuing to provide outstanding service to the government and citizens of Fairfax County. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Bulova, *Supervisor Hanley,* and Supervisor Hyland not yet having arrived.

(*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary item CL#7.)

**6. CERTIFICATE OF APPRECIATION COMMENDING
MS. LINDA A. SINGER FOR HER DEDICATED SERVICE
TO THE CITIZENS OF FAIRFAX COUNTY (Tape 1)**

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Ms. Linda A. Singer, commending her for her many years of dedicated service to the citizens of Fairfax County as a member of the:

•Community Action Advisory Board

(1984-1992);

•Library Board

(1985-1992); and

•Human Services Council

(1988-1992).

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

It was noted that Ms. Singer has been appointed to the Virginia State Social Services Board.

7.REQUEST TO RECORD VOTE (Tape 1)

(NOTE: Earlier in the meeting, Supervisor Hanley was out of the Board Room when this Certificate was presented. See Clerk's Summary Item CL#5.)

Supervisor Hanley asked unanimous consent that she be recorded as voting "AYE" on the presentation of the Certificate of Appreciation commending the staff and volunteers of Green Spring Gardens Park for continuing to provide outstanding service to the government and citizens of Fairfax County. Without objection, it was so ordered.

8.CERTIFICATE OF APPRECIATION CONGRATULATING

LANGLEY HIGH SCHOOL IN THE DRANESVILLE DISTRICT

AS THE 1992 RECIPIENT OF THE CENTRAL FIDELITY

CUP (Tape 1)

Supervisor Berger moved approval of the following presentations to Langley High School:

- Certificate of Appreciation, presented to Dr. Joseph Arangio, Principal, Langley High School, congratulating Langley High School in the Dranesville District as the 1992 recipient of the Central Fidelity Cup awarded by the Virginia High School League for overall athletic excellence in the Commonwealth of Virginia;
- Certificate of Appreciation, presented to Coach Dean Ferington, Langley High School, congratulating the Langley High School Girls' Softball Team for winning the State Championship for 1992;
- Certificate of Appreciation, presented to Coach Anne Beasley, Langley High School, congratulating the Langley High School Girls' Tennis Team for winning the State Championship for 1992; and
- Certificate of Appreciation, presented to Coach Anne Beasley, Langley High School, congratulating the Langley High School Boys' Tennis Team for winning the State Championship for 1992.

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

**9.CERTIFICATE OF APPRECIATION CONGRATULATING
THE VIENNA STARS 12 AND UNDER GIRLS' SOFTBALL**

TEAM (Tape 1)

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Jim Earman, Manager of the Team, congratulating the Vienna Stars 12 and under Girls' Softball Team for winning the Central Atlantic Regional Tournament and for representing the region at the National Tournament in Nashville, Tennessee. This motion was seconded by Supervisor Frey and carried by unanimous vote.

**10.PROCLAMATION DESIGNATING "NATIONAL NIGHT OUT"
IN FAIRFAX COUNTY (Tape 1)**

Supervisor McConnell moved approval of the Proclamation designating August 4, 1992 as "NATIONAL NIGHT OUT" in Fairfax County. This motion was jointly seconded by Supervisor Bulova and Supervisor Hyland and carried by unanimous vote.

Recipients of the Proclamation included a crime prevention officer and a neighborhood watch representative from each Police District Station.

**11.CERTIFICATE OF APPRECIATION RECOGNIZING THE
VIRGINIA RAILWAY EXPRESS (VRE) AMBASSADORS
ASSISTING CITIZENS DURING THE VRE OPENING**

(Tape 1)

Supervisor Bulova moved approval of the presentation of the Certificate of Appreciation, presented to the following individuals, recognizing them as Virginia Railway Express (VRE) Ambassadors who volunteered to assist the citizens of Fairfax County during the VRE opening:

•Brenda Applegate;•Dean Dike;

•Tom Biesiadny;•M. L. Gregory;

•Debbie Buchacz;•Andy Hooks;

- Bill Burris;•Phillip Miller;
- Lee Carroll;•Patricia Moore;
- Ed Campbell;•Jim Murphy;
- Ernestine Clinton;•Andy Szakos;
- Dottie Cousineau;•Helen Winter; and
- John Czyzewski;•Leonard Wolfenstein.

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

ADDITIONAL BOARD MATTERS

12.INCREASE IN RIDERSHIP AT VIRGINIA RAIL

EXPRESS (VRE) AND METRO STATIONS (Tape 1)

Supervisor Hanley announced that she has received information from her Planning staff indicating that the Monday morning peak ridership on Virginia Rail Express (VRE) and Metro has increased by almost 10 percent since July at the King Street Station in Alexandria and the VRE Station in Fredericksburg as compared to the three previous weeks.

13.RECOGNITION OF THE FAMILY OF JOHN "LEE" CARROLL,

ELECTRONIC EQUIPMENT TECHNICIAN, OFFICE OF

GENERAL SERVICES (Tape 1)

Chairman Davis recognized the presence of John "Lee" Carroll, Electronic Equipment Technician, Office of General Services, daughter Jackie Sinclair and his grandchildren Michael and Megan in the Board Room and warmly welcomed them.

14.DEFERRAL OF PRESENTATION BY THE BRIGADIER GENERAL

CLARA ADAMS-ENDER FROM FORT BELVOIR (Tape 1)

Chairman Davis announced that Brigadier General Clara Adams-Ender had not yet arrived for her presentation to Board Members regarding Fort Belvoir and

relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board move on to the next item on the agenda, the Environmental Quality Advisory Council's (EQAC), 1992 Annual Report on the Environment. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, it was determined that this item would need to be rescheduled. See Clerk's Summary Item CL#16.)

**15.10:00 A.M. - PRESENTATION BY THE ENVIRONMENTAL
QUALITY ADVISORY COUNCIL (EQAC) OF ITS ANNUAL
REPORT ON THE ENVIRONMENT (Tape 1)**

(BACs)

John DeNoyer, Chairman, Environmental Quality Advisory Council (EQAC), introduced to Board Members those EQAC Members present in the Board Room.

Mr. DeNoyer presented to Board Members the 1992 Annual Report on the Environment.

Following the presentation of the 1992 Annual Report on the Environment, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to schedule a joint meeting with EQAC and the Board's Environmental Subcommittee in the near future to discuss environmental issues and concerns. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**16.PRESENTATION BY BRIGADIER GENERAL CLARA ADAMS-ENDER
FROM FORT BELVOIR (Tape 1)**

Supervisor Alexander announced that the presentation by Brigadier General Clara Adams-Ender regarding Fort Belvoir would be rescheduled due to a scheduling conflict.

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**17. 10:30 A.M. - BOARD DECISION ON PROPOSED AMENDMENT
TO THE CODE OF THE COUNTY OF FAIRFAX, TO CREATE
CHAPTER 118 (CHESAPEAKE BAY PRESERVATION
ORDINANCE) (Tape 2)**

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.

(NOTE: The public hearing was held on June 8, 1992, with Board Mark-up on July 27, 1992.)

Supervisor Dix moved that the Board:

- Endorse the proposed amendment to the Code of the County of Fairfax, to create Chapter 118 (Chesapeake Bay Preservation Ordinance), as revised pursuant to the Board's July 27, 1992 mark-up session, with the additional change recommended by staff (contained in Attachment Four of the Memorandum to the Board dated August 3, 1992);
- Direct staff to transmit the Ordinance to the Chesapeake Bay Local Assistance Board (CBLAB) for preliminary review; and
- Direct staff to prepare a map of Chesapeake Preservation Areas as set forth in the endorsed Ordinance and to transmit such map to CBLAB for preliminary review.

This motion was seconded by Supervisor McConnell.

As pertains primarily to the Crossroads Drug Treatment Center, Supervisor Alexander moved that the Board:

- Modify Section 118-6-3(3) to read, "Facilities for which site permits have been approved prior to the effective date of this Chapter, provided the facility is constructed under the approved site permit."

This motion was seconded by Supervisor Hyland.

Following discussion, with a clarification from Karen J. Harwood, Assistant County Attorney, Supervisor Alexander **WITHDREW** his motion with the caveat that the

Crossroads Drug Treatment Center is being treated very sensitively within the environmental concepts of the Ordinance, and that everything possible is being done to make sure that it complies with everything necessary. However, he stated that he wanted to make it clear that if, without the adoption of these amendments which the Lee District Planning Commissioner and Supervisor Alexander feel are extremely important in order to keep this project moving, it is delayed in any way, that he will quickly bring this matter before the Board of Supervisors.

Supervisor Hanley asked unanimous consent that the Board vote on each segment of Supervisor Dix's motion seriatimly. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to include the following Resolution in the record:

RESOLUTION IN SUPPORT OF COUNTY STREAMS AND

THE CHESAPEAKE BAY

"**GIVEN** that water quality in Fairfax County streams is showing steady deterioration, that these streams are continuing to evidence sedimentation and erosion problems, and

RECOGNIZING that a stream is composed of interacting elements of the adjacent topography, we the following organizations urge the Fairfax County Board of Supervisors to endorse the Chesapeake Bay Ordinance that:

- At a minimum does not weaken the water quality and stream valley protection of our existing Environmental Quality Corridor (EQC) policy; and
- Includes in the Resource Protection Areas the wetlands, floodplains, and adjacent steep slopes that are also components of EQC system."

Supervisor Hyland stated that this Resolution had been signed by a number of organizations, including the National Audubon Society, Citizens to Save Huntley Meadows, Citizens for Balanced Growth, Clean Water Action, Fairfax Audubon Society, Friends of Dike Marsh, Friends of E.C. Lawrence Park, Friends of Huntley Meadows, Friends of Mason Neck, Great Falls Group of the Virginia Chapter of the Sierra Club, the Green Coalition, our high school environmental group, Homeowners Against Neighborhood Destruction (HAND), Izaak Walton League, League of Women Voters of the Fairfax Area, Mount Vernon Group of the Virginia Chapter of

the Sierra Club, Tree Action, Trout Unlimited, Virginia Council, Virginia Native Plant Society, and the Virginia Wildlife Federation.

Without objection, it was so ordered.

Following an additional clarification from Ms. Harwood, Supervisor Dix referred to Section 118-6-10(a)(8)(iii) and he moved to amend the paragraph to read as follows:

- (iii) If applicable, all required executed agreements and bonds, deposits, easements and fees shall be submitted within twelve (12) months of the date of transmission of the permit package to the developer or within six (6) months of the date the construction plans are marked, "Recommended for Approval," or within twelve (12) months of the effective date of this Chapter, whichever is later.

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

The question was then called on the first bullet of the main motion to:

- Endorse the proposed amendment to the Code of the County of Fairfax, to create Chapter 118 (Chesapeake Bay Preservation Ordinance), as revised pursuant to the Board's July 27, 1992 mark-up session, with the additional change recommended by staff (contained in Attachment Four of the Memorandum to the Board dated August 3, 1992).

The motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "NAY."

The question was then called on the second bullet of the main motion to:

- Direct staff to transmit the Ordinance to the Chesapeake Bay Local Assistance Board (CBLAB) for preliminary review.

The motion was seconded by Supervisor Berger and **CARRIED** by a recorded unanimous vote.

The question was then called on the third bullet of the main motion to:

- Direct staff to prepare a map of Chesapeake Preservation Areas as set forth in the endorsed Ordinance and to transmit such map to CBLAB for preliminary review.

The motion was seconded by Supervisor Berger and **CARRIED** by a recorded unanimous vote.

Supervisor Hanley expressed her appreciation to staff for their outstanding work and the manner in which the proposed Ordinance had been presented to the Board.

Supervisor Hyland moved that the Board direct staff to:

- Prepare an official commendation for the staff members who had worked on the Chesapeake Bay Preservation Ordinance;
- Officially recognize those individuals before the Board of Supervisors; and
- Include the Board's official recognition as a part of each individual's permanent personnel record.

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

Supervisor Frey asked unanimous consent that the Board direct staff to closely follow the issues at the State level with regard to preserving cover (trees) to the maximum extent possible, the 2,500 square foot limit for disturbed areas, and the impact on the average homeowner in Fairfax County, and to apprise the Board of the State's reaction regarding these issues. Without objection, it was so ordered.

18. ADMINISTRATIVE ITEMS (Tape 2)

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

Supervisor Hyland called the Board's attention to Administrative Item Three - Authorization to Advertise a Public Hearing on Proposed Amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 7 [Business, Professional and Occupational License (BPOL) Tax], Regarding Exemption for Businesses with Internal Revenue Code ("I.R.C.") 501(c)(6) Status and asked unanimous consent that this Item be pulled and considered separately. Without objection, it was so ordered.

(NOTE: Later in the meeting, Administrative Item Three was authorized by the Board. See Clerk's Summary Item CL#19.)

The question was then called on approval of the Administrative Items, with the exception of Administrative Item Three, which carried by unanimous vote.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent to be recorded as abstaining on Administrative Item Two. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**ADMIN 1 - APPROVAL OF WATER MAIN EXTENSION,
LANCIA COURT (DRANESVILLE DISTRICT)**

Approved the request for the extension of a 4-inch water main approximately 350 feet along Lancia Court (Route 2172), Dranesville District. The proposed main will provide adequate domestic and fire protection service to meet Fairfax County standards.

**ADMIN 2 - ADDITIONAL TIME TO COMMENCE
CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 84-C-076-3 (FAIRFAX HOSPITAL
SYSTEM, A DIVISION OF INOVA HEALTH SYSTEMS)
(SULLY DISTRICT)**

(AT)Approved the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 84-C-076-3 until **January 28, 1994** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

(NOTE: Chairman Davis asked that he be recorded as abstaining on this item during the approval of the Administrative Items.)

**ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON PROPOSED AMENDMENT TO THE CODE OF
THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION
AND FINANCE), ARTICLE 7 [BUSINESS, PROFESSIONAL
AND OCCUPATIONAL LICENSE (BPOL) TAX], REGARDING
EXEMPTION FOR BUSINESSES WITH INTERNAL REVENUE**

CODE ("I.R.C.") 501(C)(6) STATUS

(NOTE: Later in the meeting, this public hearing was authorized by the Board. See Clerk's Summary Item CL#19.)

**ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING TO CONSIDER ADOPTION OF A RECODIFICATION
OF THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84
(PUBLIC TRANSPORTATION), REGARDING THE TAXICAB
ORDINANCE**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 5, 1992 at 4:00 p.m.** to consider the adoption of a complete recodification of the Code of the County of Fairfax, Chapter 84 (recodified as Chapter 84.1), Public Transportation, which regulates taxicab rates and service in Fairfax County.

**ADMIN 5 - AUTHORIZATION TO ADVERTISE THE FISCAL
YEAR (FY) 1992 CARRYOVER REVIEW TO AMEND THE
APPROPRIATION LEVEL IN THE FY 1993 REVISED
BUDGET PLAN**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 14, 1992 at 10:00 a.m.** to increase the Fiscal Year (FY) 1993 Appropriation Level. The advertisement encompasses both the County and the Schools' FY 1992 Carryover Reviews.

**ADMIN 6 - STREETS INTO THE SECONDARY SYSTEM
(SULLY DISTRICT)**

(R)Approved the request that certain streets listed in the Memorandum to the Board dated August 3, 1992 be recommended for acceptance into the State Secondary System.

ADMIN 7 - STREETS INTO THE SECONDARY SYSTEM**(SULLY DISTRICT)**

(R)Approved the request that certain streets listed in the Memorandum to the Board dated August 3, 1992 be recommended for acceptance into the State Secondary System.

ADMIN 8 - REVIEW OF COUNTRY SQUIRE SITE PLAN**NUMBER 8385-SP-01-2 (MASON DISTRICT)**

Authorized the Director of the Department of Environmental Management (DEM) to approve Country Squire Site Plan Number 8385-SP-01-2, Mason District, Tax Map Number 51-3-001-26, in accordance with normal procedures.

**19.ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON PROPOSED AMENDMENT TO THE CODE OF
THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION
AND FINANCE), ARTICLE 7 [BUSINESS, PROFESSIONAL
AND OCCUPATIONAL LICENSE (BPOL) TAX], REGARDING
EXEMPTION FOR BUSINESSES WITH INTERNAL REVENUE
CODE ("I.R.C.") 501(C)(6) STATUS (Tape 2)**

(A)(NOTE: Earlier in the meeting, this item was pulled for separate consideration. See Clerk's Summary Item CL#18.)

Supervisor Alexander moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **September 21, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 7, [Business, Professional and Occupational License (BPOL) Tax], Section 4-7-1(a)(2), to exempt from BPOL taxation not for profit business and professional organizations which have been exempted from the federal income tax in accordance with the United States Internal Revenue Code ("I.R.C."), Section 501(c)(6). This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Hyland asked unanimous consent that, in the interim, prior to the Board holding a public hearing on this amendment, the Board direct staff to return with additional information, previously requested by the Board, with regard to the fairness of the Business, Professional and Occupational License (BPOL) tax to other businesses in Fairfax County. Without objection, it was so ordered.

Supervisor Dix stated that he shared Supervisor Hyland's concerns and added that, within the context of the Economic Recovery Advisory Committee, one of the four main subcommittees has been on tax policy, and that group is working with staff and other groups to examine the entire BPOL. He added that this particular matter was identified as one the Board could react to quickly.

Supervisor Hanley asked unanimous consent that the Board direct staff, at the time of the public hearing, to provide more detailed information regarding what specific kinds of funds would be involved in this additional exemption. Without objection, it was so ordered.

20.A-1 - FISCAL YEAR (FY) 1992 APPROPRIATION

ADJUSTMENT (Tape 2)

(SAR)Supervisor Hanley moved that the Board concur in the recommendation of staff and take the following actions regarding the Fiscal Year (FY) 1992 Appropriation Adjustment:

- Authorize staff to process payment vouchers for items previously approved and appropriated in FY 1992 for the interim period from July 1 until the Board approves the FY 1992 Carryover Review, which is scheduled for action on September 14, 1992; and
- Approve Supplemental Appropriation Resolution (SAR) AS92067 for two General fund agencies and two Other Funds requiring additional appropriations for FY 1992.

The motion was seconded by Supervisor Hyland.

Supervisor Dix asked that the motion be amended to include a request for staff to provide information on which agencies underspent, as it specifically pertains to these dollars, and this was accepted.

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

**21.A-2 - PROPOSED AGREEMENT WITH VIRGINIA POWER
ON ELECTRIC RATES (Tape 2)**

On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and:

- Approved the Agreement between the County and Virginia Power on rates for electric service covering the three-year period July 1, 1992 to June 30, 1994, as recommended by the Virginia Municipal League (VML)/Virginia Association of Counties (VACo) Negotiating Committee; and
- Authorized the Acting County Executive to execute the Agreement on the Board's behalf.

**22.A-3 - AUTHORIZATION TO EXECUTE THE PROJECT
AGREEMENT FOR THE FRANCONIA-SPRINGFIELD
VIRGINIA RAILWAY EXPRESS (VRE) STATION (LEE
DISTRICT) (Tape 2)**

On motion of Supervisor Alexander, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and:

- Authorized the Acting County Executive to execute the Project Agreement between Fairfax County and the Washington Metropolitan Area Transit Authority (WMATA) for the design, construction, and initial operation of the Franconia- Springfield Virginia Railway Express (VRE) Station; and
- Authorized the payment of \$200,000 to WMATA for the design and engineering of the Franconia-Springfield VRE Station, including \$50,000 to be paid immediately upon execution of the Project Agreement for the WMATA design consultant.

**23.A-4 - PROPOSED RELOCATION OF THE BOUNDARY
BETWEEN THE TOWN OF VIENNA AND FAIRFAX COUNTY
(PROVIDENCE AND CENTREVILLE DISTRICTS) (Tape 2)**

(R)On motion of Supervisor Dix, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and adopted the Resolution and agreement for a boundary change with the Town of Vienna. The boundary change includes revisions to the boundary in Areas I through 5 and Area 6A, as adopted by the Board on June 22, 1992, with the exception that property identified by County Tax Map Number 38-2, 0059, Parcel B, in Area I, and Tax Map Number 38-1, 0014, Parcel 13D, in Area 5 shall be removed from the Town. That boundary change, also includes Area 6-B, as adopted by the Board on July 13, 1992, with the exception of property identified by Tax Map Numbers 38-2, 0048, Parcels 1A and 5A which shall be removed from the Town.

24.A-5 - PARKING REDUCTION FOR PLAZA 500 (MASON

DISTRICT) (Tape 2)

On motion of Supervisor Trapnell, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a 23.7 percent parking reduction for Plaza 500 pursuant to Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance, subject to the conditions contained in the Memorandum to the Board dated August 3, 1992.

25.A-6 - FEASIBILITY FOR ESTABLISHMENT OF A

STORMWATER UTILITY IN FAIRFAX COUNTY

(COUNTYWIDE) (Tape 2)

On motion of Supervisor Dix, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to initiate briefings this fall for interested citizen and business groups to receive input regarding the establishment of a Stormwater Utility in Fairfax County and report to the Board with further information on the feasibility of such an establishment.

26.A-7 - ADOPTION OF FINAL COMMUNITY IMPROVEMENT

PROGRAM ASSESSMENTS FOR MEMORIAL HEIGHTS,

PHASE II (MOUNT VERNON DISTRICT) (Tape 2)

(Rs)On motion of Supervisor Hyland, seconded by Supervisor Berger, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted

Resolutions establishing the final amount to be assessed against each landowner in the Memorial Heights, Phase II Community Improvement Program project, Mount Vernon District.

27.A-8 - 1992 COMPREHENSIVE HOUSING AFFORDABILITY

STRATEGY (CHAS) WORK PLAN (Tape 2)

Supervisor Trapnell moved that the Board concur in the recommendation of staff and adopt the 1992 Comprehensive Housing Affordability Strategy (CHAS) Work Plan. This motion was seconded by Supervisor Berger.

Supervisor Hanley asked that the motion be amended to include the participation of the Fairfax County Redevelopment and Housing Authority (FCRHA) in the CHAS discussions, and this was accepted.

Following input from Embry Rucker, Chairman, CHAS Coordinating Committee, Supervisor Hyland referred to Handwritten Page One, the letter to Chairman Davis from the CHAS Committee, and asked that the motion be amended to include direction to staff to expedite the Board's consideration of the three changes as recommended in this letter, specifically:

- The changes in the Affordable Dwelling Unit (ADU) Ordinance relating to elderly housing;
- The Zoning Ordinance relating to a limitation on shared housing by single persons, and
- The Zoning Ordinance changes to include a definition of single room occupancy (SRO) units.

This was accepted.

Following further discussion, the question was called on the motion, as amended, which carried by a vote of nine, ***Supervisor McConnell*** being out of the room.

(*NOTE: Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#37.)

28.A-9 - AWARD OF HOME PROGRAM FUNDS TO ROBERT

PIERRE JOHNSON (RPJ) HOUSING DEVELOPMENT

CORPORATION (LEE DISTRICT) (Tape 2)

On motion of Supervisor Alexander, seconded by Chairman Davis, and carried by a vote of nine, ***Supervisor McConnell*** being out of the room, the Board concurred in the recommendation of staff and approved funding in the amount of \$266,646 to the Robert Pierre Johnson (RPJ) Housing Development Corporation in federal Fiscal Year (FY) 1992 HOME Funds.

(*NOTE: Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#37.)

29.A-10 - NOTIFICATION OF AWARD OF FAMILY**SELF-SUFFICIENCY PROGRAM CERTIFICATES AND****AUTHORIZATION TO ESTABLISH TWO FEDERALLY****FUNDED POSITIONS (Tape 2)**

On motion of Supervisor Alexander, seconded by Supervisor Berger, and carried by a vote of nine, ***Supervisor McConnell*** being out of the room, the Board concurred in the recommendation of staff and authorized the Fairfax County Redevelopment and Housing Authority (FCRHA) to establish two Section 8 funded positions within the Department of Housing and Community Development (HCD) to administer significant increases in the number of Section 8 Certificates and Vouchers awarded by the United States Department of Housing and Urban Development (HUD) and administered by HCD.

(*NOTE: Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#37.)

30.A-11 - SUPPLEMENTAL APPROPRIATION RESOLUTION**(SAR) AS 93022 FOR CONTINUATION OF THE****VIRGINIA PRIMARY CARE GRANT AWARDED TO****THE HEALTH DEPARTMENT'S AFFORDABLE HEALTH****CARE PROGRAM (Tape 2)**

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, ***Supervisor McConnell*** being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93022, in the amount of \$166,361, for the continuation of the Virginia Primary Care Grant awarded to the Health Department's Affordable Health Care Program.

(*NOTE: Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#37.)

**31.A-12 - FAIRFAX COUNTY POLICE DEPARTMENT,
TRAFFIC SAFETY SECTION, GRANT APPLICATION
TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES**

(Tape 2)

On motion of Supervisor Bulova, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Fairfax County Police Department's application to the Virginia Department of Motor Vehicles in the amount of \$230,759.

**32.A-13 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD (CSB) TO ACCEPT
GRANT FUNDS FROM VIRGINIA PROBATION AND**

PAROLE (Tape 2)

On motion of Supervisor Hyland, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the acceptance of funds by the Fairfax-Falls Church Community Services Board (CSB), in the amount of \$18,000, from the Virginia Probation and Parole Office to provide for a Substance Abuse Counselor II position for alcohol and drug services.

**33.A-14 - SUBMISSION OF LOCAL PLANNING
ALLOCATIONS GRANT, PUBLIC LAW 101-476
PART H FUNDING TO PROVIDE PLANNING OF**

EARLY INTERVENTION SERVICES TO HANDICAPPED**INFANTS AND THEIR FAMILIES (Tape 2)**

On motion of Supervisor McConnell, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of a grant application to the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), in the amount of \$18,000, to provide support for the Fairfax-Falls Church Interagency Coordinating Council.

34.A-15 - DENSITY CREDIT FOR ADVANCE DEDICATION**OF LAND FOR PUBLIC PURPOSES (SILVERBROOK ROAD),****(MOUNT VERNON DISTRICT) (Tape 2)**

(DC)

(R)On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the density credit for the portion of the following lot or parcel that is to be dedicated for public use and for public street purposes in accordance with the deed of dedication which is to be recorded. The Resolution is contained in Attachment Four of the Memorandum to the Board dated August 3, 1992 and, based on the information available, the following approximate amount of land is to be dedicated from the following Tax Map Parcel:

Tax Map Reference Density Credit

107-1 ((1)) 4193 square feet

TOTAL193 square feet

35.A-16 - REORGANIZATION/PROCESS REDESIGN PLAN**FOR HUMAN SERVICES (Tape 2)**

On motion of Supervisor Berger, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed Human Services Reorganization/Process Redesign Plan, as modified by the Board's Human Services Subcommittee on July 28, 1992 and contained in the Memorandum to the Board dated August 3, 1992.

**36.A-17 - CONDUCTING A COUNTY FACILITIES AND
BUILDINGS SURVEY AS MANDATED BY THE AMERICANS
WITH DISABILITIES ACT (Tape 2)**

Supervisor Hanley moved that the Board concur in the recommendation of staff and approve funding in the amount of \$212,243 to conduct the facilities and building survey and develop the Transition Plan as mandated by the Americans with Disabilities Act. This motion was seconded by Supervisor Hyland for the purpose of discussion.

Following discussion, Supervisor Hyland moved a substitute motion that the Board refer this matter to staff for its submission of an implementation plan showing a process whereby this survey can be conducted by existing staff with the proper training. This motion was seconded by Supervisor Alexander.

After further discussion, with input from Bill Spencer, Office of Equity Programs, regarding the public versus employee facilities for the handicapped, Supervisor Hanley agreed to accept Supervisor Hyland's substitute as the main motion.

Following additional clarification from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Dix asked unanimous consent that the Board direct staff to explore the possibility of using personnel who are already trained in this area, particularly at the Park Authority where in-house personnel handled the survey at 212 park facilities. Without objection, it was so ordered.

Supervisor Trapnell suggested that a refinement of the list of the County facilities involved is necessary.

Supervisor Hanley reiterated her support of the accessibility to all County facilities by all of its citizens.

Supervisor Hanley asked unanimous consent that the Board emphasize the involvement of the Commission for the Disabled in each step of these procedures. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to provide information regarding what, if any, monetary commitment will be required by the County to ensure compliance with the Americans With Disabilities Act. Without objection, it was so ordered.

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

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

37.REQUEST TO RECORD VOTE (Tape 3)

Supervisor McConnell asked unanimous consent to be recorded as voting "AYE" on Action Items Eight, Nine, 10 and 11. Without objection, it was so ordered.

**38.A-18 - PAYMENT TO THE VIRGINIA DEPARTMENT OF
TRANSPORTATION (VDOT) FOR REPAIR OF FURNACE**

ROAD (MOUNT VERNON DISTRICT) (Tape 3)

On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Director of Finance to pay \$44,932.39 to Virginia Department of Transportation (VDOT) for the completion of corrective road work on Furnace Road and to transfer \$25,067.61 to the Lorton Library - Lorton Community Action Park Complex.

39.A-19 - SUPPLEMENTAL FISCAL YEAR (FY) 1992

REVENUE SHARING PROGRAM FUNDS (COUNTYWIDE)

(Tape 3)

(R)On motion of Supervisor Frey, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the use of up to \$100,000 in Fairfax County funds and a maximum of \$100,000 in matching Virginia Department of Transportation (VDOT) supplemental Fiscal Year (FY) 1992 Revenue Sharing Program funds toward the completion of the third lane on Route 50 westbound between Fairfax County Parkway and Majestic Lane.

JDC:jdc

**40.C-1 - CONSIDERATION OF A RESOLUTION BY THE
BOARD OF SUPERVISORS ESTABLISHING FISCAL YEAR**

(FY) 1994 BUDGET GUIDELINES (Tape 4)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer its consideration of the proposed draft Resolution establishing the Fiscal Year (FY) 1994 Budget Guidelines until later in the meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken to adopt the Resolution establishing the FY 1994 Budget Guidelines. See Clerk's Summary Item CL#95.)

**41.C-2 - WHETHER TO EXERCISE THE COUNTY'S OPTIONS
TO PURCHASE BUILDINGS B-2 AND B-3 AT THE
GOVERNMENT CENTER COMPLEX IN ACCORDANCE WITH
THE THIRD AMENDMENT TO THE AMENDED AND RESTATED
MASTER DEVELOPMENT AGREEMENT (MDA) WITH THE
SMITH-ARTERY PARTNERSHIP (Tape 4)**

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of whether to exercise the County's options to purchase Buildings B-2 and B-3 at the Government Center Complex.

Chairman Davis called the Board's attention to the team, whose membership included Supervisor Hyland and himself, that had worked with Smith-Artery Partnership on negotiations in the past. He relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the team, which will continue negotiations, include Supervisor Hyland and Supervisor Dix as members, and himself as an ex officio member. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley asked unanimous consent that the Board direct the team to continue to negotiate the purchase price of the buildings during the process. Without objection, it was so ordered.

Supervisor Berger moved that, in accordance with the third amendment to the amended and restated Master Development Agreement (MDA) with the Smith-Artery Partnership, dated January 30, 1992, that the County exercise its options to purchase Buildings B-2 and B-3 at the Government Center Complex. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

(NOTE: Later in the meeting, a presentation was made relating the history of the County Government Center complex. See Clerk's Summary Items CL#43 and 127.)

42.C-3 - REVENUE ENHANCEMENT OPPORTUNITIES

(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 responding to the Chairman's request that staff determine what additional resources would be required to collect an additional \$5 million in Fiscal Year (FY) 1993.

Supervisor Alexander moved that the Board authorize staff to proceed with the revenue enhancement opportunities. The second to this motion was inaudible.

Following discussion among Board Members, with input from Susan S. Planchon, Director, Office of Finance, Supervisor Hanley asked unanimous consent that the Board address, during its Government Reorganization Subcommittee meetings, the issue of the outdated automated processes in the Offices of Finance and Assessments. Without objection, it was so ordered.

On the issue of the additional personnel necessary to perform the revenue enhancement opportunities programs, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to attempt to locate existing County personnel for the programs prior to adding additional positions. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Berger voting "NAY," Supervisor Dix and Supervisor Frey being out of the room.

43.ADDITIONAL PRESENTATION ON C-2 - WHETHER TO EXERCISE THE COUNTY'S OPTIONS TO PURCHASE

**BUILDINGS B-2 AND B-3 AT THE GOVERNMENT CENTER
COMPLEX IN ACCORDANCE WITH THE THIRD AMENDMENT
TO THE AMENDED AND RESTATED MASTER DEVELOPMENT
AGREEMENT (MDA) WITH THE SMITH-ARTERY
PARTNERSHIP (Tape 4)**

(NOTE: Earlier in the meeting, action was taken on Consideration Item Two. See Clerk's Summary Item CL#41.)

Michael Horwatt, who chaired the committee on the purchase of the County's Government Center buildings, presented a detailed historical account of the County's Government Center complex.

(NOTE: Later in the meeting, there was additional discussion regarding this matter. See Clerk's Summary Item CL#127.)

**44.C-4 - BOND REFERENDUM COMMITTEE AND INFORMATION
PAMPHLET (Tape 4)**

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer its consideration of whether to establish a citizen committee to assist in informing the voters about the November 1992 Bond Referendum until later in the meeting when a full Board is present. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken on Consideration Item Four. See Clerk's Summary Item CL#48.)

**45.C-5 - APPLICATION OF GEORGE MASON UNIVERSITY
(GMU) EDUCATION FOUNDATION, INCORPORATED
(Tape 4)**

(IDBs)

(R)The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting Board consideration of the issuance of Industrial Development Bonds (the "Bonds") for the benefit of the George Mason University (GMU) Education Foundation, Incorporated, as provided for in the "Uniform Policy for Issuance of Economic Development Authority and Redevelopment and Housing Authority Industrial Development Bonds" adopted on March 7, 1983 by the Board of Supervisors.

Chairman Davis asked if there were any disclosures by Board Members and, Supervisor Berger announced that he would be abstaining from any actions regarding this item because he is employed as the Assistant Dean for GMU's Business School.

Supervisor McConnell moved adoption of the Resolution approving the issuance of the Bonds, in the maximum amount of \$5,510,000.000, for the benefit of the George Mason University (GMU) Education Foundation, Incorporated, for the purpose of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended, and only for that purpose. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Bulova asked that the motion be amended to include the following revision to the Resolution:

•**REVISE** the first page, first paragraph, last sentence to read:

"...for the purpose of **refinancing** a portion of the cost of the..."

This amendment was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of seven, Supervisor Berger abstaining, Supervisor Alexander and Supervisor Frey being out of the room.

**46.C-6 - AUTHORIZATION TO NEGOTIATE UNDER THE
PRIVATE DEVELOPER ASSISTANCE PROGRAM FOR ASHGROVE
PLANTATION, SECTION 2 (PROVIDENCE DISTRICT)**

(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to negotiate under the Private Developer Assistance Program, at the request of NationsBank, for certain land rights

necessary for improvements to Horseshoe Drive in conjunction with the development of Ashgrove Plantation, Section 2, Providence District.

Supervisor Hanley moved that the Board authorize staff to negotiate under the Private Developer Assistance Program, at the request of NationsBank, for certain land rights necessary for improvements to Horseshoe Drive in conjunction with the development of Ashgrove Plantation, Section 2, Providence District. This motion was jointly seconded by Supervisor Bulova and Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, and Supervisor Frey being out of the room.

47.C-7 - IMPLEMENTATION OF THE COMMERCIAL

REVITALIZATION PROGRAM (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of several proposals for the construction and maintenance of improvements in the Commercial Revitalization Program (CRP).

Supervisor Alexander moved that the Board defer consideration of the proposals for the construction and maintenance of improvements in the CRP in order to allow staff the opportunity to brief Board Members. This motion was seconded by Supervisor Trapnell.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to direct staff to proceed with the briefing for Board Members and report in September, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

48.C-4 - BOND REFERENDUM COMMITTEE AND INFORMATION

PAMPHLET (Tape 4)

(BONDS)

(BACs)

(NOTE: Earlier in the meeting, action was taken to defer the Board's consideration of this item until later in the meeting. See Clerk's Summary Item CL#44.)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of whether to establish a citizen committee to assist in informing the voters about the November 1992 Bond Referendum.

Supervisor Alexander moved that the Board:

- Proceed with the establishment of a committee to work on the bond referendum;
- Appoint members to the committee in September; and
- Direct staff to brief the Board in September on the full range of the bond issues.

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

Supervisor Alexander asked unanimous consent that the Board direct the Acting County Executive, in conjunction with the Office of Public Affairs, to report on how to best advertise both sides of the bond issues in the Weekly Agenda.

Following discussion among Board Members, with input from Jean M. VanDevanter-White, Director, Office of Public Affairs, without objection, the request was so ordered.

**49.C-8 - APPEAL OF THE APPROVAL OF A STORMWATER
DETENTION WAIVER FOR THE RESUBDIVISION OF
FAIRFAX HILLS, LOT 52B (BRADDOCK DISTRICT)**

(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of the appeal of the Department of Environmental Management's (DEM) approval of a waiver of on-site stormwater detention requirements for the resubdivision of Lot 52B of the Fairfax Hills Subdivision.

Following discussion among Board Members, with input from Edward Jankiewicz, Director, Design Review Division, DEM, Supervisor Bulova asked unanimous

consent that the Board add the appeal of DEM's approval of a waiver of on-site stormwater detention requirements for the resubdivision of Lot 52B of the Fairfax Hills Subdivision to the agenda for Executive Session in order to obtain legal counsel and defer its consideration until after Executive Session. Without objection, it was so ordered.

(NOTE: Later in the meeting, following the Board's Executive Session, action was taken on Consideration Item Eight. See Clerk's Summary Item CL#77.)

50.C-9 - REDESIGN OF HUMAN SERVICES COUNCIL

BYLAWS (Tape 4)

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of whether to redesign the Human Services Council Bylaws.

Supervisor Hyland moved that the Board approve the redesigned Human Services Council Bylaws.

With a notation that this action supersedes that taken at the previous Board meeting, this motion was seconded by Supervisor Hanley.

Following discussion among Board Members, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

51.I-1 - END OF YEAR REPORT FOR ENHANCED REVENUE

PROGRAMS, FISCAL YEAR (FY) 1992 (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the end of the year report for Enhanced Revenue Programs for Fiscal Year (FY) 1992.

52.I-2 - STATUS OF BLUE PLAINS PAYMENT IN LIEU OF TAXES (PILOT) (COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the status of the Blue Plains payment in lieu of taxes (PILOT).

A brief discussion ensued among Board Members.

**53.I-3 - STATUS REPORT OF FEDERAL TRANSIT
ADMINISTRATION (FTA) SUBURBAN MOBILITY
GRANT FOR PARK-AND-RIDE FACILITIES
(CENTREVILLE, SULLY AND SPRINGFIELD
DISTRICTS) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting a status report of the Federal Transit Administration (FTA) Suburban Mobility Grant for park-and-ride facilities.

Chairman Davis noted that he needed clarification on the Rolling Valley park-and-ride facility expansion and he would contact Supervisor McConnell.

**54.I-4 - ROAD BOND PROGRAM - BOARD OF SUPERVISORS'
MONTHLY STATUS REPORT FOR JULY, 1992 (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the Road Bond Program - Board of Supervisors' Monthly Status Report for July, 1992.

**55.I-5 - REFUND FROM THE UNITED STATES DEPARTMENT
OF ENERGY (DOE) FOR CRUDE OIL OVERCHARGES (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 announcing the refund from the United States (U.S.) Department of Energy for crude oil overcharges. At the calculated rate of refund per gallon established by the Department of Energy, Fairfax County is entitled to a refund of \$78,118.

A brief discussion ensued among Board Members.

**56.I-6 - PUBLIC PARTICIPATION PROCESS FOR THE LOWER
POTOMAC POLLUTION CONTROL PLANT EXPANSION BEYOND
54 MILLION GALLONS PER DAY (MGD) (MOUNT VERNON
DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the public participation process for the Lower Potomac Pollution Control Plant expansion beyond 54 million gallons per day (mgd). An overview of the public participation program, which includes public meetings, door-to-door surveys, review and comment periods, presentations, and a schedule is included as part of the Board Package.

A brief discussion ensued among Board Members.

**57.I-7 - SUPPLEMENTAL RETIREMENT SYSTEM
CONTRIBUTION RATE FOR FISCAL YEAR (FY) 1993
(Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to implement the retirement contribution rate recommendation for Fiscal Year (FY) 1993 for the Supplemental Retirement System as shown on the table included as part of the Board Package.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to report with this issue at Carryover and defer its consideration until that time. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**58.I-8 - COUNTY AND EMPLOYEE REFUNDS FOR EXCESS
CONTRIBUTIONS TO THE UNIFORMED RETIREMENT SYSTEM
(Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 announcing the County and employee refunds for excess contributions to the Uniformed Retirement System. On June 30, 1992, refund checks were prepared for 888 employees.

59.I-9 - STAGE II INDUSTRY ADVISORY COMMITTEE

(Tape 5)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 announcing, in accordance with the Board's actions of April 27, 1992 and June 22, 1992, the creation of an Industry Advisory Committee on the Implementation of Stage II Vapor Recovery from Automobile Refueling. The following membership was presented:

- **Ron Harrell** Region I Advisory Board of the Virginia Gasoline Marketers and Automobile Repair Association;
- **Harry Lyon** Petroleum Equipment Institute;
- **Patrick Sauer** Major Oil Company (Mobil Oil);
- **Will Vehrs**
- **Lucas N. Polakowski** Major Fleet Operator [Bell Atlantic Network Services, Incorporated (C&P)];
- **James Wirth** Fort Belvoir; and
- **Russel A. Hine** American Lung Association.

60.I-10 - INFORMATION ON ORDINANCE TO LEVY A

FIDUCIARY PROCESSING FEE FOR THE CIRCUIT COURT

(Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 announcing that on September 14, 1992, staff will report

with the appropriate Item to request authorization for a public hearing to consider the levy of a fiduciary processing fee for the Circuit Court.

61.I-11 - AWARD OF CONTRACT - CONSULTANT SERVICES

FOR FAIRFAX COUNTY LEGISLATIVE INITIATIVES

(Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to negotiate and award a contract to Gold and Liebengood, not to exceed the amount of \$100,000 which is currently budgeted for lobbyist activities, to provide consulting services for Fairfax County legislative initiatives.

Following discussion among Board Members, Supervisor Hyland asked unanimous consent that the Board direct staff to report with additional information regarding Gold and Liebengood, the other firms which competed, and the rating of all of the firms. Without objection, it was so ordered

Following additional discussion among Board Members, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to provide clarification on the Statement of Verification filed by Gold and Liebengood on July 10, 1992 which reported them representing Air and Space West, Denver, Colorado. Without objection, it was so ordered.

Supervisor Davis asked unanimous consent that the Board defer further consideration of this item until after Executive Session in order to obtain information regarding the legal aspects of the procurement process as it relates to this contract. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley asked unanimous consent that the Board direct staff to report on who will be responsible for the administration of this contract. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on Information Item 11. See Clerk's Summary Items CL#78 and #115.)

62.I-12 - APPROVAL OF ADDITIONAL SERVICES BY

**DEWBERRY AND DAVIS TO REVISE THE SITE AND
BUILDING PLANS FOR THE PUBLIC SAFETY FACILITY
(SULLY DISTRICT) (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to authorize Dewberry and Davis to provide additional services, in the amount of \$51,290, to revise the site and building plans for the Public Safety Facility, Sully District.

The staff was directed administratively to proceed as proposed.

**63.I-13 - APPROVAL OF AN ORDER ALTERING CERTIFICATE
RB-587, A CONDEMNATION OF LAND RIGHTS NECESSARY
FOR CONSTRUCTION OF THE DULLES TOLL ROAD TO
SUNSET HILLS ROAD SEGMENT OF THE FAIRFAX COUNTY
PARKWAY (CENTREVILLE AND DRANESVILLE DISTRICTS
AND THE TOWN OF HERNDON) (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for the County Attorney's Office to order altering Certificate RB-587, a condemnation of land rights necessary for the construction of the Dulles Toll Road to Sunset Hills Road Segment of the Fairfax County Parkway.

The staff was directed administratively to proceed as proposed.

**64.I-14 - CONTRACT AWARD - ROLLING VALLEY COMMUTER
PARK-AND-RIDE LOT (SPRINGFIELD DISTRICT)
(Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to award a contract to

Rock Hard Excavating, Incorporated, in the amount of \$668,483.57, for the Rolling Valley Commuter Park-and-Ride Lot, Springfield District.

The staff was directed administratively to proceed as proposed.

65.I-15 - CONTRACT AWARD - TREE PLANTING, ROUTE 236

BETWEEN MEDFORD DRIVE AND EVERGREEN LANE

(BRADDOCK AND MASON DISTRICT) (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to award a contract to KT Enterprises, in the amount of \$24,512, for the planting of trees along Route 236 between Medford Drive and Evergreen Lane, Braddock and Mason Districts.

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

66.I-16 - CONTRACT AWARD - REPLACEMENT OF EXISTING

BOARDWALK AND TOWER AT HUNTLEY MEADOWS PARK

(LEE DISTRICT) (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to award a contract to Avon Corporation of Alexandria, Virginia, in the amount of \$439,009, for the replacement of the existing boardwalk and tower at Huntley Meadows Park, Lee District.

Following comments by Supervisor Alexander, the staff was directed administratively to proceed as proposed.

67.I-17 - LIVE-SCAN FINGERPRINTING FOR FAIRFAX

COUNTY SCHOOL BOARD AND THE FAIRFAX COUNTY

POLICE DEPARTMENT (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting information regarding the live-scan fingerprinting for the Fairfax County School Board and the Fairfax County Police Department.

(NOTE: Later in the meeting, additional discussion ensued on Information Item 17. See Clerk's Summary Item CL#70.)

68.I-18 - OPERATIONAL CHANGES IN THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM) (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the operational changes in the Department of Environmental Management (DEM).

Supervisor Alexander suggested that the Board's Building and Development Regulation Subcommittee revisit this issue.

Further discussion ensued among Board Members, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development.

69.I-19 - PROPOSED FAIRFAX COUNTY TESTIMONY CONCERNING DEVELOPMENT OF A TESTING PROTOCOL FOR THE DURABILITY AND STRENGTH OF FIRE RETARDANT TREATED PLYWOOD (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for the Department of Environmental Management (DEM) staff to testify at the Department of Housing and Community Development's (DHCD) public hearing scheduled for September 14, 1992 regarding the development of a testing protocol for the durability and strength of fire retardant treated (FRT) plywood.

In response to a query by Supervisor Hanley, Anthony H. Griffin, Deputy County Executive for Planning and Development, responded that a senior staff member from DEM would be presenting the testimony.

The staff was directed administratively to proceed as proposed.

Additional Board Matter:**Update on Negotiations Regarding the Settlement****of the FRT Situation**

Supervisor Frey asked unanimous consent that the Board direct staff to report, sometime in the fall, with an update on the negotiations taking place among the home builders, homeowner representatives, and government entities regarding the settlement of the FRT plywood situation. Without objection, it was so ordered.

Supervisor Bulova stated that she has been informed that these negotiations have not been successful. She asked unanimous consent that this issue be referred to the Board's Legislative Subcommittee for its review and determination on whether this issue could be added, if scheduled, to a Special Session of the General Assembly. Without objection, it was so ordered.

70.I-17 - LIVE-SCAN FINGERPRINTING FOR FAIRFAX**COUNTY SCHOOL BOARD AND THE FAIRFAX COUNTY****POLICE DEPARTMENT (Tape 5)**

(NOTE: Earlier in the meeting, the Board considered Information Item 17. See Clerk's Summary Item CL#67.)

Following further discussion among Board Members, with input from Richard A. King, Acting County Executive, and Michael W. Young, Chief of Police, regarding the live-scan fingerprinting for the Fairfax County School Board and the Fairfax County Police Department, Supervisor Berger asked unanimous consent that the Board direct staff to apprise the School Administration that it is proposed that a fingerprinting system will be in place in 1995 that will be able to accommodate the needs of the Federal, State and County governments, as well as the Schools and Police Department. Without objection, it was so ordered.

71.I-20 - PROPOSED MOVEMENT OF THE HERITAGE**RESOURCES SECTION IN THE OFFICE OF COMPREHENSIVE****PLANNING (OCP) TO THE FAIRFAX COUNTY PARK****AUTHORITY (FCPA) (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to **DISCONTINUE** its pursuit to move the Heritage Resources Section in the Office of Comprehensive Planning (OCP) to the Fairfax County Park Authority (FCPA).

The staff was directed administratively to proceed as proposed.

72.I-21 - STATUS REPORT ON UPDATING THE ROUTE ONE

WIDENING PLANS (LEE AND MOUNT VERNON DISTRICTS)

(Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting a status report on updating the Route One widening plans, Lee and Mount Vernon Districts.

Supervisor Alexander called the Board's attention to the fact that the design phase is not underway because the project is scheduled Fiscal Year (FY) 1994; and therefore, he asked unanimous consent that the Board direct staff to make this a priority this Fiscal Year.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the request be amended to direct staff to provide the information in the form of a Consideration Item in the event this shift in priority effects other projects, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Without objection, the amended request was so ordered.

73.I-22 - HOUSING TRUST FUND FLOAT TO THE FAIRFAX

COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

(FCRHA) FOR STONEGATE VILLAGE APARTMENTS

(CENTREVILLE DISTRICT) (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to proceed with the

Housing Trust Fund float to the Fairfax County Redevelopment and Housing Authority (FCRHA) for the Stonegate Village Apartments, Centreville District.

Following discussion among Board Members, with input from Walter D. Webdale, Director, and Paula C. Sampson, Director of Real Estate Finance, Department of Housing and Community Development, Supervisor Hanley asked unanimous consent that the Board defer further consideration of the Housing Trust Fund float to FCRHA for the Stonegate Village Apartments until later in the meeting in order to allow staff to provide a chart depicting the funds. Without objection, it was so ordered.

(NOTE: Later in the meeting, following the Board's Executive Session, action was taken on Information Item 22. See Clerk's Summary Item CL#79.)

VLL:vll

ADDITIONAL BOARD MATTER

74. EXPEDITIOUS PROCESSING REQUESTED FOR SPECIAL

EXCEPTION APPLICATION TO BE FILED BY THE

AMERICAN MOBILE SATELLITE CORPORATION

(Tape 5)

Chairman Davis announced that the American Mobile Satellite Corporation, headquartered in Washington, D.C., is currently contemplating relocating to either the Centreville or Sully District of Fairfax County. He relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct the Office of Comprehensive Planning (OCP) and the Department of Environmental Management (DEM) to expedite the processing of the Special Exception Application that will be filed sometime next week. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Davis moved that the Board direct OCP and DEM to simultaneously process the Special Exception Application and any necessary Site Plan and building permits. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Davis stated that, although a final determination is yet to be rendered, it may be necessary to concurrently process a 456 hearing pursuant to Virginia Code Section 15.1-456. He asked unanimous consent that the Board direct the Planning

staff to concurrently and expeditiously process the 456 hearing if deemed necessary. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

75.RECESS/EXECUTIVE SESSION (Tapes 5-6)

At 1:20 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:

- Board of Supervisors of Fairfax County, Virginia, versus Board of Zoning Appeals (BZA) of Fairfax County, Virginia, et al., Chancery Number 122492;
- Birmingham, et al., versus Fairfax County Board of Zoning Appeals (BZA), et al., Chancery Number 122698;
- Board of Supervisors versus Resolution Trust Corporation (RTC) as Receiver for Baltimore Federal Financial FSA, Civil Action Number 91-3128;
- Board of Supervisors versus Resolution Trust Corporation (RTC) as Receiver for United Savings Bank, Civil Action Number 91-1671-A;
- Twelfth Skyline Associates, Thirteenth Skyline Associates, Fourteenth Skyline Associates, Fifteenth Skyline Associates, versus Board of Supervisors, At Law Numbers 103633, 103635, 103637, 103634, and Hollinswoods Associates versus the Board of Supervisors, At Law Number 97159;
- Board of Supervisors versus Lake Services Incorporated, At Law Number 108068;
- Consideration Item Eight - Appeal of the Approval of a Stormwater Detention Waiver for the Resubdivision of Fairfax Hills, Lot 52b (Braddock District); and
- Legal issues concerning Information Item 11 - Award of Contract - Consultant Services for Fairfax County Legislative Initiatives.

This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked that the motion be amended to include the discussion of an opinion dated April 13, 1992 from Ellen Posner, Assistant County Attorney,

Reference: Governor Douglas Wilder, Commonwealth of Virginia, Amendments to House Bill HB564, and this was accepted.

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

At 4:10 p.m., the Board reconvened in the Board Room with all Board Members present, and with Chairman Davis presiding.

76.ACTIONS FROM EXECUTIVE SESSION (Tape 6)

A.CERTIFICATION BY BOARD MEMBERS

REGARDING ITEMS DISCUSSED IN

EXECUTIVE SESSION

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

**B.APPEAL OF TWELFTH SKYLINE ASSOCIATES,
THIRTEENTH SKYLINE ASSOCIATES, FOURTEENTH
SKYLINE ASSOCIATES, FIFTEENTH SKYLINE
ASSOCIATES, VERSUS BOARD OF SUPERVISORS,
AT LAW NUMBERS 103633, 103635, 103637,
103634; AND HOLLINSWOODS ASSOCIATES
VERSUS THE BOARD OF SUPERVISORS, AT
LAW NUMBER 97159**

Supervisor Hanley moved that the Board of Supervisors authorize the Acting County Attorney to file an appeal of the July 31, 1992 Final Orders in Twelfth Skyline Associates, Thirteenth Skyline Associates, Fourteenth Skyline Associates, Fifteenth

Skyline Associates, versus Board of Supervisors of Fairfax County, At Law Numbers 103633, 103635, 103637, 103634; and Hollinswoods Associates versus the Board of Supervisors of Fairfax County, At Law Number 97159. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**C.SETTLEMENT OF BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA, ET AL., VERSUS
BELTWAY TOWING AND STORAGE, INCORPORATED,
ET AL., RECORD NUMBER 920177**

Supervisor Alexander moved that the Board authorize settlement of the Board of Supervisors of Fairfax County, Virginia, et al., versus Beltway Towing and Storage, Incorporated, et al., Record Number 920177, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**D.APPEAL OF BOARD OF SUPERVISORS VERSUS
LAKE SERVICES, INCORPORATED, AT LAW
NUMBER 108068**

Supervisor Dix moved that the Board authorize an appeal of the decision of the Circuit Court of Fairfax County in the Board of Supervisors versus Lake Services, Incorporated, At Law Number 108068. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

**E.AGREEMENT REGARDING BIRMINGHAM, ET AL.,
VERSUS BOARD OF ZONING APPEALS (BZA), ET
AL., CHANCERY NUMBER 122698**

Supervisor Berger moved that, in the case of Birmingham, et al., versus Board of Zoning Appeals (BZA), et al., Chancery Number 122698, the County Attorney's Office, in coordination with Supervisor Berger's Office, the Greater Herndon Citizens Association, and Pulte Homes, at the earliest possible time, to negotiate and prepare for the Board's consideration, an agreement utilizing the terms outlined by the Greater Herndon Citizens Association regarding planning for Dranesville Road engineering

work and the future construction of Dranesville Road and Woodson Drive. This agreement should be returned to the Board at its meeting scheduled for September 14, 1992. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

F.SETTLEMENT OF MAGNA KENLEY JOINT VENTURE

VERSUS THE COUNTY OF FAIRFAX, VIRGINIA, IN

CHANCERY NUMBER 119159

Supervisor McConnell moved that the Board authorize the settlement of Magna Kenley Joint Venture versus the County of Fairfax, Virginia, in Chancery Number 119159, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: Later in the meeting, there was an additional action from Executive Session. See Clerk's Summary Item CL#102G.)

77.C-8 - APPEAL OF THE APPROVAL OF A STORMWATER

DETENTION WAIVER FOR THE RESUBDIVISION OF

FAIRFAX HILLS, LOT 52B (BRADDOCK DISTRICT)

(Tape 6)

(NOTE: Earlier in the meeting, during the approval of the matters presented by the Acting County Executive, action was taken to defer the Board's consideration of this item until following the Board's Executive Session. See Clerk's Summary Item CL#49.)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of the appeal of the Department of Environmental Management's (DEM) approval of a waiver of on-site stormwater detention requirements for the resubdivision of Lot 52B of the Fairfax Hills Subdivision.

Following discussion with input from J. Patrick Taves, Assistant County Attorney, who briefed Board Members on the opinion of the County Attorney's Office as it relates to this appeal, and Edward Jankiewicz, Director, Design Review Division,

DEM, Supervisor Bulova moved, in the case of the stormwater detention waiver for the resubdivision of Fairfax Hills, Lot 52b, that the appeal is **NOT** properly before the Board of Supervisors and that, if it were, the Board would have to deny the appeal because the criteria was met under the Public Facilities Manual (PFM). This motion was jointly seconded by Chairman Davis and Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Supervisor Trapnell being out of the room.

78.I-11 - AWARD OF CONTRACT - CONSULTANT SERVICES

FOR FAIRFAX COUNTY LEGISLATIVE INITIATIVES

(Tapes 6-7)

(NOTE: Earlier in the meeting, during the approval of the matters presented by the Acting County Executive, action was taken to defer the Board's consideration of this item until following the Board's Executive Session. See Clerk's Summary Item CL#61.)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to negotiate and award a contract to Gold and Liebengood, not to exceed the amount of \$100,000 which is currently budgeted for lobbyist activities, to provide consulting services for Fairfax County legislative initiatives.

Without comment, the staff was directed administratively to enter into negotiations with Gold and Liebengood under the terms outlined in the Information Item.

(NOTE: Later in the meeting, during Board Matters, there was an additional action taken on this issue. See Clerk's Summary Item CL#115.)

79.I-22 - HOUSING TRUST FUND FLOAT TO THE FAIRFAX

COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

(FCRHA) FOR STONEGATE VILLAGE APARTMENTS

(CENTREVILLE DISTRICT) (Tape 7)

(NOTE: Earlier in the meeting, during the approval of the matters presented by the Acting County Executive, action was taken to defer the Board's consideration of this

item until following the Board's Executive Session. See Clerk's Summary Item CL#73.)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to proceed with the Housing Trust Fund float to the Fairfax County Redevelopment and Housing Authority (FCRHA) for the Stonegate Village Apartments, Centreville District.

Staff from the FCRHA distributed to Board Members a chart entitled, **Flow of Funds -- Housing Trust Fund Float**, that responded to the concerns expressed by Supervisor Hanley earlier in the meeting.

The staff was directed administratively to proceed as proposed.

CM:cm

80. 3:30 P.M.- PH ON REZONING APPLICATION RZ 92-C-006

(THE SCHOOL BOARD OF FAIRFAX COUNTY, VIRGINIA)

(CENTREVILLE DISTRICT) (Tape 8)

Mr. Wayne Ridgeway, reaffirmed the validity of the affidavit for the record.

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

Chairman Davis stated that he would absent himself from this case because he is General Counsel for a corporation in the County who has used the firm of Hunton and Williams on occasion.

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

Supervisor Trapnell disclosed that her husband's corporation was also represented by Hunton and Williams who is the General Counsel for the applicant and she absented herself from the case.

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

Supervisor Dix moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-C-006 be amended from the R-1 District to the R-2 District subject to the proffers dated July 22, 1992. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Dix moved waiver of the transitional screening and barrier requirements along the northern and eastern boundaries of the site in lieu of that existing on the site. This motion was jointly seconded by Supervisor Berger and Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Dix moved modification of the transitional screening and waiver of the barrier along the southern and western boundary, except along the parking areas, as specified in the proffers. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

81. 3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 87-P-022-2 (BOARD OF SUPERVISORS, OWN MOTION) (PROVIDENCE DISTRICT) (Tape 8)

Mr. Carson Lee Fifer reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hanley moved approval of Special Exception Amendment Application SEA 87-P-022-2 subject to the revised development conditions dated July 22, 1992. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Hanley moved approval of the continuation of the modification of the transitional screening and barrier around the periphery of the site. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

82. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**SE 92-L-003 (CURTIS PROPERTIES, INCORPORATED)****(LEE DISTRICT) (Tape 8)**

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

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

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

Supervisor Alexander moved approval of Special Exception Application SE 92-L-003 subject to the revised development conditions dated May 28, 1992. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander moved waiver of the transitional screening and barrier requirements along the west in accordance with the provisions of Paragraph 6 of Section 13-111 of the Zoning Ordinance. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander moved waiver of the peripheral parking lot landscaping on the south, adjacent to Lockheed Boulevard and on the east. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander moved waiver of the rear yard requirement. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander moved that the Board direct the Department of Environmental Management (DEM) to waive the Public Facilities Manual (PFM) requirement for a 23-foot travelway. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander asked unanimous consent that the record reflect that the previous motions were subject to the development conditions contained in Appendix One of the Staff Report dated May 28, 1992. Without objection, it was so ordered.

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

APPLICATIONS PCA 85-S-013 AND PCA 84-S-027-3

(SULLY STATION SHOPPING CENTER ASSOCIATES,

LIMITED PARTNERSHIP) (SULLY DISTRICT) (Tape 8)

Mr. Richard Howser reaffirmed the validity of the affidavit for the record.

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 85-S-013 subject to the revised proffers dated July 14, 1992. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 84-S-027-3 subject to the revised proffers dated July 14, 1992. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Hyland being out of the room.

Supervisor Frey further moved:

- Modification of the screening requirement; and

- Waiver of the barrier requirement along Westfield Boulevard be reaffirmed pursuant to Section 13-304 of the Zoning Ordinance.

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

84. 3:30 P.M.- PH ON REZONING APPLICATION RZ 91-S-009

(MICHAEL AND BUFFA HARGETT) (SPRINGFIELD DISTRICT)

(Tape 8)

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

Mr. Hargett 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 one speaker, Lisa Feibelman, 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 91-S-009 be amended from the R-1 District to the R-2 District subject to the proffers dated July 22, 1992. This motion was seconded by Supervisor Berger and carried by vote of nine, Supervisor Alexander being out of the room.

Supervisor McConnell moved waiver of the minimum district size requirement for the cluster zoning district. This motion was seconded by Supervisor Berger and carried by vote of nine, Supervisor Alexander being out of the room.

Supervisor McConnell further moved:

- Waiver for the provision of a minimum one acre of open space for a cluster subdivision; and
- Waiver of the service drive along the Ox Road frontage.

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

**85. 3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN
EASEMENTS NECESSARY FOR THE CONSTRUCTION OF
THE CRIMINAL JUSTICE SITE COLLOCATION PROJECT
(SULLY DISTRICT) (Tapes 8-9)**

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 16 and July 23, 1992.

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved to defer Board decision on adoption of the Resolution authorizing the acquisition of certain sanitary sewer easements necessary for construction of Project 008051 - Criminal Justice Site Collocation until **September 14, 1992 at 4:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being out of the room.

**86. 3:30 P.M. - PH ON PROPOSED REVISIONS TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3
(COUNTY EMPLOYEES), ARTICLE 3 (FAIRFAX COUNTY
UNIFORMED RETIREMENT SYSTEM), AND ARTICLE 7
(FAIRFAX COUNTY POLICE OFFICERS RETIREMENT
SYSTEM), REGARDING DEFINITION OF CREDITABLE
COMPENSATION AND CALCULATION OF AVERAGE FINAL
COMPENSATION FOR MEMBERS CALLED TO MILITARY
SERVICE (Tape 9)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of July 16 and July 23, 1992.

Following the public hearing, Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 3 (Fairfax County Uniformed Retirement System), and Article 7 (Fairfax County Police Officers Retirement System), to clarify the definition of creditable compensation, the types of compensation assessed for retirement, in the Uniformed Retirement System. The amendments will also revise the provisions regarding members ordered or called to military service for the Uniformed and Police Officers Retirement Systems. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being out of the room.

SBE:sbe

87. 4:00 P.M. - PH AND ADOPTION OF THE COMMUNITY

PLAN FOR THE BALLOU COMMUNITY (DRANESVILLE

DISTRICT) (Tape 10)

(R)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of July 16 and July 23, 1992.

Following the public hearing, Supervisor Berger moved adoption of the Resolution adopting the Ballou Community Plan, Dranesville District. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being out of the room.

88. 4:00 P.M. - PH ON REZONING APPLICATION

RZ 91-P-021 (LEROY J. BLACKWELDER)

(PROVIDENCE DISTRICT) (Tape 10)

In response to a query by Supervisor Hanley, Robert Howell, Acting County Attorney, responded that, in accordance with Board procedure, the Board has the option to proceed with the public hearing in the absence of an applicant.

In light of the fact that the applicant, Mr. Leroy J. Blackwelder, had submitted a letter for the record, the Board proceeded with the public hearing.

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

•In excess of \$1,000 from Mr. F. Gary Garczynski.

Chairman Davis read into the record a letter that he had received from Mr. Blackwelder addressed to both the Board of Supervisors and Circuit Court Judge Johanna Fitzpatrick.

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following a brief synopsis of the application, Supervisor Hanley moved **DENIAL** of Rezoning Application RZ 91-P-021 to the R-8 District. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

89. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 92-M-004 (EXXON CORPORATION) (MASON DISTRICT)

(No Tape)

(NOTE: Later in the meeting, action was taken to defer the public hearing on Special Exception Application SE 92-M-004 until **September 14, 1992 at 4:00 P.M.** See Clerk's Summary Item CL#93.)

90.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 92-L-005 (EXXON CORPORATION) (LEE DISTRICT)

(Tape 10)

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

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

Following the public hearing, which included testimony by one speaker, Regina Murray, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved approval of Special Exception Application SE 92-L-005 subject to the development conditions dated June 25, 1992. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova abstaining, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

**91. 4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING
ORDINANCE) AND PUBLIC FACILITIES MANUAL (PFM)
AMENDMENTS REGARDING ACCESSIBILITY PROVISIONS
FOR PERSONS WITH DISABILITIES (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.

(NOTE: Due to the Planning Commission's deferral of its decision on the proposed amendments until July 30, 1992, the Board deferred its public hearing, previously scheduled for July 27, 1992, until August 3, 1992 at 4:00 p.m.)

Following the public hearing, Supervisor Berger moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to amend Articles 1, 2, 8, 9, 11, 12, 16, 17 and 18, and to the Public Facilities Manual (PFM), to amend Articles 1, 2 and 7, to accommodate the accessibility provisions for persons with disabilities required by the Virginia Uniform Statewide Building Code (VUSBC), Americans with Disabilities Act (ADA), and the Final Fair Housing Accessibility Guidelines (FFHAG). This motion was jointly seconded by Supervisor Alexander and Supervisor Hanley and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

**92. 4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATION PCA 87-S-046 (TRAFALGAR HOUSE
PROPERTY, INCORPORATED) (SPRINGFIELD DISTRICT)
(Tape 10)**

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

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

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

Supervisor McConnell moved approval of Proffered Condition Amendment Application PCA 87-S-046 subject to the proffers dated July 22, 1992. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Frey and Supervisor Hanley being out of the room.

Supervisor McConnell moved that the previously approved waiver of the minimum district size for an R-3 cluster subdivision be reaffirmed. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey and Supervisor Hanley being out of the room.

93. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 92-M-004 (EXXON CORPORATION) (MASON DISTRICT)

(Tape 10)

Supervisor Trapnell moved to defer the public hearing on Special Exception Application SE 92-M-004 until **September 14, 1992 at 4:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey and Supervisor Hanley being out of the room.

94. 4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON

ISSUES OF CONCERN (Tapes 10-11)

(BACs)

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 16 and July 23, 1992.

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

Additional Board Matters:

Following the testimony by Speaker Number Two (Ms. Gloria Starr), Chairman Davis recognized the presence of Kenton Patty, President, Fairfax County Council of Parent-Teacher Associations (FCCPTA), Mr. John Thomas, and Ms. Shirley Nelson, and he warmly welcomed them to the Board Room.

Following the testimony by Speaker Number Six (Mr. Mike O'Kane), for the record, Supervisor Hanley stated that the decision for the fees and the use of the gyms was not made directly by the Board of Supervisors but by the School Board.

Following the testimony by Speaker Number Seven (Mr. Roger Williams), Supervisor Bulova noted that the Speakers' List did not contain home addresses for several speakers. She asked unanimous consent that, in the future, the Board direct staff to include this information for all speakers. Without objection, it was so ordered.

With regard to the issue of athletic fees that was expressed by several speakers this evening, Supervisor Hanley announced that on June 22, 1992, the Board established the Public Schools Fee Policy Task Force to review this issue. The Task Force is scheduled to meet sometime in early September 1992.

Following the testimony by Speaker Number Eight (Mr. Donald Law), Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board refer Mr. Law's testimony to the Park Authority for its review and response. Without objection, it was so ordered.

Supervisor Davis asked unanimous consent that the Board increase the composition of the Schools Fee Policy Task Force to include a representative from the Adult Softball Council. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The public hearing was held and included testimony by 10 speakers.

VLL:vll

**95.C-1 - CONSIDERATION OF A RESOLUTION BY THE
BOARD OF SUPERVISORS ESTABLISHING FISCAL YEAR
(FY) 1994 BUDGET GUIDELINES (Tape 12)**

(R)(NOTE: Earlier in the meeting, during the approval of the matters presented by the Acting County Executive, action was taken to defer consideration of this item until following the public hearings. See Clerk's Summary Item CL#40.)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of adopting a Resolution establishing the Fiscal Year (FY) 1994 Budget Guidelines.

Supervisor Dix moved that the Board adopt the Resolution contained in the Memorandum to the Board establishing the FY 1994 Budget Guidelines. This motion was jointly seconded by Supervisor Berger and Supervisor McConnell.

Supervisor Hyland asked that the motion be amended to revise bullet Number Two to read as follows:

"2.That the increase in the Combined General Fund transfer to the School Operating/ Construction funds be targeted at two percent. Balances materializing from the School's budget at the Carryover Review or throughout the fiscal year should be held available to prepare for the potential loss of State and/or Federal funding and changing economic conditions. **However, the targeted two percent suggested for the School Transfer shall be revisited after the completion of the summit to be held by the School System and the Board will then look at the results of the summit with a view towards making whatever adjustments to the two percent target.**"

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that Supervisor Hyland's amendment be further amended to read as follows:

"2....However, the targeted two percent suggested for the School Transfer shall be revisited after the completion of the summits to be held by the School System. The Board will then look at the results of the summits **and the economic situation** with a view towards making whatever adjustments to the two percent target."

As amended, the amendment was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley stated that she had planned to offer the following amendment to bullet Number Two; however, she stated that the amended amendment that has been accepted has the same intent. For the record, she announced that she may reintroduced this language following the Board's review of the issues after the School's summit:

"2....The Board of Supervisors recognizes that the transfer to the School Division may have to be increased in order for the School Board to implement the two percent cost-of living for its employees without severely impacting School Board Programs."

In response to a query by Supervisor Hanley, Supervisor Hyland stated that his amendment incorporates the intent of the language stated-above.

Following further comments by individual Board Members, with input from James P. McDonald, Deputy County Executive for Management and Budget, the question was called on the motion, as amended, which carried by unanimous vote.

**96.APPOINTMENT OF BOARD MEMBERS TO SERVE ON THE
WASHINGTON METROPOLITAN COUNCIL OF GOVERNMENTS
(COG) TRANSPORTATION PLANNING BOARD (TPB)**

(Tape 12)

(BACs)

Chairman Davis announced that because of recent changes to the Bylaws of the Washington Metropolitan Council of Governments (COG) Transportation Planning Board (TPB), the Fairfax County Board of Supervisors may appoint two more of its members to serve on the TPB. One member would be a standing member and the other an alternate member.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved the appointment of Supervisor Dix as the second standing member and Supervisor Berger to serve as the alternate member on the TPB. This motion was seconded by Supervisor Frey and carried by unanimous vote.

97.APPOINTMENT OF REPRESENTATIVES FROM FAIRFAX

**COUNTY TO THE CITIZENS ADVISORY COMMITTEE
(CAC) OF THE TRANSPORTATION COORDINATING
COUNCIL (TCC) (Tape 12)**

(BACs)

Supervisor Davis stated that on July 27, 1992, his office faxed to all Board Members a memorandum regarding the appointment of representatives from Fairfax County to the Citizens Advisory Committee (CAC) of the Transportation Coordinating Council (TCC). He stated that Fairfax County is allowed, by right, to appoint eight members. The Board may recommend individuals to John G. Milliken, Secretary of Transportation, Commonwealth of Virginia, for his consideration in addition to the eight that Fairfax County officially appoints. There are 30 slots that Secretary Milliken can fill at his discretion.

Supervisor Hanley moved the appointment of Mr. Jerry Brown and Mr. Jake Jacobson to serve on the TCC.

Supervisor Alexander moved the appointment of Mr. Robert Heittman.

Supervisor McConnell moved the appointment of Mr. Mike Thompson.

Supervisor Berger moved the appointment of Mr. David Sanders.

Supervisor Trapnell moved the appointment of Mr. Jack Rust.

Supervisor Dix moved the appointment of Mr. John Palatiello.

These appointments were seconded by Supervisor Alexander.

Supervisor Davis announced that he would appoint the eighth member at the Board of Supervisors' meeting scheduled for September 14, 1992.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

AR:ar

98. CLARIFICATION OF PRIVATIZATION MOTION

(Tape 13)

Supervisor Berger said that on July 13, 1992 during his Board Matters, he made a motion concerning privatization of certain County services. He said that last week, staff asked for a clarification of the motion.

Therefore, Supervisor Berger moved:

- That the Board-designated oversight body of Dr. Mark Crain, Sid Dewberry, Noman Cole, Donna Engelson, and Don Boone work in concert with staff to develop an Request for Proposal (RFP) for approval by the Board on September 14, 1992;
- That the Board-designated oversight body and staff work in concert to evaluate respondents to the RFP and prepare recommendations to the Board for selection of a privatization consultant;
- That the consultant, in consultation with the Board-designated oversight body and staff, prepare solicitations (RFP or IFB) for contracting out the following activities:
 - * Operation of one of the new School Aged Child Care (SACC) centers as previously approved by the Board;
 - * The maintenance of all County owned buildings, not separately but as a whole; and
 - * The entire County motor vehicle fleet operations, and all Equipment Management Transportation Agency (EMTA) facilities.
- That concurrently with the preparation of solicitations for those three specified activities, the Board-designated oversight body, staff, and the privatization consultant work in concert to analyze costs and service levels for these activities, to provide a basis for comparison with private sector bids or proposals;
- That, subject to availability of funds and staff time, the Board-designated oversight body and staff work in concert to analyze costs and service levels for additional county activities, and identify those activities for which potential privatization savings of at least 10 percent are projected; and
- That all County agencies, currently performing activities identified for possible privatization, be permitted to compete with the private sector for retention of these functions in-house.

This motion was seconded by Supervisor McConnell.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the part of the motion which reads, "The maintenance of all County owned buildings, not separately but as a whole," be changed to read ".....either separately or as a whole." In addition, at the end of the phrase which reads, "The entire County motor vehicle fleet operations, and all Equipment Management Transportation Agency (EMTA) facilities," add the words, ".....or a portion thereof." These changes were accepted by Supervisor Berger.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Chairman Davis announced that he has scheduled a "brown bag" meeting tomorrow morning (August 4) at 7:30 a.m. with the personnel at the Operations and Maintenance Branch, Office of General Services, located at 4001 Burke Station Road, to discuss their concerns regarding this issue. He invited other Board Members to join him.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include and emphasize the right of staff to come back to the Board for clarification of any technical issues which may evolve during these procurement procedures, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

After a query from Supervisor Frey regarding the establishment of a minimum cost savings on all items, Supervisor Berger amended his motion to include guidelines for a 10 percent savings in all categories.

Following additional discussion, the question was called on the motion, as amended, which carried by a unanimous vote.

99. ELLISON HEIGHTS CAPITAL IMPROVEMENT PLAN

(CIP) (Tape 13)

Supervisor Berger said that he had been advised by staff that the Ellison Heights Community Improvement Project is nearing design phase completion.

Supervisor Berger stated that staff has been working with his office and the citizens of Ellison Heights and the project is ready to proceed to land acquisition in Fiscal Year (FY) 93. He noted that last week the Board approved the assessments for the Ellison Heights Community Improvement Project as recommended by staff.

Supervisor Berger said that the Community Improvement Advisory Committee has recommended that, should funding become available, those projects which are partially funded should be funded through construction in chronological order as they complete the phases preliminary to construction. He added that staff has recommended that they proceed to land acquisition on this project.

Supervisor Berger moved that the Board support reallocation of \$30,000 from C0070 Fund Contingency for Project C00089 Ellison Heights to proceed to land acquisition in FY 93, and that funding in the amount of \$770,000 be added for construction of this project in the FY 94 budget submission by staff at that time for Board consideration. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

100.APPOINTMENTS TO THE TYSONS CORNER TASK FORCE

(Tape 13)

(APPT)

Supervisor Berger moved the appointment of Mr. Jeff Hardin and Mr. John Nassikas as McLean Citizens Association representatives to the Tysons Corner Task Force. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

101.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 13)

(APPT)

Supervisor Berger moved the appointment of Mr. Stuart Mendelsohn as the Dranesville District representative on the County Government Committee. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

102.ADDITIONAL ACTIONS FROM EXECUTIVE SESSION

(Tape 13)

(NOTE: Earlier in the meeting, there were additional actions from Executive Session. See Clerk's Summary Item CL#76.)

G. WEST CENTREVILLE FIRE STATION SITE

Supervisor Frey moved that the Board approve the agreement of sale and attached contract of sale and authorize the execution of said instruments by the Deputy County Executive for Planning and Development. Said agreement, which is dated July 24, 1992, is for the West Centreville Fire Station Site located in the Sully Magisterial District and shown as Tax Map Parcel Numbers 54-3((2)) 57 and 58 is between the Board of Supervisors and Winchester Homes. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

As a point of clarification, Supervisor Frey stated that this contract is totally contingent upon approval of all the land-use actions which are needed by the Planning Commission and the Board of Supervisors. He added that the community is still looking at other sites; however, this action today is necessary in order to ensure that, if this is ultimately the site that the community and the Planning Commission and the Board choose, this site will be available when the land-use cases are heard later in the Fall.

103. INSTALLATION OF DIRECTIONAL SIGNS IN THE**GOVERNMENT CENTER LOBBY TO ASSIST****HANDICAPPED PERSONS IN LOCATING BOARD****ROOM AND PODIUM (Tape 13)**

Supervisor Frey asked unanimous consent that the Board direct staff to install directional signage in the Government Center Lobby to assist handicapped persons in their location of the Board Room and the podium. Without objection, it was so ordered.

104. CONCURRENT PROCESSING OF SITE PLAN WITH PENDING**SPECIAL EXCEPTION APPLICATION SE 92-Y-024****(Tape 13)**

Supervisor Frey moved that the Board:

- Direct the Director of the Department of Environmental Management (DEM) to concurrently process the Site Plan with pending Special Exception Application SE 92-

Y-024 (concurrent with Proffered Condition Amendment Application PCA 85-C-019-3 and Special Exception Amendment Application SEA 84-C-076-4); and

•Since the above applications are scheduled for public hearing before the Planning Commission on October 8, 1992, direct staff to schedule a public hearing before the Board of Supervisors for these applications in October.

Supervisor Frey added that the pending Special Exception proposes the construction of a child care facility on the campus of Fair Oaks Hospital to service employees.

The motion was seconded by Supervisor Hanley and **CARRIED** by a recorded vote of eight, with Chairman Davis abstaining, and Supervisor Berger being out of the room.

105.HERITAGE ESTATES BOND DEFAULT ISSUE

(Tape 13)

Supervisor Frey stated that the communities of Heritage Estates and Greentrails in the Sully District are the subject of a number of serious developer bond defaults. He said that, as a result of the original developer's abandonment of the projects, and the subsequent failure and takeover of the project lender by the Resolution Trust Corporation (RTC), many of the public improvements and proffered amenities remain to be completed or are in need of major repairs. While the RTC has been meeting with staff and has indicated a willingness to fund the completion of the developer's obligations, progress towards completion has been painfully slow.

Supervisor Frey said that it is his understanding that the RTC has now come forward with a draft of a proposed agreement which, among other things, proposes to supplement with additional funds the bonding securities currently on file with the County. Supervisor Frey stated that, as he understands it, in consideration for these supplemental assurances, RTC is seeking expeditious approval of the proffered recreation center plans and the site plans for the last section in the Heritage Estates Development, Section Eight. According to the RTC, funding for completion of the overall development improvements is largely dependent upon the proceeds being available from the development of this last section.

In the interests of getting this long delayed development completed and rapidly resolving the bond defaults, Supervisor Frey moved that the Board direct staff to promptly complete review of the proposed agreement, and upon a finding by the Office of the County Attorney that terms favorable to the County as a party to the agreement have been reached, and have been incorporated into the agreement, that the

Director of the Department of Environmental Management (DEM) be authorized to execute the final, revised agreement on behalf of the Board of Supervisors. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Berger being out of the room.

In addition, Supervisor Frey expressed his appreciation to the staffs of DEM and the County Attorney for their diligent efforts regarding this issue.

106.MOVING BOARD MEETINGS FROM MONDAY TO

TUESDAY (Tape 13)

Supervisor Bulova stated that, during the past months, Board Members have discussed informally the possibility of moving Board Meeting days from Mondays to Tuesdays (or some other day of the week). At the meeting on June 22, the Board agreed to add this to the agenda for its Reorganizational Subcommittee. She added that, unfortunately, the date for this subcommittee meeting has been changed a number of times, and at this time it is scheduled for tomorrow, the day after the last Board meeting before the summer recess and too late to advertise a different date in September.

In order that the Board does not lose its window of opportunity on this matter, Supervisor Bulova asked that the Board take action today and she went on to state her reasons for asking to make this change.

Supervisor Bulova stated that the Board Package arrives in some of the Supervisors' offices as late as 4:30 p.m. on Thursday evening, which means that staff members use Fridays to put it together with tabs in a binder. Since it takes a bit of time to do this, Supervisor Bulova added that she never sees her Board Package until Friday evening or Saturday morning - too late to try to ask questions of County staff, or ask office staff about some of these items without disturbing them on a weekend. Supervisor Bulova stated that she often gets calls from the press over the weekend about something in the Board Package and has to track down County staff on a Saturday or Sunday to get more information for a news article that the reporter plans to run on Monday.

Supervisor Bulova said that sometimes an item in the Board Package may be of interest to civic or homeowner associations in her District; however, she is unable to reach people, or have staff help with reaching people, on a weekend afternoon. Moving the Board Meeting day to Tuesday, with the Board Package still coming to the Supervisors on Thursday, would provide a full working day to coordinate with staff and constituents regarding items which will be considered at the meeting.

Supervisor Bulova stated that a second problem that Tuesdays would address is the scheduling of workshops and Subcommittee meetings. When the Board went to meeting two Mondays a month, the previous Board agreed that the other Mondays would be reserved for workshops and Subcommittee meetings. However, Mondays are often holidays or extensions of weekend conferences (VACo, VML) which are attended by some Board Members. Supervisors, therefore, have trouble coordinating their calendars to find another day of the week and/or they try to squeeze Subcommittee meetings in at 8:00 a.m. on a day when the Board will be meeting until 1:00 a.m. the next morning. If the Board went to Tuesdays, it would be able to reserve all Tuesdays as official Board Meeting days - for meetings, workshops or Subcommittee meetings.

Accordingly, Supervisor Bulova moved that the Board, effective after its August recess, move its meeting date from Monday to Tuesday, and that Tuesdays that are not Board Meeting days be designated for workshops or Subcommittee meetings. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Alexander moved a substitute motion that the Board direct the Acting County Executive, beginning September 9, 1992, to forward the Board Package to Board Members on the **Wednesday** of the week preceding a Board Meeting (rather than on Thursday). This motion was seconded by Chairman Davis.

After additional discussion, the question was called on the substitute motion which **CARRIED** by a recorded vote of eight, Supervisor Bulova and Supervisor Hyland voting "NAY."

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

107.HISTORY OF ANNANDALE (Tape 13)

Supervisor Bulova announced that, after many years of effort, a History of Annandale has recently been completed. She stated that she has been told by Dr. Donald Sweig, a County Historian in the Heritage Resources Branch, Office of Comprehensive Planning (OCP), that monies requested by the History Commission for printing the Annandale study in its Fiscal Year (FY) 1993 budget request did not make it into the adopted budget.

Supervisor Bulova stated that price quotes for the printing, obtained by OCP, with the least expensive option being to have the County Print Shop do the job in-house, is \$1800 for 1,000 copies. She added that, once the History of Annandale has been printed, it should actually be a money maker.

Therefore, Supervisor Bulova moved that, as part of the Carryover in September 1992, the Board consider directing \$1800 to the OCP/Heritage Resources Branch for printing the History of Annandale and that the printing be done at the County Print Shop. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

108.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 13)

(APPT)

Supervisor Bulova moved the appointment of Mr. John Fee as the Braddock District Representative to the County Government Committee. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

109."FAIRFAX COUNTY LAW OVERSIGHT COMMITTEE"

(Tape 13)

Supervisor Bulova called the Board's attention to letters which are being distributed throughout Fairfax County from the "Fairfax County Law Oversight Committee" and asked unanimous consent that the Board direct the Acting County Attorney to immediately investigate this matter to determine what can be done to stop this Committee's illegal representation of Fairfax County. Without objection, it was so ordered.

VLL:vll

110.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 14)

(APPT)

Supervisor Hanley moved the appointment of **Mr. Dana Kauffman** as the Providence District Representative to the County Government Committee. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

111.APPOINTMENT TO THE ADVISORY SOCIAL SERVICES

BOARD (Tape 14)

(APPT)

Supervisor Hanley moved the appointment of **Ms. Letitia Haworth** as the Providence District Representative to the Advisory Social Services Board. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

112.CONCURRENT PROCESSING OF SITE PLAN WITH**SPECIAL PERMIT AMENDMENT APPLICATION****S-81-P-089-1 (MANTUA SWIM CLUB) (PROVIDENCE****DISTRICT) (Tape 14)**

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept a Site Plan exception request for the concurrent processing with Special Permit Amendment Application S-81-P-089-1 filed by the Mantua Swim Club. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

113.HEARING SCHEDULED BY THE SENATE COMMITTEE**ON TRANSPORTATION TO RECEIVE COMMENTS ON****TRANSPORTATION ISSUES IN RELATION TO THE****PROPOSED CONSTRUCTION OF A STADIUM AT****POTOMAC YARDS (Tape 14)**

Supervisor Hanley announced that the Senate Committee on Transportation will be conducting a public hearing on Tuesday, August 4, 1992 at 7:00 p.m. at the Northern Virginia Community College (NVCC) to receive comments on transportation issues in relation to the proposed construction of a stadium at Potomac Yards. The subject matter of the public hearing **WILL NOT** be whether the stadium should or should not be built but on transportation issues.

114.BOARD MEMBERS INVITED TO PARTICIPATE IN

THE "GREAT STATE TRASH OFF" (Tape 14)

Supervisor Hanley announced that Ray Pethtel, Commissioner, Virginia Department of Transportation (VDOT), has forwarded to Board Members an invitation to participate in the "Great State Trash Off." Virginia's first annual "Great State Trash Off" is scheduled for Saturday, October 17, 1992. She asked unanimous consent that the Board direct staff to publicize this event in the Weekly Agenda. Without objection, it was so ordered.

115.ADDITIONAL ACTION REGARDING INFORMATION ITEM 11-**AWARD OF CONTRACT - CONSULTANT SERVICES FOR****FAIRFAX COUNTY LEGISLATIVE INITIATIVES****(Tape 14)**

(NOTE: Earlier in the meeting, action was taken on this issue. See Clerk's Summary Items CL#61 and #78.)

Supervisor Hanley referred to the Board's earlier action authorizing staff to negotiate and award a contract to Gold and Liebengood for lobbyist activities to provide consulting services for Fairfax County legislative initiatives. During the Board's earlier discussion, she had raised the issue of who would be the contracting officer and to whom that contracting officer would report. She asked unanimous consent that the Board direct the Acting County Executive to report with a staff recommendation to resolve this issue. Without objection, it was so ordered.

116.BOARD MEMBERS INVITED TO SPONSOR "A HOLE"**IN THE GOLF TOURNAMENT (Tape 14)**

Supervisor Hanley announced that Board Members had received an invitation from the Fairfax County Fire and Rescue Retirement Association to sponsor "a hole" in a golf tournament scheduled for August 24, 1992 to benefit the Firefighters' Fund of Fairfax County. She stated that she is willing to participate and she asked interested Board Members to contact her.

117.RESOLUTION RESCINDING THE VACATION OF**WESTOVER STREET (Tape 14)**

(A)

(R)Supervisor Hanley moved that the Board adopt the following Resolution rescinding the vacation of Westover Street:

"**WHEREAS**, the Fairfax County Board of Supervisors adopted the Community Improvement Program on April 3, 1978, for the purpose of upgrading older neighborhoods in Fairfax County; and

WHEREAS, the Board of Supervisors, recognizing the need for improvements in the Hillwood neighborhood adopted the Hillwood Community Improvement Plan on November 24, 1986; and

WHEREAS, on July 11, 1988, the Board of Supervisors also ordered improvements to Hillwood and set the assessments of owners of property abutting the improvements; and

WHEREAS, on March 20, 1989, based on a request by the Hillwood Community to control cut-through traffic, the Board of Supervisors adopted an ordinance to vacate that portion of Westover Street, between Shady Lane and South Street, in the Hillwood Community; and

WHEREAS, improvements have been completed on the remainder of Westover Street; and

WHEREAS, the unimproved block of Westover Street has remained opened without significant increase in cut-through traffic; and

WHEREAS, the majority of the homeowners of the Hillwood Community have requested that the street remain open; and

WHEREAS, funding for construction, in the amount of \$273,992, has been set aside to complete this project;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board directs staff to schedule, as soon as possible, public hearings to rescind the vacation of that portion of Westover Street (Route 1709) as adopted at the March 20, 1989 public hearing, and to set assessments and order construction of improvements to Westover Street between Shady Lane and South Street; and

2. That the Board directs staff to complete the design of improvements to the unimproved block of Westover Street."

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

118.ADDITIONAL COMMENTS REGARDING THE VIRGINIA

RAILWAY EXPRESS (VRE) (Tape 14)

Supervisor Alexander announced that, not only did an article regarding the Virginia Railway Express (VRE) appear in Newsweek, but that Shiva K. Pant, Director, Office of Transportation, had also been quoted in the July 31, 1992 edition of USA Today on transportation issues.

119.EXECUTIVE SESSION TO DISCUSS INTERVIEWS OF

CANDIDATES FOR THE POSITION OF COUNTY

EXECUTIVE (Tape 14)

Supervisor Alexander moved that the Board 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 Section 2.1-344.1. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger and Supervisor Frey being out of the room.

120.BOARD MATTERS BY SUPERVISOR CHRISTINE R.

TRAPNELL, MASON DISTRICT (Tape 14)

Because of the lateness in the hour, Supervisor Trapnell announced that she would not present any Board Matters for this meeting.

PMH:pmh

121.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 15)

(APPT)

Supervisor McConnell moved the appointment of Mr. Michael Thompson as the Springfield District Representative to the County Government Committee. The second to this motion was inaudible. The motion carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

122.DUMPING OF DEBRIS (Tape 15)

Supervisor McConnell stated that she had received complaints from constituents who said that twice in the past few weeks trucks had backed-up and dumped debris on their property. She added that they had been charged \$181 to dump the material of concrete and bricks.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to review this issue and report with a recommendation that would "give people a break" in these situations. Without objection, it was so ordered.

123.APPOINTMENT TO THE SMALL AND DISADVANTAGED

BUSINESS COMMISSION (Tape 15)

(APPT)

Chairman Davis moved the appointment of Mr. Jay Khim as a Representative to the Small and Disadvantaged Business Commission. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

124.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 15)

(APPT)

Supervisor Dix moved the appointment of Mr. Joel Birken as the Centreville District Representative to the County Government Committee. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

125.APPOINTMENT TO THE COMMUNITY ACTION ADVISORY

BOARD (Tape 15)

(APPT)

Supervisor Dix moved the appointment of Ms. Marcia McDevitt as the Centreville District Representative to the Community Action Advisory Board. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

126.PLANNING AND DEVELOPMENT PROCESS REDESIGN

(Tape 15)

Supervisor Dix referred to a report that Board Members had received on the Planning and Development Process Redesign that was submitted by LBA Limited. Supervisor Dix asked unanimous consent that the Board direct staff to submit this report to the Business Process Design Committee and to Supervisor Frey as part of the process. Without objection, it was so ordered.

127.MARKET APPRAISALS FOR BUILDINGS B-2 AND B-3

(Tape 15)

(NOTE: Earlier in the meeting there was discussion regarding Buildings B-2 and B-3. See Clerk's Summary Items CL#41 and #43.)

Supervisor Dix moved that the Board direct staff to begin the process to secure current market appraisals for Buildings B-2 and B-3. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Berger being out of the room.

128.INTERIM COMMUTER PARKING IN SUPPORT OF

HIGH OCCUPANCY VEHICLE (HOV) USERS ON

THE DULLES TOLL ROAD (Tape 15)

Supervisor Dix stated that the High Occupancy Vehicle (HOV) lanes on the Dulles Toll Road will open on September 1, 1992. The Office of Transportation, working with the Virginia Department of Transportation (VDOT) has identified a number of interim park-and-ride lots within the Dulles Corridor to use as staging areas for car and van pools until such time as the permanent Reston South and Reston East lots are completed.

Supervisor Dix called the Board's attention to its previous authorization for execution of a park-and-ride lease agreement with the J.A. Loveless Company for commuter spaces on Sunset Hills Road; however the agreement was rejected by the property owner due to current financial considerations.

Supervisor Dix stated that recently Mason Hirst, Incorporated, has expressed a willingness to lease property at 1805 Michael Faraday Court in Reston, proximate to the existing VDOT Wiehle Avenue commuter lot which is overfilled. Over 100 parking spaces are available on the site where a former bowling alley has been demolished. At this time, therefore, Supervisor Dix moved that the Board authorize the Acting County Executive to execute a lease agreement with the property owner to secure interim commuter parking in support of HOV users on the Dulles Toll Road. Funds for this project are available from the Fiscal Year (FY) 1993 ridesources program supported by VDOT. No additional County funds are required. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Berger being out of the room.

129.POLICIES FOR ZONING APPLICATIONS FILED FOR PROPERTIES WITHIN THE ROUTE 28 TAX DISTRICT

(Tape 15)

Supervisor Dix stated that on August 21, 1991, the Board adopted certain policies to govern zoning applications filed for properties within the Route 28 Tax District until such time as a plan for the District is adopted by the Board.

Supervisor Dix noted that the Route 28 Task Force is currently close to completing its Comprehensive Plan recommendations, and it is anticipated that a report will be forthcoming by the end of the year.

Supervisor Dix stated that Policy Number One, which was adopted in August 1991, states the following:

• "Because no lands within the Route 28 Tax District are currently planned for residential use in the adopted Comprehensive Plan, any land use request that seeks to rezone property in the Route 28 Tax District to residential use should not be approved."

Supervisor Dix stated that it is his understanding that the Route 28 Task Force will be recommending, and has been discussing, the desirability of adding residential development to the Tax District. In addition, because of the current real estate market

conditions, certain landowners in the Route 28 Tax District are anxious to proceed with such residential development.

Therefore, Supervisor Dix moved that the Board direct staff to review Policy Number One and evaluate this policy relative to allowing exceptions or changing the policy, and report to Board Members during the August recess prior to the Board's next meeting on September 14, 1992 with its comments and recommendations. This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Hanley asked that the motion be amended to include evaluation of the financial and legal requirements of the Tax District and what this would mean to the bonds in phase one and phase two, and this was accepted.

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

130.BUNGEE JUMPING (Tape 15)

Supervisor Dix reminded Board Members that one of the more popular sports (and he uses that term loosely) these days is bungee jumping. In order to increase participation in the sport (since tall bridges are not commonplace in all parts of the country) the current trend is to use a tall crane and hoist jumpers off the ground in some sort of a cage or platform, and then allow the individual to jump -- with a large piece of foam on the ground as a safety net.

Supervisor Dix stated that, after discussing this type of activity with staff in several County agencies, it is his understanding that the County currently has no formal policies or standards to review a request for a bungee jumping use or under which approval could be given.

Supervisor Dix noted that the Park Authority has received at least one request to allow bungee jumping and the request was denied. The Zoning Administrator has received several inquiries regarding the zoning use classification of this type of use, and has made a determination that the use of a property for bungee jumping from a hot air balloon or mobile crane is most similar to a commercial recreation park which is a Group 5 Commercial Recreation Use. Special Permit approval would be required in order to permit this use. The Department of Environmental Management (DEM) has indicated that, while there are standards for bungee jumping which are being considered by the State, to date no such standards have been published or adopted.

Supervisor Dix stated that his concern is that there will be additional requests to allow a bungee jumping activity in the County, and that there is no overall formal policy or

any established standards regarding this type of use. He stated that there is a degree of hazard associated with bungee jumping.

Accordingly, Supervisor Dix moved that the Board direct the appropriate agencies in the County, including the Park Authority, to work together to establish a policy regarding bungee jumping activity in Fairfax County. The second to this motion was inaudible.

Following discussion, Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked that the motion be amended to include referring this item to the Procedures Subcommittee, and this was accepted.

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

131.SUCCESSFUL IMPLEMENTATION OF CUT-THROUGH

TRAFFIC RESTRICTIONS ON KATHRYN STREET

(Tape 15)

Supervisor Hyland announced that Virginia Department of Transportation (VDOT) has recommended that the cut-through traffic restrictions implemented six months ago in the Mount Vernon District on Kathryn Street become permanent.

Supervisor Hyland said that this has been accomplished through the cooperative efforts of VDOT which provided the Policy and Procedures in 1989, the Office of Transportation which coordinated their implementation and the residents of Kathryn Street who petitioned for the restrictions, provided testimony, and were otherwise involved throughout the two-year process.

Supervisor Hyland added that Kathryn street has returned to its intended use since restriction signs were put in place.

Therefore, Supervisor Hyland asked unanimous consent that the Board give credit to staff at VDOT and the Office of Transportation, in particular Joe Conlon and Bruce Taylor, who made this project a success by working with the citizens and improving traffic safety in the Mount Vernon District. Without objection, it was so ordered.

132.REVISION TO POLICE GENERAL ORDERS REGARDING

VEHICULAR PURSUITS (Tape 15)

Supervisor Hyland said that the Fairfax County Police Department has recently revised its General Orders to accommodate a change to the Metropolitan Washington Police Department's General Orders as they pertain to vehicular pursuits.

Supervisor Hyland stated that the District of Columbia (D.C.) has prohibited its officers from participating in pursuits where other jurisdictions are involved. As a result, the County has revised its own procedures to prohibit units involved in a pursuit from traveling into the D.C. without prior permission from an on-duty supervisor.

Supervisor Hyland noted that this sets a dangerous precedent which will allow crimes to be committed in the County and any perpetrator to travel back into the D.C. without fear of repercussion from County officers.

Accordingly, Supervisor Hyland moved that the Board direct:

- The Chief of Police to meet with officials of the D.C. to discuss this proposal and its full scale impact on Fairfax County; and
- Colonel Young to apprise the Board of the results of these discussions.

This motion was seconded by Supervisor Alexander.

Following discussion, Supervisor Hanley asked that the motion be amended to include a review of how the Fairfax County policy would relate to the Arlington County policy, and this was accepted.

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

133.SEWAGE CAPACITY AGREEMENT AT THE LOWER POTOMAC POLLUTION CONTROL FACILITY FOR THE DISTRICT OF COLUMBIA, DEPARTMENT OF CORRECTIONS (Tape 15)

Supervisor Hyland briefed Board Members that the District of Columbia (D.C.), Department of Corrections must expand its sewage treatment plant because of increased population projections. On February 11, 1992, the Board of Supervisors directed staff to discuss with the D.C. the possibility of allowing the Department of Corrections to pump two million gallons of sewage into Fairfax County's Lower Potomac Pollution Control facility.

Supervisor Hyland stated that he had discussed this issue with the citizens advisory committee for the prison who agreed that it would provide a major environmental benefit in that it would eliminate the existing sewage discharge from the prison into the Mills Branch and Occoquan River. The Virginia Department of Water Control also continues to urge the D.C. to explore this possibility.

At its meeting held on March 23, 1992, an Information Item (I-2) was distributed and action was taken by the Board to withdraw the draft agreement from consideration until outstanding issues regarding the annual payment-in-lieu-of-taxes (PILOT) on the Blue Plains property was resolved. Supervisor Hyland stated that the United States (U.S.) Appropriations Subcommittee on the D.C. voted last evening to approve language that would prevent the D.C. from imposing such a payment. Similar language has been approved in the U.S. House Appropriations Subcommittee.

Because of the recent development, Supervisor Hyland moved that the Board direct staff to:

- Continue to finalize the draft Agreement (contained in the Memorandum to the Board dated March 23, 1992, Information Item Two) for legal review and final approval by the Board once complete; and
- Sign and forward the draft letter (contained in the Memorandum to the Board dated March 23, 1992, Information Item Two) to the D.C. advising them of the Board's approval of the Sewage Treatment - Capacity Purchase Agreement, in concept, between the County of Fairfax and the D.C.

The second to the motion was inaudible.

Following discussion, Chairman Davis asked that the motion be amended to place this issue on the agenda to be discussed with the D.C. officials at a meeting to be held in September, and this was accepted.

Supervisor Frey expressed concern that this action would not encourage the D.C. to move the facility located at Lorton out of Fairfax County. He added that the State Water Control Board has in its power to and should force the D.C. to live up to the Embayment Standards.

Following further discussion, the question was called on the motion, and as amended, carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

134. EXPEDITED REVIEW FOR POHICK STATION (Tape 15)

Supervisor Hyland noted that Pohick Station is a proposed townhouse development community in Lorton. He said that the applicant filed a rezoning application in January 1991 and was delayed due to the revision of the Comprehensive Plan. It was not until that process was completed that the applicant was able to reactivate the rezoning application. The rezoning was approved on June 22, 1992. In order to prevent further delays during the Site Plan approval process, Supervisor Hyland requested that an expeditious Site Plan review be undertaken.

Supervisor Hyland moved that the Board direct the Director of the Department of Environmental Management (DEM) to expeditiously process the Site Plan for Pohick Station, as reflected by the approved Rezoning Application RZ 91-V-003. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

**135.RESOLUTION SUBMITTED BY THE MOUNT VERNON COUNCIL
OF CITIZENS ASSOCIATION (Tape 15)**

Supervisor Hyland distributed to Board Members a resolution which the general council of the Mount Vernon Citizens Association adopted at its monthly meeting on May 27 in which the Council is requesting the Board to establish a Fairfax County "Sunset" policy.

Supervisor Hyland said that in part the Council would like the Board to review all laws, policies, program goals, etcetera against which all County organizations, needs and expenditures can be assessed for effectiveness, economies and efficiencies; obtain the services of an inspector general to begin such review; complete the review by 1997; and establish procedures that subject all County organizations and programs after 1997 to such assessments at intervals of not more than five years.

Therefore, Supervisor Hyland moved that the Board refer this resolution to the Budget Subcommittee. This motion was seconded by Chairman Davis.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include directing staff to include this item on the agenda for the next meeting of the Budget Subcommittee, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

136.CLEAN FAIRFAX COUNTY, INCORPORATED (CFC)**RECOGNIZED BY NATIONAL ENVIRONMENTAL****ORGANIZATIONS (Tape 15)**

Supervisor Hyland said that on June 24, 1992 Clean Fairfax County, Incorporated (CFC) was selected to receive a Certificate of Environmental Achievement from RENEW AMERICA, a national environmental organization based in the District of Columbia (D.C.) CFC was chosen by leaders of the nations's environmental community for its success in protecting the environment while serving as a model which is replicated around the country.

Therefore, Supervisor Hyland moved that the Board direct staff to invite CFC's Board of Directors and staff to appear before the Board for recognition in September. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

137.WEEKLY AGENDA SUBSCRIPTION FEE WAIVER REQUEST**(Tape 15)**

Supervisor Hyland said that on July 13, 1992, the information item of the Weekly Agenda subscription fees came up and action was taken by the Board.

Supervisor Hyland said that he has received a number of complaints from tax paying citizens as well as legislators and other governmental bodies about being charged for this vital form of local government information.

Supervisor Hyland asked unanimous consent that the Board direct staff to place this item on the Budget Carryover Agenda as a Consideration Item on September 14, 1992 for reconsideration at that time. Without objection, it was so ordered.

138.COMMISSION FOR DISABLED PERSONS CONCERNS WITH**AMERICANS WITH DISABILITIES ACT IMPLEMENTATION****(Tape 15)**

(NOTE: Earlier in the meeting, there was discussion regarding the Americans With Disabilities Act. See Clerk's Summary Item CL#36.)

Supervisor Hyland distributed to Board Members a letter from the Commission for Disabled Persons to the Acting County Executive dated July 16, 1992.

Supervisor Hyland said that the letter highlights first:

- That Fairfax County is drastically behind federal schedules in meeting the Americans With Disabilities Act (ADA) implementation deadlines; and
- ADA is seriously in need of a substantially higher level of management and an adequate master plan for its implementation.

Therefore, Supervisor Hyland moved that the Board direct the Acting County Executive to assemble from existing resources a management team and report to the Board in September with properly prepared management documents including a master plan for ADA implementation. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

139.EXTENSION OF LEASE - SAUDI ISLAMIC ACADEMY

(Tape 15)

In connection with the lease of the old Walt Whitman/Mount Vernon High School which is presently operated by the Saudi Islamic Academy, Supervisor Hyland said staff has been engaged in negotiations in connection with extension of that lease.

Supervisor Hyland moved that the Board direct staff to:

- Finalize the details, terms and conditions of an amendment to the existing lease with the Saudi Islamic Academy extending the lease term as previously outlined for an additional three year period with an option to extend for a period not to exceed an additional two and a half years; and
- Schedule a public hearing to be held before the Board of Supervisors on **September 14, 1992 at 4:00 p.m.**

This motion was seconded by Supervisor Alexander.

Following discussion, with input from Robert L. Howell, Acting County Attorney, the question was called on the motion and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

140.WAIVER OF FEES AND EXPEDITIOUS PROCESSING FOR THE APPLICATION FOR THE MOUNT VERNON LADIES

ASSOCIATION (Tape 15)

Supervisor Hyland stated that he had received a letter in connection with the Mount Vernon Ladies Association regarding a new exhibit. Supervisor Hyland moved that the Board direct staff to expedite the application and waive the filing fees for this non-profit organization. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

141.BOARD RECESS (Tape 15)

At 8:35 p.m., the Board recessed the meeting due to possible meetings in Executive Session regarding the vacancy of the County Executive position.

CM:cm

The meeting was called to order at 9:35 a.m. with all Members being present, with the exception of Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland, and with Chairman Davis presiding.

Supervisor Alexander arrived at 9:45 a.m.

Supervisor Bulova arrived at 9:45 a.m.

Supervisor Hanley arrived at 9:45 a.m.

Supervisor Hyland arrived at 9:45 a.m.

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.LAST MEETING OF THE BOARD OF SUPERVISORS (Tape 1)

Chairman Davis announced that today's meeting would be the last and the only meeting of the Board of Supervisors in August, 1992, before the Board's summer recess.

Board Meetings will resume September 14, 1992.

3.ENVIRONMENTAL SUBCOMMITTEE MEETING (Tape 1)

Chairman Davis announced that some of the Board Members are attending an Environmental Subcommittee Meeting and would be arriving late for the Board meeting.

4.PROCLAMATION DESIGNATING "NATIONAL NIGHT OUT"

IN FAIRFAX COUNTY (No Tape)

(NOTE: Later in the meeting action was taken to designate August 4, 1992 as "NATIONAL NIGHT OUT" in Fairfax County. See Clerk's Summary Item CL#10.)

**5.CERTIFICATE OF APPRECIATION COMMENDING THE
OUTSTANDING SERVICE OF VOLUNTEERS AND STAFF**

OF GREEN SPRING GARDENS PARK (Tape 1)

Supervisor Trapnell moved approval of the presentation of the Certificate of Appreciation, presented to the staff and volunteers of Green Spring Gardens Park, commending them for continuing to provide outstanding service to the government and citizens of Fairfax County. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Bulova, *Supervisor Hanley,* and Supervisor Hyland not yet having arrived.

(*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary item CL#7.)

**6.CERTIFICATE OF APPRECIATION COMMENDING
MS. LINDA A. SINGER FOR HER DEDICATED SERVICE
TO THE CITIZENS OF FAIRFAX COUNTY (Tape 1)**

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Ms. Linda A. Singer, commending her for her many years of dedicated service to the citizens of Fairfax County as a member of the:

- Community Action Advisory Board

(1984-1992);

- Library Board

(1985-1992); and

- Human Services Council

(1988-1992).

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

It was noted that Ms. Singer has been appointed to the Virginia State Social Services Board.

7.REQUEST TO RECORD VOTE (Tape 1)

(NOTE: Earlier in the meeting, Supervisor Hanley was out of the Board Room when this Certificate was presented. See Clerk's Summary Item CL#5.)

Supervisor Hanley asked unanimous consent that she be recorded as voting "AYE" on the presentation of the Certificate of Appreciation commending the staff and volunteers of Green Spring Gardens Park for continuing to provide outstanding service to the government and citizens of Fairfax County. Without objection, it was so ordered.

8.CERTIFICATE OF APPRECIATION CONGRATULATING

LANGLEY HIGH SCHOOL IN THE DRANESVILLE DISTRICT

AS THE 1992 RECIPIENT OF THE CENTRAL FIDELITY

CUP (Tape 1)

Supervisor Berger moved approval of the following presentations to Langley High School:

- Certificate of Appreciation, presented to Dr. Joseph Arangio, Principal, Langley High School, congratulating Langley High School in the Dranesville District as the 1992 recipient of the Central Fidelity Cup awarded by the Virginia High School League for overall athletic excellence in the Commonwealth of Virginia;
- Certificate of Appreciation, presented to Coach Dean Ferington, Langley High School, congratulating the Langley High School Girls' Softball Team for winning the State Championship for 1992;
- Certificate of Appreciation, presented to Coach Anne Beasley, Langley High School, congratulating the Langley High School Girls' Tennis Team for winning the State Championship for 1992; and
- Certificate of Appreciation, presented to Coach Anne Beasley, Langley High School, congratulating the Langley High School Boys' Tennis Team for winning the State Championship for 1992.

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

**9.CERTIFICATE OF APPRECIATION CONGRATULATING
THE VIENNA STARS 12 AND UNDER GIRLS' SOFTBALL**

TEAM (Tape 1)

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Jim Earman, Manager of the Team, congratulating the Vienna Stars 12 and under Girls' Softball Team for winning the Central Atlantic Regional Tournament and for representing the region at the National Tournament in Nashville, Tennessee. This motion was seconded by Supervisor Frey and carried by unanimous vote.

**10.PROCLAMATION DESIGNATING "NATIONAL NIGHT OUT"
IN FAIRFAX COUNTY (Tape 1)**

Supervisor McConnell moved approval of the Proclamation designating August 4, 1992 as "**NATIONAL NIGHT OUT**" in Fairfax County. This motion was jointly seconded by Supervisor Bulova and Supervisor Hyland and carried by unanimous vote.

Recipients of the Proclamation included a crime prevention officer and a neighborhood watch representative from each Police District Station.

**11. CERTIFICATE OF APPRECIATION RECOGNIZING THE
VIRGINIA RAILWAY EXPRESS (VRE) AMBASSADORS
ASSISTING CITIZENS DURING THE VRE OPENING**

(Tape 1)

Supervisor Bulova moved approval of the presentation of the Certificate of Appreciation, presented to the following individuals, recognizing them as Virginia Railway Express (VRE) Ambassadors who volunteered to assist the citizens of Fairfax County during the VRE opening:

- Brenda Applegate;•Dean Dike;
- Tom Biesiadny;•M. L. Gregory;
- Debbie Buchacz;•Andy Hooks;
- Bill Burris;•Phillip Miller;
- Lee Carroll;•Patricia Moore;
- Ed Campbell;•Jim Murphy;
- Ernestine Clinton;•Andy Szakos;
- Dottie Cousineau;•Helen Winter; and
- John Czyzewski;•Leonard Wolfenstein.

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

ADDITIONAL BOARD MATTERS

**12. INCREASE IN RIDERSHIP AT VIRGINIA RAIL
EXPRESS (VRE) AND METRO STATIONS (Tape 1)**

Supervisor Hanley announced that she has received information from her Planning staff indicating that the Monday morning peak ridership on Virginia Rail Express (VRE) and Metro has increased by almost 10 percent since July at the King Street Station in Alexandria and the VRE Station in Fredericksburg as compared to the three previous weeks.

**13.RECOGNITION OF THE FAMILY OF JOHN "LEE" CARROLL,
ELECTRONIC EQUIPMENT TECHNICIAN, OFFICE OF
GENERAL SERVICES (Tape 1)**

Chairman Davis recognized the presence of John "Lee" Carroll, Electronic Equipment Technician, Office of General Services, daughter Jackie Sinclair and his grandchildren Michael and Megan in the Board Room and warmly welcomed them.

**14.DEFERRAL OF PRESENTATION BY THE BRIGADIER GENERAL
CLARA ADAMS-ENDER FROM FORT BELVOIR (Tape 1)**

Chairman Davis announced that Brigadier General Clara Adams-Ender had not yet arrived for her presentation to Board Members regarding Fort Belvoir and relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board move on to the next item on the agenda, the Environmental Quality Advisory Council's (EQAC), 1992 Annual Report on the Environment. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, it was determined that this item would need to be rescheduled. See Clerk's Summary Item CL#16.)

**15.10:00 A.M. - PRESENTATION BY THE ENVIRONMENTAL
QUALITY ADVISORY COUNCIL (EQAC) OF ITS ANNUAL
REPORT ON THE ENVIRONMENT (Tape 1)**

(BACs)

John DeNoyer, Chairman, Environmental Quality Advisory Council (EQAC), introduced to Board Members those EQAC Members present in the Board Room.

Mr. DeNoyer presented to Board Members the 1992 Annual Report on the Environment.

Following the presentation of the 1992 Annual Report on the Environment, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to schedule a joint meeting with EQAC and the Board's Environmental Subcommittee in the near future to discuss environmental issues and concerns. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**16. PRESENTATION BY BRIGADIER GENERAL CLARA ADAMS-ENDER
FROM FORT BELVOIR (Tape 1)**

Supervisor Alexander announced that the presentation by Brigadier General Clara Adams-Ender regarding Fort Belvoir would be rescheduled due to a scheduling conflict.

AR:ar

**17. 10:30 A.M. - BOARD DECISION ON PROPOSED AMENDMENT
TO THE CODE OF THE COUNTY OF FAIRFAX, TO CREATE
CHAPTER 118 (CHESAPEAKE BAY PRESERVATION
ORDINANCE) (Tape 2)**

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.

(NOTE: The public hearing was held on June 8, 1992, with Board Mark-up on July 27, 1992.)

Supervisor Dix moved that the Board:

- Endorse the proposed amendment to the Code of the County of Fairfax, to create Chapter 118 (Chesapeake Bay Preservation Ordinance), as revised pursuant to the Board's July 27, 1992 mark-up session, with the additional change recommended by

staff (contained in Attachment Four of the Memorandum to the Board dated August 3, 1992);

- Direct staff to transmit the Ordinance to the Chesapeake Bay Local Assistance Board (CBLAB) for preliminary review; and
- Direct staff to prepare a map of Chesapeake Preservation Areas as set forth in the endorsed Ordinance and to transmit such map to CBLAB for preliminary review.

This motion was seconded by Supervisor McConnell.

As pertains primarily to the Crossroads Drug Treatment Center, Supervisor Alexander moved that the Board:

- Modify Section 118-6-3(3) to read, "Facilities for which site permits have been approved prior to the effective date of this Chapter, provided the facility is constructed under the approved site permit."

This motion was seconded by Supervisor Hyland.

Following discussion, with a clarification from Karen J. Harwood, Assistant County Attorney, Supervisor Alexander **WITHDREW** his motion with the caveat that the Crossroads Drug Treatment Center is being treated very sensitively within the environmental concepts of the Ordinance, and that everything possible is being done to make sure that it complies with everything necessary. However, he stated that he wanted to make it clear that if, without the adoption of these amendments which the Lee District Planning Commissioner and Supervisor Alexander feel are extremely important in order to keep this project moving, it is delayed in any way, that he will quickly bring this matter before the Board of Supervisors.

Supervisor Hanley asked unanimous consent that the Board vote on each segment of Supervisor Dix's motion seriatimly. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to include the following Resolution in the record:

RESOLUTION IN SUPPORT OF COUNTY STREAMS AND

THE CHESAPEAKE BAY

"**GIVEN** that water quality in Fairfax County streams is showing steady deterioration, that these streams are continuing to evidence sedimentation and erosion problems, and

RECOGNIZING that a stream is composed of interacting elements of the adjacent topography, we the following organizations urge the Fairfax County Board of Supervisors to endorse the Chesapeake Bay Ordinance that:

- At a minimum does not weaken the water quality and stream valley protection of our existing Environmental Quality Corridor (EQC) policy; and
- Includes in the Resource Protection Areas the wetlands, floodplains, and adjacent steep slopes that are also components of EQC system."

Supervisor Hyland stated that this Resolution had been signed by a number of organizations, including the National Audubon Society, Citizens to Save Huntley Meadows, Citizens for Balanced Growth, Clean Water Action, Fairfax Audubon Society, Friends of Dike Marsh, Friends of E.C. Lawrence Park, Friends of Huntley Meadows, Friends of Mason Neck, Great Falls Group of the Virginia Chapter of the Sierra Club, the Green Coalition, our high school environmental group, Homeowners Against Neighborhood Destruction (HAND), Izaak Walton League, League of Women Voters of the Fairfax Area, Mount Vernon Group of the Virginia Chapter of the Sierra Club, Tree Action, Trout Unlimited, Virginia Council, Virginia Native Plant Society, and the Virginia Wildlife Federation.

Without objection, it was so ordered.

Following an additional clarification from Ms. Harwood, Supervisor Dix referred to Section 118-6-10(a)(8)(iii) and he moved to amend the paragraph to read as follows:

- (iii) If applicable, all required executed agreements and bonds, deposits, easements and fees shall be submitted within twelve (12) months of the date of transmission of the permit package to the developer or within six (6) months of the date the construction plans are marked, "Recommended for Approval," or within twelve (12) months of the effective date of this Chapter, whichever is later.

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

The question was then called on the first bullet of the main motion to:

- Endorse the proposed amendment to the Code of the County of Fairfax, to create Chapter 118 (Chesapeake Bay Preservation Ordinance), as revised pursuant to the

Board's July 27, 1992 mark-up session, with the additional change recommended by staff (contained in Attachment Four of the Memorandum to the Board dated August 3, 1992).

The motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "NAY."

The question was then called on the second bullet of the main motion to:

- Direct staff to transmit the Ordinance to the Chesapeake Bay Local Assistance Board (CBLAB) for preliminary review.

The motion was seconded by Supervisor Berger and **CARRIED** by a recorded unanimous vote.

The question was then called on the third bullet of the main motion to:

- Direct staff to prepare a map of Chesapeake Preservation Areas as set forth in the endorsed Ordinance and to transmit such map to CBLAB for preliminary review.

The motion was seconded by Supervisor Berger and **CARRIED** by a recorded unanimous vote.

Supervisor Hanley expressed her appreciation to staff for their outstanding work and the manner in which the proposed Ordinance had been presented to the Board.

Supervisor Hyland moved that the Board direct staff to:

- Prepare an official commendation for the staff members who had worked on the Chesapeake Bay Preservation Ordinance;
- Officially recognize those individuals before the Board of Supervisors; and
- Include the Board's official recognition as a part of each individual's permanent personnel record.

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

Supervisor Frey asked unanimous consent that the Board direct staff to closely follow the issues at the State level with regard to preserving cover (trees) to the maximum extent possible, the 2,500 square foot limit for disturbed areas, and the impact on the

average homeowner in Fairfax County, and to apprise the Board of the State's reaction regarding these issues. Without objection, it was so ordered.

18.ADMINISTRATIVE ITEMS (Tape 2)

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

Supervisor Hyland called the Board's attention to Administrative Item Three - Authorization to Advertise a Public Hearing on Proposed Amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 7 [Business, Professional and Occupational License (BPOL) Tax], Regarding Exemption for Businesses with Internal Revenue Code ("I.R.C.") 501(c)(6) Status and asked unanimous consent that this Item be pulled and considered separately. Without objection, it was so ordered.

(NOTE: Later in the meeting, Administrative Item Three was authorized by the Board. See Clerk's Summary Item CL#19.)

The question was then called on approval of the Administrative Items, with the exception of Administrative Item Three, which carried by unanimous vote.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent to be recorded as abstaining on Administrative Item Two. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

ADMIN 1 - APPROVAL OF WATER MAIN EXTENSION,

LANCIA COURT (DRANESVILLE DISTRICT)

Approved the request for the extension of a 4-inch water main approximately 350 feet along Lancia Court (Route 2172), Dranesville District. The proposed main will provide adequate domestic and fire protection service to meet Fairfax County standards.

ADMIN 2 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 84-C-076-3 (FAIRFAX HOSPITAL

SYSTEM, A DIVISION OF INOVA HEALTH SYSTEMS)

(SULLY DISTRICT)

(AT)Approved the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 84-C-076-3 until **January 28, 1994** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

(NOTE: Chairman Davis asked that he be recorded as abstaining on this item during the approval of the Administrative Items.)

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 7 [BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL) TAX], REGARDING EXEMPTION FOR BUSINESSES WITH INTERNAL REVENUE CODE ("I.R.C.") 501(C)(6) STATUS

(NOTE: Later in the meeting, this public hearing was authorized by the Board. See Clerk's Summary Item CL#19.)

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTION OF A RECODIFICATION OF THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84 (PUBLIC TRANSPORTATION), REGARDING THE TAXICAB ORDINANCE

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 5, 1992 at 4:00 p.m.** to consider the adoption of a complete recodification of the Code of the County of Fairfax, Chapter 84 (recodified as Chapter 84.1), Public Transportation, which regulates taxicab rates and service in Fairfax County.

ADMIN 5 - AUTHORIZATION TO ADVERTISE THE FISCAL YEAR (FY) 1992 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 1993 REVISED BUDGET PLAN

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 14, 1992 at 10:00 a.m.** to increase the Fiscal Year (FY) 1993 Appropriation Level. The advertisement encompasses both the County and the Schools' FY 1992 Carryover Reviews.

ADMIN 6 - STREETS INTO THE SECONDARY SYSTEM

(SULLY DISTRICT)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated August 3, 1992 be recommended for acceptance into the State Secondary System.

ADMIN 7 - STREETS INTO THE SECONDARY SYSTEM

(SULLY DISTRICT)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated August 3, 1992 be recommended for acceptance into the State Secondary System.

ADMIN 8 - REVIEW OF COUNTRY SQUIRE SITE PLAN

NUMBER 8385-SP-01-2 (MASON DISTRICT)

Authorized the Director of the Department of Environmental Management (DEM) to approve Country Squire Site Plan Number 8385-SP-01-2, Mason District, Tax Map Number 51-3-001-26, in accordance with normal procedures.

19.ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION

**AND FINANCE), ARTICLE 7 [BUSINESS, PROFESSIONAL
AND OCCUPATIONAL LICENSE (BPOL) TAX], REGARDING
EXEMPTION FOR BUSINESSES WITH INTERNAL REVENUE
CODE ("I.R.C.") 501(C)(6) STATUS (Tape 2)**

(A)(NOTE: Earlier in the meeting, this item was pulled for separate consideration. See Clerk's Summary Item CL#18.)

Supervisor Alexander moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **September 21, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 7, [Business, Professional and Occupational License (BPOL) Tax], Section 4-7-1(a)(2), to exempt from BPOL taxation not for profit business and professional organizations which have been exempted from the federal income tax in accordance with the United States Internal Revenue Code ("I.R.C."), Section 501(c)(6). This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Hyland asked unanimous consent that, in the interim, prior to the Board holding a public hearing on this amendment, the Board direct staff to return with additional information, previously requested by the Board, with regard to the fairness of the Business, Professional and Occupational License (BPOL) tax to other businesses in Fairfax County. Without objection, it was so ordered.

Supervisor Dix stated that he shared Supervisor Hyland's concerns and added that, within the context of the Economic Recovery Advisory Committee, one of the four main subcommittees has been on tax policy, and that group is working with staff and other groups to examine the entire BPOL. He added that this particular matter was identified as one the Board could react to quickly.

Supervisor Hanley asked unanimous consent that the Board direct staff, at the time of the public hearing, to provide more detailed information regarding what specific kinds of funds would be involved in this additional exemption. Without objection, it was so ordered.

20.A-1 - FISCAL YEAR (FY) 1992 APPROPRIATION

ADJUSTMENT (Tape 2)

(SAR)Supervisor Hanley moved that the Board concur in the recommendation of staff and take the following actions regarding the Fiscal Year (FY) 1992 Appropriation Adjustment:

- Authorize staff to process payment vouchers for items previously approved and appropriated in FY 1992 for the interim period from July 1 until the Board approves the FY 1992 Carryover Review, which is scheduled for action on September 14, 1992; and
- Approve Supplemental Appropriation Resolution (SAR) AS92067 for two General fund agencies and two Other Funds requiring additional appropriations for FY 1992.

The motion was seconded by Supervisor Hyland.

Supervisor Dix asked that the motion be amended to include a request for staff to provide information on which agencies underspent, as it specifically pertains to these dollars, and this was accepted.

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

21.A-2 - PROPOSED AGREEMENT WITH VIRGINIA POWER

ON ELECTRIC RATES (Tape 2)

On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and:

- Approved the Agreement between the County and Virginia Power on rates for electric service covering the three-year period July 1, 1992 to June 30, 1994, as recommended by the Virginia Municipal League (VML)/Virginia Association of Counties (VACo) Negotiating Committee; and
- Authorized the Acting County Executive to execute the Agreement on the Board's behalf.

22.A-3 - AUTHORIZATION TO EXECUTE THE PROJECT

AGREEMENT FOR THE FRANCONIA-SPRINGFIELD

VIRGINIA RAILWAY EXPRESS (VRE) STATION (LEE

DISTRICT) (Tape 2)

On motion of Supervisor Alexander, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and:

- Authorized the Acting County Executive to execute the Project Agreement between Fairfax County and the Washington Metropolitan Area Transit Authority (WMATA) for the design, construction, and initial operation of the Franconia- Springfield Virginia Railway Express (VRE) Station; and

- Authorized the payment of \$200,000 to WMATA for the design and engineering of the Franconia-Springfield VRE Station, including \$50,000 to be paid immediately upon execution of the Project Agreement for the WMATA design consultant.

23.A-4 - PROPOSED RELOCATION OF THE BOUNDARY**BETWEEN THE TOWN OF VIENNA AND FAIRFAX COUNTY****(PROVIDENCE AND CENTREVILLE DISTRICTS) (Tape 2)**

(R)On motion of Supervisor Dix, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and adopted the Resolution and agreement for a boundary change with the Town of Vienna. The boundary change includes revisions to the boundary in Areas I through 5 and Area 6A, as adopted by the Board on June 22, 1992, with the exception that property identified by County Tax Map Number 38-2, 0059, Parcel B, in Area I, and Tax Map Number 38-1, 0014, Parcel 13D, in Area 5 shall be removed from the Town. That boundary change, also includes Area 6-B, as adopted by the Board on July 13, 1992, with the exception of property identified by Tax Map Numbers 38-2, 0048, Parcels 1A and 5A which shall be removed from the Town.

24.A-5 - PARKING REDUCTION FOR PLAZA 500 (MASON**DISTRICT) (Tape 2)**

On motion of Supervisor Trapnell, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a 23.7 percent parking reduction for Plaza 500 pursuant to Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance, subject to the conditions contained in the Memorandum to the Board dated August 3, 1992.

**25.A-6 - FEASIBILITY FOR ESTABLISHMENT OF A
STORMWATER UTILITY IN FAIRFAX COUNTY**

(COUNTYWIDE) (Tape 2)

On motion of Supervisor Dix, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to initiate briefings this fall for interested citizen and business groups to receive input regarding the establishment of a Stormwater Utility in Fairfax County and report to the Board with further information on the feasibility of such an establishment.

**26.A-7 - ADOPTION OF FINAL COMMUNITY IMPROVEMENT
PROGRAM ASSESSMENTS FOR MEMORIAL HEIGHTS,**

PHASE II (MOUNT VERNON DISTRICT) (Tape 2)

(Rs)On motion of Supervisor Hyland, seconded by Supervisor Berger, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted Resolutions establishing the final amount to be assessed against each landowner in the Memorial Heights, Phase II Community Improvement Program project, Mount Vernon District.

**27.A-8 - 1992 COMPREHENSIVE HOUSING AFFORDABILITY
STRATEGY (CHAS) WORK PLAN (Tape 2)**

Supervisor Trapnell moved that the Board concur in the recommendation of staff and adopt the 1992 Comprehensive Housing Affordability Strategy (CHAS) Work Plan. This motion was seconded by Supervisor Berger.

Supervisor Hanley asked that the motion be amended to include the participation of the Fairfax County Redevelopment and Housing Authority (FCRHA) in the CHAS discussions, and this was accepted.

Following input from Embry Rucker, Chairman, CHAS Coordinating Committee, Supervisor Hyland referred to Handwritten Page One, the letter to Chairman Davis from the CHAS Committee, and asked that the motion be amended to include direction to staff to expedite the Board's consideration of the three changes as recommended in this letter, specifically:

- The changes in the Affordable Dwelling Unit (ADU) Ordinance relating to elderly housing;
- The Zoning Ordinance relating to a limitation on shared housing by single persons, and
- The Zoning Ordinance changes to include a definition of single room occupancy (SRO) units.

This was accepted.

Following further discussion, the question was called on the motion, as amended, which carried by a vote of nine, ***Supervisor McConnell*** being out of the room.

(*NOTE: Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#37.)

28.A-9 - AWARD OF HOME PROGRAM FUNDS TO ROBERT

PIERRE JOHNSON (RPJ) HOUSING DEVELOPMENT

CORPORATION (LEE DISTRICT) (Tape 2)

On motion of Supervisor Alexander, seconded by Chairman Davis, and carried by a vote of nine, ***Supervisor McConnell*** being out of the room, the Board concurred in the recommendation of staff and approved funding in the amount of \$266,646 to the Robert Pierre Johnson (RPJ) Housing Development Corporation in federal Fiscal Year (FY) 1992 HOME Funds.

(*NOTE: Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#37.)

29.A-10 - NOTIFICATION OF AWARD OF FAMILY

SELF-SUFFICIENCY PROGRAM CERTIFICATES AND

AUTHORIZATION TO ESTABLISH TWO FEDERALLY

FUNDED POSITIONS (Tape 2)

On motion of Supervisor Alexander, seconded by Supervisor Berger, and carried by a vote of nine, ***Supervisor McConnell*** being out of the room, the Board concurred in

the recommendation of staff and authorized the Fairfax County Redevelopment and Housing Authority (FCRHA) to establish two Section 8 funded positions within the Department of Housing and Community Development (HCD) to administer significant increases in the number of Section 8 Certificates and Vouchers awarded by the United States Department of Housing and Urban Development (HUD) and administered by HCD.

(*NOTE: Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#37.)

30.A-11 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93022 FOR CONTINUATION OF THE

VIRGINIA PRIMARY CARE GRANT AWARDED TO

THE HEALTH DEPARTMENT'S AFFORDABLE HEALTH

CARE PROGRAM (Tape 2)

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, ***Supervisor McConnell*** being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93022, in the amount of \$166,361, for the continuation of the Virginia Primary Care Grant awarded to the Health Department's Affordable Health Care Program.

(*NOTE: Later in the meeting, Supervisor McConnell asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#37.)

31.A-12 - FAIRFAX COUNTY POLICE DEPARTMENT,

TRAFFIC SAFETY SECTION, GRANT APPLICATION

TO THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES

(Tape 2)

On motion of Supervisor Bulova, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Fairfax County Police Department's application to the Virginia Department of Motor Vehicles in the amount of \$230,759.

**32.A-13 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD (CSB) TO ACCEPT
GRANT FUNDS FROM VIRGINIA PROBATION AND
PAROLE (Tape 2)**

On motion of Supervisor Hyland, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the acceptance of funds by the Fairfax-Falls Church Community Services Board (CSB), in the amount of \$18,000, from the Virginia Probation and Parole Office to provide for a Substance Abuse Counselor II position for alcohol and drug services.

**33.A-14 - SUBMISSION OF LOCAL PLANNING
ALLOCATIONS GRANT, PUBLIC LAW 101-476
PART H FUNDING TO PROVIDE PLANNING OF
EARLY INTERVENTION SERVICES TO HANDICAPPED
INFANTS AND THEIR FAMILIES (Tape 2)**

On motion of Supervisor McConnell, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of a grant application to the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), in the amount of \$18,000, to provide support for the Fairfax-Falls Church Interagency Coordinating Council.

**34.A-15 - DENSITY CREDIT FOR ADVANCE DEDICATION
OF LAND FOR PUBLIC PURPOSES (SILVERBROOK ROAD),
(MOUNT VERNON DISTRICT) (Tape 2)**

(DC)

(R)On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the density credit for the portion of the following lot or parcel that is to be dedicated for public use and for public street purposes in accordance with the deed of dedication

which is to be recorded. The Resolution is contained in Attachment Four of the Memorandum to the Board dated August 3, 1992 and, based on the information available, the following approximate amount of land is to be dedicated from the following Tax Map Parcel:

Tax Map Reference Density Credit

107-1 ((1)) 4193 square feet

TOTAL193 square feet

35.A-16 - REORGANIZATION/PROCESS REDESIGN PLAN

FOR HUMAN SERVICES (Tape 2)

On motion of Supervisor Berger, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed Human Services Reorganization/Process Redesign Plan, as modified by the Board's Human Services Subcommittee on July 28, 1992 and contained in the Memorandum to the Board dated August 3, 1992.

36.A-17 - CONDUCTING A COUNTY FACILITIES AND

BUILDINGS SURVEY AS MANDATED BY THE AMERICANS

WITH DISABILITIES ACT (Tape 2)

Supervisor Hanley moved that the Board concur in the recommendation of staff and approve funding in the amount of \$212,243 to conduct the facilities and building survey and develop the Transition Plan as mandated by the Americans with Disabilities Act. This motion was seconded by Supervisor Hyland for the purpose of discussion.

Following discussion, Supervisor Hyland moved a substitute motion that the Board refer this matter to staff for its submission of an implementation plan showing a process whereby this survey can be conducted by existing staff with the proper training. This motion was seconded by Supervisor Alexander.

After further discussion, with input from Bill Spencer, Office of Equity Programs, regarding the public versus employee facilities for the handicapped, Supervisor Hanley agreed to accept Supervisor Hyland's substitute as the main motion.

Following additional clarification from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Dix asked unanimous consent that the Board direct staff to explore the possibility of using personnel who are already trained in this area, particularly at the Park Authority where in-house personnel handled the survey at 212 park facilities. Without objection, it was so ordered.

Supervisor Trapnell suggested that a refinement of the list of the County facilities involved is necessary.

Supervisor Hanley reiterated her support of the accessibility to all County facilities by all of its citizens.

Supervisor Hanley asked unanimous consent that the Board emphasize the involvement of the Commission for the Disabled in each step of these procedures. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to provide information regarding what, if any, monetary commitment will be required by the County to ensure compliance with the Americans With Disabilities Act. Without objection, it was so ordered.

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

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

37.REQUEST TO RECORD VOTE (Tape 3)

Supervisor McConnell asked unanimous consent to be recorded as voting "AYE" on Action Items Eight, Nine, 10 and 11. Without objection, it was so ordered.

38.A-18 - PAYMENT TO THE VIRGINIA DEPARTMENT OF

TRANSPORTATION (VDOT) FOR REPAIR OF FURNACE

ROAD (MOUNT VERNON DISTRICT) (Tape 3)

On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Director of Finance to pay \$44,932.39 to Virginia Department of Transportation

(VDOT) for the completion of corrective road work on Furnace Road and to transfer \$25,067.61 to the Lorton Library - Lorton Community Action Park Complex.

39.A-19 - SUPPLEMENTAL FISCAL YEAR (FY) 1992

REVENUE SHARING PROGRAM FUNDS (COUNTYWIDE)

(Tape 3)

(R)On motion of Supervisor Frey, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the use of up to \$100,000 in Fairfax County funds and a maximum of \$100,000 in matching Virginia Department of Transportation (VDOT) supplemental Fiscal Year (FY) 1992 Revenue Sharing Program funds toward the completion of the third lane on Route 50 westbound between Fairfax County Parkway and Majestic Lane.

JDC:jdc

40.C-1 - CONSIDERATION OF A RESOLUTION BY THE

BOARD OF SUPERVISORS ESTABLISHING FISCAL YEAR

(FY) 1994 BUDGET GUIDELINES (Tape 4)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer its consideration of the proposed draft Resolution establishing the Fiscal Year (FY) 1994 Budget Guidelines until later in the meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken to adopt the Resolution establishing the FY 1994 Budget Guidelines. See Clerk's Summary Item CL#95.)

41.C-2 - WHETHER TO EXERCISE THE COUNTY'S OPTIONS

TO PURCHASE BUILDINGS B-2 AND B-3 AT THE

GOVERNMENT CENTER COMPLEX IN ACCORDANCE WITH

THE THIRD AMENDMENT TO THE AMENDED AND RESTATED

MASTER DEVELOPMENT AGREEMENT (MDA) WITH THE SMITH-ARTERY PARTNERSHIP (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of whether to exercise the County's options to purchase Buildings B-2 and B-3 at the Government Center Complex.

Chairman Davis called the Board's attention to the team, whose membership included Supervisor Hyland and himself, that had worked with Smith-Artery Partnership on negotiations in the past. He relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the team, which will continue negotiations, include Supervisor Hyland and Supervisor Dix as members, and himself as an ex officio member. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley asked unanimous consent that the Board direct the team to continue to negotiate the purchase price of the buildings during the process. Without objection, it was so ordered.

Supervisor Berger moved that, in accordance with the third amendment to the amended and restated Master Development Agreement (MDA) with the Smith-Artery Partnership, dated January 30, 1992, that the County exercise its options to purchase Buildings B-2 and B-3 at the Government Center Complex. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

(NOTE: Later in the meeting, a presentation was made relating the history of the County Government Center complex. See Clerk's Summary Items CL#43 and 127.)

42.C-3 - REVENUE ENHANCEMENT OPPORTUNITIES

(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 responding to the Chairman's request that staff determine what additional resources would be required to collect an additional \$5 million in Fiscal Year (FY) 1993.

Supervisor Alexander moved that the Board authorize staff to proceed with the revenue enhancement opportunities. The second to this motion was inaudible.

Following discussion among Board Members, with input from Susan S. Planchon, Director, Office of Finance, Supervisor Hanley asked unanimous consent that the Board address, during its Government Reorganization Subcommittee meetings, the issue of the outdated automated processes in the Offices of Finance and Assessments. Without objection, it was so ordered.

On the issue of the additional personnel necessary to perform the revenue enhancement opportunities programs, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to attempt to locate existing County personnel for the programs prior to adding additional positions. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Berger voting "NAY," Supervisor Dix and Supervisor Frey being out of the room.

**43.ADDITIONAL PRESENTATION ON C-2 - WHETHER TO
EXERCISE THE COUNTY'S OPTIONS TO PURCHASE
BUILDINGS B-2 AND B-3 AT THE GOVERNMENT CENTER
COMPLEX IN ACCORDANCE WITH THE THIRD AMENDMENT
TO THE AMENDED AND RESTATED MASTER DEVELOPMENT
AGREEMENT (MDA) WITH THE SMITH-ARTERY
PARTNERSHIP (Tape 4)**

(NOTE: Earlier in the meeting, action was taken on Consideration Item Two. See Clerk's Summary Item CL#41.)

Michael Horwatt, who chaired the committee on the purchase of the County's Government Center buildings, presented a detailed historical account of the County's Government Center complex.

(NOTE: Later in the meeting, there was additional discussion regarding this matter. See Clerk's Summary Item CL#127.)

44.C-4 - BOND REFERENDUM COMMITTEE AND INFORMATION**PAMPHLET (Tape 4)**

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer its consideration of whether to establish a citizen committee to assist in informing the voters about the November 1992 Bond Referendum until later in the meeting when a full Board is present. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken on Consideration Item Four. See Clerk's Summary Item CL#48.)

45.C-5 - APPLICATION OF GEORGE MASON UNIVERSITY**(GMU) EDUCATION FOUNDATION, INCORPORATED****(Tape 4)**

(IDBs)

(R)The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting Board consideration of the issuance of Industrial Development Bonds (the "Bonds") for the benefit of the George Mason University (GMU) Education Foundation, Incorporated, as provided for in the "Uniform Policy for Issuance of Economic Development Authority and Redevelopment and Housing Authority Industrial Development Bonds" adopted on March 7, 1983 by the Board of Supervisors.

Chairman Davis asked if there were any disclosures by Board Members and, Supervisor Berger announced that he would be abstaining from any actions regarding this item because he is employed as the Assistant Dean for GMU's Business School.

Supervisor McConnell moved adoption of the Resolution approving the issuance of the Bonds, in the maximum amount of \$5,510,000.000, for the benefit of the George Mason University (GMU) Education Foundation, Incorporated, for the purpose of complying with Section 147(f) of the Internal Revenue Code of 1986, as amended, and only for that purpose. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Bulova asked that the motion be amended to include the following revision to the Resolution:

•**REVISE** the first page, first paragraph, last sentence to read:

"...for the purpose of **refinancing** a portion of the cost of the..."

This amendment was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of seven, Supervisor Berger abstaining, Supervisor Alexander and Supervisor Frey being out of the room.

**46.C-6 - AUTHORIZATION TO NEGOTIATE UNDER THE
PRIVATE DEVELOPER ASSISTANCE PROGRAM FOR ASHGROVE
PLANTATION, SECTION 2 (PROVIDENCE DISTRICT)**

(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to negotiate under the Private Developer Assistance Program, at the request of NationsBank, for certain land rights necessary for improvements to Horseshoe Drive in conjunction with the development of Ashgrove Plantation, Section 2, Providence District.

Supervisor Hanley moved that the Board authorize staff to negotiate under the Private Developer Assistance Program, at the request of NationsBank, for certain land rights necessary for improvements to Horseshoe Drive in conjunction with the development of Ashgrove Plantation, Section 2, Providence District. This motion was jointly seconded by Supervisor Bulova and Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, and Supervisor Frey being out of the room.

**47.C-7 - IMPLEMENTATION OF THE COMMERCIAL
REVITALIZATION PROGRAM (Tape 4)**

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of several proposals for the construction and maintenance of improvements in the Commercial Revitalization Program (CRP).

Supervisor Alexander moved that the Board defer consideration of the proposals for the construction and maintenance of improvements in the CRP in order to allow staff the opportunity to brief Board Members. This motion was seconded by Supervisor Trapnell.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to direct staff to proceed with the briefing for Board Members and report in September, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

48.C-4 - BOND REFERENDUM COMMITTEE AND INFORMATION

PAMPHLET (Tape 4)

(BONDS)

(BACs)

(NOTE: Earlier in the meeting, action was taken to defer the Board's consideration of this item until later in the meeting. See Clerk's Summary Item CL#44.)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of whether to establish a citizen committee to assist in informing the voters about the November 1992 Bond Referendum.

Supervisor Alexander moved that the Board:

- Proceed with the establishment of a committee to work on the bond referendum;
- Appoint members to the committee in September; and
- Direct staff to brief the Board in September on the full range of the bond issues.

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

Supervisor Alexander asked unanimous consent that the Board direct the Acting County Executive, in conjunction with the Office of Public Affairs, to report on how to best advertise both sides of the bond issues in the Weekly Agenda.

Following discussion among Board Members, with input from Jean M. VanDevanter-White, Director, Office of Public Affairs, without objection, the request was so ordered.

49.C-8 - APPEAL OF THE APPROVAL OF A STORMWATER

DETENTION WAIVER FOR THE RESUBDIVISION OF

FAIRFAX HILLS, LOT 52B (BRADDOCK DISTRICT)

(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of the appeal of the Department of Environmental Management's (DEM) approval of a waiver of on-site stormwater detention requirements for the resubdivision of Lot 52B of the Fairfax Hills Subdivision.

Following discussion among Board Members, with input from Edward Jankiewicz, Director, Design Review Division, DEM, Supervisor Bulova asked unanimous consent that the Board add the appeal of DEM's approval of a waiver of on-site stormwater detention requirements for the resubdivision of Lot 52B of the Fairfax Hills Subdivision to the agenda for Executive Session in order to obtain legal counsel and defer its consideration until after Executive Session. Without objection, it was so ordered.

(NOTE: Later in the meeting, following the Board's Executive Session, action was taken on Consideration Item Eight. See Clerk's Summary Item CL#77.)

50.C-9 - REDESIGN OF HUMAN SERVICES COUNCIL

BYLAWS (Tape 4)

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of whether to redesign the Human Services Council Bylaws.

Supervisor Hyland moved that the Board approve the redesigned Human Services Council Bylaws.

With a notation that this action supersedes that taken at the previous Board meeting, this motion was seconded by Supervisor Hanley.

Following discussion among Board Members, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

51.I-1 - END OF YEAR REPORT FOR ENHANCED REVENUE

PROGRAMS, FISCAL YEAR (FY) 1992 (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the end of the year report for Enhanced Revenue Programs for Fiscal Year (FY) 1992.

52.I-2 - STATUS OF BLUE PLAINS PAYMENT IN LIEU OF

TAXES (PILOT) (COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the status of the Blue Plains payment in lieu of taxes (PILOT).

A brief discussion ensued among Board Members.

53.I-3 - STATUS REPORT OF FEDERAL TRANSIT

ADMINISTRATION (FTA) SUBURBAN MOBILITY

GRANT FOR PARK-AND-RIDE FACILITIES

(CENTREVILLE, SULLY AND SPRINGFIELD

DISTRICTS) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting a status report of the Federal Transit Administration (FTA) Suburban Mobility Grant for park-and-ride facilities.

Chairman Davis noted that he needed clarification on the Rolling Valley park-and-ride facility expansion and he would contact Supervisor McConnell.

54.I-4 - ROAD BOND PROGRAM - BOARD OF SUPERVISORS'

MONTHLY STATUS REPORT FOR JULY, 1992 (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the Road Bond Program - Board of Supervisors' Monthly Status Report for July, 1992.

55.I-5 - REFUND FROM THE UNITED STATES DEPARTMENT

OF ENERGY (DOE) FOR CRUDE OIL OVERCHARGES (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 announcing the refund from the United States (U.S.) Department of Energy for crude oil overcharges. At the calculated rate of refund per gallon established by the Department of Energy, Fairfax County is entitled to a refund of \$78,118.

A brief discussion ensued among Board Members.

56.I-6 - PUBLIC PARTICIPATION PROCESS FOR THE LOWER

POTOMAC POLLUTION CONTROL PLANT EXPANSION BEYOND

54 MILLION GALLONS PER DAY (MGD) (MOUNT VERNON

DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the public participation process for the Lower Potomac Pollution Control Plant expansion beyond 54 million gallons per day (mgd). An overview of the public participation program, which includes public meetings, door-to-door surveys, review and comment periods, presentations, and a schedule is included as part of the Board Package.

A brief discussion ensued among Board Members.

57.I-7 - SUPPLEMENTAL RETIREMENT SYSTEM

CONTRIBUTION RATE FOR FISCAL YEAR (FY) 1993**(Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to implement the retirement contribution rate recommendation for Fiscal Year (FY) 1993 for the Supplemental Retirement System as shown on the table included as part of the Board Package.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to report with this issue at Carryover and defer its consideration until that time. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

58.I-8 - COUNTY AND EMPLOYEE REFUNDS FOR EXCESS**CONTRIBUTIONS TO THE UNIFORMED RETIREMENT SYSTEM****(Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 announcing the County and employee refunds for excess contributions to the Uniformed Retirement System. On June 30, 1992, refund checks were prepared for 888 employees.

59.I-9 - STAGE II INDUSTRY ADVISORY COMMITTEE**(Tape 5)****(BACs)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 announcing, in accordance with the Board's actions of April 27, 1992 and June 22, 1992, the creation of an Industry Advisory Committee on the Implementation of Stage II Vapor Recovery from Automobile Refueling. The following membership was presented:

•**Ron Harrell**Region I Advisory Board of the Virginia Gasoline Marketers and Automobile Repair Association;

- **Harry Lyon** Petroleum Equipment Institute;
- **Patrick Sauer** Major Oil Company (Mobil Oil);
- **Will Vehrs**
- **Lucas N. Polakowski** Major Fleet Operator [Bell Atlantic Network Services, Incorporated (C&P)];
- **James Wirth** Fort Belvoir; and
- **Russel A. Hine** American Lung Association.

60.I-10 - INFORMATION ON ORDINANCE TO LEVY A

FIDUCIARY PROCESSING FEE FOR THE CIRCUIT COURT

(Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 announcing that on September 14, 1992, staff will report with the appropriate Item to request authorization for a public hearing to consider the levy of a fiduciary processing fee for the Circuit Court.

61.I-11 - AWARD OF CONTRACT - CONSULTANT SERVICES

FOR FAIRFAX COUNTY LEGISLATIVE INITIATIVES

(Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to negotiate and award a contract to Gold and Liebengood, not to exceed the amount of \$100,000 which is currently budgeted for lobbyist activities, to provide consulting services for Fairfax County legislative initiatives.

Following discussion among Board Members, Supervisor Hyland asked unanimous consent that the Board direct staff to report with additional information regarding Gold and Liebengood, the other firms which competed, and the rating of all of the firms. Without objection, it was so ordered

Following additional discussion among Board Members, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to provide clarification on the Statement of Verification filed by Gold and Liebengood on July 10, 1992 which reported them representing Air and Space West, Denver, Colorado. Without objection, it was so ordered.

Supervisor Davis asked unanimous consent that the Board defer further consideration of this item until after Executive Session in order to obtain information regarding the legal aspects of the procurement process as it relates to this contract. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley asked unanimous consent that the Board direct staff to report on who will be responsible for the administration of this contract. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on Information Item 11. See Clerk's Summary Items CL#78 and #115.)

**62.I-12 - APPROVAL OF ADDITIONAL SERVICES BY
DEWBERRY AND DAVIS TO REVISE THE SITE AND
BUILDING PLANS FOR THE PUBLIC SAFETY FACILITY
(SULLY DISTRICT) (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to authorize Dewberry and Davis to provide additional services, in the amount of \$51,290, to revise the site and building plans for the Public Safety Facility, Sully District.

The staff was directed administratively to proceed as proposed.

**63.I-13 - APPROVAL OF AN ORDER ALTERING CERTIFICATE
RB-587, A CONDEMNATION OF LAND RIGHTS NECESSARY
FOR CONSTRUCTION OF THE DULLES TOLL ROAD TO**

**SUNSET HILLS ROAD SEGMENT OF THE FAIRFAX COUNTY
PARKWAY (CENTREVILLE AND DRANESVILLE DISTRICTS
AND THE TOWN OF HERNDON) (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for the County Attorney's Office to order altering Certificate RB-587, a condemnation of land rights necessary for the construction of the Dulles Toll Road to Sunset Hills Road Segment of the Fairfax County Parkway.

The staff was directed administratively to proceed as proposed.

**64.I-14 - CONTRACT AWARD - ROLLING VALLEY COMMUTER
PARK-AND-RIDE LOT (SPRINGFIELD DISTRICT)**

(Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to award a contract to Rock Hard Excavating, Incorporated, in the amount of \$668,483.57, for the Rolling Valley Commuter Park-and-Ride Lot, Springfield District.

The staff was directed administratively to proceed as proposed.

**65.I-15 - CONTRACT AWARD - TREE PLANTING, ROUTE 236
BETWEEN MEDFORD DRIVE AND EVERGREEN LANE**

(BRADDOCK AND MASON DISTRICT) (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to award a contract to KT Enterprises, in the amount of \$24,512, for the planting of trees along Route 236 between Medford Drive and Evergreen Lane, Braddock and Mason Districts.

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

**66.I-16 - CONTRACT AWARD - REPLACEMENT OF EXISTING
BOARDWALK AND TOWER AT HUNTLEY MEADOWS PARK**

(LEE DISTRICT) (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to award a contract to Avon Corporation of Alexandria, Virginia, in the amount of \$439,009, for the replacement of the existing boardwalk and tower at Huntley Meadows Park, Lee District.

Following comments by Supervisor Alexander, the staff was directed administratively to proceed as proposed.

**67.I-17 - LIVE-SCAN FINGERPRINTING FOR FAIRFAX
COUNTY SCHOOL BOARD AND THE FAIRFAX COUNTY**

POLICE DEPARTMENT (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting information regarding the live-scan fingerprinting for the Fairfax County School Board and the Fairfax County Police Department.

(NOTE: Later in the meeting, additional discussion ensued on Information Item 17. See Clerk's Summary Item CL#70.)

**68.I-18 - OPERATIONAL CHANGES IN THE DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT (DEM) (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting the operational changes in the Department of Environmental Management (DEM).

Supervisor Alexander suggested that the Board's Building and Development Regulation Subcommittee revisit this issue.

Further discussion ensued among Board Members, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development.

**69.I-19 - PROPOSED FAIRFAX COUNTY TESTIMONY
CONCERNING DEVELOPMENT OF A TESTING PROTOCOL
FOR THE DURABILITY AND STRENGTH OF FIRE
RETARDANT TREATED PLYWOOD (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for the Department of Environmental Management (DEM) staff to testify at the Department of Housing and Community Development's (DHCD) public hearing scheduled for September 14, 1992 regarding the development of a testing protocol for the durability and strength of fire retardant treated (FRT) plywood.

In response to a query by Supervisor Hanley, Anthony H. Griffin, Deputy County Executive for Planning and Development, responded that a senior staff member from DEM would be presenting the testimony.

The staff was directed administratively to proceed as proposed.

Additional Board Matter:

**Update on Negotiations Regarding the Settlement
of the FRT Situation**

Supervisor Frey asked unanimous consent that the Board direct staff to report, sometime in the fall, with an update on the negotiations taking place among the home builders, homeowner representatives, and government entities regarding the settlement of the FRT plywood situation. Without objection, it was so ordered.

Supervisor Bulova stated that she has been informed that these negotiations have not been successful. She asked unanimous consent that this issue be referred to the Board's Legislative Subcommittee for its review and determination on whether this issue could be added, if scheduled, to a Special Session of the General Assembly. Without objection, it was so ordered.

**70.I-17 - LIVE-SCAN FINGERPRINTING FOR FAIRFAX
COUNTY SCHOOL BOARD AND THE FAIRFAX COUNTY**

POLICE DEPARTMENT (Tape 5)

(NOTE: Earlier in the meeting, the Board considered Information Item 17. See Clerk's Summary Item CL#67.)

Following further discussion among Board Members, with input from Richard A. King, Acting County Executive, and Michael W. Young, Chief of Police, regarding the live-scan fingerprinting for the Fairfax County School Board and the Fairfax County Police Department, Supervisor Berger asked unanimous consent that the Board direct staff to apprise the School Administration that it is proposed that a fingerprinting system will be in place in 1995 that will be able to accommodate the needs of the Federal, State and County governments, as well as the Schools and Police Department. Without objection, it was so ordered.

71.I-20 - PROPOSED MOVEMENT OF THE HERITAGE**RESOURCES SECTION IN THE OFFICE OF COMPREHENSIVE****PLANNING (OCP) TO THE FAIRFAX COUNTY PARK****AUTHORITY (FCPA) (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to **DISCONTINUE** its pursuit to move the Heritage Resources Section in the Office of Comprehensive Planning (OCP) to the Fairfax County Park Authority (FCPA).

The staff was directed administratively to proceed as proposed.

72.I-21 - STATUS REPORT ON UPDATING THE ROUTE ONE**WIDENING PLANS (LEE AND MOUNT VERNON DISTRICTS)****(Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 presenting a status report on updating the Route One widening plans, Lee and Mount Vernon Districts.

Supervisor Alexander called the Board's attention to the fact that the design phase is not underway because the project is scheduled Fiscal Year (FY) 1994; and therefore,

he asked unanimous consent that the Board direct staff to make this a priority this Fiscal Year.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the request be amended to direct staff to provide the information in the form of a Consideration Item in the event this shift in priority effects other projects, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Without objection, the amended request was so ordered.

**73.I-22 - HOUSING TRUST FUND FLOAT TO THE FAIRFAX
COUNTY REDEVELOPMENT AND HOUSING AUTHORITY
(FCRHA) FOR STONEGATE VILLAGE APARTMENTS
(CENTREVILLE DISTRICT) (Tape 5)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to proceed with the Housing Trust Fund float to the Fairfax County Redevelopment and Housing Authority (FCRHA) for the Stonegate Village Apartments, Centreville District.

Following discussion among Board Members, with input from Walter D. Webdale, Director, and Paula C. Sampson, Director of Real Estate Finance, Department of Housing and Community Development, Supervisor Hanley asked unanimous consent that the Board defer further consideration of the Housing Trust Fund float to FCRHA for the Stonegate Village Apartments until later in the meeting in order to allow staff to provide a chart depicting the funds. Without objection, it was so ordered.

(NOTE: Later in the meeting, following the Board's Executive Session, action was taken on Information Item 22. See Clerk's Summary Item CL#79.)

VLL:vll

ADDITIONAL BOARD MATTER

**74.EXPEDITIOUS PROCESSING REQUESTED FOR SPECIAL
EXCEPTION APPLICATION TO BE FILED BY THE**

AMERICAN MOBILE SATELLITE CORPORATION**(Tape 5)**

Chairman Davis announced that the American Mobile Satellite Corporation, headquartered in Washington, D.C., is currently contemplating relocating to either the Centreville or Sully District of Fairfax County. He relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct the Office of Comprehensive Planning (OCP) and the Department of Environmental Management (DEM) to expedite the processing of the Special Exception Application that will be filed sometime next week. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Davis moved that the Board direct OCP and DEM to simultaneously process the Special Exception Application and any necessary Site Plan and building permits. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Davis stated that, although a final determination is yet to be rendered, it may be necessary to concurrently process a 456 hearing pursuant to Virginia Code Section 15.1-456. He asked unanimous consent that the Board direct the Planning staff to concurrently and expeditiously process the 456 hearing if deemed necessary. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

75.RECESS/EXECUTIVE SESSION (Tapes 5-6)

At 1:20 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:

- Board of Supervisors of Fairfax County, Virginia, versus Board of Zoning Appeals (BZA) of Fairfax County, Virginia, et al., Chancery Number 122492;
- Birmingham, et al., versus Fairfax County Board of Zoning Appeals (BZA), et al., Chancery Number 122698;
- Board of Supervisors versus Resolution Trust Corporation (RTC) as Receiver for Baltimore Federal Financial FSA, Civil Action Number 91-3128;

- Board of Supervisors versus Resolution Trust Corporation (RTC) as Receiver for United Savings Bank, Civil Action Number 91-1671-A;
- Twelfth Skyline Associates, Thirteenth Skyline Associates, Fourteenth Skyline Associates, Fifteenth Skyline Associates, versus Board of Supervisors, At Law Numbers 103633, 103635, 103637, 103634, and Hollinswoods Associates versus the Board of Supervisors, At Law Number 97159;
- Board of Supervisors versus Lake Services Incorporated, At Law Number 108068;
- Consideration Item Eight - Appeal of the Approval of a Stormwater Detention Waiver for the Resubdivision of Fairfax Hills, Lot 52b (Braddock District); and
- Legal issues concerning Information Item 11 - Award of Contract - Consultant Services for Fairfax County Legislative Initiatives.

This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked that the motion be amended to include the discussion of an opinion dated April 13, 1992 from Ellen Posner, Assistant County Attorney, Reference: Governor Douglas Wilder, Commonwealth of Virginia, Amendments to House Bill HB564, and this was accepted.

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

At 4:10 p.m., the Board reconvened in the Board Room with all Board Members present, and with Chairman Davis presiding.

76.ACTIONS FROM EXECUTIVE SESSION (Tape 6)

A.CERTIFICATION BY BOARD MEMBERS

REGARDING ITEMS DISCUSSED IN

EXECUTIVE SESSION

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

**B.APPEAL OF TWELFTH SKYLINE ASSOCIATES,
THIRTEENTH SKYLINE ASSOCIATES, FOURTEENTH
SKYLINE ASSOCIATES, FIFTEENTH SKYLINE
ASSOCIATES, VERSUS BOARD OF SUPERVISORS,
AT LAW NUMBERS 103633, 103635, 103637,
103634; AND HOLLINSWOODS ASSOCIATES
VERSUS THE BOARD OF SUPERVISORS, AT
LAW NUMBER 97159**

Supervisor Hanley moved that the Board of Supervisors authorize the Acting County Attorney to file an appeal of the July 31, 1992 Final Orders in Twelfth Skyline Associates, Thirteenth Skyline Associates, Fourteenth Skyline Associates, Fifteenth Skyline Associates, versus Board of Supervisors of Fairfax County, At Law Numbers 103633, 103635, 103637, 103634; and Hollinswoods Associates versus the Board of Supervisors of Fairfax County, At Law Number 97159. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**C.SETTLEMENT OF BOARD OF SUPERVISORS OF
FAIRFAX COUNTY, VIRGINIA, ET AL., VERSUS
BELTWAY TOWING AND STORAGE, INCORPORATED,
ET AL., RECORD NUMBER 920177**

Supervisor Alexander moved that the Board authorize settlement of the Board of Supervisors of Fairfax County, Virginia, et al., versus Beltway Towing and Storage, Incorporated, et al., Record Number 920177, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**D.APPEAL OF BOARD OF SUPERVISORS VERSUS
LAKE SERVICES, INCORPORATED, AT LAW**

NUMBER 108068

Supervisor Dix moved that the Board authorize an appeal of the decision of the Circuit Court of Fairfax County in the Board of Supervisors versus Lake Services, Incorporated, At Law Number 108068. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

E.AGREEMENT REGARDING BIRMINGHAM, ET AL.,**VERSUS BOARD OF ZONING APPEALS (BZA), ET****AL., CHANCERY NUMBER 122698**

Supervisor Berger moved that, in the case of Birmingham, et al., versus Board of Zoning Appeals (BZA), et al., Chancery Number 122698, the County Attorney's Office, in coordination with Supervisor Berger's Office, the Greater Herndon Citizens Association, and Pulte Homes, at the earliest possible time, to negotiate and prepare for the Board's consideration, an agreement utilizing the terms outlined by the Greater Herndon Citizens Association regarding planning for Dranesville Road engineering work and the future construction of Dranesville Road and Woodson Drive. This agreement should be returned to the Board at its meeting scheduled for September 14, 1992. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

F.SETTLEMENT OF MAGNA KENLEY JOINT VENTURE**VERSUS THE COUNTY OF FAIRFAX, VIRGINIA, IN****CHANCERY NUMBER 119159**

Supervisor McConnell moved that the Board authorize the settlement of Magna Kenley Joint Venture versus the County of Fairfax, Virginia, in Chancery Number 119159, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: Later in the meeting, there was an additional action from Executive Session. See Clerk's Summary Item CL#102G.)

77.C-8 - APPEAL OF THE APPROVAL OF A STORMWATER**DETENTION WAIVER FOR THE RESUBDIVISION OF**

FAIRFAX HILLS, LOT 52B (BRADDOCK DISTRICT)**(Tape 6)**

(NOTE: Earlier in the meeting, during the approval of the matters presented by the Acting County Executive, action was taken to defer the Board's consideration of this item until following the Board's Executive Session. See Clerk's Summary Item CL#49.)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of the appeal of the Department of Environmental Management's (DEM) approval of a waiver of on-site stormwater detention requirements for the resubdivision of Lot 52B of the Fairfax Hills Subdivision.

Following discussion with input from J. Patrick Taves, Assistant County Attorney, who briefed Board Members on the opinion of the County Attorney's Office as it relates to this appeal, and Edward Jankiewicz, Director, Design Review Division, DEM, Supervisor Bulova moved, in the case of the stormwater detention waiver for the resubdivision of Fairfax Hills, Lot 52b, that the appeal is **NOT** properly before the Board of Supervisors and that, if it were, the Board would have to deny the appeal because the criteria was met under the Public Facilities Manual (PFM). This motion was jointly seconded by Chairman Davis and Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Supervisor Trapnell being out of the room.

78.I-11 - AWARD OF CONTRACT - CONSULTANT SERVICES**FOR FAIRFAX COUNTY LEGISLATIVE INITIATIVES****(Tapes 6-7)**

(NOTE: Earlier in the meeting, during the approval of the matters presented by the Acting County Executive, action was taken to defer the Board's consideration of this item until following the Board's Executive Session. See Clerk's Summary Item CL#61.)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to negotiate and award a contract to Gold and Liebengood, not to exceed the amount of \$100,000 which is currently budgeted for lobbyist activities, to provide consulting services for Fairfax County legislative initiatives.

Without comment, the staff was directed administratively to enter into negotiations with Gold and Liebengood under the terms outlined in the Information Item.

(NOTE: Later in the meeting, during Board Matters, there was an additional action taken on this issue. See Clerk's Summary Item CL#115.)

79.I-22 - HOUSING TRUST FUND FLOAT TO THE FAIRFAX

COUNTY REDEVELOPMENT AND HOUSING AUTHORITY

(FCRHA) FOR STONEGATE VILLAGE APARTMENTS

(CENTREVILLE DISTRICT) (Tape 7)

(NOTE: Earlier in the meeting, during the approval of the matters presented by the Acting County Executive, action was taken to defer the Board's consideration of this item until following the Board's Executive Session. See Clerk's Summary Item CL#73.)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 3, 1992 requesting authorization for staff to proceed with the Housing Trust Fund float to the Fairfax County Redevelopment and Housing Authority (FCRHA) for the Stonegate Village Apartments, Centreville District.

Staff from the FCRHA distributed to Board Members a chart entitled, **Flow of Funds -- Housing Trust Fund Float**, that responded to the concerns expressed by Supervisor Hanley earlier in the meeting.

The staff was directed administratively to proceed as proposed.

CM:cm

80. 3:30 P.M.- PH ON REZONING APPLICATION RZ 92-C-006

(THE SCHOOL BOARD OF FAIRFAX COUNTY, VIRGINIA)

(CENTREVILLE DISTRICT) (Tape 8)

Mr. Wayne Ridgeway, reaffirmed the validity of the affidavit for the record.

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

Chairman Davis stated that he would absent himself from this case because he is General Counsel for a corporation in the County who has used the firm of Hunton and Williams on occasion.

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

Supervisor Trapnell disclosed that her husband's corporation was also represented by Hunton and Williams who is the General Counsel for the applicant and she absented herself from the case.

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

Supervisor Dix moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-C-006 be amended from the R-1 District to the R-2 District subject to the proffers dated July 22, 1992. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Dix moved waiver of the transitional screening and barrier requirements along the northern and eastern boundaries of the site in lieu of that existing on the site. This motion was jointly seconded by Supervisor Berger and Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Dix moved modification of the transitional screening and waiver of the barrier along the southern and western boundary, except along the parking areas, as specified in the proffers. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

81. 3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 87-P-022-2 (BOARD OF SUPERVISORS,

OWN MOTION) (PROVIDENCE DISTRICT) (Tape 8)

Mr. Carson Lee Fifer reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hanley moved approval of Special Exception Amendment Application SEA 87-P-022-2 subject to the revised development conditions dated July 22, 1992. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Hanley moved approval of the continuation of the modification of the transitional screening and barrier around the periphery of the site. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

82. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 92-L-003 (CURTIS PROPERTIES, INCORPORATED)

(LEE DISTRICT) (Tape 8)

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

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

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

Supervisor Alexander moved approval of Special Exception Application SE 92-L-003 subject to the revised development conditions dated May 28, 1992. This motion was

seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander moved waiver of the transitional screening and barrier requirements along the west in accordance with the provisions of Paragraph 6 of Section 13-111 of the Zoning Ordinance. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander moved waiver of the peripheral parking lot landscaping on the south, adjacent to Lockheed Boulevard and on the east. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander moved waiver of the rear yard requirement. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander moved that the Board direct the Department of Environmental Management (DEM) to waive the Public Facilities Manual (PFM) requirement for a 23-foot travelway. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Alexander asked unanimous consent that the record reflect that the previous motions were subject to the development conditions contained in Appendix One of the Staff Report dated May 28, 1992. Without objection, it was so ordered.

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

APPLICATIONS PCA 85-S-013 AND PCA 84-S-027-3

(SULLY STATION SHOPPING CENTER ASSOCIATES,

LIMITED PARTNERSHIP) (SULLY DISTRICT) (Tape 8)

Mr. Richard Howser reaffirmed the validity of the affidavit for the record.

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 85-S-013 subject to the revised proffers dated July 14, 1992. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 84-S-027-3 subject to the revised proffers dated July 14, 1992. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Hyland being out of the room.

Supervisor Frey further moved:

- Modification of the screening requirement; and
- Waiver of the barrier requirement along Westfield Boulevard be reaffirmed pursuant to Section 13-304 of the Zoning Ordinance.

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

84. 3:30 P.M.- PH ON REZONING APPLICATION RZ 91-S-009

(MICHAEL AND BUFFA HARGETT) (SPRINGFIELD DISTRICT)

(Tape 8)

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

Mr. Hargett 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 one speaker, Lisa Feibelman, 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 91-S-009 be amended from the R-1

District to the R-2 District subject to the proffers dated July 22, 1992. This motion was seconded by Supervisor Berger and carried by vote of nine, Supervisor Alexander being out of the room.

Supervisor McConnell moved waiver of the minimum district size requirement for the cluster zoning district. This motion was seconded by Supervisor Berger and carried by vote of nine, Supervisor Alexander being out of the room.

Supervisor McConnell further moved:

- Waiver for the provision of a minimum one acre of open space for a cluster subdivision; and
- Waiver of the service drive along the Ox Road frontage.

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

**85. 3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN
EASEMENTS NECESSARY FOR THE CONSTRUCTION OF
THE CRIMINAL JUSTICE SITE COLLOCATION PROJECT
(SULLY DISTRICT) (Tapes 8-9)**

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 16 and July 23, 1992.

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved to defer Board decision on adoption of the Resolution authorizing the acquisition of certain sanitary sewer easements necessary for construction of Project 008051 - Criminal Justice Site Collocation until **September 14, 1992 at 4:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being out of the room.

**86. 3:30 P.M. - PH ON PROPOSED REVISIONS TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3
(COUNTY EMPLOYEES), ARTICLE 3 (FAIRFAX COUNTY**

**UNIFORMED RETIREMENT SYSTEM), AND ARTICLE 7
(FAIRFAX COUNTY POLICE OFFICERS RETIREMENT
SYSTEM), REGARDING DEFINITION OF CREDITABLE
COMPENSATION AND CALCULATION OF AVERAGE FINAL
COMPENSATION FOR MEMBERS CALLED TO MILITARY
SERVICE (Tape 9)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of July 16 and July 23, 1992.

Following the public hearing, Supervisor McConnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 3 (Fairfax County Uniformed Retirement System), and Article 7 (Fairfax County Police Officers Retirement System), to clarify the definition of creditable compensation, the types of compensation assessed for retirement, in the Uniformed Retirement System. The amendments will also revise the provisions regarding members ordered or called to military service for the Uniformed and Police Officers Retirement Systems. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being out of the room.

SBE:sbe

**87. 4:00 P.M. - PH AND ADOPTION OF THE COMMUNITY
PLAN FOR THE BALLOU COMMUNITY (DRANESVILLE
DISTRICT) (Tape 10)**

(R)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of July 16 and July 23, 1992.

Following the public hearing, Supervisor Berger moved adoption of the Resolution adopting the Ballou Community Plan, Dranesville District. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being out of the room.

88. 4:00 P.M. - PH ON REZONING APPLICATION

RZ 91-P-021 (LEROY J. BLACKWELDER)

(PROVIDENCE DISTRICT) (Tape 10)

In response to a query by Supervisor Hanley, Robert Howell, Acting County Attorney, responded that, in accordance with Board procedure, the Board has the option to proceed with the public hearing in the absence of an applicant.

In light of the fact that the applicant, Mr. Leroy J. Blackwelder, had submitted a letter for the record, the Board proceeded with the public hearing.

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

- In excess of \$1,000 from Mr. F. Gary Garczynski.

Chairman Davis read into the record a letter that he had received from Mr. Blackwelder addressed to both the Board of Supervisors and Circuit Court Judge Johanna Fitzpatrick.

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following a brief synopsis of the application, Supervisor Hanley moved **DENIAL** of Rezoning Application RZ 91-P-021 to the R-8 District. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

89. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 92-M-004 (EXXON CORPORATION) (MASON DISTRICT)

(No Tape)

(NOTE: Later in the meeting, action was taken to defer the public hearing on Special Exception Application SE 92-M-004 until **September 14, 1992 at 4:00 P.M.** See Clerk's Summary Item CL#93.)

90.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 92-L-005 (EXXON CORPORATION) (LEE DISTRICT)**(Tape 10)**

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

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

Following the public hearing, which included testimony by one speaker, Regina Murray, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved approval of Special Exception Application SE 92-L-005 subject to the development conditions dated June 25, 1992. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova abstaining, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

91. 4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE**OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING****ORDINANCE) AND PUBLIC FACILITIES MANUAL (PFM)****AMENDMENTS REGARDING ACCESSIBILITY PROVISIONS****FOR PERSONS WITH DISABILITIES (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.

(NOTE: Due to the Planning Commission's deferral of its decision on the proposed amendments until July 30, 1992, the Board deferred its public hearing, previously scheduled for July 27, 1992, until August 3, 1992 at 4:00 p.m.)

Following the public hearing, Supervisor Berger moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to amend Articles 1, 2, 8, 9, 11, 12, 16, 17 and 18, and to the Public Facilities Manual (PFM), to amend Articles 1, 2 and 7, to accommodate the accessibility provisions for

persons with disabilities required by the Virginia Uniform Statewide Building Code (VUSBC), Americans with Disabilities Act (ADA), and the Final Fair Housing Accessibility Guidelines (FFHAG). This motion was jointly seconded by Supervisor Alexander and Supervisor Hanley and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

92. 4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 87-S-046 (TRAFALGAR HOUSE

PROPERTY, INCORPORATED) (SPRINGFIELD DISTRICT)

(Tape 10)

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

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

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

Supervisor McConnell moved approval of Proffered Condition Amendment Application PCA 87-S-046 subject to the proffers dated July 22, 1992. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Frey and Supervisor Hanley being out of the room.

Supervisor McConnell moved that the previously approved waiver of the minimum district size for an R-3 cluster subdivision be reaffirmed. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey and Supervisor Hanley being out of the room.

93. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 92-M-004 (EXXON CORPORATION) (MASON DISTRICT)

(Tape 10)

Supervisor Trapnell moved to defer the public hearing on Special Exception Application SE 92-M-004 until **September 14, 1992 at 4:00 p.m.** This motion was

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

94. 4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON

ISSUES OF CONCERN (Tapes 10-11)

(BACs)

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 16 and July 23, 1992.

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

Additional Board Matters:

Following the testimony by Speaker Number Two (Ms. Gloria Starr), Chairman Davis recognized the presence of Kenton Patty, President, Fairfax County Council of Parent-Teacher Associations (FCCPTA), Mr. John Thomas, and Ms. Shirley Nelson, and he warmly welcomed them to the Board Room.

Following the testimony by Speaker Number Six (Mr. Mike O'Kane), for the record, Supervisor Hanley stated that the decision for the fees and the use of the gyms was not made directly by the Board of Supervisors but by the School Board.

Following the testimony by Speaker Number Seven (Mr. Roger Williams), Supervisor Bulova noted that the Speakers' List did not contain home addresses for several speakers. She asked unanimous consent that, in the future, the Board direct staff to include this information for all speakers. Without objection, it was so ordered.

With regard to the issue of athletic fees that was expressed by several speakers this evening, Supervisor Hanley announced that on June 22, 1992, the Board established the Public Schools Fee Policy Task Force to review this issue. The Task Force is scheduled to meet sometime in early September 1992.

Following the testimony by Speaker Number Eight (Mr. Donald Law), Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board refer Mr. Law's testimony to the Park Authority for its review and response. Without objection, it was so ordered.

Supervisor Davis asked unanimous consent that the Board increase the composition of the Schools Fee Policy Task Force to include a representative from the Adult Softball Council. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The public hearing was held and included testimony by 10 speakers.

VLL:vll

**95.C-1 - CONSIDERATION OF A RESOLUTION BY THE
BOARD OF SUPERVISORS ESTABLISHING FISCAL YEAR
(FY) 1994 BUDGET GUIDELINES (Tape 12)**

(R)(NOTE: Earlier in the meeting, during the approval of the matters presented by the Acting County Executive, action was taken to defer consideration of this item until following the public hearings. See Clerk's Summary Item CL#40.)

The Board next considered an Item contained in the Memorandum to the Board dated August 3, 1992 requesting the Board's consideration of adopting a Resolution establishing the Fiscal Year (FY) 1994 Budget Guidelines.

Supervisor Dix moved that the Board adopt the Resolution contained in the Memorandum to the Board establishing the FY 1994 Budget Guidelines. This motion was jointly seconded by Supervisor Berger and Supervisor McConnell.

Supervisor Hyland asked that the motion be amended to revise bullet Number Two to read as follows:

"2.That the increase in the Combined General Fund transfer to the School Operating/ Construction funds be targeted at two percent. Balances materializing from the School's budget at the Carryover Review or throughout the fiscal year should be held available to prepare for the potential loss of State and/or Federal funding and changing economic conditions. **However, the targeted two percent suggested for the School Transfer shall be revisited after the completion of the summit to be**

held by the School System and the Board will then look at the results of the summit with a view towards making whatever adjustments to the two percent target."

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that Supervisor Hyland's amendment be further amended to read as follows:

"2....However, the targeted two percent suggested for the School Transfer shall be revisited after the completion of the summits to be held by the School System. The Board will then look at the results of the summits **and the economic situation** with a view towards making whatever adjustments to the two percent target."

As amended, the amendment was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley stated that she had planned to offer the following amendment to bullet Number Two; however, she stated that the amended amendment that has been accepted has the same intent. For the record, she announced that she may reintroduced this language following the Board's review of the issues after the School's summit:

"2....**The Board of Supervisors recognizes that the transfer to the School Division may have to be increased in order for the School Board to implement the two percent cost-of living for its employees without severely impacting School Board Programs.**"

In response to a query by Supervisor Hanley, Supervisor Hyland stated that his amendment incorporates the intent of the language stated-above.

Following further comments by individual Board Members, with input from James P. McDonald, Deputy County Executive for Management and Budget, the question was called on the motion, as amended, which carried by unanimous vote.

**96.APPOINTMENT OF BOARD MEMBERS TO SERVE ON THE
WASHINGTON METROPOLITAN COUNCIL OF GOVERNMENTS
(COG) TRANSPORTATION PLANNING BOARD (TPB)**

(Tape 12)

(BACs)

Chairman Davis announced that because of recent changes to the Bylaws of the Washington Metropolitan Council of Governments (COG) Transportation Planning Board (TPB), the Fairfax County Board of Supervisors may appoint two more of its members to serve on the TPB. One member would be a standing member and the other an alternate member.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved the appointment of Supervisor Dix as the second standing member and Supervisor Berger to serve as the alternate member on the TPB. This motion was seconded by Supervisor Frey and carried by unanimous vote.

97.APPOINTMENT OF REPRESENTATIVES FROM FAIRFAX

COUNTY TO THE CITIZENS ADVISORY COMMITTEE

(CAC) OF THE TRANSPORTATION COORDINATING

COUNCIL (TCC) (Tape 12)

(BACs)

Supervisor Davis stated that on July 27, 1992, his office faxed to all Board Members a memorandum regarding the appointment of representatives from Fairfax County to the Citizens Advisory Committee (CAC) of the Transportation Coordinating Council (TCC). He stated that Fairfax County is allowed, by right, to appoint eight members. The Board may recommend individuals to John G. Milliken, Secretary of Transportation, Commonwealth of Virginia, for his consideration in addition to the eight that Fairfax County officially appoints. There are 30 slots that Secretary Milliken can fill at his discretion.

Supervisor Hanley moved the appointment of Mr. Jerry Brown and Mr. Jake Jacobson to serve on the TCC.

Supervisor Alexander moved the appointment of Mr. Robert Heittman.

Supervisor McConnell moved the appointment of Mr. Mike Thompson.

Supervisor Berger moved the appointment of Mr. David Sanders.

Supervisor Trapnell moved the appointment of Mr. Jack Rust.

Supervisor Dix moved the appointment of Mr. John Palatiello.

These appointments were seconded by Supervisor Alexander.

Supervisor Davis announced that he would appoint the eighth member at the Board of Supervisors' meeting scheduled for September 14, 1992.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

AR:ar

98. CLARIFICATION OF PRIVATIZATION MOTION

(Tape 13)

Supervisor Berger said that on July 13, 1992 during his Board Matters, he made a motion concerning privatization of certain County services. He said that last week, staff asked for a clarification of the motion.

Therefore, Supervisor Berger moved:

- That the Board-designated oversight body of Dr. Mark Crain, Sid Dewberry, Noman Cole, Donna Engelson, and Don Boone work in concert with staff to develop an Request for Proposal (RFP) for approval by the Board on September 14, 1992;
- That the Board-designated oversight body and staff work in concert to evaluate respondents to the RFP and prepare recommendations to the Board for selection of a privatization consultant;
- That the consultant, in consultation with the Board-designated oversight body and staff, prepare solicitations (RFP or IFB) for contracting out the following activities:
 - * Operation of one of the new School Aged Child Care (SACC) centers as previously approved by the Board;
 - * The maintenance of all County owned buildings, not separately but as a whole; and
 - * The entire County motor vehicle fleet operations, and all Equipment Management Transportation Agency (EMTA) facilities.
- That concurrently with the preparation of solicitations for those three specified activities, the Board-designated oversight body, staff, and the privatization consultant

work in concert to analyze costs and service levels for these activities, to provide a basis for comparison with private sector bids or proposals;

- That, subject to availability of funds and staff time, the Board-designated oversight body and staff work in concert to analyze costs and service levels for additional county activities, and identify those activities for which potential privatization savings of at least 10 percent are projected; and

- That all County agencies, currently performing activities identified for possible privatization, be permitted to compete with the private sector for retention of these functions in-house.

This motion was seconded by Supervisor McConnell.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the part of the motion which reads, "The maintenance of all County owned buildings, not separately but as a whole," be changed to read ".....either separately or as a whole." In addition, at the end of the phrase which reads, "The entire County motor vehicle fleet operations, and all Equipment Management Transportation Agency (EMTA) facilities," add the words, ".....or a portion thereof." These changes were accepted by Supervisor Berger.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Chairman Davis announced that he has scheduled a "brown bag" meeting tomorrow morning (August 4) at 7:30 a.m. with the personnel at the Operations and Maintenance Branch, Office of General Services, located at 4001 Burke Station Road, to discuss their concerns regarding this issue. He invited other Board Members to join him.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include and emphasize the right of staff to come back to the Board for clarification of any technical issues which may evolve during these procurement procedures, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

After a query from Supervisor Frey regarding the establishment of a minimum cost savings on all items, Supervisor Berger amended his motion to include guidelines for a 10 percent savings in all categories.

Following additional discussion, the question was called on the motion, as amended, which carried by a unanimous vote.

99. ELLISON HEIGHTS CAPITAL IMPROVEMENT PLAN

(CIP) (Tape 13)

Supervisor Berger said that he had been advised by staff that the Ellison Heights Community Improvement Project is nearing design phase completion.

Supervisor Berger stated that staff has been working with his office and the citizens of Ellison Heights and the project is ready to proceed to land acquisition in Fiscal Year (FY) 93. He noted that last week the Board approved the assessments for the Ellison Heights Community Improvement Project as recommended by staff.

Supervisor Berger said that the Community Improvement Advisory Committee has recommended that, should funding become available, those projects which are partially funded should be funded through construction in chronological order as they complete the phases preliminary to construction. He added that staff has recommended that they proceed to land acquisition on this project.

Supervisor Berger moved that the Board support reallocation of \$30,000 from C0070 Fund Contingency for Project C00089 Ellison Heights to proceed to land acquisition in FY 93, and that funding in the amount of \$770,000 be added for construction of this project in the FY 94 budget submission by staff at that time for Board consideration. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

100. APPOINTMENTS TO THE TYSONS CORNER TASK FORCE

(Tape 13)

(APPT)

Supervisor Berger moved the appointment of Mr. Jeff Hardin and Mr. John Nassikas as McLean Citizens Association representatives to the Tysons Corner Task Force. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

101. APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 13)

(APPT)

Supervisor Berger moved the appointment of Mr. Stuart Mendelsohn as the Dranesville District representative on the County Government Committee. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

102.ADDITIONAL ACTIONS FROM EXECUTIVE SESSION

(Tape 13)

(NOTE: Earlier in the meeting, there were additional actions from Executive Session. See Clerk's Summary Item CL#76.)

G.WEST CENTREVILLE FIRE STATION SITE

Supervisor Frey moved that the Board approve the agreement of sale and attached contract of sale and authorize the execution of said instruments by the Deputy County Executive for Planning and Development. Said agreement, which is dated July 24, 1992, is for the West Centreville Fire Station Site located in the Sully Magisterial District and shown as Tax Map Parcel Numbers 54-3((2)) 57 and 58 is between the Board of Supervisors and Winchester Homes. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

As a point of clarification, Supervisor Frey stated that this contract is totally contingent upon approval of all the land-use actions which are needed by the Planning Commission and the Board of Supervisors. He added that the community is still looking at other sites; however, this action today is necessary in order to ensure that, if this is ultimately the site that the community and the Planning Commission and the Board choose, this site will be available when the land-use cases are heard later in the Fall.

103.INSTALLATION OF DIRECTIONAL SIGNS IN THE

GOVERNMENT CENTER LOBBY TO ASSIST

HANDICAPPED PERSONS IN LOCATING BOARD

ROOM AND PODIUM (Tape 13)

Supervisor Frey asked unanimous consent that the Board direct staff to install directional signage in the Government Center Lobby to assist handicapped persons in their location of the Board Room and the podium. Without objection, it was so ordered.

104.CONCURRENT PROCESSING OF SITE PLAN WITH PENDING

SPECIAL EXCEPTION APPLICATION SE 92-Y-024

(Tape 13)

Supervisor Frey moved that the Board:

- Direct the Director of the Department of Environmental Management (DEM) to concurrently process the Site Plan with pending Special Exception Application SE 92-Y-024 (concurrent with Proffered Condition Amendment Application PCA 85-C-019-3 and Special Exception Amendment Application SEA 84-C-076-4); and
- Since the above applications are scheduled for public hearing before the Planning Commission on October 8, 1992, direct staff to schedule a public hearing before the Board of Supervisors for these applications in October.

Supervisor Frey added that the pending Special Exception proposes the construction of a child care facility on the campus of Fair Oaks Hospital to service employees.

The motion was seconded by Supervisor Hanley and **CARRIED** by a recorded vote of eight, with Chairman Davis abstaining, and Supervisor Berger being out of the room.

105.HERITAGE ESTATES BOND DEFAULT ISSUE

(Tape 13)

Supervisor Frey stated that the communities of Heritage Estates and Greentrails in the Sully District are the subject of a number of serious developer bond defaults. He said that, as a result of the original developer's abandonment of the projects, and the subsequent failure and takeover of the project lender by the Resolution Trust Corporation (RTC), many of the public improvements and proffered amenities remain to be completed or are in need of major repairs. While the RTC has been meeting with staff and has indicated a willingness to fund the completion of the developer's obligations, progress towards completion has been painfully slow.

Supervisor Frey said that it is his understanding that the RTC has now come forward with a draft of a proposed agreement which, among other things, proposes to supplement with additional funds the bonding securities currently on file with the County. Supervisor Frey stated that, as he understands it, in consideration for these supplemental assurances, RTC is seeking expeditious approval of the proffered recreation center plans and the site plans for the last section in the Heritage Estates Development, Section Eight. According to the RTC, funding for completion of the overall development improvements is largely dependent upon the proceeds being available from the development of this last section.

In the interests of getting this long delayed development completed and rapidly resolving the bond defaults, Supervisor Frey moved that the Board direct staff to promptly complete review of the proposed agreement, and upon a finding by the Office of the County Attorney that terms favorable to the County as a party to the agreement have been reached, and have been incorporated into the agreement, that the Director of the Department of Environmental Management (DEM) be authorized to execute the final, revised agreement on behalf of the Board of Supervisors. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Berger being out of the room.

In addition, Supervisor Frey expressed his appreciation to the staffs of DEM and the County Attorney for their diligent efforts regarding this issue.

106.MOVING BOARD MEETINGS FROM MONDAY TO

TUESDAY (Tape 13)

Supervisor Bulova stated that, during the past months, Board Members have discussed informally the possibility of moving Board Meeting days from Mondays to Tuesdays (or some other day of the week). At the meeting on June 22, the Board agreed to add this to the agenda for its Reorganizational Subcommittee. She added that, unfortunately, the date for this subcommittee meeting has been changed a number of times, and at this time it is scheduled for tomorrow, the day after the last Board meeting before the summer recess and too late to advertise a different date in September.

In order that the Board does not lose its window of opportunity on this matter, Supervisor Bulova asked that the Board take action today and she went on to state her reasons for asking to make this change.

Supervisor Bulova stated that the Board Package arrives in some of the Supervisors' offices as late as 4:30 p.m. on Thursday evening, which means that staff members use

Fridays to put it together with tabs in a binder. Since it takes a bit of time to do this, Supervisor Bulova added that she never sees her Board Package until Friday evening or Saturday morning - too late to try to ask questions of County staff, or ask office staff about some of these items without disturbing them on a weekend. Supervisor Bulova stated that she often gets calls from the press over the weekend about something in the Board Package and has to track down County staff on a Saturday or Sunday to get more information for a news article that the reporter plans to run on Monday.

Supervisor Bulova said that sometimes an item in the Board Package may be of interest to civic or homeowner associations in her District; however, she is unable to reach people, or have staff help with reaching people, on a weekend afternoon. Moving the Board Meeting day to Tuesday, with the Board Package still coming to the Supervisors on Thursday, would provide a full working day to coordinate with staff and constituents regarding items which will be considered at the meeting.

Supervisor Bulova stated that a second problem that Tuesdays would address is the scheduling of workshops and Subcommittee meetings. When the Board went to meeting two Mondays a month, the previous Board agreed that the other Mondays would be reserved for workshops and Subcommittee meetings. However, Mondays are often holidays or extensions of weekend conferences (VACo, VML) which are attended by some Board Members. Supervisors, therefore, have trouble coordinating their calendars to find another day of the week and/or they try to squeeze Subcommittee meetings in at 8:00 a.m. on a day when the Board will be meeting until 1:00 a.m. the next morning. If the Board went to Tuesdays, it would be able to reserve all Tuesdays as official Board Meeting days - for meetings, workshops or Subcommittee meetings.

Accordingly, Supervisor Bulova moved that the Board, effective after its August recess, move its meeting date from Monday to Tuesday, and that Tuesdays that are not Board Meeting days be designated for workshops or Subcommittee meetings. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Alexander moved a substitute motion that the Board direct the Acting County Executive, beginning September 9, 1992, to forward the Board Package to Board Members on the **Wednesday** of the week preceding a Board Meeting (rather than on Thursday). This motion was seconded by Chairman Davis.

After additional discussion, the question was called on the substitute motion which **CARRIED** by a recorded vote of eight, Supervisor Bulova and Supervisor Hyland voting "**NAY.**"

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

107.HISTORY OF ANNANDALE (Tape 13)

Supervisor Bulova announced that, after many years of effort, a History of Annandale has recently been completed. She stated that she has been told by Dr. Donald Sweig, a County Historian in the Heritage Resources Branch, Office of Comprehensive Planning (OCP), that monies requested by the History Commission for printing the Annandale study in its Fiscal Year (FY) 1993 budget request did not make it into the adopted budget.

Supervisor Bulova stated that price quotes for the printing, obtained by OCP, with the least expensive option being to have the County Print Shop do the job in-house, is \$1800 for 1,000 copies. She added that, once the History of Annandale has been printed, it should actually be a money maker.

Therefore, Supervisor Bulova moved that, as part of the Carryover in September 1992, the Board consider directing \$1800 to the OCP/Heritage Resources Branch for printing the History of Annandale and that the printing be done at the County Print Shop. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

108.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 13)

(APPT)

Supervisor Bulova moved the appointment of Mr. John Fee as the Braddock District Representative to the County Government Committee. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

109."FAIRFAX COUNTY LAW OVERSIGHT COMMITTEE"

(Tape 13)

Supervisor Bulova called the Board's attention to letters which are being distributed throughout Fairfax County from the "Fairfax County Law Oversight Committee" and asked unanimous consent that the Board direct the Acting County Attorney to immediately investigate this matter to determine what can be done to stop this

Committee's illegal representation of Fairfax County. Without objection, it was so ordered.

VLL:vll

110.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 14)

(APPT)

Supervisor Hanley moved the appointment of **Mr. Dana Kauffman** as the Providence District Representative to the County Government Committee. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

111.APPOINTMENT TO THE ADVISORY SOCIAL SERVICES

BOARD (Tape 14)

(APPT)

Supervisor Hanley moved the appointment of **Ms. Letitia Haworth** as the Providence District Representative to the Advisory Social Services Board. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

112.CONCURRENT PROCESSING OF SITE PLAN WITH

SPECIAL PERMIT AMENDMENT APPLICATION

S-81-P-089-1 (MANTUA SWIM CLUB) (PROVIDENCE

DISTRICT) (Tape 14)

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept a Site Plan exception request for the concurrent processing with Special Permit Amendment Application S-81-P-089-1 filed by the Mantua Swim Club. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor Hyland being out of the room.

**113. HEARING SCHEDULED BY THE SENATE COMMITTEE
ON TRANSPORTATION TO RECEIVE COMMENTS ON
TRANSPORTATION ISSUES IN RELATION TO THE
PROPOSED CONSTRUCTION OF A STADIUM AT
POTOMAC YARDS (Tape 14)**

Supervisor Hanley announced that the Senate Committee on Transportation will be conducting a public hearing on Tuesday, August 4, 1992 at 7:00 p.m. at the Northern Virginia Community College (NVCC) to receive comments on transportation issues in relation to the proposed construction of a stadium at Potomac Yards. The subject matter of the public hearing **WILL NOT** be whether the stadium should or should not be built but on transportation issues.

**114. BOARD MEMBERS INVITED TO PARTICIPATE IN
THE "GREAT STATE TRASH OFF" (Tape 14)**

Supervisor Hanley announced that Ray Pethel, Commissioner, Virginia Department of Transportation (VDOT), has forwarded to Board Members an invitation to participate in the "Great State Trash Off." Virginia's first annual "Great State Trash Off" is scheduled for Saturday, October 17, 1992. She asked unanimous consent that the Board direct staff to publicize this event in the Weekly Agenda. Without objection, it was so ordered.

**115. ADDITIONAL ACTION REGARDING INFORMATION ITEM 11-
AWARD OF CONTRACT - CONSULTANT SERVICES FOR
FAIRFAX COUNTY LEGISLATIVE INITIATIVES**

(Tape 14)

(NOTE: Earlier in the meeting, action was taken on this issue. See Clerk's Summary Items CL#61 and #78.)

Supervisor Hanley referred to the Board's earlier action authorizing staff to negotiate and award a contract to Gold and Liebengood for lobbyist activities to provide consulting services for Fairfax County legislative initiatives. During the Board's

earlier discussion, she had raised the issue of who would be the contracting officer and to whom that contracting officer would report. She asked unanimous consent that the Board direct the Acting County Executive to report with a staff recommendation to resolve this issue. Without objection, it was so ordered.

116. BOARD MEMBERS INVITED TO SPONSOR "A HOLE"

IN THE GOLF TOURNAMENT (Tape 14)

Supervisor Hanley announced that Board Members had received an invitation from the Fairfax County Fire and Rescue Retirement Association to sponsor "a hole" in a golf tournament scheduled for August 24, 1992 to benefit the Firefighters' Fund of Fairfax County. She stated that she is willing to participate and she asked interested Board Members to contact her.

117. RESOLUTION RESCINDING THE VACATION OF

WESTOVER STREET (Tape 14)

(A)

(R) Supervisor Hanley moved that the Board adopt the following Resolution rescinding the vacation of Westover Street:

"**WHEREAS**, the Fairfax County Board of Supervisors adopted the Community Improvement Program on April 3, 1978, for the purpose of upgrading older neighborhoods in Fairfax County; and

WHEREAS, the Board of Supervisors, recognizing the need for improvements in the Hillwood neighborhood adopted the Hillwood Community Improvement Plan on November 24, 1986; and

WHEREAS, on July 11, 1988, the Board of Supervisors also ordered improvements to Hillwood and set the assessments of owners of property abutting the improvements; and

WHEREAS, on March 20, 1989, based on a request by the Hillwood Community to control cut-through traffic, the Board of Supervisors adopted an ordinance to vacate that portion of Westover Street, between Shady Lane and South Street, in the Hillwood Community; and

WHEREAS, improvements have been completed on the remainder of Westover Street; and

WHEREAS, the unimproved block of Westover Street has remained opened without significant increase in cut-through traffic; and

WHEREAS, the majority of the homeowners of the Hillwood Community have requested that the street remain open; and

WHEREAS, funding for construction, in the amount of \$273,992, has been set aside to complete this project;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board directs staff to schedule, as soon as possible, public hearings to rescind the vacation of that portion of Westover Street (Route 1709) as adopted at the March 20, 1989 public hearing, and to set assessments and order construction of improvements to Westover Street between Shady Lane and South Street; and
2. That the Board directs staff to complete the design of improvements to the unimproved block of Westover Street."

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

118.ADDITIONAL COMMENTS REGARDING THE VIRGINIA

RAILWAY EXPRESS (VRE) (Tape 14)

Supervisor Alexander announced that, not only did an article regarding the Virginia Railway Express (VRE) appear in Newsweek, but that Shiva K. Pant, Director, Office of Transportation, had also been quoted in the July 31, 1992 edition of USA Today on transportation issues.

119.EXECUTIVE SESSION TO DISCUSS INTERVIEWS OF

CANDIDATES FOR THE POSITION OF COUNTY

EXECUTIVE (Tape 14)

Supervisor Alexander moved that the Board 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 Section 2.1-344.1. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger and Supervisor Frey being out of the room.

120.BOARD MATTERS BY SUPERVISOR CHRISTINE R.

TRAPNELL, MASON DISTRICT (Tape 14)

Because of the lateness in the hour, Supervisor Trapnell announced that she would not present any Board Matters for this meeting.

PMH:pmh

121.APPOINTMENT TO THE COUNTY GOVERNMENT

COMMITTEE (Tape 15)

(APPT)

Supervisor McConnell moved the appointment of Mr. Michael Thompson as the Springfield District Representative to the County Government Committee. The second to this motion was inaudible. The motion carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

122.DUMPING OF DEBRIS (Tape 15)

Supervisor McConnell stated that she had received complaints from constituents who said that twice in the past few weeks trucks had backed-up and dumped debris on their property. She added that they had been charged \$181 to dump the material of concrete and bricks.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to review this issue and report with a recommendation that would "give people a break" in these situations. Without objection, it was so ordered.

123.APPOINTMENT TO THE SMALL AND DISADVANTAGED

BUSINESS COMMISSION (Tape 15)

(APPT)

Chairman Davis moved the appointment of Mr. Jay Khim as a Representative to the Small and Disadvantaged Business Commission. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

124.APPOINTMENT TO THE COUNTY GOVERNMENT**COMMITTEE (Tape 15)**

(APPT)

Supervisor Dix moved the appointment of Mr. Joel Birken as the Centreville District Representative to the County Government Committee. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

125.APPOINTMENT TO THE COMMUNITY ACTION ADVISORY**BOARD (Tape 15)**

(APPT)

Supervisor Dix moved the appointment of Ms. Marcia McDevitt as the Centreville District Representative to the Community Action Advisory Board. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

126.PLANNING AND DEVELOPMENT PROCESS REDESIGN

(Tape 15)

Supervisor Dix referred to a report that Board Members had received on the Planning and Development Process Redesign that was submitted by LBA Limited. Supervisor Dix asked unanimous consent that the Board direct staff to submit this report to the Business Process Design Committee and to Supervisor Frey as part of the process. Without objection, it was so ordered.

127.MARKET APPRAISALS FOR BUILDINGS B-2 AND B-3

(Tape 15)

(NOTE: Earlier in the meeting there was discussion regarding Buildings B-2 and B-3. See Clerk's Summary Items CL#41 and #43.)

Supervisor Dix moved that the Board direct staff to begin the process to secure current market appraisals for Buildings B-2 and B-3. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Berger being out of the room.

**128.INTERIM COMMUTER PARKING IN SUPPORT OF
HIGH OCCUPANCY VEHICLE (HOV) USERS ON
THE DULLES TOLL ROAD (Tape 15)**

Supervisor Dix stated that the High Occupancy Vehicle (HOV) lanes on the Dulles Toll Road will open on September 1, 1992. The Office of Transportation, working with the Virginia Department of Transportation (VDOT) has identified a number of interim park-and-ride lots within the Dulles Corridor to use as staging areas for car and van pools until such time as the permanent Reston South and Reston East lots are completed.

Supervisor Dix called the Board's attention to its previous authorization for execution of a park-and-ride lease agreement with the J.A. Loveless Company for commuter spaces on Sunset Hills Road; however the agreement was rejected by the property owner due to current financial considerations.

Supervisor Dix stated that recently Mason Hirst, Incorporated, has expressed a willingness to lease property at 1805 Michael Faraday Court in Reston, proximate to the existing VDOT Wiehle Avenue commuter lot which is overfilled. Over 100 parking spaces are available on the site where a former bowling alley has been demolished. At this time, therefore, Supervisor Dix moved that the Board authorize the Acting County Executive to execute a lease agreement with the property owner to secure interim commuter parking in support of HOV users on the Dulles Toll Road. Funds for this project are available from the Fiscal Year (FY) 1993 ridesources program supported by VDOT. No additional County funds are required. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Berger being out of the room.

**129.POLICIES FOR ZONING APPLICATIONS FILED FOR
PROPERTIES WITHIN THE ROUTE 28 TAX DISTRICT**

(Tape 15)

Supervisor Dix stated that on August 21, 1991, the Board adopted certain policies to govern zoning applications filed for properties within the Route 28 Tax District until such time as a plan for the District is adopted by the Board.

Supervisor Dix noted that the Route 28 Task Force is currently close to completing its Comprehensive Plan recommendations, and it is anticipated that a report will be forthcoming by the end of the year.

Supervisor Dix stated that Policy Number One, which was adopted in August 1991, states the following:

• "Because no lands within the Route 28 Tax District are currently planned for residential use in the adopted Comprehensive Plan, any land use request that seeks to rezone property in the Route 28 Tax District to residential use should not be approved."

Supervisor Dix stated that it is his understanding that the Route 28 Task Force will be recommending, and has been discussing, the desirability of adding residential development to the Tax District. In addition, because of the current real estate market conditions, certain landowners in the Route 28 Tax District are anxious to proceed with such residential development.

Therefore, Supervisor Dix moved that the Board direct staff to review Policy Number One and evaluate this policy relative to allowing exceptions or changing the policy, and report to Board Members during the August recess prior to the Board's next meeting on September 14, 1992 with its comments and recommendations. This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Hanley asked that the motion be amended to include evaluation of the financial and legal requirements of the Tax District and what this would mean to the bonds in phase one and phase two, and this was accepted.

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

130.BUNGEE JUMPING (Tape 15)

Supervisor Dix reminded Board Members that one of the more popular sports (and he uses that term loosely) these days is bungee jumping. In order to increase participation in the sport (since tall bridges are not commonplace in all parts of the country) the

current trend is to use a tall crane and hoist jumpers off the ground in some sort of a cage or platform, and then allow the individual to jump -- with a large piece of foam on the ground as a safety net.

Supervisor Dix stated that, after discussing this type of activity with staff in several County agencies, it is his understanding that the County currently has no formal policies or standards to review a request for a bungee jumping use or under which approval could be given.

Supervisor Dix noted that the Park Authority has received at least one request to allow bungee jumping and the request was denied. The Zoning Administrator has received several inquiries regarding the zoning use classification of this type of use, and has made a determination that the use of a property for bungee jumping from a hot air balloon or mobile crane is most similar to a commercial recreation park which is a Group 5 Commercial Recreation Use. Special Permit approval would be required in order to permit this use. The Department of Environmental Management (DEM) has indicated that, while there are standards for bungee jumping which are being considered by the State, to date no such standards have been published or adopted.

Supervisor Dix stated that his concern is that there will be additional requests to allow a bungee jumping activity in the County, and that there is no overall formal policy or any established standards regarding this type of use. He stated that there is a degree of hazard associated with bungee jumping.

Accordingly, Supervisor Dix moved that the Board direct the appropriate agencies in the County, including the Park Authority, to work together to establish a policy regarding bungee jumping activity in Fairfax County. The second to this motion was inaudible.

Following discussion, Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked that the motion be amended to include referring this item to the Procedures Subcommittee, and this was accepted.

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

131.SUCCESSFUL IMPLEMENTATION OF CUT-THROUGH

TRAFFIC RESTRICTIONS ON KATHRYN STREET

(Tape 15)

Supervisor Hyland announced that Virginia Department of Transportation (VDOT) has recommended that the cut-through traffic restrictions implemented six months ago in the Mount Vernon District on Kathryn Street become permanent.

Supervisor Hyland said that this has been accomplished through the cooperative efforts of VDOT which provided the Policy and Procedures in 1989, the Office of Transportation which coordinated their implementation and the residents of Kathryn Street who petitioned for the restrictions, provided testimony, and were otherwise involved throughout the two-year process.

Supervisor Hyland added that Kathryn street has returned to its intended use since restriction signs were put in place.

Therefore, Supervisor Hyland asked unanimous consent that the Board give credit to staff at VDOT and the Office of Transportation, in particular Joe Conlon and Bruce Taylor, who made this project a success by working with the citizens and improving traffic safety in the Mount Vernon District. Without objection, it was so ordered.

132.REVISION TO POLICE GENERAL ORDERS REGARDING

VEHICULAR PURSUITS (Tape 15)

Supervisor Hyland said that the Fairfax County Police Department has recently revised its General Orders to accommodate a change to the Metropolitan Washington Police Department's General Orders as they pertain to vehicular pursuits.

Supervisor Hyland stated that the District of Columbia (D.C.) has prohibited its officers from participating in pursuits where other jurisdictions are involved. As a result, the County has revised its own procedures to prohibit units involved in a pursuit from traveling into the D.C. without prior permission from an on-duty supervisor.

Supervisor Hyland noted that this sets a dangerous precedent which will allow crimes to be committed in the County and any perpetrator to travel back into the D.C. without fear of repercussion from County officers.

Accordingly, Supervisor Hyland moved that the Board direct:

- The Chief of Police to meet with officials of the D.C. to discuss this proposal and its full scale impact on Fairfax County; and
- Colonel Young to apprise the Board of the results of these discussions.

This motion was seconded by Supervisor Alexander.

Following discussion, Supervisor Hanley asked that the motion be amended to include a review of how the Fairfax County policy would relate to the Arlington County policy, and this was accepted.

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

**133.SEWAGE CAPACITY AGREEMENT AT THE LOWER POTOMAC
POLLUTION CONTROL FACILITY FOR THE DISTRICT OF
COLUMBIA, DEPARTMENT OF CORRECTIONS (Tape 15)**

Supervisor Hyland briefed Board Members that the District of Columbia (D.C.), Department of Corrections must expand its sewage treatment plant because of increased population projections. On February 11, 1992, the Board of Supervisors directed staff to discuss with the D.C. the possibility of allowing the Department of Corrections to pump two million gallons of sewage into Fairfax County's Lower Potomac Pollution Control facility.

Supervisor Hyland stated that he had discussed this issue with the citizens advisory committee for the prison who agreed that it would provide a major environmental benefit in that it would eliminate the existing sewage discharge from the prison into the Mills Branch and Occoquan River. The Virginia Department of Water Control also continues to urge the D.C. to explore this possibility.

At its meeting held on March 23, 1992, an Information Item (I-2) was distributed and action was taken by the Board to withdraw the draft agreement from consideration until outstanding issues regarding the annual payment-in-lieu-of-taxes (PILOT) on the Blue Plains property was resolved. Supervisor Hyland stated that the United States (U.S.) Appropriations Subcommittee on the D.C. voted last evening to approve language that would prevent the D.C. from imposing such a payment. Similar language has been approved in the U.S. House Appropriations Subcommittee.

Because of the recent development, Supervisor Hyland moved that the Board direct staff to:

- Continue to finalize the draft Agreement (contained in the Memorandum to the Board dated March 23, 1992, Information Item Two) for legal review and final approval by the Board once complete; and

•Sign and forward the draft letter (contained in the Memorandum to the Board dated March 23, 1992, Information Item Two) to the D.C. advising them of the Board's approval of the Sewage Treatment - Capacity Purchase Agreement, in concept, between the County of Fairfax and the D.C.

The second to the motion was inaudible.

Following discussion, Chairman Davis asked that the motion be amended to place this issue on the agenda to be discussed with the D.C. officials at a meeting to be held in September, and this was accepted.

Supervisor Frey expressed concern that this action would not encourage the D.C. to move the facility located at Lorton out of Fairfax County. He added that the State Water Control Board has in its power to and should force the D.C. to live up to the Embayment Standards.

Following further discussion, the question was called on the motion, and as amended, carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

134. EXPEDITED REVIEW FOR POHICK STATION (Tape 15)

Supervisor Hyland noted that Pohick Station is a proposed townhouse development community in Lorton. He said that the applicant filed a rezoning application in January 1991 and was delayed due to the revision of the Comprehensive Plan. It was not until that process was completed that the applicant was able to reactivate the rezoning application. The rezoning was approved on June 22, 1992. In order to prevent further delays during the Site Plan approval process, Supervisor Hyland requested that an expeditious Site Plan review be undertaken.

Supervisor Hyland moved that the Board direct the Director of the Department of Environmental Management (DEM) to expeditiously process the Site Plan for Pohick Station, as reflected by the approved Rezoning Application RZ 91-V-003. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

135. RESOLUTION SUBMITTED BY THE MOUNT VERNON COUNCIL OF CITIZENS ASSOCIATION (Tape 15)

Supervisor Hyland distributed to Board Members a resolution which the general council of the Mount Vernon Citizens Association adopted at its monthly meeting on

May 27 in which the Council is requesting the Board to establish a Fairfax County "Sunset" policy.

Supervisor Hyland said that in part the Council would like the Board to review all laws, policies, program goals, etcetera against which all County organizations, needs and expenditures can be assessed for effectiveness, economies and efficiencies; obtain the services of an inspector general to begin such review; complete the review by 1997; and establish procedures that subject all County organizations and programs after 1997 to such assessments at intervals of not more than five years.

Therefore, Supervisor Hyland moved that the Board refer this resolution to the Budget Subcommittee. This motion was seconded by Chairman Davis.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include directing staff to include this item on the agenda for the next meeting of the Budget Subcommittee, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

136.CLEAN FAIRFAX COUNTY, INCORPORATED (CFC)

RECOGNIZED BY NATIONAL ENVIRONMENTAL

ORGANIZATIONS (Tape 15)

Supervisor Hyland said that on June 24, 1992 Clean Fairfax County, Incorporated (CFC) was selected to receive a Certificate of Environmental Achievement from RENEW AMERICA, a national environmental organization based in the District of Columbia (D.C.) CFC was chosen by leaders of the nations's environmental community for its success in protecting the environment while serving as a model which is replicated around the country.

Therefore, Supervisor Hyland moved that the Board direct staff to invite CFC's Board of Directors and staff to appear before the Board for recognition in September. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

137.WEEKLY AGENDA SUBSCRIPTION FEE WAIVER REQUEST

(Tape 15)

Supervisor Hyland said that on July 13, 1992, the information item of the Weekly Agenda subscription fees came up and action was taken by the Board.

Supervisor Hyland said that he has received a number of complaints from tax paying citizens as well as legislators and other governmental bodies about being charged for this vital form of local government information.

Supervisor Hyland asked unanimous consent that the Board direct staff to place this item on the Budget Carryover Agenda as a Consideration Item on September 14, 1992 for reconsideration at that time. Without objection, it was so ordered.

138.COMMISSION FOR DISABLED PERSONS CONCERNS WITH

AMERICANS WITH DISABILITIES ACT IMPLEMENTATION

(Tape 15)

(NOTE: Earlier in the meeting, there was discussion regarding the Americans With Disabilities Act. See Clerk's Summary Item CL#36.)

Supervisor Hyland distributed to Board Members a letter from the Commission for Disabled Persons to the Acting County Executive dated July 16, 1992.

Supervisor Hyland said that the letter highlights first:

- That Fairfax County is drastically behind federal schedules in meeting the Americans With Disabilities Act (ADA) implementation deadlines; and
- ADA is seriously in need of a substantially higher level of management and an adequate master plan for its implementation.

Therefore, Supervisor Hyland moved that the Board direct the Acting County Executive to assemble from existing resources a management team and report to the Board in September with properly prepared management documents including a master plan for ADA implementation. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

139.EXTENSION OF LEASE - SAUDI ISLAMIC ACADEMY

(Tape 15)

In connection with the lease of the old Walt Whitman/Mount Vernon High School which is presently operated by the Saudi Islamic Academy, Supervisor Hyland said staff has been engaged in negotiations in connection with extension of that lease.

Supervisor Hyland moved that the Board direct staff to:

- Finalize the details, terms and conditions of an amendment to the existing lease with the Saudi Islamic Academy extending the lease term as previously outlined for an additional three year period with an option to extend for a period not to exceed an additional two and a half years; and
- Schedule a public hearing to be held before the Board of Supervisors on **September 14, 1992 at 4:00 p.m.**

This motion was seconded by Supervisor Alexander.

Following discussion, with input from Robert L. Howell, Acting County Attorney, the question was called on the motion and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

140.WAIVER OF FEES AND EXPEDITIOUS PROCESSING FOR

THE APPLICATION FOR THE MOUNT VERNON LADIES

ASSOCIATION (Tape 15)

Supervisor Hyland stated that he had received a letter in connection with the Mount Vernon Ladies Association regarding a new exhibit. Supervisor Hyland moved that the Board direct staff to expedite the application and waive the filing fees for this non-profit organization. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

141.BOARD RECESS (Tape 15)

At 8:35 p.m., the Board recessed the meeting due to possible meetings in Executive Session regarding the vacancy of the County Executive position.