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The meeting was called to order at 9:50 a.m. with all Members being present, and with Chairman Davis presiding.

Others present were William J. Leidinger, 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. Tippet, Deputy Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

2.PROCLAMATION RECOGNIZING THE VISIT OF THE

LST USS FAIRFAX COUNTY (Tape 1)

Supervisor Alexander moved approval of the presentation of the Proclamation, presented to the Commander and crew, recognizing the visit of the LST USS Fairfax County. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

On behalf of the citizens of Fairfax County, Chairman Davis presented to the Commanding Officer of the USS Fairfax County a new County flag to fly above the ship.

A plaque depicting a replica of the ship was presented by the Commander to Chairman Davis for display in the Government Center.

3.PROCLAMATION DESIGNATING "WHEELCHAIR RACE

OF CHAMPIONS DAY" (Tape 1)

Supervisor Berger moved approval of the presentation of the Proclamation, presented to Mr. Bill Fuller and Mayor Thomas D. Rust of the Town of Herndon, designating October 3, 1992 as "**WHEELCHAIR RACE OF CHAMPIONS DAY**," in Fairfax County. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

4.CERTIFICATE OF APPRECIATION RECOGNIZING

CLEAN FAIRFAX COUNTY, INCORPORATED

(Tape 1)

Supervisor Hyland moved approval of the presentation of the Certificate of Appreciation, presented to Rosemary Burn, Virginia Webber and Joe Webber, recognizing Clean Fairfax County, Incorporated, for its environmental protection programs. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

5.CERTIFICATE OF APPRECIATION RECOGNIZING

BRENDA PLUM, COMMISSION FOR DISABLED

PERSONS (Tape 1)

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Ms. Brenda Plum, recognizing her many years of service to Fairfax County as a Member of the Commission for Disabled Persons. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

6.CERTIFICATES OF APPRECIATION RECOGNIZING

FAIRFAX COUNTY EMPLOYEES FOR OUTSTANDING

PERFORMANCE ON THE CHESAPEAKE BAY

PRESERVATION ORDINANCE (Tape 1)

Supervisor Hyland moved approval of the presentation of the Certificates of Appreciation, presented to the following employees of Fairfax County, recognizing their outstanding performance on the proposed amendment to the Code of the County of Fairfax, Chapter 118 (Chesapeake Bay Preservation Ordinance):

•Bruce G. Douglas;

•Noel H. Kaplan;

•Michael R. Congleton;

•Elaine Z. Jensen;

•John Friedman;

•Cynthia Chambers;

- Valerie Tucker;
- Karen J. Harwood; and
- Randall T. Greehan.

This motion was jointly seconded by Supervisor Bulova and Supervisor Hanley and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

7. TELEPHONES IN THE BOARD ROOM (Tape 1)

Supervisor Hanley noted that the individual telephones in the Board Room are ringing rather than flashing a light and she asked unanimous consent that the Board direct the technical staff to correct this problem before the next Board Meeting. Without objection, it was so ordered.

8. CERTIFICATE OF APPRECIATION RECOGNIZING

GERALD D. COOPER, JERRY'S SUNOCO SERVICE

STATION (Tape 1)

Supervisor Trapnell moved approval of the presentation of the Certificate of Appreciation, presented to Gerald D. Cooper, Jerry's Sunoco Service Station, for his outstanding efforts on behalf of the victims of Hurricane Andrew. This motion was seconded by Chairman Davis and carried by unanimous vote.

9. PROCLAMATION DESIGNATING "HERITAGE DAY"

(Tape 1)

Supervisor McConnell moved approval of the presentation of the Proclamation, presented to Linda Bestimt, Faxfair Corporation, designating October 3, 1992 as "**HERITAGE DAY**," in Fairfax County. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

CM:cm

10.10:00 A.M. - APPOINTMENTS TO CITIZEN BOARDS,

AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS

(Tape 2)

ADVISORY SOCIAL SERVICES BOARD

Supervisor Frey moved the appointment of Ms. Marjorie Morrison as the Sully District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Chairman Davis moved the appointment of Mr. David Roberts as the At-Large Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

(NOTE: The appointment of the Springfield District Representative to the Advisory Social Services Board was deferred.)

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY

BOARD

Supervisor Dix moved the appointment of Mr. Steven Anderson as the At-Large Representative to the Alcohol Safety Action Program Local Policy Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Chairman Davis moved the appointment of Mr. Kevin Sabo as the At-Large Representative to the Alcohol Safety Action Program Local Policy Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Berger moved the appointment of Ms. Jan Shard as the At-Large Representative to the Alcohol Safety Action Program Local Policy Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

CONFIRMATION:

Supervisor Hanley moved that the Board confirm the following appointment to the Alcohol Safety Action Program Local Policy Board:

- Mr. Robert Koreski as the Fairfax County Executive Representative.

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

ARCHITECTURAL REVIEW BOARD

Supervisor Alexander moved the reappointment of Mr. Robert Mobley as the At-Large (Architect) Representative to the Architectural Review Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Dix moved the reappointment of Mr. John Boland as the At-Large (Lawyer) Representative to the Architectural Review Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Mark Lewis as the At-Large (Landscape) Representative to the Architectural Review Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. C. Richard Bierce as the At-Large (Landscape/Architect) Representative to the Architectural Review Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

ATHLETIC COUNCIL

[NOTE: The appointment of the Providence District (Alternate) Representative to the Athletic Council was deferred.]

CHILD CARE ADVISORY COUNCIL

Chairman Davis moved the appointment of Ms. Aida Abu-Zayyad as the At-Large Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Dix moved the reappointment of Ms. Sarah Larson as the Centreville District Representative to the Child Care Advisory Council. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Ms. Joanne McCoy as the Springfield District Representative to the Child Care Advisory Council. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: The appointments of the Braddock, Dranesville, and Sully District Representatives to the Child Care Advisory Council were deferred.)

COMMISSION FOR WOMEN

Supervisor Trapnell stated, for the record, that at the Board of Supervisors' meeting held on September 14, 1992, she had appointed Ms. Gloria Starr as the Mason District Representative.

Supervisor Hyland moved the reappointment of Ms. Ruth Murphy as the Mount Vernon District Representative to the Commission for Women. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Ms. Emily McCoy as the Lee District Representative to the Commission for Women. This motion was seconded by Chairman Davis and carried by unanimous vote.

Chairman Davis moved the reappointment of Ms. Mary M. Hammond as the At-Large Representative to the Commission for Women. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

(NOTE: The appointment of the Sully District Representative to the Commission for Women was deferred.)

COMMUNITY IMPROVEMENT COMMITTEE

Supervisor Frey moved the appointment of Mr. Porter Hutchinson as the Sully District Representative to the Community Improvement Committee. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Hanley moved the appointment of Mr. James Wolffe as the Providence District Representative to the Community Improvement Committee. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

(NOTE: The appointments of the Braddock and Springfield District Representatives to the Community Improvement Committee were deferred.)

COUNTYWIDE TRAILS COMMITTEE

(NOTE: The appointments of the Springfield and the Sully District Representatives to the Countywide Trails Committee were deferred.)

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

(NOTE: The appointment of the Springfield District Representative to the Environmental Quality Advisory Council was deferred.)

EROSION AND SEDIMENT CONTROL REVIEW BOARD

[NOTE: The appointments of the two At-Large (Citizen/Resident of Fairfax County/Alternate) Representatives to the Erosion and Sediment Control Review Board were deferred.]

FAIRFAX/FALLS CHURCH COMMUNITY SERVICES

BOARD

Chairman Davis moved the appointment of Ms. Kay Ward as the At-Large Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointment of another At-Large Representative to the Fairfax/Falls Church Community Services Board was deferred.)

HISTORY COMMISSION

Board Matter:

(R) Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board adopt the Resolution to expand the membership of the History Commission to 16 members to include an additional citizen member. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Trapnell moved the appointment of Ms. Louise Jergens to fill the unexpired term of Ms. Glenda Amick as the At-Large (Citizen) Representative to the History Commission.

Supervisor Dix moved the appointment of Ms. Margaret Peck as the At-Large (Citizen) Representative to the History Commission.

These motions were seconded by Supervisor Hyland and carried by unanimous vote.

[NOTE: The Board deferred the appointment of the At-Large (Architect) Representative.]

HUMAN RIGHTS COMMISSION

Supervisor Dix moved the appointment of Mr. Rodney Martin as the At-Large Representative to the Human Rights Commission. The second to this motion was inaudible. The question was called on the motion which carried by unanimous vote.

Supervisor Hanley moved the reappointment of Ms. Audrey Williams as the At-Large Representative to the Human Rights Commission. The second to this motion was inaudible. The question was called on the motion which carried by unanimous vote.

Supervisor Alexander moved the reappointment of Mr. John Keating as the At-Large Representative to the Human Rights Commission. This motion was seconded by Chairman Davis and carried by unanimous vote.

Chairman Davis moved the reappointment of Ms. Marta Wyatt as the At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Chairman Davis moved the appointment of Mr. Preston Royster as the At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

INDUSTRIAL DEVELOPMENT AUTHORITY

Supervisor Hyland moved the reappointment of Mr. Robert Surovell as the At-Large Representative to the Industrial Development Authority. This motion was seconded by Chairman Davis and carried by unanimous vote.

Chairman Davis moved the appointment of Mr. Paul Brockman as the At-Large Representative to the Industrial Development Authority. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

JUVENILE COURT CITIZEN ADVISORY BOARD

Chairman Davis moved the appointment of Ms. Kelly Mullins as the At-Large Representative to the Juvenile Court Citizen Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointment of the Sully District Representative to the Juvenile Court Citizen Advisory Board was deferred.)

NORTHERN VIRGINIA PLANNING DISTRICT

COMMISSION

Supervisor Dix moved the appointment of Mr. Patrick F. Kane as the At-Large (Resident of Fairfax County) Representative to the Northern Virginia Planning District Commission. The second to this motion was inaudible. The question was called on the motion which carried by unanimous vote.

Chairman Davis moved the appointment of Mr. Flint Lewis as the At-Large (Resident of Fairfax County) Representative to the Northern Virginia Planning District Commission. The second to this motion was inaudible. The question was called on the motion which carried by unanimous vote.

PARK AUTHORITY, FAIRFAX COUNTY

Chairman Davis moved the appointment of Mr. Michael E. Belefski as the At-Large (Class A Plumbing Contractor) Representative to the Park Authority. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

PLUMBING ADVISORY AND LICENSING BOARD

Chairman Davis moved the reappointment of Mr. John Kittleberger as the At-Large (Class B Plumbing Contractor) Representative to the Plumbing Advisory and Licensing Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

PROJECT SELECTION COMMITTEE

Supervisor Dix moved the appointment of Mr. Jesus Lopera as the Centreville District Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Trapnell moved the reappointment of Ms. Mary Chi-Ray as the Mason District Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hanley moved the reappointment of Mr. Roland Smith as the Providence District (James Lee Conservation) Representative to the Project Selection Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Mr. John Bennett as the Lee District Representative to the Project Selection Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointment of the Springfield District Representative to the Project Selection Committee was deferred.)

SMALL AND DISADVANTAGED BUSINESS COMMISSION

Supervisor Hyland moved the appointment of Ms. Margaret Benjamin as the Mount Vernon District Representative to the Small and Disadvantaged Business Commission. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hanley moved the appointment of Ms. Mary Rose Greene as the Providence District Representative to the Small and Disadvantaged Business Commission. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: The appointments of the Lee and the Sully District Representatives to the Small and Disadvantaged Business Commission were deferred.)

TREE COMMISSION

(NOTE: The appointments of the Centreville, Mason, and Springfield District Representatives to the Tree Commission were deferred.)

VOLUNTEER FIRE COMMISSION

CONFIRMATION:

Supervisor Hanley moved that the Board confirm the following appointment to the Volunteer Fire Commission:

- Mr. Alan Caldwell as the Volunteer Chiefs' Association Representative.

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

AD-HOCS

CITIZENS ADVISORY COMMITTEE ON SOLID

WASTE AND DISPOSAL MATTERS

Chairman Davis moved the appointment of Mr. John Wyatt as the At-Large (Principal) Representative to the Citizens Advisory Committee on Solid Waste and

Disposal Matters. The second to this motion was inaudible. The question was called on the motion which carried by unanimous vote.

[NOTE: The appointments of the At-Large (Alternate), the Sully and the Mason District (Principal) Representatives to the Citizens Advisory Committee on Solid Waste and Disposal Matters were deferred.]

COUNTY GOVERNMENT COMMITTEE

Supervisor Alexander moved the appointment of Mr. John Lynch as the Lee District Representative to the County Government Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointment of the At-Large Representative to the County Government Committee was deferred.)

CONFIRMATIONS:

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the confirmations of Ms. Inga A. Watkins as the Northern Virginia Black Attorneys Association (NOVABAA) Representative and Mr. Herbert L. Jackson as the Black Community Representative to the County Government Committee be deferred. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

FAIRFAX COUNTY PUBLIC SCHOOLS FEE POLICY

FOR ADULT USE OF ATHLETIC FACILITIES

TASK FORCE

Supervisor Hanley moved that the Board confirm the following appointments to the Fairfax County Public Schools Fee Policy for Adult Use of Athletic Facilities Task Force:

- Mr. Ren Morani as the Athletic Council Representative;
- Ms. Susan Williams as the Athletic Council Representative;
- Mr. Donald Law as the Athletic Council Representative;

- Ms. Joanne Field as the Fairfax County School Board Representative;
- Mr. W. Michael Kendrick as the Fairfax County Staff Representative;
- Mr. William Beckner as the Fairfax County Staff Representative; and
- Mr. Thomas White as the Fairfax County Park Authority Representative.

This motion was seconded by Chairman Davis and carried by unanimous vote.

FORESTED WETLANDS COMMITTEE (NEW COMMITTEE)

(NOTE: The appointment of the Sully District Representative to the Forested Wetlands Committee was deferred.)

MINORITY UPWARD MOBILITY AND RETENTION IN

FAIRFAX COUNTY GOVERNMENT COMMITTEE

(NOTE: The appointment of the Sully District Representative to the Minority Upward Mobility and Retention in Fairfax County Government Committee was deferred.)

UPPER HOLMES RUN ENVIRONMENTAL MONITORING

ADVISORY COMMITTEE

(NOTE: The appointments of the Mason District, the Dunn Loring Improvement Association, and the Raymondale Civic Association Representatives to the Upper Holmes Run Environmental Monitoring Advisory Committee were deferred.)

ADDITIONAL APPOINTMENTS TO CITIZEN BOARDS,

AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS

COMMISSION FOR DISABLED PERSONS

Supervisor Hanley moved the appointment of Ms. Peggy Singleton to fill the unexpired term of Mr. Henry Rodriguez who resigned as the Providence District Representative. This motion was seconded by Chairman Davis and carried by unanimous vote.

Board Matter:

Request for Certificate of Appreciation**for Ms. Jeanne Houghton**

Supervisor Bulova asked unanimous consent that the Board direct staff to prepare, for presentation before the Board, the appropriate Certificate of Appreciation to Ms. Jeanne Houghton for her many years of service on the Commission for Disabled Persons. Without objection, it was so ordered.

HUMAN SERVICES COUNCIL

Supervisor Dix moved the appointment of Mr. William Robertson to fill the unexpired term of Ms. Linda Singer as the Centreville District Representative to the Human Services Council. This motion was seconded by Chairman Davis and carried by unanimous vote.

SBE:sbe

11.ADMINISTRATIVE ITEMS (Tape 3)

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

Supervisor Trapnell called the Board's attention to Administrative Item Two - Authorization to Advertise a Public Hearing for the De-creation/ Re-creation of a Small Sanitary District for Refuse and Leaf Collection Service (Mason District). She stated, for the record, that she did not concur in the recommendation of staff to deny the request and asked that the motion be amended that the Board proceed with the advertisement of the public hearing, and this was accepted.

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

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM**(SULLY DISTRICT)**

(R)Approved the request that certain streets listed in the Memorandum to the Board dated September 21, 1992 be recommended for acceptance into the State Secondary System.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC

**HEARING FOR THE DE-CREATION/RE-CREATION OF A
SMALL SANITARY DISTRICT FOR REFUSE AND LEAF
COLLECTION SERVICE (MASON DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 26, 1992 at 4:00 p.m.** on the following small sanitary district for refuse and leaf collection service in accordance with the Board of Supervisors' adopted criteria for the Creation/ Enlargement/Withdrawal of Small or Local Sanitary Districts:

Sanitary Type of Staff

District Action Service Recommendation

Small District One De-Create/ Leaf ***DENY***

Within Mason District Re-Create

(*NOTE: Supervisor Trapnell stated, for the record, that she did not concur in the recommendation of staff to deny the request and asked that the motion be amended that the Board proceed with the advertisement of the public hearing. This action is listed under the approval of the Administrative Items.*)

**ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON THE SALE OF COUNTY-OWNED PROPERTY
LOCATED AT 6300 KARMICH STREET (SPRINGFIELD
DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 26, 1992 at 4:30 p.m.** regarding the sale of a parcel of County-owned property, Tax Map Reference 77-4((09))001, located at 6300 Karmich Street.

**12.A-1 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 93025 FOR THE DEPARTMENT OF HUMAN**

**DEVELOPMENT TO ACCEPT ADDITIONAL FUNDING
FOR AID TO FAMILIES WITH DEPENDENT CHILDREN
(AFDC) EDUCATION AND TRAINING DAY CARE**

(Tape 3)

(SAR)Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt Supplemental Appropriation Resolution (SAR) AS 93025, totalling \$143,217, for Aid to Families with Dependent Children (AFDC) Education and Training Day Care. This motion was seconded by Supervisor Alexander.

Supervisor Hanley stated that the back-up documentation contained in the Board Package reflects that the County had received this funding on June 8, 1992. She questioned why it takes staff so long to place these types of items in the Board Package for approval.

Following discussion, with input from Verdia L. Haywood, Deputy County Executive for Human Services, Supervisor Hanley asked unanimous consent that the Board direct staff, in the future, to include an explanation regarding the time lag in the Memorandum to the Board, under "Timing." Without objection it was so ordered.

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

13.A-2 - SUPPLEMENTAL APPROPRIATION RESOLUTION

**(SAR) AS 93026 FOR THE DEPARTMENT OF HUMAN
DEVELOPMENT TO ACCEPT ADDITIONAL FUNDING
FOR AID TO FAMILIES WITH DEPENDENT CHILDREN**

(AFDC) WORKING/TRANSITIONAL DAY CARE

(Tape 3)

(SAR)As with the previous item, Action Item One, Supervisor Hanley stated that the back-up documentation contained in the Board Package reflects that the County had received this funding prior to the item appearing in the Board Package. She reminded staff, in the future, to include an explanation regarding the time lag in the Memorandum to the Board, under "Timing."

Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt Supplemental Appropriation Resolution (SAR) AS 93026, totalling \$394,425, for Aid to Families with Dependent Children (AFDC) Working/Transitional Day Care. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

14.A-3 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93027 FOR THE CONTINUATION OF THE

FEDERAL HEAD START PROGRAM GRANT WITHIN THE

OFFICE FOR CHILDREN (Tape 3)

(SAR)Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt Supplemental Appropriation Resolution (SAR) AS 93027 totalling \$1,401,344. This motion was seconded by Supervisor Bulova.

Following discussion, with input from Verdia L. Haywood, Deputy County Executive for Human Services, the question was called on the motion which carried by a vote of nine, Supervisor Trapnell being out of the room.

Supervisor Hanley commended the outstanding performance of staff on this item.

15.A-4 - APPROVAL OF CERTIFICATION OF ZONING

AND SUBDIVISION ORDINANCE COMPLIANCE FOR

NEW ALEXANDRIA STORM DRAINAGE IMPROVEMENTS,

PHASE III, EAST WATERSHED, PROJECT X00056

(MOUNT VERNON DISTRICT) (Tape 3)

On motion of Supervisor Hyland, seconded by Chairman Davis, 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 County Executive to sign the certificate indicating that Phase III of the proposed New Alexandria Storm Drainage Improvement Facility is consistent with the Fairfax County Zoning Ordinance and Subdivision Ordinances.

16.A-5 - ROUTE 29 FEASIBILITY STUDIES, PHASE I

AND PHASE II, COUNTY ROAD BOND PROJECT 64116**(SULLY DISTRICT) (Tape 3)**

Supervisor Frey asked unanimous consent that the Board defer its action on endorsing the concept plans for the future widening of Route 29 from the Fairfax City limits to West Ox Road/Fairfax County Parkway (Phase I) and from the Parkway to Pleasant Valley Road (Phase II) until the Board meeting scheduled for **October 5, 1992**. Without objection it was so ordered.

17.A-6 - AUTHORIZATION TO PAY FISCAL YEAR (FY) 1993**SECOND QUARTER TRANSIT OPERATING SUBSIDY TO****WASHINGTON METROPOLITAN AREA TRANSIT****AUTHORITY (WMATA) (COUNTYWIDE) (Tape 3)**

(R)Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing payment of the Fiscal Year (FY) 1993 Second Quarter Transit Operating Subsidy billing in the amount of \$10,977,383 to the Washington Metropolitan Area Transit Authority (WMATA). This motion was seconded by Supervisor Hanley.

Supervisor Alexander announced that at the Board's next Transportation Subcommittee meeting, both he and Shiva K. Pant, Director, Office of Transportation, would brief Board Members on future subsidies for WMATA.

Supervisor Hanley asked unanimous consent that the Board direct staff, also at the Board's Transportation Subcommittee meeting, to update Board Members on the status of the bus garage and necessary land acquisition.

Supervisor Berger announced that the next Transportation Subcommittee meeting is scheduled for October 5, 1992.

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

18.A-7 - CERTIFICATION OF COMPLIANCE WITH LOCAL**ORDINANCES (Tape 3)**

Following discussion, with input from Barbara Y. Hardy, Chief, Enforcement Branch, Air Pollution Control Section, Division of Environmental Health, Supervisor Hyland asked unanimous consent that the Board direct staff to forward to Becky Williams, Representative, Lorton Federation of Citizens Associations, the annual report on emissions for this project that is prepared to comply with State requirements. Without objection, it was so ordered.

Supervisor Hyland moved that the Board concur in the recommendation of staff regarding the approval and issuance of the certification letter to the Virginia Department of Air Pollution Control for Vulcan Materials Company. This motion was seconded by Supervisor Berger and carried by unanimous vote.

19.A-8 - BOND REFERENDUM INFORMATION PAMPHLET

(Tape 3)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer its action on the Bond Referendum Information Pamphlet until later in the meeting to allow Board Members additional time to provide their comments in writing. He further asked that Board Members submit their comments to Supervisor Alexander who will collect all comments and provide a draft pamphlet for Board action later in the meeting. Without objection, it was so ordered.

Further discussion regarding this item ensued among Board Members.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken on the Bond Referendum Information Pamphlet. See Clerk's Summary Item CL#88.)

20.C-1 - CAPITAL CONTRIBUTION TO NORTHERN VIRGINIA

REGIONAL PARK AUTHORITY (NVRPA) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated September 21, 1992 regarding the reconsideration of the Board's earlier decision to withhold the County's Fiscal Year (FY) 1993 capital contribution to the Northern Virginia Regional Park Authority.

Following discussion among Board Members, with input from James P. McDonald, Deputy County Executive for Management and Budget, Chairman Davis relinquished

the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer its consideration on this matter until the Board's Retreat that is to be scheduled sometime in October. It was the consensus of the Board that additional information on this request is needed prior to the Board's Retreat. Without objection, it was so ordered.

Acting-Chairman McConnell returned the gavel to Chairman Davis.

21.C-2 - DISCLOSURE OF INTERESTS STATEMENTS AND DISCUSSIONS WITH PROSPECTIVE VENDORS (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated September 21, 1992 regarding the disclosure of interests statements for members of selection advisory committees and offerors of proposals and formalizing the appropriate limits of discussions with prospective vendors.

Following discussion, Supervisor Hanley moved that Board concur in the **entire** item contained in the Board Package documentation for Consideration Item Two. She clarified that this action reaffirms the State law. This motion was seconded by Supervisor Alexander.

Following extensive discussion, with input from Robert L. Howell, Acting County Attorney, Supervisor Dix moved that the Board table this Consideration Item to allow time for Board Members to receive additional information. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Chairman Davis voting "**NAY.**"

Accordingly, Consideration Item Two was **TABLED**.

22.I-1 - FAIRFAX COUNTY PARKWAY/FRANCONIA - SPRINGFIELD PARKWAY STATUS REPORT (COUNTYWIDE) (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 21, 1992:

- Presenting Fairfax County Parkway/ Franconia - Springfield Parkway Status Report; and

- Requesting authorization for staff to no longer provide additional copies of the report to Board of Supervisor's staff for their use.

The staff was directed administratively to proceed as proposed.

A brief discussion ensued, with input from Shiva K. Pant, Director, Office of Transportation.

**23.I-2 - STATUS REPORT ON HIGHWAY PROJECTS IN
THE VIRGINIA DEPARTMENT OF TRANSPORTATION
(VDOT) SIX-YEAR IMPROVEMENT PROGRAMS
(COUNTYWIDE) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated September 21, 1992:

- Presenting Status Report on Highway Projects in the Virginia Department of Transportation (VDOT) Six-Year Improvement Program; and
- Requesting authorization for staff to no longer provide additional copies of the report to Board of Supervisor's staff for their use.

The staff was directed administratively to proceed as proposed.

A brief discussion ensued, with input from Shiva K. Pant, Director, Office of Transportation.

Supervisor Hanley referred to Page 41 of the Board Package documentation:

- Route Name:Leesburg Pike, Route 7

0007-029-S21, PE101, N501

Description:Modify median to restrict left turn movements at intersection of Gosnell Drive (Route 939) and Westpark Drive (Roue 5061).

Supervisor Hanley asked unanimous consent that the Board direct staff to forward to TYTRAN a copy of the plans for the above-noted intersection improvements. Without objection, it was so ordered.

24.I-3 - COUNTY INVESTMENT IN WANG SYSTEMS**(Tape 3)**

The Board next considered an Information Item presenting information about the County's investment in the WANG Systems.

Chairman Davis called to the Board's attention the fact that staff is currently preparing a plan for transition from the Wang Computer Systems used in the County. This report is due to be presented to the Board of Supervisors in December of 1992. He relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to include in this report a variety of Wang "phase-out" scenarios for two year, three year, four year, and five year replacement programs and to also include the following information for each program:

- All costs, including employee re-training;
- Replacement time lines; and
- The order in which agencies will receive new equipment.

Supervisor Davis further directed that staff be flexible with each scenario in order to provide the Board with sufficient options. As an example, he stated, the report may provide variations on a five-year phase out plan:

- One would focus on a large phase out in the early years;
- One would show the phase out equally distributed over all five years; and
- One would show a gradual increase in phase out over the term.

Supervisor Davis stated, for the record, that it is in the County's best interest to continue to upgrade the information/technologies, especially now that the County expects its employees to perform more tasks with less funding.

Following a brief discussion, without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

25.I-4 - HOUSING OPPORTUNITIES FOR PERSONS WITH**AIDS PROGRAM (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated September 21, 1992 presenting Housing Opportunities for Persons With AIDS Program and requesting authorization for staff to:

- Sign the letter and the Comprehensive Housing Affordability Strategy (CHAS) Certification statement and forward them to the Prince George's County Executive; and

- In addition, the Department of Housing and Community Development will receive the formula allocation of Housing Opportunities for Persons with AIDS (HOPWA) funds for the provision of rental assistance to Fairfax County residents with AIDS.

The staff was directed administratively to proceed as proposed.

26.I-5 - DISTRIBUTION OF THE FAIRFAX COUNTY

HISTORICAL PUBLICATIONS CATALOG (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 21, 1992 announcing that the Fairfax County Historical Publications Catalog was distributed to libraries, public information centers, and other appropriate locations throughout the County.

27.I-6 - HERITAGE RESOURCES BRANCH VOLUNTEER

PROGRAM: SUMMARY FOR FISCAL YEAR 1992

(Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 21, 1992 presenting the year-end assessment of the success of the Heritage Resources Branch (HRB) volunteer program in terms of the goals established jointly by the TRW Foundation and Fairfax County.

28.I-7 - CONTRACT AWARD - EROSION CONTROL AT LEE

DISTRICT PARK (LEE DISTRICT) (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 21, 1992 requesting authorization for staff to award a contract to William B. Hopke Company, Incorporated of Alexandria, Virginia in the amount of \$40,700 for the construction of storm drainage improvements for erosion control at

Lee District Park, under Project 004748, General Parks Improvement, in Subfund 950, Park Authority Capital Improvement Trust Fund.

The staff was directed administratively to proceed as proposed.

A brief discussion ensued among Board Members.

**29. I-8 - CONTRACT AWARD - ENGINEERING SERVICES FOR
THE DIFFICULT RUN FORCE MAIN (CENTREVILLE AND
PROVIDENCE DISTRICTS) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated September 21, 1992 requesting authorization for staff to award a contract to Greeley and Hansen Engineers in the amount of \$150,618 for engineering services for the Integrated Sewer System.

The staff was directed administratively to proceed as proposed.

**30. I-9 - PROPOSED AMENDMENT TO THE CODE OF THE
COUNTY OF FAIRFAX, CHAPTER 67 (SANITARY SEWERS
AND SEWAGE DISPOSAL) SEWER ORDINANCE RELATED TO
BACKUP CLAIMS (COUNTYWIDE) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated September 21, 1992 requesting authorization for staff to:

- Proceed with legal review and report with a proposed advertisement to amend the Code of the County of Fairfax, Chapter 67 (Sanitary Sewers and Sewage Disposal); and
- If necessary, direct staff to provide the Board with suggested changes to State legislation that the County Attorney believes necessary to implement the policy.

The staff was directed administratively to proceed as proposed.

**31. I-10 - REQUEST FOR CONSULTANT SERVICES FOR PARK
AUTHORITY/RECREATION DEPARTMENT REORGANIZATION**

STUDY AND I-11 - PARK AUTHORITY/RECREATION

DEPARTMENT REORGANIZATION STUDY (Tape 3)

The Board next considered Information Items contained in the Memorandum to the Board dated September 21, 1992 requesting authorization for staff to:

•**Information Item 10:** Amend the contract for Nolan, Norton and Company in the amount of \$50,000; and

•**Information Item 11:** Proceed to implement the Park Authority/Recreation Department Reorganization Study as outlined in the Memorandum to the Board as another strategic initiative.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board refer these items to the County Executive for his review and recommendation.

Supervisor Dix asked that the request be amended to include that the Board direct the County Executive, following his review, to return these items to the Board for discussion prior to the appropriation of funds, and this was accepted.

Without objection, the amended request was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

PMH:pmh

32.SUPERVISOR MCCONNELL TO LEAVE THE MEETING EARLY

(Tape 4)

Chairman Davis stated that it would be necessary for Supervisor McConnell to leave the meeting shortly. Therefore, he relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that Supervisor McConnell be allowed to present her Board Matters out of order. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

33.NEED FOR RADAR GUNS (Tape 4)

Supervisor McConnell stated that last week at a South Run Forest Homeowners Association meeting concern was expressed about the speed of vehicles on the Parkway. She said that she mentioned the need for radar surveillance to the Police Department and was informed that only one radar gun was working at the police station in this area. She said that this station was issued five radar guns initially and three are in for repair and one had been loaned to Mason District. She also said that the average age of the radar guns are six to seven years old with the newest ones being five years old.

Supervisor McConnell said that during the last few years this item has been taken out of the police budget as a cost savings item. Recently the County received a grant from the Virginia Department of Transportation (VDOT) to purchase six new radar guns. This will help to restore the old ones which are no longer serviceable.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to investigate additional grants and if none are available then the Board could consider purchasing additional radar guns for next year. Without objection, it was so ordered.

34. APPRECIATION EXPRESSED TO INDIVIDUALS ASSISTING

WITH CENTREVILLE BICENTENNIAL CELEBRATION (Tape 4)

Supervisor McConnell expressed her appreciation to all those in Springfield District who participated in the Celebration as well as the Fairfax County Park Authority and Centreville High School.

Supervisor Frey briefed Board Members on Centreville's successful bicentennial celebration last weekend and asked unanimous consent that the Board recognize and express its appreciation to the following individuals for their assistance with the celebration:

•Fairfax County Police Department - Fair Oaks Station

Captain Art Mabry;

Lieutenant Dave Lubas; and

staff;

•Braddock Park

Lowell Pirnie; and

staff;

•Centreville High School

Bill Trussell, Jr.;

Charlie Martin; and

Sterry McGee;

•Fairfax County Health Department

Mark Mordue;

•Fairfax County Department of Recreation and Community Services (Showmobile)

John Allen;

•Faxfair Corporation

Linda Bestimt;

•Fairfax County Park Authority

Jim Peacock; and

Laura Hargis;

•Fairfax County Department of Environmental Management

Melinda Artman; and

Dave Anglin; and

•Fairfax County Schools

Gary Crawford; and

Bill Daymude.

Without objection, it was so ordered.

(NOTE: Later in the meeting, there was an additional announcement regarding this matter. See Clerk's Summary Item CL#58.)

35.USE OF RECREATION FACILITIES LOCATED IN THE GOVERNMENT CENTER (Tape 4)

Chairman Davis stated that the Adult Softball Council has a couple of employees whom the County houses and he relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that these employees be allowed to use the recreation facilities located on the first floor of the Government Center. Without objection, it was so ordered.

36.SCHEDULING OF BOARD RETREAT (Tape 4)

Supervisor Davis stated that he is trying to schedule a date for the Board Retreat whereby Board Members can meet with the County Executive and review the Board's priorities.

Following discussion, Supervisor Davis moved that the Board empower Theodore Austell, III, Executive Assistant to the County Executive, to schedule a date for the Retreat as expeditiously as possible. This motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

37.PROPOSED EXPANSION OF THE SCHOOL BOARD (Tape 5)

(BACs)

Supervisor Davis stated that earlier this year the County sought legislation at the 1992 General Assembly Session to prevent the expansion of several Boards, Authorities, and Commissions (BACs). He said that one of the changes requested permission to have the School Board with as many as 12 members and at present time the maximum size of the School Board is fixed at 11 members. He said that with the changing demographics in the school system, the addition of two At-Large members would enable the Board to give more representation to the minority community particularly the Asian-Hispanic community which has no representatives on the School Board at this time.

Therefore, as part of the legislative agenda, Supervisor Davis moved that the Board request two At-Large seats. This motion was seconded by Vice-Chairman McConnell.

Following discussion, Supervisor Davis amended the motion to hold a public hearing on the "whole" legislative report, prior to the approval of the legislative package.

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

**38.PROPOSAL TO DEVELOP A PROGRAM TO ENCOURAGE MAJOR
ATHLETIC FIELD USER GROUPS TO PARTICIPATE IN FIELD
MAINTENANCE (Tape 5)**

(BACs)

Supervisor Davis stated that there are outstanding recreational opportunities provided by the many sports organizations in Fairfax County. Because of the popularity of sports in the County, the athletic fields are heavily used.

Supervisor Davis said at this time of budget constraints it is essential to work to maximize the use of the fields and ensure their upkeep. He added that the County can help and encourage users to assist in the management and care of the athletic fields, depending on the resources and abilities of the various user groups.

Therefore, Supervisor Davis asked unanimous consent that the Public Schools Fee Policy Task Force work with the Athletic Council, in cooperation with the Fairfax County Park Authority, to examine the possibility of developing a partnership program which would encourage major field user groups to participate in field maintenance.

Without objection, it was so ordered.

**39.CONGRATULATIONS TO THE HERITAGE RESOURCES BRANCH,
OFFICE OF COMPREHENSIVE PLANNING (OCP) (Tape 5)**

Supervisor Davis stated that the County's Heritage Resource Branch in the Office of Comprehensive Planning (OCP) is going to be recognized for its excellence at a ceremony to be held in Richmond on September 30, 1992. He congratulated the staff, the volunteers associated with the Program, the History Commission, the Architectural Review Board on this most worthy recognition of the excellence of the County's Heritage Resources Program.

Supervisor Davis said that the County could send two additional individuals to the ceremony and he moved that the Board:

- Send Reverend Clinton Austin, Chairman, History Commission, and Bruce Korenski, Senior Heritage Resource Planner, OCP;
- Designate Supervisor Hyland to accept the award on behalf of the County at the Ceremony; and
- Recognize the staff at a meeting of the Board subsequent to September 30, 1992 to present the award to those responsible for the program.

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

40.ASSISTANCE FOR EDUCATION SUMMIT AND APPOINTMENT OF SUPERVISOR HYLAND AND CHAIRMAN DAVIS TO SUMMIT'S STEERING COMMITTEE (Tape 5)

Supervisor Davis called to the Board's attention the Board's expression of support for the "Education Summit" which is meant for School Board members, Supervisors, General Assembly members, business people, educators and others to discuss pressing education issues in Fairfax County.

He stated that the summit is scheduled for Saturday, November 14, 1992 at the Government Center, and he encouraged all Board members and interested citizens to attend.

Supervisor Davis further noted that School Board staff is making most of the arrangements for the summit, as well as providing staff time and resources. Given the significance of this meeting, Supervisor Davis expressed his belief that it is appropriate for the Board of Supervisors to provide assistance and he moved that the Board:

- Direct the County Executive to make every effort to facilitate the Education Summit, including providing custodial service and other logistical support; and
- Designate the Chairman and Supervisor Hyland to serve on the Board.

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

41.U.S. GENERAL SERVICES ADMINISTRATION (GSA)**CONFERENCE REGARDING PROCUREMENT OF OFFICE****SPACE (Tape 5)**

Supervisor Davis announced that as a result of numerous discussions his office has had with the U.S. General Services Administration (GSA), he will be hosting, with the cooperation of several businesses in Fairfax County, a special conference at the Government Center on Wednesday, October 21, 1992. He invited all Board Members to attend.

Supervisor Davis stated that as the world's largest customer, the Federal Government procures a large amount of commercial office space each year and GSA acts as the real estate agent. He announced that the Administrator of GSA has offered to meet with the Fairfax County business community to discuss the Federal Government's office space needs. Also, specialists from GSA National Capital Region will be available at the conference to discuss GSA procurement and respond to questions regarding the marketing of office space to the Federal Government.

Supervisor Davis added that Congressman Frank Wolf has strongly supported and assisted with the contacts with GSA and will also attend the conference. Also, six business organizations and the Fairfax County Economic Development Authority are cosponsoring the conference.

Supervisor Davis announced that the two-hour conference will begin at 10:00 a.m. and is open to the public free of charge.

42.PRIVATIZATION ISSUES - GOLF COURSE OPERATIONS**CONSULTANT (Tape 5)**

Supervisor Davis said that privatization in many instances is an innovative method of improving services at a lower cost. He said that he has been approached by a firm willing to provide a pro bono feasibility study of privatizing the operation of the County's golf courses.

Supervisor Davis stated that he has discussed this type of unsolicited study with the Purchasing Agent and the County Attorney's office. He said that the review must utilize existing public documents and the use of proprietary information is not allowed. Information or data not normally available cannot be prepared or generated. He added that if the County and Park Authority decide to privatize the golf courses in

the future the firm conducting the study will not be barred from competing for the contract with other firms providing that the County makes this study readily available to the public and follows standard procurement procedures.

Therefore, Supervisor Davis moved that the Board:

- Encourage the Park Authority to take advantage of this offer from the American Golf Corporation; and
- Direct the County Executive to cooperate in any way that is necessary.

This motion was seconded by Supervisor Berger.

Following discussion, Supervisor Dix amended the motion to request a report from the Park Authority as to its disposition regarding this item, and this was accepted.

Following input from Robert L. Howell, Acting County Attorney, and further discussion among Board Members, Supervisor Dix stated for the record that he has met with representatives from this company to hear about what they do as he has with several others. He said that he has forwarded this information to the Chairman of the Park Authority for its review and consideration.

The question was called on the motion which **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Hanley, and Supervisor Hyland voting "NAY."

43.REQUEST FOR PROPOSAL (RFP) FOR TRAINING FOR SENIOR EXECUTIVES AND MANAGERS (Tape 5)

Supervisor Davis stated that the County has a Request-for-Proposal (RFP) requesting bids from vendors to provide sensitivity training to the County's 100 senior executives and managers. He noted that this RFP is not a budget item approved by the Board, but rather a decision made by senior staff to approve this training and money has apparently been reallocated from another fund.

Supervisor Davis said that the RFP was a result of the County's budget decisions made earlier in the year which implemented program and personnel reductions. However, the RFP, as written, implies that the downsizing effort has caused extreme anxiety among the County's top executives and suggests that they do not have the experience or capability to function in less than a rosy environment.

Supervisor Davis noted that the RFP is for \$40,000 for sessions in which senior County executives would engage in, among other things, drills, exercises, games, mind-mapping, role playing, video-taping and feedback. He stated that it is his belief that this proposal is frivolous and a waste of time and the taxpayers' money.

Supervisor Davis called to the Board's attention the projected multi-million dollar deficit the County will face in the coming year and that it cannot afford frivolous expenditures. Although tough decisions have been made, it is his belief that the County is not in a crisis operating environment. Further, now that the County has a new County Executive, Supervisor Davis suggests that the County Executive be given time to assess the current management environment and recommend specific training to the Board, if necessary.

Therefore, Supervisor Davis moved that:

- RFP #30030914 be cancelled immediately;
- The \$40,000 identified for the RFP be transferred to the reserve; and
- No funds from any other account be identified or used for this purpose.

This motion was seconded by Supervisor Berger.

Supervisor Dix asked that the motion be amended to direct staff to report at a later date on how this evolved to this situation, and this was accepted.

Following discussion, Supervisor Hyland asked unanimous consent that, before action is taken on this issue, he be granted additional time to review the RFP. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken by the Board on this matter. See Clerk's Summary Item CL#46.)

44.BALTIMORE AND WASHINGTON METROPOLITAN STATISTICAL AREAS TO BE MERGED (Tape 5)

Supervisor Davis called to the Board's attention that based upon the 1990 census data, the U.S. Office of Management and Budget (OMB) is prepared to merge the Baltimore and Washington Metropolitan Statistical Areas (MSA). He noted that information from MSAs is widely used by business and government to compare various areas and can be an important marketing tool for Fairfax County.

Supervisor Davis stated that in connection with the merger of the two areas, the Congressional delegation has been requested to suggest names for the new combination, within the guidelines established by OMB. Baltimore-Washington-Hagerstown and Baltimore-Washington-Fredericksburg have been suggested as possible names. Supervisor Davis stated that it is his belief that given the fact that Fairfax County is the most populous jurisdiction in the statistical area and it plays a significant role in the regional economy, it would be appropriate and necessary for Fairfax County to be included in the new designation.

Accordingly, Supervisor Davis moved that on behalf of the Board, he be authorized to communicate this name suggestion to the Congressional delegation. This motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

Supervisor Dix asked unanimous consent that the Board direct staff to provide additional information regarding compliance with the Clean Air Act if Fairfax County is included with Baltimore in the metropolitan statistical area. Without objection, it was so ordered.

Supervisor Davis asked unanimous consent that the Board direct staff to determine if there is a way to "undo" this action. Without objection, it was so ordered.

45.LAST WEEK FOR MARK GROSSMAN OF THE FAIRFAX

JOURNAL NEWSPAPER (Tape 5)

Supervisor McConnell announced that this is the last week that Mark Grossman of the Fairfax Journal Newspaper will be on staff. She wished him well.

46.CONTINUATION OF THE REQUEST FOR PROPOSAL (RFP)

FOR TRAINING FOR SENIOR EXECUTIVES AND MANAGERS

(Tape 5)

(NOTE: Earlier in the meeting, this item was discussed and action deferred. See Clerk's Summary Item CL#43.)

For clarification purposes, Supervisor Davis' previous motion was restated that:

- RFP #30030914 be cancelled immediately;
- The \$40,000 identified for the RFP be transferred to the reserve;

- No funds from any other account be identified or used for this purpose; and
- That the Board direct staff to report at a later date on how this evolved into this situation.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

AR:ar

47.STATUS OF COMMUTER RAIL STOP IN LORTON

(Tape 6)

Supervisor Hyland asked unanimous consent that the Board direct the Acting County Attorney to brief the Board during today's Executive Session regarding the status of the Commuter Rail stop in Lorton, which is the subject of legal proceedings in the bankruptcy court. Without objection, it was so ordered.

48.OPERATIONS AT FAIRFAX COUNTY ADULT DETENTION

CENTER(Tape 6)

Supervisor Hyland stated that he had recently received a copy of a letter from "Stephen" concerning the practices and costs of our penal system -- in both dollars and human terms. In his letter, Stephen highlights the flaws in a corrections system which spends \$32,000 per inmate per year that fails to adequately deal with the cause of a chronic problem -- substance abuse treatment for addicts in Fairfax County's jail.

Supervisor Hyland read the first paragraph of Stephen's letter:

- "On February 19, 1992, I began serving time in the Fairfax County Adult Detention Center (FCADC) on a conviction of petty larceny. The charge stemmed from an attempt to steal merchandise from a store in the County. At the time, I was actively addicted to cocaine."

Supervisor Hyland noted that Stephen's letter states that despite repeated efforts to gain acceptance into a substance abuse program, it was only during the last week of his incarceration that he was permitted to attend two hours of drug abuse education and treatment. In short, it seems that the attitude of the criminal justice system and

society toward criminal offenders is to detain them in grossly overcrowded facilities and not address the cause of their jail term.

Supervisor Hyland continued that the letter was extremely well-written and cites quotations from a number of published articles concerning the detention of prisoners without consideration being given to the reasons for the crimes committed which often times relate to substance abuse. Stephen also relates his personal experience during his incarceration period of what seems to be an unprovoked attack on him because of his request for "Inmate Request Forms."

Supervisor Hyland added that although Stephen has sent his letter to a number of people under his full name and address, he will honor his right to anonymity unless Stephen personally requests otherwise.

Supervisor Hyland reiterated his concern about the quantity and complexity of the issues addressed in Stephen's correspondence and accordingly, he moved that the Board direct staff to review these issues and report with recommendations. This motion was seconded by Supervisor Bulova and carried by a vote of five, Supervisor Alexander, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell being out of the room.

49.OUT-OF-TURN HEARING BEFORE BOARD OF ZONING

APPEALS (BZA) AND SIMULTANEOUS PROCESSING FOR

SITE PLAN AND SPECIAL PERMIT FOR MOUNT VERNON-

ON-THE-POTOMAC CITIZENS ASSOCIATION'S TENNIS

COURT CONSTRUCTION (Tape 6)

Supervisor Hyland stated that he has been contacted by the Mount Vernon-on-the-Potomac Citizens Association requesting assistance with a plan to construct tennis courts on their commonly-owned property. He noted that the Association's effort began last spring by presenting their plan to all homeowners in the subdivision. After receiving overwhelming support for the project, the Association's representative was informed by the County that they would require a rough grading permit because there were over 5,000 square feet involved. Supervisor Hyland further stated that the Association subsequently learned that despite the fact that their project appeared to be relatively simple (the addition of two tennis courts), it was determined that they will require a Special Permit and need to comply with additional conditions imposed by the Board of Zoning Appeals (BZA).

Since the Mount Vernon-on-the-Potomac Citizens Association is attempting to complete construction prior to winter, they are requesting to be scheduled by the BZA within the next 45 days, and accordingly, Supervisor Hyland moved that staff schedule an out-of-turn hearing before the BZA and simultaneously process the site plan and the special permit. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

50.EMERGENCY DISASTER PREPAREDNESS PLAN FOR HISTORIC

SITES (Tape 6)

Supervisor Hyland stated that as a consequence of the historic Mount Air fire last spring, on June 8, 1992, the Board directed the Heritage Resources Branch, Office of Comprehensive Planning (OCP); the Police Department; the Fire and Rescue Department; and the Department of Environmental Management (DEM) to develop an emergency disaster preparedness plan to protect historic sites located in Fairfax County.

Accordingly, Supervisor Hyland moved that the Board direct staff to finalize its plans and report at the October 26, 1992 Board Meeting with a presentation. This motion was seconded by Supervisor Alexander and carried by a vote of five, Supervisor Berger, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

51.COMMENDATION FOR LORTON COMMUNITY ACTION CENTER, GUNSTON PLAZA, AND GDC TRUCKING IN ASSISTING

HURRICANE VICTIMS (Tape 6)

Supervisor Hyland stated that Fairfax County is very fortunate to have had so many people and organizations respond to help the victims of Hurricane Andrew. Without their involvement and commitment, there would have been many more victims of this catastrophe than there were.

Supervisor Hyland recognized the Lorton Community Action Center (LCAC) because they provided an opportunity for a need that reached the hearts of hundreds of concerned Lorton area residents. People who dropped off donations of everything from dog food to tents to flashlights to checks kept saying that it was a wonderful experience for them to be able to drop off items in the local community. Some who intended to only stop by with a check or material goods saw what was going on at the

Gunston Plaza drop off store front, pitched in and stayed to help prepare the items for shipment. The spirit of the people was truly uplifting and pulled the community together for a common good. It was a wonderful feeling to see so many people involved to help their fellow people in Florida.

Supervisor Hyland stated that this event would not have been successful without the involvement of two key Lorton businesses -- Gunston Plaza's owners, Robert and Marilyn DeLuca, and property manager, Sam Skinner, and GDC Trucking, who shipped the materials. The assistance of these businesses enabled LCAC, a local organization helping those in need, to raise thousands of dollars and ship the vitally needed materials.

Accordingly, Supervisor Hyland moved that the Board direct staff to transmit letters of commendation under the Board's signature to LCAC, Gunston Plaza and GDC Trucking. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

52. CHESAPEAKE BAY PROGRAMS - "THE BAY STARTS HERE"

AND "YOUR RIVER STARTS HERE" (Tape 6)

Supervisor Hyland stated that the Chesapeake Bay program has launched its first watershed-wide citizen action campaign - "The Bay Starts Here" and "Your River Starts Here." He continued that the programs are designed to promote stewardship among the citizens of the Bay watershed. Information distributed through this vehicle encourages people to participate in the restoration by learning what actions we can take at our residency, work and school. The Bay program intends to distribute 40,000 kits which will contain a water faucet aerator to conserve water; a lawn ruler to assist residents cut their grass to proper depth to minimize absorption; and stickers to place around the house with a reminder for water conservation. The start-up kits also contain an action guide with suggestions on ways to further reduce pollution and protect the environment.

Supervisor Hyland stated that in order to receive a starter kit, one can call 804-786-4500 or the Chesapeake Bay program office at 1-800-523-2281.

Supervisor Hyland moved that the Board:

- Direct the Public Information Office to issue a press release on this program; and
- Request the Water Authority to distribute this information with each water bill.

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

53.BOUNDARY ADJUSTMENT (Tape 6)

(R)Supervisor Dix stated that as a result of the boundary adjustment between Fairfax County and the Town of Herndon, property located south of the Dulles Airport Access Road/Toll Road and west of the Fairfax County Parkway came into the County. Under the Zoning Ordinance, when land comes into the County in this manner, it is placed in the R-C District. The property is located in the Reston-Herndon Suburban Center. He said that the zoning on the property to the south is I-4.

Supervisor Dix moved adoption of the following Resolution:

"WHEREAS, this property is planned for office use up to 0.5 FAR, and

WHEREAS, the R-C zoning designation, which permits residential use at a density of one dwelling unit per five acres at this location, needs consideration by the Board; and

WHEREAS, the public necessity, convenience, general welfare and good zoning practice require consideration of this rezoning;

THEREFORE, Supervisor Dix moved that the Board of Supervisors initiate a Board's Own Motion rezoning to rezone Tax Map Parcels 16-4((2))29 and the R-C zoned portion of the adjacent parcel to the I-4 District and that this action be scheduled for public hearing as expeditiously as possible."

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

54.MATTERS PENDING BEFORE THE FAIRFAX COUNTY

WATER AUTHORITY (Tape 6)

Supervisor Dix noted his concern about two matters which are pending before the Fairfax County Water Authority and how they reconcile with the interests of the citizens of Fairfax County.

First, Supervisor Dix stated that it is his understanding that the Water Authority is considering an increase of up to 25 percent in water rates, and he expressed his concern about how such a dramatic increase can be justified. Secondly, Supervisor

Dix stated that it is his understanding that the Authority is considering the purchase of a new headquarters building, and he questioned the justification of such a purchase, especially when the proposed space may far exceed that of the Authority's current facility or its future needs.

Supervisor Dix stated that, while he recognizes that the Water Authority has certain independent statutory authority, it is the Board of Supervisors that is ultimately responsible to the citizens of Fairfax County for the actions of County government. He further stated that, in his view, the Board of Supervisors has good reason to be concerned about the necessity and magnitude of the proposed rate increase and building purchase.

Therefore, in order that the Board and the General public can be fully informed of significant fiscal matters pending before the Fairfax County Water Authority, Supervisor Dix moved that the Board of Supervisors direct the County Executive to convey and schedule the Board's request for a presentation by the Chairman of the Fairfax County Water Authority, at the **October 5, 1992** Board Meeting, to discuss the following:

- The reasons the Water Authority is proposing to increase water rates and, in particular, the necessity for an increase of the magnitude being proposed; and
- The reasons the Water Authority is proposing to purchase a new headquarters building, the necessity of the amount of space being proposed, and the proposed cost and financing of this purchase.

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

CM:cm

**55.WAIVER OF MINIMUM REQUIREMENTS AND EXPEDITIOUS
PROCESSING FOR BROADMOOR STREET, HAYFIELD FARMS,
RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)**

(Tape 7)

Supervisor Alexander called to the Board's attention his Board Matter of September 14, 1992 regarding the waiver of fees for parking permits on Broadmoor Street across from Hayfield High School. He noted that he was informed that staff conducted an

informal site survey of the area and that the petition cannot be processed because the area involved (Broadmoor Street from Telegraph Road to Welch Court) does not have the required 100 on-street legal parking spaces. Accordingly, he moved that the Board direct staff to waive the 100 on-street parking space requirement and process the petition for this application expeditiously in order to establish this Residential Permit Parking District (RPPD). This motion was seconded by Supervisor Hanley and carried by unanimous vote.

Additionally, Supervisor Alexander noted that the required \$100.00 fee per address was waived by the Board at its September 14, 1992 meeting.

56.USE OF GOVERNMENT CENTER LOT FOR

COMMUTER LOT/COMMUTER PARKING (Tape 7)

Supervisor Alexander stated that the High Occupancy Vehicle (HOV) lanes presently under construction between Route 50 and the Capital Beltway are expected to be available for traffic towards the end of the year. In order to ensure that this investment is used to the maximum, it is essential that everything is done to encourage carpool formation and use of express buses that will be using these lanes.

Supervisor Alexander said that there are several hundred surface parking spaces that remain vacant at the Government Center adjacent to the Government Center Parkway. Supervisor Alexander moved that the Board direct the Office of Transportation to report with a plan to use approximately 150 to 200 of these spaces for commuter parking and possibly consolidating existing bus service so that express bus service operates between this parking lot and the Vienna Metrorail Station. He said that in view of the increasing bus operating costs, doing so will result in reducing costs and providing more direct service to County residents. This motion was seconded by Supervisor Hanley.

Supervisor Hanley asked that the motion be amended to include the possibility of using the lot for other than a commuter parking lot as well as a bus location and this was accepted.

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

57.ANNOUNCEMENT OF GROUNDBREAKING

CEREMONY FOR FRANCONIA-SPRINGFIELD

STATION (Tape 7)

Supervisor Alexander announced that the groundbreaking ceremony for the Franconia-Springfield Station will be held on **Saturday, November 21, 1992** between 10:00 a.m. and 11:00 a.m.

58. COPIES OF THE CENTREVILLE BICENTENNIAL

PROGRAM AVAILABLE FOR PURCHASE (Tape 7)

(NOTE: Earlier in the meeting, there was further discussion regarding this item. See Clerk's Summary Item CL#34.)

Supervisor Frey announced that the commemorative programs for the Centreville Bicentennial celebration can still be purchased by the public for \$3 at the Sully District Office and several other locations.

59. AUTHORIZATION FOR THE INDUSTRIAL

DEVELOPMENT AUTHORITY TO EXECUTE

PROFFERS AND CONDITIONS RELATED TO

PROFFERED CONDITION AMENDMENT

APPLICATION PCA 85-C-091-3 (Tape 7)

Supervisor Frey informed the Board that the INOVA Hospital Board is pursuing a proffered condition amendment at the Fair Oaks Hospital and that the Industrial Development Authority is required to execute all proffers.

Therefore, Supervisor Frey moved that the Board request the Industrial Development Authority to execute all proffers and conditions which have been agreed to or hereafter agreed to by the County and INOVA Hospitals related to Proffered Condition Amendment Application PCA 85-C-091-3 filed concurrently with Special Exception Amendment Application SEA 92-Y-024, relating to the Fair Oaks Hospital site.

Chairman Davis noted, for the record, that his wife is a practicing gynecologist at Fairfax Hospital and he would abstain from voting on this issue.

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

60. ESTABLISHING PROCEDURE FOR MOVING THE STUART HOUSE AND OTHER STRUCTURES

(Tape 7)

Supervisor Frey stated that at the Board of Supervisors' meeting on September 14, 1992, action was taken to authorize staff to proceed with the necessary arrangements to advertise the sale of a County-owned structure referred to as the Stuart House. Assuming that the property sale is successful, he stated that there will be the need to have a clear procedure established for relocation of the structure. Even though the purchaser will be responsible for moving the structure, coordination with the County and State will be critical. A step-by-step procedure should be established, including agency contacts with phone numbers, and these contacts should know what the procedures are.

Therefore, Supervisor Frey moved that the Board direct staff to establish a clear procedure for moving the Stuart House, which could also serve as a procedure for moving other structures, so staff will be prepared to work with the successful bidder to culminate the relocation as expeditiously as possible. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

61. VIRGINIA RUN TRAIL ON COUNTY-OWNED PROPERTY (Tape 7)

Supervisor Frey informed the Board of a section of trail in Virginia Run, Weltman Estates, Section 4, between Lots 16 and 17. He stated that the trail is on County-owned property. The trail was originally designed to lead to Park Authority property but now the Park Authority will not be receiving this land and it now belongs to Fairfax County. A trail is no longer needed because the land will not be developed for recreational activities and is not a part of the Countywide Trails Plan.

The difficulty in resolving this issue comes because of litigation involving the homeowners association and the developer over other bonded issues. Neither side has been able to make a move that could amend this situation.

Supervisor Frey moved that the Board direct staff to determine if the Board can initiate removal of the trail, since it is on County-owned property, from the Site Plans. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being out of the room.

VLt:vlt

62. THIRTEENTH ANNUAL MASON DISTRICT PARK

DAY (Tape 8)

Supervisor Trapnell invited all Board Members and interested individuals to the Thirteenth Annual Mason District Park Day to be held on Saturday, September 26, 1992 from 10:00 a.m. until 4:00 p.m. She stated that all proceeds from the event will go to the Friends of Mason District Park to benefit the park and performances at the amphitheater.

63. REQUEST THAT CLEAN FAIRFAX COUNTY, INCORPORATED

BE PERMITTED TO USE COUNTY'S MAIL SERVICE

(Tape 8)

(NOTE: Earlier in the meeting during "Presentations," the Board expressed its appreciation to members of Clean Fairfax County, Incorporated, for its environmental protection programs. See Clerk's Summary Item CL#4.)

Supervisor Bulova stated that Clean Fairfax County, Incorporated promotes and assists with neighborhood and community clean-ups, makes presentations to elementary school students, and supports Fairfax County ecology clubs. Their work augments and leverages State and County waste management efforts. Presently, Clean Fairfax County, Incorporated is suffering from severe budget cutbacks. While the County does not directly contribute to its budget, the County allows Clean Fairfax County, Incorporated office space in the Department of Public Works (DPW), Division of Solid Waste. Faced with serious budgetary problems, Clean Fairfax County, Incorporated is trying to find ways to keep afloat until their revenue stream from the Litter Tax Appropriation improves (it has been reduced by 45 percent over the past two years).

Because Clean Fairfax County, Incorporated's mail consists largely of County pamphlets and informational material that are requested by citizens, Supervisor Bulova moved that the Board direct staff to review and consider the request that Clean Fairfax County, Incorporated be permitted to use the County's mail service for in-kind (postage and office supply) support and report with recommendations. She stated that Clean Fairfax County, Incorporated's budget for postage last year was only \$500. This motion was seconded by Chairman Davis.

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

64.RECOGNITION OF ROYAL LAKE PARK CITIZEN

VOLUNTEERS AND COUNTY EMPLOYEES (Tape 8)

Supervisor Bulova expressed her appreciation to the hardworking and dedicated volunteers and County staff that spent many hours over the past several years, over countless weekends, creating a usable two-mile trail around Lake Royal in Fairfax. She stated that John McAnaw, Representative, Kings Park West Civic Association, had been the organizer and coordinator of the project. In this day of diminished County resources, she announced that this is an excellent example of how the County can leverage the efforts and materials of public employees and the private sector.

Accordingly, Supervisor Bulova moved that the Board direct staff to prepare, for presentation before the Board at its meeting scheduled for **October 26, 1992**, the appropriate Certificates of Appreciation to recognize the outstanding volunteers from the communities of Kings Park West, Glen Cove, Lake Point, Village Park, and other neighborhoods and individuals who were involved, as well as those employees from the Park Authority. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

65.REQUEST THAT MOSCOW INTERNS BE PERMITTED TO

ENROLL IN COUNTY'S FAIRCHOICE HEALTH INSURANCE

PLAN (Tape 8)

Supervisor Bulova announced that Fairfax County government, along with the Fairfax Bar Association, the Northern Virginia Community College (NVCC), and the Virginia Department of Economic Development, are participating in an exchange internship program with the City of Moscow. The program is a part of a larger project called "Fairfax Corner and Moscow" and is designed to give Russian interns an opportunity to visit and work in the County. Up to 15 interns will be placed in both County government and private industry throughout a two month period. Throughout the internship program, interns will reside with American families who will be responsible for meals and lodging.

Because the interns will be working for Fairfax County, in conjunction with their private experience, and applying what they have learned in private industry to how

services are provided in Fairfax County government, and because current policy does not allow health insurance coverage for non-paid employees (the interns are classified as "volunteer interns"), Supervisor Bulova moved that the Board allow the Moscow interns to enroll in the FAIRCHOICE Health Insurance Plan for the two month internship period. She stated that, because the County is self-insured, there will be no fiscal impact unless the interns receive medical benefits and then there will be a negligible fiscal impact.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked that the motion be amended to ask unanimous consent that the Board refer the request to enroll the Moscow interns in the FAIRCHOICE Health Insurance Plan for the two month internship period to staff for its review and to report with recommendations, in the form of a Consideration Item, at the meeting scheduled for **October 5, 1992**, and this was accepted.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

Without objection, the amended request was so ordered.

66. TESTIMONY REGARDING RECYCLING ISSUES

(Tape 8)

Supervisor Hanley, Chairman, Board's Legislative Subcommittee, distributed to Board Members copies of draft testimony concerning recycling issues that the Board had previously requested the Subcommittee to review. She moved that the Board forward testimony, along with the attached letter, under the Chairman's signature, to Delegate Kenneth R. Plum (D). This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

67. RESPONSE TO SURVEY FROM THE VIRGINIA

RECYCLING ASSOCIATION (Tape 8)

Supervisor Hanley stated that Board Members had received a survey from the Virginia Recycling Association requesting that responses be returned no later than September 25, 1992. She asked unanimous consent that the Board direct staff, on behalf of the County, to respond to the survey. Without objection, it was so ordered.

68. NORTHERN VIRGINIA MEETING SCHEDULED TO

DISCUSS THE SAFETY NEEDS OF VIRGINIA

CITIZENS (Tape 8)

Supervisor Hanley stated that Board Members had received a letter from the Honorable O. Randolph Rollins, Secretary of Public Safety, Commonwealth of Virginia, and the Superintendent of State Police, announcing a meeting that will be held in Northern Virginia on September 24, 1992 to discuss the safety needs of Virginia citizens. She asked unanimous consent that the Board direct staff, on behalf of the County, to communicate any necessary issues. Without objection, it was so ordered.

69.RESPONSE REQUESTED ON THE DISTRICT OF**COLUMBIA'S PROPOSAL TO DEFER SUBSIDY****PAYMENTS TO METRO (Tape 8)**

Supervisor Hanley stated that a discussion paper on the impact of the District of Columbia's proposal to defer subsidy payments to Metro had been distributed at the last Metro Committee meeting. She stated that Metro has requested that any comments concerning this proposal be transmitted at the next Metro Committee meeting scheduled for September 24, 1992. She asked unanimous consent that the Board refer the proposal to William Leidinger, County Executive, and James P. McDonald, Deputy County Executive for Management and Budget, for their review and comments.

Supervisor Alexander asked that the request be amended to include that the Board direct staff to discuss and provide a written response to Supervisor Hanley and himself since they will be attending the Metro Committee meeting on September 24, 1992, and this was accepted.

Without objection, the amended request was so ordered.

70.PUBLIC HEARING ON THE COUNTY'S**LEGISLATIVE PROGRAM (Tape 8)**

(A)Supervisor Hanley moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **November 23, 1992**, to be scheduled no earlier than 5:00 p.m., to receive public comment on the County's legislative program. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

**71.STATUS REQUESTED ON WHETHER DEVELOPERS
REIMBURSE COUNTY FOR CONDEMNATION OF
PROPERTY NEEDED FOR PROFFERED ROADS**

(Tape 8)

Supervisor Hanley called the Board's attention to the fact that, in some cases, when a developer has proffered to construct a road, the County has agreed to condemn property on behalf of the developer and at the developer's expense.

Supervisor Hanley asked unanimous consent that the Board direct staff to:

- Report on the number of times that the County has had to condemn property on behalf of someone else, the amount of reimbursements that the County has received for these condemnations, and whether the County has always received those reimbursements; and
- Provide this information no later than the Board's next scheduled Transportation Subcommittee meeting.

Without objection, it was so ordered.

72.UPDATE REQUESTED ON BUS GARAGE (Tape 8)

Supervisor Hanley asked unanimous consent that the Board direct staff to provide at the Board's next scheduled Transportation Subcommittee meeting, an update on the bus garage. Without objection, it was so ordered.

73.GROUNDS MAINTENANCE ON COUNTY FACILITIES

(Tape 8)

Supervisor Hanley moved that the Board direct staff to review the invoices for grounds maintenance at County facilities, in particular, the Merrifield Fire Station, to determine what the County is paying for and what maintenance is actually being done. She further moved that the Board direct staff to investigate why companies, that have been contracted by the County to provide ground maintenance, are purchasing mulch while the County provides mulch to residents free of charge. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

**74.REQUEST ON WHETHER FAIRFAX COUNTY NEEDS
LEGISLATIVE AUTHORITY TO ENFORCE "POOPER
SCOOPER" LAW TO ENSURE THAT PET OWNERS
CLEAN UP AFTER THEIR PETS (Tape 8)**

Supervisor Hanley stated that over the past several months, she has received complaints from constituents regarding owners who permit their dogs to use other individuals' front yards and common areas for things other than walking. She moved that the Board refer this public nuisance complaint to staff to determine what authority the Board has to encourage pet owners to clean up after their pets and whether legislative authority is needed for Fairfax County to enforce a "Pooper Scooper" law. This motion was seconded by Supervisor Bulova.

Supervisor Bulova stated that the County presently has an "animal trespass" ordinance. She asked that the motion be amended to include that the Board direct staff, when reporting to the Board, to include the definition of this ordinance as well, and this was accepted.

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

**75.TOWN OF HERNDON'S ANNUAL HISPANIC
FESTIVAL (Tape 8)**

Supervisor Berger briefed Board Members on the success of the Annual Hispanic Festival held this past weekend in the Town of Herndon. He expressed his appreciation to Chairman Davis on his attendance.

**76.WAIVER OF FILING FEES REQUESTED FOR
VARIANCE APPLICATION FILED WITH THE
BOARD OF ZONING APPEALS (BZA) FOR
CONSTITUENT ON BUTTER CHURN DRIVE
(Tape 8)**

Supervisor Berger called to the Board's attention that one of his constituents, Mr. Edward Stacy, 1380 Butter Churn Drive in Herndon, was notified in March that he was in violation of two provisions of a County ordinance relating to definition of his side yard as a second front yard. The two violations were: 1) having a fence higher than four feet (his fence is six feet in height); and 2) having a shed that cannot be in its present location because sheds are not allowed in a "front yard."

Supervisor Berger briefed Board Members that the fence had been erected in 1984 in its present location and at its present height after approval by the Crestbrook Homes Association. The shed was similarly approved by the Association in early 1991. At this point, Mr. Stacy, acting in good faith, contacted the Office of Comprehensive Planning (OCP), Zoning Administration Division, and obtained the height, size, and set-back requirements for the shed. Not aware that he had "two" front yards, he did not ask and was not told of the corner lot code requirements. The shed was installed in the summer of 1991.

Mr. Stacy submitted his application for the variance last June and was advised the filing fee would be \$100 for the Board of Zoning Appeals (BZA) to hear the appeal for the fence; however, the consideration of the shed location would cost \$900. Supervisor Berger stated that the levy of a \$900 fee to have the matter heard before the BZA places undue hardship on Mr. Stacy, particularly since he is going to have additional expenses due to a survey which is required with the application.

Accordingly, Supervisor Berger moved that the Board waive the \$900 shed filing fee so that this matter may proceed for hearing before the BZA. This motion was seconded by Supervisor Trapnell.

Following discussion, Supervisor Bulova asked that the motion be amended to ask unanimous consent that the Board direct staff to:

- Investigate this matter and report later in the meeting with additional information regarding whether a building permit had been issued to construct the shed; and
- Investigate and report later in the meeting on whether similar situations have previously occurred.

This amendment was accepted.

Following discussion, with input from James Zook, Director, OCP, the amended request was so ordered.

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

77.OUT-OF-TURN PLAN AMENDMENT REQUESTED

FOR LOCKWOOD HOUSE (Tape 9)

On behalf of Supervisor Trapnell, Supervisor Berger moved that the Board authorize an Out-of-Turn Plan Amendment to the Comprehensive Plan for the Lockwood House, an elderly housing facility located in the Bailey's Planning District adjacent to Arlington County, in order to facilitate the provision of additional housing for low-income elderly and handicapped persons. The Plan Amendment should address allowing additional development on the site in a way that is compatible with the adjacent residential community and also address access and parking issues. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor McConnell being out of the room.

78.RESTON'S BLACK ARTS FESTIVAL (Tape 9)

Supervisor Dix briefed Board Members on the success of Reston's Black Arts Festival held this past weekend in Reston. He commended the Reston Black Focus organization for its outstanding work on this festival and expressed his appreciation to Chairman Davis on his attendance and participation.

79.RECESS/EXECUTIVE SESSION (Tape 9)

At 1:00 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 for discussion of:

- Fair Labor Standards Act; and
- Zoning Ordinance Amendment, December 11, 1989 cases.

This motion was seconded by Chairman Davis.

Supervisor Hyland asked that the motion be amended to include the discussion regarding the Lorton 86 bankruptcy issue, and this was accepted.

In response to a query by Chairman Davis, Robert L. Howell, Acting County Attorney, responded that any discussion on B-2 and B-3 would be included.

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

AR:ar

At 3:50 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor McConnell, and with Chairman Davis presiding.

80.ACTIONS FROM EXECUTIVE SESSION (Tape 10)

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 Berger and carried by a vote of nine, Supervisor McConnell being out of the room.

B.DENIAL OF CLAIM OF JOSEPH M. GRAF

Supervisor Berger moved that the Board deny the claim of Joseph M. Graf as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

C.CONVEYANCE OF PART OF LOT 217, PIMMIT

HILLS SUBDIVISION

Supervisor Berger moved that the Board accept conveyance of part of Lot 217, Pimmit Hills Subdivision, partly as payment of delinquent real estate taxes and partly as a gift, as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

JDC:jdc

81.3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN

AMENDMENT S92-IV-LP1 FOR THE AREA LOCATED

BETWEEN THE DISTRICT OF COLUMBIA (DC)

DEPARTMENT OF CORRECTIONS SITE AND I-95

(MOUNT VERNON DISTRICT) (Tape 11)

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 3 and September 10, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved that the Board waive the reading of the staff and Planning Commission recommendations. The motion, the second to which was inaudible, carried by a vote of six, Supervisor Frey, Supervisor Hanley, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Supervisor Hyland moved approval of Out-of-Turn Plan Amendment S92-IV-LP1, pertaining to Sub-units A3 and A4 in the Lorton-South Route 1 Community Planning Sector of the Lower Potomac Planning District in the Area IV Comprehensive Plan, as detailed in the staff report. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Frey, Supervisor Hanley, Supervisor McConnell, and Supervisor Trapnell being out of the room.

82.3:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE

OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND

FINANCE), ARTICLE 7 (BUSINESS, PROFESSIONAL AND

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

DEFINITIONS (Tapes 11-12)

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of September 3 and September 10, 1992.

Following the public hearing, which included testimony by nine speakers, Supervisor Dix disclosed membership in the following organizations:

- Board of Directors, Fairfax County Chamber of Commerce:
- VIVA Vienna, Incorporated;
- Vienna Jaycees;
- Rotary Club of Vienna; and
- 10th District Congressional Awards Council.

Supervisor Hanley disclosed membership in the following organizations:

- Board of Directors, Family Respite Center; and
- Board of Directors, Voluntary Action Council.

Supervisor Berger disclosed membership in the following organization:

- Board, Claude Moore Colonial Farm at Turkey Run.

Supervisor Frey disclosed membership in the following organizations:

- Board, YMCA: and
- Channel 56 Advisory Board.

Supervisor Dix moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 7 [Business, Professional and Occupational License Tax (BPOL)], 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 jointly seconded by Supervisor Berger and Supervisor Hyland.

Chairman Davis noted Supervisor McConnell's strong support for this amendment and stated her absence was due to the hospitalization of her husband.

Supervisor Alexander disclosed his wife's membership in the following organization:

- Executive Director, Lee/Mount Vernon Chamber of Commerce.

The question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room. **This amendment shall become effective on January 1, 1993.**

Supervisor Dix asked unanimous consent that the Board direct staff to examine the issue, described during the public hearing, of organizations which qualify for 501(c)(6) status but are presently designated as 501(c)(3) organizations and report with appropriate ordinance language addressing those firms. Without objection, it was so ordered.

Additional discussion ensued among Board Members, with input from Paul E. Smith, Supervisor of Assessments.

**83.3:30 P.M. - BOARD DECISION ON PROPOSED ADDENDUM
TO THE LEASE WITH THE SAUDI ISLAMIC ACADEMY FOR
THE FORMER WALT WHITMAN INTERMEDIATE SCHOOL
(MOUNT VERNON DISTRICT) (Tape 12)**

(NOTE: The public hearing was held on September 14, 1992 and Board decision was deferred until September 21, 1992.)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of August 27 and September 3, 1992.

Following discussion among Board Members, with input from Robert L. Howell, Acting County Attorney, Supervisor Hyland asked unanimous consent that the Board defer its decision until later in the meeting in order to provide additional information to the Chairman of the Building Re-Use Task Force. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#87.)

**84.3:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT
S92-CW-T2 FOR LAWYERS BOULEVARD EXTENDED
(CENTREVILLE AND SULLY DISTRICT) (Tape 12)**

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 3 and September 10, 1992.

Following the public hearing, Supervisor Dix moved approval of Out-of-Turn Plan Amendment S92-CW-T2 pertaining to Lawyers Boulevard Extended, between Centreville Road and West Ox Road, as contained in the Area III, Upper Potomac Planning District Plan. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor McConnell being out of the room.

85.3:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES

OF CONCERN (Tapes 12-13)

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 3 and September 10, 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:

Valley View Storm Drainage Project (Tape 12)

Following testimony of Helen H. Apperson (Speaker Number One), Supervisor Alexander moved that the Board:

- Direct staff to determine whether this storm drainage project can be expedited due to the safety hazards and environmental dangers; and
- Request an update from the State Water Control Board (SWCB) on actions they have taken to require clean-up from the gasoline stations in the area.

This motion was seconded by Supervisor Hyland.

Chairman Davis clarified that the motion does not require an appropriation but a request for staff to report on the project.

Following additional discussion among Board Members, Chairman Davis again clarified that the motion is to request staff to review priorities of projects.

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

Proposed Uses for Whittier School Site (Tape 13)

Following testimony of George McManmon (Speaker Number Two), Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to review the testimony of Mr. McManmon and respond to the issues proposed. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

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

86.APPLICATION OF FAIR LABOR STANDARDS ACT (FLSA)

TO LOCAL GOVERNMENTS REGARDING EXEMPT

EMPLOYEES (Tape 13)

Supervisor Trapnell stated that since the application of the provisions of the Fair Labor Standards Act (FLSA) to local governments on April 15, 1986 the policy of Fairfax County has been that all personnel regulations are to be interpreted so that the salary basis test is met for all employees treated as exempt from the overtime provision of FLSA.

Therefore, Supervisor Trapnell moved that the Board clarify that it has been the policy of Fairfax County since April 15, 1986 that any provision of the Personnel Regulations which would appear to render an otherwise exempt employee under FLSA to be non-exempt is not applicable to such employees. This motion was jointly seconded by Supervisor Alexander and Supervisor Hanley and carried by a vote of seven, Supervisor Berger, Supervisor Frey, and Supervisor McConnell being out of the room.

87.BOARD DECISION ON PROPOSED ADDENDUM TO THE LEASE

**WITH THE SAUDI ISLAMIC ACADEMY FOR THE FORMER
WALT WHITMAN INTERMEDIATE SCHOOL (MOUNT VERNON
DISTRICT) (Tape 13)**

(NOTE: Earlier in the meeting, there was a discussion regarding this item. See Clerk's Summary Item CL#83.)

(NOTE: The public hearing was held on September 14, 1992 and Board decision was deferred until September 21, 1992.)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of August 27 and September 3, 1992.

Supervisor Hyland moved that the Board authorize the County Executive to execute an addendum to the Walt Whitman Intermediate School lease in accordance with the general terms outlined in Attachment A (previously distributed to Board Members) with the following modification:

•Section II - the last sentence on Page 3 - strike the word "fee" in front of building and change it to "both buildings."

Mr. Cahill, representative of the applicant, stated that the modification clarifies that both the main school building as well as the home economics building will be air conditioned.

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

88.A-8 - BOND REFERENDUM INFORMATION PAMPHLET

(Tape 13)

(NOTE: Earlier in the meeting, there was discussion regarding this item and action was deferred until later in the day. See Clerk's Summary Item CL#19.)

Supervisor Alexander stated that the Table contained on Page One will be eliminated. He added that Supervisor Dix has suggested that information regarding the economic benefit to Fairfax County be included.

Chairman Davis suggested that information stating what the bonds will be used for should be included on Page One.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Frey referred to the proposed interchange at Lee Highway (Route 29) and the Fairfax County Parkway and expressed concern that a bridge would be built over Lee Highway (Route 29) leaving no access to the Fairfax County Parkway for Centreville area residents.

Following further discussion, with input from Jean VanDevanter White, Director, Office of Public Affairs, Supervisor Alexander moved that the Board concur in the recommendation of staff and approve the Bond Referendum Information Pamphlet with the following modifications:

- That with the chart on Page One, the question immediately above the chart be included;
- That Supervisor Berger's questions regarding interest rate issues be included in the financial section; and
- That Ms. VanDevanter White be allowed to make minor editorial changes.

The second to the motion was inaudible.

Supervisor Bulova asked that the motion be amended to switch the second page for the first page, and this was accepted.

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

89.WAIVER OF FILING FEES REQUESTED FOR VARIANCE

APPLICATION FILED WITH THE BOARD OF ZONING

APPEALS (BZA) FOR CONSTITUENT ON BUTTER

CHURN DRIVE (Tape 13)

(NOTE: Earlier in the meeting, there was discussion on this request for a fee waiver. See Clerk's Summary Item CL#76.)

Supervisor Berger called the Board's attention to the issue discussed earlier in the meeting in which he informed the Board of the situation of Mr. Edward Stacy, who was notified that he was in violation of two provisions of a County ordinance because of the height of his fence and location of his shed.

Supervisor Berger stated that he received a report from staff and was informed that the six-foot fence was in place when Mr. Stacy purchased the house. Also, Mr. Stacy attempted to obtain a building permit for the shed but due to its small size, he was informed by County staff a permit was not necessary. Supervisor Berger also noted that the correct fees are: \$110 for a Variance application for the fence and \$990 for a Variance application for the shed; however, when two fees are involved, only the higher of the two must be paid.

Following discussion among Board Members, Supervisor Berger moved that the Board waive the filing fees for the Variance applications for the fence and shed in order to allow this matter to proceed for hearing before the Board of Zoning Appeals (BZA). The second to this motion was inaudible and the motion **FAILED** by a recorded vote of seven, Supervisor Berger and Supervisor Dix voting "**AYE**," Supervisor McConnell being out of the room.

Supervisor Frey asked unanimous consent that the Board direct staff to report with a justification for the \$990 fee for a Variance application for a shed. Without objection, it was so ordered.

Chairman Davis noted that the County Executive has stated that he will report with information on this fee.

90.BOARD ADJOURNMENT (Tape 13)

At 5:55 p.m., the Board adjourned.