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

Supervisor Alexander arrived at 10:10 a.m.

Supervisor Trapnell was absent from the entire meeting.

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; Patti M. Hicks, Deputy Clerk to the Board of Supervisors; and Viki L. Tippet, Deputy Clerk to the Board of Supervisors.

2.PROCLAMATION DESIGNATING "RED RIBBON WEEK"

(Tape 1)

Supervisor Hyland moved approval of the presentation of the Proclamation, presented to Joanne Ricciardiello, President, and Joyce Tobias, Founder, PANDAA, designating the week of October 24 through November 1, 1992 as "**RED RIBBON WEEK**" in Fairfax County. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander not yet having arrived, Supervisor Trapnell being absent.

3.PROCLAMATION DESIGNATING "MENTAL ILLNESS AWARENESS

WEEK" (Tape 1)

Supervisor McConnell moved approval of the presentation of the Proclamation, presented to Edward Brazil, representing the National Alliance for the Mentally Ill, designating the week of October 4 through October 10, 1992 as "**MENTAL ILLNESS AWARENESS WEEK**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander not yet having arrived, Supervisor Trapnell being absent.

4.RECOGNITION OF FAIRFAX HERITAGE DAY (Tape 1)

Chairman Davis called the Board's attention to the celebration of Fairfax Heritage Day on Saturday, October 3, 1992 and expressed his appreciation to Linda Bestimt,

Director, and the entire staff of the Fairfax Corporation, including all the volunteers responsible for the success of this big event.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to explore the feasibility, particularly in the winter months, of scheduling weekend music concerts in the Forum area of the Government Center. Without objection, it was so ordered.

In addition, Supervisor Davis asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition for placement in the Personnel file of each County employee who assisted in Fairfax Heritage Day. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**5.I-11 - REDUCTION-IN-FORCE (RIF) IN THE DEPARTMENT
OF GENERAL SERVICES DUE TO DECREASED VEHICLE
MAINTENANCE AND PRINTING WORKLOAD (Tape 1)**

Chairman Davis called the Board's attention to Information Item 11 - Reduction-In-Force (RIF) in the Department of General Services Due To Decreased Vehicle Maintenance and Printing Workload.

Following a briefing by William J. Leidinger, County Executive, and extensive discussion by Board Members, it was the consensus of the Board to defer any action on this matter until after the Board's scheduled meeting with the Employee Advisory Council (EAC) at 1:00 p.m. today.

Supervisor Bulova suggested that future actions of this kind which involve County personnel should go through the Personnel Subcommittee prior to formal presentation to the Board.

Supervisor Frey asked unanimous consent that the Board direct the County Executive to provide organizational charts showing the number of employees and the structure of the agencies involved. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#74.)

6.ADMINISTRATIVE ITEMS (Tape 1)

Supervisor Alexander moved approval of the Administrative Items. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Trapnell being absent.

Chairman Davis called the Board's attention to Administrative Item Six - Authorization to Advertise a Public Hearing on the Acquisition of Certain Dedications and Easements Necessary for Construction of the Annandale Center Drive Road Improvements Projects (Mason District). He relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to consult with Domino's Pizza regarding the condemnation of its parcel. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**ADMIN 1 - FOX MILL HEIGHTS SANITARY SEWER
REIMBURSEMENT AGREEMENT (CENTREVILLE
DISTRICT)**

(R)Authorized the execution of the Agreement to collect fees and reimburse the developer for capacity in sections of the Fox Mill Heights sanitary sewer line which will be utilized by others, Centreville District.

**ADMIN 2 - RESTON NORTHERN SECTOR SANITARY
SEWER REIMBURSEMENT AGREEMENT (CENTREVILLE
AND DRANESVILLE DISTRICTS)**

(R)Authorized the execution of the Agreement to collect fees and reimburse the developer for capacity in sections of the Reston Northern Sector sanitary sewer line which will be utilized by others, Centreville and Dranesville Districts.

**ADMIN 3 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 3 (COUNTY EMPLOYEES), REVISING THE MERIT
SYSTEM ORDINANCE - CRIMINAL HISTORY**

(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 proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), revising the Merit System Ordinance - Criminal History.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE DEDICATION OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR ROAD IMPROVEMENTS AT THE INTERSECTION OF LAKE BRADDOCK DRIVE AND BURKE LAKE ROAD (BRADDOCK DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **November 16, 1992 at 3:30 p.m.** on the proposed dedication of County-owned property, Tax Map Number 78-2 ((18))-C, to the Virginia Department of Transportation (VDOT), Braddock District, and directed staff to notify the adjacent property owners of the public hearing by certified mail.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF ADDITIONAL DEDICATIONS AND EASEMENTS NECESSARY FOR CONSTRUCTION OF THE DRANESVILLE ROAD SEGMENT OF COUNTY ROAD BOND PROJECT - WIEHLE AVENUE (DRANESVILLE 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.** on the proposed acquisition of additional dedications and easements necessary for the construction of the Dranesville Road segment of County Road Bond Project 006495 - Wiehle Avenue, Dranesville District.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC

**HEARING ON THE ACQUISITION OF CERTAIN
DEDICATIONS AND EASEMENTS NECESSARY FOR
CONSTRUCTION OF THE ANNANDALE CENTER DRIVE
ROAD IMPROVEMENTS PROJECTS (MASON DISTRICT)**

(A)(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#6.)

Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 26, 1992 at 4:30 p.m.** on the proposed acquisition of certain dedications and easements necessary for the construction of the Annandale Center Drive Road Improvements - Project I00189, Mason District.

**ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON A PROPOSAL TO VACATE AN UNIMPROVED
PORTION OF STREAM BED WAY IN THE STONEY
BROOKE SUBDIVISION (LEE DISTRICT)**

(A)Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on **November 16, 1992 at 4:00 p.m.** on the proposed vacation of an unimproved portion of Stream Bed Way, located in the Stoney Brooke Subdivision, Lee District.

**ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING ON A PROPOSAL TO VACATE AN UNIMPROVED
PORTION OF STREAM BED WAY IN THE WOODSTONE
SUBDIVISION (LEE DISTRICT)**

(A)Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on **November 16, 1992 at 4:00 p.m.** on the proposed vacation of an unimproved portion of Stream Bed Way, located in the Woodstone Subdivision, Lee District.

**ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC
HEARING FOR THE CREATION OF A SANITARY
DISTRICT TO SOLVE WATER SUPPLY PROBLEM
IN THE CLIFTON FOREST SUBDIVISION
(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.** on the proposed creation of the following Sanitary District for water services in accordance with the Board of Supervisors' adopted criteria for the Creation of Sanitary Districts:

Type of Staff

Sanitary District ActionServiceRecommendation

Small District OneCreate Water Approve

Within Springfield District

**ADMIN 10 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 62 (FIRE PROTECTION)**

(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 proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection). The proposed regulations:

- Set the penalty for violation at the limit established for a Class I Misdemeanor by the General Assembly (12 months or \$2,500 or both);
- Establish positions of responsibility for persons in charge of buildings, structures, and certain facilities;
- Define the term "immediately";

- Require a trained attendant at bulk fuel plants or terminals at all times when fuel is being transferred; and
- Require that all liquefied petroleum gas equipment be abandoned in a safe manner.

7.A-1 - BOARD GUIDANCE REGARDING FISCAL YEAR

(FY) 1994 FUNDING REQUIREMENTS FOR PUBLIC

TRANSPORTATION (COUNTYWIDE) (Tape 1)

Supervisor Alexander moved that the Board concur in the recommendation of staff and direct staff to take the following actions with regard to Fiscal Year (FY) funding requirements for public transportation:

1.Advise the Washington Metropolitan Area Transit Authority (WMATA) that the maximum acceptable increase in general fund support for Metrobus and Metrorail operating subsidy payments for FY 1994 is \$4.5 million. This represents a \$2.0 million reduction from the WMATA General Manager's recent projection of a \$6.5 million operating subsidy increase for Fairfax County for FY 1994.

In order to achieve this \$2.0 million reduction, directed staff to take the following actions:

A.Prepare a draft Request-for-Proposals (RFP) to investigate non-WMATA options for the provision of Metrobus services currently operating in the Dulles/Reston/Herndon corridor;

B.Investigate the potential for using the existing **FAIRFAX CONNECTOR** bus fleet to replace selected Metrobus service;

C.Investigate the potential for using the private contractor currently operating the Tysons Shuttle and Reston Internal Bus System (RIBS) to replace selected Metrobus service;

D.Develop a detailed public hearing package of potential bus service reductions and provide this proposal to the Board for consideration of the specific reduction proposals;

E.Notify WMATA that:

*The Authority's draft proposal to close the Arlington bus depot and transfer the costs to Fairfax County which result in a Metrobus subsidy increase of \$2.2 million for Fairfax County while providing the same level of bus service is absolutely unacceptable; and

*The Authority must develop an alternative plan to close the Arlington bus depot that substantially reduces the financial impact on Fairfax County;

F.Request that WMATA phase-in over three years the incorporation of updated United States (US) Census population data in the Metrorail subsidy allocation formula in order to spread out the impact of the County's \$1.4 million Metrorail subsidy increase; and

G.Encourage WMATA to aggressively reduce overhead costs through such means as the 200 person reduction recently suggested by the WMATA General Manager.

2.Notify the Virginia Railway Express (VRE) Operations Board that local jurisdictions must participate in the decision to expand train service. Furthermore, Fairfax County recommends that additional train service in excess of the current 16 daily trains should not be implemented until the existing service is consistently carrying a monthly average of 90 percent of projected ridership and the overall cost recovery ratio of 50 percent is attained.

Supervisor McConnell seconded the motion and asked to amend Item Number 2, above, to read:

•"Notify the Virginia Railway Express (VRE) Operations Board that local jurisdictions **shall** participate in the decision to expand train service." (The remaining portion of Number 2 would be deleted.)

This amendment was accepted by Supervisor Alexander, with the understanding that Members of the VRE Board would discuss this proposal with VRE during a work session.

Supervisor Dix referred to Item Number 1A and asked to amend the motion to direct staff to ensure that he (Supervisor Dix) is involved in this issue in order that he may keep his constituents up-to-date on particular matters related to the Dulles/Reston/Herndon Corridor, and this was accepted.

Supervisor Hanley called the Board's attention to Item Number 1F and asked that it be amended to read:

• "Request that WMATA phase-in over **two** years the incorporation of updated U.S. Census population data....."

This was accepted.

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

**8.A-2 - ESTABLISHMENT AND APPOINTMENT OF MEMBERS
TO THE COMMUNITY POLICY AND MANAGEMENT TEAM
FOR SERVICES TO AT RISK YOUTH AND FAMILIES**

(Tapes 1-2)

(BACs)

(APPT)

Supervisor Hyland moved that the Board concur in the recommendation of staff and establish the Community Policy and Management Team in accordance with the responsibilities contained in the Memorandum to the Board dated October 5, 1992 and make the following appointments:

•County Nominations for Mandated Membership:

*James A. Thur

Executive Director

Fairfax-Falls Church Community Services Board (CSB);

*Carol S. Sharrett, M.D.

Acting Director of Health Services;

*Suzanne C. Manzo

Director

Department of Human Development; and

*Vincent M. Picciano

Director of Court Services

Juvenile and Domestic Relations Court.

•**Private Provider:**

*Sally A. Sibley, Ph.D.

Administrative Director

School for Contemporary Education.

•**Additional Nominations:**

*Judith Rosen

Director

Office for Children; and

*Verdia L. Haywood

Deputy County Executive for Human Services.

This motion was seconded by Supervisor Berger.

Following discussion, with input from Verdia L. Haywood, Deputy County Executive for Human Services, Supervisor Dix asked unanimous consent that the Board direct staff to provide an analysis of the anticipated cost to Fairfax County in terms of staff support and administrative overhead. Without objection, it was so ordered.

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

**9.A-3 - APPROVAL OF CERTIFICATION OF ZONING
AND SUBDIVISION ORDINANCE COMPLIANCE FOR
THE DETWILER/COLE PROPERTY (SULLY DISTRICT)**

(Tape 2)

On motion of Supervisor Frey, seconded by Chairman Davis, and carried by a vote of nine, Supervisor Trapnell being absent, the Board concurred in the recommendation of staff and authorized the County Executive to sign a certificate stating that the Detwiler/Cole Property, as identified below, is consistent with the Fairfax County Zoning and Subdivision Ordinances so that an application for a Virginia Pollutant Discharge Elimination System (VPDES) Permit may be filed with the State Water Control Board (SWCB), Sully District:

6733 Bull Run Post Office Road

Tax Map Reference: 53-3 ((1)) 1

Zoning District: R-C, WSOD.

**10.A-4 - AUTHORIZATION TO ADVERTISE PROPOSED
AMENDMENT TO THE CODE OF THE COUNTY OF
FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)
REGARDING CHURCHES AND OTHER PLACES OF
WORSHIP, CONVENTS, MONASTERIES AND CHILD
CARE CENTERS AND PRIVATE SCHOOLS AS
SPECIAL EXCEPTION USES (Tape 2)**

(A)

(R)Supervisor Frey moved that the Board concur in the recommendation of staff and adopt a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 29, 1992 and before the Board of Supervisors on **November 23, 1992 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to:

- Convert churches, chapels, temples, synagogues and other such places of worship from a special permit to a special exception use;
- Convert convents, monasteries, seminaries and nunneries from a special permit to a special exception use; and

•Establish a new special exception use of child care centers, nursery schools, and private schools when located on the same lot with a church or other place of worship, regardless of daily enrollment.

This motion was seconded by Chairman Davis.

Following discussion, with input from Barbara A. Byron, Director, Zoning Evaluation Division, Office of Comprehensive Planning, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Alexander and Supervisor Hyland voting "**NAY**," Supervisor Trapnell being absent.

11.A-5 - DESIGNATION OF PLANS EXAMINERS STATUS

UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW

PROGRAM (Tape 2)

Supervisor Alexander moved that the Board concur in the recommendation of staff and designate the following individuals, identified with their registration numbers, as "Inactive" Plans Examiners status, pursuant to the adopted criteria of the Expedited Land Development Review Program and recommendation of the Advisory Plans Examiner Board (APEB):

Inactive Plans Examiners Status

- Damon Braden (36)•Donald Popovich (41)
- David Guetig (63)•Dennis Tarnay (74)
- Jiri Kovats (16)•Ed Venditti (25)

The motion was seconded by Chairman Davis.

Following discussion, the question was called on the motion which carried by a vote of nine, Supervisor Trapnell being absent.

12.A-6 - ADOPTION OF FINAL COMMUNITY IMPROVEMENT

PROGRAM ASSESSMENTS FOR ENGLSIDE, PHASE I

(LEE DISTRICT) (Tape 2)

(Rs)On motion of Supervisor Alexander, seconded by Chairman Davis, and carried by a vote of nine, Supervisor Trapnell being absent, the Board concurred in the recommendation of staff and adopted Resolutions establishing the final assessments for the Engleside Community Improvement Program, Phase I, Lee District.

13.A-7 - CREATION OF A LOCAL DISABILITY SERVICES

BOARD AND DISSOLUTION OF THE COMMISSION FOR

DISABLED PERSONS (Tape 2)

(BACs)

Supervisor McConnell moved that the Board concur in the recommendation of staff and direct staff to take the following actions to create a local Disability Services Board to comply with Title 51.5-47 of the Code of Virginia and dissolve the Fairfax Commission for Disabled Persons:

- Create the "**Fairfax Area Disability Services Board**," effective November 1, 1992;
- Invite participation by the Cities of Fairfax and Falls Church;
- Effective October 31, 1992, disband the Fairfax Commission for Disabled Persons, incorporating its responsibilities into the newly-created Disability Services Board to avoid duplication of efforts; and
- Make appointments to the Fairfax Area Disability Services Board as soon as feasible.

This motion was seconded by Chairman Davis, with a notation that it will be necessary for Board Members to make appointments to the Disability Services Board at the **October 26, 1992 Board Meeting**. The motion carried by a vote of nine, Supervisor Trapnell being absent.

14.A-8 - CERTIFICATE OF PUBLIC NEED APPLICATION

BY FAIR OAKS HOSPITAL TO CONVERT 12 MEDICAL-

SURGICAL BEDS TO PSYCHIATRIC BEDS (Tape 2)

Supervisor Hanley moved that the Board concur in the recommendation of the Health Care Advisory Board (HCAB) and approve the letter expressing the Board's support for the Certificate of Public Need (CON) application by Fair Oaks Hospital to convert

12 medical-surgical beds to psychiatric beds. The motion was seconded by Supervisor Frey.

Supervisor McConnell disclosed her affiliation with the INOVA Board and announced that she would abstain.

Chairman Davis disclosed that his wife is a practicing physician with privileges at Fair Oaks Hospital and he would also abstain.

The question was then called on the motion which **CARRIED** by a recorded vote of seven, Supervisor McConnell and Chairman Davis abstaining, Supervisor Trapnell being absent.

15.A-9 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93028 FOR THE DEPARTMENT OF HUMAN

DEVELOPMENT TRANSITIONAL HOUSING PROGRAM

GRANT AWARD TWO FROM THE UNITED STATES (US)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(HUD) - PROGRAM YEAR FIVE (Tape 2)

(SAR)On motion of Supervisor McConnell, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Trapnell being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93028, in the amount of \$135,460, for the Department of Human Development for the continuation of the Transitional Housing Program Grant Award Two, Program Year Five.

16.A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93029 FOR THE DEPARTMENT OF HUMAN

DEVELOPMENT TRANSITIONAL HOUSING PROGRAM

GRANT AWARD THREE FROM THE UNITED STATES (US)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(HUD) - PROGRAM YEAR FOUR (Tape 2)

(SAR)On motion of Supervisor Bulova, seconded by Supervisor Berger, and carried by a vote of nine, Supervisor Trapnell being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93029, in the amount of \$1,276,047, for the Department of Human Development for the continuation of the Transitional Housing Program Grant Award Three, Program Year Four.

17.A-11 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93030 FOR THE DEPARTMENT OF HUMAN

DEVELOPMENT TO ACCEPT CHILD ABUSE AND NEGLECT

BASIC STATE PROGRAM FUNDING (Tape 2)

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Trapnell being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93030, in the amount of \$12,590, for the Department of Human Development to accept one-time only State Child Abuse and Neglect Basic State Program funding from the Virginia Department of Social Services (VDSS) to establish a Hispanic Parents United Support Group through the services of a subcontractor.

18.A-12 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH

COMMUNITY SERVICES BOARD (CSB) TO ACCEPT

EXTENDED FUNDING UNDER THE RYAN WHITE

COMPREHENSIVE AIDS (ACQUIRED IMMUNE

DEFICIENCY SYNDROME) RESOURCE EMERGENCY

(CARE) ACT FOR THE CONTINUATION OF THE

REGIONAL HIV POSITIVE/AIDS MENTAL HEALTH

PROGRAM (Tape 2)

On motion of Supervisor Bulova, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Trapnell being absent, the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board to accept extended funding under the Ryan White Comprehensive AIDS (Acquired Immune Deficiency Syndrome) Resource Emergency (CARE) Act for the continuation of the Regional HIV Positive/AIDS Mental Health Program.

19.A-13 - AUTHORIZATION TO ADVERTISE PROPOSED

AMENDMENT TO THE CODE OF THE COUNTY OF

FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE)

AND CHAPTER 112 (ZONING ORDINANCE) REGARDING

ESTABLISHMENT OF PRO RATA ROAD REIMBURSEMENT

DISTRICTS (Tape 2)

(A)

(R)Supervisor Dix moved that the Board concur in the recommendation of staff and adopt a Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 4, 1992 and before the Board of Supervisors on **November 16, 1992 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax:

•**Chapter 101 (Subdivision Ordinance)**, to include an entire new Article which would provide a mechanism whereby individual Pro Rata Road Reimbursement Districts may be adopted such that nonexempt subdividers and developers within an adopted district would have to reimburse an initial subdivider or developer a proportionate share of construction of public road improvements within the district; and

•**Chapter 101 (Subdivision Ordinance) and Chapter 112 (Zoning Ordinance)**, to provide that required pro rata road reimbursement payments shall be identified at the time of site plan and final subdivision plat approval and shall be paid prior to the issuance of a residential or non-residential use permit.

This motion was seconded by Supervisor Berger.

Following discussion, with input from Karen J. Harwood, Assistant County Attorney, Supervisor Hanley asked that the motion be amended to include alternative language in the advertisement with regard to the outstanding obligations of the applicant, specifically tax obligations or bond defaults, to allow a provision for collection of any amounts due the County from the applicant, and this was accepted.

After further discussion, Supervisor Dix moved to call the question on the motion. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Trapnell being absent.

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

JDC:jdc

20.C-1 - APPEAL OF SITE PLAN WAIVER NUMBER 11525,

CENTREVILLE PRESCHOOL (SULLY DISTRICT)

(Tape 3)

(LEGAL)

The Board next considered an Item contained in the Memorandum to the Board dated October 5, 1992 requesting consideration of the appeal of Acting County Executive Richard A. King's decision to uphold denial of Site Plan Waiver Request Number 11525 for the Centreville Preschool, located at 13916 Braddock Road, Centreville, Virginia, by the Director of the Department of Environmental Management (DEM).

Following discussion among Board Members, Supervisor Frey moved that the Board request staff and the applicant to meet and review the conditions imposed by the Board of Zoning Appeals (BZA) to determine whether the conditions have been met. This motion was seconded by Supervisor Hanley.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended that the Board direct staff to report on the status of the meetings with the applicant at the next Board meeting, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

21.C-2 - 1992 VIRGINIA MUNICIPAL LEAGUE ANNUAL**(VML) CONFERENCE (Tape 3)**

The Board next considered an Item contained in the Memorandum to the Board dated October 5, 1992 requesting designation of a voting and alternate delegate to represent Fairfax County at the Virginia Municipal League (VML) Annual Conference. The Conference will be held in Hampton, Virginia, October 18 through October 20, 1992 at the Holiday Inn Coliseum and the Sheraton Inn Coliseum.

Following a brief discussion among Board Members, Supervisor Alexander moved that the Board designate Supervisor Katherine K. Hanley as the Voting Delegate and Supervisor Robert B. Dix, Jr. as the Alternate Delegate to represent Fairfax County at the VML Annual Conference. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Trapnell being absent.

22.C-3 - HEALTH INSURANCE FOR MOSCOW INTERNS**(Tape 3)**

The Board next considered an Item contained in the Memorandum to the Board dated October 5, 1992 requesting consideration to enroll Moscow officials in the FAIRCHOICE health plan during internships in Fairfax County.

Supervisor Bulova stated that no action by the Board is necessary and she is continuing to work with Northern Virginia Community College and the private sector.

23.I-1 - STAFF REPORT ON MAJOR TAX POLICIES**AS APPLIED TO INDIVIDUALS IN FAIRFAX COUNTY,****AND STAFF REVIEW OF ECONOMIC RECOVERY****ADVISORY COMMISSION'S (ERAC) STUDY (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 presenting the staff report on major tax policies as they applied to individuals in Fairfax County and a staff review of the results of the Economic Recovery Advisory Commission's (ERAC) analysis of business taxes.

Following a query from Supervisor Hanley, James P. McDonald, Deputy County Executive for Management and Budget, stated that the report would be clarified to

reflect the difference in residential and commercial rates under Consumer Utility Taxes.

Following additional discussion among Board Members, with input from Dr. McDonald, Supervisor Hanley asked unanimous consent that the Board direct staff to distribute copies of the Knapp report to interested Board Members. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to report with the number of vehicles in the County for which personal property tax is being paid and the number of registered vehicles. Without objection, it was so ordered.

24.I-2 - VOLUNTEER WORK PROGRAM (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 requesting authorization for the Office of Personnel to reannounce the unpaid position of Volunteer Coordinator and to make every effort to recruit a suitable candidate.

The staff was directed administratively to proceed as proposed.

25.I-3 - STAFF SUMMARIES OF JUNE AND JULY, 1992

TRANSPORTATION ADVISORY COMMISSION (TAC)

MEETINGS (COUNTYWIDE) (Tape 3)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 presenting the Staff Summaries for the Transportation Advisory Commission's (TAC) meetings for June and July 1992.

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

MONTHLY STATUS REPORT FOR SEPTEMBER, 1992

(Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 presenting the Road Bond Program - Board of Supervisors's Monthly Status Report for September 1992.

**27.I-5 - RESULTS OF THE LEGISLATIVE STUDY BY
THE VIRGINIA BOARD OF COMMERCE REGARDING
THE NEED FOR STATE REGULATION OF ELECTRONIC
SECURITY SYSTEM (BURGLAR ALARM) INSTALLATIONS**

(Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 presenting the results of the Legislative Study by the Virginia Board of Commerce regarding the need for State regulation of electronic security alarm system (burglar alarm) installations.

**28.I-6 - AWARD OF TRANSPORTATION EFFICIENCY
IMPROVEMENT FUND (TEIF) GRANT FROM THE
VIRGINIA DEPARTMENT OF RAIL AND PUBLIC
TRANSPORTATION (ALL DISTRICTS) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 announcing the award of Transportation Efficiency Improvement Fund (TEIF) Grant from the Virginia Department of Rail and Public Transportation. The Office of Transportation will apply the grant, in the amount of \$240,900, to establish a Transportation Demand Management (TDM) test program in Fairfax County. The funding will be matched by \$60,225 in County in-kind resources for a total project cost of \$301,125.

**29.I-7 - AWARD OF CONTRACT - LONG-TERM RESIDENTIAL
SERVICES FOR MENTALLY HANDICAPPED ADULTS**

(Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 requesting authorization for the Purchasing Agent to proceed to award a contract to the Community Living Alternatives, in an amount not to exceed \$277,863, for long-term residential services for mentally handicapped adults.

Following discussion among Board Members, with input from Larry N. Wellman, Director, Purchasing and Supply Management Agency, Office of General Services, Supervisor Hanley asked unanimous consent that the Board direct staff to review and report on why only one proposal was received in response to the Request for Proposal (RFP) for the contract. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

**30.I-8 - APPROVAL OF ADDITIONAL SERVICES FOR
ANDERSON ARCHITECTS TO PREPARE A SITE
CHARACTERIZATION STUDY FOR THE MASON
GOVERNMENT CENTER EXPANSION (MASON
DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 requesting authorization for staff to approve additional services for Anderson Architects, in the amount of \$33,476, to prepare a site characterization study for the Mason Government Center Expansion, Mason District.

Discussion ensued among Board Members, with input from John W. di Zerega, Director, Department of Public Works.

The staff was directed administratively to proceed as proposed.

**31.I-9 - CONTRACT AWARD - CONSTRUCTION OF OPEN
PLAY AREA, TENNIS COURTS, MULTI-USE COURT,
SITE LIGHTING, PLAYGROUND, TOT LOT, PARKING
LOT, TRAILS AND RELATED WORK AT WOLF TRAILS
PARK (CENTREVILLE DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 requesting authorization for staff to proceed to award a contract to Whitener and Jackson, Incorporated, of Falls Church, Virginia, in the amount of \$630,000, for the construction of open play area, tennis courts, multi-use

court, site lighting, playground, tot lot, parking lot, trails and related work at Wolf Trails Parks, Centreville District.

The staff was directed administratively to proceed as proposed.

32.I-10 - CHESAPEAKE BAY NON-POINT SOURCE

POLLUTION CONTROL GRANT AWARD

(COUNTYWIDE) (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 announcing the Chesapeake Bay Non-Point Source Pollution Control Grant Award, Countywide. A grant of \$4,900 from the Division of Soil and Water Conservation of the Virginia Department of Conservation and Historic Resources was received by the state agency portion of the Fairfax County Department of Extension and Continuing Education (DECE).

Supervisor Hyland asked unanimous consent that the Board direct staff to correct the grant award to reflect that the project is Countywide, not located only in the Mount Vernon District. Without objection, it was so ordered.

A brief discussion ensued among Board Members.

33.I-11 - REDUCTION-IN-FORCE (RIF) IN THE DEPARTMENT

OF GENERAL SERVICES DUE TO DECREASED VEHICLE

MAINTENANCE AND PRINTING WORKLOAD (Tape 3)

(NOTE: Earlier in the meeting, Information Item 11 was discussed. See Clerk's Summary Item CL#5. Later in the meeting, action was taken. See Clerk's Summary Item CL#74.)

34.APPOINTMENTS, ORGANIZATION AND EXPANSION -

COUNTY GOVERNMENT COMMITTEE (Tape 3)

(BACs)

(APPT)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved:

- The appointment of former Governor A. Linwood Holton, Jr. as the At-Large Representative and Chairman to the County Government Committee;
- That former Mount Vernon Supervisor Warren Cikens, already a Committee member, be designated as Vice-Chairman of the County Government Committee; and
- That the Chairman of the County Government Committee be permitted to appoint committees and chairmen.

This motion was seconded by Vice-Chairman McConnell and carried by a vote of eight, Supervisor Berger being out of the room, Supervisor Trapnell being absent.

Supervisor Davis moved:

- That the membership of the County Government Committee be amended to include both a nominee from the Fairfax County Branch of the National Association for the Advancement of Colored People (NAACP) and a County resident who is a member of the Northern Virginia Black Attorneys Association, in order to address the representation of Fairfax County's black citizens;
- The appointment of Mr. Donald Grant as the NAACP Representative;
- The appointment of Mr. Herbert L. Jackson as the Northern Virginia Black Attorneys Association Representative;
- The appointment of Mr. Philip L. Chabot, Jr. as the Fairfax County Citizens Assembly Representative to the County Government Committee;
- The appointment of Mr. Gerald Connolly as the Federation of Civic Associations Representative to the County Government Committee;
- The appointment of Mr. William B. Tirrell, Sr. as the Town of Herndon Representative to the County Government Committee;
- The appointment of Mr. C. Thomas Hicks, III as the National Association of Industrial and Office Parks (NAIOP) Representative to the County Government Committee; and
- The appointment of Ms. Jane M. Roush as the Fairfax Bar Association Representative to the County Government Committee.

This motion was seconded by Vice-Chairman McConnell and carried by a vote of nine, Supervisor Trapnell being absent.

35. USES IN THE I-5 ZONING CATEGORY (Tape 3)

Supervisor Davis stated that in the I-5 zoning category, which allows 40 percent retail and 60 percent warehouse use, a situation has arisen with a constituent, who has a case pending before the Board of Zoning Appeals (BZA). He continued that the property meets the requirements under one roof, but because the areas are not contiguous, each parcel is considered separately.

Following discussion among Board Members, Supervisor Davis asked unanimous consent that this issue be deferred until later in the meeting in order to allow consultation with Supervisor Alexander. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: This issue was not addressed by the Board later in the meeting.)

CM:cm

36. DEFERRAL OF PUBLIC HEARING ON DEVELOPMENT

PLAN AMENDMENT APPLICATION DPA C-378-2

(SUNRISE VALLEY CONVENIENCE PROFESSIONAL

CENTER OWNERS' ASSOCIATION BOARD OF

DIRECTORS) (CENTREVILLE DISTRICT) (Tape 4)

Supervisor Dix moved to defer the public hearing on Development Plan Amendment Application DPA C-378-2 until **October 26, 1992 at 5:00 p.m.** This motion was jointly seconded by Supervisor Hanley and Supervisor Hyland and carried by a vote of nine, Supervisor Trapnell being absent.

37. OUT-OF-TURN PLAN AMENDMENT TYSONS CORNER -

ROSENTHAL - SPRING HILL ROAD (Tape 4)

Supervisor Dix stated that several weeks ago he had the opportunity to meet with the representatives of a business that is located in Tysons Corner. The business owners

have the desire to expand their business to an adjacent vacant lot that they own, but the current Comprehensive Plan precludes this proposed expansion on that vacant lot.

Given the location of the vacant lot, the surrounding land use pattern, and the fact that this lot is the only undeveloped property remaining in the vicinity, it would appear that the proposed expansion makes sense and will not detract from the planned orderly development at Tysons Corner. Supervisor Dix stated that this is the consensus of the staff in the Office of Comprehensive Planning and of the Tysons Corner Task Force to which the applicant made a presentation. The Task Force indicated that it supports the proposal as an appropriate interim use because it is a rational expansion of an existing use.

Supervisor Dix informed the Board that Rezoning and Special Exception Applications have been filed for this property. With this background, and the fact that the Tysons Corner Area Study will not be adopted within a timeframe that would permit consideration of the Study with the zoning and special exception applications, he moved that the Board direct the staff to prepare an out-of-turn plan amendment for Sub-Tract E-3 of the Tysons Corner area. The amendment should evaluate allowing retail and automobile sale uses as an option on Lot 29-3((1)) 2D.

Supervisor Dix stated that since the Rezoning and Special Exception applications have been recently filed to accommodate this proposed expansion, he also moved that the Board direct staff to prepare the necessary amendment for public hearing before the Planning Commission and the Board of Supervisors as expeditiously as possible. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Trapnell being absent.

38.CEDAR RIDGE APARTMENTS, VIRGINIA CODE

SECTION 15.1-456 DETERMINATION (Tape 4)

Supervisor Dix informed the Board that the Fairfax County Redevelopment and Housing Authority (FCRHA) in partnership with Reston Interfaith is proposing to acquire the Cedar Ridge Apartments in Reston. An application for a Virginia Code Section 15.1-456 Determination for the acquisition of Cedar Ridge Apartments was submitted to the Office of Comprehensive Planning for submission to the Planning Commission for consideration. The public hearing before the Planning Commission was scheduled for October 7, 1992.

For purposes of scheduling additional citizen meetings in the Reston Community, it is necessary to defer the Planning Commission public hearing on this matter. However, Paragraph (b) of Section 15.1-456 of the Virginia Code states that "Failure of the

Commission to act within 60 days of such submission, unless such time shall be extended by the governing body, shall be deemed approval."

Supervisor Dix moved, in order to be in compliance with the Virginia Code, that the Board:

- Extend the time period for action on Application 456-C92-6;
- Direct staff to schedule a public hearing before the Planning Commission for October 28, 1992; and
- Direct staff to forward this application to the Board of Supervisors on November 16, 1992.

Supervisor Dix stated that these dates have been coordinated with the appropriate County staff and with the Planning Commission.

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

39.ROUTE 28 TAX DISTRICT RESIDENTIAL POLICY

(Tape 4)

Supervisor Dix stated that on August 3, 1992 the Board directed staff to review Policy Number One regarding zoning applications in the Route 28 Tax District which was adopted by the Board on August 21, 1991. This policy precludes the consideration and approval of any land use requests that seek to rezone property in the Route 28 Tax District to residential uses. Staff was requested to evaluate this policy relative to allowing exceptions for changing the policy.

Supervisor Dix moved that the Board remove the restriction regarding the consideration of residential land uses in the Route 28 Tax District and direct the County Executive to work with staff. Supervisor Dix stated that he is preparing a plan to address this issue in time for the October 16, 1992 meeting of the Route 28 Highway Transportation Improvement District Committee. This motion was seconded by Supervisor McConnell.

Following discussion, with input from William J. Leidinger, County Executive, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to add language that states that any change to residential use

will be predicated by ensuring that there will be no net decrease in revenues, and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Dix clarified his motion that the Board remove the restriction regarding the consideration of residential land uses in the Route 28 Tax District with the understanding that no net loss of revenue to the tax district will result from any change to the residential zoning.

Following further discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Frey asked that the motion be amended to direct staff to review the overall ramifications in conjunction with the task force report, and this was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of seven, Supervisor Bulova and Supervisor Hyland voting "NAY," Supervisor Trapnell being absent.

40.REQUEST FOR OPTIONS TO FUND THE HUNTERS

WOODS PARK PROJECT (Tape 4)

Supervisor Dix stated that the Reston Association (RA), as owner of the Hunters Woods Park parcel, entered into an agreement with the Fairfax County Park Authority in 1987 concerning the development of the park. RA assumed the responsibility for master planning, site design, and the Department of Environmental Management (DEM) approval of the project. The Park Authority agreed to bid the project and construct the facilities. The Park Authority would oversee the construction and RA agreed to maintain the park in perpetuity.

The Site Plan for Hunters Woods Park was approved by DEM in the fall of 1991 and the plan has been transmitted to the Park Authority's Design Division for bid preparation. The total estimated development cost, including all permits, fees, contingencies, and staff salaries amounts to \$434,157. This project was not funded for construction by the Board in February of this year.

Given today's economy where construction bids are coming in significantly under project estimates and the fact that the County has an approved Site Plan, Supervisor Dix moved that the Board direct the appropriate staff to report with options on how the County might fund the Hunters Woods Park project. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Trapnell being absent.

41.MATTERS PENDING BEFORE THE FAIRFAX COUNTY**WATER AUTHORITY (FCWA) (Tape 4)**

Supervisor Dix stated that at the Board of Supervisors' meeting held on September 21, 1992, action was taken to direct the Chairman of the Fairfax County Water Authority (FCWA) to brief the Board at today's meeting on a number of pending issues. He stated that he has been informed that discussions are currently ongoing before the FCWA and it is anticipated that discussions regarding both operating and capital improvement budgets will take place sometime in November 1992.

Supervisor Dix asked unanimous consent that the Board direct staff to reschedule the presentation by the FCWA until the Board's meeting scheduled for December 7, 1992. Without objection, it was so ordered.

42.AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON**RENAMING THE CENTREVILLE DISTRICT WITH A NAME****MORE APPROPRIATE TO ITS PRESENT BOUNDARIES****(Tape 4)**

(A)Supervisor Dix stated that at the Board of Supervisors' meeting held on May 13, 1992, action was taken to adopt the present Supervisor Districts by ordinance and, renaming a District will require an ordinance change. Accordingly, Supervisor Dix moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **October 26, 1992 at 5:00 p.m.** on a draft ordinance to rename the Centreville District to either the:

- Dominion District;
- Hunter District;
- Wolftrap District; or
- Hunter Mill District.

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

43.APPRECIATION EXPRESSED TO CONGRESSMAN

**FRANK R. WOLF FOR HIS LEADERSHIP AND
DETERMINATION REGARDING THE HOV-3
(HIGH-OCCUPANCY-VEHICLE) RESTRICTIONS
PLACED ON THE NEW LANES OF THE DULLES
TOLL ROAD (Tape 4)**

Supervisor Dix stated that the recent imposition of the HOV-3 (High-Occupancy-Vehicle) on the new lanes of the Dulles Toll Road has caused considerable public dissatisfaction, particularly in Centreville District, through which much of the Dulles Toll Road passes. Last month, action was taken by the Board to request the Wilder Administration to remove the HOV-3 restriction and review alternatives that would promote carpooling and mass transit without creating a traffic and safety nightmare that the public has been experiencing for the past five weeks.

In the interim, Supervisor Dix announced that Congressman Frank R. Wolf pursued a remedy to the transportation crisis and, late last week, prevailed upon the Congress to pass legislation that would undo what some of the "well-intentioned" colleagues in Richmond had done. As a result, Governor Douglas Wilder has announced a rescission of the HOV-3 restrictions on the Dulles Toll Road effective this morning.

Consistent with the Board's action last month, Supervisor Dix moved that the Board express and convey its appreciation to Congressman Wolf for his leadership and determination in seeing this issue through for the benefit of the citizens of Fairfax County and Northern Virginia. This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of six, Supervisor Hyland voting "NAY," Supervisor Bulova abstaining, Supervisor Hanley being out of the room, Supervisor Trapnell being absent.

VLT:vlt

**44.DEFERRAL OF PUBLIC HEARING ON PROFFERED
CONDITION AMENDMENT APPLICATION
PCA 84-L-020-4 AND CONCEPTUAL DEVELOPMENT
PLAN AMENDMENT APPLICATION CDPA 84-L-020-5**

**(THE KINGSTOWNE COMMERCIAL LIMITED
PARTNERSHIP) (LEE DISTRICT) (Tape 4)**

Supervisor Alexander moved that the Board defer the public hearing on Proffered Condition Amendment Application PCA 84-L-020-4 and Conceptual Development Plan Amendment Application CDPA 84-L-020-5 until October 26, 1992 at 5:00 p.m. This motion was seconded by Chairman Davis.

Following discussion, with input from Theodore Austell, III, Executive Assistant to the County Executive, Supervisor Alexander amended his motion to defer the public hearing until October 26, 1992 at 3:30 p.m.

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

(NOTE: Later in the meeting, action was taken to defer the public hearing until **October 26, 1992 at 4:30 p.m.** See Clerk's Summary Item CL#75.)

45.REQUEST FOR WAIVER OF FEES FOR HUNTLEY

TERRACE TOWNHOUSES (Tape 4)

Supervisor Alexander stated that he had been contacted by John Walker, Executive Director of Fairfax Affordable Housing, who is requesting a waiver of site plan and soil study report submission fees for Fairfax Affordable Housing, Incorporated. Fairfax Affordable Housing, Incorporated, is a non-profit organization that is committed to providing affordable housing units for Fairfax County. This current project, Huntley Terrace Townhouses, is for eight units of affordable housing located at 3424 Lockheed Boulevard.

Supervisor Alexander moved that the Board waive the fees for the eight units of affordable housing in the Huntley Terrace Townhouses project, located at 3424 Lockheed Boulevard. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Trapnell being absent.

46.REQUEST THAT THE OFFICE OF ASSESSMENTS CHANGE

THE FILING DEADLINE FOR TAX RELIEF FROM MAY 1

TO APRIL 1 (Tape 4)

Supervisor Alexander stated that, currently, the filing deadline for tax relief is May 1. This deadline unfortunately coincides with the County vehicle decal deadline and the State income tax deadline. Because of these two deadlines, April is the busiest month for the Office of Assessments. He stated that the coincidence of the tax relief deadline with these other two important deadlines creates major problems at a critical time. Each tax relief transaction takes at least 30 minutes to process, creating unacceptable delays and quickly generating long lines. The Code of Virginia, Section 58.1-3213 requires only that the tax relief filing deadline not be earlier than April 1.

Accordingly, Supervisor Alexander moved that the Board direct staff to prepare the appropriate amendment, for advertisement for public hearing before the Board, to amend the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-14-3, to change the tax relief filing deadline from May 1 to April 1. He further moved that the Board direct staff to prepare the necessary documentation as expeditiously as possible so that the change may go into effect before the 1993 tax relief filing season begins. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Trapnell being absent.

47. REQUEST FOR PROFFERED CONDITION AMENDMENT

ON THE BOARD'S OWN MOTION TO UTILIZE A PORTION

OF THE GOVERNMENT CENTER PARKING LOT FOR

A COMMUTER PARKING LOT (Tape 4)

Supervisor Alexander stated that at the Board of Supervisors' meeting held on September 21, 1992, action was taken to direct staff to report with a plan to utilize approximately 150 to 200 of the several hundred surface parking spaces that remain vacant at the Government Center adjacent to the Government Center Parkway for commuter parking. He stated that because the commuter parking lot was not specifically shown in the development plan for the complex, a proffered condition amendment is required.

Accordingly, Supervisor Alexander moved that the Board:

- Initiate a Board's Own Motion Proffered Condition Amendment for Land Bay C of the Government Center site to permit the establishment of a commuter parking lot and bus stop location on the site and to also modify the parking requirement for Land Bay C; and

•Direct staff to schedule the Proffered Condition Amendment for public hearing as expeditiously as possible.

This motion was seconded by Supervisor Frey.

Following discussion, with input from James Zook, Director, Office of Comprehensive Planning, the question was called on the motion which carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Trapnell being absent.

48.LOCATION OF FAIRFAX COUNTY SURPLUS PROPERTY

AUCTIONS (Tape 5)

Supervisor Hyland called to the Board's attention an article appearing in the Mount Vernon Gazette newspaper on September 17, 1992 regarding "County Auctions: A Well-Kept Secret." The article pertained specifically to the County's auction procedures and raised the question of why these auctions are being held in an industrial park in Waldorf, Maryland rather than in Fairfax County.

Supervisor Hyland expressed his concern regarding the County's current auction procedure: the first being that County residents are not getting a first "crack" at the items; and, secondly, that the County is losing sales tax dollars as well as gross receipts taxes from the auctioneers who are making money on their services.

Accordingly, Supervisor Hyland moved that the Board direct staff to investigate and reports its findings, in the form of an Information Item, on ways to hold surplus property auctions in Fairfax County, similar to the procedure used by other counties, and consequently permit the County to "reap" the residual benefits that may occur. This motion was seconded by Supervisor Bulova.

Supervisor Berger asked that the motion be amended to include that the Board direct staff to report with its Information Item at the Board of Supervisors' meeting scheduled for **October 26, 1992**, and this was accepted.

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

49.REQUEST FOR CERTIFICATE OF APPRECIATION FOR PRESENTATION TO CLEVELAND WALKER, FAIRFAX

COUNTY SCHOOL CUSTODIAN (Tape 5)

Supervisor Hyland called to the Board's attention an article appearing in the Washington Post newspaper commending the outstanding performance of Cleveland Walker, a Fairfax County School custodian, who works at Edison High School. Mr. Walker is not an ordinary custodian. According to the article, he is first a caring human being who demonstrates that his scope of responsibility transcends the arena of mops, brooms, and cleaning facilities, to one of informal mentor to students experiencing personal difficulties.

Accordingly, Supervisor Hyland moved that the Board direct staff to prepare the appropriate Certificate of Appreciation for presentation to Mr. Walker before the Board to officially recognize him for:

- His outstanding work with the students of Edison High School; and
- His commitment and caring which goes above and beyond his day-to-day responsibilities.

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

**50.REQUEST THAT RESIDENTS OF GUM SPRINGS BE
GIVEN PRIORITY FOR THE AFFORDABLE DWELLING
UNITS (ADUs) AT THE "VILLAGE AT GUM SPRINGS"**

(Tape 5)

Supervisor Hyland distributed to Board Members information regarding a request that residents of Gum Springs be given priority for the Affordable Dwelling Units (ADUs) at the "Village at Gum Springs" project.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board:

- Defer its consideration of this item until following the Board's Executive Session scheduled for later in the meeting; and

•Direct staff to add this item to the Board's Agenda for discussion in Executive Session.

Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

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

51.ASSISTANCE REQUESTED FOR ROUTE ONE CORRIDOR

HOUSING, INCORPORATED, IN FURTHERING

SERVICES TO HOMELESS PERSONS (Tape 5)

Supervisor Hyland called to the Board's attention that Route One Corridor Housing, Incorporated, is a community-based organization that provides temporary shelter and services for homeless families and individuals with a mandate of finding solutions to the broader problems of homelessness. In addition, Route One Corridor Housing, Incorporated, is a tax exempt organization, under Section 501(c)(3) of the Internal Revenue Code. The Board of Directors for Route One Corridor Housing, Incorporated, would like to expand the services beyond emergency shelter to longer term housing options for people living in shelters. In order to reach that goal, they are exploring the possibility of purchasing property; however, prior to proceeding, Route One Corridor Housing, Incorporated, must apply to the Commonwealth of Virginia for real estate and personal property tax exemptions. The Code of Virginia requires that they must first apply to the Board of Supervisors and hold a public hearing to receive citizen comment.

Accordingly, Supervisor Hyland moved that the Board direct staff to work with Route One Corridor Housing, Incorporated, in assisting them to reach their goal in furthering their services to homeless people by doing the following:

- Assist Route One Corridor Housing, Incorporated, with its application for tax exempt status; and
- Schedule a public hearing to be held before the Board of Supervisors to receive citizen comment.

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

52.WAIVER OF FEES REQUESTED FOR THE LORTON

COMMUNITY ACTION CENTER (LCAC) (Tape 5)

Supervisor Hyland said that the Lorton Community Action Center (LCAC) is a nonprofit organization that assists people who are experiencing temporary hardships who live in the Lorton and Newington areas. He added that among the services LCAC provides are furniture, food and clothing.

Supervisor Hyland stated that the Lion's Club of Lorton has graciously consented to construct a storage shed on the property of LCAC. He noted that because LCAC is a service organization helping those less fortunate and because they receive furniture and white goods, and because these items are too large to store in the LCAC house, they need a shed. He pointed out that they will be working with staff to ensure that all applicable County Codes are met and will be required to hold certain permits for which there will be fees.

Therefore, Supervisor Hyland moved that the Board waive all fees so that the LCAC can accept the services of the Lion's Club of Lorton to construct a storage shed on the property at 9518 Richmond Highway. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Trapnell being absent.

53.EXPEDITED PROCESSING REQUESTED FOR DAVIS

INDUSTRIES, INCORPORATED (Tape 5)

Supervisor Hyland stated that Davis Industries, Incorporated, is a metal recycling facility, doing business in Lorton. He said that they have made a number of changes to improve the operating procedures on that property, including monitoring wells and lines under the work area. He noted that as a result of these improvements, Davis Industries has been nominated by Dewberry and Davis for the Governor's Environmental Excellence Award.

Supervisor Hyland said that in order to continue to respond to the Commonwealth's requirements, Davis Industries must hold a Virginia Pollutant Discharge Elimination Systems Storm Water Permit. He added that the Virginia Water Control Board is

working with Davis Industries to get this accomplished and has requested immediate submission of supporting documentation.

Accordingly, Supervisor Hyland moved that the Board direct staff to work with Davis Industries to expedite the processing of the necessary forms. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Trapnell being absent.

54.APPOINTMENT TO THE PROJECT SELECTION COMMITTEE

(Tape 5)

(APPT)

Supervisor Hyland moved the reappointment of **Mr. Arthur R. Giguere** as the Mount Vernon District (Woodley Nightingale) Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Trapnell being absent.

55.PRESENTATION OF FLAG FROM THE GOVERNOR'S

ENVIRONMENTAL EXCELLENCE AWARD (Tape 5)

Supervisor Hyland presented to Chairman Davis a flag that he had received from the Governor's Environmental Excellence Award which recognizes Fairfax County's Heritage Resources program. He asked unanimous consent that the Board direct staff to find an appropriate location to display the flag in the Government Center. Without objection, it was so ordered.

56.EXPANSION OF THE ANNANDALE RESIDENTIAL PERMIT

PARKING DISTRICT (RPPD): EXPEDITED PROCESSING

AND WAIVERS OF THE MINIMUM STANDARDS FOR

PARKING SPACES AND FEES (Tape 5)

Supervisor Bulova stated that student parking on residential streets around Annandale High School continues to be a serious problem. Enforcement by the Mason District police has been vigorous and, while the police are to be commended for their efforts,

she stated that expansion of the Annandale Residential Permit Parking District (RPPD) is the best solution.

Supervisor Bulova stated that she had forwarded to the Office of Transportation petitions requesting the expansion of the RPPD and relief on two portions of Bristow Drive and Pomponio Place. However, in order to proceed with the requests, the Office of Transportation needs Board approval to waive the minimum parking space standards.

Accordingly, Supervisor Bulova moved that the Board direct staff to:

- Waive the minimum number of parking spaces and fees; and
- Proceed as expeditiously as possible on the expansion of the Annandale RPPD.

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

57.ISSUE OF LOW EMISSION VEHICLES TO BE

REINTRODUCED TO VIRGINIA GENERAL ASSEMBLY

(Tape 5)

Supervisor Berger called to the Board's attention the fact that Governor L. Douglas Wilder will be reintroducing to the Virginia General Assembly the issue of low emission vehicles. He stated that this has very serious implications and may be very costly to the citizens of Fairfax County.

Accordingly, Supervisor Berger moved that the Board refer this issue to the Board's Legislative Subcommittee for its review and recommendation. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Trapnell being absent.

58.APPOINTMENT TO THE HUMAN SERVICES COUNCIL

(Tape 5)

(APPT)

Supervisor Berger moved the appointment of **Ms. Maxine Stokes** as the Dranesville District Representative to the Human Services Council to fill the unexpired term of Ms. April L. Young who has resigned. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Trapnell being absent.

PMH:pmh

59.EXTENSION OF BOND FOR VANNOY PARK (Tape 6)

Supervisor McConnell stated that over the past several months representatives from the developer J. Kim Company continue to work with County staff and staff from the Virginia Department of Transportation (VDOT) to correct the outstanding drainage problems in Vannoy Park left by the Yeonas Company.

Supervisor McConnell said that the company's representative and staff agree that an extension of three months will allow them to complete their bond obligations. She added that in consideration of the amount of time it has taken them to deal with all of the interested parties, the developer has requested the County's consideration to extend this project's bond for three months.

Therefore, Supervisor McConnell moved that the Board extend the bond for Public Improvement Plan Number 6233-P1-01 for three months. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Trapnell being absent.

60.VOLUNTEER FIREFIGHTERS USE LEASED VEHICLES

(Tape 6)

Supervisor McConnell asked unanimous consent that the Board direct staff to review the issue of taxes and what happens when volunteer firefighters use a leased vehicle. Without objection, it was so ordered.

61.SPECIAL EXCEPTION APPLICATION FILED BY YORK

LIMITED PARTNERSHIP (Tape 6)

Supervisor Frey said that on September 14, 1992, the Board approved Special Exception Application SE 92-Y-006 subject to development conditions. He said that this application was filed by York Limited Partnership and was a request to have up to 13,000 square feet of fast food uses with one drive-thru window in the Fair Lakes Retail Center. As a result of a revised plat that was submitted shortly before the

Planning Commission in which the amount of fast food uses was increased, an error in the advertising resulted. Therefore, a new special exception must be submitted in order to correct the advertising. He added that a new application number has not yet been assigned.

Supervisor Frey moved that this Special Exception Application filed by York Limited Partnership be scheduled for a November 11, 1992 Planning Commission public hearing and a November 16, 1992 Board of Supervisors public hearing to be held at 4:00 p.m. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Trapnell being absent.

Supervisor Frey moved that the Board direct the Department of Environmental Management (DEM) to accept the Site Plan for concurrent processing and that no fees be charged because of an error in advertising which resulted from a late submission of a plat.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Frey amended the motion to include that the amount of fee, if it is the applicant's error, be limited to the actual cost of the advertisements in the newspaper; and if the error is the fault of the County, then the fee will be waived. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Trapnell being absent.

62.SUDLEY CROSSING COUNTRY CLUB FORMERLY CEDAR

CREST (Tape 6)

With regard to Sudley Crossing Country Club formerly Cedar Crest, Supervisor Frey moved that the Board:

- Direct the Director of the Department of Environmental Management (DEM) to accept the submission of a Site Plan and building plan for concurrent review with the Special Permit Application submitted on September 30, 1992.

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

Supervisor Frey moved that the Board:

- Direct the Director of DEM to assign a staff person to act as project manager in order to assure the review of the Site Plan and building plan in a timely manner.

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

Supervisor Frey moved that the Board:

- Request the Board of Zoning Appeals (BZA) to expedite review, scheduling and hearing of the Special Permit Application.

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

63.REQUEST FOR SIGNAGE FOR THE FAIR OAKS AREA

(Tape 6)

Supervisor Frey stated that the area of Fair Oaks is widely known; however, on Interstate I-66 there are no signs that indicate the Fair Oaks area - only Fairfax.

Therefore, Supervisor Frey moved that the Board send a letter to the Virginia Department of Transportation (VDOT) requesting that signage be placed on I-66 designating the area of Fair Oaks. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Trapnell being absent.

64.SCHEDULING OF REZONING APPLICATION RZ 92-P-011

FOR A PUBLIC HEARING (Tape 6)

Supervisor Hanley moved that the Board direct the Planning staff to schedule Rezoning Application RZ 92-P-011 for a public hearing to be held on November 23, 1992. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Trapnell being absent.

65.LAND USE CONSOLIDATION (Tape 6)

Supervisor Hanley stated that on April 3, 1989 the Board approved Rezoning Applications RZ 88-P-009 and RZ 88-P-061 which consisted of approximately 40 acres being rezoned from the R-1 District to the R-3 Cluster. At that time the rezonings were comprised of two separate land consolidations, one on each side of Horseshoe Drive by two different developers.

Supervisor Hanley said that these land areas remain joined together by one set of proffers. She said that in an earlier Board item she indicated that the RTC had taken

over part of the development and sold part of it to another developer who is now moving forward. She added that there are presently landowners who do not want to be part of that consolidation and new potential buyers of individual lots within this area need to know the status of the rezoning cases. She said that there are a number of proffer commitments, including contributions for the parks, affordable housing, and specifically for road improvements of Horseshoe Drive which is currently substandard and is in need of improvement to eliminate blind curves.

Supervisor Hanley stated that the consolidation of one of the halves of the development did not take place. The individual landowners are now part of what was to be a consolidation. She said that it will be easier for a new developer to consolidate the other part where the consolidation failed if these cases are separated. In order for development to proceed on that portion of the property which remains consolidated and for improvements to Horseshoe Drive to occur these two rezoning cases need to be split. She noted that most of the individual landowners involved have concurred in this action.

Therefore, Supervisor Hanley stated that whereas there is a public need to implement the proffered road improvements to Horseshoe Drive; and whereas there is general agreement among the landowners involved that the proffers associated with the two zoning cases on either side of Horseshoe Drive should be divided; and whereas the public necessity, general welfare and good zoning practice may require such action; therefore, Supervisor Hanley moved that the Board:

- Initiate a Board's Own Motion to amend the proffers accepted with Rezoning Application RZ 88-P-009 and RZ 88-P-061 for the purpose of dividing the proffers between the land areas involved with each rezoning;
- Direct staff to waive the filing fees for these applications; and
- Direct staff to schedule this item for public hearing as expeditiously as possible.

Supervisor Hanley said that she is assuming that affected landowners will sign the proffers.

Supervisor Dix asked that the motion be amended to include informing the Mayor and Town Council of Vienna of this action, and this was accepted.

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

66.REQUEST FOR STAFF TO PROVIDE ADDITIONAL

INFORMATION TO INDIVIDUALS APPLYING FOR**A BUSINESS LICENSE (Tape 6)**

Supervisor Hanley stated that it has come to her attention that when someone applies for a business license with the County he/she is not informed of other obligations he/she may have before they can operate a business such as applying for Non-Residential-Use Permit. She said that this is critical for businesses operated out of the home.

Therefore, Supervisor Hanley moved that the Board direct staff to create a list for business license applicants of additional County regulations such as specifics of the Zoning Ordinance that may need to be followed in order to operate a business in Fairfax County. This motion was seconded by Supervisor Alexander.

Supervisor Alexander pointed out that some staff members in the Office of Finance do not make individuals aware that they need a business license and that they need a Non-Residential-Use Permit.

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

67. MONITORING OF HIGHWAYS BY STATE POLICE (Tape 6)

Supervisor Hanley stated that the Board received a letter from the Chief of Police explaining the meeting that was held with the Superintendent of State Police on September 24, 1992. She said that five of the 146 State troopers assigned to Northern Virginia have been reassigned. She noted that this area may experience an additional loss of troopers.

Therefore, Supervisor Hanley moved that the Board direct staff to monitor this situation and report its findings in January 1993. This motion was seconded by Chairman Davis.

Following discussion, the question was called on the motion which carried by a vote of nine, Supervisor Trapnell being absent.

68. TELEVISION MONITOR FOR SPEAKER'S LECTERN**IN BOARD ROOM (Tape 6)**

Supervisor Hanley called to the Board's attention the memorandum from the County Executive to Board Members regarding the cost of installing a monitor at the speaker's lectern, which would be approximately \$1500. She stated that several other options were also presented in the memorandum and moved that the Board direct staff to provide a Consideration Item on this subject at the next Board Meeting.

Supervisor Hanley amended her motion that the Board direct the County Executive to proceed with the procurement and installation of a monitor for the speaker's lectern. This motion was seconded by Supervisor Alexander.

Following discussion among Board Members, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board appoint a committee comprised of Supervisor Bulova and Supervisor Hanley to review this issue. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley withdrew her motion.

69.COMPLIANCE OF RESTROOM FACILITIES WITH THE AMERICANS WITH DISABILITIES ACT (ADA)

(Tape 6)

Supervisor Hanley stated that a number of construction projects in Fairfax County have not been completed due to economic conditions. Since February, 1992, all projects, including new tenant lay-outs, in existing buildings must comply with the Americans With Disabilities Act (ADA). Supervisor Hanley noted that one of her constituents was required by the Department of Environmental Management (DEM) to install plumbing fixtures, that comply with ADA, in restroom facilities. Because of the dimensions, the rooms are not accessible to people using wheelchairs. Supervisor Hanley moved that the Board direct the Director of DEM to obtain an official interpretation from the State Technical Review Board, as follows:

- Does the Virginia Uniform Statewide Building Code (VUSBC), under Section 4.1.5(1B) of ADA Accessibility Guidelines, require a new tenant in an existing building who wants to install plumbing fixtures in restroom facilities where none were previously installed to provide fixtures that comply with the ADA? The existing restroom facilities are comprised of walls and roughed-in plumbing. The interior dimensions will not allow access by a person in a wheelchair. The restroom lay-out

was approved based on a previous addition of VUSBC which did not require such access.

This motion was seconded by Supervisor Alexander.

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

70.LANDSCAPING AND GROUNDS MAINTENANCE OF

COUNTY SITES (Tape 6)

Supervisor Hanley called to the Board's attention a memorandum from the County Executive addressing the issue of landscaping and grounds maintenance of County sites. She stated that the maintenance does not include the mowing of lawns.

However, she also noted that several fire stations on the list utilize private contractors for the mowing of their lawns. Supervisor Hanley asked unanimous consent that the Board direct staff to report with a clarification of this information. Without objection, it was so ordered.

71.RECESS/EXECUTIVE SESSION (Tape 6)

At 1:20 p.m., Supervisor Dix moved that the Board recess and meet with the Employee Advisory Council (EAC) 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:

- Coates et al versus Doherty et al, Civil Action Number 90-1716A in the eastern district of Virginia; and
- A legal opinion concerning affordable dwelling units at Village at Gum Springs.

The motion, the second to which was inaudible, carried by a vote of nine, Supervisor Trapnell being absent.

AR:ar

At 4:45 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Trapnell, and with Chairman Davis presiding.

72.ACTIONS FROM EXECUTIVE SESSION (Tape 7)**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 Alexander and carried by a vote of nine, Supervisor Trapnell being absent.

B.AUTHORIZATION TO ENTER INTO A TAX AGREEMENT**WITH OAKWOOD VAN DORN ASSOCIATES LIMITED****PARTNERSHIP AND LD LIMITED PARTNERSHIP**

Supervisor Alexander moved that the Board enter into the October 1, 1992 Tax Agreement with Oakwood Van Dorn Associates Limited Partnership, and LD Limited Partnership and that the Board authorize the County Executive to execute an agreement on its behalf. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Trapnell being absent.

C.AUTHORIZATION FOR SETTLEMENT IN BOARD**OF SUPERVISORS VERSUS MAC D ASSOCIATES,****ET AL, AT LAW NUMBER 99837**

Supervisor Frey moved that the Board authorize entry of a settlement order in Board of Supervisors Versus Mac D Associates et al, At Law Number 99837, according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Trapnell being absent.

D.AUTHORIZATION FOR APPEAL WITH VIRGINIA

**SUPREME COURT IN FAIRFAX COUNTY FIRE
AND RESCUE DEPARTMENT VERSUS WILLIAM
HARRISON MITCHELL, RECORD NUMBER
0559-91-4**

Supervisor Berger moved that the Board authorize the filing of a petition for appeal with the Virginia Supreme Court in Fairfax County Fire and Rescue Department Versus William Harrison Mitchell, Record Number 0559-91-4 as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Chairman Davis and **CARRIED** by a recorded vote of six, Supervisor Hanley abstaining, Supervisor Alexander and Supervisor Hyland voting "NAY," Supervisor Trapnell being absent.

**E.AGREEMENT TO PURCHASE PROPERTY LOCATED AT
1401 DRANESVILLE ROAD**

Supervisor Berger moved that the Board agree to purchase the property located at 1401 Dranesville Road from Myrtle Crippen for \$95,435 subject to an agreement on a purchase contract acceptable to the County Attorney's Office. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Trapnell being absent.

SBE:sbe

**73.4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101
(SUBDIVISION ORDINANCE), REGARDING SUBDIVISION
OF LOTS ON PRIVATE STREETS (Tape 8)**

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board return to staff for further modifications the proposed amendment to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), regarding subdivision of lots on private streets. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Supervisor Frey voting "NAY," Supervisor Trapnell being absent.

Supervisor Hanley stated that she would forward to staff a list of modifications that she had planned to make following today's public hearing.

Following discussion, Supervisor Berger requested that those individuals present in the Board Room for this matter submit their written testimony for the record. He stated that their testimony would also be referred to the appropriate staff for review.

Supervisor Alexander asked unanimous consent that the Board direct staff to work with the Great Falls Civic Association and Supervisor Frey on an agreeable solution and to report with modifications on **October 26, 1992 at 4:00 p.m.**

Supervisor Bulova asked that the request be amended to direct staff to forward to each individual listed on the Speaker's List a copy of the Board Package Item and staff recommendation that will be distributed for the October 26, 1992 meeting, and this was accepted.

Supervisor Dix stated that Centreville District has at least four cases that will be directly impacted by the proposed amendment. He asked that the request be further amended to direct staff to include his office in the distribution of all documentation, and this was accepted.

Without objection, the amended request was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**74.I-11 - REDUCTION-IN-FORCE (RIF) IN THE
DEPARTMENT OF GENERAL SERVICES DUE TO THE
DECREASED VEHICLE MAINTENANCE AND PRINTING
WORKLOAD (Tape 8)**

(P)[NOTE: Earlier in the meeting, during the approval of the Matters presented by the County Executive, there was considerable discussion on this item; however, action deferred until following the Board's scheduled meeting with the Employees Advisory Council (EAC). See Clerk's Summary Item CL#5.]

The Board next considered an Information Item contained in the Memorandum to the Board dated October 5, 1992 requesting that the Board:

- Formally declare the Reduction-in-Force (RIF) on Tuesday, October 6, 1992, and implement it to avoid employee layoffs between Thanksgiving and the Christmas Holidays; and
- Direct the Office of Personnel to extend the same health insurance benefits to employees displaced by this Department of General Services RIF as was extended to employees displaced by the July 1992 RIF.

The positions recommended for the RIF are outlined in the Board Package and include:

- Division of Communications - Print Shop 4 Positions; and
- Equipment Management Transportation Agency 52 Positions.

The staff was directed administratively to proceed as proposed.

Supervisor Hyland moved that the Board approve, as its standard operating policy, the following procedures for future proposed RIFs of Fairfax County employees:

- That the Board direct staff, when any serious consideration is being given to RIFs, that those matters be called to the Board's attention in an expeditious manner (at a minimum a couple of weeks before the item is presented at the meeting) which would allow Board Members an opportunity to react and to inform the EAC of the possible changes that may affect the work force.

This motion was seconded by Supervisor Alexander.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Bulova asked that the motion be amended to also forward these items to the Board's Personnel Subcommittee for its review, and this was accepted.

It was the consensus of the Board to discuss at its upcoming Retreat the procedure to be used by the County Executive to notify Board Members of these matters.

The question was called on the motion, and as amended, **CARRIED** by a recorded vote of eight, Supervisor Dix voting "NAY," Supervisor Trapnell being absent.

75.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 84-L-020-4 AND CONCEPTUAL

DEVELOPMENT PLAN AMENDMENT APPLICATION**CDPA 84-L-020-5 (THE KINGSTOWNE COMMERCIAL****LIMITED PARTNERSHIP) (LEE DISTRICT) (Tape 8)**

(NOTE: Earlier in the meeting, action was taken to defer this public hearing until October 26, 1992 at 3:30 p.m. See Clerk's Summary Item CL#44.)

Supervisor Alexander moved to defer the public hearing on Proffered Condition Amendment Application PCA 84-L-020-4 and Conceptual Development Plan Amendment Application CDPA 84-L-020-5 until **October 26, 1992 at 4:30 p.m.** This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Trapnell being absent.

76.3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE**CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112****(ZONING ORDINANCE), ARTICLES 8, 12, AND 20****REGARDING SHOPPING CENTER SIGNS (Tape 8)**

(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 that Newspaper in the issues of September 17 and September 24, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Dix and Supervisor Berger jointly moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to amend Articles 8, 12, and 20 to delete the definition of Shopping Center Identification Sign and permit freestanding signs in shopping centers to identify or advertise the property, individual enterprises, products, services or entertainment available within the shopping center, **with an effective date of 12:01 a.m., October 6, 1992.** This motion was seconded by Supervisor Hanley.

Following discussion, the question was called on the motion which carried by a vote of nine, Supervisor Trapnell being absent.

77.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT**APPLICATION PCA 90-L-048 (THE PRICE COMPANY AND**

VIRGINIA 95 ASSOCIATES, LIMITED PARTNERSHIP)**(LEE DISTRICT) (Tape 8)**

Ms. Melanie M. Reilly reaffirmed the validity of the affidavit for the record.

Ms. Reilly had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing and she proceeded to present her case.

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

Supervisor McConnell referred to a letter that she had received from the Saratoga Community Association. She stated that, for the record, as this application proceeds, consideration will be given to the concerns expressed by the Saratoga Community Association.

Supervisor Alexander moved approval of Proffered Condition Amendment Application PCA 90-L-048 subject to the revised proffers dated September 4, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Supervisor Hanley being out of the room, Supervisor Trapnell being absent.

78.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT**APPLICATION PCA 84-L-020-4 AND CONCEPTUAL****DEVELOPMENT PLAN AMENDMENT APPLICATION****CDPA 84-L-020-5 (THE KINGSTOWNE COMMERCIAL****LIMITED PARTNERSHIP) (LEE DISTRICT) (No Tape)**

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Proffered Condition Amendment Application PCA 84-L-020-4 and Conceptual Development Plan Amendment Application CDPA 84-L-020-5. See Clerk's Summary Item CL#75.)

79.3:30 P.M. - PROPOSED AMENDMENT TO THE CODE OF

**THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES
AND TRAFFIC), ARTICLE 1, SECTION 82-1-6 (ADOPTION
OF STATE LAW), TO READOPT ACTIONS OF THE 1992
GENERAL ASSEMBLY (Tape 8)**

(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 that Newspaper in the issues of September 17 and September 24, 1992.

Following the public hearing, discussion ensued among Board Members, with input from Robert M. Ross, Assistant County Attorney, regarding the definition of "reckless driving."

Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 1, Section 82-1-6 (Adoption of State Law), pursuant to the provisions of Section 15.1-504 of the Code of Virginia, as amended, **to become effective upon passage by the Board of Supervisors**. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander and Supervisor Frey being out of the room, Supervisor Trapnell being absent.

**80.4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101
(SUBDIVISION ORDINANCE), REGARDING SUBDIVISION
OF LOTS ON PRIVATE STREETS (No Tape)**

[NOTE: Earlier in the meeting, action was taken to return to staff for further modifications the proposed amendment to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), regarding subdivision of lots on private streets. See Clerk's Summary Item CL#73.]

**81.4:00 P.M. - PH ON REZONING APPLICATION
RZ 92-V-019 (BOARD OF SUPERVISORS' OWN
MOTION) AND SPECIAL EXCEPTION APPLICATION**

**SE 91-V-050 (EXXON CORPORATION) (MOUNT
VERNON DISTRICT) (Tape 8)**

Mr. Jay du Von reaffirmed the validity of the affidavit for the record.

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

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

In response to a query by Supervisor Hyland, Barbara A. Byron, Director, Zoning Evaluation Division, Office of Comprehensive Planning, briefed Board Members on the pending study regarding fast food operations in connection with service stations.

Supervisor Hyland moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-V-019 be amended from the R-20 District to the C-8 District. This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of six, Supervisor Bulova abstaining, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Trapnell being absent.

Supervisor Hyland further moved:

- Approval of Special Exception Application SE 91-V-050 subject to the revised development conditions dated September 23, 1992;
- Waiver of the minimum lot width requirement; and
- Modification of the transitional screening requirements and waiver of the barrier requirement along the southern and western boundaries, subject to the revised development conditions dated September 23, 1992.

This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of six, Supervisor Bulova abstaining, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Trapnell being absent.

82.4:00 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT

APPLICATION DPA C-378-2 (SUNRISE VALLEY

**CONVENIENCE PROFESSIONAL CENTER OWNERS'
ASSOCIATION BOARD OF DIRECTORS) (CENTREVILLE
DISTRICT) (Tape 8)**

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Development Plan Amendment Application DPA C-378-2 until October 26, 1992 at 5:00 p.m. See Clerk's Summary Item CL#36.)

Supervisor Dix moved to defer the public hearing on Development Plan Amendment Application DPA C-378-2 until **October 26, 1992 at 5:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Trapnell being absent.

83.4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

**APPLICATION SEA 86-L-053 (SHEEHY FORD OF
SPRINGFIELD, INCORPORATED) (LEE DISTRICT)**

(Tape 8)

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

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Alexander moved approval of Special Exception Amendment Application SEA 86-L-053 subject to the development conditions contained in Appendix One dated September 15, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Chairman Davis being out of the room, Supervisor Trapnell being absent.

Supervisor Alexander further moved:

- Waiver of interior parking lot landscaping;
- Waiver of peripheral parking lot landscaping along the southern and western property lines subject to development conditions; and
- Modification of peripheral parking lot landscaping to existing vegetation along the northern portion of the eastern site boundary subject to development conditions.

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

**84.4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, TO RECODIFY
CHAPTER 84 (PUBLIC TRANSPORTATION) REGARDING
THE TAXICAB ORDINANCE (Tape 8)**

(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 that Newspaper in the issues of September 10 and September 17, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, to recodify Chapter 84 (Public Transportation) (recodified as Chapter 84.1) to update and revise taxicab rate and service regulations in Fairfax County, **to become effective on January 1, 1993**, which will allow taxicab companies and the Department of Consumer Affairs adequate time to prepare administratively for all changes, with the following modification:

- INCREASE** the limit of allowable miles from 300,000 to 380,000, with no increase in the age of the vehicle.

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

85.4:00 P.M. - PH ON PROPOSED LEASING OF COUNTY-

**OWNED SPACE TO GOOD SHEPHERD HOUSING AND
FAMILY SERVICES, INCORPORATED (MOUNT
VERNON DISTRICT) (Tapes 8-9)**

A Certificate of Publication was filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 17 and September 24, 1992.

Following the public hearing, Supervisor Hyland moved approval of the proposed leasing of County-owned property, located at 6301 Richmond Highway, to Good Shepherd Housing and Family Services, Incorporated, Mount Vernon District. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Chairman Davis being out of the room, Supervisor Trapnell being absent.

86.WORK SESSION/RETREAT SCHEDULED FOR BOARD

MEMBERS (Tape 9)

Supervisor Alexander reminded Board Members that a work session/retreat has been scheduled for Tuesday, October 13, 1992, beginning at 9:00 a.m. in the Conference Center of the Government Center.

87.BOARD ADJOURNMENT (Tape 9)

At 5:55 p.m., the Board adjourned and, at 6:00 p.m., reconvened in the Board Room to permit Supervisor Hyland the opportunity to bring an additional matter before the Board, with all Members being present, with the exception of Supervisor Berger, Supervisor Dix, Supervisor Hanley, and Supervisor Trapnell, and with Chairman Davis presiding.

**88.REQUEST THAT RESIDENTS OF GUM SPRINGS BE
GIVEN PRIORITY FOR THE AFFORDABLE DWELLING
UNITS (ADUs) AT THE "VILLAGE AT GUM SPRINGS"
(Tape 9)**

(NOTE: Earlier in the meeting, action was taken to defer the Board's consideration of this item until after the scheduled Executive Session. See Clerk's Summary Item CL#50.)

Supervisor Hyland asked unanimous consent that the Board request the Fairfax County Redevelopment and Housing Authority (FCRHA) Board to reconsider, at its next meeting, its action in connection with the allocation of Affordable Dwelling Units (ADUs) in the community where the development, "Village at Gum Springs," is located. Without objection, it was so ordered.

89.BOARD ADJOURNMENT (Tape 9)

At 6:05 p.m., the Board adjourned.