

**SBE:sbe**

The meeting was called to order at 9:45 a.m. with all Members being present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

Supervisor Alexander arrived at 9:55 a.m.

Others present were William J. Leidinger, County Executive; Robert L. Howell, Acting County Attorney; Theodore Austell, III, Executive Assistant to the County Executive; William O. Howland, Jr., Assistant to the County Executive; Patti M. Hicks, Deputy Clerk to the Board of Supervisors; and Viki L. Tippett, Deputy Clerk to the Board of Supervisors.

**2.CERTIFICATE OF APPRECIATION RECOGNIZING PARK**

**AUTHORITY EMPLOYEES (Tape 1)**

Chairman Davis and Supervisor Dix presented the Certificate of Appreciation to Park Authority employees Rob McGraw and Blaine Eldridge, commending them for their efforts to restore the Lake Fairfax Park train.

**3.CERTIFICATES OF RECOGNITION PRESENTED TO**

**FAIRFAX COUNTY POLICE OFFICERS FOR THEIR**

**PARTICIPATION IN THE 1992 MID ATLANTIC**

**POLICE MOTORCYCLE RIDING COMPETITION AND**

**THE 1992 INTERNATIONAL LAW ENFORCEMENT**

**OLYMPICS (Tape 1)**

Chairman Davis presented the Certificates of Recognition to the following Fairfax County Police Officers, for their participation in the 1992 Mid Atlantic Police Motorcycle Riding Competition and the 1992 International Law Enforcement Olympics:

**1992 Mid Atlantic Police Motorcycle Riding Competition:**

•PFC Steve E. Bullock;•PFC John T. Lamper, Jr.;

- PFC Wayne D. Compher;•PFC Stevn G. Mihelarakis;
- PFC David H. Dailey;•Sergeant Mark A. Payton;
- PFC Todd R. Edwards;•PFC Bernard A. Sekely, Jr.;
- PFC Robert S. Harrison;•PFC Jeffrey B. Thompson; and
- MPO Donald R. Ingerski;•PFC Ronald K. Walker.

**1992 International Law Enforcement Olympics:**

- Richard J. Allen, Jr.;•Joseph R. Hill;•William R. Petracca;
- Stanley G. Barry;•Robert D. Hill;•Mark P. Pfeiffer;
- Thomas L. Beckman;•Robert W. Hirst;•Don C. Pierson, Jr.;
- Kevin M. Brown;•Timothy W. Hoover;•Thomas F. Polhemus;
- Deval V. Bullock;•Cornell H. Huddleston;•Wayne S. Promisel;
- Steve E. Bullock;•Edward J. Janik;•Henry A. Pruitt;
- Christopher Cochran;•John E. Kuch;•Mark A. Rogers;
- Michael L. Connor;•Cynthia L. Lundberg;•David A. Russell;
- William A. Cooper;•Emil L. Luongo;•Charles H. Sherin;
- David H. Dailey;•Paul A. Maltagliati;•William C. Swartwout;
- Todd R. Edwards;•Warren A. McGee;•Joseph Tauro;
- David B. Goldberg;•Ronald K. Miller;•Randy M. Teague;
- John M. Gordon;•Douglas R. Mitchem;•Jeffrey B. Thompson;
- William R. Gulsby;•Michael F. Nicholson;•Dennis E. Vorbau;
- Mark P. Harrington;•Patrick J. O'Hara;•Ronald K. Walker;
- William E. Hennage;•Philip E. Parsell;•Kevin L. Webb;

- Paul D. Hicks;•Robert D. Patterson;•Carlis M. Williams; and
- Frederick C. Wood.

**4.CERTIFICATE OF APPRECIATION RECOGNIZING THE 1992  
VIRGINIA MUNICIPAL LEAGUE ACHIEVEMENT AWARDS AND  
I-1 - FAIRFAX COUNTY RECEIVES TOP AWARD FROM  
VIRGINIA MUNICIPAL LEAGUE (VML) (Tape 1)**

Chairman Davis called to the Board's attention Information Item I-1 - Fairfax County Receives Top Award From Virginia Municipal League (VML) and announced that Fairfax County had won the Achievement Award that was presented by the 1992 Virginia Municipal League (VML) "Keys to Success" program. The award, in the category of Effective Government, recognizes the Recreation and Community Services' Volunteer Building Director Program and was presented on October 20, 1992 at a banquet concluding VML's annual conference in Hampton, Virginia.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#7.)

**5.CERTIFICATES OF APPRECIATION RECOGNIZING FAIRFAX  
COUNTY AND CITY FIRE AND RESCUE DEPARTMENT  
PERSONNEL, AND HEALTH DEPARTMENT PERSONNEL  
(Tape 1)**

Chairman Davis, Supervisor Bulova, and Supervisor Hyland presented Certificates of Appreciation to the following Fairfax County and City Fire and Rescue Department personnel, and Health Department personnel, commending them for their efforts for victims of Hurricane Andrew:

- Kenneth C. Hunsberger;•William D. Shiff;•Wilfrid L. Seng, III;
- Arthur L. Varnau, Jr.•Steven I. Weissman•John J. Caussin, Jr.;
- Christopher J. Walker;•John C. Guy, Jr.;•Wesley L. Gallahan;

- William B. Harlowe;•Domenick P. Iannelli;•David A. Neilan;
- Michael P. Regan;•Michael J. Stone;•William B. Wheatley;
- Peter West;•William Hershman;•Derek Rowan;
- Frank Comer;•James Bailey;•Michael Begley;
- David Bender;•Paul Bertovich;•Thomas Carver;
- Barry Culbertson;•Darrell Duane;•John Donohue;
- Heidi Exton;•James Flanagan;•James Gallant;
- Steven King;•James Knight;•Sean Lash;
- Victoria Lee;•Keli Lenihan;•George McMahon;
- Blair Miller;•Laura Olney;•Brooke Moorhead;
- Maria Meuse;•Lori Oxman;•Kay Cobb;
- Nevia Crow;•Eileen Malatino;•Karen Roubik; and
- Suzanne Dorick.

**6. PROCLAMATION DESIGNATING "THE DAY OF RECOGNITION FOR EARLY-CHILDHOOD AND DAY-CARE PROVIDERS AND PROFESSIONALS" (Tape 1)**

Supervisor Trapnell moved approval of the Proclamation, designating October 22, 1992 as the "**DAY OF RECOGNITION FOR EARLY-CHILDHOOD AND DAY-CARE PROVIDERS AND PROFESSIONALS IN FAIRFAX COUNTY,**" and urges all citizens and parents to honor each and every day the members of this remarkable profession who play such a vital role in shaping the future of our children. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

**7. CERTIFICATE OF APPRECIATION RECOGNIZING THE 1992 VIRGINIA MUNICIPAL LEAGUE ACHIEVEMENT AWARDS AND**

## **I-1 - FAIRFAX COUNTY RECEIVES TOP AWARD FROM VIRGINIA MUNICIPAL LEAGUE (VML) (Tape 1)**

(NOTE: Earlier in the meeting this item was discussed. See Clerk's Summary Item CL#4.)

Chairman Davis stated that Fairfax County had won the Achievement Award that was presented by the 1992 Virginia Municipal League (VML) "Keys to Success" program. The award, in the category of Effective Government, recognizes the Recreation and Community Services' Volunteer Building Director Program and was presented on October 20, 1992 at a banquet concluding VML's annual conference in Hampton, Virginia.

Chairman Davis introduced W. Michael Kendrick, Director, Department of Recreation and Community Services, who recognized the following individuals for their assistance in "putting together" the training tape:

- Edwin S. Clay, Director, Library Administration;
- Ronald Mallard, Director, Department of Consumer Affairs;
- Gale C. Eskew, Chief, Cable Programming Division, Department of Consumer Affairs; and
- Drew Stuart, Department of Consumer Affairs.

## **8.10:00 A.M. - 1992 EXCEPTIONAL DESIGN AWARDS**

### **CEREMONY (Tapes 1-2)**

Lynda L. Stanley, Director, Planning Division, Office of Comprehensive Planning (OCP), noted that OCP administers the Design Awards Program. She added that this is the eighth year of the Exceptional Design Awards Program which was established in 1985 by the Board to recognize achievement in total design and building site.

Chairman Davis and C. Richard Bierce, AIA, Chairman, Design Jury, presented the following 1992 Exceptional Design Awards:

#### **Merit Award:**

- Centreville Regional Library

(Institutional), Centreville, By Helbin Lipp, Limited of McLean; and County of Fairfax.

**Honorable Mention:**

•Little River Glen

(Affordable Housing Development), Fairfax, By Environmental Design Group of Reston and Fairfax County Redevelopment and Housing Authority.

Supervisor Frey expressed his appreciation to the following individuals who worked to ensure that the Centreville Regional Library opened on schedule:

•Thomas M. Dorman, Chief, Project Management Branch, Project Management Division, Department of Public Works;

•Leroy Niebruegge, Project Engineering Division, Department of Public Works;

•Carey Needham, Project Management Division, Department of Public Works;

•Gail Lavacka, Library Administration; and

•Teresa Walker, Library Administration.

**9.ORDERS OF THE DAY (Tape 3)**

Chairman Davis announced that there would be a change in the Orders of the Day and that the Board would proceed with the presentation of the Route 28 Tax District Task Force (Dulles Suburban Center) Draft Plan Amendment.

**AR:ar**

**10.10:30 A.M. - PRESENTATION OF THE ROUTE 28**

**TAX DISTRICT TASK FORCE (DULLES SUBURBAN**

**CENTER) DRAFT PLAN AMENDMENT (Tape 3)**

Glenn A. Stroup, Chairman, Route 28 Tax District Task Force, presented to Board Members the Route 28 Tax District Task Force (Dulles Suburban Center) Draft Plan Amendment.

Following discussion, with input from Lynda L. Stanley, Director, Planning Division, Office of Comprehensive Planning, Supervisor Dix moved that the Board direct staff to:

•Schedule a Work Session for 8:30 a.m. on November 13, 1992, to discuss:

1.Details of the memorandum, which was circulated by the County Executive to Board Members on October 15, 1992; and

2.The Route 28 Tax District Task Force Draft Plan Amendment.

Supervisor Dix stated that at the October 16, 1992 meeting of the Route 28 Highway Transportation Improvement District Commission, State Transportation Secretary Milliken agreed to work with Fairfax and Loudoun Counties to develop a policy which would allow residential rezoning in a Tax District if the financial integrity of the Tax District would be maintained. Supervisor Dix added that this issue is obviously important, particularly since the Board now has in hand a Draft Plan Amendment for the Route 28 Tax District which recommends residential uses in the corridor, and if any modifications to the State legislation are needed, appropriate action will have to be taken during the 1993 Session of the General Assembly.

The motion was seconded by Supervisor Berger.

Supervisor McConnell suggested that it would be helpful for the scheduled Work Session to include input from Mr. Scheffer of the Airports Authority regarding his projections for Dulles Airport.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to give flexibility to the Chairman of the Board to work with staff in scheduling and coordinating the specifics of the Work Session, and this was accepted by Supervisor Dix with the understanding that all this must be accomplished prior to the next meeting of the District Commission on December 4, 1992.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Dix asked that his motion be amended to authorize referral of the document on the Task Force Study to the Planning Commission for hearings and study, and this was accepted.

Supervisor Frey asked that the motion be amended to include a suggestion that the Planning Commission schedule its public hearings shortly after the first of the new year, and this was accepted.

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

On behalf of the Board, Chairman Davis expressed appreciation to Mr. Stroup and the staff for their participation in this important effort.

**CM:cm**

### **11.10:15 P.M. - APPOINTMENTS TO THE FAIRFAX AREA**

#### **DISABILITY SERVICES BOARD (Tape 4)**

(APPT)

Chairman Davis moved the appointment of Mr. Thomas J. Sawyer as the At-Large Representative to the Fairfax Area Disability Services Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Dix moved the appointment of Mr. James Brooker as the Centreville District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Trapnell moved the appointment of Ms. Julia Treagy as the Mason District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Berger moved the appointment of Ms. Martha K. Glennan as the Dranesville District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Arthur W. Friedberg as the Mount Vernon District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Alexander moved the appointment of Mr. Gordon Landes as the Lee District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor McConnell moved the appointment of Mr. Kenward Harris as the Springfield District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.



Supervisor Frey moved the appointment of Ms. Leye J. Chrzanowski as the Sully District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hanley moved the appointment of Ms. Peggy Singleton as the Providence District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: The appointment of the Braddock District Representative to the Fairfax Area Disability Services Board was deferred.)

**JDC:jdc**

## **12.ADMINISTRATIVE ITEMS (Tape 5)**

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

Supervisor Alexander called to the Board's attention Administrative Item Four - Proposed Amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 14, Exemption of Real Estate Taxes and Article 15, Rent Relief for Low-Income Elderly and the Disabled: Deadline Revision. He stated that the item included an attachment which addressed the filing date for rent relief programs; however, this was not included with the recommendation and he asked that the motion be amended to include this in the advertisement in order to allow the Board the option to review this at the public hearing, and this was accepted.

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

(NOTE: Later in the meeting, additional discussion ensued on Administrative Item Five. See Clerk's Summary Item CL#13.)

### **ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM**

#### **(DRANESVILLE, SPRINGFIELD, AND SULLY DISTRICTS)**

(R)Approved the request that certain streets listed in the Memorandum to the Board dated October 26, 1992 be recommended for acceptance into the State Secondary System.

### **ADMIN 2 - CONNECTION TO THE UPPER OCCOQUAN SEWAGE**

**AUTHORITY SYSTEM (UOSA) (SULLY DISTRICT)**

Approved the request to the Upper Occoquan Sewage Authority System (UOSA) to permit the following connection, which is within the County's approved limits of sewer service, to be made to the UOSA System:

BIG ROCKY FOREST SECTION 1-A - Construct a manhole over the existing Big Rocky Interceptor between existing MH43-2 and MH43-1 and make an eight-inch connection to the new manhole.

**ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION****FOR SPECIAL EXCEPTION AMENDMENT APPLICATION****SEA 82-V-044, COAKLEY/BACKLICK ROAD LIMITED****PARTNERSHIP (MOUNT VERNON DISTRICT)**

(AT)Approved the request for 36 months of additional time to commence construction for Special Exception Amendment Application SEA 82-V-044 until **October 8, 1995** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 4 - PROPOSED AMENDMENTS TO THE CODE OF THE****COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE),****ARTICLE 14, EXEMPTION OF REAL ESTATE TAXES AND****ARTICLE 15, RENT RELIEF FOR LOW-INCOME ELDERLY AND****THE DISABLED: DEADLINE REVISION**

(A)(NOTE: During approval of the Administrative Items, action was taken on Administrative Item Four to ensure that the filing date for rent relief programs is included in the advertisement. See Clerk's Summary Item CL#12.)

Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 7, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 14 (Exemption of Real Estate Taxes), Section 4-14-3 and Article 15 (Rent Relief for Low-Income Elderly and the Disabled), Section 4-15-6, to change the application deadline from May 1 to April 1 to become **effective January 1, 1993.**

**ADMIN 5 - PROPOSED REPEAL OF ARTICLE 16, AND  
ADOPTION OF ARTICLE 16.1, RELATING TO ALTERNATIVE  
PERSONAL PROPERTY TAX RATE FOR THE ELDERLY AND  
PERMANENTLY DISABLED, THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 4, (TAXATION AND FINANCE)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 7, 1992 at 3:30 p.m.** on the proposed revisions to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance). This amendment brings the County Code into conformance with the State Code for personal property tax relief.

(NOTE: Later in the meeting, additional discussion ensued on Administrative Item Five. See Clerk's Summary Item CL#13.)

**ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON THE SALE OF THE ELM STREET PROPERTY  
IN MCLEAN (DRANESVILLE DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **November 16, 1992 at 4:30 p.m.** regarding the sale of the Elm Street Property in McLean, Tax Map Number 30-2((10))4, 5B, and directed staff to notify adjacent property owners of the public hearing by certified mail.

**13.ADMIN 5 - PROPOSED REPEAL OF ARTICLE 16, AND  
ADOPTION OF ARTICLE 16.1, RELATING TO ALTERNATIVE  
PERSONAL PROPERTY TAX RATE FOR THE ELDERLY AND  
PERMANENTLY DISABLED, THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 4, (TAXATION AND FINANCE)**

(NOTE: Earlier in the meeting, action was taken to approve the Administrative Items. See Clerk's Summary Item CL#12-5.)

Discussion ensued among Board Members, with input from Kevin C. Greenlief, Director, Personal Property, State Income and License Division, Office of Assessments.

#### **14. A-1 - VIRGINIA POWER APPLICATION FOR RATE**

##### **INCREASE CASE NUMBER PUE 920041 (Tape 5)**

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the Department of Consumer Affairs and the County Attorney's Office to intervene on behalf of the Board, before the State Corporation Commission (SCC), in the hearing scheduled for March 8, 1993, on Virginia Power's application to increase its rates. This motion was seconded by Supervisor Alexander.

Following discussion among Board Members, with input from William J. Leidinger, County Executive, and Ronald B. Mallard, Director, Department of Consumer Affairs, Supervisor Frey asked that the motion be amended to direct staff to report with the proposed testimony to be presented before the SCC once the analysis of the application is complete, and this was accepted.

Following additional discussion, Supervisor Dix clarified the motion: that staff will report to the Board upon completion of their analysis of the application and prior to pursuing further action.

Following continued discussion, the question was called on the motion, as amended, which **CARRIED** by a recorded vote of eight, Supervisor Berger and Supervisor McConnell voting "NAY."

#### **15. A-2 - RECOMMENDATION ON VIRGINIA DEPARTMENT OF**

##### **TRANSPORTATION'S (VDOT) WESTERN REGIONAL**

##### **PARK-AND-RIDE PHASE I STUDY (DRANESVILLE**

##### **DISTRICT) (Tape 5)**

Supervisor Berger moved that the Board concur in the recommendation of staff to request the Virginia Department of Transportation (VDOT) to include the Kay/CIT site for further analysis in Phase II of the Western Regional Park-and-Ride Study. This motion was seconded by Supervisor Alexander.

Following discussion among Board Members, with input from Shiva K. Pant, Director, Office of Transportation; Consultants from Wilbur Smith Associates; and Representatives from the Virginia Department of Transportation (VDOT), the question was called on the motion which carried by unanimous vote.

**16. A-3 - ROUTE 29 FEASIBILITY STUDIES, PHASE I AND  
PHASE II, COUNTY ROAD BOND PROJECT 64116 (SULLY  
DISTRICT) (Tape 5)**

Supervisor Frey moved that the Board concur in the recommendation of staff and endorse the concepts outlined in the Memorandum to the Board dated October 26, 1992, with the modification that the final plans indicate the future grade separation be located at Legato Road, rather than Marymead Drive. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

Additionally, Supervisor Frey moved that the Board direct staff to prepare an Out-of-Turn Plan Amendment to the Comprehensive Plan reflecting the following:

- A grade separated interchange at Legato Road;
- A revised circulation plan north of Route 29 in the vicinity of Legato Road; and
- A compatible design concept references to Route 29.

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

**17. A-4 - SUPPLEMENTAL APPROPRIATION RESOLUTION  
(SAR) AS 93031 TOTTALLING \$222,616 FOR ACCEPTANCE  
OF U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
GRANT AWARD FOR THE HOMELESS FAMILIES SUPPORT  
SERVICES DEMONSTRATION PROGRAM (Tape 5)**

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Dix being out of the room, the Board concurred in the recommendation of staff and adopted the Supplemental Appropriation Resolution

(SAR) AS 93031 in the amount of \$222,616 from the U.S. Department of Health and Human Services (DHHS) to develop a case management/service delivery model and pilot that will provide integrated services to homeless families and those at risk of becoming homeless.

**18. A-5 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**(SAR) AS 93034 FOR THE OFFICE FOR CHILDREN CHILD**

**CARE AND DEVELOPMENT BLOCK GRANT FUNDS FOR THE**

**HEAD START PROGRAM (Tape 5)**

(SAR)On joint motion of Supervisor Hanley and Supervisor Hyland, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Dix being out of the room, the Board concurred in the recommendation of staff and adopted the Supplemental Appropriation Resolution (SAR) AS 93034 in the amount of \$106,610 for Child Care and Development Block Grant Funds for the Head Start Program.

**19. A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**(SAR) AS 93023 FOR THE FIRE AND RESCUE DEPARTMENT**

**URBAN SEARCH AND RESCUE GRANT (Tape 5)**

(SAR)Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt the Supplemental Appropriation Resolution (SAR) AS 93023 in the amount of \$50,862 to appropriate Federal Emergency Management Agency (FEMA) funds processed through the Commonwealth of Virginia's Department of Emergency Services to purchase search and rescue-related tools and equipment. This motion was seconded by Supervisor Hyland.

Following discussion among Board Members, with input from Kenneth L. Jones, Deputy Chief, Administrative Services Division, Fire and Rescue Department, the question was called on the motion which carried by unanimous vote.

**20. A-7 - RESPITE RESOURCE PROJECT REQUEST (Tape 5)**

On motion of Supervisor Hanley, jointly seconded by Supervisor Alexander and Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved submission of a grant application in the

amount of \$40,000 to the Virginia Institute for Developmental Disabilities, Virginia Commonwealth University.

**21. A-8 - PROPOSED VACATION OF A COUNTY ACQUIRED  
SANITARY SEWER EASEMENT OF PROPERTY OWNED BY  
RESTON LAND CORPORATION (CENTREVILLE DISTRICT)**

**(Tape 5)**

(R)On motion of Supervisor Dix, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the County Executive to execute, on behalf of the Board, a quitclaim deed releasing the subject easement.

**22. A-9 - APPROVAL OF CERTIFICATION OF ZONING AND  
SUBDIVISION ORDINANCE COMPLIANCE FOR THE  
CHESAPEAKE AND POTOMAC TELEPHONE COMPANY  
OF VIRGINIA (MOUNT VERNON DISTRICT) (Tape 5)**

On motion of Supervisor Hyland, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to sign the certificate indicating that the Gunston Central Office facility is consistent with Fairfax County Zoning and Subdivision Ordinances.

**23. A-10 - DENSITY CREDIT FOR ADVANCE DEDICATION OF  
LAND FOR PUBLIC PURPOSES (LEE JACKSON MEMORIAL  
HIGHWAY) (SULLY DISTRICT) (Tape 5)**

**(DC)**

(R)On motion of Supervisor Frey, jointly seconded by Supervisor Hanley and Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the density credit for the portion of the following lot or parcel that is to be dedicated for public use and for public street purposes in accordance with the deed of dedication which is to be recorded. Based on

the information available, the following approximate amounts of land are to be dedicated from the following Tax Map Parcels:

**Tax Map Reference Approximate Area**

45-2 ((1)) 127,255 square feet

**24. A-11 - DENSITY CREDIT FOR ADVANCE DEDICATION OF  
LAND FOR PUBLIC PURPOSES (SILVERBROOK ROAD)**

**(MOUNT VERNON DISTRICT) (Tape 5)**

(DC)

(R)On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the density credit for the portion of the following lot or parcel that is to be dedicated for public use and for public street purposes in accordance with the deed of dedication which is to be recorded. Based on the information available, the following approximate amounts of land are to be dedicated from the following Tax Map Parcels:

**Tax Map Reference Approximate Area**

107-1 ((1)) 42,579 square feet

**25.A-12 - AUTHORIZATION TO ADVERTISE PROPOSED  
AMENDMENT TO THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)  
REGARDING MINOR MODIFICATIONS TO APPROVED  
REZONINGS, SPECIAL EXCEPTIONS AND SPECIAL  
PERMITS (Tape 5)**

(A)

(R)Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 18, 1992 and before the Board of



Supervisors on **December 14, 1992 at 4:00 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow administrative approval of minor modifications and additions to approved rezonings, special exceptions, and special permits. This motion was seconded by Supervisor Hanley.

Following commendation to staff from Supervisor Hanley, the question was called on the motion which carried by unanimous vote.

**26.A-13 - AUTHORIZATION TO ADVERTISE PROPOSED**

**AMENDMENT TO THE CODE OF THE COUNTY OF**

**FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)**

**REGARDING SITE PLAN APPROVAL, REVISIONS,**

**EXTENSIONS AND APPEALS (Tape 5)**

(A)

(R)On motion of Supervisor Frey, jointly seconded by Supervisor Hanley and Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 19, 1992 and before the Board of Supervisors on **December 14, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to:

- Incorporate a state-mandated minimum five-year period of validity for certain approved site plans, and other changes concerning the status of such plans; and
- Provide consistency with State Code provisions regarding the appeal of site plan decisions.

**27.A-14 - AUTHORIZATION TO ADVERTISE PROPOSED**

**AMENDMENT TO THE CODE OF THE COUNTY OF**

**FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)**

**REGARDING PERMITTED EXTENSIONS INTO MINIMUM**

**REQUIRED YARDS (Tape 5)**

(A)

(R)On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on December 2, 1992 and before the Board of Supervisors on **December 14, 1992 at 4:00 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise the provisions for extensions into rear yards for elevated decks on certain single-family attached dwelling unit lots.

**28.A-15 - AUTHORIZATION TO ADVERTISE PROPOSED  
AMENDMENT TO THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)  
AND OUT-OF-TURN PLAN AMENDMENT REGARDING  
MOBILE AND LAND BASED TELECOMMUNICATION  
FACILITIES (Tape 5)**

(A)

(R)Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 19, 1992 and before the Board of Supervisors on **December 7, 1992 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) and proposed Out-of-Turn Plan Amendment to revise the regulations and review policies for mobile and land based cellular telecommunication facilities. This motion was seconded by Supervisor Alexander.

Following discussion among Board Members, with input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Hanley asked that the motion be amended to withdraw from the advertisement the map depicting possible locations for telecommunication towers.

Following additional discussion, Mr. Zook clarified that the map depicts opportunities for collocation, rather than citing exact locations.

Supervisor Hanley withdrew her amendment.

Following continued discussion, the question was called on the motion which carried by unanimous vote.

**29.A-16 - APPOINTMENT OF MEMBERS TO THE COMMUNITY**

**POLICY AND MANAGEMENT TEAM FOR SERVICES TO**

**AT-RISK YOUTH AND FAMILIES (Tape 5)**

(APPT)

Supervisor Alexander moved that the Board concur in the recommendation of staff and appoint the following remaining members to the Community Policy and Management Team for Services to At-Risk Youth and Families:

- Ms. Jacqueline Burns, as a Parent Representative; and
- Ms. Othella E. Daniels, Ed.D., as a County Culturally Diverse Community Representative.

This motion was seconded by Supervisor Hyland.

Following discussion among Board Members, with input from Verdiana L. Haywood, Deputy County Executive for Human Services, the question was called on the motion which carried by unanimous vote.

(NOTE: The appointment of one of the County's Culturally Diverse Community Representatives was deferred.)

**30.A-17 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**(SAR) AS 93033 TO EXPAND THE OFFICE FOR**

**CHILDREN HEAD START PROGRAM (Tape 5)**

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

Supplemental Appropriation Resolution (SAR) AS 93033, in the amount of \$53,521, to expand the Office for Children Head Start Program.

**31.A-18 - AUTHORIZATION AND ENDORSEMENT OF A  
JOINT FAIRFAX COUNTY PUBLIC SCHOOLS (FCPS)/  
FAIRFAX COUNTY GOVERNMENT GRANT APPLICATION  
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION  
(VDOT) ALTERNATIVE FUEL REVOLVING FUND  
(VAFRF) PROGRAM FOR EXPANSION OF A COUNTY/  
SCHOOLS FLEET PILOT PROJECT TO TEST  
COMPRESSED NATURAL GAS FUELED VEHICLES (Tape 5)**

Supervisor McConnell moved that the Board concur in the recommendation of staff and:

- Endorse a joint application by the Fairfax County Public Schools (FCPS) Office of Transportation Services and the Fairfax County Government's Equipment Management Transportation Agency (EMTA) to the Virginia Department of Transportation (VDOT) Alternative Fuel Revolving Fund Program; and
- Authorize the FCPS to accept the funds should the grant be approved.

This motion was seconded by Supervisor Alexander.

Following discussion among Board Members, the question was called on the motion which carried by unanimous vote.

Supervisor Hanley asked unanimous consent that the Board direct staff to report with the cost for site preparation. Without objection, it was so ordered.

**AR:ar**

**32.C-1 - CAPITAL CONTRIBUTION TO THE NORTHERN  
VIRGINIA REGIONAL PARK AUTHORITY (NVRPA)**

**(Tape 6)**

The Board next considered an Item contained in the Memorandum to the Board dated October 26, 1992 requesting the Board's reconsideration to withhold the County's Fiscal Year (FY) 1993 Capital Contribution to the Northern Virginia Regional Park Authority (NVRPA).

Supervisor Frey moved that the Board direct staff to take the necessary action to include funding for the County's commitments to the NVRPA in the next bond sale. This motion was seconded by Supervisor Bulova.

Following discussion, with input from James P. McDonald, Deputy County Executive for Management and Budget, the question was called on the motion which carried by unanimous vote.

**33.C-2 - 1992 VIRGINIA ASSOCIATION OF COUNTIES'****(VACo) ANNUAL MEETING (Tape 6)**

The Board next considered an Item contained in the Memorandum to the Board dated October 26, 1992 requesting the Board's designation of a voting and alternate delegate to represent the County at the Virginia Association of Counties' (VACo) annual meeting to be held at the Homestead in Hot Springs, Virginia, on November 8 through November 10, 1992.

Supervisor Hanley moved that the Board designate Chairman Davis to represent Fairfax County as the Voting Delegate, and Supervisor Hyland as the Alternate Delegate at the upcoming annual meeting of VACo. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**34.C-3 - COMMISSION ON AGING COMPLIANCE WITH THE****OLDER AMERICANS ACT (Tape 6)**

The Board next considered an Item contained in the Memorandum to the Board dated October 26, 1992 requesting the Board's consideration of alternative courses of action to have the Commission on Aging certified in compliance with composition requirements, including the requirement to have a local elected official appointed to the Commission.

Supervisor Hanley moved that the Board direct staff to work with the Virginia Department for the Aging (VDA) to seek a change to Federal Regulation 45 CFR

1321.57 to add the provision which would allow the State to waive the requirement to have a local elected official on commissions whose representatives are appointed by local elected officials. (VDA suggested that the County pursue this alternative.) This motion was seconded by Supervisor Frey and carried by unanimous vote.

**35.C-4 - AUTHORIZATION TO NEGOTIATE UNDER THE  
PRIVATE DEVELOPER ASSISTANCE PROGRAM FOR  
SOUTH CONGREGATION OF JEHOVAH'S WITNESSES**

**(MASON DISTRICT) (Tape 6)**

The Board next considered an Item contained in the Memorandum to the Board dated October 26, 1992 requesting the Board's authorization to negotiate under the Private Developer Assistance Program at the request of South Congregation of Jehovah's Witnesses for certain land rights on property identified as Tax Map Number 61-4-01-0118 owned by the Loyal Order of Moose, Arlington, Lodge Number 1315.

Supervisor Trapnell moved that the Board authorize staff to negotiate under the Private Developer Assistance Program for certain land rights on property identified as Tax Map Number 61-4-01-0118. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**36.I-1 - FAIRFAX COUNTY RECEIVES TOP AWARD  
FROM VIRGINIA MUNICIPAL LEAGUE (VML) (No Tape)**

(NOTE: Earlier in the meeting, this Item was considered by the Board. See Clerk's Summary Items CL#4 and CL#7.)

**37.I-2 - REFINANCING OF COUNTY GENERAL  
OBLIGATION BONDS (Tape 6)**

**(BONDS)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992:

- Presenting the County's financial advisor's analysis of the County's current outstanding bond payments. The following issue has been identified as a potential candidate for refinancing based on current interest rates; and
- Requesting authorization for staff to report with the necessary initiating Resolution.

**Issue:** 1988 B

**Refunded Amount:** \$61,425,000

**Coupon Range:** 6.7 - 7.3 percent

**Estimated Savings:** \$628,662 FY 1994

**approx. ann.** \$150,000 1995-2008

**total** \$2,135,905 NPV

The staff was directed administratively to proceed as proposed.

### **38.I-3 - STATUS REPORT ON THE FAIRFAX CITY**

#### **TANK FARM (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 presenting a status report on the Fairfax City Tank Farm and requesting authorization for staff, in an effort to maintain the County's response level and ensure technical continuity, to raise the ceiling on the GeoTrans contract from \$100,000 to \$200,000.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Acting County Attorney place this Item on the Agenda for today's Executive Session. Without objection, it was so ordered.

### **39.I-4 - AWARD OF CONTRACT - PHYSICAL FITNESS**

#### **TESTING EXAMINATION PROGRAM (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for the Purchasing Agent to proceed to award a contract to the National Hospital for Orthopaedics and

Rehabilitation, for a total contract amount for Fiscal Year (FY) 1993 of \$398,355, for the physical fitness testing examination program.

The staff was directed administratively to proceed as proposed.

**40.I-5 - AWARD OF DESIGN CONTRACT ADDENDUM  
FOR SOUTH VAN DORN/I-95 INTERCHANGE (LEE  
DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to award a contract addendum to Parsons, Brinckerhoff, Quade and Douglas, in the amount of \$92,373.05, for the South Van Dorn/I-95 Interchange, Lee District.

The staff was directed administratively to proceed as proposed.

**41.I-6 - LEASED VEHICLES USED BY VOLUNTEER  
FIREFIGHTERS (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 responding to the Board's request of October 5, 1992 to review the issue of personal property taxation as it pertains to leased vehicles used by volunteer firefighters.

Supervisor Alexander asked unanimous consent that the Board refer this matter to the Legislative Subcommittee for initiation of action necessary to seek an amendment to Virginia Code 58.1-3506(13) to allow the preferential personal property tax treatment for vehicles leased by members of volunteer rescue squads and volunteer fire departments. Without objection, it was so ordered.

**42.I-7 - APPROVAL OF ENGINEERING DESIGN  
CONTRACT FOR COLUMBIA PIKE REVITALIZATION  
PROJECT (MASON DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to award a



contract to EDAW, Incorporated, in the amount of \$78,000 for the Columbia Pike Revitalization Project, Mason District.

The staff was directed administratively to proceed as proposed.

#### **43.I-8 - LOCATION OF FAIRFAX COUNTY SURPLUS**

##### **PROPERTY AUCTIONS (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for the Purchasing Agent to continue to contract for the sale of surplus property with auctioneer services firms.

The auction contract will be re-bid in the Spring of 1993 in order to have a new contract in place by July 1, 1993. This solicitation will request bidders to provide commission rates for auctions held in Fairfax County, as well as for auctions held at the bidders normal place of business. The next contract will require regular advertisements in newspapers with broad circulation in Fairfax County. In addition, every effort will be made to ensure that all interested Fairfax County firms are aware of the solicitation and are provided the opportunity to compete for these services.

The staff was directed administratively to proceed as proposed.

#### **44.I-9 - REQUEST FOR STAFF TO PROVIDE ADDITIONAL**

##### **INFORMATION TO INDIVIDUALS APPLYING FOR A**

##### **BUSINESS LICENSE (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 responding to the Board's request of October 5, 1992 for additional information for individuals applying for business licenses.

Supervisor Alexander asked unanimous consent that the Board refer this Item to staff for further clarification concerning the provision of specific information to business license applicants regarding the County's Zoning Ordinance. Without objection, it was so ordered.

#### **45.I-10 - LETTER TO NATIONAL CAPITAL PLANNING**

##### **COMMISSION TO TRANSMIT STAFF COMMENTS ON**

**THE DRAFT FORT BELVOIR REAL PROPERTY****MASTER PLAN (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for the Chairman of the Board to sign the letter, to the National Capital Planning Commission, transmitting the staff comments on the Draft Fort Belvoir Real Property Master Plan.

Following input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Hyland asked unanimous consent that the letter include a reference to the terminus of Fairfax County Parkway at Route One. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

**46.I-11 - LETTER TO REQUEST METROPOLITAN****WASHINGTON AIRPORTS AUTHORITY (MWAA) TO****CONSIDER EXPANSION OF ITS NOISE COMPLAINT****PROGRAM AS RECOMMENDED BY THE AIRPORTS****ADVISORY COMMITTEE (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for the Chairman of the Board to sign the letter, to the Metropolitan Washington Airports Authority (MWAA), requesting consideration of the expansion of its Noise Complaint Program as recommended by the Airports Advisory Committee.

The staff was directed administratively to proceed as proposed.

**47.I-12 - SUBMISSION OF COMMUNITY DEVELOPMENT****BLOCK GRANT (CDBG) PROGRAM YEAR 17 [FISCAL****YEAR (FY) 1992] GRANTEE PERFORMANCE REPORT****AND RENTAL REHABILITATION PROGRAM ANNUAL**

**PERFORMANCE REPORT (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 transmitting the submission of the Community Development Block Grant (CDBG) Program Year 17 [Fiscal Year (FY) 1992] Grantee Performance Report and Rental Rehabilitation Program Annual Performance Report.

**48.I-13 - CONTRACT MODIFICATION - PSYCHIATRIC**

**SERVICES IN SUPPORT OF COMMUNITY SERVICES**

**BOARD (CSB) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for the Purchasing Agent to proceed to award the contract modifications, as identified in the Board Package, for psychiatric services in support of the Community Services Board (CSB).

The staff was directed administratively to proceed as proposed.

**49.I-14 - CONTRACT AWARD TO WHITENER AND JACKSON,**

**INCORPORATED, FOR RENOVATION TO THE GREENWOOD**

**PUBLIC HOUSING PROJECT LOCATED IN MASON**

**DISTRICT (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to proceed to award a contract to Whitener and Jackson, Incorporated, in the amount of \$714,400, subject to the Department of Housing and Urban Development (HUD) approval, for the renovation to the Greenwood Public Housing Project located in Mason District.

The staff was directed administratively to proceed as proposed.

**50.I-15 - SEWAGE PUMPING RENOVATION PROJECT -**

**WAYNEWOOD I, LAKE BARCROFT II, PENDER,**

**ARCTURUS AND WELLINGTON II SEWAGE PUMPING STATIONS (MOUNT VERNON, MASON, AND PROVIDENCE DISTRICTS) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to award a contract to Herring Electric Company, Incorporated, in the amount of \$365,000, for the sewage pumping renovation project - Waynewood I, Lake Barcroft II, Pender, Arcturus, and Wellington II Sewage Pumping Stations, Mount Vernon, Mason, and Providence Districts.

The staff was directed administratively to proceed as proposed.

**51.I-16 - CONTRACT AWARD - ENGINEERING SERVICES FOR THE RENOVATION OF THREE SEWAGE PUMPING STATIONS (MOUNT VERNON, DRANESVILLE, AND PROVIDENCE DISTRICTS) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to award a contract to Dewberry and Davis, in the amount of \$76,404, for engineering services for the renovation of three sewage pumping stations, Mount Vernon, Dranesville, and Providence Districts.

The staff was directed administratively to proceed as proposed.

**52.I-17 - CONTRACT AWARD - I-95 LANDFILL MAINTENANCE FACILITY (MOUNT VERNON DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to award a contract to Sabre Construction Corporation, in the amount of \$705,000, for the I-95 Landfill Maintenance Facility, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

**53.I-18 - CONTRACT AWARD - LEAF EQUIPMENT**

**STRUCTURE ENCLOSURE AND STORAGE MEZZANINE**

**(MOUNT VERNON DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to award a contract to Keystone Builders, Incorporated, in the amount of \$81,500, for the leaf equipment structure enclosure and storage mezzanine, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

**54.I-19 - CONTRACT AWARD - TARTAN VILLAGE PHASE IA**

**(LEE DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to award a contract to A Ace Hauling, Incorporated, in the amount of \$193,243.76, for the Tartan Village Phase IA, Lee District.

The staff was directed administratively to proceed as proposed.

**55.I-20 - CONTRACT AWARD - CROSSROADS (LEE**

**DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to award a contract to Bildon, Incorporated, in the amount of \$3,731,000, for Crossroads, Lee District, and to include the additional General Obligation Bond Appropriation in the Fiscal Year (FY) 1993 Midyear Review.

The staff was directed administratively to proceed as proposed.

**56.I-21 - AWARD OF CONTRACT - CONSULTANT SERVICES**

**FOR PRIVATIZATION OF SPECIFIED COUNTY SERVICES**

**(Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated October 26, 1992 requesting authorization for staff to proceed to negotiate and award a contract to Apogee Research, Incorporated, not to exceed the amount of \$25,000, which is the maximum limit established by the Board to provide consulting services to Fairfax County for the privatization of specified County services.

William J. Leidinger, County Executive, stated that Dr. Robert R. Spillane, Division Superintendent, School Board, has stated that the School Administration intends to work closely with the General County Government as it explores the opportunities for privatization in the three School Aged Child Care (SACC) pilot projects, recognizing that the ultimate decision rests with the Fairfax County School Board.

The staff was directed administratively to proceed as proposed.

**57. BOARD ENDORSEMENT OF HIGHER EDUCATION****BONDS (Tape 6)**

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board endorse the Higher Education Bonds which will be put before the voters at next month's General Election. The motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

**58. "OUTSTANDING PUBLIC OFFICIAL OF THE YEAR" AWARD****PRESENTED TO PROVIDENCE DISTRICT SUPERVISOR****KATHERINE K. HANLEY (Tape 6)**

On behalf of the entire Board, Supervisor Davis congratulated Providence District Supervisor Katherine K. Hanley on being named the "Outstanding Public Official of the Year" by the Merrifield Business and Professional Association.

**59. CABLE TELEVISION CONSUMER PROTECTION AND****COMPETITION ACT OF 1992 (Tape 6)**

Supervisor Davis stated that now that the Congress has enacted into law S.12, the "Cable Television Consumer Protection and Competition Act of 1992," for the first

time since cable television was deregulated by the Congress in 1984, local governments including Fairfax County will again have some authority in regulating cable television rates and service.

Supervisor Davis emphasized that this new legislation does not give the County absolute regulatory control over cable rates, since the bill distinguishes between basic and full cable services, and gives the Federal Communications Commission (FCC) considerable authority in determining the limits and circumstances of local regulatory control. Nevertheless, Supervisor Davis applauded the Congress for enacting this legislation and expressed his belief that the public will benefit by it.

Supervisor Davis noted that the task now before the Board is to examine the scope and provisions of the new law and to determine the appropriate steps Fairfax County should take in implementing the law and determining what the Board's new responsibilities and authority are under that law.

Therefore, Supervisor Davis moved that the Board direct staff to review S.12 and report as soon as possible with recommendations for implementing the cable rate and service regulatory provisions of the new law, as well as to identify any other issues or matters contained in S.12 which merit consideration by the Board. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

## **60.REPORT ON GOVERNMENT SERVICES**

### **ADMINISTRATION CONFERENCE (Tape 6)**

Supervisor Davis called the Board's attention to the very successful United States (U.S.) Government Services Administration (GSA) Conference held last week, attended by the Deputy Director of GSA and representatives from approximately 240 companies, and expressed his appreciation to Vice-Chairman McConnell, Supervisor Dix, and Supervisor Hanley for their participation. In addition, Supervisor Davis expressed his appreciation to the County agencies involved which contributed to the success of this conference.

## **61.COPYING MACHINE PROCUREMENT SAVINGS**

### **(Tape 6)**

Supervisor Davis stated that he has determined, as a result of a preliminary survey conducted by Ron Martinson, a member of his staff, that Fairfax County on both the County and School sides has the potential for saving a large sum of money - hundreds

of thousands of dollars and perhaps in excess of one million dollars - by simply changing the method by which the County procures copying equipment.

Supervisor Davis said that currently the County and Schools use copying machines acquired by purchase, by lease, and under cost-per-copy contracts. He stated that the County is currently seeking technical advice and assistance through the United States (U.S.) General Services Administration (GSA) which will aide the County in restructuring its existing procurement method.

Supervisor Davis noted that the Board has heard of and discussed restructuring government, and this is an area where, by using cooperative efforts and entrepreneurial techniques, the County can save a large sum of money for its taxpayers and yet maintain and even improve its copier services located throughout County and School offices.

With a notation that he has discussed this matter with the County Executive, who is already scheduling meetings and following up vigorously with GSA, Supervisor Davis moved that the Board direct the County Executive to proceed with the copier study and that he submit his findings to the Board, including a blanket consolidated cost-per-copy proposal that will help the Board to realize the tremendous savings potential which exists. This motion was seconded by Vice-Chairman McConnell.

Following discussion, with input from William J. Leidinger, County Executive, the question was called on the motion which carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

## **62.RESTON COMMUNITY CENTER PREFERENCE**

### **POLL RESULTS (Tape 6)**

(APPT)

Supervisor Dix stated that the annual Preference Poll for members of the Reston Community Center Board of Governors was held on Saturday, October 17, 1992. He noted that there were three adult and two student vacancies.

Based on the results of that Preference Poll, Supervisor Dix moved the appointment of the following individuals to the Reston Community Center Board of Governors for a three year term:

#### **•Adult Members:**



\*Lisa L. Bellamy;

\*Terry L. Smith; and

\*Kenneth L. Bonner.

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

Supervisor Dix moved the appointment of the following students to the Reston Community Center Board of Governors for a one year term:

**•Student Members:**

\*Khanh Pham; and

\*Peter Goldin.

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

In addition, Supervisor Dix expressed his appreciation to those members of the Reston community who participated in this election, particularly those persons who were candidates but were not selected, namely John J. Hannigan, Bill Thomson, George F. Kain, Jr., Janice King, Bill Woloch, and John DuPree.

**63.RESTON COMMUNITY CENTER PREFERENCE**

**POLL PROCEDURES (Tape 6)**

As reported in the previous Board Matter, Supervisor Dix stated that the Reston Community Center's Annual Preference Poll was recently held. He noted that Small Tax District Five, which was created by the Board of Supervisors in 1975 to finance the construction and operation of the Community Center, contains approximately 55,000 residents. Only 735 persons voted in this Poll, just a little over one percent.

Accordingly, Supervisor Dix moved that the Board direct the appropriate County staff to review the Reston Community Center's Preference Poll policy in order to determine what measures might be taken to improve the ultimate participation in this process, and to recommend whether any changes to the actual polling procedures might be appropriate. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Berger and Supervisor McConnell being out of the room.

## **64. BOARD SUPPORT OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) FACILITY**

### **AT RESTON (Tape 6)**

Supervisor Dix noted that this Board has worked diligently to attract federal government facilities to Fairfax County. Among those the Board is most proud to have call Fairfax County its home is the National Aeronautics and Space Administration (NASA) Facility in Reston.

Recognizing the continued potential for the relocation of this facility out of Fairfax County, Supervisor Dix moved that the Board reiterate its strong commitment to NASA, its recognition of the value of its facility and employees to Fairfax County, its support for the efforts of Congressman Frank Wolf to maintain the NASA Facility in Reston, and that Chairman Davis communicate these sentiments to Congressman Wolf. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

Chairman Davis noted the necessity for staff to draft this communication for his signature immediately.

## **65. TOWN OF VIENNA REVITALIZATION FUNDING**

### **(Tape 6)**

Supervisor Dix stated that in November 1988, Fairfax County voters approved a referendum for Commercial Revitalization of which \$1.2 million was designated for the Town of Vienna. He added that on August 6, 1990, the Board approved an agreement between Fairfax County and the Town of Vienna for the Implementation of Streetscape Improvements and Utility Relocations to include such things as the construction of sidewalks.

Supervisor Dix noted that presently the Town of Vienna has an approved revitalization plan for Church Street. One section of sidewalk in the approved plan area is in poor condition and is potentially a safety hazard. The Town would prefer to implement the streetscape plan for this section rather than simply replacing the concrete which otherwise would be torn out within a matter of a year. The cost for implementing the streetscape plan in this section is approximately \$22,000.

Supervisor Dix stated that, given the actions of this Board to adjust for the cash flow of capital projects this past February, there currently are no funds appropriated for

Vienna Streetscape in Fiscal Year (FY) 1993; however, there is \$60,000 scheduled for Vienna Streetscape in FY 1994.

With the understanding from staff that the cash flow of capital projects will not be significantly impacted, Supervisor Dix moved that the Board approve the appropriation of \$22,000 from the FY 1994 allocation of \$60,000, and that the Department of Public Works (DPW) work with the Town of Vienna consistent with the Agreement between the County and the Town for this purpose. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

#### **66.OUT-OF-TURN PLAN AMENDMENT- PRESIDENTS PARK**

**(Tape 6)**

Supervisor Dix moved that the Board direct staff, concurrent with Rezoning Application RZ 92-C-027, to prepare an Out-Of-Turn Plan Amendment to facilitate the implementation of the Route 28 Plan Review Task Force Draft Recommendation for residential use on the easternmost 35 acres of Presidents Park. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

#### **67.RESOLUTION RE: HIGH OCCUPANCY VEHICLE**

**(HOV) ON DULLES TOLL AND ACCESS ROADS**

**(Tape 6)**

(R)Supervisor Dix moved, as a follow-up to the issue of the High Occupancy Vehicle (HOV) restriction on the new lanes of the Dulles Toll Road, the interest of this Board in ensuring that the citizens of Fairfax County are served by effective transportation policies, and the motion passed last week by the County's Transportation Advisory Committee, that the Board adopt the following Resolution:

**WHEREAS**, the Virginia Department of Transportation imposed High Occupancy vehicle (HOV) restrictions on the Dulles Toll Road effective September 1, 1992;

**WHEREAS**, the imposition of such HOV restrictions caused considerable back-ups and delays on the regular lanes of the Dulles Toll Road;

**WHEREAS**, the Fairfax County Board of Supervisors indicated its opposition to the imposition of HOV restriction on the Dulles Toll Road in a Resolution adopted on September 1, 1992;

**WHEREAS**, legislation initiated by Congressman Wolf and a subsequent administrative order by Governor Wilder has suspended HOV on the Dulles Toll Road until July 1, 1993;

**WHEREAS**, HOV could possibly be re-imposed on the Dulles Toll Road after that date;

**NOW, THEREFORE, BE IT RESOLVED**, that Fairfax County Board of Supervisors urges the Governor of Virginia, the Commonwealth Transportation Board, the Virginia Secretary of Transportation and the Virginia General Assembly to take appropriate action to assure that HOV restrictions are NOT re-imposed on the Dulles Toll Road until all other options are exhausted and adequate citizen and local government input is solicited and considered;

**BE IT FURTHER RESOLVED**, that the Fairfax County Board of Supervisors hereby petitions the Metropolitan Washington Airports Authority and its Board of Review to facilitate changes in policy and operation procedures to permit at least an interim use of the Dulles Access Road by HOV cars and van pools, in addition to such use currently permitted for buses; and

**BE IT FURTHER RESOLVED**, that the Fairfax County Board of Supervisors urges the Governor of Virginia, the Commonwealth Transportation Board, the Virginia Secretary of Transportation, The Virginia General Assembly, and the Northern Virginia Congressional Delegation, to join with the Fairfax County Board of Supervisors in support of such petition.

This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova and Supervisor Hyland voting "NAY," Supervisor Hanley and Supervisor McConnell being out of the room.

## **68. TRANSPORTATION ADVISORY COMMISSION (TAC)**

### **STUDY (Tape 6)**

Supervisor Dix stated that the previous Board approved a consulting contract of \$200,000 to develop a report of priorities for transportation funding projects in Fairfax County. He said that a Request for Proposal (RFP) was issued and proposals were submitted; however, this Board cancelled that contract before award.

Supervisor Dix noted that the Transportation Advisory Commission (TAC) then decided to go ahead and do the study. Many hundreds of volunteer hours went into this with a large share of those by one member, Mr. Jack Rust. The prioritization was completed in June, the study went to the Board in July, and the Board requested the TAC to hold a public meeting. He stated that that meeting is scheduled for November 17, 1992.

Since the TAC wants to print about 200 copies of this report for dissemination to interested citizen groups in the County in order that informed input and comment could be made at the public meeting in November, and the present budget of the Office of Transportation does not have the funds to support this kind of expenditure, Supervisor Dix moved that the Board direct the County Executive to examine this issue to determine the possibility of finding funds to allow the printing of this prioritization report so that it will be available for public distribution. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

#### **69.DULLES CORRIDOR LAND USE TASK FORCE (Tape 6)**

(BACs)

Supervisor Dix stated that the Commonwealth Transportation Board (CTB) adopted a formal Resolution in September of 1990, directing the development of a comprehensive, phased, multi-modal transportation program for the Dulles Corridor, including rail service as its transportation objective. In response to this CTB Resolution, Virginia Department of Transportation's (VDOT) Northern Virginia District Office was charged with coordinating the development of a cooperative program and base plan for the Corridor, in conjunction with a technical planning committee. A draft plan was prepared and was the subject of a public hearing on May 14, 1992.

Supervisor Dix noted that it is important that the planning process for rail in the Dulles Corridor be initiated. He stated, in that regard, it is his understanding that the State will shortly be forwarding to the Federal Transit Administration a letter of no prejudice with regard to the grant application for the \$6 million in federal funds which were included in the Surface Transportation Act (ISTEA) for planning of transit in the Dulles Corridor. This \$6 million has not been appropriated by Congress, and the letter of no prejudice would allow that authorized federal funds be reimbursed to the State when appropriated. The State could then begin spending its surplus toll road revenues to begin rail planning in that corridor.

Supervisor Dix stated that a land use component is essential to any future planning for a phased mass transit program, including rail. A land use study should be conducted concurrently and fully coordinated with the alternatives analysis and preliminary engineering. This study is important to assure that station location and design decisions are supportive of Fairfax County's Comprehensive Plan objectives. Ridership potential must be evaluated with particular focus on land use options. The Route 28 Tax District Task Force has recommended Comprehensive Plan modifications which address development around future transit station areas.

Accordingly, Supervisor Dix moved that the Board authorize the establishment of a Dulles Corridor Land Use Task Force to review and evaluate the land use policies in the Dulles Corridor, and to ultimately prepare a report to the Board recommending alternative land use policies which may be appropriate to both facilitate and accommodate the use of transit in the Corridor. Voting representation on this Task Force should be as follows:

- Centreville District - 5 Members;
- Dranesville District - 3 Members;
- Providence District - 2 Members;
- Sully District - 1 Member;
- Town of Vienna - 1 Member;
- Town of Herndon - 2 Members;
- Committee for Dulles - 1 Member;
- TYTRAN - 1 Member;
- Dulles Area Transportation Association (DATA) - 1 Member;
- Fairfax County Chamber of Commerce - 1 Member;
- Reston Board of Commerce - 1 Member;
- Herndon Chamber of Commerce - 1 Member;
- Office of the Chairman of the Board of Supervisors - 2 Members;

In addition, staff/representation should be requested from the following agencies/organizations:

- Fairfax County;
- VDOT;
- Northern Virginia Planning District Commission (NVPDC);
- Metropolitan Washington Airports Authority (MWAA);
- Washington Airports Advisory Task Force; and
- Northern Virginia Transportation Alliance (NVTA).

Supervisor Dix added that appointments to this Task Force should be made as soon as possible and no later than December 14, 1992, in order that the Task Force can begin its work in January of 1993. This motion was seconded by Chairman Davis with a notation that, as this matter progresses, citizens in the area of the Dulles Corridor will be involved in this Task Force.

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

**JDC:jdc**

**70.APPOINTMENT TO THE COMMISSION FOR WOMEN (Tape 7)**

(APPT)

Supervisor Frey moved the appointment of Ms. Sharon A. Suprun as the Sully District Representative to the Commission for Women. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

**71.APPOINTMENT TO THE FORESTED WETLANDS COMMITTEE**

**(Tape 7)**

(APPT)

Supervisor Frey moved the appointment of Ms. Christine Terpak-Malm as the Sully District Representative to the Forested Wetlands Committee. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

## **72. PROPOSED PURCHASE OF SITE ON BROOKFIELD CORPORATE DRIVE FOR SINGLE ROOM OCCUPANCY (SRO) HOUSING**

**(Tape 7)**

Supervisor Frey stated that he has been working with the Fairfax County Redevelopment and Housing Authority (FCRHA) and Department of Housing and Community Development staff on the purchase of a site, located at 4440 and 4444 Brookfield Corporate Drive, for the development of approximately 77 units of Single Room Occupancy (SRO) housing. He further noted that FCRHA is considering a purchase offer for the property and that closing must occur prior to December 31, 1992 in order to ensure viability. Therefore, in compliance with Board policy on assisted housing projects, Supervisor Frey moved that the Board direct staff to schedule a public hearing on the 456 application for the acquisition of the subject property before the Planning Commission on December 9, 1992 and the Board of Supervisors on December 14, 1992. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

## **73. PROPOSED AMENDMENT TO VALIDATION ORDINANCE**

**(Tape 7)**

Supervisor Frey stated that in November, 1990, Mr. Christopher Mayol, purchased a 1.5 acre parcel of land in an established neighborhood now located in Sully District. This parcel, known as Outlot A of Huntwood Estates, Section One, was originally created in 1969 by Circuit Court decree. Records in the Office of Assessments show that the parcel has been assessed as a building lot since its creation. Supervisor Frey noted that prior to purchasing this lot, Mr. Mayol contacted various County agencies, including the Department of Environmental Management (DEM), and he was assured that his lot was buildable. However, upon submission of a building plan, Mr. Mayol was advised by DEM that the lot was not buildable and that he would have to comply with the simple subdivision process in order to build a home. Mr. Mayol reluctantly paid the fees and followed the simple subdivision procedures. His submission was rejected, and he was further requested to validate the creation of his lot. Unfortunately, Mr. Mayol cannot comply with the existing validation code



requirements because they require that both parcels created by a division of land must be submitted for review and approval. The parent tract in this situation is not in Mr. Mayol's control and it is not possible for him to obtain the consent of the owner.

Mr. Mayol has spent a considerable amount of money and two years attempting to obtain a building permit on this parcel of land. Some County agencies (Office of Assessments and GIS and Mapping Services Branch, Communications Division, Office of General Services) have noted in writing that they consider the lot buildable, while other agencies (DEM and the County Attorney's office) have stated that the lot is not buildable.

In an attempt to resolve the impasse, although the County Attorney's office concluded that a simple amendment to the current validation ordinance would not be appropriate, they have drafted an additional section to the validation ordinance that would apply to a single parcel which would address the difficulties experienced in Mr. Mayol's situation. Therefore, Supervisor Frey asked unanimous consent that the Board direct the County Executive and the County Attorney to review the draft amendment to the validation ordinance and report at the November 16, 1992 Board meeting with an item to authorize a public hearing on the amendment. Without objection, it was so ordered.

#### **74. PROPOSED MEETING WITH PRINCE WILLIAM AND LOUDOUN**

#### **COUNTIES TO DISCUSS LAND-USE AND TRANSPORTATION**

#### **ISSUES (Tape 7)**

Supervisor Frey stated that in light of the many land-use and transportation issues affecting Fairfax County and jurisdictions to the west, Prince William and Loudoun Counties, it would be appropriate to schedule a joint meeting with representatives from those counties to discuss such issues. Supervisor Frey noted that the Board has subcommittees on Prince William and Loudoun Counties.

Chairman Davis suggested that Supervisor Frey, as chairman of the Prince William County subcommittee, and Supervisor Berger, as chairman of the Loudoun County subcommittee, schedule the joint meeting.

#### **75. REQUEST FOR REPRESENTATIVE FROM SCHOOL-AGE CHILD**

#### **CARE CENTER PARENTS' ADVISORY GROUP TO BE**

#### **APPOINTED TO THE BOARD'S PRIVATIZATION**

**OVERSIGHT COMMITTEE (Tape 7)**

Supervisor Frey called to the Board's attention the Board's Privatization Oversight Committee which is working with County staff and the consultant to develop Request-for-Proposals (RFP) to consider privatization of certain functions of the County government. He noted that one of the functions under consideration is the privatization of one School-Age Child Care Center (SACC). Therefore, Supervisor Frey moved that the SACC parents' advisory group designate a representative to be appointed by the Board to the Privatization Oversight Committee. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

**76. BRADDOCK DISTRICT NEWSLETTER ANNOUNCING TOWN****MEETING AND TAX CREDITS AVAILABLE FOR OWNERS****OF RENTAL PROPERTIES (Tape 7)**

Supervisor Bulova stated that the Braddock District newsletter was recently released.

Supervisor Bulova announced that there is a Braddock District Town Meeting scheduled for Wednesday, October 28, 1992. She stated that Chairman Davis and William J. Leidinger, County Executive, will be present and among the topics discussed will be reorganization and privatization.

Supervisor Bulova called to the Board's attention an article included in the newsletter entitled, "State Tax Credits Available to Owners of Rental Properties." She stated that this program is under-utilized and suggested that other Board Members publicize this information.

**77. VIRGINIA RAILWAY EXPRESS (VRE) MARKET SURVEY****(Tape 7)**

Supervisor Bulova called to the Board's attention a Virginia Railway Express (VRE) market survey she distributed. She stated that passengers were surveyed regarding their views on the new service.

**PMH:pmh**

**78. METROBUS ROUTE 18-B (Tape 8)**

Supervisor Trapnell stated that on February 24, 1992 the Board of Supervisors acted to cut a number of Metrobus routes in preparation for the Fiscal Year 1993 budget process. Many of the routes were picked up, in whole or in part, by the Fairfax Connector. One of the Metrobus routes eliminated was the 18-B service along Edsall Road in the Bren Mar section of Mason District. This route was picked up in part by the Connector, however, there is a substantial area of Edsall Road not served by the Connector which was previously served by Metrobus. The area is in large part apartment buildings and many local residents need effective bus service to go to and from work, shopping, etcetera.

Supervisor Trapnell said that this route, regardless of ridership numbers, is extremely important to residents of Bren Mar and the surrounding areas. Therefore, Supervisor Trapnell moved that the Board direct staff to review the elimination of the Metrobus 18-B service and its subsequent replacement by the Fairfax Connector and reconsider the decision. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

#### **79.REQUEST FOR WAIVER OF FILING FEE FOR A**

#### **RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)**

#### **FOR RESIDENTS OF BROYHILL PARK (Tape 8)**

Supervisor Trapnell stated that the residents of Broyhill Park, in the vicinity of Falls Church High School, have submitted an application for a Residential Parking Permit District (RPPD). She said that her office, transportation staff, and the residents of Broyhill Park have designed an area for RPPD which will help alleviate the parking problems.

Therefore, Supervisor Trapnell moved that the Board direct staff to waive the filing fee for residents on Marc Drive, Holly Hill Drive and Jacks Lane within the proposed RPPD area. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

#### **80.REQUEST FOR WAIVER OF SITE PLAN WAIVER**

#### **APPLICATION FEE FOR CENTRAL FAIRFAX**

#### **SERVICES (Tape 8)**

Supervisor Trapnell pointed out that Central Fairfax Services, located at 5001 Backlick Road in Annandale, is a non-profit organization which receives funding from the Fairfax-Falls Church Community Services Board. Recently, they received a grant from the Knights of Columbus in the amount of \$36,000 to widen their existing driveway from one lane to two lanes. The project requires a Site Plan Waiver.

Therefore, Supervisor Trapnell moved that the Board direct staff to waive the \$500 Site Plan Waiver Application fee for Central Fairfax Services since they are non-profit and this amount is not included in their grant. The motion, the second to which was inaudible, carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

### **81.REQUEST FOR WAIVER OF BUILDING CONDITION**

#### **REGARDING BRADFORD DRIVE (Tape 8)**

Supervisor Trapnell stated that Mason District residents W.C. and Sally Wills have contacted her office and requested assistance in securing a waiver of the building condition which requires the construction of a 240-foot sidewalk on Bradford Drive. She said that this requirement was imposed on the basis of the Code of the County of Fairfax, Section 8-01-4 because it is within one-and-one-half miles of a high school. However, Section 8-01-03 excludes cul-de-sacs from this requirement. Since Bradford Drive is de-facto a cul-de-sac, the Wills seek to waive the requirement. The construction of the sidewalk accomplishes little since there is no other sidewalk in the cul-de-sac and it is unlikely that any other sections of sidewalk will be constructed in the foreseeable future.

Since this problem is one of definition and interpretation, Supervisor Trapnell moved that the Board waive the filing fee of \$500 for a waiver request. This motion was seconded by Chairman Davis.

Following discussion, Supervisor Alexander asked that the motion be amended to refer this issue to staff and if it complies with all requirements that the request be granted, and this was accepted.

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

### **82.REQUEST FOR THE SKYLINE CENTER FINAL DEVELOPMENT**

#### **PLAN (FDP) AMENDMENT TO BE CONSIDERED AN OUT-OF-**

**TURN PLAN AMENDMENT FOR REVIEW PURPOSES (Tape 8)**

Supervisor Trapnell stated that the Skyline Center Final Development Plan (FDP) Amendment has been submitted and the developer has contacted and consulted with the homeowner and citizens associations.

Therefore, Supervisor Trapnell moved that this amendment be treated as an Out-of-Turn Plan Amendment for review purposes. She said that this is a case where there is one piece of land in the Skyline development area and it was originally planned for two 14-story commercial buildings. She noted that the proposed plan allows development in either the approved plan or 504 residential units in two 13-story buildings. This motion was seconded by Chairman Davis.

Following discussion, the question was called on the motion which carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

**83.ANNOUNCEMENT OF THE HOUSING SUBCOMMITTEE MEETING****SCHEDULED FOR OCTOBER 27, 1992 (Tape 8)**

Supervisor Trapnell reminded Board Members that the Housing Subcommittee meeting is scheduled for October 27, 1992.

**84.RESIGNATION OF BARRY CARON, LEGISLATIVE ASSISTANT****TO MASON DISTRICT SUPERVISOR CHRISTINE TRAPNELL****(Tape 8)**

Supervisor Trapnell announced that Barry Caron, her Legislative Assistant, was resigning and she expressed her appreciation to Mr. Caron.

(NOTE: Later in the meeting Mr. Caron was recognized by the Board. See Clerk's Summary Item CL#95.)

**85.BOARD URGES ALL VOTERS TO VOTE ON NOVEMBER 3, 1992****FOR THE TRANSPORTATION BOND ISSUE (Tape 8)**

Supervisor Alexander moved that the Board go on record as approving and urging all voters in Fairfax County to vote on November 3, 1992 for the Transportation Bond issue. This motion was seconded by Chairman Davis.

Supervisor Hyland stated that recently he had received a telephone call from a constituent who reported that the language in the Bond Referendum Pamphlet is not consistent with the printed legend on the Bond Referendum Ballot. The pamphlet is very specific about the projects to be constructed with the funds obtained from approval of the transportation bond -- completion of specific segments of the Fairfax County Parkway, Franconia-Springfield Metrorail, and other ancillary projects related to these.

The ballot, proposing the bond issue, merely requests authorization of \$130,000,000:

•"for the purpose of providing funds, with any other available funds, to finance the cost of constructing, reconstructing, improving, and acquiring transportation improvements, including highways in the primary and secondary systems of State highways and other facilities in the County, and the acquisition of necessary land and transit facilities in the Washington metropolitan area the capital costs of which are allocated to the County pursuant to the provisions of the Washington Metropolitan Area Transit Authority Compact."

Supervisor Hyland stated that there is no mention of the Fairfax County Parkway nor the Franconia-Springfield Metrorail link which raises the question that the funds could be used for purposes other than what is defined in the pamphlet. He noted that several years ago a similar question had been raised and that bond counsel had advised that this is the language that must be used on the ballot.

Accordingly, Supervisor Hyland asked that the motion be amended to make it very clear, notwithstanding the language on the ballot, what the specific purpose of this referendum is and that the Board publicly commit itself to support the two items -- completion of segments of the Fairfax County Parkway and the construction of the Franconia-Springfield Metrorail system -- and toward that end with the passage of the referendum assure that these projects will receive the bond funds authorized by the voters, and this was accepted.

Supervisor Hanley asked that the motion be amended to indicate that bond proceeds will go to the construction of METRO during the time period, and this was accepted.

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

## **86. PROPOSED AMENDMENTS TO THE PROVISIONS OF THE ZONING ORDINANCE REGARDING SIGNS (Tape 8)**

Supervisor Alexander moved that the Board direct staff to prepare an amendment to the provisions in the Zoning Ordinance regarding the following issue:

- The amendment deals with property in specific revitalization areas of the County. He said that he would like to amend Section 12-304 paragraphs 1-3 to empower the Board of Zoning Appeals (BZA) with authority to rule on sign issues which are not located in shopping centers. He stated that he has encountered a problem with the old Howard Johnson's site in Central Springfield. He noted that the site is located in the area in Springfield that is proposed for revitalization. The owner wants to revamp the property and reface the free-standing sign on I-95 and has run into problems. Since this is a core area that is proposed for revitalization, and the site has limited visibility due to road and bridge constraints, the owner should be able to seek a Variance or Special Permit to allow the sign to be refaced and remain without reducing the size. Currently, unlike in the planned districts, no flexibility exists to help solve these types of problems.

This motion was seconded by Supervisor McConnell.

Following a query from Supervisor Hyland, Robert L. Howell, Acting-County Attorney, stated that there were a number of potential options available, and he suggested that the item be referred to staff for a recommendation.

Supervisor Alexander amended the motion to refer the issue to staff for a recommendation on the resolution of the issue as expeditiously as possible. The question was called on the motion, and as amended, carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

Supervisor Alexander stated that the second amendment proposed concerns Section 12-203 paragraph 9:

- He suggested that the maximum square footage requirement of signs for tenants in shopping centers be amended to allow individuals to have signs without going over the gross square footage be deleted.

This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

## **87. PROPOSED ZONING ORDINANCE AMENDMENT WHICH WILL**

**ALLOW CERTAIN MODIFICATIONS AND ALTERATIONS TO  
NONCONFORMING USES (Tape 8)**

Supervisor Hanley moved that the Board direct staff to prepare a Zoning Ordinance Amendment which will allow certain modifications and alterations to nonconforming uses which are being impacted by road or other public improvement takings, so that the taking will not necessarily result in the discontinuation of the use and to minimize the monetary compensation associated with the taking. She said that as this request is prompted by the current Lee Highway widening project, she further moved that the Board direct staff to respond as expeditiously as possible. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

**88. YOUTH APPRECIATION WEEK (Tape 8)**

Supervisor Hanley stated that in the past the Board has recognized Youth Appreciation Week and she moved that the Board issue a Proclamation to recognize Youth Appreciation Week. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Frey being out of the room.

**89. SCHOOL ADMINISTRATION BUDGET DISTRIBUTION**

**(Tape 8)**

Supervisor Hanley stated that she has had several requests from citizens requesting the Board to ask the School Administration to review the promulgation of the School Budget. She said that the School budget is available only in a few libraries and some of the Area offices.

Therefore, Supervisor Hanley asked unanimous consent that the Board direct the County Executive to make an inquiry of the Superintendent of Schools to determine if there is a way to have additional copies made available to libraries and other public buildings. Without objection, it was so ordered.

**90. DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM)**

**NEWSLETTER (Tape 8)**



Supervisor Hanley stated that she had received a copy of the Department of Environmental Management (DEM) Newsletter. She commended DEM for the newsletter.

**VLT:vlt**

## **91.UPDATE ON THE SPRINGFIELD DISTRICT TOWN**

### **MEETING (Tape 9)**

Supervisor McConnell briefed Board Members on the Springfield District Town Meeting held last Monday, October 19, 1992, at Washington Irving Intermediate School. She expressed her appreciation to William J. Leidinger, County Executive; Gary Jones, Springfield District Representative to the School Board; Anthony Griffin, Deputy County Executive for Planning and Development; and Chairman Davis for their participation at the meeting.

## **92.EXPEDITED PROCESSING REQUESTED FOR REZONING**

### **APPLICATION RZ 92-S-030 (ALI VESSETI)**

#### **(SPRINGFIELD DISTRICT) (Tape 9)**

Supervisor McConnell stated that Ali Vesseti, the applicant, has filed Rezoning Application RZ 92-S-030 to **DOWNZONE** a parcel of property from the C-5 District to the R-3 District in order to construct one home. The property is located at 8670 Center Road in the Springfield District.

In light of the circumstances in this case, Supervisor McConnell moved that the Board direct staff to expedite Rezoning Application RZ 92-S-030. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

## **93.EXPEDITED PROCESSING REQUESTED FOR THE**

### **SPECIAL EXCEPTION AMENDMENT APPLICATION**

#### **FILED BY AMOCO SERVICE STATION ON TORRENCE**

#### **STREET AND OLD KEENE MILL ROAD (Tape 9)**

Supervisor McConnell stated that recently the Amoco Service Station, located at Torrence Street and Old Keene Mill Road, was rebuilt and modernized in accordance with Special Exception Application SE 89-S-058. One of the conditions of that application stated that "sales of soft drinks, packaged foods, and tobacco products will be limited to vending machines only."

Since reopening, the operator has received numerous complaints from customers regarding the inconvenience of and poor selection of items associated with the vending machines. The operator is now seeking a Special Exception Amendment to amend the condition and to allow the sale of items within the existing one-story security building. No changes to the transitional screening, parking or other significant aspects of the development will be necessary.

Because of the straightforward nature of this request, Supervisor McConnell moved that the Board direct staff to expedite the Special Exception Amendment Application filed by the operator of the Amoco Service Station located at Torrence Street and Old Keene Mill Road. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

#### **94. EXPEDITED PROCESSING AND WAIVER OF FEES**

#### **REQUESTED FOR PROFFERED CONDITION AMENDMENT**

#### **APPLICATION FILED BY VAN METRE COMPANIES**

#### **FOR SILVERBROOK FOREST, PHASE II (Tape 9)**

Supervisor McConnell stated that Van Metre Companies is trying to develop Silverbrook Forest, Phase II; however, there is a problem with the through connection to the adjacent property, Triple Ridge. Triple Ridge, during its development, was allowed by the Department of Environmental Management (DEM) to remove their off-site turnaround from Silverbrook, Section 7. Now that Van Metre Companies is developing Silverbrook Forest, Silverline Drive needs to be connected as shown on the Generalized Development Plan (GDP). The problem is that the Triple Ridge section of Silverline Drive is 12 feet **lower** than Van Metre Companies' Silverbrook Forest section of Silverline Drive. In addition, the Plantation Pipeline runs between the two developments so it is not a case of just reducing the grade so that the two street sections meet. Lowering the elevation of the pipeline will cost hundreds of thousands of dollars.

To resolve the problem, Van Metre Companies would like to cul-de-sac the road on their property; however, a Proffered Condition Amendment Application is required.

Accordingly, Supervisor McConnell moved that the Board direct staff to waive the filing fees and expedite the processing of this application. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Trapnell being out of the room.

**95.RECOGNITION OF BARRY CARON, STAFF MEMBER,**

**SUPERVISOR CHRISTINE TRAPNELL'S OFFICE**

**(Tape 9)**

(NOTE: Earlier, during Board Matters, Supervisor Trapnell announced that Barry Caron, a member of her staff, would be leaving to accept employment in the private sector. See Clerk's Summary Item CL#84.)

Supervisor Hyland recognized the presence in the Board Room of Barry Caron, a member of Supervisor Christine Trapnell's staff and he warmly welcomed him to the Board Room.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board express its appreciation to Mr. Caron for his services and extend its best wishes for his continued success in the future. This motion was seconded by Vice-Chairman McConnell and carried by a vote of nine, Supervisor Trapnell being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**96.RESOLUTION BY THE MOUNT VERNON COUNCIL**

**OF CITIZENS ASSOCIATIONS (MVCCA) REGARDING**

**THE FISCAL YEAR (FY) 1992 CARRYOVER REQUEST**

**(Tape 9)**

Supervisor Hyland distributed to Board Members copies of a Resolution adopted by the Mount Vernon Council of Citizens Associations (MVCCA) at its September meeting regarding the Fiscal Year (FY) 1992 Carryover. In addition to addressing the question of utilization of current Carryover funds -- setting aside a minimum of \$29 million in unexpended FY 1992 funds to meet unexpected FY 1993 needs thereby offsetting the need for a four cent increase in the real property tax rate for FY 1994 -- the Resolution requests the Board to adopt a new policy with respect to Carryover

items to ensure that the items being carried over are consistent with current Board spending priorities. The requested policy would terminate the Board's program authorization at the end of the fiscal year for any expenditures that had previously been carried over. The Board could authorize the program continuance during its action on the following year's budget but only in the context of the revenue and expenditures for that year.

Accordingly, Supervisor Hyland asked unanimous consent that the Board:

- Refer to staff MVCCA's Resolution to determine whether the Board should accept and adopt a policy statement in connection with programs that continue from year-to-year, with a view towards essentially re-reviewing these programs as part of the new budget rather than carrying the programs over; and
- Direct staff to report with its findings and recommendations.

Without objection, it was so ordered.

**97.RESOLUTION BY THE MOUNT VERNON COUNCIL  
OF CITIZENS ASSOCIATIONS (MVCCA) URGING  
COUNTY OPPOSITION TO THE POTOMAC YARD  
DEVELOPMENT PLANS BEARING CERTAIN  
CHARACTERISTICS (Tape 9)**

Supervisor Hyland distributed to Board Members copies of a Resolution adopted by the Mount Vernon Council of Citizens Associations (MVCCA) at its September meeting expressing its concerns of the future use of the Potomac Railroad Yard in the City of Alexandria. The Resolution urges Federal, State, and County legislators representing the Mount Vernon District to oppose any development plans for Potomac Yard that contain one or more of the following characteristics:

- Permits direct access from the development to the George Washington Memorial Parkway;
- Requires any funding for on-site improvements which includes a pledge of the full faith and credit of the Commonwealth of Virginia;

- Provides for the use of General Fund revenues from the Commonwealth of Virginia to offset any deficit resulting from the failure of the Potomac Yard development to achieve a reasonable investment yield;
- Overrides local control over planning and zoning matters and uses condemnation powers for the benefit of a private developer;
- Worsens rush-hour commuting for Alexandria, Fairfax, and Prince William County residents who must use Route One and the George Washington Parkway; and
- Does not require that an environmental impact study be carried out prior to any development of the Potomac Yard site.

In addition, as a means of alleviating mounting traffic conditions on Alexandria's streets, the Resolution further requests the support of construction of a Route One Bypass through the City of Alexandria, generally along or above the CSX Railroad right-of-way between the Capital Beltway and I-395.

Accordingly, Supervisor Hyland moved that the Board support the MVCCA's Resolution and request the Chairman to transmit a letter to the City of Alexandria stating the County's position on behalf of the residents. This motion was seconded by Chairman Davis.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include that Board Members be notified of the City of Alexandria's response to the County's position, and this was accepted.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

## **98.REQUEST FOR OUT-OF-TURN HEARING BY THE**

### **BOARD OF ZONING APPEALS (BZA) (Tape 9)**

Supervisor Hyland stated that recently he had been contacted by Mr. and Mrs. George Mihuc, residents of the Wellington Subdivision, concerning their plans to remove an existing screened porch and replace it with new screens and added windows. The house was built in 1956 and the screened porch rests on a concrete slab which, over the years, has settled causing an eight-inch depression between the house and the slab. The Mihucs report that they have severe physical impairments requiring that the situation be remedied and the proposed modification promises to address the problems

with the slab and with the cold drafts they experience during the winter months. Unfortunately, after committing to the process, the Mihucs recently learned that a variance would be required despite the fact that their project appeared to be a relatively simple one. The Mihucs had originally anticipated completion by early November, but are now waiting an opportunity to be heard before the Board of Zoning Appeals (BZA).

Accordingly, Supervisor Hyland moved that the Board request the BZA to schedule an Out-of-Turn hearing for Mr. and Mrs. Mihuc. This motion was seconded by Chairman Davis and carried by unanimous vote.

**99.AUTHORIZATION TO EXPEDITE AND PROCESS ALL  
APPLICATIONS AND WAIVER OF PERMITS FEES  
NECESSARY TO ASSIST ELDERLY RESIDENT IN  
OBTAINING INDOOR PLUMBING PRIOR TO THE  
WINTER SEASON (Tape 9)**

Supervisor Hyland stated that Ms. Marjorie Wiley is an 82 year old resident of Gunston Manor. She has lived in her home for 40 years and has never had indoor plumbing. In January of 1991, she applied to the County for assistance in obtaining indoor plumbing and is still waiting for approval of various perc tests, permits, and other applications.

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

- Expedite and complete all applications and processing;
- Waive all application and permit fees; and
- Assist Ms. Wiley with all permits and in every other way in order to provide indoor plumbing prior to the onset of this winter season.

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

**100.AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS  
TO THE CODE OF THE COUNTY OF FAIRFAX,**

**CHAPTER 114, SECTION 114-1-2, TO SPECIFICALLY  
MENTION THE PROTECTION OF WATERSHED AND  
WILDLIFE HABITAT TO THE POLICY AND PURPOSE  
STATEMENT (Tape 9)**

Supervisor Hyland stated that Chapter 36 of the Code of Virginia is known as the "Agricultural and Forestal Districts Act" and contains the enabling legislation for the statewide Agricultural and Forestal District for Fairfax County. The purpose and intent statement contained in Section 15.1-1507 of Chapter 36 states that:

• "...It is the policy of the Commonwealth to conserve and protect and to encourage the development and improvement of the Commonwealth's agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also the policy of the Commonwealth to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for the clean air shed, watershed protection, wildlife habitat, as well as for aesthetic purposes. It is the purpose of this chapter to protect and enhance agricultural and forestal lands as a viable segment of the Commonwealth's economy and an economic and environmental resource of major importance."

Based upon the enabling legislation contained in Chapter 36 of the Code of Virginia, the County adopted the Agricultural and Forestal District of Statewide Significance Ordinance in 1983. This ordinance is contained in the Code of the County of Fairfax, Chapter 114. Section 114-1-2 contains the policy and purpose statement of this ordinance which is almost identical to the purpose and intent statement in the Code of Virginia except that the policy statement does not specifically mention the protection of watershed and wildlife habitats.

Accordingly, Supervisor Hyland moved that the Board:

- Forward this issue to staff for its review; and
- Direct staff to report with recommendations for inclusion of language that would make the Code of the County of Fairfax more consistent with the Code of Virginia.

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

**101. EXPEDITIOUS SCHEDULING AND SIMULTANEOUS PROCESSING**

**FOR SPECIAL EXCEPTION APPLICATION SE 92-V-025****(NEWINGTON CONCRETE) (MOUNT VERNON DISTRICT)****(Tape 9)**

Supervisor Hyland moved that the Board direct staff to schedule a public hearing before the Board of Supervisors on **November 16, 1992** and to simultaneously process the Site Plan for Special Exception Application SE 92-V-025. This motion was seconded by Chairman Davis and carried by unanimous vote.

**102.REQUEST FOR WAIVER OF CODE REQUIREMENTS****FOR GREGORY AND JANICE BUDNIK (Tape 9)**

Supervisor Hyland stated that Mr. and Mrs. Gregory Budnik are trying to purchase Lot 39 to construct a single family house. The property is land-locked, having no legal right of access to the nearest publicly maintained street. The Budniks have an agreement with the neighbors to reconfigure the lot lines to give the Budniks a 20-foot wide access strip to Telegraph Road. The agreement stipulates that the reconfiguration may take place only if dedication of land or easement is not required on Lot 34 (the neighbors that have negotiated the agreement with the Budniks). Additionally, in order to conform with the County's Zoning Ordinance lot width requirements, the property lines of the reconfigured lot cannot physically touch the right-of-way of Telegraph Road. This would cause non-conformance resulting in disapproval of the boundary adjustment plat.

Accordingly, Supervisor Hyland moved that the Board, subject to the review and approval by the Acting County Attorney:

- Waive the required dedication of land and easements and any required improvements, except the provision of a floodplain and storm drainage easement on the properties of Tax Map Reference 99-4 ((1)) Lots 34 and 39 so as to satisfy Condition Number 7.A of the parties' Agreement; and
- Waive the requirement of Chapter 101 that the reconfigured Lot 39 front on a publicly maintained street because the frontage would create a Zoning Ordinance nonconformity.

This motion was seconded by Supervisor Alexander.



Following discussion among Board Members, Supervisor Hyland amended his motion to ask unanimous consent that the Board refer this issue to the Acting County Attorney for his review and to report later in the meeting with his recommendations, as well as respond to the concerns expressed by Supervisor Dix during the discussion. Without objection, it was so ordered.

(NOTE: Later in the meeting, additional action was taken regarding this item. See Clerk's Summary Item CL#136.)

### **103.REQUEST FOR OFFICE SPACE BY FAIRFAX**

#### **RELEAF (Tape 9)**

(A)Supervisor Hyland stated that Fairfax ReLeaf is a non-profit organization whose goal is to promote tree planting in Fairfax County. This group has been formally recognized by the Board and designated as the official organization to host Arbor Day in 1993.

Fairfax Releaf has requested a small room for use as office space at the Government Center Complex, along with a surplus desk, file cabinet, and bookcase. Staff has identified a space in the Governmental Center Complex that meets the modest needs of this organization and has indicated that the surplus furniture items are also available.

In order to assist Fairfax ReLeaf in their continuing efforts to protect the environment through the planting of trees, Supervisor Hyland moved that the Board direct staff to:

- Schedule a public hearing to be held before the Board of Supervisors on **November 16, 1992 at 5:00 p.m.** for the purpose of leasing space at the Government Center Complex at no cost to Fairfax Releaf; and
- Provide a surplus desk, file cabinet, and bookcase valued at no more than \$250 to Fairfax Releaf at no cost to the organization.

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

### **104.REQUEST FOR REMOVAL OF "NO RIGHT-TURN" SIGNS**

#### **AT SPRINGHILL AND DULLES TOLL ROADS (Tape 9)**

Supervisor Berger stated that his office had been contacted by a number of citizens who have been inconvenienced by the "No Right-Turn" signs off of Springhill Road

onto the Dulles Toll Road. He stated that these signs were initially installed at the request of the local community to inhibit Springhill Road traffic north of the Toll Road. The signs are continuously being vandalized, spray painted, and torn down and do not serve as a deterrent to traffic in the area because citizens who need to turn onto the Toll Road usually make an illegal right turn or proceed 100 yards further on Springhill and make a legal U-Turn returning to the intersection and making a legal left turn onto the Toll Road.

Supervisor Berger stated that, in communicating concerns about these signs with the Virginia Department of Transportation (VDOT) and Metropolitan Washington Airports Authority (MWAA), he was informed that MWAA will reconsider this issue showing "evidence that the McLean area residents, including Odrick's Corner and the Fairfax County Board of Supervisors, now support a decision to remove the restrictions."

Supervisor Berger stated that he has been working with the neighbors and the McLean Citizens Association and has received letters in support of removing the "No Right-Turn" signs from the Odrick Citizens Association and the McLean Citizens Association. Therefore, he moved that the Board forward a letter to MWAA stating the Board's support that "No Right-Turn" signs at Springhill Road and the Dulles Toll Road be removed. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

#### **105.REQUEST FOR OUT-OF-TURN PLAN AMENDMENT**

#### **FOR PUBLICLY-OWNED PROPERTIES IN THE**

#### **NORTHEAST QUADRANT OF THE INTERSECTION**

#### **OF LEWINSVILLE AND SPRINGHILL ROADS**

#### **(Tape 9)**

Supervisor Berger stated that his office has been working with the School Board and the Office of Comprehensive Planning (OCP) on a zoning and planning issue regarding a five acre property owned by the School Board located adjacent to the Springhill Recreation Center. The property is currently zoned R-1 and the School Board is seeking to rezone this land to R-2 which is compatible with the adjoining neighborhoods.

This site is located adjacent to a property that the Fairfax County's Vocational Education Program developed and built 10 homes on. These homes are sold and the

money goes to benefit the School Board Foundation. The School Board plans to build six homes on this five acre site with the new zoning and sell these homes to benefit the School Board Foundation. In order to proceed, a Plan Amendment is needed to allow residential use rather than an institutional use on the site.

Therefore, Supervisor Berger moved that the Board direct staff to prepare an Out-of-Turn Plan Amendment, for the Board's consideration, for the publicly owned-properties in the northeast quadrant of the intersection of Lewinsville and Spring Hill Roads, Tax Map References 029-2-1-1C, 1D, and 1E. The analysis for this amendment should consider the appropriateness of residential use on Parcel 1E, and related access issues, if any, from Parcel 1E to Parcels 1C and 1D. This motion was seconded by Chairman Davis and carried by unanimous vote.

## **106.FIRE HYDRANT FOR GREAT FALLS ELEMENTARY**

### **SCHOOL (Tape 9)**

Supervisor Berger informed the Board that the Great Falls Elementary School does not have a fire hydrant in front of the School which has raised questions regarding the safety of the children in the event of a fire. He stated that the School is not served by public water. Water is supplied to the School by a well system. In the event of a fire, the fire department would use a "relay procedure" to get water from the fire hydrant to the School from a public water fire hydrant located at 731 Walker Road, approximately 1,600 feet from the school. The Fire Department considers location of a fire hydrant 500 feet from a school desirable. There is also a 2,000 gallon tanker at the Great Falls Fire Department which could be used if available.

Given the fact that the Great Falls Elementary School does not have a sprinkler system and no fire hydrant, Supervisor Berger expressed his concern regarding the safety of the children. Currently, there is no public water north of Georgetown Pike.

Therefore, Supervisor Berger moved that the Board direct staff to answer the following questions and determine:

- (1)What would be required to extend public water to the school in order to supply the water hydrant and to provide a sprinkler system for the school;
- (2)What would be the cost to extend the public water to the school, from where can the funding be obtained, and what kind of action from the School Board is required; and

(3)What can be done to limit future commercial or residential development from using this public water and maintaining the Comprehensive Plan north of Georgetown Pike?

This motion was seconded by Chairman Davis.

Supervisor Hanley asked that the motion be amended to direct staff to include in its response, an inventory of other schools in Fairfax County that do not have public water and have similar circumstances as Great Falls Elementary School, and this was accepted.

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

### **107.WAIVER OF PERMIT FEES (Tape 9)**

Supervisor Berger informed the Board that a homeowner in the Dranesville Estates Subdivision in Herndon recently had a plumbing problem and discovered that his home did not have a Pressure Reducing Valve (PRV) in the water line of his home. Further investigation revealed that a number of homes in the subdivision did not have PRVs installed. The violation seems to have been the result of an oversight of both the builder, Pulte Homes, and the Department of Environmental Management (DEM), Inspections Branch.

Pulte says they purchased the PRVs for the approximately 150 homes and paid a sub-contractor to install them. The County Inspectors signed off on these homes contrary to the Subdivision and County Code requirements. Pulte has been off-bond with this subdivision for approximately five years and appears to be under no warrant obligation to remedy this violation.

Supervisor Berger stated that Pulte and the Dranesville Estates citizens have discussed this issue and Pulte has agreed to inspect all the homes and pay again for the installation of the required PRVs where they are found not to have been installed. Pulte is prepared to demonstrate outstanding customer service and goodwill at significant cost to themselves. Because the County staff also has acknowledged an error in this instance, albeit in innocence, I believe the County should also demonstrate similar goodwill to eliminate these outstanding code violations. Supervisor Berger stated that County staff has agreed to minimize the dollars associated with this fee waiver request by inspecting homes in groups of 10 for a fee of \$30 per home. In getting Pulte to agree to do this, he stated that he also agreed to try to get the County to waive the permit fees required to install PRVs in the water lines of these homes.

Supervisor Berger moved that the Board waive the plumbing permit fees for the affected homes of Dranesville Estates. This motion was seconded by Supervisor McConnell.

Following discussion among Board Members, with input from staff, Supervisor Hyland asked that the motion be amended to direct staff to report later in the meeting on how an oversight of this magnitude could occur, and this was accepted.

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

#### **108.REQUEST FOR ADDITIONAL TIME (Tape 9)**

Supervisor Berger asked unanimous consent for additional time later in the meeting to present another item. Without objection, it was so ordered.

(NOTE: Later in the meeting, Supervisor Berger presented another item. See Clerk's Summary Item CL#112.)

#### **109.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 9)**

Because of the Planning Commission's deferral of its decision until October 28, 1992, Supervisor Alexander moved that the Board defer the public hearing on Proffered Condition Amendment Application PCA 84-L-202-4 and Conceptual Development Plan Amendment Application CDPA 84-L-020-5 until **November 23, 1992 at 3:30 p.m.** This motion was seconded by Chairman Davis and carried by unanimous vote.

#### **110.RECESS/EXECUTIVE SESSION (Tape 9)**

At 1:40 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Curtis G. Thomas, et.al., versus the County of Fairfax, Civil Action Number 89-1597A;
- Dyncorp versus Fairfax County At Law Number 102015;
- Kaiser Foundation Health Plan of the Mid-Atlantic States, Incorporated, versus Fairfax County, Virginia, et.al., At Law Numbers 102028 and 111168;
- Underground oil spill resulting from the Tank Farm located in Fairfax City;
- J.D. Fowler and the Fairfax Coalition of Police versus William J. Leidinger, et. al., Civil Action Number 92-1380-A; and
- Rheiner et.al., versus Katib et.al., In Chancery Number 121095.

This motion was seconded by Supervisor Bulova.

Supervisor Bulova asked that the motion be amended to include the acquisition of properties listed in the Agenda (related to the Lorton Commuter Rail site), and this was accepted.

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

**SBE:sbe**

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

**111.ACTIONS FROM EXECUTIVE SESSION (Tape 10)**

**A.CERTIFICATION BY BOARD MEMBERS**

**REGARDING ITEMS DISCUSSED IN**

**EXECUTIVE SESSION**

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

seconded by Supervisor Alexander and carried by a vote of nine, Chairman Davis being out of the room.

**B.TELECOMMUNICATIONS INDUSTRIES, INCORPORATED**

**VERSUS FAIRFAX COUNTY BOARD OF SUPERVISORS,**

**AT LAW NUMBER 106820**

Supervisor Hanley moved that the Board authorize the appeal of Telecommunications Industries, Incorporated versus Fairfax County Board of Supervisors, At Law Number 106820 as recommended by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Chairman Davis being out of the room.

**C.KAISER FOUNDATION HEALTH PLAN OF THE**

**MID-ATLANTIC STATES, INCORPORATED, VERSUS**

**FAIRFAX COUNTY, PAUL E. SMITH, SUPERVISOR,**

**OFFICE OF ASSESSMENTS AND BOARD OF**

**SUPERVISORS OF FAIRFAX COUNTY,**

**AT LAW NUMBERS 102028 AND 111168**

Supervisor Alexander moved that the Board authorize settlement of Kaiser Foundation Health Plan of the Mid-Atlantic States, Incorporated, versus Fairfax County, Paul E. Smith, Supervisor, Office of Assessments and Board of Supervisors of Fairfax County, At Law Numbers 102028 and 111168 according to terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Chairman Davis being out of the room.

**D.HOLLINSWOOD ASSOCIATES VERSUS BOARD**

**OF SUPERVISORS OF FAIRFAX COUNTY,**

**AT LAW NUMBER 97159**

Supervisor Trapnell moved that the Board authorize settlement of Hollinswood Associates Versus Board of Supervisors of Fairfax County, At Law Number 97159 according to 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, Chairman Davis being out of the room.

**E.DYNACORP VERSUS FAIRFAX COUNTY, VIRGINIA****AT LAW NUMBER 102015**

Supervisor Dix moved that the Board authorize settlement of DynCorp versus Fairfax County, Virginia, At Law Number 102015, according to terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Chairman Davis being out of the room.

**ADDITIONAL BOARD MATTERS****112.AUTHORIZATION FOR CONDEMNATION AT RIDGEGATE****WOODS (Tape 10)**

Supervisor Berger stated that the owners of property named Ridgeway Woods located in Herndon along Dranesville Road are currently in discussion with Mrs. Comber in an attempt to obtain certain rights-of-way across her property at the developer's expense that are necessary for the widening of Dranesville Road for entering improvements to provide safe access to their subdivision.

Supervisor Berger said that discussions have continued following the take-over of the property by the bank in December of 1991. He added that it appears that the negotiations are nearing an end. However, authorization for condemnation at the expense of the developer, if necessary, would facilitate a resolution on an agreed basis.

Therefore, Supervisor Berger moved that the Board authorize condemnation at the expense of the developer for the Ridgeway Woods for the necessary rights-of-way and easements from the property in the Dranesville Magisterial District owned by Margaret M.J. Comber, Tax Map Reference 10-2((1))2B, 2C, 2D to permit construction of interim road improvements providing safe access from Dranesville Road to the Ridgeway Woods Project. This motion was seconded by Supervisor McConnell.



Following discussion, with input from George A. Symanski, Deputy County Attorney, the question was called on the motion which carried by a vote of nine, Supervisor Hanley being out of the room.

**113.RECOGNITION OF BOY SCOUT TROOP #893 (Tape 10)**

Supervisor Frey announced that Boy Scout Troop #893, representing Centreville United Methodist Church, was present and he warmly welcomed them to the Board Room.

**114.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 92-Y-024, SPECIAL EXCEPTION AMENDMENT**

**APPLICATION SEA 84-C-076-4, AND PROFFERED**

**CONDITION AMENDMENT APPLICATION PCA 85-C-091-3**

**(INOVA HOSPITALS) (SULLY DISTRICT) (Tape 10)**

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh 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.

Supervisor Hyland disclosed that he was a member of the INOVA Hospital Systems Board and that he had just returned from a retreat and the expense of the retreat was covered by INOVA. However, he stated that it did not disqualify him from participating in the public hearing.

Chairman Davis disclosed that his wife is a practicing gynecologist with privileges at Fairfax Hospital which is under INOVA System and he stated that he intended to abstain on any votes on this matter.

Supervisor McConnell disclosed that she is a member of the Fairfax Hospital Board which is under INOVA Systems.

Following the public hearing, which included testimony by two speakers, Gregory Chase, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

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

Mr. Walsh noted, for the record, that Condition Nine of the proposed Development Conditions regarding shared parking was added in error and should be deleted.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 85-C-091-3 subject to the execution of the proffers consistent with those dated September 29, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Chairman Davis being out of the room.

Supervisor Frey moved Approval of Special Exception Amendment Application SEA 84-C-076-4 subject to the proposed development conditions dated October 22, 1992 with the deletion of Condition Nine. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Chairman Davis being out of the room.

Supervisor Frey moved that the Board modify the transitional screening and barrier requirements along all boundaries in accordance with Section 13-104 as previously modified pursuant to the approval of PCA 85-C-091-2 and SEA 84-C-076-3. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Chairman Davis being out of the room.

Supervisor Frey moved approval of Special Exception Application SE 92-Y-024 subject to the proposed development conditions dated October 22, 1992. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

Supervisor Frey moved that the:

- Transitional screening requirement be modified in favor of the existing vegetation that is shown on the Special Exception plat; and
- Barrier requirements be waived along the northern boundary and modified to that shown on the Special Exception Plat on the western boundary of the site.

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

**115.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 92-S-023 (FAIRFAX COUNTY POLICE ASSOCIATION)**

**(SPRINGFIELD DISTRICT) (Tape 10)**

Due to this application being located in the Springfield District, Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova.

Mr. Timothy Hyland reaffirmed the validity of the affidavit for the record.

Mr. Hyland 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.

Mr. Hyland stated for the record that the number of employees was incorrectly stated on page two of the staff report; it is 25 persons employed by the Association and not 20. However, only 8 to 10 will be working at the facility on any given day during normal working hours.

Mr. Hyland stated that it was his understanding that proposed development Condition four is not intended to preclude the Director of Department of Environmental Management (DEM) from granting a Best Management Practices (BMP) waiver should he see fit to do so.

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

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

Supervisor McConnell moved approval of Special Exception Application SE 92-S-023 subject to the proposed development conditions contained in Appendix One of the Staff Report dated October 14, 1992. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Chairman Davis abstaining, Supervisor Hanley being out of the room.

Supervisor McConnell moved modification of the transitional screening and waiver of the barrier along the property boundaries in favor of the existing vegetation. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Chairman Davis abstaining, Supervisor Hanley being out of the room.

Supervisor McConnell moved that the Board direct the Director of the DEM to waive the dustless surface requirement for the subject property. This motion was seconded

by Supervisor Trapnell and **CARRIED** by a recorded vote of eight, Chairman Davis abstaining, Supervisor Hanley being out of the room.

**116.3:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT**

**S92-IV-S1 FOR THE AREA LOCATED SOUTH OF THE**

**NEWINGTON INTERCHANGE OF I-95, BETWEEN ALBAN**

**ROAD AND I-95 (LEE DISTRICT) (Tape 10)**

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 8 and October 15, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Alexander moved approval of Out-of-Turn Plan Amendment S92-IV-S1, Land Unit D, Parcel 99-1 ((1)) 7, of the I-95 Corridor Industrial Area of the Springfield Planning District in the Area IV Comprehensive Plan, **as amended by the Planning Commission with amended conditions related to the Floor Area Ratio (FAR), a turn lane and a use restriction.** This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Hanley being out of the room.

**CM:cm**

**117.DEFERRAL OF THE 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 10)**

Because of the Planning Commission's deferral of its decision until October 28, 1992, 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 **November 23, 1992 at 3:30**

**p.m.** This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Hanley being out of the room.

**118. 4:00 P.M. - PUBLIC HEARING ON THE DE-CREATION/  
RE-CREATION OF A SMALL SANITARY DISTRICT FOR  
REFUSE AND LEAF COLLECTION SERVICE (MASON  
DISTRICT) (Tape 11)**

(R)A Certificate of Publication was filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 8 and October 15, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Trapnell moved that the Board adopt the Resolution for the de-creation/re-creation of Small District One within Mason District for refuse and leaf collection service:

**Type of Staff**

**Sanitary District Action Service Recommendation**

Small District One De-Create/ Leaf Deny

Within Mason District Re-Create

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

**119. 4:00 P.M. - PH ON THE ENACTMENT OF AN AMENDMENT  
TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4  
(TAXATION AND FINANCE), SECTION 4-1-3  
(RECORDATION AND PROBATE), TO LEVY A  
LOCAL PROBATE TAX (No Tape)**

(NOTE: The public hearing regarding the proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-1-3 (Recordation and

Probate), to levy a local probate tax, as provided in Virginia Code Section 58.1-1718 and 58.1-3805, was cancelled.)

**120.4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE  
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3  
(COUNTY EMPLOYEES), REVISING THE MERIT  
SYSTEM ORDINANCE - CRIMINAL HISTORY (Tape 11)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 8 and October 15, 1992.

Following the public hearing, Supervisor Trapnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Section 3-1-23 (Criminal History Record Check and Fingerprinting Required), Merit System Ordinance, to require criminal background investigations as a condition of employment in certain job classes with responsibility for the health, safety and welfare of the mentally and physically impaired, minors, elderly or other persons unable to care for themselves. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hyland being out of the room.

**121.4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE  
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62  
(FIRE PROTECTION) (Tape 11)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 8 and October 15, 1992.

Following the public hearing, Supervisor Hanley moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection) to amend Sections 62-1-1 and 62-2-6, **to become effective upon adoption.** The proposed amendments set the penalty for violation pursuant to Section 18.2-11 of the Code of Virginia; define positions of responsibility at buildings, structures and facilities; require attendants at bulk fuel plants and terminals; and require all liquefied petroleum gas equipment be abandoned in a safe manner. This motion was seconded

by Supervisor McConnell and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Trapnell being out of the room.

#### **122. ORDERS OF THE DAY (Tape 11)**

Supervisor McConnell asked unanimous consent that, due to the lateness of the hour, the Board change the Orders of the Day to allow citizens who signed up to speak at Citizens Comment to speak next. Without objection, it was so ordered.

#### **123. PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN (Tape 11)**

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 8 and October 15, 1992.

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

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

#### **124. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

##### **SE 92-D-018 (CHARLIE S. AND MOON CHOE)**

##### **(DRANESVILLE DISTRICT) (Tape 11)**

Mr. Stephen Fox reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Berger moved approval of Special Exception Application SE 92-D-018 subject to the proposed development conditions dated October 26, 1992. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hanley being out of the room.

Supervisor Berger moved modification of the transitional screening on the southern property line in conformance with the Special Exception Plat. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hanley being out of the room.

Supervisor Berger moved waiver of the barrier requirement along the southern and western property line. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hanley being out of the room.

Supervisor Berger moved waiver of the service drive requirement along Old Dominion Drive. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hanley being out of the room.

**125.4:30 P.M. - PH 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) (Tape 11)**

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 October 8 and October 15, 1992.

Following the public hearing, Supervisor Berger moved to defer Board decision on the Resolution authorizing the acquisition of additional dedications and easements necessary for construction of the Dranesville Road Segment of Project 006495 - Wiehle Avenue, Dranesville District until **November 23, 1992 at 5:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hanley being out of the room.



(NOTE: Later in the meeting action was taken to change the time from 5:00 p.m. **TO** 4:00 p.m. See Clerk's Summary Item CL#135.)

**126.4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN  
DEDICATIONS AND EASEMENTS NECESSARY FOR  
CONSTRUCTION OF THE ANNANDALE CENTER  
DRIVE ROAD IMPROVEMENTS PROJECTS (MASON  
DISTRICT) (Tape 11)**

(R)A Certificate of Publication was filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 8 and October 15, 1992.

Following the public hearing, Supervisor Trapnell moved adoption of the Resolution authorizing the acquisition of certain dedications and easements necessary for construction of Project I00189 - Annandale Center Drive Road Improvements, Mason District. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Hanley being out of the room.

**127.4:30 P.M. - PUBLIC HEARING ON THE PROPOSED  
SALE OF COUNTY PROPERTY LOCATED AT 6300  
KARMICH STREET, FAIRFAX (SPRINGFIELD  
DISTRICT) (Tape 11)**

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 October 8 and October 15, 1992.

Following the public hearing, Supervisor McConnell moved that the Board defer decision on the proposed sale of County property, located at 6300 Karmich Street, Fairfax, Tax Map Reference 77-4 ((09)) 001, Springfield District until **November 16, 1992 at 5:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hanley and Chairman Davis being out of the room.

**128.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION****SE 91-V-043 (SOLITE CORPORATION) (MOUNT VERNON****DISTRICT) (Tapes 11-12)**

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

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

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

Supervisor Hyland asked unanimous consent that the record be held open until Board decision is made. Without objection, it was so ordered.

Supervisor Hyland moved to defer Board decision on Special Exception Application SE 91-V-043 until **November 16, 1992 at 4:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Hanley being out of the room.

**129.4:30 P.M. - PH ON FOR THE CREATION OF A****SANITARY DISTRICT FOR WATER SERVICE TO THE****CLIFTON FOREST SUBDIVISION (SPRINGFIELD****DISTRICT) (Tape 12)**

(R)A Certificate of Publication was filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of October 8 and October 15, 1992.

Following the public hearing, which included testimony by four speakers, Supervisor McConnell moved that the Board adopt the proposed Resolution creating Small District One within Springfield District for the purpose of providing water service to the Clifton Forest Subdivision:

**Type of Staff**

## **Sanitary District Action Service Recommendation**

Small District One Create Water Approve

Within Springfield

District

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

### **130.4:30 P.M. - PH ON REZONING APPLICATION**

#### **RZ 91-W-023 (BOARD OF SUPERVISORS, FAIRFAX**

#### **COUNTY) (COUNTYWIDE) (Tape 12)**

Mr. Anthony Griffin reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by two speakers, Catherine Chianese, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 91-W-023, Conceptual Development Plan Amendment CDP 91-W-023 and Final Development Plan Amendment FDP 91-W-023 be amended from the C-8 District to the PDC District subject to the executed proffers dated October 15, 1992. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Hanley further moved modification of the transitional screening requirement and waiver of the barrier requirement along that portion of the southern property boundary which is across Judicial Drive from a single family residence subject to the planning shown on the final landscape plan as approved by the Urban Forester. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

### **131.4:30 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 this item. See Clerk's Summary Item CL#108.)

**132.5:00 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 12)**

(NOTE: At the Board of Supervisors' meeting held on October 5, 1992, 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.)

Mr. Anthony Calabrese reaffirmed the validity of the affidavit for the record.

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

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

- In the amount of \$199.00 from Mr. William H. Gordon.

Chairman Davis noted that Mr. Mark Moseley had appeared at a couple of fundraisers for his campaign.

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

•In the amount of \$200.00 to "The Friends of Bob Dix" from Mr. James Cleveland, co-owner of Unit One.

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

Supervisor Dix moved that the Board:

- Approve Development Plan Amendment Application DPA C-378-2;
- Approve the reduction in the required parking to that currently existing on site as shown on the Amendment Plan and Development Plan submitted with the application pursuant to Paragraph 5, Section 11-102 of the Zoning Ordinance;
- Direct the Director of the Department of Environmental Management (DEM) to waive the requirement for a Site Plan on Parcels 1B and 1A; and
- Direct the Director of DEM to refer any Site Plan which may be filed on Block 1C to the Planning Commission and the Board of Supervisors for review and comment prior to any approval.

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

### **133.5:00 P.M. - PH ON THE PROPOSED AMENDMENTS**

### **TO SECTIONS 3 AND 5 OF THE UNCODIFIED**

### **ORDINANCE TO RENAME THE CENTREVILLE**

### **ELECTION DISTRICT (Tapes 12-13)**

(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 October 8 and October 15, 1992.

Following the public hearing, which included testimony by four speakers, Supervisor Dix moved adoption of the proposed amendment to Sections 3 and 5 of the uncodified ordinance to rename the Centreville Election District to **Hunter Mill District**. This

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

**134. 5:00 P.M. - PH TO RECEIVE CITIZEN COMMENT ON**

**ISSUES OF CONCERN (No Tape)**

(NOTE: Earlier in the meeting the public hearing on Citizen Comment was held. See Clerk Summary Item CL#123.)

**135.ACQUISITION OF ADDITIONAL DEDICATIONS**

**AND EASEMENTS NECESSARY FOR CONSTRUCTION**

**OF THE DRANESVILLE ROAD SEGMENT OF COUNTY**

**ROAD BOND PROJECT - WIEHLE AVENUE**

**(DRANESVILLE DISTRICT (Tape 13)**

(NOTE: Earlier in the meeting there was discussion regarding this issue. See Clerk's Summary Item CL#125.)

Supervisor Berger moved to change the time of the Board decision on the acquisition of the Wiehle Avenue from November 23, 1992 at 5:00 p.m. **TO November 23, 1992 at 4:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

**136.REQUEST FOR WAIVER OF CODE REQUIREMENTS**

**FOR GREGORY AND JANICE BUDNIK (Tape 13)**

(NOTE: Earlier in the meeting there was discussion regarding this issue. See Clerk's Summary Item CL#102.)

Supervisor Hyland informed the Board of an earlier board matter of his regarding a request for waiver of code requirements and moved that the Board refer Mr. and Mrs. Budnik's subdivision waiver request contained in their letter dated October 29, 1992 to the Department of Environmental Management (DEM) for analysis and recommendation to the County Executive and to the Board of Supervisors. Supervisor Hyland further moved that this waiver request be processed on an expedited basis.

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

**137.RECESS/EXECUTIVE SESSION (Tape 13)**

At 7:15 p.m., Supervisor Hanley moved that the Board recess and go into Executive Session for discussion of legal action concerning the Pickett Road Tank Farm. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

At 7:55 p.m. the Board reconvened in the Board Room with all members present, with the exception of Supervisor McConnell, and with Chairman Davis presiding.

Chairman Davis stated for the record that during the first Executive Session held earlier in the day nothing was discussed outside the bounds of the Freedom of Information Act during his presence.

**138.ACTIONS FROM EXECUTIVE SESSION (Tape 13)**

**A.CERTIFICATION BY BOARD MEMBERS**

**REGARDING ITEMS DISCUSSED IN**

**EXECUTIVE SESSION**

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

**139.BOARD ADJOURNMENT (Tape 13)**

At 8:00 p.m., the Board adjourned.