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The meeting was called to order at 9:40 a.m. with all Members being present, and with Chairman Davis presiding.

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

**2. CERTIFICATE OF APPRECIATION RECOGNIZING THE
RESTON BOARD OF COMMERCE (RBC) AND THE SOUTH
LAKES HIGH SCHOOL FOR SPONSORING A WORKSHOP ON
"ETHICAL DECISION MAKING IN THE WORKPLACE
AND SOCIETY" (Tape 1)**

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Nora Klein on behalf of Barbara Aaron, President, Reston Board of Commerce (RBC), and to Dr. Jenkins, 11th Grade Principal and Project Administrator, South Lakes High School, recognizing the RBC and South Lakes High School for their roles in sponsoring a workshop on "Ethical Decision Making in the Workplace and Society" for high school seniors. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**3. CERTIFICATE OF APPRECIATION PRESENTED TO
MR. CLEVELAND WALKER FOR HIS OUTSTANDING
WORK WITH EDISON HIGH SCHOOL STUDENTS**

(Tape 1)

Supervisor Hyland moved approval of the presentation of the Certificate of Appreciation, presented to Mr. Cleveland Walker, for his outstanding work with the students of Edison High School. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**4.CERTIFICATE OF APPRECIATION PRESENTED TO
MS. KAYE G. ANDERSON FOR HER YEARS OF
SERVICE TO FAIRFAX COUNTY GOVERNMENT**

(Tape 1)

Supervisor McConnell moved approval of the presentation of the Certificate of Appreciation, presented to Ms. Kaye G. Anderson, who is retiring from Fairfax County government after 34 years, for her outstanding service as a County employee. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being out of the room.

**5.CERTIFICATE OF APPRECIATION PRESENTED TO
MR. JAMES L. COLTON FOR HIS YEARS OF
SERVICE TO FAIRFAX COUNTY GOVERNMENT**

(Tape 1)

Supervisor McConnell moved approval of the presentation of the Certificate of Appreciation, presented to Mr. James L. Colton, who is retiring from Fairfax County government after 31 years, for his outstanding service as a County employee. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being out of the room.

6.PROCLAMATION DESIGNATING "AIDS AWARENESS WEEK"

(Tape 1)

Supervisor Hanley moved approval of the Proclamation, presented to Marlene Blum, Chairperson, Health Care Advisory Board, designating November 29 through December 5, 1992 as "**AIDS AWARENESS WEEK**" in Fairfax County, and urging all citizens to take advantage of this opportunity to increase their awareness of AIDS and prevention. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Frey being out of the room.

7.10:00 A.M. - PRESENTATION OF PLAQUE BY THE

EMPLOYEES ADVISORY COUNCIL (EAC) TO HONOR

PAST EAC CHAIRPERSONS (Tape 1)

John Shughrue, Chairperson, Employees Advisory Council, presented a plaque to Chairman Davis honoring past EAC Chairpersons.

8.10:00 A.M. - PRESENTATION BY BRIGADIER GENERAL

CLARA ADAMS-ENDER FROM FORT BELVOIR TO MEET

THE BOARD MEMBERS AND EXTEND GREETINGS FROM

FORT BELVOIR (Tape 1)

Chairman Davis announced that the presentation by Brigadier General Clara Adams-Ender from Fort Belvoir to meet the Board Members and extend greetings from Fort Belvoir has been deferred until the Board of Supervisors' meeting scheduled for December 7, 1992.

9.10:15 A.M. - PRESENTATION BY THE NORTHERN

VIRGINIA PLANNING DISTRICT COMMISSION (NVPDC)

ON REINVENTING GOVERNMENT THROUGH REGIONAL

COOPERATION (Tape 1)

G. Mark Gibb, Executive Director, Northern Virginia Planning District Commission (NVPDC) presented to Board Members a report on Reinventing Government Through Regional Cooperation.

Supervisor Hanley asked unanimous consent that the Board direct staff to circulate to Board Members the agreement between the Metropolitan Washington Council of Governments (COG) and the NVPDC on transportation. Without objection, it was so ordered.

10.10:30 A.M. - BOARD DECISION ON SPECIAL

EXCEPTION APPLICATION SE 91-V-043 (SOLITE

CORPORATION) (MOUNT VERNON DISTRICT) (Tape 1)

(NOTE: The public hearing was held on October 26, 1992 and action taken to defer decision until November 16, 1992. Decision was further deferred until November 23, 1992.)

Supervisor Hyland moved denial of Special Exception Application SE 91-V-043. This motion died for lack of a second.

Supervisor Alexander moved approval of Special Exception Application SE 91-V-043 subject to the revised development conditions dated November 19, 1992. This motion was seconded by Supervisor Berger.

Supervisor Hyland asked that the motion be amended to include a modification of the transitional screening and barrier requirements along the northern and eastern periphery of the site in favor of that shown on the Landscape Plan as revised through November 17, 1992, and this was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Hyland voting, "NAY."

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11. ADMINISTRATIVE ITEMS (Tape 2)

Supervisor McConnell moved approval of the Administrative Items. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM

(SULLY DISTRICT)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated November 23, 1992, be recommended for acceptance into the State Secondary System.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE ACQUISITION OF A CERTAIN

SANITARY SEWER EASEMENT NECESSARY FOR

CONSTRUCTION OF THE SUGARLAND SUBDIVISION

SANITARY SEWER EXTENSION PROJECT (DRANESVILLE DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 14, 1992 at 4:00 p.m.** on the proposed acquisition of a certain sanitary sewer easement necessary for the construction of Project X00820 - Sugarland Subdivision Sanitary Sewer Extension Project, Dranesville District.

ADMIN 3 - AUTHORIZATION TO ADVERTISE PROPOSED

AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,

CHAPTER 24 (BINGO GAMES AND RAFFLES)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 14, 1992 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 24 (Bingo Games and Raffles), in response to changes to the Code of Virginia provisions on bingo games and raffles which were passed during the Virginia General Assembly's 1991 and 1992 Sessions, and to increase private sector involvement in regulating bingo games and raffles.

12.A-1 - BOARD AUTHORIZATION FOR DEPARTMENT

DIRECTORS TO SIGN THE LOCAL GOVERNMENT

ORDINANCE FORM (LGOF) CERTIFICATIONS FOR

PERMIT APPLICATIONS TO STATE AGENCIES

(Tape 2)

Supervisor Alexander moved that the Board concur in the recommendation of staff and authorize the Directors of the Office of Comprehensive Planning (OCP), the Department of Environmental Management (DEM), or the Department of Health, as appropriate, to sign the Local Government Ordinance Form (LGOF) Certification for certain permit applications to State agencies. This motion was seconded by Supervisor Hanley.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Hanley asked that the motion be amended to include language which states that certain situations with regard to remediation

systems are subject to call by any Board Member, to be heard before the entire Board of Supervisors, and this was accepted.

After further discussion, with input from Irving Birmingham, Director, Department of Environmental Management, the question was then called on the motion, as amended, which carried by a vote of nine, Supervisor Berger being out of the room.

Supervisor Hyland moved that the Board direct staff to examine the issue with regard to compliance with the State requirements for the issuance of a permit prior to the Board allowing building permits to be issued at the local level. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Berger being out of the room.

13.A-2 - VIRGINIA HOUSING DEVELOPMENT AUTHORITY

(VHDA) CERTIFICATION FOR FINANCING FOR THE

ELECTRIC AVENUE GROUP HOME (Tape 2)

(R)On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Berger being out of the room, the Board concurred in the recommendation of staff and adopted a Resolution certifying approval of the application by Christian Relief Services for financing of the Electric Avenue Group Home by the Virginia Housing Development Authority (VHDA).

14.A-3 - BOARD OF SUPERVISORS' AUTHORIZATION

FOR BOARD'S OWN MOTION REZONINGS IN

CONJUNCTION WITH VIENNA BOUNDARY ADJUSTMENTS

(CENTREVILLE AND PROVIDENCE DISTRICTS) (Tape 2)

(R)On motion of Supervisor Dix, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Berger being out of the room, the Board concurred in the recommendation of staff and adopted a Resolution initiating a Board's Own Motion rezoning of 18 parcels which come within the jurisdiction of Fairfax County with the relocation of the boundary between the Town of Vienna and Fairfax County.

15.A-4 - DESIGNATION OF FAIRFAX COUNTY DIRECTOR

OF FINANCE AS FISCAL AGENT FOR THE COMMUNITY

**POLICY AND MANAGEMENT TEAM UNDER THE
COMPREHENSIVE SERVICES ACT FOR AT-RISK
YOUTH AND FAMILIES (Tape 2)**

On motion of Supervisor Bulova, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Berger being out of the room, the Board concurred in the recommendation of staff and designated the Fairfax County Director of Finance as the Fiscal Agent for the Community Policy and Management Team for the management of Trust Funds and State and local funds pooled under the Comprehensive Services Act for At-Risk Youth and Families.

**16.A-5 - AUTHORIZATION BY THE BOARD TO ENTER
INTO AN AGREEMENT TO FORM A REGIONAL JAIL
AUTHORITY (Tape 2)**

On motion of Supervisor Dix, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Berger being out of the room, the Board concurred in the recommendation of staff and authorized the County Executive and the Sheriff to sign the necessary documents to enter into an agreement to form the Regional Jail Authority. The Regional Jail is being planned for construction at Fort A.P. Hill.

**17.A-6 - VIRGINIA RAILWAY EXPRESS (VRE):
PRELIMINARY FISCAL YEAR (FY) 1994 BUDGET
AND CHANGES TO MASTER AGREEMENT (BRADDOCK,
LEE, MASON, MOUNT VERNON AND SPRINGFIELD
DISTRICTS) (Tape 2)**

On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Berger being out of the room, the Board concurred in the recommendation of staff and took the following actions regarding the Virginia Railway Express (VRE):

- Endorsed the preliminary Fiscal Year (FY) 1994 VRE Budget, contained in Attachment One of the Memorandum to the Board dated November 23, 1992, which

accommodates a phased implementation of five peak-period and one midday roundtrips on each of the two commuter rail lines, and directed staff to advise the VRE Operations Board and the Northern Virginia Transportation Commission (NVTC) of this action. Furthermore, directed staff to transmit the following additional comments to VRE and NVTC:

*With respect to the service levels, the Board supports the concept of linking service levels and ridership, and encourages the development of guidelines for determining when additional trains should be implemented; and

*Regarding fare increases, the Board urges that public hearings be conducted before a fare increase is adopted; and

•Approved the following changes to the Commuter Rail Master Agreement and authorized the Chairman of the Board of Supervisors to execute the appropriate documents to implement these changes:

***ADD** "the City of Manassas Park and the City of Fredericksburg" to Section I.A. PARTIES; and

***ADD** "the parties acknowledge and agree that the City of Manassas Park shall be responsible for maintenance and control of the access road and parking lot at the Manassas Park Station site. This responsibility shall not include maintenance of improvements within the railroad right-of-way" to Section IV.A STATION SITES AND CAPITAL GRANT FUNDING.

(NOTE: The above changes are shown in context in Attachment Two of the Memorandum to the Board dated November 23, 1992.)

18.C-1 - SPRING TAX SEASON INITIATIVES

(Tape 2)

The Board next considered an Item contained in the Memorandum to the Board dated November 23, 1992 requesting the Board's consideration of Spring tax season initiatives that would provide new, innovative ways to do business during the Spring tax filing and decal sales season which will result in an improved customer service and mitigate potential problems.

William J. Leidinger, County Executive, briefed the Board on the 18 new initiatives proposed by staff.

With a compliment to staff for its diligent efforts in this regard, Supervisor Alexander moved Board approval of the Spring Tax Season Initiatives as outlined in Attachment 1 of the Memorandum to the Board dated November 23, 1992. This motion was seconded by Supervisor McConnell.

Supervisor Dix called the Board's attention to the initiative which proposes sending flyers home with school children to reinforce the themes of the publicity campaign, and moved to amend the motion to respectfully request reconsideration of the use of this initiative. This motion was seconded by Supervisor Hanley.

Following discussion, with reassurance from Mr. Leidinger that the wording, context, etcetera, will be done in conjunction with the School Board and meet its requirements, Supervisor Dix **WITHDREW** his motion.

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

19.C-2 - REZONING FROM COMMERCIAL OR INDUSTRIAL

ZONED LAND TO RESIDENTIAL IN THE ROUTE 28

TAX DISTRICT (Tape 2)

(P)The Board next considered an Item contained in the Memorandum to the Board dated November 23, 1992 requesting the Board's consideration of whether it should be County policy to permit rezoning to residential uses in the Route 28 Tax District; and, if expanded residential uses are allowed, how no net revenue loss to the Tax District is secured.

Supervisor Dix moved that, should the Board of Supervisors decide that residential rezoning is appropriate in the Route 28 Tax District, the methodology for reimbursement so that there is no net revenue lost to the Tax District should be the pro-rata obligation formula (Alternative Two) outlined in the Memorandum to the Board from the County Executive dated October 15, 1992. This motion was seconded by Supervisor Berger.

Supervisor Hanley asked that the motion be amended to include referral of this matter to the Legislative Subcommittee to move forward with the appropriate legislative approvals.

Supervisor Dix stated that he is not yet convinced of the nature of legislation which would be required, and added that he would be in a much better position to make a

decision at the Legislative Subcommittee Meeting scheduled for Monday, November 30, 1992.

Following discussion, Chairman Davis clarified the motion as including the following:

- No endorsement of residential zoning at this time;
- Agreement that, should the Board decide in favor of residential zoning, residential land will not be in the Tax District; however, there will be a payment according to an approved formula;
- Agreement to go forward and consider legislation at the State level, should it be necessary; and
- The Board will determine whether or not legislation is necessary at the next scheduled Legislative Subcommittee Meeting on November 30, 1992.

Supervisor Frey asked that the motion be amended to address the exact procedures to be followed in obtaining pre-payment of the tax obligations at the time of zoning, as well as the legal issues, and this was accepted.

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

Chairman Davis expressed his appreciation to staff for their outstanding work on this very complex issue.

20. I-1 - STRATEGIC MANAGEMENT INITIATIVE:

RESULTS OF THE PROCUREMENT PROCESS REDESIGN

(REDTEAM) PROJECT (Tape 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 23, 1992 presenting the results of the Procurement Process Redesign Team (REDTEAM). In September 1992, the County's Strategic Management Steering Committee appointed staff to review and recommend changes to streamline the entire procurement process.

21. I-2 - ESTABLISHMENT OF PROCEDURES FOR MOVING

THE STEWART HOUSE AND OTHER STRUCTURES

(COUNTYWIDE) (Tape 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 23, 1992 requesting authorization for staff to:

- Distribute the guidelines for moving the Stewart House and other structures to the successful bidder; and
- Be prepared to assist the purchaser with the relocation procedures.

The staff was directed administratively to proceed as proposed.

Supervisor Frey expressed his appreciation to staff for their prompt attention to this matter.

22. I-3 - PHASE II OF THE CHESAPEAKE BAY PROGRAM

(Tape 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 23, 1992 requesting authorization for staff to:

- Work with the Planning Commission to initiate the continuation of the Planning Commission's review of the proposed Phase II amendments; and
- Upon completion of the Chesapeake Bay Local Assistance Board (CBLAB) Preliminary Review of Phase I, seek authorization from the Board to advertise concurrent public hearings for adoption of Phase I and Phase II amendments.

The staff was directed administratively to proceed as proposed.

23. I-4 - EXPEDITED SCHEDULING OF ZONING APPLICATIONS

(COUNTYWIDE) (Tape 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 23, 1992 regarding expedited scheduling of zoning applications.

There was a brief discussion regarding this Item.

**24. I-5 - LANDSCAPING AND GROUNDS MAINTENANCE OF
COUNTY SITES (Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated November 23, 1992 clarifying County procedures for Landscaping and Grounds Maintenance at fire stations.

(NOTE: Later in the meeting, there was discussion regarding this Item. See Clerk's Summary Item CL#28.)

25. I-6 - STAFF SUMMARIES OF OCTOBER, 1992

TRANSPORTATION ADVISORY COMMISSION MEETINGS

(COUNTYWIDE) (Tape 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 23, 1992 presenting Staff Summaries of October, 1992 Transportation Advisory Commission Meetings.

26. I-7 - APPROVAL OF AN AGREEMENT PROVIDING FOR

THE CONSTRUCTION OF STORM SEWER AND A NEW

BIKE TRAIL ALONG CENTREVILLE ROAD BETWEEN

MCLEAREN ROAD AND WEST OX ROAD (CENTREVILLE

AND SULLY DISTRICTS) (Tape 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 23, 1992 requesting authorization for staff to execute the Agreement with the Virginia Department of Transportation (VDOT), in the amount of \$35,774, to provide for the construction of storm sewer and a new bike trail along Centreville Road between McLearen Road and West Ox Road.

The staff was directed administratively to proceed as proposed.

27. I-8 - CONTRACT AWARD - INTEGRATED SEWER SYSTEM

SPECIAL PROJECTS BASIC ORDERING AGREEMENT

(COUNTYWIDE) (Tape 2)

The Board next considered an Information Item contained in the Memorandum to the Board dated November 23, 1992 requesting authorization for staff to award a contract to CDM in the amount of \$250,000 per year for a period not to exceed three years for consulting engineering services for the County's Integrated Sewer System.

The staff was directed administratively to proceed as proposed.

28. ADDITIONAL COMMENTS REGARDING I-5 -

LANDSCAPING AND GROUNDS MAINTENANCE OF

COUNTY SITES (Tape 2)

(NOTE: Earlier in the meeting, Information Item I-5 was presented to Board Members; however, no comments were made. See Clerk's Summary Item CL#24.)

Supervisor Berger called the Board's attention to Information Item I-5 - Landscaping and Grounds Maintenance of County Sites and asked unanimous consent that the Board direct the County Executive to contact the Sheriff's Office with regard to the use of prisoners, under supervision, to work on the landscaping and grounds maintenance of County sites. Without objection, it was so ordered, with the acknowledgement by several Board Members that the Sheriff's Office already has an ongoing program of much-needed grounds maintenance assistance in the County.

BOARD MATTERS

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29.APPOINTMENTS TO THE DULLES CORRIDOR

LAND USE TASK FORCE (Tape 2)

(APPTs)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved the following appointments to the Dulles Corridor Land Use Task Force:

- Thomas Delasandro as the representative from the Reston Land Corporation; and
- Nancy Larsen as the representative from The League of Women Voters.

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

(NOTE: Later in the meeting, additional appointments were made to the Dulles Corridor Land Use Task Force. See Clerk's Summary Item CL#35.)

**30.APPOINTMENT OF FAIRFAX COUNTY'S PRINCIPAL
REPRESENTATIVE TO THE UPPER OCCOQUAN SEWAGE**

AUTHORITY (UOSA) (Tape 2)

(APPT)

Supervisor Davis moved the appointment of William J. Leidinger, County Executive, as Fairfax County's principal representative to the Upper Occoquan Sewage Authority (UOSA) to fill the unexpired term of Richard A. King, former Acting-County Executive. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**31.ASSISTANCE TO THE COMMISSION FOR WOMEN
IN DEVELOPING A SURVEY TO IDENTIFY
WORK/FAMILY CONCERNS OF FAIRFAX COUNTY**

EMPLOYEES (Tape 2)

Supervisor Davis stated that in 1990 the Commission For Women was directed by the Board to lead a task force to examine work/family issues. The Commission is currently developing a survey to identify work/family concerns of Fairfax County employees. He added that the survey is now in draft form and the Commission needs assistance in refining, distributing, and analyzing it.

Accordingly, Supervisor Davis moved that the Board direct the appropriate staff to assist the Commission for Women in its efforts. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**32.APPROVAL OF STAFF RECOMMENDATIONS PRESENTED
IN BUDGET SUBCOMMITTEE MEETING (Tape 2)**

Supervisor Davis moved approval of the staff recommendations presented in this morning's Budget Subcommittee Meeting. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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**33.INTENT TO DEFER THE PH ON A PROPOSED AMENDMENT
TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 112 (ZONING ORDINANCE), REGARDING
CHURCHES AND OTHER PLACES OF WORSHIP, CONVENTS,
MONASTERIES AND CHILD CARE CENTERS AND
PRIVATE SCHOOLS AS SPECIAL EXCEPTION USES**

(Tape 3)

Supervisor Frey reminded Board Members that the Board had previously discussed the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Articles 3, 4, 5, 6, 8 and 9, regarding churches and other places of worship, convents, monasteries and child care centers and private schools as special exception uses. He announced his intent, at the appropriate time later in the meeting, to defer the public hearing on this item because the Planning Commission has not yet taken action.

Supervisor Frey noted that a meeting with Planning Commissioners is scheduled for December 8, 1992 at 7:30 p.m. at the Government Center Conference Center.

(NOTE: Later in the meeting, action was taken to defer the public hearing until January 11, 1993 at 3:30 p.m. See Clerk's Summary Item CL#73.)

**34.REQUEST FOR CERTIFICATES OF APPRECIATION
FOR PRESENTATION TO JOSEPH KEYS, CHIEF,
MECHANICAL INSPECTIONS BRANCH, AND JOSEPH**

**BERTONI, CHIEF, BUILDING INSPECTIONS
BRANCH, DESIGN REVIEW DIVISION, DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT (DEM) (Tape 3)**

Supervisor Frey stated that Joseph Keys, Chief, Mechanical Inspections Branch, and Joseph Bertoni, Chief, Building Inspections Branch, Design Review Division, Department of Environmental Management (DEM) have announced their intent to retire on December 7, 1992.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to prepare Certificates of Appreciation for Mr. Keys and Mr. Bertoni presentation before the Board at its meeting scheduled for December 7, 1992. Without objection, it was so ordered.

Supervisor Alexander noted that the retirement of both of these employees from the same Division places the County in a difficult technical situation. Supervisor Alexander asked unanimous consent that the Board direct the County Executive to ensure that the County has the proper technical expertise needed in this area. Without objection, it was so ordered.

35.APPOINTMENT TO THE DULLES CORRIDOR LAND USE

TASK FORCE (Tape 3)

(APPTs)

(NOTE: Earlier in the meeting, additional appointments were made to the Dulles Corridor Land Use Task Force. See Clerk's Summary Item CL#29.)

Supervisor Dix moved the following appointments as the Centreville District Representatives to the Dulles Corridor Land Use Task Force:

- Mr. John M. Palatiello;
- Mr. John H. Thillmann; and
- Mr. David P. Bobzien.

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

36.INTENT TO DEFER THE PH ON OUT-OF-TURN PLAN

AMENDMENT S92-III-UP2, PRESIDENTS PARK

(BATMAN PROPERTY) (CENTREVILLE DISTRICT)

(Tape 3)

Supervisor Dix announced his intent, at the appropriate time later in the meeting, to defer the public hearing on Out-of-Turn Plan Amendment S92-III-UP2.

(NOTE: Later in the meeting, action was taken to defer the public hearing on this application until **January 11, 1993, at 3:30 p.m.** See Clerk's Summary Item CL#81.)

37.OUT-OF-TURN PLAN AMENDMENT - PRESIDENTS PARK

(Tape 3)

Supervisor Dix stated that at the Board of Supervisors' meeting held on October 26, 1992, the Board received the Draft Plan of the Route 28 Task Force and action was taken to authorize the advertisement of an Out-of-Turn Plan Amendment for residential use on the easternmost 35 acres of Presidents Park. Following meetings with the applicant and staff, it has been determined that additional acreage in Presidents Park and the triangular area between Centreville Road and Old Centreville Road should also be considered for residential use. This will allow the applicant to design a project with a mix of unit types, provide for a more cohesive development pattern and create an appropriate transition to the McNair Farms Complex.

Therefore, Supervisor Dix moved that the Board direct staff to:

- Expand the Presidents Park Out-of-Turn Plan Amendment to consider the recommendation of the Draft Dulles Suburban Center Plan for approximately 40 acres of the easternmost portion of Presidents Park and the area generally south of Coppermine Road between Centreville and Old Centreville Roads; and
- Schedule this amendment so that it is considered by the Board concurrent with the associated rezoning application.

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

38.STUDY OF COUNTY BUSINESS TAXES (Tape 3)

Supervisor Dix moved that the Board direct the County Executive to prepare a Consideration Item for the Board's first meeting in January 1993, recommending the appropriation of \$25,000 for the Board's budgeted consulting allocation to do a comprehensive review, analysis and modeling exercise of all business-related taxes, fees and/or other revenue measures currently in place or under consideration in Fairfax County and other large urban jurisdictions around the nation.

Supervisor Dix added that this study should include revenue neutral recommendations to make Fairfax County's business taxes, fees and/or other revenue more reflective of the current diversity of business types, organizations and operations around the nation, and more likely to make Fairfax County a more competitive jurisdiction for businesses to locate, expand and/or remain here.

Supervisor Dix said that it is anticipated that this study will be coordinated through the County's Economic Recovery Advisory Committee (ERAC) with the cooperation of the Fairfax County Chamber of Commerce.

Finally, Supervisor Dix said that it is also anticipated that County funding for this study will be matched by a like amount by the private sector as coordinated by ERAC and the Chamber, and that the study will be completed and presented to ERAC and the Board by May 1, 1993.

This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Hyland asked that the motion be amended to:

- Direct staff to include in the Report an indication as to whether the County has the capacity to do this study in-house; and
- Refer to the Legislative Subcommittee the issue of whether the County should pursue legislative action regarding State Law in connection with hi-tech firms that now do not seem to fit within the present categories.

This amendment was accepted.

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

39.HAPPY THANKSGIVING (Tape 3)

Supervisor Hyland wished everyone a Happy Thanksgiving.

40.RECOGNITION OF TWO FRIENDS PRESENT IN THE BOARD

ROOM (Tape 3)

Supervisor Hyland recognized the presence in the Board Room of two friends, Mr. John I. Morton and Mr. Reg Smith, and he warmly welcomed them.

41.GROUNDBREAKING OF THE FRANCONIA-SPRINGFIELD**METRO STATION (Tape 3)**

Supervisor Hyland stated that he had attended the groundbreaking of the Franconia-Springfield Metro Station and he congratulated and expressed his appreciation to Joseph Alexander, Supervisor, Lee District, for all of his hard work and untiring efforts to make this Metro stop a reality.

Chairman Davis also congratulated Supervisor Alexander for his efforts on this project.

(NOTE: Later in the meeting, there were additional comments regarding this matter. See Clerk's Summary Item CL#56.)

42.APPOINTMENT TO THE ADVISORY SOCIAL SERVICES**BOARD (Tape 3)**

(APPT)

Supervisor McConnell moved the appointment of Mrs. Edith Smith as the Springfield District Representative to the Advisory Social Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

43.REQUEST FOR WAIVER OF FEES ASSOCIATED WITH THE**THREE MONTH BOND EXTENSION (Tape 3)**

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

Supervisor McConnell stated that at the Board of Supervisors' held on October 5, 1992, action was taken to grant a three month bond extension association with Public Improvement Plan 6233-PI-01. Despite the developer's operating in "good faith" it has

taken an inordinate amount of time for the developer and all parties involved to resolve this drainage problem. She added that under this difficult circumstance, the developer has again requested the County to consider waiving the fees associated with the bond's previous extension.

Therefore, Supervisor McConnell asked unanimous consent that the Board direct staff to waive the fees associated with the three month bond extension granted by the Board on October 5, 1992 for Public Improvement Plan 6233-PI-01.

Following discussion, Supervisor McConnell amended her request to refer this issue to staff for review, and this was accepted.

Without objection, the amended request, was so ordered.

44.COORDINATING THE MAILINGS OF DOG LICENSE

RENEWAL APPLICATIONS (Tape 3)

Supervisor McConnell stated that recently, a constituent stopped by her office concerned about the number of mailings that he had received from the County to renew his dog licenses. It seems that he has three dogs and the County sent him three separate mailings on the same day for each dog. The name of ownership of the dogs is the same.

Supervisor McConnell said that this seemed odd when the County has the ability to coordinate mailings on personal property if the owner is the same on several vehicles.

Supervisor McConnell moved that the Board direct staff to review this issue and make the necessary changes to eliminate duplicate mailings on dog license renewal applications. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being out of the room.

45.REQUEST FOR STAFF TO PREPARE A ZONING ORDINANCE

AMENDMENT REGARDING INDUSTRIAL DISTRICTS AS IT

PERTAINS TO THE MIX BETWEEN RETAIL AND WAREHOUSE

USES (Tape 3)

Supervisor McConnell stated that it has come to her attention that a problem exists in Industrial Districts as it pertains to the mix between retail and warehouse uses.

Supervisor McConnell said that the Zoning Ordinance states that if a store is to operate in an I-District, a mix of 40 percent retail and 60 percent warehouse is to be achieved by the store. The problems centers around the Zoning Administrator's interpretation that the uses be contiguous to one another.

Supervisor McConnell noted that currently in the County, there are numerous stores located in I-Districts which achieve the 40/60 percent mix but are not contiguous; however, the uses are on the same property. She stated that she believed that that was the intent of the Ordinance.

Therefore, Supervisor McConnell moved that the Board direct staff to prepare a Zoning Ordinance Amendment to rectify the problem. She added that this would not change the required 40/60 percent mix but would allow them to achieve that mix on their site without it being contiguous. This motion was seconded by Supervisor Berger.

James P. Zook, Director, Office of Comprehensive Planning, noted that staff is aware of this problem and that this item is on the Work Program.

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

Chairman Davis stated that the Board would like to resolve this issue as expeditiously as possible.

46.REQUEST FOR BRIEFING FROM INOVA (Tape 3)

Supervisor McConnell moved that the Board direct the County Executive to schedule a briefing from INOVA regarding current issues in the health care field. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being out of the room.

VLW:vlw

47.MOSCOW INTERNS ARRIVE IN FAIRFAX COUNTY

(Tape 4)

Supervisor Bulova announced that interns from the City of Moscow and the surrounding area arrived in Fairfax County on Saturday, November 21, 1992. The interns will be in the United States for approximately eight weeks and will be working with private businesses which include a construction company, a real estate office,

and banks, as well as with the following County agencies: the Office of Comprehensive Planning (OCP), the Office of Assessments, the Office of Finance, the Office of Management and Budget (OMB), the County Attorney's Office, and the Economic Development Authority (EDA).

The program is a part of a larger project called "Fairfax Corner and Moscow" and is designed to give Russian interns an opportunity to visit and work in the County. Up to 15 interns will be placed in both County government and private industry throughout a two month period. Throughout the internship program, interns will reside with American families who will be responsible for meals and lodging.

48. REDUCTION IN FILING FEES REQUESTED FOR

SPECIAL USE PERMIT APPLICATION SP 91-B-043

(LC TECHNOLOGIES, INCORPORATED) (BRADDOCK

DISTRICT) (Tape 4)

Supervisor Bulova stated that at the Board of Supervisors' meeting held on November 16, 1992, action was taken to direct staff to report on reducing the filing fees for a Special Permit Application for a home professional office to be filed by Mr. and Mrs. Joseph Lahoud. The Lahouds, in partnership with another couple, operate a very small business that provides technology for the disadvantaged with a product called the "Eyegaze Computer." On October 29, 1992, the Board of Zoning Appeals (BZA) approved Special Permit Application SP 91-B-043 which permitted the operation of this home professional office in the Lahoud's home. Based upon the request of the application, the BZA granted the Special Permit for a period of one year. The Lahouds are now requesting that they be permitted to operate the business in their home for an additional six months.

Supervisor Bulova stated that she has discussed this issue with County staff who have confirmed the following: the application that is to be filed is identical to the application approved by the BZA one year ago. Based upon that and the fact that the staff evaluated the proposal such a short time ago, only minimal staff work will be required to process the new application. In addition, at the previous public hearing, there were no speakers who addressed the BZA on this issue.

Accordingly, Supervisor Bulova moved that the Board reduce the filing fee for this Special Permit Application to \$250. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Dix being out of the room.

49.APPOINTMENT TO THE FAIRFAX COUNTY PARK**AUTHORITY (Tape 4)**

(APPT)

Supervisor Berger moved the appointment of **Mr. Richard Bliss** as the Dranesville District Representative to the Fairfax County Park Authority. This motion was jointly seconded by Supervisor Alexander and Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

50.APPOINTMENT TO THE TRANSPORTATION ADVISORY**COMMISSION (TAC) (Tape 4)**

(APPT)

Supervisor Berger moved the appointment of **Mr. John Callow** as the Dranesville District Representative to the Transportation Advisory Commission (TAC) to fill the unexpired term of Mr. Jack G. Gilstrap who had resigned. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

51.REQUEST FOR EXPEDITED PROCESSING FOR**PROFFERED CONDITION AMENDMENT/FINAL****DEVELOPMENT PLAN AMENDMENT APPLICATION****PCA/FDPA 86-D-093-5 (Tape 4)**

Supervisor Berger called to the Board's attention the fact that Worldgate Associates is preparing a Final Development Plan Amendment to request minor modifications to the previously approved residential component at Worldgate that will be filed within the next several weeks. The overall number of units on the property will be reduced and the use will continue to be residential; however, the design of the residential community will be modified. He stated that Worldgate Associates needs the application processed expeditiously in order to maintain the economic viability of the project.

Accordingly, Supervisor Berger moved that the Board:

- Direct the Office of Comprehensive Planning (OCP) staff to expeditiously process Proffered Condition Amendment/Final Development Plan Amendment Application PCA/FDPA 86-D-093-5; and
- Direct the Director of the Department of Environmental Management (DEM) to concurrently process a site plan in conformity to the Final Development Plan to be submitted as Proffered Condition Amendment/Final Development Plan Amendment Application PCA/FDPA 86-D-093-5.

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

52.APPOINTMENT TO THE MCLEAN COMMUNITY CENTER

GOVERNING BOARD (Tape 4)

(APPT)

Supervisor Berger announced that Ms. Diane Alden, an elected member of the McLean Community Center Governing Board, has moved out of the area. In accordance with the Bylaws, as receiving the next highest number of votes at the election and in the line of succession, Supervisor Berger moved the appointment of **Ms. Rebecca Joy Horahan** to serve the remainder of the year for Ms. Alden. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

53.COMBAT AUTO THEFT (CAT) PROGRAM

(Tape 4)

Supervisor Berger called to the Board's attention a new, innovative crime prevention program, Combat Auto Theft (CAT), currently being implemented in more than 100 jurisdictions around the country to combat automobile theft. Vehicle owners voluntarily, and at their own expense, register their vehicles with the police department and install a shield-shaped green fluorescent decal in the vehicle's rear window. This decal indicates to all police officers that the vehicle is normally not driven between the hours of midnight and 5:00 a.m., which is the time that 90 percent of all stolen vehicle crimes are committed. The vehicle owner signs the registration form that gives the police department permission to stop the vehicle during the listed hours.

In most of the jurisdictions where the CAT program is being implemented, there is a dramatic decrease in car thefts. In Memphis there has been a 27 percent decrease, while in Tulsa there has been a 50 percent decrease. In Dallas, of 25,000 stolen cars in 1990, 100 vehicles were registered under the CAT program and, 90 of those 100 vehicles, were recovered shortly thereafter.

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

- Investigate whether the CAT program should be implemented in Fairfax County; and
- Report to the Board in December 1992 with staff recommendations.

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

**54. REQUEST FOR CONCURRENT PROCESSING OF THE
PROFFERED CONDITION AMENDMENT AND SITE
PLAN FILED FOR TURNBERRY MEWS TOWNHOUSE**

DEVELOPMENT (Tape 4)

Supervisor Alexander called to the Board's attention the fact that the developer for the Turnberry Mews Townhouse Development is being forced to redesign the retention pond as a result of a recent geotechnical study. Because the Conceptual Development/Final Development Plans were proffered, the developer must proceed with a Proffered Condition Amendment as well as revising the site plan. The process is needed as expeditiously as possible so that the County can get the much needed off-site storm sewer built.

Accordingly, Supervisor Alexander moved that the Board direct staff to concurrently process the Proffered Condition Amendment and Site Plan Number 7772-SP-01 for the Turnberry Mews Townhouse Development, located off of Roxann Road. He stated that the applicant understands that this action neither provides him with a vested right in the plan approval or relieves him from the responsibility of any plan modifications as a result of Board review. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

**55. REQUEST THAT THE DEPARTMENT OF PUBLIC WORKS
(DPW) ACT AS PERMITEE WITH THE VIRGINIA**

DEPARTMENT OF TRANSPORTATION (VDOT) FOR STREETSCAPE IMPROVEMENTS IN CENTRAL SPRINGFIELD

(Tape 4)

Supervisor Alexander called to the Board's attention the fact that Mobil Oil has received approval to renovate an existing service station at the intersection of Backlick Road and Bland Street in the central Springfield area. One of the conditions of approval is to reconstruct the sidewalk frontage area in accordance with the Springfield streetscape revitalization plans that were developed by the Central-Springfield Area Revitalization Council (C-SPARC), several County agencies, and a design consultant. Because the design includes a few "nonstandard" items such as concrete paverstones and brickwork, the Virginia Department of Transportation (VDOT) will not accept the improvements with the State's right-of-way without a maintenance agreement from a governmental jurisdiction. This issue must be resolved in order to proceed with the Commercial Revitalization Program throughout the County.

Supervisor Alexander stated that, in the interim, Mobil Oil has agreed to assume the maintenance responsibility for these streetscape improvements for one year from the completion of construction in order to allow enough time to resolve this issue. In order to facilitate these improvements, he moved that the Board direct the Department of Public Works (DPW) to act as permittee with VDOT for the streetscape improvements in this location, subject to an agreement by Mobil Oil to maintain the improvements for one year upon completion of construction. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Dix being out of the room.

Discussion ensued among Board Members, with input from John W. diZerega, Director, DPW.

56.GROUNDBREAKING CEREMONY FOR THE FRANCONIA- SPRINGFIELD METRO STATION (Tape 4)

(NOTE: Earlier in the meeting, there were additional comments regarding this matter. See Clerk's Summary Item CL#41.)

Supervisor Alexander expressed his appreciation to Board Members, County staff, and the citizens who made the groundbreaking ceremony for the Franconia-Springfield Metro Station such a huge success.

57. CLARIFICATION OF ACTION TAKEN ON SPECIAL EXCEPTION APPLICATION SE 91-M-055 (STAR ENTERPRISE) (MASON DISTRICT) (Tape 4)

Supervisor Trapnell stated that at the Board of Supervisors' meeting held on November 16, 1992, a public hearing was held and action was taken to approve Special Exception Application SE 91-M-055; however, the motion that was stated was in error and the wrong case number was inadvertently referenced.

Accordingly, Supervisor Trapnell moved:

- Approval of Special Exception Application SE 91-M-055 subject to the development conditions dated October 16, 1992;
- Waiver of minimum lot width and lot area pursuant to Section 9-610 of the Zoning Ordinance;
- Waiver of screening and modification of barrier requirements pursuant to Section 13-304 of the Zoning Ordinance; and
- Waiver of the service drive requirement along Leesburg Pike (Route 7).

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

58. DEDICATION OF HISTORIC MARKER AT BAILEY'S CROSSROADS (Tape 4)

Supervisor Trapnell expressed her appreciation to the Department of Recreation and Community Services' staff and to the Mason District Police Officers for their assistance last Friday, November 20, 1992, at the dedication of the historic marker at Bailey's Crossroads.

NV:nv

59. RESOLUTIONS FROM THE PROVIDENCE DISTRICT COUNCIL (Tape 5)

(P)Supervisor Hanley referred to two resolutions from the Providence District Council which she had circulated to Board Members. These resolutions relate to load limits on Prosperity Avenue and cellar space inclusion in FAR (Floor Area Ratio) calculations for zoning purposes, respectively. Supervisor Hanley asked unanimous consent that these resolutions be referred to staff for review. Without objection, it was so ordered.

Supervisor Hanley explained that when the bridge was improved on Prosperity Avenue, the vehicular load limit was deleted on that road and large trucks now traverse it. Supervisor Hanley moved that the Board approve the resolution on the Prosperity Avenue load limit as a Board policy. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to follow up this matter with a letter to the Virginia Department of Transportation (VDOT) to convey the Board's serious concern with this issue. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Dix expressed his objection to the resolution regarding the FAR cellar calculations and the request for its review by staff. After discussion, Supervisor Dix **WITHDREW** his objection with the understanding that the request is simply for a review by staff.

60.METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

(COG) TO ESTABLISH A CITIZEN ADVISORY COMMITTEE

ON THE LONG-RANGE TRANSPORTATION PLAN (Tape 5)

(APPT)

Supervisor Hanley stated that the Metropolitan Washington Council of Governments (COG) plans to establish a citizen advisory committee to advise on the long-range transportation plan. She further stated that a member from the Fairfax County Transportation Advisory Committee should be on this committee and she asked unanimous consent that the Board direct this issue to staff. Without objection, it was so ordered.

Supervisor Hanley stated that the Board must appoint a member to the task force which is studying HOV (High-Occupancy-Vehicle) use for the Dulles Toll Road. Chairman Davis moved to appoint Supervisor Dix as the Board's representative on

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

61. REQUEST FOR UPDATE ON BELTWAY RECOMMENDATIONS

(Tape 5)

Supervisor Hanley asked that an update on all the Beltway recommendations be added to the agenda for the Board's next Transportation Subcommittee meeting. Without objection, it was so ordered.

62. EFFECTS OF CABLE LAW (Tape 5)

Supervisor Hanley asked unanimous consent that the Board direct the staff to brief the Board on the effects of the rulemaking by the Federal Communications Commission (FCC) resulting from the new cable law and to determine if the Board needs to comment and if so, when. Without objection, it was so ordered.

63. REQUEST FOR REPORT ON FISCAL IMPACT OF ADDITIONAL HOLIDAYS FOR COUNTY EMPLOYEES

(Tape 5)

Supervisor Hanley announced that state employees will have additional holidays on Christmas Eve and New Year's Eve this year. Fairfax County employees currently have a half-day holiday on Christmas Eve. In addition, the Fairfax County School Division is scheduled to be closed on Tuesday, January 19, 1993, the day between the Martin Luther King Day and Inauguration Day holidays.

Accordingly, Supervisor Hanley asked unanimous consent that the Board direct staff to review the issue of granting these additional holidays for general County employees.

Supervisor Berger voiced his objection to this review because of the additional costs.

Supervisor Hanley then moved that the Board direct staff to review the fiscal impact of granting these holidays. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Berger and Supervisor Dix voting, "NAY."

64. WORKSHOP ON BPOL (BUSINESS, PROFESSIONAL, AND

OCCUPATIONAL LICENSES) TAXES (Tape 5)

Supervisor Dix reminded Board members that there would be a workshop on BPOL (Business, Professional, and Occupational Licenses) taxes on December 2, 1992 at 8:30 a.m. at the Government Center. All Board Members and any interested groups are welcome to attend. The workshop will conclude no later than 11 a.m.

65.RECESS/EXECUTIVE SESSION (Tape 5)

At 12:10 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:

- J.D. Fowler and Fairfax Coalition of Police versus William T. Leidinger, et al, Civil Action Number 92-1380-A; and

- DynCorp versus Fairfax County, At Law Number 102015.

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

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

66.ACTIONS FROM EXECUTIVE SESSION (Tape 6)**A.CERTIFICATION BY BOARD MEMBERS****REGARDING ITEMS DISCUSSED IN****EXECUTIVE SESSION**

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

B.PUBLIC HEARING FOR CONSIDERATION OF**EXERCISING THE PURCHASE OPTION OF**

PROPERTIES IN THE GOVERNMENT CENTER

(A) Supervisor Dix moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **December 7, 1992 at 7:00 p.m.** for purposes of consideration of exercising the purchase option of properties in the Government Center complex, known of B-2 and B-3, in the amount of \$111 million and to include at settlement the transfer of title for the property known as B-1 to Fairfax County at no additional cost. This motion was seconded by Supervisor Berger and carried by unanimous vote.

C.SETTLEMENT OF J.D. FOWLER, ET AL, VERSUS**WILLIAM T. LEIDINGER, ET AL, CIVIL****ACTION NUMBER 92-1380-A**

Supervisor McConnell moved that the Board authorize the settlement of J.D. Fowler, et al, versus William T. Leidinger, et al, Civil Action Number 92-1380-A according to the terms and conditions outlined by the Acting County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

CM:cm

67. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT**APPLICATION PCA 84-L-020-4 AND CONCEPTUAL****DEVELOPMENT PLAN AMENDMENT APPLICATION****CDPA 84-L-020-5 (THE KINGSTOWNE COMMERCIAL****LIMITED PARTNERSHIP) (LEE DISTRICT) (No Tape)**

(NOTE: Later in the meeting, the public hearing was held on these public hearings. See Clerk's Summary Item CL#74.)

68.ORDERS OF THE DAY (Tape 7)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board change the Orders of the Day to proceed with the

public hearing on Rezoning Application RZ 92-P-011. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

69.3:30 P.M. - PH ON REZONING APPLICATION RZ 92-P-011

(MARTIN D. WALSH, AGENT) (PROVIDENCE DISTRICT)

(Tape 7)

Ms. Lynn Strobel reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Mary Ann Godfrey, 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 92-P-011 be amended from the I-5 and HC Districts to the C-6 and HC Districts subject to the executed proffers dated November 6, 1992. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hanley further moved waiver of the service drive requirement along the Lee Highway frontage. This motion was seconded by Chairman Davis and carried by unanimous vote.

70.ORDERS OF THE DAY (Tape 7)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board change the Orders of the Day to proceed with the public hearing on Proffered Condition Amendment Application PCA 83-S-029 and Development Plan Amendment Application DPA C-546-21. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

71.DEFERRAL OF PH ON PROFFERED CONDITION AMENDMENT

**APPLICATION PCA 83-S-029 AND DEVELOPMENT PLAN
AMENDMENT APPLICATION DPA C-546-21 (HECHINGER
COMPANY) (BRADDOCK DISTRICT) (Tape 7)**

Supervisor Bulova moved to defer the public hearing on Proffered Condition Amendment Application PCA 83-S-029 and Development Plan Amendment Application DPA C-546-21 until **December 7, 1992 at 4:30 p.m.** This motion was seconded by Chairman Davis and carried by unanimous vote.

**72.3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, APPENDIX F
(DISTRICT ORDINANCES FOR LOCAL AGRICULTURAL
AND FORESTAL DISTRICTS), AGRICULTURAL/
FORESTAL DISTRICT RENEWAL APPLICATION
AR 84-D-006 (MARIETTE HIU NEWCOMB, ET. AL.)
(DRANESVILLE DISTRICT) (Tape 7)**

(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 November 5 and November 12, 1992.

Supervisor Dix stated for the record that the subject property is now located in the Centreville District.

Ms. Hui Newcomb reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Dix moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (District Ordinances for Local Agricultural and Forestal Districts), to renew and amend the Potomac Vegetable Farm Local Agricultural and Forestal District Application AR 84-D-006 subject to the conditions contained in Appendix One of the Staff Report dated November 18, 1992. This motion was seconded by Chairman Davis and carried by unanimous vote.

**73. DEFERRAL OF PH ON A PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING ORDINANCE), REGARDING CHURCHES AND
OTHER PLACES OF WORSHIP, CONVENTS,
MONASTERIES AND CHILD CARE CENTERS AND
PRIVATE SCHOOLS AS SPECIAL EXCEPTION USES**

(Tape 7)

(NOTE: Earlier in the meeting, Supervisor Frey announced his intent to defer this public hearing. See Clerk's Summary Item CL#33.)

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 November 5 and November 12, 1992.

Supervisor Frey moved to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Articles 3, 4, 5, 6, 8 and 9, regarding churches and other places of worship, convents, monasteries and child care centers and private schools as special exception uses until **January 11, 1993 at 3:30 p.m.** This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**74. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATION PCA 84-L-020-4 AND CONCEPTUAL
DEVELOPMENT PLAN AMENDMENT APPLICATION
CDPA 84-L-020-5 (THE KINGSTOWNE COMMERCIAL**

LIMITED PARTNERSHIP) (LEE DISTRICT) (Tapes 7-10)

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

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

ORDERS OF THE DAY (Tape 8)

Following testimony by Speaker Number 13, Supervisor Bulova asked unanimous consent that the Board change the Orders of the Day to allow Ms. Anne Bauer, who is scheduled to speak later in the meeting during Public Comment, to present her testimony at this time. Without objection, it was so ordered.

Ms. Bauer, along with her neighbors, presented their testimony in song regarding the replacement of the Lake Accotink Bridge.

(NOTE: Later in the meeting, the Public Comment time was held. See Clerk's Summary Item CL#85.)

The public hearing continued on the Kingstowne Applications.

Following the public hearing, which included testimony by 34 speakers, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved to defer Board decision until **December 14, 1992 at 3:30 p.m.** This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

75.3:30 P.M. - PH ON REZONING APPLICATION RZ 92-P-011**(MARTIN D. WALSH, AGENT) (PROVIDENCE DISTRICT)****(No Tape)**

(NOTE: Earlier in the meeting, the public hearing was held and action taken on this application. See Clerk's Summary Item CL#69.)

76.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

**APPLICATION PCA 83-S-029 AND DEVELOPMENT PLAN
AMENDMENT APPLICATION DPA C-546-21 (HECHINGER
COMPANY) (BRADDOCK DISTRICT) (No Tape)**

(NOTE: Earlier in the meeting, action was taken to defer this application until **December 7, 1992 at 4:30 p.m.** See Clerk's Summary Item CL#71.)

**77.3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, APPENDIX F
(DISTRICT ORDINANCES FOR LOCAL AGRICULTURAL
AND FORESTAL DISTRICTS), AGRICULTURAL/
FORESTAL DISTRICT RENEWAL APPLICATION
AR 84-D-006 (MARIETTE HIU NEWCOMB, ET. AL.)
(DRANESVILLE DISTRICT) (No Tape)**

(NOTE: Earlier in the meeting, the public hearing was held and action taken on this application. See Clerk's Summary Item CL#72.)

**78.3:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112
(ZONING ORDINANCE), REGARDING CHURCHES AND
OTHER PLACES OF WORSHIP, CONVENTS,
MONASTERIES AND CHILD CARE CENTERS AND
PRIVATE SCHOOLS AS SPECIAL EXCEPTION USES
(No Tape)**

(NOTE: Earlier in the meeting, action was taken to defer this application until **January 11, 1993 at 3:30 p.m.** See Clerk's Summary Item CL#73.)

79.4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 85-V-004 (ROBERT L. ARNOLD, JR.

AND CAROLYN G. ARNOLD) (MOUNT VERNON DISTRICT)

(Tapes 10-11)

Mr. Robert White reaffirmed the validity of the affidavit for the record.

Mr. White 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 the following campaign contributions that he had received:

- In the amount of \$100 from Landmark Realty;
- In the amount of \$99 from Brookland Arnold; and
- In the amount of \$70 from Terrance Anderson.

Following the public hearing, which included testimony by two speakers, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

Supervisor Hyland moved approval of Proffered Condition Amendment Application PCA 85-V-004 subject to the executed proffers dated October 13, 1992. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

Supervisor Hyland moved modification of the transitional screening requirements adjacent to Parcel 69 and modification of the barrier requirements along the northern and eastern periphery adjacent to Parcels 69, 57, and 53 in favor of that shown on the Generalized Development Plan (GDP). This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

80. 4:00 P.M. - BOARD DECISION ON THE ACQUISITION OF

**AN ADDITIONAL DEDICATION AND EASEMENTS NECESSARY
FOR CONSTRUCTION OF THE DRANESVILLE ROAD SEGMENT
OF COUNTY ROAD BOND PROJECT - WIEHLE AVENUE
(DRANESVILLE DISTRICT) (Tape 11)**

(R)(NOTE: The public hearing was held on October 26, 1992 and Board decision deferred until November 23, 1992.)

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

Supervisor Berger moved adoption of the Resolution authorizing the acquisition of additional dedications and easements necessary for construction of the Dranesville Road Segment of Project 006495 - Wiehle Avenue. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

**81.PH ON OUT-OF-TURN PLAN AMENDMENT S92-III-UP2,
PRESIDENTS PARK (BATMAN PROPERTY) (CENTREVILLE
DISTRICT) (Tape 11)**

(NOTE: Earlier in the meeting, Supervisor Dix announced his intent to defer this public hearing. See Clerk's Summary Item CL#36.)

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 November 5 and November 12, 1992.

Supervisor Dix moved to defer the public hearing on Out-of-Turn Plan Amendment S92-III-UP2, to facilitate coordination of Rezoning Application RZ 92-C-027 to allow for the development of 400+ townhouses at a density of 11.9 dwelling units per acre for a portion of the approved President's Park non-residential complex until **January 11, 1993 at 3:30 p.m.** This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

82.4:00 P.M. - PH ON REZONING APPLICATION

RZ 92-Y-016 (LUCK STONE CORPORATION)**(SULLY DISTRICT) (Tape 11)**

Mr. Roy Spence reaffirmed the validity of the affidavit for the record.

Mr. Spence 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 Riegle, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-Y-016 be amended from the R-C and Water Supply Protection Overlay Districts to the R-C and Water Supply Protection Overlay District and Natural Resources Overlay Districts, subject to the proffers dated November 4, 1992. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Supervisor Trapnell being out of the room.

83.4:00 P.M. - BOARD DECISION ON THE DISPOSITION**OF COUNTY PROPERTY LOCATED AT 6300 KARMICH****STREET, FAIRFAX (SPRINGFIELD DISTRICT)****(Tape 11)**

(R)(NOTE: The public hearing was held on October 26, 1992. Following the public hearing, the Board deferred decision on this issue until November 16, 1992. On November 16, 1992, the Board deferred decision until November 23, 1992 to allow time to discuss this issue with citizens in the area.)

Supervisor McConnell moved that the Board authorize staff to pursue the sale of the house structure which would then be relocated to the owner's property. Because of the need to resolve this issue in a timely manner, Supervisor McConnell further moved that the Board direct staff to allow no more than 30 days to determine if there is a party interested in buying the house structure. If a buyer does exist the home must be removed within six months. If after 30 days it is determined that a buyer cannot be found, Supervisor McConnell further moved that the Board direct staff to make

arrangements to have the house demolished as soon as possible. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Hyland being out of the room.

Supervisor McConnell stated, for the record, that once the house is removed the County will not be responsible for the up-keep of the lot. The association has agreed to keep the lot up and also during the time of construction the lot will be used as a parking facility.

**84. 4:00 P.M. - BOARD DECISION ON THE DEDICATION OF
COUNTY-OWNED PROPERTY AT LAKE BRADDOCK DRIVE AND
BURKE LAKE ROAD TO THE VIRGINIA DEPARTMENT OF
TRANSPORTATION (BRADDOCK DISTRICT) (Tape 11)**

(R)(NOTE: The public hearing was held on November 16, 1992 and Board decision was deferred until November 23, 1992.)

Supervisor Bulova moved adoption of the Resolution authorizing the conveyance of County property, Tax Map Reference 78-2 ((18)) C to the Virginia Department of Transportation (VDOT) for road improvements with the understanding that if VDOT has a need to use this property for further work at this intersection that the adjacent residents be notified and that VDOT work with the residents regarding those improvements. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell being out of the room.

**85. 4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON
ISSUES OF CONCERN (Tape 11)**

(NOTE: Earlier in the meeting, the Board changed its Orders of the Day to allow Ms. Anne Bauer to present her testimony. See Clerk's Summary Item CL#74.)

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 November 5 and November 12, 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 six speakers.

86.5:00 P.M. - PH ON COUNTY'S LEGISLATIVE PROGRAM

THAT THE COUNTY WILL PRESENT TO THE 1993 VIRGINIA

GENERAL ASSEMBLY (Tapes 11-13)

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 November 5 and November 12, 1992.

Following the public hearing, which included testimony by 25 speakers, Supervisor Hanley announced that a Legislative Subcommittee meeting is scheduled for **Monday, November 30, 1992, at 9:00 a.m.**

Supervisor Hanley also notified Board Members that a public hearing will be held on the issue of firearms in the Commonwealth on Tuesday, December 1, 1992 at 10:00 a.m. in the Government Center Board Room.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the record remain open, **for written testimony only**, until November 30, 1992. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

87.BOARD ADJOURNMENT (Tape 13)

At 10:10 p.m., the Board adjourned.