

**NV:nv**

The meeting was called to order at 10:05 a.m. with all Members being present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

Supervisor Alexander was absent from the entire meeting.

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.PRESENTATION OF CHECK BY RICK FOWLER, UNITED**

**SERVICES AUTOMOBILE ASSOCIATION (USAA), FOR**

**FOR THE PURCHASE OF BICYCLES FOR THE FAIRFAX**

**COUNTY POLICE DEPARTMENT'S NEIGHBORHOOD PATROL**

**UNIT IN MASON DISTRICT (Tape 1)**

Supervisor Dix recognized Rick Fowler, representing United Services Automobile Association (USAA), who has helped to support public safety efforts in Fairfax County. Mr. Fowler, whose company is located in Reston, presented a check to Supervisor Trapnell in the amount of \$1000 for the purchase of two special bicycles for the Fairfax County Police Department's Neighborhood Patrol Unit in the Mason District.

**3.PRESENTATION OF VIRGINIA RECYCLING AWARDS AND**

**I-1 - FAIRFAX COUNTY AND FOUR LOCAL ORGANIZATIONS**

**RECEIVE TOP HONORS FROM VIRGINIA RECYCLING**

**ASSOCIATION (COUNTYWIDE) (Tape 1)**

Chairman Davis called the Board's attention to **Information Item I-1-Fairfax County and Four Local Organizations Receive Top Honors from Virginia Recycling Association (Countywide)** contained in the Memorandum to the Board

dated December 7, 1992 announcing that the following groups and individuals drew top honors at the 1992 Virginia Recycling Association (VRA) Annual Awards:

•**Most Comprehensive Community Recycling Program:**

(Serving a population of 100,000 or more)

Department of Public Works

Recycling Division;

•**Recycler of the Year Award:**

Raye Anne Harris

Centel Federal Systems, Incorporated;

•**Most Comprehensive Community Recycling Program:**

(Serving a population of 25,000 - 100,000)

McLean Trees Committee

Richard Poole, Chairman;

•**Honorable Mentions:**

(13-year old students for their Shoe String Program)

Nathan deKieffer;

Michael Kolaitis;

Tommy Barletta; and

•**Partnership Award:**

Herndon High School

Gary Gepford, Faculty Sponsor.

Supervisor Hyland moved approval of the presentation of the Certificates of Appreciation presented to employees of the Department of Public Works, Recycling

Division, for their recognition as the VRA "Most Comprehensive Community Recycling Program." This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation presented to Raye Anne Harris, Centel Federal Systems, Incorporated, for recognition as VRA "Recycler of the Year." This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Berger moved approval of the presentation of the Certificate of Appreciation presented to Richard Poole, Chairman, McLean Trees Committee, for recognition as the VRA "Most Comprehensive Community Recycling Program." This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Berger moved approval of the presentation of the Certificates of Appreciation presented to Nathan deKieffer, Michael Kolaitis, and Tommy Barletta for their recognition as VRA "Honorable Mention" recipients. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Berger moved approval of the presentation of the Certificate of Appreciation presented to Gary Gepford, Faculty Sponsor, Herndon High School, for recognition as the VRA Partnership Award winner. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

#### **4.CERTIFICATES OF APPRECIATION RECOGNIZING**

**JOSEPH KEYS, CHIEF, MECHANICAL INSPECTIONS**

**BRANCH AND JOSEPH BERTONI, CHIEF, BUILDING**

**INSPECTIONS BRANCH, DESIGN REVIEW DIVISION,**

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM)**

**FOR THEIR YEARS OF SERVICE TO FAIRFAX COUNTY**

**GOVERNMENT (Tape 1)**

Supervisor Frey moved approval of the presentation of the Certificate of Appreciation, presented to Joseph Keys, Chief, Mechanical Inspections Branch, Design Review

Division, Department of Environmental Management (DEM), who is retiring, for his outstanding service as a County employee. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Frey moved approval of the presentation of the Certificate of Appreciation presented to Joseph Bertoni, Chief, Building Inspections Branch, Design Review Division, Department of Environmental Management (DEM), who is retiring, for his outstanding service as a County employee. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

## **5. CERTIFICATE OF APPRECIATION RECOGNIZING**

### **FREDERICK M. CRABTREE (Tape 1)**

Prior to the presentation, Supervisor Dix recognized the presence of Estelle Holley, Member, Fairfax County Park Authority (FCPA); John Mastenbrook, Member, Northern Virginia Regional Park Authority, and former member of the FCPA; and William Beckner, Director, FCPA.

Supervisor Dix moved approval of the presentation of the Certificate of Appreciation, presented to Mr. Frederick M. Crabtree, for his many years of dedicated service as a member of the Park Authority. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

## **6.10:00 A.M. - PRESENTATION OF THE FISCAL YEAR**

### **(FY) 1992 AND FY 1993 ANNUAL REPORT OF THE**

### **FAIRFAX COUNTY ADVISORY SOCIAL SERVICES BOARD**

#### **(ASSB) (Tape 1)**

(BACs)

Dr. Ruth G. Thomas, Chairman, Fairfax County Advisory Social Services Board (ASSB), presented to Board Members the Fiscal Year (FY) 1992 and FY 1993 Annual Report of the ASSB.

Following discussion, Supervisor McConnell moved that the Board refer to staff the FY 1992 and FY 1993 Annual Report of the ASSB. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

**CM:cm**

**7.ADMINISTRATIVE ITEMS (Tape 2)**

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

(NOTE: There was brief discussion on **Administrative Item Three**, with input from Samuel Chamberlain, Planner, Office of Transportation, and **Administrative Item Eight**, with input from James P. McDonald, Deputy County Executive for Management and Budget. However, no additional action was requested and the items were approved as presented.)

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

**ADMIN 1 - STREET INTO THE SECONDARY SYSTEM**

**(SULLY DISTRICT)**

(R)Approved the request that a certain street listed in the Memorandum to the Board dated December 7, 1992, be recommended for acceptance into the State Secondary System.

**ADMIN 2 - ADDITIONAL TIME TO COMMENCE**

**CONSTRUCTION FOR SPECIAL EXCEPTION**

**APPLICATION SE 88-S-077 (BROOKFIELD-**

**BEVERLY ROAD ASSOCIATES) (SULLY DISTRICT)**

(AT)Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 88-S-077 until **April 30, 1995** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 3 - DISCONTINUANCE OF MAINTENANCE OF A**

**REALIGNED PORTION OF SHIRLEY GATE ROAD**

**(ROUTE 655) (SULLY AND BRADDOCK DISTRICTS)**

(R)Adopted the Resolution requesting the Virginia Department of Transportation (VDOT) to discontinue maintenance on a realigned portion of Shirley Gate Road (Route 655), Sully and Braddock Districts.

There was brief discussion on this item, with input from Samuel Chamberlain, Planner, Office of Transportation.

**ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC**

**HEARING ON A PROPOSAL TO RESTRICT THROUGH TRUCK**

**TRAFFIC ON A PORTION OF WALNEY ROAD (ROUTE 657)**

**(SULLY DISTRICT)**

(A)Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on **January 11, 1993 at 3:30 p.m.** regarding the proposed prohibition of through truck traffic on a portion of Walney Road (Route 657) located within the Ellanor C. Lawrence Park between Sully Road (Route 28) and Poplar Tree Road (Route 4831), Sully District. An alternate through truck route has been identified by way of Sully Road (Route 28), Westfields Boulevard (Route 6775), and Walney Road (Route 657).

**ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC**

**HEARING ON A PROPOSAL TO VACATE AN UNIMPROVED**

**PORTION OF WREN DRIVE (LEE DISTRICT)**

(A)Authorized the posting of the notice of intent and advertisement of a public hearing to be held before the Board of Supervisors on **January 25, 1993 at 3:30 p.m.** regarding the proposed vacation of an unimproved portion of Wren Drive located within the Springvale Subdivision, Lee District.

**ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC**

**HEARING ON THE ACQUISITION OF CERTAIN LAND**

**RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE**

**MADISON LANE DEVELOPMENT (MASON DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **January 11, 1993 at 3:30 p.m.** regarding the proposed acquisition of interests in real property necessary for the construction of Private Developer Project PD0058 - Madison Lane Development, Mason District.

**ADMIN 7 - AUTHORIZATION TO ADVERTISE PROPOSED REVISIONS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 2 (SUPPLEMENTAL RETIREMENT SYSTEM), ARTICLE 3 (UNIFORMED RETIREMENT SYSTEM), AND ARTICLE 7 (POLICE RETIREMENT SYSTEM), REGARDING ATTACHMENT OF ANNUITY FOR CHILD/SPOUSAL PAYMENTS AND CLARIFICATION REGARDING LUMP SUM PAYMENTS FOR WORKERS' COMPENSATION**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **January 11, 1993 at 3:30 p.m.** regarding the proposed revisions to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 2 (Supplemental Retirement System), Article 3 (Uniformed Retirement System), and Article 7 (Police Retirement System), regarding the attachment of annuity for child/spousal payments and clarification regarding lump sum payments for Workers' Compensation.

**ADMIN 8 - AUTHORIZATION TO ADVERTISE PROPOSED REVISION TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 2 (SUPPLEMENTAL RETIREMENT SYSTEM), REGARDING ELECTION OF BOARD OF TRUSTEES RETIREE MEMBER (BACs)**

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **January 11, 1993 at 3:30 p.m.** regarding the proposed revision to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 2 (Supplemental Retirement System), regarding the election of the Board of Trustees Retiree Member.

There was brief discussion on this item, with input from James P. McDonald, Deputy County Executive for Management and Budget.

**8. A-1 - EVALUATION OF THE EXPERIMENTAL PLAN**

**FOR ALTERNATIVE REGULATION OF VIRGINIA**

**TELEPHONE COMPANIES - CASE NUMBER PUC 920029**

**(Tape 2)**

On motion of Supervisor Bulova, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and authorized the Department of Consumer Affairs to file the comments, contained in the Memorandum to the Board, on the Board's behalf, with the State Corporation Commission (SCC) in Case Number PUC 920029, regarding the evaluation of the experimental plan for alternative regulation of Virginia telephone companies.

Supervisor Hyland commended staff for their superb analysis on this item.

**9. A-2 - ACCEPTANCE OF DIRECT SERVICE ADDENDUM**

**TO LOCAL PLANNING ALLOCATIONS GRANT (Tape 2)**

On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the acceptance of the grant award from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), in the amount of \$58,009, to be used by the Fairfax-Falls Church Community Services Board (CSB) to implement the Fairfax-Falls Church Interagency Coordinating Council's plan and establish a merit-grant position (1.0 SYE) and fund services to families.

**10. A-3 - PERMISSION FOR THE DEPARTMENT OF HUMAN**



**DEVELOPMENT TO SUBMIT GRANT APPLICATION FOR  
SUPPLEMENTAL ASSISTANCE FOR FACILITIES TO ASSIST  
THE HOMELESS (SAFAH) PROGRAM FUNDS (Tape 2)**

Following a brief discussion, with input from staff, Supervisor Dix moved that the Board concur in the recommendation of staff and authorize the Department of Human Development to submit an application to the Virginia Department of Housing and Community Development (DHCD) for federal Supplemental Assistance for Facilities to Assist the Homeless (SAFAH) Program Funds. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

**11. C-1 - FISCAL IMPACT OF ADDITIONAL HOLIDAYS**

**(Tape 2)**

The Board next considered an Item contained in the Memorandum to the Board dated December 7, 1992 requesting consideration of the fiscal impact of granting additional holidays for the County government on Christmas Eve (1/2 day), New Year's Eve, and January 19, 1993 (the day between Martin Luther King and Inauguration Days).

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Berger moved that the Board disallow the additional holidays for general County employees. This motion was seconded by Supervisor Dix.

Following further discussion, Supervisor Hanley moved a substitute motion that the Board grant an additional holiday for general County employees for the remaining one-half day on Christmas Eve, Thursday, December 24, 1992. This motion was seconded by Supervisor Hyland.

The question was called on the substitute motion which **CARRIED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell voting "**NAY**," Supervisor Alexander being absent.

The question was then called on the main motion, as substituted, which **CARRIED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell voting "**NAY**," Supervisor Alexander being absent.

**12. C-2 - ESTABLISHMENT OF A SEPARATE HEALTH**

**INSURANCE GROUP FOR RETIREES WHO RE-ENROLL  
AFTER DISCONTINUING COUNTY HEALTH INSURANCE**

**(Tape 2)**

The Board next considered an Item contained in the Memorandum to the Board dated December 7, 1992 requesting consideration of the establishment of a separate health insurance group for retirees who re-enroll after discontinuing County health insurance.

There was a brief discussion regarding this item; however, no action was taken.

**13. I-1 - FAIRFAX COUNTY AND FOUR LOCAL ORGANIZATIONS**

**RECEIVE TOP HONORS FROM VIRGINIA RECYCLING**

**ASSOCIATION (COUNTYWIDE) (Tape 2)**

(NOTE: Earlier in the meeting, presentations were awarded to the groups and individuals outlined below. See Clerk's Summary Item CL#3.)

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 announcing that the following groups and individuals drew top honors at the 1992 Virginia Recycling Association (VRA) Annual Awards:

**•Most Comprehensive Community Recycling Program:**

(Serving a population of 100,000 or more)

Department of Public Works

Recycling Division;

**•Recycler of the Year Award:**

Raye Anne Harris

Centel Federal Systems, Incorporated;

**•Most Comprehensive Community Recycling Program:**

(Serving a population of 25,000 - 100,000)

McLean Trees Committee

Richard Poole, Chairman;

•**Honorable Mentions:**

(13-year old students for their Shoe String Program)

Nathan deKieffer;

Michael Kolaitis;

Tommy Barletta; and

•**Partnership Award:**

Herndon High School

Gary Gepford, Faculty Sponsor.

**14. I-2 - EFFECT OF THE NEW FEDERAL CABLE TELEVISION**

**RE-REGULATION AND COMPETITION LAW ON THE COUNTY**

**(Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 requesting authorization for staff to prepare comments in the Federal Communications Commission (FCC) proceedings regarding S.12, the new Federal "Cable Television Consumer Protection and Competition Act of 1992," for Board review and approval before submission to the FCC.

Supervisor Hyland stated that when he had received a copy of the letter from the Consumer Protection Commission, he had forwarded a copy to Media General requesting a response regarding the proposal. He asked unanimous consent that the Board direct staff, once received, to forward a copy of Media General's the response to Board Members. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

**15. I-3 - FACT SHEET ON OPERATING A HOME BUSINESS**

**(Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 requesting authorization for staff to proceed to make the simplified fact sheet specifically about operating a business out of one's home available to the public.

Following a brief discussion, Supervisor Frey asked unanimous consent that the Board direct staff to review Arlington County's Ordinance to determine whether Fairfax County's Ordinance should be amended to allow disabled home businesses to have personal home care attendants. Without objection, it was so ordered.

Following further discussion, Supervisor Hyland asked unanimous consent that the Board direct staff to reword the language so that it is clearly understood by everyone. Without objection, it was so ordered.

#### **16. I-4 - CONTRACT AWARD - ATHLETIC FIELD LIGHTING**

#### **RENOVATION AND RELATED WORK AT WAKEFIELD PARK**

#### **(BRADDOCK DISTRICT) (Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 requesting authorization for staff to award a contract to S. Rock/Estabrook of Sterling, Virginia, in the amount of \$360,000, for construction/renovation of athletic field lighting on three softball fields, one little league field and one football overlay field for Project 474288, Athletic Field Lighting at Wakefield Park in Subfund 451, Park Authority Bond Construction, Braddock District.

Following a brief discussion with input from William C. Beckner, Director, Fairfax County Park Authority, staff was directed administratively to proceed as proposed.

#### **17. I-5 - CONTRACT AWARD - CONSTRUCTION OF TRAIL**

#### **RENOVATION, FAIRWEATHER STREAM CROSSINGS, AND**

#### **RELATED WORK AT SCOTTS RUN NATURE PRESERVE**

#### **(DRANESVILLE DISTRICT) (Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 requesting authorization for staff to award a contract to Adler B. Stanley and Sons, Incorporated, of Fairfax, Virginia, in the amount of

\$101,760, for the renovation of approximately 2,500 L.F. of trail with new gravel, construction of two sets of wooden stairs, construction of two fair weather stream crossings, and erosion control and drainage improvements for Project 004585, Scotts Run Nature Preserve in Subfund 451, Park Authority Bond Construction, Dranesville District.

The staff was directed administratively to proceed as proposed.

**18. I-6 - CONTRACT AWARD - CONSTRUCTION OF COMMUNITY**

**PARK IMPROVEMENTS AND RELATED WORK AT DEERLICK**

**PARK (MASON DISTRICT) (Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 requesting authorization for staff to award a contract to Robert L. Elder and Sons of Smithsburg, Maryland, in the amount of \$215,200, for construction of an entrance road, parking lot with turnaround, two tennis courts, asphalt and gravel trails, landscaping, and related work for Project 475588, Community Park Development at Deerlick Park in Subfund 451, Park Authority Bond Construction, Mason District.

The staff was directed administratively to proceed as proposed.

**19. I-7 - CONTRACT AWARD - CONSTRUCTION OF ACCESSIBLE**

**PLAYGROUND AT SOUTH RUN DISTRICT PARK (SPRINGFIELD**

**DISTRICT) (Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 requesting authorization for staff to award a contract to PEI of Vienna, Virginia, in the amount of \$106,243, for the construction of an accessible playground and tot lot for Project 475588, Community Park Development at South Run District Park in Subfund 451, Park Authority Bond Construction, Springfield District.

The staff was directed administratively to proceed as proposed.

**20. I-8 - APPROVAL OF ADDITIONAL SERVICES FOR**

**WARD/HALL ASSOCIATES FOR THE DELINEATION OF THE**

**CONTAMINATED GROUNDWATER PLUME AND QUARTERLY TESTING OF THE GROUNDWATER FOR ONE YEAR AT THE CLIFTON FIRE STATION, AS REQUIRED BY THE VIRGINIA WATER CONTROL BOARD (SPRINGFIELD DISTRICT)**

**(Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 requesting authorization for Ward/Hall Associates to proceed with the additional service, in the amount of \$32,912, for additional services for Phase II, III and IV of the Monitoring Program for Project 009071, Clifton Fire Station, Springfield District.

The staff was directed administratively to proceed as proposed.

**21. I-9 - CONTRACT RENEWAL - AGREEMENT FOR ENGINEERING SERVICES FOR LANDFILL CLOSURE AND SOLID WASTE ISSUES (MOUNT VERNON DISTRICT)**

**(Tape 2)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 7, 1992 requesting authorization for staff to proceed to renew a contract with Post, Buckley, Schuh and Jernigan, with a maximum Fiscal Year (FY) limit of \$600,000, in Subfund 186, I-95 Refuse Disposal, Project 186650, I-95 Landfill Closure, Mount Vernon District.

Following a brief discussion with input from John W. diZerega, Director, Department of Public Works, Supervisor Dix asked unanimous consent that prior to the time for renewal of a contract Board members be given time to examine the matter. Without objection, it was so ordered.

Following further discussion, Supervisor Frey asked unanimous consent that staff be directed to report back to the Board by the beginning of the year with an update on the closure of the landfill and where the County stands regarding future solid waste disposal. Without objection, it was so ordered.

**BOARD MATTERS**

VW:vw

**22.APPOINTMENT TO THE COUNTY GOVERNMENT**

**COMMITTEE (Tape 3)**

(APPT)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved the appointment of Mr. Albert J. Boudreau as the Town of Vienna Representative to the County Government Committee. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

**23.APPOINTMENTS TO THE CHAS (COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY) COORDINATING COMMITTEE**

**(Tape 3)**

(APPTs)

(BACs)

Supervisor Davis moved the following appointments to the CHAS (Comprehensive Housing Affordability Strategy) Coordinating Committee:

- Ms. Marlene Blum as the Federation of Citizens Association (Principal) Representative to fill the unexpired term of Ms. Judi Booe who has resigned; and
- Mr. Joseph Halizak as the Banking Industry Representative. Mr. Halizak's appointment will expand the number of appointments to the CHAS Coordinating Committee to 23. Mr. Halizak's term will expire in June 1994.

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

**24.BOARD'S POSITION REGARDING THE REQUIREMENT THAT COUNTY EMPLOYEES SELECT A PHYSICIAN FOR TREATMENT OF AN OCCUPATIONAL INJURY**

**OR ILLNESS (Tape 3)**

Supervisor Davis stated that he had recently conveyed to the Chair of the Governor's Advisory Commission on Workmen's Compensation his position in favor of retaining Virginia Code Section 65.2-603 of the Workmen's Compensation law in its current form.

Because he expects that the Governor's Commission will continue to consider issues important to Fairfax County, Supervisor Davis moved that the Board:

- Adopt the position of favoring continuance of the requirement that employees select, from a panel of at least three, a physician for treatment of an occupational injury or illness; and
- Direct the County Executive to continue to monitor the activities and recommendation of the Commission.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**25.PUBLIC ADVISORY COMMITTEE TO THE NATIONAL**

**CAPITAL REGIONAL TRANSPORTATION PLANNING**

**BOARD (TPB) (Tape 3)**

Supervisor Dix distributed to Board Members an informational flyer announcing a meeting to form the Public Advisory Committee to the National Capital Regional Transportation Planning Board (TPB). The Public Advisory Committee will advise the TPB Members of important issues and concerns relating to transportation planning in the Metropolitan Washington Area. All meetings are open to the public. The meeting to form the committee is scheduled for:

**Thursday, December 10, 1992**

**4:00 p.m. until 6:00 p.m.**

**Metropolitan Washington Council of Governments (COG)**



**777 North Capitol Street, N.E.**

**Washington, D.C 20002**

**(2 Blocks from Union Station)**

Supervisor Dix announced that citizen groups interested in participating on the Public Advisory Committee should attend the meeting.

Supervisor Hanley asked unanimous consent that the Board direct staff to circulate the flyer to members of the County's Transportation Advisory Commission (TAC). Without objection, it was so ordered.

## **26.AMENDMENTS TO THE NEWLY-CREATED DULLES**

### **CORRIDOR LAND USE TASK FORCE (Tape 3)**

(BACs)

In order to ensure a comprehensive representation of interested citizens and organizations on the Dulles Corridor Land Use Task Force and to clarify the responsibilities of this important initiative, Supervisor Dix moved that the Board approve the following amendments to the composition of the Task Force which was created by the Board of Supervisors on October 26, 1992:

- EXPAND** the voting membership of the Task Force to include one additional seat each for Centreville, Dranesville, Providence, and Sully Districts, one additional At-Large seat, and one seat for a Representative of AHOME;
- ACCORD** voting status for the Northern Virginia Transportation Alliance Representative (originally a non-voting seat);
- DESIGNATE** Mr. John Boland as the Chairman of the Task Force (originally designated as TYTRAN Representative); and
- CHARGE** the Task Force with reporting to the Board, with at least preliminary written recommendations, by December 31, 1993.

This motion was seconded by Chairman Davis.

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

**27.APPOINTMENTS TO DULLES CORRIDOR LAND**

**USE TASK FORCE (Tape 3)**

(APPTs)

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

- Mr. John E. Mansfield;
- Ms. Vera Hannigan; and
- Mr. Joseph Stowers.

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

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

- Mr. David Ralston; and
- Mr. Sidney Steele.

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

(NOTE: Later in the meeting, there were additional appointments to the Dulles Corridor Land Use Task Force. See Clerk's Summary Item CL#36.)

**28.APPOINTMENT TO THE FAIRFAX COUNTY PARK**

**AUTHORITY (Tape 3)**

(APPT)

Supervisor Frey moved the appointment of Mr. Harold L. Strickland as the Sully District Representative to the Fairfax County Park Authority to fill the unexpired term

of Mr. Ted Moriak who has resigned. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**29.APPOINTMENT TO THE ATHLETIC COUNCIL (Tape 3)**

(APPT)

Supervisor Frey moved the appointment of Mr. Karl E. Spinnenweber as the Sully District (PRINCIPAL) Representative to the Athletic Council to fill the unexpired term of Mr. Harold L. Strickland who has resigned to accept the appointment to the Park Authority. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

(NOTE: Mr. Spinnenweber's appointment as the Principal Representative leaves a vacancy of the Sully District Alternate Representative.)

**30.WAIVER OF FEES REQUESTED BY CHURCH OF THE BLESSED**

**TRINITY (Tape 3)**

Supervisor Frey stated that the Church of the Blessed Trinity is proposing to add a small wing to allow indoor plumbing for the facility. He stated that the Church has a very small congregation and is experiencing difficulty paying the fees for the site plan waiver and the recordation of the conservation easement in order to meet the requirements for the downzoning requirements.

Accordingly, Supervisor Frey moved that the Board waive the fees for the Church of the Blessed Trinity. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**31.COMMENDATIONS TO THE FAIRFAX/ARLINGTON CHAPTER**

**OF THE IZAAK WALTON LEAGUE AND SHERIFF CARL**

**PEED (Tape 3)**

Supervisor Frey briefed Board Members on the Christmas Party that was held on Sunday, December 6, 1992, for the benefit of less fortunate children in Fairfax County. For the second year in a row, Sheriff Carl Peed, in conjunction with the

Fairfax/Arlington Chapter of the Izaak Walton League, sponsored the party which was held in the League's facility located in Sully District. From donations received from the Sheriff's Department and the League, meals and gifts were provided to many children who may not have the opportunity to celebrate Christmas this year.

Supervisor Frey asked unanimous consent that the Board send letters of commendation to Sheriff Peed and the League expressing the Board's appreciation for this outstanding volunteer event. Without objection, it was so ordered.

**32.WELCOME TO THE BRADDOCK DISTRICT OF  
FAIRFAX COUNTY, VIRGINIA, A TRADITION  
OF COMMUNITY (Tape 3)**

Supervisor Bulova distributed to Board Members copies of a guidebook entitled, Welcome to the Braddock District of Fairfax County, Virginia, a Tradition of Community. She stated that the guidebook was compiled to serve as a general introduction to the cultural amenities and history of the Braddock District as well as a reference resource to the clubs, organizations, churches, parks, libraries, schools, and government services that make Braddock District a thriving and vibrant community.

Supervisor Bulova expressed her appreciation to Supervisor Trapnell because the Braddock District had borrowed "liberally" from the format of the Welcome to Mason District brochure.

**33.REQUEST TO THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION (VDOT) TO ACCELERATE THE  
WIDENING OF BRADDOCK ROAD (Tape 3)**

Supervisor Bulova stated that Board Members previously have supported her efforts to have the Virginia Department of Transportation (VDOT) make temporary safety improvements to the treacherous stretch of Braddock Road between Route 123 and Shirley Gate Road, which is scheduled to be widened from two to four lanes starting in the summer of 1994. A number of deaths have occurred in the area of "Dead Man's Hill" at Prestwick Lane. The situation has become worse now that Shirley Gate Road has been improved and connected to Waples Mill Road. Braddock Road's narrow roller coaster lanes are serving as part of a bypass around the City of Fairfax and as one of the most direct routes to the Government Center.

In response to the Board's request, VDOT has installed a blinking caution light and has done some advance land acquisition in order to clear intersections to improve the sight distance in the area.

Oil tankers enroute to the tank farm and large trash trucks enroute to the I-95 landfill are regular users of the road. Supervisor Bulova stated that the Board has supported her efforts to divert through truck traffic from this stretch of Braddock Road until it has been improved but she is having trouble identifying an alternate route, as required by VDOT, for the trucks. At the last City of Fairfax/Fairfax County Regional Subcommittee meeting, Supervisor Bulova reported that this concern was discussed. A potential alternate truck route for the trash trucks would be Judicial Drive in the City of Fairfax; however, this road was not constructed to support heavy truck loads and has an eight-ton eight limit. If the City of Fairfax were to allow a temporary lifting of the weight limit until Braddock Road improvements are completed in 1996, the County would be asked in return to fund the restoration of Judicial Drive.

Clearly the best solution to this dangerous situation is to move forward with the widening of Braddock Road as quickly as possible. Supervisor Bulova distributed to Board Members copies of a letter from Mayor John Mason, City of Fairfax, to Ray Pethel, Commissioner, VDOT, supporting the early construction and completion of the Braddock Road project.

Accordingly, Supervisor Bulova moved that the Board communicate to Mr. Pethel the County's desire to complete the improvements to Braddock Road, between Route 123 and Shirley Gate Road, ahead of the current 1994 schedule. In addition, she stated, as Mayor Mason points out in his letter, the Intermodal Surface Transportation Efficiency Act of 1991 provides that 10 percent of Surface Transportation Program Funds be set aside for safety construction activities. If Mr. Pethel reports that, in order to advance this project out of turn, the acceleration would affect other Fairfax County projects, Supervisor Bulova further moved that the Board direct staff to report with this information for the Board's further consideration and direction. The second to this motion was inaudible. The question was called on the motion which carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

#### **34. BOARD MATTERS BY SUPERVISOR CHRISTINE TRAPNELL,**

#### **MASON DISTRICT (Tape 3)**

Supervisor Trapnell stated that a Board Matter that she had planned to present to Board Members at today's meeting needed clarification and she would present the item at the Board of Supervisors' meeting scheduled for December 14, 1992.

**PMH:pmh**

**35.APPOINTMENT TO THE PLANNING COMMISSION**

**(Tape 4)**

(APPT)

Supervisor Berger moved the appointment of Ms. Judith W. Downer, as the Dranesville District Representative to the Planning Commission. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor Frey being out of the room, Supervisor Alexander being absent.

**36.APPOINTMENTS TO THE DULLES CORRIDOR LAND USE**

**TASK FORCE (Tape 4)**

(APPTs)

(NOTE: Earlier in the meeting there were other appointments made to the Dulles Corridor Land Use Task Force. See Clerk's Summary Item CL#27).

Supervisor Berger moved the following appointments to the Dulles Corridor Land Use Task Force:

- Ms. Judith W. Downer;
- Mr. John Callow;
- Mr. Les Cidel; and
- Mr. Bob Ross.

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

**37.STATUS OF KAY/CIT ZONING CASE (Tape 4)**

Supervisor Berger said that on Wednesday evening, the Virginia Department of Transportation (VDOT) is holding a public information meeting which will include the issue of the timetable on Phase II of the Western Regional Park-and-Ride Study. He said that it is his intent to wait and hear from VDOT as to when the Board can expect definite answers on the Park-and-Ride Study so that the Board can proceed with the zoning case.

Supervisor Berger said that not knowing what VDOT's plans are is making it very difficult to negotiate a final solution to this case. He noted that the zoning case received a negative staff recommendation and a "no" vote from the Planning Commission. He added that as of today every outstanding issue has been resolved except for the use of land dedication for the park-and-ride lot. He stated that the Office of Transportation has requested dedication of 16 acres from the applicant based on a number from Phase I of the VDOT Study.

Supervisor Berger said that Study indicates that the goal is a structured parking facility for 1200 to 1300 cars on 16 acres. He pointed out that the calculations indicate that this would be the largest park-and-ride lot in America serving nearly 20,000 vehicles.

Supervisor Berger distributed to Board Members two letters regarding this issue. He said that hopefully next week he would be able to report with a time certain for a public hearing to be held by the Board on this zoning case.

#### **38. VIRGINIA RAIL PRESENTATION (Tape 4)**

Supervisor McConnell asked unanimous consent that the Board direct staff to request Mr. Thomas Waldron to appear before the Board to make a presentation and update the Board on Virginia Rail. Without objection, it was so ordered.

**NV:nv**

#### **39. PROVIDENCE DISTRICT COUNCIL RESOLUTION**

**REGARDING THE FAIRFAX COUNTY PUBLIC SCHOOLS'**

**SUPERINTENDENT'S BUDGET PLAN FOR FISCAL YEAR**

**(FY) 1994 (Tape 5)**

Supervisor Hanley circulated to Board members the Providence District Council's Resolution on the Fairfax County Public Schools' Superintendent's Budget Plan for Fiscal Year (FY) 1994.

**40.DRIVING WHILE INTOXICATED (DWI) OFFENSES**

**BEING CHARGED UNDER THE STATE CODE**

**(Tape 5)**

Supervisor Hanley stated that Driving While Intoxicated (DWI) offenses are still being charged under the state code and not the local code. Richard A. King, Deputy County Executive for Public Safety, confirmed this activity. Supervisor Hanley asked unanimous consent that the staff report at next week's Board Meeting on the problems with charging under the County Code. Mr. King stated that he has been attempting to talk with Robert Horan, Commonwealth's Attorney, to determine the problems.

After discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct the Deputy County Executive for Public Safety to discuss this issue with Mr. Horan and report back later in the meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, there was no additional discussion on this issue.)

**41.CRIMINAL JUSTICE POLICY GROUP TOWN MEETINGS**

**AND CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

**REPRESENTATION (Tape 5)**

**(BACs)**

Supervisor Hanley announced that the Criminal Justice Policy Group has been having town meetings on "Fairness in the Criminal Justice System." She also announced that the Sully-Chantilly area meeting will be held December 12, 1992 at the London Towne Elementary School and that the Vienna-McLean-Oakton-Merrifield area meeting will be held January 9, 1993 at the Louise Archer Elementary School.

Supervisor Hanley moved that two representatives from the Criminal Justice Advisory Board (CJAB) be added to the Criminal Justice Policy Group. This motion was



seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

#### **42. CONCURRENT REVIEW OF PRELIMINARY PLAN**

##### **AND SITE SUBDIVISION PLANS FOR SHREVE**

##### **WOODS PROJECT (Tape 5)**

Supervisor Hanley moved that the Board direct the Department of Environmental Management (DEM) to allow the concurrent review of the preliminary plan and site subdivision plans for the Shreve Woods project. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

#### **43. FAIRFAX COUNTY OFFICE OF ASSESSMENTS BRANCH**

##### **OFFICES TO BE USED AS DROP-OFF POINTS FOR**

##### **TOYS FOR TOTS (Tape 5)**

Supervisor Hanley moved that the Fairfax County Office of Assessments work with the Marine Corps and its Toys for Tots campaign to use the Fairfax County Branch Assessment Offices as drop-off points for toys which would be collected by the Marines and distributed to needy children. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

#### **44. DRAFT OF THE FAIRFAX COUNTY LEGISLATIVE**

##### **PROGRAM FOR THE 1993 VIRGINIA GENERAL**

##### **ASSEMBLY DATED DECEMBER 7, 1992 (Tape 5)**

Supervisor Hanley called the Board's attention to the draft of the Fairfax County Legislative Program for the 1993 Virginia General Assembly dated December 7, 1992. She noted that the Tenant-Landlord issues were removed and a number of other issues were added at the last Legislative Subcommittee meeting of November 30, 1992.

Supervisor Hyland, who could not be present at the Legislative Subcommittee meeting of November 30, expressed his support of the overall program and asked to

be recorded as also supporting the inclusion of the Tenant-Landlord issues. He further stated that he would add the Tenant-Landlord issues as an amendment when the Board was ready to vote on the entire program.

After discussion, Supervisor Hanley noted that Benjamin Tayloe, President of the National Association for a Balanced Federal System, had forwarded a proposal for consideration which she had distributed to Board Members.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board discuss the entire Legislative Program, and any amendments to it, after the lunch recess. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken on the Legislative Program. See Clerk's Summary Item CL#53.)

**45. REQUESTS FOR STATE LEGISLATION FOR  
PROPERTY TAX EXEMPT STATUS FOR CERTAIN  
GROUPS (Tape 5)**

(As)

Supervisor Hanley moved that the Board authorize the advertisement of public hearings to be held before the Board of Supervisors on **December 14, 1992 at 5:00 p.m.** on tax exemption requests for the following groups:

- Christian Relief Services of Virginia;
- Fairfax County Housing and Community  
Development Corporation;
- Head Injury Services, Partnership, Incorporated;
- Lincolnia Park Recreational Club;
- Murraygate Village Limited Partnership;
- Pathway Options, Incorporated;

- Route One Corridor Housing, Incorporated;
- Second Saint Alban's Housing Corporation;
- Stonegate Village Limited Partnership; and
- Washington Regional Transplant Consortium.

Supervisor Hanley further moved that, if these groups do not submit their information in time or do not meet the requirements, that the Board will either cancel or defer those hearings. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

**PMH:pmh**

#### **46.PUT CASH INTO THE POCKETS OF LOW INCOME**

##### **FAMILIES (Tape 6)**

Supervisor Hyland stated that Earned Income Credit (EIC) is a tax credit for low-income working families with children. Created by Congress in 1975, the EIC was designed to offset the regressive impact that Social Security payroll taxes have on low-income working families. The EIC also serves as an incentive to work.

Supervisor Hyland said that the EIC is a tax credit that is paid to low-income families just like a tax refund for working families that had income of less than \$22,370 in 1992 and at least one child living at home for more than half of the year. The credit is available both to married and single parents. Even families that earn too little to owe federal income tax can be eligible for the EIC.

Supervisor Hyland said that as elected officials, Board Members have the opportunity to advertise this available credit and work incentive. He suggested requesting staff to advertise this program through a press release as well as giving it to the School newsletter for their inclusion, putting it at the assessment offices, police stations and the libraries. For further information and details, interested individuals can contact the Center of Budget and Policy Priorities, 777 North Capitol Street, NW, Suite 705, Washington D.C. or call Allison Pion at 202 408-1080.

Therefore, Supervisor Hyland moved that the Board direct staff to advertise the availability of the EIC. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

**47. CARJACKING (Tape 6)**

Supervisor Hyland stated that during a Metropolitan Washington Council of Governments (COG) Human Services and Public Safety meeting there was a presentation made regarding the carjacking episodes that are occurring in the metropolitan region. A carjacking involves direct confrontation between the thief and the driver with the potential of loss of life. As a result of these numerous incidents (468 from January through September, 1992 for the region), H.R. 4542 was signed into law in October giving local jurisdictions power to enforce this crime as a federal offense.

Supervisor Hyland said that he would like to ensure that Fairfax County residents have as much protection as possible concerning this crime.

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

- Review Fairfax County's current laws and enforcement procedures for carjacking penalties to determine if County laws are as strong as the new law allows; and
- Report with its determination and recommendations as quickly as possible.

This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Hyland amended the motion to include directing staff to distribute the prevention tips flyer to all libraries, police stations, assessments offices and to prepare a press release on this matter of concern. The question was carried on the motion, as amended, and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

**48. MASON NECK HERITAGE RESOURCES OVERLAY DISTRICT****(Tape 6)**

Supervisor Hyland said that Mason Neck, located in the Mount Vernon District along the shores of the Potomac and Occoquan Rivers, is characterized by an arrangement of habitats that is unique to Fairfax County. During the three year land use review process it was determined that there is a need to more adequately protect this fragile area. In 1991 the Board approved establishing the first Heritage Resources Overlay District in the County that will identify and preserve ecologically sensitive areas, historical sites, scenic views and archaeological resources areas. Since the adoption of the plan, the Office of Comprehensive Planning (OCP) began its work to establish the Overlay District but has often been diverted from this important project. He said that

he had received a letter from the Friends of Historic Colchester requesting this project be expedited.

Supervisor Hyland stated that because of the evolving development on Mason Neck and the expansion of the 100+ acres of the Lower Potomac Pollution Control Plant, it has become very apparent that much of what the County is trying to preserve could be lost, thus giving this project a sense of true urgency to complete.

Therefore, Supervisor Hyland moved that the Board direct staff to put the Mason Neck Heritage Resources Overlay District back on their priority list and to complete this important task within the next three months and return with the draft document. This motion was seconded by Supervisor Bulova.

Following discussion, with input from James P. Zook, Director, OCP, Supervisor Hyland amended the motion to direct staff to report with a status report which includes developing options and a timetable by the end of January 1993.

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

#### **49. INOVA HEALTH SYSTEMS WHITE PAPER ON HEALTH CARE REFORM (Tape 6)**

Supervisor Hyland said that he recently received a copy of the INOVA Health Systems White Paper on Health Care Reform.

Supervisor Hyland said that some of the solutions INOVA has proposed related to cost containment and access based on the following four principles:

- Health Care reform initiatives must be equitable to all segments of the health care arena -- employers and employees, patients, providers, physicians and all other health care professionals;
- The actions taken must require a contribution of the solution from all elements as well;
- The actions must redirect, reallocate and redistribute current dollars; and
- The actions should exhibit a profound bias toward primary care and prevention of health illness and injury.

Supervisor Hyland asked unanimous consent that the Board request Board Members to review this document and give their reactions to Supervisor Hyland to send to INOVA Health Systems. Without objection, it was so ordered.

**50.ACTIONS FROM EXECUTIVE SESSION (Tape 6)**

**A.CERTIFICATION BY BOARD MEMBERS**

**REGARDING ITEMS DISCUSSED IN**

**EXECUTIVE SESSION WHEREBY**

**COUNTY ATTORNEY CANDIDATES WERE**

**INTERVIEWS**

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 such matters identified in the motion to convene the Executive Session were heard, discussed or considered by the Board during the Executive Session held during the Special Subcommittee Meeting on Personnel Matters convened on December 1, 1993 (sic). This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: Later in the meeting there were additional actions from Executive Session. See Clerk's Summary Item CL#52.)

**51.RECESS/EXECUTIVE SESSION (Tape 6)**

At 12:55 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:

- Thomas et al versus County of Fairfax, Civil Action Number 89-1597A.

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

**NV:nv**

At 3:10 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

**52.ACTIONS FROM EXECUTIVE SESSION (Tape 7)**

(NOTE: Earlier in the meeting, there was an additional action from Executive Session. See Clerk's Summary Item CL#50.)

**B.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 Alexander being absent.

**53.FAIRFAX COUNTY LEGISLATIVE PROGRAM FOR THE 1993**

**VIRGINIA GENERAL ASSEMBLY (Tape 7)**

(NOTE: Earlier in the meeting this item was discussed, but action was deferred until after the recess. See Clerk's Summary Item CL#44.)

Supervisor Hanley stated that she had received a letter expressing concern regarding signs posted on the State right-of-way and recommending a stricter law.

Supervisor Hanley called the Board's attention to the letter from Benjamin Tayloe, President of the National Association for a Balanced Federal System, discussed earlier in the meeting. It was the consensus of the Board not to pursue this constitutional amendment issue.

Supervisor Hanley moved adoption of the Fairfax County Legislative Program for the 1993 Virginia General Assembly dated December 7, 1992. This motion was seconded by Supervisor Bulova.

Supervisor McConnell called the Board's attention to the issue of personal property taxes on vehicles leased to volunteer firefighters. After discussion, with input from Susan Mittereder, Legislative Liaison, Office of the County Executive, it was the consensus of the Board not to pursue this issue.

In light of the Transportation Coordinating Council's (TCC) recommendation on regional funding, Supervisor Frey asked to amend the motion to delete Item Number 18 on Page 21 regarding returning the recordation tax to the localities. Supervisor Hanley suggested the addition of the following language to Item Number 18: "In the event that the recordation taxes were not used to support the 1990 funding, the Board believes that they should be returned to the locality," and this was accepted.

Regarding the three projects listed on Page Three under the Fairfax County Parkway, Transportation--Regional Funding, Supervisor Dix moved to amend the motion to have staff include a discussion and review of the segment of the Parkway from Sunset Hills Road to Route 7 for consideration of inclusion in the dollar amount.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved to change the amendment to add the language "...should other revenues remain available," and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hyland moved the following amendments, both of which had been forwarded to the Board by the Tenant-Landlord Commission:

- 1. Endorse legislation to amend the Code of Virginia Section 55-248.40 by adding language to permit the Office of the County Attorney to file for injunctive relief for violations of Virginia Residential Landlord-Tenant Act; and
- 2. Endorse legislation to amend the Code of Virginia Section 55-248.39(b) removing the burden of proving retaliatory intent from the tenant and placing a rebuttable presumption of retaliatory conduct on the landlord. This presumption is part of the national model Tenant-Landlord legislation.

These amendments were seconded by Supervisor Bulova. Chairman Davis asked for a seriatim vote on these amendments.

The question was called on the motion to amend Section 55-248.39(b) which **FAILED** by a recorded vote of six, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE**," Supervisor Alexander being absent.



The question was called on the motion to amend Section 55-248.40 which **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Chairman Davis voting "AYE," Supervisor Alexander being absent.

The question was then called on the motion to adopt the entire Legislative Program, as amended, which carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hanley announced that she had a copy of the Bicycle Helmet draft legislation and that she would make it available to the Board. In addition, she announced that she had a copy of the Northern Virginia Association of Realtors' Legislative Program.

Supervisor Hanley also reported that the Commission on Early Childhood and Day Care Programs will be holding a hearing and she asked unanimous consent that the Board direct staff to provide the Board's position. Without objection, it was so ordered.

After discussion, with input from Ms. Mittereder, Supervisor McConnell moved that the Board oppose House Joint Resolution 47 which would include a cancer presumption for Workman's Compensation.

Supervisor Hanley noted that the Board is already on record for this issue and, without objection, the Board will continue its objection to that inclusion in the legislation. Supervisor McConnell **WITHDREW** her motion.

#### **54. CLARIFICATION FOR PROFFERED CONDITION AMENDMENT**

##### **APPLICATION PCA 86-S-015 (Tape 7)**

Supervisor Frey stated that on November 16, 1992, the Board approved Proffered Condition Amendment Application PCA 86-S-015, but the date for the executed proffers was incorrectly stated and a clarification is necessary. Therefore, he moved that the Board approve Proffered Condition Amendment PCA 86-S-015 pursuant to the executed proffers dated October 9, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

#### **55. RECOGNITION OF CUB SCOUT TROOP 686**

**(Tape 7)**

Supervisor McConnell recognized the presence in the Board Room of Cub Scout Troop Number 686 and warmly welcomed them.

**AR:ar**

**56.3:30 P.M. - PH ON REZONING APPLICATION**

**RZ 89-V-062 (GUNSTON LAND COMPANY)**

**(MOUNT VERNON DISTRICT) (Tape 8)**

Because of the Planning Commission's deferral of its public hearing until January 7, 1993, Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 89-V-062 until **January 11, 1993 at 4:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

**57.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 92-V-034 (THE MOUNT VERNON LADIES ASSOCIATION**

**OF THE UNION) (MOUNT VERNON DISTRICT) (Tape 8)**

Ms. Sarah H. Reifsnyder reaffirmed the validity of the affidavit for the record.

Ms. Reifsnyder 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 Hyland moved that the Board:

- Approve Special Exception Application SE 92-V-034 subject to the development conditions dated November 19, 1992; and
- Direct the Director of the Department of Environmental Management (DEM) to waive the requirement for on-site stormwater detention.

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

**58.3:30 P.M. - PH ON PROFFERED CONDITION**

**AMENDMENT APPLICATION PCA 86-W-001-4 AND**

**FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION**

**FDPA 86-W-001-2 (BOARD OF SUPERVISORS' OWN**

**MOTION) (SULLY DISTRICT) (Tape 8)**

On behalf of the Board of Supervisors, Supervisor Hanley reaffirmed the validity of the affidavit for the record.

The Board 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 it proceeded to present its case.

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 86-W-001-4 subject to the proffers dated November 4, 1992. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved approval of Final Development Plan Amendment Application FDPA 86-W-001-2 subject to the development conditions dated November 18, 1992. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

**59.3:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE**

**CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112**

**(ZONING ORDINANCE) AND OUT-OF-TURN PLAN**

**AMENDMENT S92-CW-3CP REGARDING MOBILE AND**

**LAND BASED TELECOMMUNICATIONS FACILITIES****(Tapes 8-9)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 19 and November 26, 1992.

Following the public hearing, which included testimony by two speakers, Supervisor McConnell moved:

- Adoption of proposed Comprehensive Plan Amendment S92-CW-3CP, as advertised, with one revision as set forth in Attachment One of the Memorandum to the Board dated December 7, 1992, as recommended by the Planning Commission; and

- Adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise the regulations and review policies for mobile and land based cellular telecommunication facilities, **with an effective date of 12:01 a.m. on January 1, 1993**, as advertised, with inclusion of the revisions to Section 2-514 (as requested by Mr. James Michal, Cellular One representative), and as set forth in Attachment Two of the Memorandum to the Board dated December 7, 1992, as recommended by the Planning Commission, and that the following shall be grandfathered:

\*Mobile and land base telecommunication facilities which have received a favorable determination by the Planning Commission pursuant to Section 15.1-456 of the Code of Virginia and for which a Site Plan or Site Plan Waiver request has been submitted to the County prior to the effective date of this amendment, provided however, that a building permit(s) for the structure(s) shown on the approved Site Plan or Site Plan Waiver is issued within two years of the date of approval of the site plan or Site Plan Waiver, and provided further that the structure(s) containing the use is in fact constructed in accordance with such building permit(s).

Supervisor Hanley moved to amend the motion to delete the proposed amendments to Section 2-514 of the Zoning Ordinance (as requested by Mr. Michal). This motion was seconded by Supervisor Hyland and **FAILED** by a recorded vote of four, Supervisor Berger abstaining, Supervisor Bulova, Supervisor Frey, Supervisor Hanley, and Supervisor Hyland voting "AYE," Supervisor Alexander being absent.

Following discussion, Supervisor Dix moved to amend the motion to delete all "C" Districts from the proposed amendments to Section 2-514 of the Zoning Ordinance.

This motion was seconded by Chairman Davis and **CARRIED** by a recorded vote of eight, Supervisor Berger abstaining, Supervisor Alexander being absent.

Supervisor Berger disclosed that, as a former employee of the Bell Atlantic Company, he receives a small monthly pension. Accordingly, he departed the Board Room.

The question was then called on the main motion, as amended, which **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "NAY," Supervisor Berger being out of the room, and Supervisor Alexander being absent.

**60.3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE  
CODE OF THE COUNTY OF FAIRFAX, APPENDIX H  
(CABLE TELEVISION FRANCHISES) TO CHANGE THE  
OWNERSHIP OF THE RESTON CABLE FRANCHISE  
(CENTREVILLE DISTRICT) (Tape 9)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 19 and November 26, 1992.

Following the public hearing, Supervisor Dix moved that the Board:

- Adopt the proposed amendment to the Code of the County of Fairfax, Appendix H (Cable Television Franchises), relating to the transfer of a cable television franchise for the Reston franchise area from Warner Cable Communications of Reston, Incorporated ("Warner Reston") to Time Warner Entertainment Company, Limited Partnership ("Warner Entertainment"). (This housekeeping amendment is needed to change the name of the franchise in pertinent franchise documents.); and
- Authorize the County Executive to sign the form releasing Warner Reston's surety from its obligation under the obsolete performance bond.

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

**61. 3:30 P.M. - PH ON 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)  
REGARDING THE DEADLINE REVISION (Tape 9)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 12 and November 19, 1992.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments 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 upon adoption**. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Frey, **\*Supervisor Hanley,\*** and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**(\*NOTE: Later in the meeting, Supervisor Hanley asked to be recorded as voting "AYE" on this item. See Clerk's Summary Item CL#63.)**

**62.3:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE  
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4  
(TAXATION AND FINANCE), TO REPEAL ARTICLE 16,  
AND ADOPT ARTICLE 16.1, RELATING TO ALTERNATIVE  
PERSONAL PROPERTY TAX RATE FOR THE ELDERLY AND  
PERMANENTLY DISABLED (Tape 9)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 12 and November 19, 1992.

Following the public hearing, Supervisor Hanley moved adoption of the proposed revisions to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), to repeal Article 16 and adopt Article 16.1 relating to alternative personal property tax rate for the elderly and permanently disabled, **to become effective upon adoption**. This amendment brings the County Code into conformance with the State Code for personal property tax relief. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

### **63.REQUEST TO RECORD VOTE (Tape 9)**

Supervisor Hanley asked unanimous consent to be recorded as voting "**AYE**" on the 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) Regarding the Deadline Revision. Without objection, it was so ordered.

### **64.3:30 P.M. - PH ON SPECIAL EXCEPTION**

#### **APPLICATION SE 91-V-039 (FAIRFAX**

#### **INDUSTRIAL PARK ASSOCIATES) (MOUNT**

#### **VERNON DISTRICT) (Tape 9)**

Mr. John W. Farrell reaffirmed the validity of the affidavit for the record.

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

- In the amount of \$1,000.00 from Mr. Cassius C. Carter, Jr. (deceased).

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

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

Supervisor Hyland moved to **DEFER** the Board decision on Special Exception Application SE 91-V-039 until **January 11, 1993 at 4:00 p.m.** in order to provide additional time for consultation between the applicant and staff. This motion was

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

**65.4:00 P.M. - PH ON REZONING APPLICATION**

**RZ 86-L-028 (WILLS AND VAN METRE, INCORPORATED)**

**(LEE DISTRICT) (Tape 9)**

At the applicant's request, Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 86-L-028 until **January 25, 1993 at 4:00 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

**66.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 92-D-026 (FIRST VIRGINIA BANK) (DRANESVILLE**

**DISTRICT) (Tape 9)**

Ms. Sarah H. Reifsnnyder reaffirmed the validity of the affidavit for the record.

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

- In the amount of \$500.00 from Mr. Zalokar of First Virginia Bank.

Ms. Reifsnnyder 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, Denise James, Senior 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-026 subject to the development conditions dated December 7, 1992. This motion was seconded by Supervisor Dix and carried by a vote of six, Chairman Davis abstaining, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Berger moved waiver of the minimum lot width and area requirements pursuant to Section 9-610 of the Zoning Ordinance. This motion was seconded by



Supervisor Dix and carried by a vote of six, Chairman Davis abstaining, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Berger moved waiver of the barrier requirement and modification of the transitional screening requirement in favor of that shown on the Special Exception Plat, pursuant to Paragraph Three, Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Dix and carried by a vote of six, Chairman Davis abstaining, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**67.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 92-L-027 (EXXON CORPORATION) (LEE DISTRICT)**

**(Tape 9)**

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

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

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

On behalf of Supervisor Alexander, Supervisor Berger moved approval of Special Exception Application SE 92-L-027 subject to the development conditions dated November 26, 1992. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Bulova, Supervisor Frey, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Berger moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive Paragraph Eight, Section 4-805 of the Zoning Ordinance to allow a curb cut less than 60 feet from an intersection. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Bulova, Supervisor Frey, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**68.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 92-C-036 [AMERICAN MOBILE SATELLITE  
CORPORATION (AMSC) SUBSIDIARY CORPORATION]  
(CENTREVILLE DISTRICT) (Tape 9)**

Mr. Anthony J. 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.

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

Supervisor Dix asked unanimous consent that the letter of support from the Reston Board of Commerce, along with other letters received, be made a part of the official record of these proceedings. Without objection, it was so ordered.

Supervisor Dix moved approval of Special Exception Application SE 92-C-036 subject to the development conditions dated December 4, 1992. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

On behalf of the entire Board of Supervisors, Chairman Davis extended a warm welcome to American Mobile Satellite Corporation on the occasion of its move into Fairfax County.

**69.4:00 P.M. - PH ON PROPOSED LEASING OF COUNTY  
PROPERTY ON ANNANDALE ROAD TO THE LITERACY  
COUNCIL OF NORTHERN VIRGINIA (PROVIDENCE  
DISTRICT) (Tape 9)**

(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 November 19 and November 26, 1992.

Following the public hearing, Supervisor Hanley moved adoption of the Resolution authorizing the County Executive to execute a lease with the Literacy Council of Northern Virginia for leasing a space in County-owned property, at the former James Lee Elementary School, located at 2855 Annandale Road, Tax Map Number 50-4 ((1)) 50, Providence District. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Berger, Supervisor Dix, and Supervisor Frey being out of the room, Supervisor Alexander being absent.

**70.4:00 P.M. - PH ON PROPOSED LEASING OF COUNTY**

**PROPERTY ON ALFORTH AVENUE TO THE DEVONSHIRE**

**TOWNHOMES ASSOCIATION (LEE DISTRICT) (Tape 10)**

(R)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 19 and November 26, 1992.

Following the public hearing, Supervisor McConnell, on behalf of Supervisor Alexander, moved adoption of the Resolution authorizing the County Executive to execute a lease with the Devonshire Townhomes Association for leasing of County-owned property, located at 6312 Alforth Avenue, Tax Map Number 91-1 ((1)) 20, Lee District. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Berger being out of the room, Supervisor Alexander being absent.

**71. 4:30 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) (Tape 10)**

Ms. Alisa S. T. Cowen reaffirmed the validity of the affidavit for the record.

Ms. Cowen 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.

Supervisor Bulova asked unanimous consent that a letter of support from the Burke Centre Conservancy, dated November 12, 1992, be entered into the official record of this public hearing. Without objection, it was so ordered.

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

Supervisor Bulova moved approval of Proffered Condition Amendment Application PCA 83-S-029 and Development Plan Amendment Application DPA C-546-21 subject to the execution of proffers dated October 20, 1992. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Berger being out of the room, Supervisor Alexander being absent.

Supervisor Bulova moved that the Board direct staff to expedite the processing of all architectural and Site Plan reviews in order that these improvements may be implemented as expeditiously as possible. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Berger being out of the room, Supervisor Alexander being absent.

#### **ADDITIONAL BOARD MATTERS**

#### **72.CANCELLATION OF ENVIRONMENTAL SUBCOMMITTEE**

##### **MEETING (Tape 10)**

Supervisor Hyland announced that the meeting of the Environmental Subcommittee scheduled for December 8, 1992 has been cancelled.

#### **73.NO MEETING OF HOUSING SUBCOMMITTEE (Tape 10)**

Supervisor Trapnell announced that there would not be a meeting of the Housing Subcommittee on December 8, 1992.

#### **74.BOARD RECESS (Tape 10)**

At 5:30 p.m., the Board recessed for dinner, and reconvened in the Board Room at 7:00 p.m., with all Board Members being present with the exception of Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland, and with Chairman Davis presiding.

#### **ADDITIONAL BOARD MATTERS**

#### **75.MOMENT OF SILENT MEDITATION IN HONOR OF**

##### **PEARL HARBOR DAY (Tape 11)**

Supervisor McConnell asked unanimous consent that everyone in the Board Room stand and observe a moment of silent meditation in honor of all those who gave their lives for our country on Pearl Harbor Day. Without objection, it was so ordered.

## **76.PROCLAMATION DESIGNATING DECEMBER 11, 1992**

### **AS "GEORGE MASON DAY" IN FAIRFAX COUNTY**

#### **(Tape 11)**

Supervisor Frey moved that the Board approve a Proclamation designating Friday, December 11, 1992 as "**GEORGE MASON DAY**" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

## **77.7:00 P.M. - PH TO SOLICIT CITIZENS' OPINIONS**

### **ON THE PROPOSED PURCHASE OF COMMERCIAL OFFICE**

### **BUILDINGS LOCATED ACROSS FROM THE COUNTY**

### **GOVERNMENT CENTER UNDER PRE-ESTABLISHED TERMS**

#### **AND CONDITIONS (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 26 and December 6, 1992.

William J. Leidinger, County Executive, gave a briefing on the proposed purchase of Buildings B-2 and B-3 located on the site adjacent to the Fairfax County Government Center and the events which have taken place prior to the public hearing this evening.

Following a presentation by James P. McDonald, Deputy County Executive for Management and Budget, with input from George Pugh, Financial Advisor, Craigie, Incorporated, there was extensive discussion by the Board.

Following the public hearing, which included testimony by 32 speakers and additional discussion, Supervisor McConnell moved that the Board direct staff to proceed to exercise the option to purchase Buildings B-2 and B-3. This motion was seconded by Supervisor Berger.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that a letter from Lee District Supervisor Joseph Alexander indicating his support of the purchase of Buildings B-2 and B-3 be made a part of the official record for this hearing. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

After additional discussion and further input from Mr. Pugh, the question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Alexander being absent.

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

At 9:45 p.m., the Board adjourned.