

**NV:nv**

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

Supervisor Frey 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.MOMENT OF SILENT MEDITATION TO REMEMBER**

**SUPERVISOR MICHAEL FREY'S FATHER, WILLIAM C.**

**FREY, JR. (Tape 1)**

Chairman Davis asked that a moment of silent meditation be observed to remember Supervisor Frey's father, William, who passed away over the weekend.

**3.CERTIFICATE OF APPRECIATION PRESENTED TO**

**MR. JOHN W. LANGFORD FOR HIS YEARS OF**

**SERVICE AS COORDINATOR OF THE PARKLAWN**

**NEIGHBORHOOD WATCH (Tape 1)**

Supervisor Trapnell moved approval of the presentation of the Certificate of Appreciation, presented to Mr. John W. Langford, who is retiring after 10 years as Coordinator of the Parklawn Neighborhood Watch, for his outstanding service to Fairfax County. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Frey being absent.

**4.PRESENTATION OF THE AWARD FOR "OUTSTANDING**

**WOMAN 1992" (Tape 1)**

Mary Margaret Hammond, Chairman, Commission for Women, presented the award for "Outstanding Woman 1992" to Ms. Suzanne Brown who developed the Sexual Assault Nurse Examiners' Program through the INOVA Health Systems.

Supervisor Alexander moved that the Board endorse the award of the "Outstanding Woman 1992" for Ms. Brown. This motion was jointly seconded by Supervisor Hanley and Supervisor McConnell and carried by a vote of nine, Supervisor Frey being absent.

Ms. Hammond briefed the Board on the programs and issues of the Commission for Women.

## **5. PRESENTATION BY THE COMMITTEE FOR ELECTED**

### **SCHOOL BOARDS (Tape 1)**

Jim Murphy and Kelly Horner, Co-Chairmen of the Committee for Elected School Boards, briefed the Board on their efforts to collect the signatures of 10 percent of the registered voters of Fairfax County to bring the issue of elected school boards to referendum. They presented over 55,400 signatures to the Board which exceeds the 42,000 minimum and noted that they would be filing a petition along with these signatures with the Clerk of the Court today.

Supervisor McConnell moved that the Board endorse the concept of the elected school board on the referendum ballot. The second to this motion was inaudible. The question was called on the motion which carried by a vote of eight, Supervisor Trapnell being out of the room, Supervisor Frey being absent.

Following the vote, there was additional discussion on the composition of an elected school board.

## **6.10:00 A.M. - PRESENTATION BY O. RANDOLPH**

### **ROLLINS, SECRETARY OF PUBLIC SAFETY FOR**

### **THE COMMONWEALTH OF VIRGINIA, ON THE ANTI-**

### **DRUG GRANT THROUGH THE DEPARTMENT OF CRIMINAL**

### **JUSTICE SERVICES AND ON VIOLENT CRIME IN**

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

Lindsay Dorrier, Director, Department of Criminal Justice Services, Commonwealth of Virginia, briefed the Board on the Anti-Drug Grant that the County has received through the Department of Criminal Justice Services.

O. Randolph Rollins, Secretary of Public Safety for the Commonwealth of Virginia, briefed Board Members on the issue of violent crime in Virginia.

Following Secretary Rollins' presentation, a brief question-and-answer period ensued among Board Members.

Chairman Davis recognized the presence of Sheriff Carl R. Peed and he warmly welcomed him to the Board Room.

**7.ABSENCE OF SUPERVISOR MICHAEL FREY AND  
EXPRESSION OF SYMPATHY IN THE DEATH OF  
HIS FATHER, WILLIAM C. FREY, JR. (Tape 2)**

Chairman Davis announced that Supervisor Frey was absent today because of the death of his father over the weekend. In lieu of flowers, the family requests that expressions of sympathy be addressed to:

**The American Liver Foundation**

**1425 Pompton Avenue**

**Cedar Grove, New Jersey 07009**

in the name of William C. Frey, Jr., with notification to Michael Frey.

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

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

Supervisor Hyland called the Board's attention to Administrative Item Eight - Additional Time to Establish the Use for Special Exception Application SE 91-V-001 (Long Signature Homes, Incorporated) (Mount Vernon District) and asked that the motion be amended to pull and consider this item separately, and this was accepted.

Supervisor Hanley called the Board's attention to Administrative Item Six - Additional Time to Commence Construction for Special Exception Application SE 90-S-017 (Richard L. Labbe, Trustee and Star Enterprise) (Sully District) and asked that the motion be amended to pull and consider this item separately, and this was accepted.

The question was then called on the approval of the Administrative Items, with the exception of Administrative Items Six and Eight, which carried by a vote of nine, Supervisor Frey being absent.

[NOTE: Later in the meeting, action was taken to defer Administrative Item Six (See Clerk's Summary Item CL#9) and approve Administrative Item Eight (See Clerk's Summary Item CL#10.)]

**ADMIN 1 - ADVERTISEMENT FOR A PUBLIC HEARING  
TO AMEND THE CURRENT APPROPRIATION LEVEL IN  
THE FISCAL YEAR (FY) 1993 REVISED BUDGET PLAN**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **January 11, 1993 at 10:00 a.m.** on the proposed adoption of an increase in the Fiscal Year (FY) 1993 Appropriation Level, including both the County and the Schools' Midyear Reviews. The public hearing is to be held in accordance with Section 15.1-162.1 of the Code of Virginia.

**ADMIN 2 - AUTHORIZATION TO ADVERTISE PROPOSED  
AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,  
CHAPTER 101 (SUBDIVISION ORDINANCE), REGARDING  
CONSTRUCTION PLANS AND RECORDED PLATS**

(A)Authorized the advertisement of a public hearing to be held before the Planning Commission on January 14, 1993 and before the Board of Supervisors on **January 25, 1993 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), regarding construction plans and recorded plats. The proposed amendments provide for an approval period of five years for certain subdivision construction plans and recorded final subdivision plats.

**ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC**

**HEARING ON THE ACQUISITION OF CERTAIN  
DEDICATIONS AND EASEMENTS NECESSARY FOR  
CONSTRUCTION OF THE JAMES LEE PHASE III  
NEIGHBORHOOD IMPROVEMENTS PROJECT (PROVIDENCE  
DISTRICT AND THE CITY OF FALLS CHURCH)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **January 11, 1993 at 4:00 p.m.** on the proposed acquisition of certain dedications and easements necessary for the construction of Project 003910 - James Lee Phase III Neighborhood Improvements, Providence District and the City of Falls Church.

**ADMIN 4 - AUTHORIZATION TO ADVERTISE PROPOSED  
AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,  
CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC),  
SECTION 82-5A-2(A), REGARDING THE DEFINITION  
OF "RESIDENTIAL AREA" FOR RESIDENTIAL PERMIT  
PARKING DISTRICTS (RPPD) (COUNTYWIDE)**

(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.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5A-2(a), to expand the definition of "Residential area" by adding after the word "property" and before the word "contained" the phrase "used exclusively as a residence or," for the purpose of Residential Permit Parking Districts (RPPD) to include that side of any street adjacent to property that is zoned commercial, if such property is used exclusively as a residence.

**ADMIN 5 - APPROVAL OF WATER MAIN EXTENSION,  
SHADETREE ESTATES (SULLY DISTRICT)**

Approved the request for the extension of an existing 12-inch water main approximately 520 feet along Bennett Road, Shadetree Estates, Sully District. The proposed main will provide adequate domestic and fire protection service to meet Fairfax County standards.

**ADMIN 6 - ADDITIONAL TIME TO COMMENCE**

**CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION**

**SE 90-S-017 (RICHARD L. LABBE, TRUSTEE, AND  
STAR ENTERPRISE) (SULLY DISTRICT)**

(NOTE: Later in the meeting, Administrative Item Six was considered separately and action taken to defer decision on the request for additional time for Special Exception Application SE 90-S-017 until **January 11, 1993**. See Clerk's Summary Item CL#9.)

**ADMIN 7 - ADDITIONAL TIME TO ESTABLISH THE  
USE FOR SPECIAL EXCEPTION APPLICATION**

**SE 91-V-001 (LONG SIGNATURE HOMES,  
INCORPORATED) (MOUNT VERNON DISTRICT)**

(AT)Approved the request for six months of additional time to establish the use for Special Exception Application SE 91-V-001 until **June 17, 1993** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 8 - ADDITIONAL TIME TO COMMENCE  
CONSTRUCTION FOR SPECIAL EXCEPTION**

**APPLICATION SE 88-V-018 (GENUARIO  
PROPERTIES, INCORPORATED) (MOUNT VERNON  
DISTRICT)**

(NOTE: Later in the meeting, Administrative Item Eight was considered separately and action taken to approve the request for additional time for Special Exception Application SE 88-V-018. See Clerk's Summary Item CL#10.)

**9. ADMIN 6 - ADDITIONAL TIME TO COMMENCE**

**CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION**

**SE 90-S-017 (RICHARD L. LABBE, TRUSTEE, AND  
STAR ENTERPRISE) (SULLY DISTRICT) (Tape 2)**

(NOTE: Earlier in the meeting, during approval of the Administrative Items, action was taken to pull and consider this item separately. See Clerk's Summary Item CL#8.)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and called to the Board's attention Administrative Item Six and asked unanimous consent that the Board defer decision on the request for 24 months of additional time to commence construction for Special Exception Application SE 90-S-017 until **January 11, 1993**. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**10.ADMIN 8 - ADDITIONAL TIME TO COMMENCE**

**CONSTRUCTION FOR SPECIAL EXCEPTION**

**APPLICATION SE 88-V-018 (GENUARIO**

**PROPERTIES, INCORPORATED) (MOUNT VERNON  
DISTRICT) (Tape 2)**

(AT)(NOTE: Earlier in the meeting, during approval of the Administrative Items, action was taken to pull and consider this item separately. See Clerk's Summary Item CL#8.)

Supervisor Hyland called the Board's attention to Administrative Item Eight and moved that the Board **APPROVE** the request for 18 months of additional time to commence construction for Special Exception Application SE 88-V-018 pursuant to the provisions of Section 9-015 of the Zoning Ordinance. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Frey being absent.

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**11.A-1 - AUTHORIZATION TO PAY FISCAL YEAR**

**(FY) 1993 THIRD QUARTER TRANSIT****OPERATING SUBSIDY TO THE WASHINGTON****METROPOLITAN AREA TRANSIT AUTHORITY****(WMATA) (COUNTYWIDE) (Tape 2)**

(R)On motion of Supervisor Dix, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and adopted the Resolution authorizing payment to the Washington Metropolitan Area Transit Authority (WMATA) of the Fiscal Year (FY) 1993 Third Quarter Billing as contained in Attachment One of the Memorandum to the Board dated December 14, 1992.

**12. A-2 - AUTHORIZATION TO MAKE COMMUTER RAIL****PAYMENT (BRADDOCK, LEE, MASON, MOUNT VERNON****AND SPRINGFIELD DISTRICTS) (Tape 2)**

On motion of Supervisor McConnell, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and authorized the payment of \$1,417,000, due on January 4, 1993, to the Northern Virginia Transportation Commission (NVTC) for Fairfax County's share of the Virginia Railway Express.

**13. A-3 - VIRGINIA DEPARTMENT OF TRANSPORTATION****(VDOT) PROJECT FOR IMPROVEMENTS TO BRADDOCK****ROAD (ROUTE 620) BETWEEN THE PROPOSED FAIRFAX****COUNTY PARKWAY AND UNION MILL ROAD (SPRINGFIELD****AND SULLY DISTRICTS) (Tape 2)**

On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and endorsed the Virginia Department of Transportation (VDOT) design plans to improve Braddock Road between the proposed Fairfax County Parkway and Union Mill Road, including the provision of an eight-foot



asphalt trail on the south side and a five-foot concrete sidewalk on the north side of Braddock Road, as presented at the November 4, 1992 public hearing, subject to the provision that VDOT consider the following:

- Review the warrants for the proposed right turn lanes along Braddock Road eastbound at Braddock Farms Way and Colchester Road and westbound at Ruby Lane to determine if these lanes are in fact needed;
- Review whether the warrants for traffic signals are met at Homewood Way and Colchester Road;
- Review whether adequate provisions have been made for right turning vehicles northbound out of Colchester Road (whether or not a signal is warranted at this location);
- Closely monitor the contractor's operations as he works in areas of asbestos; and
- Provide one left turn lane, two through lanes, and a right turn lane on both Clifton Road approaches and preserve the capability for future expansion to dual lefts, if possible.

**14.A-4 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**(SAR) AS93042 FOR THE OFFICE FOR CHILDREN**

**CHILD CARE QUALITY ENHANCEMENT GRANT FROM**

**THE VIRGINIA COUNCIL ON CHILD CARE AND**

**EARLY CHILDHOOD PROGRAMS (Tape 2)**

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS93042, in the amount of \$10,000, from the Virginia Council on Child Day Care and Early Childhood Programs for the Office for Children to extend technical assistance support for family day care providers in the Culmore area of Fairfax County and to develop a resource center for family day care providers and other child care professionals to create early childhood educational materials.

**15.A-5 - APPROVAL TO SUBMIT A PROPOSAL FOR**

**STATE FUNDING FOR CHILD CARE FOR CHILDREN****WITH SPECIAL NEEDS (Tape 2)**

On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to submit a proposal to the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to continue initiatives for child care for eligible families with children diagnosed with mental retardation and other identified special needs.

**16.A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION****(SAR) AS93043 FOR THE STATE PRIMARY CARE/****CHILD HEALTH LOCAL INITIATIVE FUND GRANT****(Tape 2)**

(SAR)On motion of Supervisor Hyland, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS93043, in the amount of \$100,000, from the Virginia State Health Department for the Fairfax County Health Department, in coordination with the Department of Community Action (DCA), to provide an Affordable Health Care Program to enhance services to children and Medical Care for Children Program (MCCP) to expand services to 200 children.

**17.A-7 - SUPPLEMENTAL APPROPRIATION RESOLUTION****(SAR) FOR THE FAIRFAX COUNTY POLICE DEPARTMENT,****TRAFFIC SAFETY SECTION (OCCUPANT PROTECTION/****ROLLOVER SIMULATOR PROJECT) (Tape 2)**

(SAR)On a joint motion of Supervisor Bulova and Supervisor McConnell, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS93039, in the amount of \$13,000, for the Fairfax

County Police Department, Traffic Safety Section, to purchase an occupant protection/rollover simulator.

**18.A-8 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**(SAR) AS93040 FOR THE FAIRFAX COUNTY POLICE**

**DEPARTMENT, TRAFFIC DIVISION (SPEED**

**ENFORCEMENT PROGRAM) (Tapes 2-3)**

(SAR)Supervisor Alexander moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS93040, in the amount of \$14,979, for the Fairfax County Police Department, Traffic Division, to purchase eight Kustom HR-12 radar sets, one Kustom HR-10 radar set, and one Kustom Speed Display Board. This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Bulova asked unanimous consent that the Board direct staff to respond as expeditiously as possible with a report on the structure and effectiveness of a similar program in the Lake Ridge Community of Prince William County. Without objection, it was so ordered.

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

**19.A-9 - FAIRFAX COUNTY POLICE DEPARTMENT,**

**TRAFFIC SAFETY SECTION, GRANT APPLICATION**

**TO THE VIRGINIA DEPARTMENT OF MOTOR**

**VEHICLES (DMV) (Tape 3)**

On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and approved the submission of a grant application by the Fairfax County Police Department, Traffic Safety Division, to the Virginia Department of Motor Vehicles (DMV) for funding of a Driving While Under the Influence Education and Enforcement Program.

**20.A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION**

**(SAR) AS93045 FOR JUDICIAL OPERATIONS FOR  
THE MEASUREMENT OF TRIAL COURT PERFORMANCE  
STANDARDS GRANT, PROGRAM YEAR 1993 (Tape 3)**

(SAR)On motion of Supervisor Hanley, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS93045, totalling \$54,444, for Judicial Operations for the measurement of trial court performance standards for Program Year 1993.

**21.A-11 - BOARD APPROVAL OF THE 1993 GYPSY MOTH  
SUPPRESSION PROGRAM (Tape 3)**

Supervisor McConnell moved that the Board concur in the recommendation of staff and approve the following actions concerning Fairfax County's 1993 Gypsy Moth Suppression Program:

- Continue participation in the Virginia Cooperative Gypsy Moth Suppression Program per established Board Policy;
- Conduct an aerial (helicopter) treatment program of approximately 3,000 acres using Bt and Dimilin(R) according to established biological criteria;
- As an addition to existing policy, conduct a ground treatment program of five infestations (approximately 20 acres) which average greater than the tree-damaging 250 egg masses per acre but which are below minimum area requirements (15 acres) for aerial treatment. The ground treatment program uses either Bt or Dimilin(R) according to biological criteria and is a voluntary program;
- Also as an addition to existing policy, conduct a ground treatment program in the spring of 1993 that verifies and treats tree damaging infestations identified after the annual program is adopted. Infestations eligible for treatment must meet the regular program criterion of a minimum of 250 egg masses per acre. This program will be limited to a total maximum of 100 acres;
- Authorize the Department of Extension and Continuing Education (DECE) to again borrow one experienced staff member from the Department of Environmental Management (DEM) to assist in commanding and controlling the treatment area; and

- Authorize the purchase of 100,000 pieces of burlap banding for issue to County citizens as part of the citizens Self-Help Program.

The motion was seconded by Supervisor Alexander.

Supervisor Bulova expressed her appreciation to staff for a job well done.

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

**22.A-12 - MEMORANDUM OF AGREEMENT BETWEEN THE  
BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY  
REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)  
AND REVISED POLICY ON IMPLEMENTATION OF  
NOTICE PROCEDURES, PUBLIC HEARINGS, ETCETERA,  
ON ASSISTED HOUSING PROJECTS TO BE CONSTRUCTED  
OR ACQUIRED IN FAIRFAX COUNTY (REVISED POLICY)**

**(Tape 3)**

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and, on behalf of Supervisor Frey, asked unanimous consent that the Board **DEFER** until **January 11, 1993** the Board's action with regard to:

- The new Memorandum of Agreement between the Fairfax County Redevelopment and Housing Authority (FCRHA) and the Board of Supervisors and authorized the Chairman to execute the Memorandum of Agreement; and
- The revised policy on implementation of notice procedures, public hearings, etcetera, on assisted housing projects to be constructed or acquired in Fairfax County as presented in the Memorandum to the Board dated December 14, 1992.

Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**23.A-13 - FISCAL YEAR (FY) 1993 CHAS**

**(COMPREHENSIVE HOUSING AFFORDABILITY  
STRATEGY) ANNUAL PLAN AND FY 1992 CHAS  
ANNUAL PERFORMANCE REPORT (Tape 3)**

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

- Approve the Fiscal Year (FY) 1992 CHAS (Comprehensive Housing Affordability Strategy) Annual Performance Report; and
- Adopt the FY 1993 CHAS Annual Plan Update.

This motion was seconded by Supervisor Alexander.

Following a brief presentation by James Stephens, CHAS representative, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the letter from the CHAS Coordinating Committee, dated December 14, 1992, be made a part of the official record of these proceedings. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following additional discussion, with input from Walter D. Webdale, Director, Department of Housing and Community Development, the question was then called on the motion which carried by a vote of nine, Supervisor Frey being absent.

**ADDITIONAL BOARD MATTERS**

**24. VISITOR FROM MOSCOW WELCOMED TO BOARD ROOM**

**(Tape 3)**

Supervisor Bulova recognized the presence of Mr. Vladimir Ilichov, a representative of a local government district outside Moscow, and extended a warm welcome to him. Supervisor Bulova stated that Mr. Ilichov has been working with County staff for about two weeks.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct the County Executive to ascertain the appropriate mementos to be presented to the Russian visitors to Fairfax County. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Bulova moved that the Board direct staff to prepare an appropriate Certificate of Recognition for presentation to Mr. Ilichov prior to his departure on December 26. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Frey being absent.

## **25. WARM WELCOME TO MR. AND MRS. MCLEOD, PARENTS**

### **OF BRUCE MCLEOD, SPRINGFIELD DISTRICT**

#### **ADMINISTRATIVE ASSISTANT (Tape 3)**

Supervisor McConnell recognized the presence of Mr. and Mrs. McLeod who are visiting from Michigan, parents of her Administrative Assistant Bruce McLeod, and warmly welcomed them to the Board Room.

## **26.A-14 - AUTHORIZATION TO ADVERTISE PROPOSED**

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

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

#### **REGARDING SPECIAL EXCEPTION ADDITIONAL**

#### **STANDARDS FOR HOUSING FOR THE ELDERLY**

#### **(Tape 3)**

#### **(A)**

(R) On motion of Supervisor Alexander, seconded by Supervisor Berger, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on January 7, 1993 and before the Board of Supervisors on **January 25, 1993 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to provide a density bonus for housing for the elderly developments which are exempt from the Affordable Dwelling Unit (ADU) Program but are proposing to provide affordable units and to revise the maximum densities permitted under a housing for the elderly special exception use.

**27.A-15 - AUTHORIZATION TO ADVERTISE PROPOSED  
AMENDMENT TO THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)  
REGARDING FAST FOOD RESTAURANTS IN THE  
PDC (PLANNED DEVELOPMENT COMMERCIAL)  
DISTRICT (Tape 3)**

(A)

(R)On motion of Supervisor Alexander, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on January 7, 1993 and before the Board of Supervisors on **January 25, 1993 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to revise the restrictions on fast food restaurants permitted by special exception in the PDC (Planned Development Commercial) District.

**28.A-16 - AUTHORIZATION TO ADVERTISE PROPOSED  
AMENDMENT TO THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)  
REGARDING OFF-STREET PARKING (Tape 3)**

(A)

(R)Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on February 18, 1993 and before the Board of Supervisors on **March 8, 1993 at 3:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to revise certain off-street parking provisions primarily related to the applicability of the current parking requirements to existing developments, the grandfather status of approved compact car spaces, and the medical office parking requirement.



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

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to forward a copy of this proposed Zoning Ordinance amendment to the Fairfax County Medical Society.

Supervisor Hanley asked that the request be amended to include distribution to the Clinical Psychologists Groups, and this was accepted.

Without objection, the request, as amended, was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**29.A-17 -AUTHORIZATION TO ADVERTISE PROPOSED  
AMENDMENT TO THE CODE OF THE COUNTY OF  
FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)  
REGARDING FREESTANDING SIGNS FOR COMMERCIALY  
ZONED PROPERTY IN INDUSTRIAL PARKS (Tape 3)**

(A)

(R)Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on January 7, 1993 and before the Board of Supervisors on **January 25, 1993 at 4:00 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to allow freestanding building identification signs on commercially zoned property within industrial parks.

The motion was seconded by Supervisor Alexander, with an expression of his appreciation to staff for its expediency in bringing this matter before the Board.

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

**30.A-18 - DESIGNATION OF A COUNTY ATTORNEY TO  
PROVIDE LEGAL SERVICES TO THE COMMUNITY**

**POLICY AND MANAGEMENT TEAM (Tape 3)**

On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and approved the designation of a County Attorney to provide legal services to the Community Policy and Management Team as required by the Comprehensive Services Act for At-Risk Youth and Families.

**31.A-19 - SALE OF GENERAL OBLIGATION REFUNDING****BONDS, SERIES 1992C (Tape 3)**

(BONDS)

(Rs)On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by a vote of nine, Supervisor Frey being absent, the Board concurred in the recommendation of staff and approved the sale of general obligation refunding bonds in an amount not to exceed \$145,000,000, the proceeds of which will be held in escrow and used to redeem portions of previously issued and outstanding Public Improvement Bonds in Series 1986A, 1988B, and 1989A, totalling \$126,100,000, or as necessary to maximize savings, and took the following actions:

- Approved the Resolution authorizing the issuance of bonds and delegating to the County Executive or Deputy County Executive for Management and Budget the authority to determine the details of the bonds;
- Approved the Resolution authorizing the sale including preparation of the form of the Notice of Sale, the preparation of the Official Statement, and the Chairman's signature on the Official Statement. The Resolution also provides for the sale to be conducted and the award to be made at the discretion of the County Executive or the Deputy County Executive for Management and Budget in consultation with the County's Financial Advisor not later than May 18, 1993. The winning bid must offer the lowest true interest cost, and the true interest cost rate may not exceed 6.5 percent. The Notice of Sale will announce that bids will be taken on December 16, 1992 in the offices of Craigie, Incorporated, in Richmond; and
- Approved the form of the Escrow Agreement.

**32.I-1 - UPDATE OF PRIVATIZATION EFFORTS IN THE  
COUNTY AND A SYNOPSIS OF RELEVANT ISSUES**

**(Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 14, 1992 requesting authorization for the Privatization Action Team to proceed with developing the School-Age Child Care (SACC) solicitation as indicated in the recommended model in the memorandum from the consultant contained in the Board Package.

Supervisor Dix moved that the Board direct the Privatization Action Team to:

- Proceed on schedule with the vehicle maintenance and facilities maintenance portions of the privatization efforts; and
- Separate the School-Age Child Care (SACC) privatization proposal in order to provide more time for greater participation in the issues involved, and the gathering of additional information with regard to the SACC portion of the proposal.

This motion was seconded by Supervisor Hanley.

Chairman Davis stated that it was the consensus of the Board that the consultant meet with the Parent Advisory Council and concerned parent groups, and that criteria be incorporated into the proposed solicitation for the Board's final consideration.

William J. Leidinger, County Executive, noted that before the solicitation documents are completed, all necessary costing and other work will be done in order to allow evaluations to be made within the Board's adopted policy.

Following discussion, and with the understanding that this Item will be returned to the Board for further discussion and specific action at a later date, Supervisor Dix **WITHDREW** his motion.

Supervisor Hanley called the Board's attention to Bullet Three on Page 77 of the Memorandum to the Board which reads, "Bids will be solicited to provide current levels of service, but will have the flexibility to accommodate increases or decreases in quality and quantity proposed," and asked unanimous consent that the Board **DELETE** that portion which reads, "...but will have the flexibility to accommodate increases or decreases in quality and quantity proposed." Without objection, it was so ordered.

After further discussion, and as a point of clarification, Chairman Davis stated that Bullet Three will read as follows:

• "Bids will be solicited to provide current standards of service."

Supervisor Bulova asked that the request be amended to change Bullet Three on Page 77 to read:

• "Bids will be solicited to provide current standards **and quality** of service."

Without objection, the request, as amended, was so ordered.

Supervisor Hanley referred to Page 76, specifically Bullet Three under "Policy and Procedural Decisions to Date," and asked unanimous consent that the Board direct the County Executive to ascertain if the entire School Board, rather than just the School Superintendent, has voted on the conditions of the School Board's participation. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed, with the above noted amendments.

**33.I-2 - BUS SERVICE ENHANCEMENTS: (1) FAIRFAX  
COUNTY GOVERNMENT CENTER, AND (2) EDSALL ROAD  
(ALL DISTRICTS) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 14, 1992 directing staff to take **NO** further action to implement either of the bus service changes for the Fairfax County Government Center and Edsall Road as outlined in the Board Package.

The staff was directed administratively to proceed as proposed.

**34.I-3 - STAFF REVIEW OF THE WATER FACILITIES  
PLANNING AGREEMENT BETWEEN THE BOARD OF  
SUPERVISORS AND THE FAIRFAX COUNTY WATER  
AUTHORITY (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 14, 1992 requesting authorization for the staff of the Office of Comprehensive Planning (OCP) to coordinate with the staff of the Fairfax County

Water Authority to develop recommended changes to the "Water Facilities Planning Agreement" and to forward a revised agreement to the Board of Supervisors for its consideration at the meeting scheduled for January 25, 1993.

The staff was directed administratively to proceed as proposed.

**35.I-4 - STATUS REPORT - MANDATORY CURBSIDE**

**COLLECTION OF PLASTICS (COUNTYWIDE) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 14, 1992 requesting authorization for staff to continue to:

- Implement the curbside recycling program as previously approved by the Board of Supervisors, including the Voluntary Plastics Program outlined in today's Board Package; and
- Monitor the plastics market and, when the situation warrants, report to the Board with appropriate recommendations.

Following input from John W. diZerega, Director, Department of Public Works, Supervisor Hyland asked unanimous consent that the Board direct staff to forward this report to the Citizens Advisory Committee (CAC) on Solid Waste and Disposal Matters for its comments, and return this matter to the Board on **January 11, 1993**. Without objection, it was so ordered.

**36.I-5 - CONTRACT AWARD - LORFAX HEIGHTS**

**SUBDIVISION SANITARY SEWER EXTENSION AND**

**IMPROVEMENT (MOUNT VERNON DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 14, 1992 requesting authorization for staff to proceed to award a contract to William B. Hopke Company, Incorporated, in the amount of \$894,733, for the Lorfax Heights Subdivision Sanitary Sewer Extension and Improvement Project, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

**37.I-6 - CONTRACT AWARD - NEW ALEXANDRIA PHASE II**

**WEST WATERSHED (MOUNT VERNON DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 14, 1992 requesting authorization for staff to proceed to award a contract to Prince William Construction Company, in the amount of \$873,611.33, for the New Alexandria Phase II West Watershed Project, Mount Vernon District.

The staff was directed administratively to proceed as proposed.

**38.I-7 - CONTRACT AWARD - DIFFICULT RUN SEWER**

**REHABILITATION (CENTREVILLE AND PROVIDENCE**

**DISTRICTS) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated December 14, 1992 requesting authorization for staff to proceed to award a contract to Corman Construction, Incorporated, in the amount of \$660,000, for the Difficult Run Sewer Rehabilitation Project, Centreville and Providence Districts.

The staff was directed administratively to proceed as proposed.

**BOARD MATTERS**

**AR:ar**

**39.RETIREMENT BENEFITS (Tape 3)**

Chairman Davis stated that a few months ago he met with representatives of the Police Officers Retirement Board, at their request, to discuss the possibility of the Board of Supervisors enacting ordinance amendments which would negate the effects on retirement benefits that resulted from the two year delay of merit increments.

With a notation that the Retirement Administration Agency has analyzed the potential cost of this action, including all three of the retirement systems, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that this matter be forwarded to the Personnel Subcommittee for consideration. This motion was seconded by Vice-Chairman McConnell and carried by a vote of nine, Supervisor Frey being absent.

**40.REQUEST FOR PROPOSAL (RFP) FOR RECREATIONAL**

**FACILITIES AT JEFFERSON DISTRICT PARK (Tape 3)**

Supervisor Davis stated that it has come to his attention that the Request for Proposal (RFP) to fund, design, build, and operate miniature golf and other recreational facilities at Jefferson District Park may not comply with State statutes; and, as a result, the project may be delayed until the RFP is reassessed by the Park Authority and the County Attorney's Office.

Therefore, Supervisor Davis moved that the Board direct staff to respond as expeditiously as possible regarding the status of the RFP, along with a new timetable for implementation and completion of this project. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Frey being absent.

**41. FAIRFAX COUNTY ALCOHOL SAFETY ACTION****PROGRAM (ASAP) SURPLUS OF FUNDS (Tape 3)**

Supervisor Davis called the Board's attention to a letter received from the Fairfax County Alcohol Safety Action Program (ASAP) stating that ASAP is prepared to return a surplus of funds in the amount of \$77,105 to the General Fund.

Supervisor Davis noted that, through diligent management and good fiscal policy, ASAP has been able to provide services more efficiently and more cost effectively, and he expressed his appreciation to ASAP for a job well done.

**42. PUBLIC CONVEYANCE OF COUNTY PROPERTY****ADJACENT TO THE CENTREVILLE VOLUNTEER****FIRE DEPARTMENT (Tape 3)**

On behalf of Supervisor Frey, Supervisor Davis moved that the Board authorize staff to proceed with the process necessary for authorization of the public conveyance of County property adjacent to the Centreville Volunteer Fire Department in order that the required public hearing occurs on February 8, 1993, preceding the Board's hearings on the application by the Volunteers to expand the Centreville Fire Station under Rezoning Application RZ 92-Y-031, Proffered Condition Amendment Application PCA 85-5-020, and Special Exception Amendment Application SEA 78-5-089-2. This motion was seconded by Vice-Chairman McConnell and carried by a vote of nine, Supervisor Frey being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**PMH:pmh**

**43. PROPOSED EXPANSION OF THE HISTORY COMMISSION**

**(Tape 4)**

Supervisor Berger announced that the Board's Procedures Subcommittee will meet to discuss expanding the membership of the History Commission. He said that the Committee will during the break between Board Matters and Executive Session.

Supervisor Berger said that the Board was particularly concerned about retaining the talents of Mrs. Edith Sprouse on the Commission, as well as considering whether additional positions should be created to allow the opportunity for representation from Sully District.

Supervisor Berger said that staff has provided an options paper to each Board Member's office this past Friday. Supervisor Berger moved that the Board direct the Committee to review these options with staff and return to the Board with recommendations this afternoon. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being absent.

(NOTE: Later in the meeting, action was taken on this issue. See Clerk's Summary Item CL#77.)

**44. PREPARATION OF AN APPLICATION FOR A GRANT FROM  
THE FEDERAL HIGHWAY ADMINISTRATION, UNDER THE  
INTERMODAL SURFACE TRANSPORTATION EFFICIENCY  
ACT (ISTEA) (Tape 4)**

Supervisor Berger moved that the Board direct the Office of Comprehensive Planning, through its Heritage Resources Branch, to coordinate preparation of an application for a grant from the Federal Highway Administration, under the Intermodal Surface Transportation Efficiency Act (ISTEA), for funding of a management plan for the Scenic Byway, the Georgetown Pike. He noted that the deadline for the application is February 1, 1993. The second to this motion, was inaudible, and the motion carried by a vote of nine, Supervisor Frey being absent.

Following discussion, with input from Supervisor Hanley, Supervisor Berger moved that the Board direct the Office of Transportation to report with a recommendation on



where it might be appropriate to request for ISTEPA funding for noise abatement for those individuals residing in the Lemon Road area. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Frey being absent.

#### **45.RESTORATION OF THE FRIENDS OF PLEASANT GROVE**

##### **CHURCH (Tape 4)**

Supervisor Berger stated that the Friends of Pleasant Grove Historic Church located on Lewinsville Road was struck by lightening this past July 24th. He said that the work to restore the church was almost completed when it was struck by lightening.

Therefore, due to the historic significance of this project and the outpouring of help from the community, private citizens and businesses, Supervisor Berger moved:

- Waiver of the Site Plan (which is only required, according to staff because a handicapped ramp is being added);
- Waiver of the permit fees for the restoration work; and
- That staff be directed to expedite processing of building permits based on the urgency of preventing additional damage.

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

#### **46.REQUEST FOR INFORMATION REGARDING A SET-UP**

##### **FOR TARGET SHOOTING FOR BOWS AND ARROWS**

##### **(Tape 4)**

Supervisor Bulova stated that her office has been working with a constituent who lives in the Kings Park Subdivision and has been concerned about a neighbor who has set-up a target shooting for bows and arrows in a front yard.

Supervisor Bulova asked unanimous consent that the Board direct staff to report with past requests and Enabling Legislation and, also the history of similar complaints and problems so that the Board can consider future action. Without objection, it was so ordered.

#### **47.APPOINTMENT TO THE RESTON COMMUNITY CENTER**

**(Tape 4)**

(APPT)

Supervisor Dix moved that the Board confirm the appointment of Mr. John J. Hannigan to fill the unexpired term of Mr. Tom Hartnett as a Representative to the Reston Community Center. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

**48.APPOINTMENTS TO THE DULLES CORRIDOR LAND USE****TASK FORCE (Tape 4)**

(APPTs)

Supervisor Dix moved that the Board confirm the following appointments to the Dulles Corridor Land Use Task Force:

- Mr. Earl R. White and Mr. Jay Donahue as the Town of Herndon Representatives;
- Mr. Joseph S. Drake as the Committee for Dulles Representative;
- Mr. Edward S. Bryne as the Dulles Area Transportation Association (DATA) Representative;
- Mr. David Stroh as the Fairfax County Chamber of Commerce Representative;
- Mr. Norman Hammer as the Herndon Chamber of Commerce Representative;
- Mr. C. Thomas Hicks, III as the Northern Virginia Transportation Alliance Representative;
- Mr. Pat Moynahan as the AHOME Representative; and
- Mr. Philip Tobey as the Reston Chamber of Commerce Representative.

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

**49.BATMAN/MCNAIR ASSOCIATES, LIMITED PARTNERSHIP -****PROFFERED CONDITION AMENDMENT/FINAL DEVELOPMENT**

**PLAN AMENDMENT APPLICATIONS (Tape 4)**

Supervisor Dix stated that Batman/McNair Associates, Limited Partnership has submitted a Proffered Condition Amendment Application PCA 87-C-060-2 and a Final Development Plan Amendment Application for Land Bay 11 of McNair Farms. He said that a Proffered Condition Amendment Application and the Final Development Plan Amendment Application has also been submitted for McNair Farms Land Bay 5. He noted that the purpose of these applications is to change the residential designation of Land Bay 11 and Land Bay 5 from multi-family only to include single-family attached dwelling units (townhouses).

Therefore, Supervisor Dix moved that the Board authorize the concurrent review of the Preliminary Subdivision Plan and the Site Plan for McNair Farms Land Bay 11 and Land Bay 5 with the Proffered Condition Amendment and Final Development Plan Amendment Applications. He added that this motion does not relieve the applicant from complying with the provisions of any applicable Ordinances, regulations or adopted standards and it does not prejudice the consideration of the Proffered Condition Amendment/Final Development Plan Amendment Applications in any way. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

**50.DEFERRAL OF PUBLIC HEARING ON THE VACATION OF****WREN DRIVE (Tape 4)**

Supervisor Alexander moved to defer the public hearing on the Vacation of Wren Drive from January 25, 1992 until February 8, 1992 at 3:30 p.m. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

Supervisor Alexander noted that this change was requested by a constituent, Mr. Hugh Dolan, who will be out of town on January 25, 1992 and who wishes to testify.

**51.DEFERRAL OF THE PH ON SPECIAL EXCEPTION****AMENDMENT APPLICATION SEA 83-L-033 (BELL****ATLANTIC MOBILE SYSTEMS, INCORPORATED)****(LEE DISTRICT) (Tape 4)**

Supervisor Alexander moved that the Board defer the public hearing on Special Exception Amendment Application SEA 83-L-033 until **January 11, 1993 at 3:30 p.m.** This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

(NOTE: Later in the meeting, action was taken to amend the time of the public hearing to 4:30 p.m. See Clerk's Summary Item CL#89.)

## **52.APPOINTMENT TO THE SMALL AND DISADVANTAGED**

### **BUSINESS COMMISSION (Tape 4)**

(APPT)

Supervisor Alexander moved the appointment of Mr. Jesus Reyes as the Lee District Representative on the Small and Disadvantaged Business Commission. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

VW:vw

## **53.GROUNDBREAKING CEREMONY FOR THE CROSSROADS**

### **PROGRAM (Tape 5)**

Supervisor Alexander briefed Board Members on the groundbreaking ceremony that was held Saturday, December 12, 1992 for the relocation of the Crossroads Program to the Lee District. He stated that approximately 60 individuals were present for the ceremony.

## **54.APPRECIATION EXPRESSED TO WILLIAM J. LEIDINGER,**

### **COUNTY EXECUTIVE, FOR MEETING HELD TO DISCUSS**

### **BUDGET ISSUES (Tape 5)**

Supervisor Alexander briefed Board Members on a meeting that he had held last week with William J. Leidinger, County Executive, to discuss budget issues. He expressed his appreciation to Mr. Leidinger for his time and effort.

## **55.REQUEST FOR LEGISLATION TO CONTINUE EXISTING**

## **LEGISLATION TO ALLOW THE OPERATION OF A NATIONAL CEMETERY IN THE COMMONWEALTH OF VIRGINIA**

### **(Tape 5)**

Supervisor Hyland distributed to Board Members a letter that he had received from Walter Sanford, Past Department Commander of the Disabled Veterans. The Department of Virginia, Incorporated, tracks legislation to ensure that their rights and privileges continues to be in concert with existing policies and laws. As Mr. Sanford clearly articulates in his letter, Virginia ranks 10th among the 50 states with a veteran population of 725,251 (reported in the 1990 census) and Fairfax County is in first place with a veteran population of 110,430 (reported by the United States Department of Veteran Affairs).

In 1979, the General Assembly passed legislation, recommended by Fairfax County, that allowed the Commonwealth of Virginia to open its own veterans cemeteries. This legislation resulted in the commissioning of the Quantico National Cemetery; however, this legislation is due to expire in 1994. In order to receive federal funding for Virginia veterans cemeteries, a request is needed for 1993 General Assembly to continue the current legislation.

Accordingly, Supervisor Hyland asked unanimous consent that the Board request the County Executive to:

- Draft a resolution that will ensure the continuation of existing legislation allowing operations of a national cemetery in the Commonwealth of Virginia; and
- Present the resolution to the Board's Legislative Subcommittee as soon as possible for action to be included in the 1993 Board legislative package to the General Assembly.

Without objection, it was so ordered.

## **56.UPDATE REQUESTED FOR THE HISTORIC DISTRICT**

### **ZONING ORDINANCE (Tape 5)**

Supervisor Hyland stated that he had received a letter from the Fairfax County Heritage Conservancy regarding an update of the Historic District Zoning Ordinance.

In the 1960s, Fairfax County was the first governmental body in the Commonwealth of Virginia to institute a Historic District Zoning Ordinance. The Ordinance consisted of "state-of-the-art" language which was used as a model for other jurisdictions in Virginia in developing their zoning ordinances. However, Fairfax County's Ordinance has never been updated and, approximately one year ago, the Fairfax County Heritage Conservancy, with the Office of Comprehensive Planning (OCP) Heritage Resources Branch, began focusing on the old Ordinance with a goal of offering a proposed new Ordinance to the Board for its consideration. In the meantime, the Preservation Alliance of Virginia completed its research and developed a compendium of all historic district zoning ordinances throughout the Commonwealth. Supervisor Hyland stated that this is a major tool for the Fairfax County Heritage Conservancy and staff to use in developing an updated ordinance for consideration.

Accordingly, Supervisor Hyland moved that the Board direct staff to report on the status of the proposed Fairfax County Historic District Ordinance, by the end of January 1993, with an anticipated date for public hearings in early spring. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

## **57. CREATION OF THE ANIMAL OVERPOPULATION TASK FORCE**

### **(Tape 5)**

(BACs)

(APPT)

Supervisor Hyland stated that the problem of overpopulation of dogs and cats, which results in the euthanizing of over eight million healthy animals yearly, is being addressed by local and state governments throughout the United States. San Mateo, California; King County Washington; and most recently Montgomery County, Maryland, have passed legislation to curb this costly and tragic problem. Fairfax County is no exception to the pet overpopulation problem, as clearly evidenced by the over 3,100 dogs and cats euthanized in 1991.

Accordingly, Supervisor Hyland moved that the Board take the following actions to address the animal overpopulation:

- Establish an Animal Overpopulation Task Force to study the problem as it exists in Fairfax County:

\*The Task Force would define the extent of the problem, consider various solutions to resolve the dilemma, and offer recommendations to the Board for consideration and approval;

\*Members of the Task Force should include:

- Barbara Snow, Director, Animal Control;
- Chairperson, Animal Shelter Advisory Committee;
- Representative, Fairfax Human Society;
- Representative, Homeless Animals Rescue Team;
- Representative, Spay, Incorporated;
- Representatives from other interested groups working with homeless and rescued animals;
- Representative of the Northern Virginia Veterinary Medical Association;
- Representatives from County Agencies which might be instrumental in implementing a solution; and

\*The Task Force should be able to complete its study and recommendations within one year;

•Acknowledge the need to provide subsidized spay and neuter surgeries for animals belonging to people receiving public assistance. Many people recognize the need to spay or neuter their pets to prevent unwanted litters but, because of financial restrictions, are not able to afford the high costs of such surgeries in Fairfax County; and

•Request the Task Force to report to the Board with recommendations in 12 months.

Supervisor Hyland stated that a number of counties across the country have established such government-subsidized spay-neuter programs for people on public assistance utilizing the differential in the licensing fee between neutered and unneutered dogs. One such successful program has operated in the State of New Jersey for the past nine years. An Animal Overpopulation Task Force would study various models for such a program and advise the Board accordingly.

This motion was seconded by Supervisor Trapnell.

At the request of Chairman Davis, Supervisor Hyland stated that he would be the Board's liaison to the Task Force.

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

**58.MOUNT VERNON DISTRICT SUPERVISOR, GERRY HYLAND,**

**LOSES CAT (Tape 5)**

Supervisor Hyland announced that his family has lost its cat and he urged anyone who finds his cat to please contact him. He stated that the cat is gray and answers to the name of "Kitty."

(NOTE: Later in the meeting, Supervisor Hyland reported the return of his cat. See Clerk's Summary Item CL#75.)

**59.LETTERS TO LOUDOUN COUNTY AND THE STATE AIR**

**POLLUTION CONTROL BOARD REGARDING THE PROPOSED**

**CONSTRUCTION OF A POWER PLANT NEAR LEESBURG**

**(Tape 5)**

Supervisor Hyland announced that Board Members had already received a "not in package" item concerning the position of the Environmental Quality Advisory Council (EQAC) addressing its concerns about the potential impacts of the proposed construction of a power plant near Leesburg in view of ozone concentrations in Northern Virginia and the relationship of possible increases in ozone concentrations to Clear Air Act requirements.

Also included in this item are proposed letters to Loudoun County and the Virginia Department of Air Pollution Control from the County Executive which incorporates the actions recommended by EQAC.

Accordingly, Supervisor Hyland moved that the Board:

- Endorse the recommendations of EQAC;
- Direct staff to forward to Loudoun County and the Virginia Department of Air Pollution Control the proposed letters from the County Executive:
- \*Requesting that the Virginia Department of Air Pollution Control impose specific restrictions on the plant's prevention of significant deterioration permit; and
- \*Requesting that Loudoun County require the use of double-bodied fuel storage tanks with automatic leak detection.



This motion was seconded by Supervisor Hanley.

Supervisor Dix asked that the motion be amended to include that the Board also request:

- That the public comment period be extended until the day after the next scheduled meeting of the Fairfax County Board of Supervisors; and
- That a briefing be scheduled with Supervisor Berger and Supervisor Dix on the issues relating to this matter so that if other actions or recommendations are needed, the Fairfax County Board of Supervisors can do so before the public comment period is closed.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked that the motion be further amended to:

- Include him in the briefing with Supervisor Berger and Supervisor Dix; and
- Include this issue on the agenda for discussion at the upcoming meeting between Fairfax and Loudoun Counties scheduled for Friday, December 18, 1992.

The amendments to the motion were accepted.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

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

**60.COMMENTS REGARDING THE PROPOSED AMENDMENTS TO  
THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112  
(ZONING ORDINANCE) REGARDING MINOR MODIFICATIONS  
AND ADDITIONS TO APPROVED REZONINGS, SPECIAL  
EXCEPTIONS AND SPECIAL PERMITS (Tape 5)**

Supervisor Hyland stated that later in the meeting, the public hearing would be held before the Board of Supervisors on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow administrative approval of minor modifications and additions to approved rezonings, special exceptions, and special

permits. He stated that he had received a letter from the INOVA System expressing their concern regarding how these amendments relate to hospital buildings in excess of 50,000 square feet.

**61.PRESENCE IN BOARD ROOM RECOGNIZED OF JAMES SCOTT,  
FORMER PROVIDENCE DISTRICT SUPERVISOR (Tape 5)**

Chairman Davis recognized the presence of James Scott, former Providence District Supervisor, and he warmly welcomed him to the Board Room.

**62.DEFERRAL OF PH ON OUT-OF-TURN PLAN AMENDMENT  
ITEM S92-I-B1 FOR THE SITE ADJACENT TO UPTON  
HILL REGIONAL PARK AND THE FAIRFAX/ARLINGTON  
COUNTY LINE (MASON DISTRICT) (Tape 5)**

Because of the Planning Commission's deferral of its public hearing until December 16, 1992, Supervisor Trapnell moved that the Board defer its public hearing on Out-of-Turn Plan Amendment Item S92-I-B1 for the site adjacent to Upton Hill Regional Park and the Fairfax/Arlington County line until **\*January 11, 1993 at 3:30 p.m.\*** This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

(NOTE: Later in the meeting, additional action was taken to defer the public hearing until January 11, 1993 at **4:30 p.m.** See Clerk's Summary Item CL#82.)

**63.PLAN SUBMISSION FOR THE WHITTEN PROPERTY  
(Tape 5)**

Supervisor Trapnell stated that her staff has been working with the staff of the Department of Environmental Management (DEM) on a plan submission for the Whitten property, located at 6371 Vale Court, Alexandria, Virginia. Mrs. Whitten inherited a drainage problem when she purchased her home and is required under County Ordinance to complete a storm sewer replacement. DEM staff have determined that Mrs. Whitten may submit a Rough Grading Plan for this project rather than a Public Improvement Plan.

Supervisor Trapnell stated that with a Rough Grading Plan for a storm sewer project, the County requires that a cash performance bond be posted to ensure that the project is completed. Her staff has worked out a bond agreement with DEM. Accordingly, Supervisor Trapnell moved that the Board:

- Direct staff to adhere to this agreement; and
- Direct staff to be as flexible as possible when addressing the issues of this project and continue to keep Supervisor Trapnell's office informed as it progresses.

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

**64.BOARD CONCURRENCE IN THE FILING OF THE  
MARC BART, INCORPORATED, REZONING APPLICATION**

**(Tape 5)**

Supervisor Trapnell stated that Marc Bart, Incorporated, has filed a proposed rezoning application to rezone property from R-3, R-5, R-8, PDC, C-5, Highway Corridor and Sign Control Overlay Districts to the PDC, Highway Corridor and Sign Control Overlay Districts. Part of the application property includes a portion of Moray Lane and Payne Street to be vacated and/or abandoned. At this time, it has not been firmly established as to whether the Board owns the underlying title to the right-of-way. However, if it is determined that the Board owns the underlying title to the right-of-way for that portion of Moray Lane and Payne Street to be vacated and/or abandoned, the Board must concur in these applications in order for them to proceed.

Accordingly, Supervisor Trapnell moved that the Board concur in the filing of the Marc Bart, Incorporated, Rezoning Application, so that the application, including that portion of Moray Lane and Payne Street to be vacated and/or abandoned may proceed. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

**65.DUNN LORING VOLUNTEER FIRE DEPARTMENT'S 50TH  
ANNIVERSARY CELEBRATION AND DEDICATION OF ITS**

**HALL TO MS. ROBBIE ALLEN (Tape 5)**

Supervisor Hanley announced that on Saturday evening, December 12, 1992, the Dunn Loring Volunteer Fire Department held its annual holiday celebration. Its 50th anniversary was celebrated, as well as the dedication of its hall to Ms. Robbie Allen. She stated that the late Ms. Allen had been instrumental in the Canteen Service.

## **66.UNDERGROUND PARKING AT THE GOVERNMENT**

### **CENTER FOR VISITORS (Tape 5)**

Supervisor Hanley stated that she has been contacted by several individuals visiting the Government Center who have expressed a concern regarding the parking situation in the P-2 Underground Garage. A sign directs individuals to public parking in this area; however, all of the spaces are numbered and a majority of the spaces are marked "reserved," as well.

Supervisor Hanley asked unanimous consent that the Board direct staff to take the following action, as appropriate:

- If public parking is not available in the P-2 Underground Garage, remove the signs that state "public parking"; and
- If public parking is available in the P-2 Underground Garage, clearly mark which spaces are available for "public parking."

Without objection, it was so ordered.

## **67.ABOVE-GRADE SIGNS REQUIRED FOR HANDICAPPED**

### **PARKING SPACES (Tape 5)**

Supervisor Hanley called the Board's attention to the fact that the American Disabilities Act (ADA) requires above-grade handicapped parking signs. The County Attorney's Office has further indicated to her that Senate Bill SB#365 and House Bill HB#290, passed during this past year's General Assembly Session, requires that all handicapped parking spaces be marked with above-grade signs (depicting the handicapped parking space by only painting the asphalt ground no longer constitutes an above-grade sign).

Supervisor Hanley moved that the Board direct staff to contact those owners of parking lots which do not conform and inform them that above-grade signs must be installed in order to conform with the law. This motion was seconded by Supervisor

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

#### **68.UPDATE ON TANK FARM SPILL IN THE MANTUA**

##### **AREA (Tape 5)**

Supervisor Hanley briefed Board Members regarding the situation concerning the contamination of water in the Mantua area resulting from the tank farm spill. There are currently 97 well users in the Mantua area, of which approximately 36 do not have access to water mains. The Board appropriated funds for those water mains in last year's budget and carryover. She stated that she had polled those individuals who do not have access to water mains requesting their opinions on whether or not the County should proceed. She reported that, from the responses received, no objections were received.

Accordingly, Supervisor Hanley moved that the Board direct the Water Authority to proceed with the necessary process in order to install the water mains. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Frey being absent.

#### **69.LEGISLATIVE SUBCOMMITTEE ISSUES (Tape 5)**

Supervisor Hanley reminded Board Members that a Legislative Subcommittee breakfast meeting is scheduled for Wednesday, December 16, 1992.

Supervisor Hanley reported that she had received a letter from the Northern Virginia Technology Council explaining their program. She stated that at the Board of Supervisors' meeting held on December 7, 1992, action was taken to refer this issue to staff for its review.

Supervisor Hanley reported that she had received a letter from the Clerk of the Court outlining the issue of allowing the Clerk of the Court to assess a technology fee.

Supervisor Hanley referred to staff and distributed to Chairman Davis and Vice-Chairman McConnell copies of the draft legislation of the Virginia Coalition of Police and Sheriffs. She stated that she would obtain additional copies to forward to the remaining Board Members.

Supervisor Hanley reported that she had received a copy of a letter addressed to Chairman Davis from the President of the National Association for the Advancement of Colored Persons' (NAACP) supporting legislation that would provide for at least

two appointed members to any elected school board. She clarified, for the record, that the Board's position is supporting legislation for two at-large members to any school board, appointed or elected.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board request the County Attorney to provide an opinion on, if the Board proceeds to add two At-Large Members to the School Board this year, whether it that would increase the number of At-Large Representatives that would be elected in 1995. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**PMH:pmh**

#### **70.MIXED USE TASK FORCE (Tape 5)**

Supervisor Hanley stated that for approximately a year the Board has been considering creating a Mixed Use Task Force. She noted that the Board directed her to chair a committee to consider these issues. She added that Supervisor Alexander and Supervisor Dix also agreed to work on these issues.

Supervisor Hanley asked unanimous consent that the Board direct staff to prepare an Information Item to be presented to the Board on January 11, 1993 which would include a timetable and a proposal on how the Board should move forward with a Mixed Use Task Force. Without objection, it was so ordered.

#### **71.FAIRFAX COUNTY ADULT USER FEE TASK FORCE INTERIM**

##### **REPORT (Tape 5)**

Supervisor Hanley reminded Board Members why the Fairfax County Adult User Fee Task Force was created. She presented to Board Members the Fairfax County Adult User Fee Task Force Interim Report and briefly outlined issues contained in the report.

Following discussion, Supervisor Hanley expressed her appreciation to the Members of the Task Force for their hard work on these issues.

**NV:nv**

#### **72.BOARD MATTER FOR SUPERVISOR MCCONNELL**

**(Tape 6)**

Supervisor McConnell asked the Board for unanimous consent to allow her to present a Board Matter later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, Supervisor McConnell presented her Board Matter. See Clerk's Summary Item CL#104.)

**73.APPOINTMENT TO THE PROJECT SELECTION**

**COMMITTEE (Tape 6)**

(APPT)

Supervisor Hyland moved the appointment of Mr. James Hyman as the Gum Springs Conservation Area representative on the Project Selection Committee. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Alexander and Supervisor Berger being out of the room, Supervisor Frey being absent.

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

At 12:35 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. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander and Supervisor Berger being out of the room, Supervisor Frey being absent.

At 3:35 p.m., the Board reconvened in the Board Room with all Board Members present, with the exception of Supervisor Dix, Supervisor Frey, and Supervisor McConnell, and with Chairman Davis presiding.

**75.RETURN OF SUPERVISOR HYLAND'S CAT**

**(Tape 7)**

(NOTE: Earlier in the meeting, Supervisor Hyland reported that his cat was missing. See Clerk's Summary Item CL#58.)

Supervisor Hyland reported that his cat had returned home, though his condition requires veterinary care. The cat had been missing for two and one-half days.

**76.ACTIONS FROM EXECUTIVE SESSION (Tape 7)****A.CERTIFICATION BY BOARD MEMBERS****REGARDING ITEMS DISCUSSED IN****EXECUTIVE SESSION**

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

**B.COLLECTION OF DELINQUENT BUSINESS,****PROFESSIONAL, AND OCCUPATIONAL LICENSE****(BPOL) TAXES, DELINQUENT BUSINESS****PERSONAL PROPERTY (BPP) TAXES, AND OTHER****DELINQUENT PERSONAL PROPERTY (PP) TAXES**

Supervisor Trapnell moved that the Board authorize the County Attorney's Office to commence legal proceedings to collect any Delinquent Business, Professional, and Occupational License (BPOL) Taxes, Delinquent Business Personal Property (BPP) Taxes, or other Delinquent Personal Property (PP) Taxes referred to it for collection. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

**C.BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA****VERSUS LEWIS A. CARROLL, JR., ET AL., AT LAW NUMBER****99408; AND LEWIS A. CARROLL, JR., ET AL. VERSUS****BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW****NUMBERS 11062 AND 11061**



Supervisor Berger moved that the Board authorize settlement of Board of Supervisors of Fairfax County, Virginia versus Lewis A. Carroll, Jr., et al., At Law Number 99408; and Lewis A. Carroll, Jr., et al. versus Board of Supervisors of Fairfax County, At Law Numbers 110662 and 110661 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 a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

**D.COLLECTION OF DELINQUENT ACCOUNTS  
OF PETROLEUM TESTERS AND INSTALLERS  
AND FREDERICKSBURG TIRE**

Supervisor Hanley moved that the Board authorize the County Attorney's Office to commence legal proceedings against Petroleum Testers and Installers and Fredericksburg Tire to collect delinquent accounts owed to Fairfax County's Division of Solid Waste Disposal and Resource Recovery. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

**E.CERTIFICATION BY SUPERVISOR MCCONNELL  
REGARDING ITEMS DISCUSSED IN EXECUTIVE  
SESSION**

Supervisor McConnell certified that, to the best of her 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.

**77.EXPANSION OF THE HISTORY COMMISSION**

**(Tape 7)**

(BACs)

(APPT)

(NOTE: Earlier in the meeting, Supervisor Berger announced that the Board's Procedures Subcommittee would be meeting today. See Clerk's Summary Item CL#43.)

Supervisor Berger announced that the Procedures Subcommittee had met during the recess and recommended staff recommendation (Option Number One) as outlined in the options paper distributed to Board Members this past Friday.

Therefore, Supervisor Berger moved that the Board increase the membership of the History Commission from 15 to 18 members. The expanded membership would permit the appointment of Mrs. Edith M. Sprouse, a professional architect, as required, and a representative from the Sully District. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

#### **78.IMPROVEMENTS TO CARLIN LANE**

**(Tape 7)**

(R)Supervisor Berger moved the following:

**"WHEREAS**, Fairfax County is attempting to construct improvements to Carlin Lane; and

**WHEREAS**, the plans for the improvements to Carlin Lane call for the driveway currently serving property located at 1529 Carlin Lane, also known as Tax Map No. 31-3 ((1)) Parcel 33, to be relocated from Carlin Lane to Chowning Place, which is located near the northern property line of Parcel 33; and

**WHEREAS**, the Director of the Zoning Evaluation Division, Office of Comprehensive Planning, has ruled that proffers approved with rezoning of the subdivision located immediately to the north of Parcel 33 must be amended in order to allow Parcel 33 to have access onto Chowning Place; and

**WHEREAS**, the promotion of safe access to Parcel 33 and the public necessity, convenience, general welfare and good zoning practice require that the proffers approved in Rezoning Application RZ 77-D-053 be amended to allow driveway from Parcel 33 to Chowning Place;

**NOW, THEREFORE**, the Board of Supervisors directs staff to advertise a Proffered Condition Amendment to RZ 77-D-053 to amend the proffers as they apply to Tax

Map Number 31-3((36)) Parcel A-1 so that driveway access may be permitted across Parcel A-1 to serve Parcel 33."

Supervisor Berger further moved that the Board direct staff to expedite this Proffered Condition Amendment Application in order to minimize to the extent possible the delay in construction of the Carlin Lane improvements. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Hyland and Supervisor Trapnell being out of the room, Supervisor Frey being absent.

**AP:ap**

**79.3:30 P.M. - PH ON REZONING APPLICATION**

**RZ 92-V-024 (HOUCANG M., ELOISE M. AND**

**DAVID SENDI) (MOUNT VERNON DISTRICT)**

**(Tape 8)**

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 92-V-024 until **April 12, 1992 (sic) 3:30 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey being absent.

**80.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 92-L-013 (MCDONALD'S CORPORATION) AND**

**PROFFERED CONDITION AMENDMENT APPLICATION**

**PCA 86-L-078 (ALBAN ROAD JOINT VENTURE) (LEE**

**DISTRICT) (Tape 8)**

Ms. Barbara J. Fried reaffirmed the validity of the affidavit for the record.

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

•In the amount of \$1000 from Mark and Barbara Fried.

Ms. Fried 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, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved approval of Proffered Condition Amendment Application PCA 86-L-078 subject to the proffers dated December 1, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Frey being absent.

Supervisor Alexander moved approval of Special Exception Application SE 92-L-013 subject to the development conditions dated November 18, 1992. This motion was seconded by Supervisor Dix and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Frey being absent.

Supervisor Alexander moved modification of the transitional screening requirement and waiver of the barrier requirement along the western boundary of the site. This motion was seconded by Supervisor Dix and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Frey being absent.

Supervisor Alexander moved modification of the building set back from I-95 to 30 feet. This motion was seconded by Supervisor Dix and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Frey being absent.

Supervisor Alexander moved modification of peripheral parking lot landscaping from I-95. This motion was seconded by Supervisor Dix and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Frey being absent.

### **81.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

#### **SE 92-L-031 (FIRST VIRGINIA BANK OF VIRGINIA)**

#### **(LEE DISTRICT) (Tape 8)**

Mr. Dan J. Morrissey reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Alexander moved approval of Special Exception Application SE 92-L-031 subject to the development conditions dated October 28, 1992. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Berger and Chairman Davis being out of the room, Supervisor Frey being absent.

Supervisor Alexander moved waiver of the service drive requirement along the Richmond Highway frontage. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Berger and Chairman Davis being out of the room, Supervisor Frey being absent.

### **82.3:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT**

#### **ITEM S92-I-B1 FOR THE SITE ADJACENT TO UPTON**

#### **HILL REGIONAL PARK AND THE FAIRFAX/ARLINGTON**

#### **COUNTY LINE (MASON DISTRICT) (No Tape**

(Note: Earlier in the meeting action was taken to defer this application until January 11, 3:30 p.m. See Clerk's Summary Item CL#62.)

(Note: Later in the meeting action was taken to amend the time of the public hearing to **4:30 p.m.** See Clerk's Summary Item CL#85.)

### **83.3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE**

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

#### **(ZONING ORDINANCE), REGARDING SITE PLAN**

#### **APPROVAL, REVISIONS, EXTENSIONS AND APPEALS**

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

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 26 and December 3, 1992.

Following the public hearing, Supervisor Alexander moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to:

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

**These amendments to become effective immediately.**

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

Due to State Law, Supervisor Hanley moved that the Board direct staff to notify each Board Member as quickly as possible of any Site Plan submissions in their district. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Frey being absent.

**84.3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE  
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 24**

**(BINGO GAMES AND RAFFLES) (Tape 8)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 26 and December 3, 1992.

Following the public hearing, Supervisor Alexander moved adoption of the 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, **to become effective at 12:01 a.m. on December 15, 1992.** This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Frey being absent.

**ADDITIONAL BOARD MATTER**

**85.PH ON OUT-OF-TURN PLAN AMENDMENT ITEM S92-I-B1**

**FOR THE SITE ADJACENT TO UPTON HILL REGIONAL  
PARK AND THE FAIRFAX/ARLINGTON COUNTY LINE**

**(MASON DISTRICT) (Tape 8)**

Supervisor Trapnell asked unanimous consent that the Board direct staff to amend the time of the public hearing scheduled for January 11, 1993 on Out-of-Turn Plan Amendment Item S92-I-B1 from 3:30 p.m. until **4:30 p.m.** Without objection, it was so ordered.

**86. 3:30 P.M. - BOARD DECISION ON PROFFERED CONDITION**

**AMENDMENT APPLICATION PCA 84-L-020-4 AND**

**CONCEPTUAL DEVELOPMENT PLAN AMENDMENT APPLICATION**

**CDPA 84-L-020-5 (THE KINGSTOWNE COMMERCIAL**

**LIMITED PARTNERSHIP) (LEE DISTRICT) (Tape 8)**

(NOTE: On November 23, 1992 the Board held a public hearing on these applications, but deferred decision until December 14, 1992.)

Supervisor Alexander moved approval of Proffered Condition Amendment Application PCA 84-L-020-4 subject to the proffers dated November 17, 1992, as revised to reflect the development plans dated November 12, 1992. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Frey being absent.

Supervisor Alexander moved approval of Conceptual Development Plan Amendment Application CDPA 84-L-020-5. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Frey being absent.

Supervisor Alexander moved reaffirmation of the previously-adopted waiver of barrier requirements at all boundaries of the PDC and I-4 Districts. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Frey being absent.

Supervisor Alexander moved reaffirmation of the previously-adopted modification of the transitional screening in the I-4 District, adjacent to Building G between the residential and commercial uses within the PDC District, and between the PDH-4 and

the PDC Districts. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Frey being absent.

**CM:cm**

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

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 the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding permitted extensions into minimum required yards. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**88.4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE  
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112  
(ZONING ORDINANCE) REGARDING PERMITTED  
EXTENSIONS INTO MINIMUM REQUIRED YARDS**

**(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 26 and December 3, 1992.

Following the public hearing, Supervisor Hanley moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise the provisions for extensions into rear yards for elevated decks on certain single-family attached dwelling unit lots, **to become effective at 12:01 a.m. on December 15, 1992**. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey being absent.

**89.4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT  
APPLICATION SEA 83-L-033 (BELL ATLANTIC MOBILE  
SYSTEMS, INCORPORATED) (LEE DISTRICT) (Tape 9)**



Supervisor Alexander moved to defer the public hearing on Special Exception Amendment Application SEA 83-L-033 until **January 11, 1993 at 4:30 p.m.** This motion was seconded by Chairman Davis and **CARRIED** by a recorded vote of eight, Supervisor Berger abstaining, Supervisor Frey being absent.

**90.4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE**

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

**(ZONING ORDINANCE) REGARDING PERMITTED**

**EXTENSIONS INTO MINIMUM REQUIRED YARDS**

**(No Tape)**

[NOTE: Earlier in the meeting, the Board changed its Orders of the Day and the public hearing was held on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise the provisions for extensions into rear yards for elevated decks on certain single-family attached dwelling unit lots. See Clerk's Summary Item CL#88.]

**91.4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE**

**OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING**

**ORDINANCE) REGARDING MINOR MODIFICATIONS AND**

**ADDITIONS TO APPROVED REZONINGS, SPECIAL**

**EXCEPTIONS AND SPECIAL PERMITS (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 26 and December 3, 1992.

Following the public hearing, which included testimony by four speakers, Supervisor Berger moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow administrative approval of minor modifications and additions to approved rezonings, special exceptions, and special permits, **to become effective at 12:01 a.m. on December 15, 1992.** This motion was seconded by Supervisor Dix.

Following discussion, Supervisor Hanley asked that the motion be amended to include that the Board direct staff to report on January 11, 1993 with specific notification procedures for surrounding property owners, and this was accepted.

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

Supervisor Hyland moved that the Board direct staff to review the hospitals with an excess of 50,000 feet which fall under different rules and require a special exception, with a view towards treating the hospitals with parity in terms of other structures with 50,000 feet. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey being absent.

**92.4:00 P.M. - PH ON THE PROPOSED ACQUISITION  
OF A CERTAIN SANITARY SEWER EASEMENT  
NECESSARY FOR CONSTRUCTION OF THE SUGARLAND  
SUBDIVISION SANITARY SEWER EXTENSION PROJECT  
(DRANESVILLE DISTRICT) (Tape 9)**

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 26 and December 3, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Berger moved to defer Board Decision on the proposed adoption of the Resolution authorizing the acquisition of a certain sanitary sewer easement necessary for the construction of Project X00820 - Sugarland Subdivision Sanitary Sewer Extension Project, Dranesville District until **January 11, 1993 at 4:30 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Hanley, Supervisor McConnell, and Supervisor Trapnell being out of the room, Supervisor Frey being absent.

**93.DEFERRAL OF PH ON PROPOSED AMENDMENTS TO THE  
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101  
(SUBDIVISION ORDINANCE) AND CHAPTER 112**

**(ZONING ORDINANCE) REGARDING THE CREATION  
OF A PRO RATA ROAD REIMBURSEMENT DISTRICT)**

**(Tape 9)**

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 26 and December 3, 1992.

Supervisor Dix moved to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance) to create a new Article 3 (Pro Rata Road Reimbursement Districts) until **January 11, 1993 at 3:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Frey being absent.

**94.4:30 P.M. - PH ON REZONING APPLICATION**

**RZ 92-Y-008 (PERCH ASSOCIATES LIMITED**

**PARTNERSHIP) (SULLY DISTRICT) (Tapes 9-10)**

Mr. William E. Donnelly, III, reaffirmed the validity of the affidavit for the record.

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

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

Supervisor McConnell, on behalf of Supervisor Frey, moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-Y-008 be amended from the R-1 District to the PDH-2 District subject to the proffers dated December 11, 1992; the Planning Commission having previously approved Final Development Plan Application FDP 92-Y-008 on November 12, 1992. This motion was seconded by Supervisor Berger.

Supervisor Alexander asked that the motion be amended to direct staff to work with Mr. Daniel Dornan regarding the suggestions he made in his testimony at today's public hearing, and this was accepted.

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

#### **95.4:30 P.M. - PH ON REZONING APPLICATION**

#### **RZ 92-C-009 (RICHARD N. DAVIS, TRUSTEE)**

#### **(CENTREVILLE DISTRICT) (Tape 10)**

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

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

Supervisor Dix stated, for the record, that a revised affidavit has been distributed to the Board dated December 3, 1992, containing two additional names not included on the affidavit previously submitted. He asked unanimous consent that the Board proceed with the public hearing on this application. Without objection, it was so ordered.

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

Supervisor Dix moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-C-009 be amended from the R-1 District to the PDH-3 District subject to the proffers dated November 24, 1992 and the Conceptual Development Plan Condition dated December 14, 1992. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Bulova and Supervisor Hanley being out of the room, Supervisor Frey being absent.

Supervisor Dix further moved modification of the transitional screening requirements and waiver of the barrier requirements to permit existing vegetation to satisfy those requirements along the periphery of the property pursuant to Paragraph 3 of Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Bulova and Supervisor Hanley being out of the room, Supervisor Frey being absent.

**96.ORDERS OF THE DAY (Tape 10)**

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 remainder of the 4:00 p.m. and 4:30 p.m. public hearings and then devote the rest of the evening to the public hearing scheduled on Rezoning Application RZ 92-V-013. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**97.DEFERRAL OF PH ON REZONING APPLICATION**

**RZ 92-V-013 (BAHMAN BATMANGHELIDJ) (MOUNT  
VERNON DISTRICT) (No Tape)**

(NOTE: The public hearing on Rezoning Application RZ 92-V-013 was deferred until later in the meeting. See Clerk's Summary Item CL#103.)

**98.4:30 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 APPLICATION AF 91-D-009  
(CLIVE L. DUVAL, III, AND DANIEL H. DUVAL,  
ET AL.) (DRANESVILLE DISTRICT) (Tape 10)**

(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 26 and December 3, 1992.

Ms. Lynn H. Townsend reaffirmed the validity of the affidavit for the record.

Ms. Townsend 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, which included testimony by two speakers, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Berger moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (District Ordinances for Local Agricultural and Forestal Districts), Appendix F, Agricultural and Forestal District Application AF 91-D-009 (Clive L. DuVal, III, and Daniel H. Duval, et al.) subject to the conditions contained in Appendix One of the Staff Report. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Alexander, Supervisor Bulova, and Supervisor Hanley being out of the room, Supervisor Frey being absent.

**99.4:30 P.M. - PH ON THE PROPOSED PROHIBITION**

**OF THROUGH TRUCK TRAFFIC ON WOODLEY PLACE**

**(ROUTES 1720 AND 2357) (PROVIDENCE DISTRICT)**

**(Tape 10)**

(Verbatim)

(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 26 and December 3, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Hanley moved adoption of the Resolution requesting the Virginia Department of Transportation (VDOT) to prohibit through truck traffic on Woodley Place (Routes 1720 and 2357) between Lee Highway (Route 29) and Allan Avenue (Route 1782). A possible alternate route which would be available for through trucks is by way of Lee Highway/South Washington Street (Route 29), Annandale Road (Route 649) and Broad Street/Leesburg Pike (Route 7), Shreve Road (Route 703), Buckelew Drive (Route 2356), and Allan Avenue (Route 1782), portions of which are within the city limits of Falls Church, Providence District. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room, Supervisor Frey being absent.

**100.4:30 P.M. - PH ON THE PROPOSED CONVEYANCE OF**

**COUNTY-OWNED PROPERTY TO THE MOUNT VERNON**

**LADIES ASSOCIATION (MOUNT VERNON 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 26 and December 3, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved adoption of the Resolution authorizing the County Executive to execute a Quitclaim Deed conveying the subject property, approximately 1.8 acres located outside the main entrance to the Mount Vernon Estate, to the Mount Vernon Ladies Association, Mount Vernon District. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Frey being absent.

**101. 5:00 P.M. - PH TO RECEIVE CITIZEN COMMENT ON****ISSUES OF CONCERN (Tape 10)**

A Certificate of Publication was filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 26 and December 3, 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 one speaker.

Following comments by Speaker Number One, Ms. Mary Lou Curtis, Supervisor Bulova asked unanimous consent that the Board direct staff to review what actions have been taken by other jurisdictions regarding the Lee-Jackson-King Holiday and to report to the Board with its findings and recommendations. Without objection, it was so ordered.

**102. 5:00 P.M. - PH TO RECEIVE COMMENT FROM FAIRFAX**

**COUNTY BUSINESSES ON ISSUES OF CONCERN (Tape 10)**

A Certificate of Publication was filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 26 and December 3, 1992.

Businesses 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 with no speakers appearing to present testimony.

**103.4:30 P.M. - PH ON REZONING APPLICATION**

**RZ 92-V-013 (BAHMAN BATMANGHELIDJ) AND**

**APPLICATION 456-V92-11 BY THE FAIRFAX**

**COUNTY REDEVELOPMENT AND HOUSING AUTHORITY**

**(FCRHA) TO ACQUIRE APPROXIMATELY 14.05**

**ACRES FOR DEVELOPMENT OF UP TO 50 UNITS OF**

**MULTIFAMILY AFFORDABLE HOUSING LOCATED ON**

**THE WEST SIDE OF SANGER ROAD (MOUNT VERNON**

**DISTRICT) (Tapes 11-13)**

Mr. Jerry M. Phillips reaffirmed the validity of the affidavit for the record.

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

- In the amount of \$100 from Mr. Harold W. Wiltse;
- In the amount of \$1,325 from Mr. Stephen L. Gageby; and
- In the amount of \$100 from Mr. Alex Vahabzadeh.



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

- In the amount of \$350 from Phillips, Beckwith and Hall.

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

- In the amount of \$25 from Mr. Gageby.

Mr. Phillips 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 15 speakers, Supervisor Hyland moved that the Board defer Board Decision on Rezoning Application RZ 92-V-013 and Application 456-V92-11 by the Fairfax County Redevelopment and Housing Authority (FCRHA) and hold open the record for written testimony only until **January 11, 1993 at 4:30 p.m.** to allow additional time for staff to respond to the questions raised by Supervisor Hyland during the public hearing regarding the school issue, the sewerage of Shirley Acres, and clarification of language contained in the Staff Report. This motion was jointly seconded by Supervisor Bulova and Supervisor Hanley and carried by a vote of eight, Supervisor Trapnell being out of the room, Supervisor Frey being absent.

#### **ADDITIONAL BOARD MATTER**

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

#### **FOR THE HAMPTON-OX PROPERTY (Tape 13)**

Supervisor McConnell stated that at the Board of Supervisors' meeting held on November 16, 1992, action was taken to direct staff to prepare an Out-of-Turn Plan Amendment for the Hampton-Ox property and to report to the Board, with its associated Rezoning Application, in January 1993.

Supervisor McConnell stated that the January timeframe does not allow enough time for staff to prepare the Amendment. Accordingly, she moved that the Board direct staff to report in late February 1993 with the Out-of-Turn Plan Amendment, with the associated Rezoning Application at the following Board meeting. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger and Supervisor Trapnell being out of the room, Supervisor Frey being absent.

**105. 5:00 P.M. - PH ON SPECIAL LEGISLATION TO PROVIDE  
PROPERTY TAX EXEMPTION FOR CERTAIN PROPERTY OWNED  
BY 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 (Tape 13)**

(Rs)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 one time only in the issue of December 10, 1992.

Following the public hearing, Supervisor Hanley moved adoption of the Resolutions supporting the following separate requests for endorsement of State legislation to exempt certain property of those organizations from property taxes:

- 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; and
- Pathway Options, Incorporated.

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

Supervisor Hyland moved adoption of the Resolution supporting the following request for endorsement of State legislation to exempt certain property of this organization from property taxes:

- Route One Corridor Housing, Incorporated.

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

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved adoption of the Resolution supporting the following request for endorsement of State legislation to exempt certain property of this organization from property taxes:

- Second Saint Alban's Housing Corporation.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Dix moved adoption of the Resolution supporting the following request for endorsement of State legislation to exempt certain property of this organization from property taxes:

- Stonegate Village Limited Partnership.

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

Supervisor Hanley moved adoption of the Resolution supporting the following request for endorsement of State legislation to exempt certain property of this organization from property taxes:

- Washington Regional Transplant Consortium.

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

These exemptions apply to those properties which are used for charitable and benevolent purposes.

**106.BOARD RECESS (Tape 13)**

At 8:20 p.m., Supervisor Dix moved that the Board recess until Tuesday, December 15, 1992 at 12:30 p.m., to go into Executive Session for discussion and consideration of personnel matters pursuant to the Virginia Code 2.1-344-A1. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Berger and Supervisor Trapnell being out of the room, Supervisor Frey being absent.