

**CM:cm**

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

Others present were William J. Leidinger, County Executive; David P. Bobzien, 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 FOR ANIMAL WARDEN**

**MICHAEL LUCAS (Tape 1)**

Supervisor Frey asked that Board Members include, during this morning's moment of silent meditation, their prayers for Animal Warden Michael Lucas. Mr. Lucas was wounded on December 28, 1992 while investigating illegal hunting on unapproved land.

**3.CERTIFICATES OF APPRECIATION RECOGNIZING**

**RUSSIAN GOVERNMENT OFFICIALS VISITING**

**FAIRFAX COUNTY (Tape 1)**

Supervisor Bulova moved approval of the presentation of the Certificates of Appreciation presented to the following remaining Russian government officials who are visiting Fairfax County and learning how to nurture free enterprise for their country:

- Vladimir S. Anchutkin, Head of the Department of Foreign Cultural and Economic Relations in the Administration of the Krasnogorsk Region of Moscow;

- Ludmila Shpagina, Vice-Head of the Department of the Committee of Local Administration and Inter-regional Relations in Moscow; and

- Valereya Kochetkova, a Post-Graduate of the Russian Economical Academy.

(NOTE: Vladimir Ilychov, the fourth Russian official, was presented a Certificate of Appreciation at the Board of Supervisors' on December 18, 1992, and has returned to Moscow.)

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

**4. APPOINTMENT OF SUPERVISOR ELAINE MCCONNELL  
AS VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS  
FOR 1993 (Tape 1)**

(BACs)

(APPT)

Supervisor Alexander moved the appointment of Supervisor McConnell as the Vice-Chairman of the Fairfax County Board of Supervisors for the calendar year 1993. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**5.9:30 A.M. - BOARD ORGANIZATION AND APPOINTMENTS  
OF BOARD MEMBERS TO VARIOUS REGIONAL AGENCIES,  
COMMITTEES AND SUBCOMMITTEES (Tape 1)**

(BACs)

(APPT)

Chairman Davis distributed to Board Members a listing of the Board organization and appointments to the various regional agencies, committees and subcommittees.

Supervisor Alexander moved approval of the listing, as distributed. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Following is a listing of the Board organization and appointments to the various regional agencies, committees and subcommittees, as approved:

**APPOINTMENTS TO VARIOUS REGIONAL AGENCIES, COMMITTEES,  
AND SUBCOMMITTEES FOR CALENDAR YEAR 1993  
INTERJURISDICTIONAL COMMITTEES  
ALEXANDRIA FALLS CHURCH**

Gerald Hyland, Chairman Christine Trapnell, Chairman

Joseph Alexander Katherine K. Hanley

Christine Trapnell Ernest Berger

## **INTERJURISDICTIONAL COMMITTEES (Continued)**

### **ARLINGTON FORT BELVOIR**

Christine Trapnell, Chairman Joseph Alexander, Chairman

Ernest Berger Gerald Hyland

Thomas Davis Thomas Davis

Elaine McConnell

### **DISTRICT OF COLUMBIA HERNDON**

Thomas Davis, Chairman Ernest Berger, Chairman

Joseph Alexander Thomas Davis

Gerald Hyland Robert Dix

Ernest Berger

### **FAIRFAX CITY LOUDOUN COUNTY**

Elaine McConnell, Chairman Ernest Berger, Chairman

Katherine K. Hanley Michael Frey

Sharon Bulova Robert Dix

Michael Frey

### **PRINCE WILLIAM**

**(includes UOSA, City of Manassas, and City of Manassas Park)**

Michael Frey, Chairman

Gerald Hyland

Elaine McConnell

## **INTERGOVERNMENTAL BOARDS AND COMMITTEES**

**(including Federal and State)**

### **COUNCIL OF GOVERNMENTS**

Thomas Davis - Principal

Gerald Hyland - Principal

Sharon Bulova - Alternate

Ernest Berger - Alternate

### **C.O.G. AIRPORT NOISE ABATEMENT**

Ernest Berger - Principal

Gerald Hyland - Alternate

## **INTERGOVERNMENTAL BOARDS AND COMMITTEES (Continued)**

**(including Federal and State)**

### **C.O.G. ENVIRONMENTAL POLICY COMMITTEE**

Michael Frey - Principal

Gerald Hyland - Principal

Richard Gozikowski & Jimmie Jenkins - Alternates

## **C.O.G. HUMAN SERVICES POLICY COMMITTEE**

Katherine K. Hanley - Principal

Christine Trapnell - Alternate

## **C.O.G. METROPOLITAN DEVELOPMENT POLICY COMMITTEE**

Ernest Berger - Principal

Robert Dix - Alternate

## **C.O.G. PUBLIC SAFETY COMMITTEE**

Gerald Hyland - Principal

Thomas Davis - Alternate

## **C.O.G. TASK FORCE ON HOV USE FOR THE DULLES TOLL ROAD**

Supervisor Dix

## **C.O.G. TRANSPORTATION PLANNING BOARD**

Michael Frey - Chairman (Principal)

Thomas Davis - Alternate

Robert Dix - Principal

Ernest Berger - Alternate

## **GEORGE MASON UNIVERSITY**

Elaine McConnell, Chairman

Thomas Davis

Sharon Bulova

**INTERGOVERNMENTAL BOARDS AND  
COMMITTEES (Continued)**

**(including Federal and State)**

**FAIRFAX HOSPITAL BOARD INOVA**

Elaine McConnell Gerald Hyland

Ira Hunt

**METROPOLITAN WASHINGTON AIRPORTS (MWA)  
PROJECT**

**POLICY COMMITTEE**

Michael Frey - Principal

Ernest Berger - Alternate

Robert Dix - Alternate

**NORTHERN VIRGINIA PLANNING DISTRICT  
COMMISSION**

Ernest Berger

Sharon Bulova

Christine Trapnell

Robert Dix

Katherine K. Hanley

Elaine McConnell

## **NORTHERN VIRGINIA TRANSPORTATION COMMISSION**

Joseph Alexander - Principal for WMATA

Ernest Berger

Sharon Bulova

Katherine K. Hanley - Alternate for WMATA

Elaine McConnell

## **TRANSPORTATION SAFETY COMMISSION**

Sharon Bulova

## **NATIONAL ASSOCIATION OF COUNTIES**

**(NACo must confirm recommended nominees)**

Gerald Hyland

## **INTERGOVERNMENTAL BOARDS AND COMMITTEES (Continued)**

**(including Federal and State)**

## **VIRGINIA ASSOCIATION OF COUNTIES**

**(VACo must confirm recommended nominees)**

Executive Board: Thomas Davis

Gerald Hyland

Katherine Hanley

Robert Dix

## **WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

Joseph Alexander - Principal

Katherine K. Hanley - Alternate

(Appointed by NVTC. The Board of Supervisors will make recommendations for consideration.)

## **INTRAGOVERNMENTAL AND OTHER SUBCOMMITTEES**

### **BOARD PROCEDURES**

Ernest Berger, Chairman

Gerald Hyland, Vice-Chairman

### **BUDGET POLICY COMMITTEE**

Thomas Davis, Chairman

(Committee of the Whole)

### **BUILDING AND DEVELOPMENT REGULATION ENFORCEMENT**

Michael Frey, Chairman

Joseph Alexander, Vice-Chairman

(Committee of the Whole)

### **ENVIRONMENTAL SUBCOMMITTEE**

Gerald Hyland, Chairman

(Committee of the Whole)



## **INTRAGOVERNMENTAL AND OTHER SUBCOMMITTEES (Continued)**

### **FIRE COMMISSION**

Gerald Hyland, Chairman

Robert Dix, Vice-Chairman

### **HOUSING AND COMMUNITY DEVELOPMENT**

Christine Trapnell, Chairman

Katherine Hanley, Vice-Chairman

### **HUMAN SERVICES**

Katherine Hanley, Chairman

Christine Trapnell, Vice-Chairman

(Committee of the Whole)

### **INTERNAL AUDIT COMMITTEE**

Robert Dix, Chairman

Thomas Davis

### **LEGISLATIVE/TAX EXEMPTION STATUS**

Robert Dix, Chairman

Katherine K. Hanley, Vice-Chairman

(Committee of the Whole)

### **PERSONNEL**

Christine Trapnell, Chairman

Joseph Alexander, Vice-Chairman

(Committee of the Whole)

## **THE ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT**

### **DISTRICT COMMISSION**

Ernest Berger

Thomas Davis

Robert Dix

Michael Frey

Elaine McConnell

### **INTRAGOVERNMENTAL AND OTHER SUBCOMMITTEES (Continued)**

#### **TRANSPORTATION SUBCOMMITTEE**

Ernest Berger

(Committee of the Whole)

#### **ECONOMIC RECOVERY COMMITTEE**

Elaine McConnell, Chairman

Robert Dix, Vice-Chairman

(Liaison w/EDA; Chamber of Commerce)

#### **GOVERNMENT REORGANIZATION SUBCOMMITTEE**

Sharon Bulova, Chairman

Robert Dix, Vice-Chairman

**6.10:00 A.M. - PUBLIC HEARING ON THE COUNTY AND  
SCHOOLS' FISCAL YEAR (FY) 1993 MIDYEAR REVIEW  
TO AMEND THE APPROPRIATION LEVEL IN THE FY 1993  
REVISED BUDGET PLAN (Tape 1)**

(SARs)

(FPRs)

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 December 24 and December 31, 1992.

A brief question-and-answer period ensued among Board Members, James P. McDonald, Deputy County Executive for Management and Budget, and Edward L. Long, Director, Office of Management and Budget (OMB).

**Recognition of the Chairman's 14th Year**

**on the Board:**

Supervisor Hanley congratulated Chairman Davis on the beginning of his 14th year as a Member of the Board of Supervisors.

**Recognition of David P. Bobzien, Newly-**

**Appointed County Attorney:**

Chairman Davis recognized the presence in the Board Room of David P. Bobzien, County Attorney, and he warmly welcomed Mr. Bobzien to his first meeting since his appointment as County Attorney.

The question-and-answer period continued among Board Members and staff.

Following the public hearing, Supervisor McConnell moved approval of Supplemental Appropriation Resolution (SAR) AS92068 to account for adjustments

resulting from the Fiscal Year (FY) 1992 audit. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

[NOTE: Later in the meeting, following various motions on this item, the public hearing was reopened to allow the testimony of Gregory Montone, Representative, Northern Virginia Youth Symphony Association (NVYSA). See Page 10 of the Clerk's Board Summary.]

Supervisor McConnell moved approval of:

- Supplemental Appropriation Resolution (SAR) AS93041; and
- Amendment to the Fiscal Planning Resolution (FPR) AS93904,

which includes the revenue, expenditure, transfer and audit adjustments contained in the County and School's Midyear Review which results in a Combined General Fund set-aside reserve of \$20.69 million. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor McConnell moved appropriation of Federal/State grant awards and adjustments, contained in Attachment Four of the Memorandum to the Board dated January 11, 1993, resulting in a net increase of \$3,123,980 in appropriations to Subfund 107, Federal/State Grant Fund. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor McConnell moved approval of adjusting the Managed Reserve to maintain the Reserve at two percent of total combined General Fund disbursements based on the actions taken by the Board as part of the Midyear Review. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor McConnell moved that \$261,400 be appropriated for Clinic Aides for this Fiscal Year. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Dix moved to amend the SAR to fund \$25,000 as a matching grant to the Fairfax County Chamber of Commerce as a contributory agency to perform a study of the business and professional occupational license tax structure in Fairfax County for purpose of recommendations for modifications of current structure to achieve equity, recognize the changing landscape of the business community, and to attract and retain employers while maintaining revenue neutrality. These funds should come from the budgeted allocation for consultant services and the report should be due back to the

Board of Supervisors by June 30, 1993. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board reopen the public hearing to allow testimony of Gregory Montone, Representative, NVYSA. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following the testimony of Mr. Montone, Supervisor McConnell moved that the Board direct staff to review and return the request of the NVYSA for the Board's consideration at Third Quarter Review in April 1993. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

#### **7.ADMINISTRATIVE ITEMS (Tapes 1-2)**

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

Chairman Davis called the Board's attention to **Administrative Item Five - Authorization to Advertise a Joint Public Hearing by the Board of Supervisors and the Fairfax County Redevelopment and Housing Authority (FCRHA) on the Community Development Block Grant (CDBG) Proposed Statement of Objectives and Projected Use of Funds for Fiscal Year (FY) 1994 (Program Year 19)**. He relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to change the time of the public hearing to 7:00 p.m., and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

##### **(SULLY DISTRICT)**

(R)Approved the request that certain streets listed in the Memorandum to the Board dated January 11, 1993 be recommended for acceptance into the State Secondary System.

#### **ADMIN 2 - APPROVAL OF WATER MAIN EXTENSION, SAINT**

##### **TIMOTHY'S SQUARE (SULLY DISTRICT)**

Approved the request for extension of an eight-inch water main approximately 245 feet in Darkwood Drive for the provision of public water to the proposed Saint Timothy's Square Subdivision. The proposed main will provide adequate public water supply to meet the County's current standards for domestic use and fire protection.

**ADMIN 3 - APPROVAL OF WATER MAIN EXTENSION:**

**HALLOWING DRIVE (MOUNT VERNON DISTRICT))**

Approved the request for extension of a six-inch water main approximately 180 feet along Hallowing Drive (Route 1015) for the provision of public water to a single family residence located at 5805 Hallowing Drive. The proposed main will provide adequate public water supply to meet the County's current standards for domestic use and fire protection.

**ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION**

**FOR SPECIAL EXCEPTION APPLICATION SE 90-S-017**

**(RICHARD L. LABBE, TRUSTEE AND STAR ENTERPRISE)**

**(SULLY DISTRICT)**

(AT)Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 90-S-017 until **January 22, 1995** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

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

**PUBLIC HEARING BY THE BOARD OF SUPERVISORS AND**

**THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING**

**AUTHORITY (FCRHA) ON THE COMMUNITY DEVELOPMENT**

**BLOCK GRANT (CDBG) PROPOSED STATEMENT OF**

**OBJECTIVES AND PROJECTED USE OF FUNDS FOR**

**FISCAL YEAR (FY) 1994 (PROGRAM YEAR 19)**

(A)(NOTE: Earlier in the meeting, during the approval of the Administrative Items, action was taken to change the time of the public hearing to **7:00 p.m.** See Clerk's Summary Item CL#7.)

Authorized the advertisement of a joint public hearing to be held before the Board of Supervisors and the Fairfax County Redevelopment and Housing Authority (FCRHA) on **February 22, 1993 at 7:00 p.m.** on the proposed Community Development Block Grant (CDBG) Proposed Statement of Objectives and Projected Use of Funds for Fiscal Year (FY) 1994 (Program Year 19) and proposed reprogramming, if any, of prior years' CDBG funds.

**ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON THE LEASING OF COUNTY-OWNED PROPERTY  
TO THE HOLLINDALE CITIZENS ASSOCIATION (MOUNT  
VERNON DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **February 8, 1993 at 3:30 p.m.** on the proposed leasing of County-owned property, known as Thorpe Drive right-of-way, to the Hollindale Citizens Association, and directed staff to notify adjacent property owners of the public hearing by certified mail.

**ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC  
HEARING ON A PROPOSED AMENDMENT TO THE CODE  
OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR  
VEHICLES AND TRAFFIC), ARTICLE 5A (RESIDENTIAL  
PERMIT PARKING DISTRICTS - RPPD), APPENDIX G,  
FOR THE INCLUSION OF POMPONIO PLACE, ROCART  
DRIVE, AND NEWCASTLE DRIVE INTO THE ANNANDALE  
RPPD (BRADDOCK DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **February 22, 1993 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A (Residential Permit Parking Districts- RPPD), Appendix G, for the inclusion of Pomponio Place, Rocart Drive, and Newcastle Drive into the Annandale RPPD (District 14).

**ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-2-4, TO EXCLUDE POLICE, FIRE, AND OTHER PUBLIC SAFETY VEHICLES FROM RESTRICTED TRAVEL ON CERTAIN STREETS**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **February 8, 1993 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-2-4 to allow Police, Fire, and other public safety vehicles to travel on streets normally restricted to truck traffic.

**ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, TO AMEND AND REENACT CHAPTER 4 (TAXATION AND FINANCE) AND CHAPTER 31 (PEDDLERS, SOLICITORS AND CANVASSERS) REGARDING THE REGULATION OF CRAFT SHOW PROMOTERS, PEDDLERS AND OTHER ITINERANT MERCHANTS**



(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **February 8, 1993 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, to amend and reenact Chapter 4 (Taxation and Finance) and Chapter 31 (Peddlers, Solicitors and Canvassers) to provide for the regulation of craft show promoters and to make various other changes to the County's existing licensing and regulation of peddlers and itinerant merchants.

There was a brief discussion regarding this item with input from Ronald B. Mallard, Director, Department of Consumer Affairs, and Michael Long, Assistant County Attorney.

### **8.A-1 - REVISIONS TO THE PERSONNEL REGULATIONS**

#### **REGARDING THE REDUCTION-IN-FORCE (RIF) PROCEDURE**

#### **AND UNDERFILL APPOINTMENTS (Tape 2)**

Supervisor Trapnell moved that the Board concur in the recommendation of staff and approve the proposed revisions to Chapters 7 and 9 of the Personnel Regulations concerning the reduction-in-force (RIF) procedure and underfill appointments contained in the Memorandum to the Board dated January 11, 1993. This motion was seconded by Supervisor Alexander.

Following discussion, with input from Paul L. Baldino, Acting Director, Office of Personnel, Supervisor Hyland asked unanimous consent that the Board defer action until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#114.)

### **9. A-2 - PROPOSED COUNTY COMMENTS IN FEDERAL**

#### **COMMUNICATIONS COMMISSION (FCC) MUST-CARRY/**

#### **RETRANSMISSION CONSENT RULE MAKING PROCEEDING**

#### **(Tape 2)**

On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed comments, contained in the Memorandum to the Board dated January

11, 1993, that are to be filed in the Federal Communications Commission's (FCC) current must-carry/retransmission consent rule making proceeding.

**10. A-3 - AUTHORIZATION FOR THE FAIRFAX-FALLS  
CHURCH COMMUNITY SERVICES BOARD (CSB) TO  
ACCEPT FUNDING FROM THE DEPARTMENT OF MENTAL  
HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE  
SERVICES (DMHMRSAS) TO PROVIDE RESIDENTIAL  
SERVICES TO 12 PERSONS WITH SEVERE MENTAL  
ILLNESS (Tape 2)**

Supervisor Hanley moved that the Board concur in the recommendation of staff and authorize the Fairfax-Falls Church Community Services Board (CSB) to accept \$120,000 from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to provide residential services to 12 persons with severe mental illness. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Following discussion, Supervisor Hyland called to the Board's attention a report by the Coalition for Mentally Disabled Persons of Northern Virginia. The report indicated that there are 77 empty substance abuse beds throughout Northern Virginia that are not being used due to lack of funding. Supervisor Hyland asked unanimous consent that the Board direct staff to study this issue to determine:

- Where these beds are located;
- What costs are involved in putting the beds to use;
- Why the beds are not in use; and
- If there is no funding available to use the beds in connection with mental health, whether the beds could be used for alternative purposes.

Without objection, it was so ordered.

**11. A-4 - DESIGNATION OF PLANS EXAMINERS STATUS**

**UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW**

**PROGRAM (Tape 2)**

On motion of Supervisor Frey, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

•Designated the following two individuals, identified with their registration numbers, as Plans Examiners to participate in the Expedited Land Development Review Program:

\*Robert Clay Fields, Jr. (100);

\*Paul D. Huston (101);

•Designated inactive status for the following seven individuals, identified with their registration numbers, electing not to pursue the continuing education requirements of the Designated Plans Examiner Program:

\*William Ackman (75);

\*George Erichsen (47);

\*Reza Golampour (71);

\*William Nell (15);

\*Kevin Nobel (91);

\*William Rudacille (86);

\*Don Strickhouser (4);

•Reinstated the following two individuals, identified with their registration numbers and effective dates, as Designated Plans Examiners:

\*Robert A. Munse (65); and

(effective January 11, 1993)

\*William R. Zink (64)

(effective January 25, 1993 following the completion of the remaining continuing education requirement).

**12. A-5 - AUTHORIZATION FOR THE DEPARTMENT OF HUMAN DEVELOPMENT (DHD) TO SUBMIT RENEWAL GRANT APPLICATIONS FOR THE TRANSITIONAL HOUSING PROGRAM TO THE UNITED STATES (US) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) (Tape 2)**

Supervisor Trapnell moved that the Board concur in the recommendation of staff and authorize the Department of Human Development (DHD) to submit two renewal grant applications for the Transitional Housing Program to the United States (US) Department of Housing and Urban Development (HUD) to continue essential services to the DHD's Transitional Housing clients. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

A brief discussion ensued among Board Members, with input from Verdina Haywood, Deputy County Executive for Human Services.

**13. A-6 - 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 2)**

Following discussion, Supervisor Hanley asked unanimous consent that the Board defer its action on the new Memorandum of Agreement between the Board of Supervisors and the Fairfax County Redevelopment and Housing Authority (FCRHA)

and the Revised Policy on Implementation of Notice Procedures, Public Hearings, Etcetera, on Assisted Housing Projects to be Constructed or Acquired in Fairfax County for further discussion at the Board's Housing Subcommittee meeting. Without objection, it was so ordered.

**ADDITIONAL BOARD MATTER**

**14.HUNTER MILL DISTRICT (Tape 2)**

Supervisor Dix announced that, effective January 1, 1993, the former Centreville District became officially known as the "Hunter Mill District."

**15.C-1 - CAPITAL CONTRIBUTION TO FAIRFAX**

**COUNTY PARK AUTHORITY FOR HUNTERS WOODS**

**PARK (HUNTER MILL DISTRICT) (Tape 2)**

The Board next considered an Item contained in the Memorandum to the Board dated January 11, 1993, requesting a review of alternatives for construction funding of Hunters Woods Park to include parking, a soccer field, a multi-use court, a play area, and a picnic shelter, Hunter Mill District.

Supervisor Dix moved that the Board defer its consideration and refer this item for further discussion during the Capital Improvement Program (CIP), scheduled for next month. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

**16. C-2 - PRODUCTION OF BOARD OF SUPERVISORS'**

**VIDEO PROGRAMS ON CHANNEL 16 (Tapes 2-3)**

The Board next considered an Item contained in the Memorandum to the Board dated January 11, 1993, requesting adoption of a plan for producing video programs on Channel 16 to communicate with constituents on issues of interest.

After considerable discussion, Supervisor Bulova moved that the Board:

- Return to its previous Policy whereby all County agencies are notified that they have the option of doing a cable program; and

•Amend its previous Policy to also include an invitation to individual Board Members whereby each Board Member, using his or her discretion, can take advantage of the cable service as other County agencies.

Following discussion, Supervisor Berger moved that the Board direct the County Executive to provide a list of all costs involved in the production of County programs over the past year. The second to this motion was inaudible.

Following further discussion, Supervisor Hanley moved to table the discussion. The second to this motion was inaudible. The question was called on the motion which **CARRIED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor McConnell, and Chairman Davis voting "**NAY.**"

Supervisor Hyland moved that the Board reconsider the item. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor Hanley voting "**NAY.**"

Supervisor Berger moved that the Board direct the County Executive to prepare, by the next scheduled meeting, a comprehensive list of all the costs for the last 12 months of the various programs provided on Channel 16 and the legal restrictions on how monies may be spent. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Bulova moved that the Board return to its previous Policy whereby all agencies are notified that, if desired, they have the option of doing a cable program, and amend the Policy to include an invitation to each individual Board Member as well. This motion was seconded by Supervisor Hyland.

Supervisor Alexander asked that the motion be amended to include the guidelines contained in Attachment Three, that the cable channel would not be used for political purposes, and this was accepted.

Following further discussion, Supervisor Dix asked that the motion be amended to include that no additional expenses be incurred, and this was also accepted.

Supervisor Hanley moved to table the discussion until a response to Supervisor Berger's request is returned to the Board. This motion was seconded by Supervisor Berger and **FAILED** by a recorded vote of five, Supervisor Alexander, Supervisor Dix, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell voting "**AYE.**"

Supervisor Frey moved to amend Supervisor Dix's motion that the report include a line item to show the expenses associated with the Board Members, showing which

charges are attributable to the Board of Supervisors. This motion was seconded by Supervisor Hanley and **FAILED** by a recorded vote of six, Supervisor Berger, Supervisor Frey, and Supervisor Hanley voting "AYE," Supervisor McConnell abstaining.

Supervisor Berger clarified, for the record, that the motion now on the floor was Supervisor Bulova's to return to the previous policy used in the past whereby agencies, as well as individual Board Members, are notified that they have the option of doing a cable program.

Following further discussion, Supervisor Dix moved to defer this item until the Board of Supervisors' meeting scheduled for **January 25, 1993**. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

## **17. I-1 - BOARD OF SUPERVISORS' MEETING SCHEDULE**

### **FOR CALENDAR YEAR 1993 (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting approval to implement the Board of Supervisors's meeting schedule for January through December 1993, as presented.

Following discussion, Supervisor McConnell asked unanimous consent that the Board meeting scheduled for Monday, April 12, 1993 be cancelled.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the request be amended that the day meeting, scheduled for Monday, April 12, 1993, be cancelled; however, the Board will meet in the evening of that date to conduct the budget public hearings scheduled for the evenings of April 12, 13, and 14, 1993. Without objection, the amended request was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Frey asked unanimous consent that the Board meeting scheduled for May 24, 1993 be changed to May 17, 1993. Without objection, it was so ordered.

## **18. I-2 - STAFF SUMMARY OF THE NOVEMBER 5, 1992**

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

#### **MEETING (COUNTYWIDE) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 presenting the staff summaries for the Transportation Advisory Commission (TAC) meeting held on November 5, 1992.

**19. I-3 - FAIRFAX COUNTY TRANSPORTATION ADVISORY  
COMMISSION (TAC) REPRESENTATIVE TO THE  
METROPOLITAN WASHINGTON AREA COUNCIL OF  
GOVERNMENTS' (COG) CITIZEN ADVISORY COMMITTEE  
ON THE LONG-RANGE TRANSPORTATION PLAN  
(COUNTYWIDE) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting confirmation of the appointment of Dr. Sidney Steele as the Fairfax County Transportation Advisory Commission (TAC) Representative to the Metropolitan Washington Area Council of Governments' (COG) Citizen Advisory Committee on the Long-Range Transportation Plan.

The staff was directed administratively to proceed as proposed.

**20. I-4 - FINAL REPORT OF THE CHESAPEAKE BAY  
PRESERVATION ACT PROGRAM STUDY GROUP (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting authorization for staff to transmit the letter, contained in Attachment One, to the Chesapeake Bay Local Assistance Department.

There was a brief discussion regarding this item, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP).

**21. I-5 - MEDIA GENERAL CABLE RESPONSE TO THE  
CONSUMER PROTECTION COMMISSION ON CABLE  
TELEVISION RATE INCREASES (Tape 3)**



The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 presenting Media General Cable's response to the Consumer Protection Commission on cable television rate increases.

Following discussion, Supervisor Hyland moved that the Board request Media General Cable to provide staff with information regarding the basis for its rate increase. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

## **22. I-6 - PROCEDURES FOR REVIEW OF REQUESTS**

### **FOR THE ADMINISTRATIVE APPROVAL OF MINOR**

### **MODIFICATIONS TO APPROVED REZONINGS,**

### **SPECIAL EXCEPTIONS AND SPECIAL PERMITS (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting authorization for staff to prepare an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), to establish a notification requirement for requests for the administrative approval of minor additions to approved rezonings, special exceptions and special permits, and for the additional flexibility as noted. The procedures to be implemented are set forth in Attachment One.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP), and George Symanski, Senior Assistant County Attorney, Supervisor Hyland moved that the Board direct staff to include in the procedures a provision that would permit a person a minimum period of five days after receipt of the notice the opportunity to comment on any proposed administrative action. The second to this motion was inaudible.

Following further discussion, Supervisor Berger moved to call the question. This motion was seconded by Chairman Davis and carried by unanimous vote.

The question was called on the motion to allow a five day comment period which **FAILED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE.**"

The staff was directed administratively to proceed as originally proposed.

## **23. I-7 - STATUS OF THE PROPOSED AMENDMENT TO THE**

**CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112  
(ZONING ORDINANCE), REGARDING PARKING STANDARDS  
FOR NEIGHBORHOOD SHOPPING CENTERS (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 presenting the status of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding parking standards for neighborhood shopping centers.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP), Supervisor Berger moved that the Board direct staff to expedite the process with a possible target date of the end of March. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**24. I-8 - RENEWAL OF UNDERSTANDING BETWEEN THE  
BOARD OF SUPERVISORS AND THE SOUTHEAST FAIRFAX  
DEVELOPMENT CORPORATION INCORPORATED, FOR THE  
PERIOD JULY 1, 1992 - JUNE 30, 1994 (Tape 3)**

Supervisor Berger moved approval of the Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting authorization for staff to proceed to facilitate approval of the Memorandum of Understanding between the Board of Supervisors and the Southeast Fairfax Development Corporation, Incorporated, for the period July 1, 1992 through June 30, 1994. This motion was jointly seconded by Supervisor Alexander and Supervisor Hyland and carried by unanimous vote.

**25. I-9 - CONTRACT AWARD - AWARD OF CONTRACT FOR  
PUBLIC RELATIONS SERVICES FOR THE FAIRFAX  
COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA)  
(Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting authorization for the Purchasing Agent to

proceed to award a contract to Ryan McGinn, Incorporated, in the amount of \$48,000, for Fiscal Year (FY) 1993 for public relations services for the Fairfax County Economic Development Authority (EDA).

There was a brief discussion regarding this item.

The staff was directed administratively to proceed as proposed.

**26. I-10 - CONTRACT AWARD - CONSTRUCTION OF  
DISTRICT 1 MAINTENANCE FACILITY AND OTHER  
RELATED WORK AT BURKE LAKE PARK (SPRINGFIELD  
DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting authorization for staff to proceed to award a contract to F&D McCreery, Incorporated, of Alexandria, Virginia, in the amount of \$523,000, for the construction of the District 1 Facility and other related work at Burke Lake Park.

The staff was directed administratively to proceed as proposed.

**27. I-11 - CONTRACT AWARD - CARLIN LANE ROAD  
IMPROVEMENT (DRANESVILLE DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting authorization for staff to proceed to award a contract to J.R.G. Contractors, Incorporated, in the amount of \$203,682, and reallocate funds as noted in the Board Package, for the Carlin Lane Road Improvement Project.

The staff was directed administratively to proceed as proposed.

**28. I-12 - AMENDMENT TO THE ARCHITECTURAL CONTRACT  
WITH DAVIS AND CARTER FOR THE DESIGN OF THE I-66  
TRANSFER STATION EXPANSION (SULLY DISTRICT)**

**(Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting authorization for staff to approve the amendment to the architectural contract for Davis and Carter, in the amount of \$78,303, for the design of the I-66 Transfer Station Expansion.

Following a brief discussion, with input from John W. diZerega, Director, Department of Public Works, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that this item be deferred until later in the day. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: This item was not considered by the Board later in the day.)

**29. I-13 - CONTRACT RENEWAL - AGREEMENT FOR  
ENGINEERING SERVICES FOR LANDFILL CLOSURE  
AND SOLID WASTE ISSUES (MOUNT VERNON**

**DISTRICT) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated January 11, 1993 requesting authorization for staff to renew the contract with Post, Buckley, Schuh and Jernigan, with a maximum Fiscal Year (FY) 1993 limit of \$600,000, for engineering services for landfill closure and solid waste issues.

The staff was directed administratively to proceed as proposed.

**BOARD MATTERS**

**AR:ar**

**30. EXEMPT STATUS FOR TWO POSITIONS IN THE  
OFFICE OF THE CLERK TO THE COURT**

**(Tape 4)**

Chairman Davis recalled that, at a Personnel Subcommittee meeting several months ago, John Frey, Clerk of the Court, asked that some of the positions in that office be made exempt, and at that time, more specific information was requested.

Chairman Davis stated that Mr. Frey has responded with a memorandum requesting that the following two positions be made exempt:

- A Secretary II to act as a back-up to Mr. Frey's secretary in the handling of very sensitive information; and
- A Management Analyst III, Grade S26, to act as a grant procurer and coordinator.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board approve the establishment of an exempt status for the above-listed positions in the Clerk to the Court's Office. This motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

### **31.FUNDING FOR THE FAIRFAX COUNTY PARKWAY**

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

Supervisor Davis noted that staff has an implementation schedule for the funded segments of the Fairfax County Parkway. This information was contained in a Memorandum from the County Executive, dated December 17, 1992, which has been distributed to all Board Members.

Supervisor Davis moved that the Board direct staff to brief the full Board on this information at the Transportation Subcommittee meeting scheduled for February 8, 1993. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

### **32.PROJECT SELECTION COMMITTEE**

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

#### **(APPTs)**

Supervisor Davis moved that the Board confirm the following appointments or reappointments to the Project Selection Committee:

- Reappointment of Ms. Margaret Zitzmann as the Commission on Aging Representative;

- Appointment of Ms. Barbara J. Williams as the Countywide Black Citizens Association Representative; and
- Reappointment of Ms. Luella Ellingwood as the League of Women Voters' Representative.

This motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

### **33.OFFER OF ASSISTANCE IN THE CLEAN-UP OF FAIRFAX COUNTY PARKS (Tape 4)**

Supervisor Davis stated that he has been contacted by William E. Schuiling, Chairman of the Board of Mid-Atlantic Cars, Incorporated, known in this area for their operation of Brown's automotive dealerships. Mr. Schuiling regularly makes contributions to the communities he and his business share. This year Mr. Schuiling has offered a substantial contribution to Fairfax County.

Supervisor Davis noted that, according to his letter, Mr. Schuiling has become an avid jogger and hiker and has become intimately familiar with the County's parks. Recently, he noticed a great deal of trash and litter accumulating along the many trails he travels and realized the need for assistance in maintaining the cleanliness of the County's parks. Mr. Schuiling has offered to have two of his employees patrol and clean some of the parks on a weekly basis, the value of which is approximately \$50,000.

Supervisor Davis stated that he wanted to share Mr. Schuiling's generous offer with the Board and thank him publicly on behalf of the citizens of Fairfax County who will certainly benefit from his efforts.

Supervisor Alexander asked unanimous consent that the Board direct the Park Authority to research this matter and return with an Information Item for the Board's consideration as expeditiously as possible. Without objection, it was so ordered.

### **34.APPOINTMENT TO THE WETLANDS BOARD (Tape 4)**

(APPT)

Supervisor Davis moved the reappointment of Mr. Jonathan K. Lee as an At-Large Representative to the Fairfax County Wetlands Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: Later in the meeting, there was another appointment made to this Board. See Clerk's Summary Item CL#70.)

### **35.APPOINTMENT TO THE DULLES CORRIDOR LAND USE**

#### **TASK FORCE (Tape 4)**

(APPT)

Supervisor Davis moved the appointment of Mr. Patrick Kane as an At-Large Representative to the Dulles Corridor Land Use Task Force. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: Later in the meeting, there were other appointments made to this Task Force. See Clerk's Summary Items CL#54 and CL#58.)

### **36.INCREASE IN BUDGET FOR OFFICE OF CHAIRMAN OF**

#### **THE BOARD OF SUPERVISORS (Tape 4)**

With reference to the need for additional funding for personnel and mailing costs in the Chairman's Office (which represents the entire County at-large), Supervisor Davis moved that the Board institutionalize an additional allocation of \$50,000 over and above the other Members of the Board. This motion was seconded by Vice-Chairman McConnell.

Following discussion, Supervisor Berger moved that the Board call the question. This motion was seconded by Vice-Chairman McConnell and carried by a vote of nine, Supervisor Hanley being out of the room.

The question was then called on the motion requesting an additional allocation of \$50,000 for the Office of the Chairman of the Board of Supervisors, which carried by a vote of nine, Supervisor Hanley being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

### **37.APPOINTMENTS TO THE A. HEATH ONTHANK**

**MEMORIAL AWARD SELECTION COMMITTEE AND  
THE COMMUNITY ACTION ADVISORY BOARD**

**(Tape 4)**

(APPTs)

Supervisor Hyland moved the following:

- Reappointment of Mr. Lars E. Janson as the Mount Vernon District Representative to the A. Heath Onthank Memorial Award Selection Committee; and
- Appointment of Mr. Paul Krizek as the Mount Vernon District Representative to the Community Action Advisory Board.

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

(NOTE: Later in the meeting, there was another appointment made to the A. Heath Onthank Memorial Award Selection Committee. See Clerk's Summary Item CL#68.)

**38. "NEW YOU": A PROGRAM WHICH HELPS PEOPLE**

**REBUILD THEIR LIVES (Tape 4)**

Supervisor Hyland called the Board's attention to "New You," a combined lecture/presentation and mentor program conducted jointly by United Community Ministries (UCM) and the Mount Vernon Center for Community Mental Health, designed to promote confidence and self-esteem in those who have experienced serious hardship and difficulty and to teach its "students" how to find alternatives in their lives.

Supervisor Hyland noted that each session of the "New You" Program is arranged in three parts. Students and their mentors (12 each) begin by meeting weekly for ten consecutive weeks, then monthly, then informally with just their mentors. At the end of seven months, everyone is reunited for a graduation ceremony. Often, long term relationships are formed between the mentor and student, allowing students a continuing support base.

Supervisor Hyland stated that, aside from counselor salaries for the program leaders, which are split among three agencies (UCM, the Mount Vernon Center for



Community Mental Health and Fairfax County's Department of Community Action), the program is funded with a single annual \$1,000 grant from any one of several community-based, private agencies such as Good Shepherd Housing and Southeast Fairfax Development Corporation, and depends heavily on volunteers. The leaders' salaries extend beyond the management of the "New You" to other programs.

The program leaders, Ms. Sheila Gibbin and Ms. Marianne Hallett, express great satisfaction with the results they have witnessed so far. Of the 52 people who have entered "New You" to date, more than 50 percent of the graduates have been able to leave public assistance rolls after completing the course, with many of the remaining graduates undergoing various forms of vocational training. Only six participants have failed to complete the program, in some cases due to the student's relocation.

Supervisor Hyland stated that he is bringing the details of the "New You" Program to the Board's attention because he believes strongly in the program's potential, as it provides an effective way to break a tenacious cycle of living inadequately to one where hope and life choices become a reality.

With a notation that it was an impressive, inspiring experience to meet some of the students who have turned their lives around positively, Supervisor Hyland stated that the program is in need of volunteers and mentors.

Accordingly, Supervisor Hyland moved that the Board direct the Office of Public Affairs to prepare an appropriate public press release regarding this worthwhile program for those who may be interested in serving as a mentor, with a notation that further information may be obtained by contacting Ms. Sheila Gibbin at 768-0821. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Chairman Davis being out of the room.

### **39. BOARD SUPPORT REQUESTED FOR DELEGATE**

#### **LINDA T. PULLER'S PROPOSED RESOLUTION (Tape 4)**

Supervisor Hyland stated that he recently received copies of correspondence between Delegate Linda T. Puller (D) and a resident of Mount Vernon District, the context of which concerned the difficulty faced by citizens in their attempt to contest traffic violations. The original letter suggested that local magistrates should be allowed to rule on contested traffic violations which would provide:

- A more convenient forum for citizens since the magistrate's office is centrally located in Mount Vernon; and

- A time/dollar savings since judges' time would then be freed up to handle more challenging judicial matters.

Supervisor Hyland noted that the issue of traffic court availability on a local basis comes up frequently in his District as citizens find it onerous to travel 45 to 60 minutes to be heard by a judge. As an attorney, Supervisor Hyland also noted his great sensitivity to the heavily scheduled judges' calendars and the difficulty experienced by citizens, especially if cases are continued. He stated that freeing court dockets from traffic violation hearings would help everyone.

Supervisor Hyland stated that Delegate Puller has requested that a resolution be drafted by legislative services asking the Committee on District Courts to study the feasibility of a pilot program to determine whether it would be advantageous to allow magistrates to rule in contested traffic violations.

Accordingly, Supervisor Hyland moved that a letter be forwarded from the Board of Supervisors to the Northern Virginia Delegation supporting, in concept, Delegate Puller's proposal that a resolution be prepared to determine the feasibility of local magistrates ruling on contested traffic violations. This motion was seconded by Supervisor Alexander.

Supervisor Dix asked that the motion be amended to refer this matter to the Legislative Subcommittee for its review and recommendation.

Supervisor Hyland reiterated his statement of support "in concept" only, and stated that he has no objection to obtaining the reaction from the Chief Judge and the Bar Association if the Board determines that is necessary. However, this request is from an individual in the Mount Vernon District who has asked Delegate Puller and Supervisor Hyland to review the system of how traffic violations are handled in Fairfax County.

Following further discussion, Supervisor Hyland stated that the support which he is requesting is merely asking that the General Assembly look at this matter as a subject worthy of study.

Supervisor Alexander clarified the motion as simply the Board's endorsement of the study by Delegate Puller.

The question was then called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Dix voting "NAY," Supervisor Frey being out of the room.

**40.MOUNT VERNON COUNCIL RESOLUTION SUPPORTS THE**

**FISCAL YEAR (FY) 1994 SCHOOL BUDGET (Tape 4)**

Supervisor Hyland called the Board's attention to a letter which he has received from Rick Edgerton, Co-Chair of the Mount Vernon Council of Citizens Association (MVCCA) containing the Council's adopted Resolution indicating its support for the Fiscal Year (FY) 1994 School Budget, including the additional \$21.2 million required to fund the Superintendent's proposed budget in the School Board's submission to the County Executive. The Resolution further requests that this be included in the County Executive's FY 1994 Budget request.

Supervisor Hyland noted that the MVCCA is also asking that the Northern Virginia Delegation further pursue the acquisition of additional State funds through such sources as the lottery, cigarette/liquor tax to be used for Fairfax County public education funding.

**41.MOUNT VERNON COUNCIL RESOLUTIONS AND****COMMUNICATIONS FOR CONSIDERATION BY****LEGISLATIVE SUBCOMMITTEE (Tape 4)**

Supervisor Hyland asked unanimous consent that the following requests, submitted by the Mount Vernon Council of Citizens Association for consideration by the General Assembly, be referred to the Legislative Subcommittee:

- Increased State aid for Fairfax County Public Schools;
- A revision in the Virginia Criminal Sentencing Procedures to place responsibility for fixing the sentence for a criminal act upon the judge, or alternatively, to provide for a separate sentencing phase in criminal trials whereby relevant information can be provided to the jury to assist it in determining a proper sentence; and
- Changes concerning property tax equalization asking that the Joint Legislative Audit and Review Committee be requested to review the current disparities in local real estate tax rates and recommend action that would reduce disparities and provide incentives to local jurisdictions to increase local funding of public schools; and, report on the advisability of taxing Public Service Corporation real property at the average rate imposed on property in the Commonwealth.

Without objection, it was so ordered.

**42.ESTABLISHMENT OF TASK FORCE TO RESOLVE THE**

**QUESTION OF RESTORATION OF CLINIC ROOM AIDE****HOURS IN THE SCHOOL HEALTH PROGRAM (Tape 4)**

(BACs)

Supervisor Hyland referred to the lengthy report prepared by the Health Care Advisory Board (HCAB) and stated that, in addition to the budget action taken by the Board, it was suggested by the HCAB that a longer term study be conducted on the broader issues of how the School Health Program is organized, administered and staffed and, further, that this study be performed jointly by the County and the Schools. He stated that the HCAB identified the following specific questions which need to be addressed such as:

- What agency should operate and/or be responsible for school health? Should the program be provided by the Schools or, should it continue to be jointly operated by the Health Department and the School system? If so, should there be a contract between the agencies?;
- Should school health be funded by the County, as it is now, or should it be included in the School budget?; and
- The School clinics are staffed by Clinic Room Aides (CRA), paraprofessionals receiving training by the Health Department. This issue has been raised whether RN's or PHN's should be in every school. There is State legislation carried over from last year to require one RN per 1,000 students. It is not clear whether the State would provide funds for this mandate. At any rate, the issue should be reviewed to determine if there are services which are desirable that the CRA's cannot provide. Further, could the CRA's be trained to increase their skill levels?

Accordingly, Supervisor Hyland moved that the Board express its support in establishing a new task force to study the longer range questions identified by the HCAB reference the CRA issue, that the School Board be requested to participate in the joint effort, and that this task force be comprised of representatives from the School system, related employee groups, County staff, and the HCAB.

This motion was seconded by Supervisor Hanley with a request to amend the motion to include representation from the existing School Health Advisory Council, and the School Board on the task force, and to include consideration of the issue of personal care for disabled students attending the general education classes by the task force, and this was accepted.

Supervisor Berger asked that the motion be amended to include representatives from the private school health association to serve on this task force, and this was accepted.

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

#### **43.LOCAL GOVERNMENTS SOUGHT FOR INTERMODAL SURFACE**

##### **TRANSPORTATION EFFICIENCY ACT (ISTEA) (Tape 4)**

Supervisor Hyland stated that the Federal Highway Administration (FHA) is requesting local governments (and other public authorities) to apply for participation in its Congestion Pricing Pilot Program established by Section 1012(b) of the Intermodal Surface Transportation Efficiency Act (ISTEA).

Supervisor Hyland encouraged the Board to explore what opportunities this project may contain for Fairfax County.

Supervisor Dix stated that the Office of Transportation is currently gathering information on this project, and will report to the Board with its findings and recommendations.

#### **44.HISTORIC TREES FROM MOUNT VERNON ARE AVAILABLE**

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

Supervisor Hyland stated that the Mount Vernon Ladies Association has, through its nursery, been able to produce a substantial quantity of historic trees which include the tulip poplar, the silver maple, the black locust, and the water oak. He stated that these trees are available from the Mount Vernon Association and anyone who has an interest in obtaining seedlings for these historic trees may call the Mount Vernon estate.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to determine if a brief announcement regarding the availability of these trees could be placed on Cable Channel 16. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

#### **45.MOUNT VERNON TOWN MEETING (Tape 4)**

Supervisor Hyland announced that Mount Vernon's Sixth Annual Town Meeting has been scheduled for Saturday, January 23, 1993, from 9:00 a.m. until 1:00 p.m., in the Mount Vernon High School Little Theatre Auditorium, located at 8515 Old Mount Vernon Road. He invited all Board Members to come and participate in this lively event.

**VW:vw**

#### **46.ORDERS FOR GIRL SCOUT COOKIES (Tape 5)**

Supervisor Hanley circulated to Board Members the form for ordering Girl Scout Cookies.

#### **47.APPOINTMENT TO THE FAIRFAX COUNTY PARK AUTHORITY**

**(Tape 5)**

(APPT)

Supervisor Hanley moved the appointment of Ms. Joanne Malone as the Providence District Representative to the Fairfax County Park Authority to fill the unexpired term of Mr. Robert D. Hull who has resigned. This motion was seconded by Chairman Davis and carried by unanimous vote.

#### **48.LEGISLATIVE ISSUES (Tape 5)**

Supervisor Hanley distributed to Board Members the following legislative issues for Board discussion and action:

• **"Governor's Advisory Commission on**

### **Community Issues Relating to the Pickett**

**Road Tank Farm" (Appendix J):**

Supervisor Hanley moved that the Board support the legislative recommendations of the Governor's Advisory Commission on Community Issues Relating to the Pickett Road Tank Farm. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: Later in the meeting, there was an additional action regarding the Pickett Road Tank Farm. See Clerk's Summary Item CL#113.)

**•Electoral Board's Request for Splits of the****Roster on Election Day:**

Supervisor Hanley moved that the Board support and refer to its Legislative Subcommittee for action to effect the change requested by the Fairfax County Electoral Board for more splits of the roster on election day. One recommendation would be to eliminate the poll book; thus, each split of the Registered Voters List (RVL) would need only one official. If there was an RVL with a space next to the voter's name for the voter's signature, it would make the operation more efficient and enable the Electoral Board to have twice as many splits of the book with the same number of election officers. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**•House Bill HB#1058 Relating to the Fair****Elections Practices Act:**

Supervisor Hanley called to the Board's attention House Bill HB#1058, a bill to amend and reenact §24.1-251 of the Code of Virginia and to amend the Code by adding a section numbered §24.1-251.1 relating to the Fair Elections Practices Act and authorizing localities to establish fair campaign practices. HB#1058 gives the governing body of any county, city, or town the authority to establish, by ordinance, a Fair Campaign Practices Commission for its jurisdiction.

Supervisor Hanley moved that the Board endorse HB#1058. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**•Draft Minutes from the Virginia Association****of Counties (VACo) Executive Committee****Meeting:**

Supervisor Hanley referred to the draft minutes from the Virginia Association of Counties (VACo) Executive Committee meeting held Wednesday, January 6, 1993. Supervisor Hanley moved that the Board endorse the following position of VACo:

\*VACo supports legislation which would stop gun trafficking and reduce proliferation of handguns, such as: 1) Prohibiting an individual from purchasing more than one handgun in any 30-day period (with certain exceptions); 2) Prohibiting juveniles from possessing handguns; 3) Dealers reporting number of firearms purchased when they

make the instant background check; and 4) Maintenance by the State Police of instant background checks for 12 months.

This motion was seconded by Supervisor Hyland.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved a substitute motion that the Board refer to its Legislative Subcommittee the position of VACo for its review and recommendation. This motion was jointly seconded by Supervisor Frey and Vice-Chairman McConnell.

Following brief discussion, the question was called on the substitute motion which **CARRIED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting, "**NAY.**"

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

#### **49.LOW-INTEREST LOANS FOR VOLUNTEER FIRE DEPARTMENTS**

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

Supervisor Hanley stated that some time ago the Board had discussed, as a legislative item, the issue of low-interest loans for volunteer fire departments. She asked unanimous consent that the Board direct staff to report on the status and progress of this issue at the Board of Supervisors' meeting scheduled for January 25, 1993. Without objection, it was so ordered.

#### **50.EXPEDITIOUS PROCESSING REQUESTED FOR SPECIAL**

#### **EXCEPTION AMENDMENT APPLICATION SEA 90-P-028-2**

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

Supervisor Hanley moved that the Board direct staff to expedite the concurrent processing of the site plans, building plans, and the Special Exception Amendment Application for Special Exception Amendment Application SEA 90-P-028-2. This motion was seconded by Chairman Davis and carried by unanimous vote.

#### **51.REQUIREMENT BY THE AMERICAN DISABILITIES ACT**



**(ADA) FOR ABOVE-GRADE SIGNS FOR HANDICAPPED**

**PARKING SPACES (Tape 5)**

Supervisor Hanley stated that at the Board of Supervisors' meeting held on December 14, 1992, action had been taken to direct staff to contact local businesses regarding the new requirement by the American Disabilities Act (ADA) for above-grade signs for handicapped parking spaces.

In order to clarify this issue further, Supervisor Hanley moved that the Board direct staff to:

- Determine whether the Code of the County of Fairfax meets all of the ADA requirements and, if not, that the appropriate action be taken to bring the Code into compliance with ADA standards, especially with regard to handicapped parking spaces; and
- Respond, in writing, to Board Members regarding the current requirement for businesses to implement and for the County to enforce the ADA requirement now that the State law enforcing ADA is in effect and whether ADA stands on its own.

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

**52.FAIRFAX COUNTY YOUTH FOOTBALL LEAGUE HALL OF FAME**

**INSTALLATION BANQUET (Tape 5)**

Supervisor Dix invited all Board Members to attend the Fairfax County Youth Football League Hall of Fame Installation Banquet scheduled for February 20, 1993 at the Fair Oaks Holiday Inn.

**53.APPOINTMENT TO THE FAIRFAX COUNTY PLANNING**

**COMMISSION (Tape 5)**

(APPT)

Supervisor Dix moved the appointment of Mr. John Palatiello as the Hunter Mill District Representative to the Fairfax County Planning Commission to fill the unexpired term of Mr. David Bobzien who has resigned. This motion was seconded by Chairman Davis and carried by unanimous vote.

**54.APPOINTMENT TO THE TRANSPORTATION ADVISORY  
COMMISSION AND DULLES CORRIDOR LAND USE**

**TASK FORCE (Tape 5)**

(APPTs)

(NOTE: Earlier in the meeting, there was another appointment made to the Dulles Corridor Land Use Task Force. See Clerk's Summary Item CL#35.)

Supervisor Dix moved the appointments of Mr. John Hunter as the Hunter Mill District Representative to the:

- Transportation Advisory Commission to fill the unexpired term of Mr. John Palatiello who has resigned; and
- Dulles Corridor Land Use Task Force to replace Mr. David Bobzien who has resigned.

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

**55.APPOINTMENT TO THE FAIRFAX COUNTY TREE  
COMMISSION (Tape 5)**

(APPT)

Supervisor Dix moved the appointment of Ms. Vicki Finn as the Hunter Mill District Representative to the Tree Commission to fill the unexpired term of Mr. Richard Rein who has resigned to accept the appointment as the Sully District Representative. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: Later in the meeting, there was another appointment to this Commission. See Clerk's Summary Item CL#80.)

**56.APPOINTMENT TO THE COUNTYWIDE TRAILS COMMITTEE  
(Tape 5)**

(APPT)

Supervisor Dix moved the appointment of Mr. Roy Feuchter as the Hunter Mill District Representative to the Countywide Trails Committee. This motion was seconded by Supervisor Berger and carried by unanimous vote.

**57.RECOGNITION REQUESTED FOR BETTY POWELL ON HER  
RETIREMENT FROM THE DEPARTMENT OF RECREATION  
AND COMMUNITY SERVICES AFTER 24 YEARS OF SERVICE  
TO FAIRFAX COUNTY (Tape 5)**

Supervisor Dix moved that the Board direct staff to prepare the appropriate Certificate of Appreciation, for presentation before the Board, recognizing Ms. Betty Powell on her retirement from the Department of Recreation and Community Services after 24 years of service to Fairfax County government and its citizens. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**58.APPOINTMENT TO THE DULLES CORRIDOR LAND USE  
TASK FORCE (Tape 5)**

(APPT)

(NOTE: Earlier in the meeting, there were other appointments made to this Task Force. See Clerk's Summary Items CL#35 and CL#54.)

Supervisor Dix moved that the Board confirm the appointment of Mr. Theodore Thomas as the Town of Vienna's Representative to the Dulles Corridor Land Use Task Force. This motion was seconded by Chairman Davis and carried by unanimous vote.

**59.REQUEST FOR CERTIFICATES OF RECOGNITION TO BE  
PRESENTED TO MEMBERS OF THE "PROJECT NEW NAME  
COMMITTEE" (Tape 5)**

Supervisor Dix stated that he has had the privilege of beginning the new year as the Supervisor representing a magisterial district with a new name and a new sense of identity -- Hunter Mill District, a name change that has come about with considerable assistance from a group of citizens known as the "Project New Name Committee."

The Committee, chaired by Mr. Louis Zone, was created last year as a project of the (then) Centreville District Council to solicit new names for the magisterial district, to review their historical, geographical or other relevance, and to recommend a short list from which the name Hunter Mill was ultimately selected.

Supervisor Dix stated that the actual Hunter Mill is no longer standing and there does not appear to be a photo; however, there is much history to draw from and members of the Committee are currently working to identify the actual location of Hunter Mill and to present Fairfax County with an artist's rendering of how it most likely appeared.

Supervisor Dix stated that the Committee has gone "above and beyond the call," by putting in long hours and showing a sincere commitment to the task before them. Accordingly, he moved that the Board direct staff to prepare the appropriate Certificates of Recognition, for presentation before the Board, for Committee Members. This motion was seconded by Supervisor Berger and carried by unanimous vote.

#### **60.ADOPTION OF RESOLUTION RECOGNIZING AND COMMENDING**

##### **ARCOM PUBLISHING (Tape 5)**

(R)Supervisor Dix distributed to Board Members copies of a Resolution regarding Arcom Publishing. He moved that the Board adopt the Resolution recognizing and commending the efforts of Mr. Arthur Arundel, his management team, and employees, to expand the circulation of their newspapers in Fairfax County, thereby sending a positive and highly visible signal that Fairfax County is a good place to do business and that the local economy is on the rebound. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

#### **61.ENDORSEMENT OF TAX EXEMPTION REQUEST OF THE**

##### **FUTURE BUSINESS LEADERS OF AMERICA (FBLA) --**

##### **PHI BETA LAMBDA, INCORPORATED (Tape 5)**

(R)Supervisor Dix called to the Board's attention that two years ago, the Future Business Leaders of America (FBLA) began an effort to seek legislation that would grant FBLA an exemption from property taxation. For various reasons, the Board has never formally considered that request; however, there are now new developments that warrant the Board's consideration. The FBLA have been working with County staff to determine whether an alternative could be reached that would accommodate

their interests and the Board's concern for approving tax exemptions for national organizations and the FBLA has now met that goal. Supervisor Dix distributed to Board Members copies of a draft Resolution and legislation which sets forth the new proposal.

Accordingly, Supervisor Dix moved that the Board adopt the Resolution requesting the Virginia General Assembly to enact:

- Legislation pursuant to Virginia Const. art. X, §6(a)(6) that would amend Virginia Code §58.1-3619 by classifying the FBLA as a benevolent organization which is exempt from property taxation; and
- Legislation pursuant to Virginia Const. art. X, §6(a)(6) that would amend Virginia Code §58.1-3619, the exemption classification previously granted to the Future Homemakers, by specifying property within Fairfax County.

This motion was seconded by Chairman Davis.

Following brief discussion, with input from Michael Long, Assistant County Attorney, the question was called on the motion which carried by unanimous vote.

## **62.STATUS OF REQUEST TO EXTEND THE PUBLIC INPUT**

### **PERIOD FOR THE PROPOSED POTOMAC POWER PLANT**

#### **IN LOUDOUN COUNTY (Tape 5)**

Supervisor Dix stated that at the Board of Supervisors' meeting held on December 14, 1992, action was taken to request that the public input period on the proposed Potomac Power Plant in Loudoun County be extended beyond January 11, 1993 and that both Supervisor Berger and Supervisor Dix be provided a briefing relative to the issues related to the proposed plant. To date, Supervisor Dix stated that he is yet to be contacted by anyone regarding this issue or its status.

Supervisor Dix strongly expressed his concern that Fairfax County has not had an opportunity for input regarding the proposed plant and he moved that the Board direct staff to investigate these requests and report as expeditiously as possible. This motion was seconded by Chairman Davis and carried by unanimous vote.

## **63.EDUCATIONAL FORUM SCHEDULED IN HUNTER MILL**

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

Supervisor Dix invited all Board Members and interested citizens to attend the Educational Forum scheduled in Hunter Mill District on January 30, 1993 at the James Madison High School, 8:30 a.m. until 12:30 p.m.

**64.APPOINTMENT TO THE LIBRARY BOARD (Tape 5)**

(APPT)

Supervisor Alexander moved the appointment of Mr. Mark Sickles to fill the unexpired term of Mr. Robert V.L. Hartwell as the Lee District Representative to the Library Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

**65.REQUEST FOR A LEASE ARRANGEMENT FOR BROWN'S**

**MAZDA LOCATED AT 7400 RICHMOND HIGHWAY**

**(Tape 5)**

Supervisor Alexander stated that Brown's Mazda, 7400 Richmond Highway, Alexandria, has requested his assistance with their efforts to have a sign erected in front of their property on a strip of land that is owned by the County for use in the future widening of Route One. This strip of land is the only location that gives adequate visibility to the sign.

Supervisor Alexander pointed out that since last year the Knights of Columbus on Route One encountered a similar situation. A lease arrangement at fair market value was worked out by Facilities Management so that the sign could be erected on the County-owned strip of land.

Supervisor Alexander moved that the Board direct staff to work out a similar arrangement for Brown's Mazda. Brown's Mazda must agree to remove the sign for future road widening and obtain approval of the sign from the Southeast Fairfax Development Corporation (SFDC) whose goal it is to revitalize the Route One corridor. This motion was seconded by Chairman Davis and carried by unanimous vote.

**66.MEDIA GENERAL CABLE (Tape 5)**

Supervisor Alexander distributed information to Board Members regarding cable fees in Fairfax County and he stated that in the years since Media General Cable (MGC)

service began, basic service fees have more than tripled, and extended service rates, in most cases, have more than doubled.

Supervisor Alexander stated that MGC has three years remaining on their contract with Fairfax County and have had an exclusive monopoly on cable service for almost 10 years, during which time Fairfax County has lost its regulatory powers and MGC has grossly inflated its rates. He expressed his thankfulness that Congress is finally returning a sane level of regulation back to local authorities, which will allow some ability to hold down these uncontrolled costs.

Supervisor Alexander stated that with three years to go on the MGC contact, it is time that Fairfax County begins to look at competition in the field of cable service delivery. Fairfax County should start now on an effort to look at other cable operators, with the objective of offering Fairfax County citizens more reasonable cable television rates.

Accordingly, Supervisor Alexander moved that the Board direct the Cable Services Branch of the Department of Consumer Affairs to report to the Board with options for seeking competition for future awards of the Fairfax County cable franchise. This motion was seconded by Chairman Davis and carried by unanimous vote.

#### **67. INAUGURATION FARE CARDS (Tape 5)**

On behalf of the Metro Board, Supervisor Alexander distributed to Board Members inauguration fare cards signed by President elect Clinton and Vice-President elect Gore.

#### **68. APPOINTMENT TO THE A. HEATH ONTHANK MEMORIAL**

##### **AWARD SELECTION COMMITTEE (Tape 5)**

(APPT)

(NOTE: Earlier in the meeting, there was another appointment made to this committee. See Clerk's Summary Item CL#37).

Supervisor Frey moved the appointment of Mr. John W. Shughrue as the Sully District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

#### **69. APPOINTMENT TO THE CRIMINAL JUSTICE ADVISORY**

**BOARD (Tape 5)**

(APPT)

Supervisor Frey moved the appointment of Mr. Anthony J. Weaver to fill the unexpired term of Mr. Stephen D. Danzig as the Sully District Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**70.APPOINTMENT TO THE FAIRFAX COUNTY WETLANDS**

**BOARD (Tape 5)**

(APPT)

(NOTE: Earlier in the meeting, there was another appointment made to this Board. See Clerk's Summary Item CL#34.)

Supervisor Frey moved the appointment of Ms. Christine Terpak-Malm as the Sully District Representative to the Fairfax County Wetlands Board. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

**71.APPRECIATION EXPRESSED TO THE JOHN W. DIZEREGA,**

**DIRECTOR, AND ROY CRITZER, STAFF, DEPARTMENT OF**

**PUBLIC WORKS (DPW) (Tape 5)**

Supervisor Frey expressed his appreciation to John W. diZerega, Director, and Roy Critzer, Staff, Department of Public Works (DPW), for their outstanding performance and quick response time to a situation in Sully District on Christmas Eve.

**72.CONCURRENT PROCESSING OF THE PRELIMINARY PLAN**

**AND THE SUBDIVISION PLAN FOR THE PROPERTY**

**CONTAINED IN REZONING APPLICATION RZ 92-Y-008**

**(Tape 5)**

Supervisor Frey moved that the Board direct the Department of Environmental Management (DEM) to allow concurrent processing of the Preliminary Plan and the



Subdivision Plan for the property contained in Rezoning Application RZ 92-Y-008. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**PMH:pmh**

### **73.APPOINTMENT TO THE FAIRFAX COUNTY AIRPORTS**

#### **ADVISORY COMMITTEE (Tape 6)**

(APPT)

Supervisor Trapnell moved the appointment of Mr. Lawrence Crain as the Mason District Representative to the Fairfax County Airports Advisory Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

### **74.WAIVER REQUEST FOR STREET LIGHTS - SALVATION**

#### **ARMY CHILD CARE ADDITION (Tape 6)**

Supervisor Bulova stated that the Salvation Army located on Ox Road has been valiantly trying to add a small addition to their child care facility. The latest obstacle is the requirement that they install three or four cobra head street lights on Ox Road.

Supervisor Bulova pointed out that there is a staff committee reviewing this problem with churches and non-profits being required to meet all Public Facilities Manual (PFM) and Comprehensive Plan requirements even for very minor additions or modifications. In the meantime, waiver requests for these types of things are being denied.

Supervisor Bulova said that this request for street lights is an undue burden on the Salvation Army. Therefore, she moved that the Board direct the County Executive to waive the street light requirement and waive the fee for the waiver request. This motion was seconded by Chairman Davis.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, Supervisor Bulova amended the motion to add "If it is legal," and this was accepted.

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

### **75.REQUEST FOR LIST OF WAIVABLE REQUIREMENTS**

**(Tape 6)**

Supervisor Hanley asked unanimous consent that the Board direct staff to provide Board Members with a list of issues that are waivable - what authority the Board has and does not have. Without objection, it was so ordered.

**76.EROSION PROBLEMS IN THE DAVENTRY COMMUNITY****(Tape 6)**

Supervisor McConnell stated that the Daventry Community has requested that the money escrowed for an unbuilt multi-purpose court be released so that the funds can be devoted to addressing erosion problems in the subdivision. Since the multi-purpose court is a feature shown on the proffered Final Development Plan (FDP) approved in conjunction with Development Plan Amendment Application DPA C-402-4, a Proffered Condition Amendment (PCA) is required to eliminate that feature of the FDP.

Since the Daventry Community would be the applicant in this case and the purpose is to use the funds for erosion problems in the Subdivision, Supervisor McConnell moved that the Board waive the filing fees associated with a PCA. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

**77.CONDEMNATION OF THE NECESSARY RIGHT-OF-WAY AND****EASEMENT FOR THE RIDGEGATE WOODS PROPERTY****(Tape 6)**

Supervisor Berger stated that last month he made a motion which passed regarding a condemnation. He said that it needs to be modified to add an additional parcel.

Therefore, Supervisor Berger moved that the Board authorize condemnation at the expense of the developer of Ridgeway Woods of the necessary right-of-way and easement from property in the Dranesville Magisterial District owned by Mrs. Margaret Comber and identified on Tax Map 10-2((1))2B, 2C, 2D and the addition of 5 to permit construction of the interim road improvements to provide safe access from Dranesville Road to the Ridgeway Woods Project. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**78.MORE DISPLAY OF THE FAIRFAX COUNTY FLAG**

**(Tape 6)**

Supervisor Berger stated that he would like to encourage more display of the Fairfax County flag. Therefore, Supervisor Berger moved that any posting of the colors from hence forward by any of the County color guards include the Fairfax County flag. This motion was seconded by Chairman Davis and carried by unanimous vote.

**79.REQUEST FOR REMOVAL OF THE NO RIGHT-TURN SIGN****EXITING DULLES TOLL ROAD AND ENTERING DULLES****TOLL ROAD FROM SPRINGHILL ROAD (Tape 6)**

Supervisor Berger stated that on October 26, 1992, the Board unanimously passed a motion requesting that the Virginia Department of Transportation (VDOT) and the Washington Metropolitan Airport Authority remove the no right-turn sign exiting Dulles Toll Road and entering Dulles Toll Road from Springhill Road. He said that VDOT responded immediately, but there has been no action by the Airport Authority.

Therefore, Supervisor Berger moved that the Board direct staff to immediately contact the Airport Authority to determine what is causing the delay. This motion was seconded by Chairman Davis and carried by unanimous vote.

**80.APPOINTMENT TO THE FAIRFAX COUNTY TREE****COMMISSION (Tape 6)**

(APPT)

(NOTE: Earlier in the meeting, there was another appointment to this Commission. See Clerk's Summary Item CL#55.)

Supervisor Berger moved the appointment of Mrs. Mary Hunt to fill the unexpired term of Ms. Phyllis S. Verhalen as the Dranesville District Representative to the Tree Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to invite Ms. Verhalen to appear before the Board to receive a Certificate of Appreciation. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

At 1:20 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Original EEOC Claims filed against the County Police Department - #100-92-0613; 100-92-0911; 100-92-0923; 100-92-0944; 100-92-0955; 100-92-1011; 100-92-1040; 100-92-1041; 100-92-1064; and 100-93-0096;
- Legal issues involving health insurance; and
- Legal issues involving real estate taxes.

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

**NV:nv**

At 4:25 p.m., the Board reconvened in the Board Room with all Board Members present, and with Chairman Davis presiding.

**82.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 Hanley and carried by unanimous vote.

**B.RAINWATER CONCRETE COMPANY, INCORPORATED**

Supervisor Frey moved that the Board deny the claim of Rainwater Concrete Company, Incorporated, as recommended by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by unanimous vote.

**C.ANNE S. SEIDLITZ, ET AL. VERSUS THE  
COUNTY OF FAIRFAX, VIRGINIA, ET AL.,  
AT LAW NUMBER 120135**

Supervisor Frey moved that the Board authorize settlement of Anne S. Seidlitz, et al. versus the County of Fairfax, Virginia, et al., At Law Number 120135, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

**D.RESOLUTION TRUST CORPORATION (RTC)  
AS RECEIVER OF TRUSTBANK SAVINGS**

Supervisor Alexander moved that the Board deny the claim of Resolution Trust Corporation (RTC) as receiver of Trustbank Savings, F.S.B. ("RTC"), but invite the RTC to refile its claim after the litigation affecting the claim is concluded, as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

(NOTE: Later in the meeting, there was an additional action from Executive Session. See Clerk's Summary Item CL#88.)

**SBE:sbe**

**83. 3:00 P.M. - PH ON PROPOSED AMENDMENTS TO  
THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101  
(SUBDIVISION ORDINANCE) AND CHAPTER 112 (ZONING  
ORDINANCE) REGARDING THE ESTABLISHMENT OF PRO  
RATA ROAD REIMBURSEMENT DISTRICTS (Tape 8)**

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) and Chapter 112 (Zoning Ordinance) regarding the establishment of pro rata road reimbursement districts until **February 8, 1993 at 4:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hyland and Supervisor Trapnell being out of the room.

**ADDITIONAL BOARD MATTER**

**84. WELCOME TO BOY SCOUT TROOP NUMBER 1345**

**(Tape 8)**

Supervisor Bulova recognized the presence of Boy Scout Troop Number 1345 in the Board Room and warmly welcomed them.

**85. 3:30 P.M. - PH ON PROPOSED REVISIONS TO**

**THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3**

**(COUNTY EMPLOYEES), ARTICLE 2 (SUPPLEMENTAL**

**RETIREMENT SYSTEM), ARTICLE 3 (UNIFORMED**

**RETIREMENT SYSTEM), AND ARTICLE 7 (POLICE**

**RETIREMENT SYSTEM), REGARDING ATTACHMENT OF**

**ANNUITY FOR CHILD/SPOUSAL PAYMENTS AND**

**CLARIFICATION REGARDING LUMP SUM PAYMENTS**

**FOR WORKERS' COMPENSATION (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 December 24 and December 31, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved adoption of the proposed revisions to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 2 (Supplemental Retirement System), Article 3 (Uniformed Retirement System), and Article 7 (Police Retirement System), regarding the attachment of annuity for child/spousal payments and clarification regarding lump sum payments for Workers' Compensation. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

**86. 3:30 P.M. - PH ON PROPOSED REVISION TO THE  
CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3  
(COUNTY EMPLOYEES), ARTICLE 2 (SUPPLEMENTAL  
RETIREMENT SYSTEM), REGARDING ELECTION OF  
BOARD OF TRUSTEES RETIREE MEMBER (Tape 8)**

(BACs)

(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 December 24 and December 31, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved adoption of the proposed revision to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 2 (Supplemental Retirement System), regarding the election of the Board of Trustees Retiree Member. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

**87. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE  
OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION  
PROVISIONS) REGARDING VALIDATION OF CERTAIN PARCELS  
OF LAND (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 December 24 and December 31, 1992.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Provisions), Section 101-2-7 (Validation of Certain Parcels of Land), as set forth in the Staff Report, which shall **become effective at 12:01 a.m. on January 12, 1993**. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Alexander, Supervisor Bulova, and Supervisor Trapnell being out of the room.

Because of the unusual amount of time and costs already incurred by Mr. Christopher Mayol regarding this situation, Supervisor Frey moved that the Board direct staff to waive any further fees that Mr. Mayol may encounter. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Alexander, Supervisor Bulova, and Supervisor Trapnell being out of the room.

## **88.ADDITIONAL ACTION FROM EXECUTIVE SESSION**

### **(Tape 9)**

(NOTE: Earlier in the meeting, there were additional actions from Executive Session. See Clerk's Summary Item CL#82.)

## **E.SETTLEMENT OF EQUAL EMPLOYMENT**

### **OPPORTUNITY COMMISSION (EEOC)**

### **CLAIMS FILED AGAINST THE FAIRFAX**

### **COUNTY POLICE DEPARTMENT**

Supervisor Dix moved that the Board approve settlement of Equal Employment Opportunity Commission (EEOC) Claim Numbers 100-92-0911, 100-92-0923, 100-92-0944, 100-92-0955, 100-92-1011, 100-92-1040, 100-92-1041, and 100-92-1064, according to the terms outlined by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Bulova, and Supervisor Trapnell being out of the room.

## **89. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE**



**OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR  
VEHICLES AND TRAFFIC), SECTION 82-5A-2(A),  
ARTICLE 5A [RESIDENTIAL PERMIT PARKING  
DISTRICTS (RPPD)] (COUNTYWIDE) (Tapes 9-10)**

(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 December 24 and December 31, 1992.

Following the public hearing, Supervisor Berger moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-5A-2(a), Article 5A [Residential Permit Parking Districts (RPPD)] to expand the definition of "Residential area" for the purpose of RPPD to include that side of any street adjacent to property that is zoned commercial if such property is used exclusively as a residence. This motion was seconded by Chairman Davis and **CARRIED** by a recorded vote of five, Supervisor Bulova abstaining, Supervisor Alexander, Supervisor Dix, Supervisor Hanley, and Supervisor Trapnell being out of the room.

**90. 3:30 P.M. - PH ON A PROPOSAL TO RESTRICT THROUGH  
TRUCK TRAFFIC ON A PORTION OF WALNEY ROAD  
(ROUTE 657) (SULLY DISTRICT) (Tape 10)**

(Verbatim)

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 December 24 and December 31, 1992.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and left the Board Room to attend to important business in the Board's Conference Room.

Following the public hearing, which included testimony by three speakers, Supervisor Frey moved to defer Board decision on the proposal to restrict through truck traffic on a portion of Walney Road (Route 657) and hold open the record for written testimony only until **January 25, 1993 at 4:00 p.m.** This motion was seconded by Vice-

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

Supervisor Frey recognized the presence in the Board Room of Harold L. Strickland, Sully District Representative to the Park Authority, and he warmly welcomed him.

(NOTE: Later in the meeting, upon his return to the Board Room, Chairman Davis asked unanimous consent to be recorded as voting "AYE" on the action taken regarding this item. See Clerk's Summary Item CL#93.)

**91. 3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN  
LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF  
THE MADISON LANE DEVELOPMENT (MASON DISTRICT)**

**(Tape 10)**

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 24 and December 31, 1992.

On behalf of Supervisor Trapnell, Supervisor Dix moved to defer the public hearing on the proposed acquisition of certain land rights necessary for the construction of the Madison Lane Development until **February 8, 1993 at 3:30 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

**92. 3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE  
OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING  
ORDINANCE) REGARDING CHURCHES AND OTHER PLACES  
OF WORSHIP, CONVENTS, MONASTERIES AND CHILD  
CARE CENTERS AND PRIVATE SCHOOLS AS SPECIAL  
EXCEPTION USES (Tape 10)**

Supervisor Frey moved to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Articles 3, 4, 5, 6, 8

and 9, regarding churches and other places of worship, convents, monasteries and child care centers and private schools as special exception uses until **January 25, 1993 at 4:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

**93. REQUEST TO RECORD VOTE ON THE PROPOSAL TO  
RESTRICT THROUGH TRUCK TRAFFIC ON A PORTION  
OF WALNEY ROAD (ROUTE 657) (SULLY DISTRICT)**

**(Tape 10)**

[NOTE: Earlier in the meeting, the public hearing was held and action taken to defer decision on the proposal to restrict through truck traffic on a portion of Walney Road (Route 657). See Clerk's Summary Item CL#90.]

Upon his return to the Board Room, Supervisor Davis asked unanimous consent to be recorded as voting "**AYE**" on the Board's previous action regarding Walney Road (Route 657). Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**94.4:00 P.M. - BOARD DECISION ON SPECIAL EXCEPTION  
APPLICATION SE 91-V-039 (FAIRFAX INDUSTRIAL PARK  
ASSOCIATES) (MOUNT VERNON DISTRICT) (Tape 10)**

Because Supervisor Hyland was not present in the Board Room, the Board changed its Orders of the Day and proceeded with the next scheduled Agenda item.

(NOTE: Later in the meeting, action was taken to further defer Board decision on Special Exception Application SE 91-V-039. See Clerk's Summary Item CL#98.)

**95. 4:00 P.M. - PH 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) (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 December 24 and December 31, 1992.

Following the public hearing, Supervisor Hanley moved adoption of the Resolution authorizing the acquisition of certain dedications and easements necessary for the construction of Project 003910 - James Lee Phase III Neighborhood Improvements. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor Trapnell being out of the room.

**96. 4:00 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT****S92-III-UP2 FOR THE SOUTH SIDE OF COPPERMINE****ROAD, WEST OF CENTREVILLE ROAD AND REZONING****APPLICATION RZ 92-H-027 AND PROFFERED CONDITION****AMENDMENT APPLICATION PCA 85-C-008-2 (BAHMAN****BATMANGHELIDJ, TRUSTEE) (HUNTER MILL DISTRICT)****(Tape 10)**

Because of the Planning Commission's deferral of its public hearing, Supervisor Dix moved to defer the public hearing on Out-of-Turn Plan Amendment S92-III-UP2, Rezoning Application RZ 92-H-027, and Proffered Condition Amendment Application PCA 85-C-008-2 until **January 25, 1993 at 4:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Supervisor Trapnell being out of the room.

**97.4:00 P.M. - PH ON REZONING APPLICATION****RZ 89-V-062 AND SPECIAL EXCEPTION APPLICATION**

**SE 92-V-042 (GUNSTON LAND COMPANY) (MOUNT  
VERNON DISTRICT) (Tape 10)**

Because of the Planning Commission's deferral of its public hearing, Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 89-V-062 and Special Exception Application SE 92-V-042 until **February 8, 1993 at 4:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Supervisor Trapnell being out of the room.

**98.4:00 P.M. - BOARD DECISION ON SPECIAL EXCEPTION**

**APPLICATION SE 91-V-039 (FAIRFAX INDUSTRIAL PARK  
ASSOCIATES) (MOUNT VERNON DISTRICT) (Tape 11)**

Supervisor Hyland moved to further defer Board decision on Special Exception Application SE 91-V-093 until **February 8, 1993 at 4:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Supervisor Trapnell being out of the room.

**AP:ap**

**99.4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT**

**APPLICATION SEA 80-M-060-2 (THE SALVATION ARMY)  
(MASON DISTRICT) (No Tape)**

(NOTE: Later in the meeting, the public hearing was held on Special Exception Amendment Application SEA 80-M-060-2. See Clerk's Summary Item CL#102.)

**100.ORDERS OF THE DAY (Tape 11)**

Chairman Davis announced that there would be a change in the Orders of the Day and the Board proceeded with Board Decision on Rezoning Application RZ 92-V-013 and Application 456-V92-11.

**101.4:30 P.M. - BOARD DECISION ON REZONING APPLICATION**

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

**456-V92-11 BY THE FAIRFAX COUNTY REDEVELOPMENT  
AND HOUSING AUTHORITY (FCRHA) (MOUNT VERNON  
DISTRICT) (Tape 11)**

(NOTE: On December 14, 1992, the Board held the public hearing on these applications, but deferred Board decision to January 11, 1993.)

Supervisor Hyland asked unanimous consent that the record remain open for Rezoning Application RZ 92-V-013 and Application 456-V92-11. Without objection, it was so ordered.

Supervisor Hyland moved that the:

•Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-V-013 be amended from the R-1 District to the PDH-16 District and the Conceptual Development Plan subject to the executed proffers dated December 11, 1992 and the development conditions dated January 11, 1993 with the addition of the following development conditions:

\*The elevation of the townhouse units facing Fourth Place shall be designed as front facades;

\*Prior to the submission of building permits, the applicant shall meet with representatives of Shirley Acres to review the elevations of the townhome units along Fourth Place;

\*Waiver of the barrier requirement along the western boundary of the site;

\*Waiver of the transitional screening and barrier requirements along the northern boundary and modify the transitional screening and barrier requirements along the southern/southeastern boundary in favor of the landscaping shown on the CDP/FDP and subject to the executed proffers; and

\*Waiver of the 600 foot limitation on the maximum length of private streets for residential developments in favor of the CDP/FDP and subject to the executed proffers.

Supervisor Hyland noted for the record that the proposed contribution to the Lorton area road fund proffered in this application has been estimated by the applicant. It has

not been endorsed by staff or the Planning Commission and should not be construed as setting a precedent for future rezoning applications within the Lorton area.

Supervisor Hyland read into the record Condition Number Three as follows:

•In order to facilitate sanitary sewer service to the Shirley Acres Subdivision located to the west and northwest across Giles Run at the time that the interim or permanent sanitary sewer system is constructed to serve the property that is the subject of RZ 92-V-013 whichever first occurs. The following shall be provided as approved by the Department of Public Works (DPW):

\*Construction of 1500 feet of eight-inch PVC sanitary sewer beyond that required to provide sanitary sewer service to the property subject to RZ 92-V-013 or its equivalent, construction of a pump station with all pertinences at a location (either on or off site) approved by DPW and easements to the boundary of the Shirley Acres Subdivision necessary to provide sanitary sewer to the Shirley Acres Subdivision.

This motion was seconded by Supervisor Berger.

Mr. Paul Kraucunas, Representative of the Applicant, stated for the record that the applicant agreed to the development conditions and proffers for this application as discussed and amended.

The question was called on the motion, which **CARRIED** by a recorded vote of five, Supervisor Bulova voting "NAY," Supervisor Alexander, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

Supervisor Hyland moved that the Board:

•Affirm the determination by the Planning Commission, Pursuant to Section 15.1-456 of the Code of Virginia of Application 456-V92-11, by the Fairfax County Redevelopment and Housing Authority for Development of up to 50 units of multifamily low-moderate income housing as substantially in accord with the county's Comprehensive Plan; and

•Authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to acquire approximately 14.05 acres (Lorton area: Tax Map 107-4((1))85A), as being in compliance with Section 36-19.2 of the Code of Virginia.

The motion, the second to which was inaudible, carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

Supervisor Hyland moved that the Board direct staff to:

- Initiate appropriate Health Department surveys and request funding for engineering planning at the next quarterly budget review for the establishment of a sanitary sewer E and I project in accordance with the County Policy for the Shirley Acres Subdivision located to the west and northwest across Giles Run from the property that is the subject of RZ 92-V-013.

The motion, the second to which was inaudible, carried by a vote of five, Supervisor Bulova abstaining, Supervisor Alexander, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

**102.4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT**

**APPLICATION SEA 80-M-060-2 (THE SALVATION ARMY)**

**(MASON DISTRICT) (Tape 11)**

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

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

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

Supervisor Trapnell moved:

- Approval of Special Exception Amendment Application SEA 80-M-060-2 subject to the revised development conditions dated December 3, 1992;
- Modification of the transitional screening requirements to that shown on the SE Plat;
- Waiver of the barrier requirements along the northern and northeastern property lines, pursuant to paragraph 7 of Section 13-304 of the Zoning Ordinance; and
- Waiver of the transitional screening and barrier requirements along the western boundary of the site adjacent to the R-2 zoned property, pursuant to paragraph 5 of Section 13-304 of the Zoning Ordinance.



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

**103.4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT**

**APPLICATION PCA 87-P-021-2 (RK/W THREE JOINT**

**VENTURE) (PROVIDENCE DISTRICT) (Tape 11)**

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

Chairman Davis disclosed that John Cable Associates built an addition at fair market value on his home several years ago.

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

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

Supervisor Hanley moved approval of Proffered Condition Amendment Application PCA 87-P-021 subject to the development conditions dated December 29, 1992. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Dix and Supervisor Trapnell being out of the room.

**104.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION**

**SE 91-B-056 (EXXON CORPORATION) (BRADDOCK**

**DISTRICT) (Tape 11)**

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

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

•In the amount of \$1250 from Mr. William McGillicuddy who is an agent for Kings Park Auto Care, Incorporated.

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

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

Supervisor Bulova moved **DENIAL** of Special Exception Application SE 91-B-056. This motion was seconded by Supervisor McConnell and **CARRIED** by a recorded vote of nine, Supervisor Trapnell being out of the room.

**105.4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT**

**APPLICATION SEA 83-L-033 (BELL ATLANTIC MOBILE SYSTEMS, INCORPORATED) (LEE DISTRICT) (Tape 11)**

(NOTE: The public hearing for this application is no longer required.)

Supervisor Alexander moved that the Board accept the **WITHDRAWAL** of Special Exception Amendment Application SEA 83-L-033. The motion, the second to which was inaudible, **CARRIED** by a recorded vote of eight, Supervisor Berger abstaining, Supervisor Trapnell being out of the room.

**106.4:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT**

**S92-I-B1 FOR THE SITE ADJACENT TO UPTON HILL**

**REGIONAL PARK AND THE FAIRFAX/ARLINGTON**

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

(NOTE: Later in the meeting, the public hearing was held on Out-of-Turn Plan Amendment S92-I-B1. See Clerk's Summary Item CL#112.)

**107.ORDERS OF THE DAY (Tape 11)**

Chairman Davis announced that there would be a change in the Orders of the Day and, at the request of Supervisor Trapnell, the Board passed over Out-of-Turn Plan Amendment S92-I-B1 and proceeded with the items as scheduled on the Agenda.

**108.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION  
SE 92-L-029 (BENEVOLENT AND PROTECTIVE ORDER OF  
ELKS, U.S.A., ALEXANDRIA LODGE #758) (LEE  
DISTRICT) (Tape 11)**

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

Chairman Davis disclosed that he is a member of the Arlington/Fairfax Elks Lodge.

Mr. McGinnis 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, Robby Robinson, 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-029 subject to the development conditions dated December 18, 1992. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Berger and Supervisor Trapnell being out of the room.

Supervisor Alexander moved waiver of the open space requirement. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Berger and Supervisor Trapnell being out of the room.

Supervisor Alexander moved waiver of the transitional screening and barrier requirements along the northern and eastern boundaries, subject to the development conditions. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Berger and Supervisor Trapnell being out of the room.

**109. 4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT  
APPLICATIONS PCA 91-Y-010, PCA 88-S-083-3 AND  
PCA 81-S-058-4 (BURKE INVESTMENT ASSOCIATES  
AND MASON ASSOCIATES) (SULLY DISTRICT)**

**(Tapes 11-12)**

Mr. David S. Houston reaffirmed the validity of the affidavit for the record.

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

Supervisor Frey moved that the Board:

- Approve Proffered Condition Amendment Application PCA 81-S-058-4 subject to the proffers dated December 9, 1992;
- Approve Proffered Condition Amendment Application PCA 88-S-083-3 subject to the proffers dated December 9, 1992;
- Approve Proffered Condition Amendment Application PCA 91-Y-010 subject to the proffers dated December 9, 1992;
- Reaffirm the waiver of the service drive requirement along Route 28;
- Reaffirm a waiver of the 600-foot limitation on the length of private streets for Land Bay 1B; and
- Reaffirm the modification of screening and barrier requirements along the northern boundary of Land Bay 1B, and along the Route 28 frontage for Land Bay 1B in favor of that shown on the Final Development Plan.

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

Because of the extensive engineering involved with this project, Supervisor Frey moved that the Board direct the Department of Environmental Management (DEM) to allow concurrent processing of the Preliminary Plan and the Site Plan for Centre Ridge Land Bay 1B. This motion was seconded by Chairman Davis and carried by unanimous vote.

**110. 4:30 P.M. - PH ON AGRICULTURAL AND FORESTAL**

**DISTRICT RENEWAL AND AMENDMENT APPLICATION**

**AR 84-D-005 (KATHERINE J., CHARLES S. AND**

**SUSAN B. MOUTOUX) (HUNTER MILL DISTRICT)**

**(Tape 12)**

(O)Ms. Susan B. Moutoux affirmed the validity of the affidavit for the record.

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

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

Supervisor Dix moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, Appendix F-14 (Local Agricultural and Forestal Districts Ordinance), to renew and amend the Moutoux Orchard Local Agricultural and Forestal District (AR 84-D-005) subject to the revised ordinance provisions contained in Appendix One of the Staff Report dated January 11, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Frey and Supervisor Hanley being out of the room.

**111. 4:30 P.M. - BOARD DECISION ON THE ACQUISITION OF**

**A CERTAIN SANITARY SEWER EASEMENT NECESSARY FOR**

**CONSTRUCTION OF THE SUGARLAND SUBDIVISION**

**SANITARY SEWER EXTENSION PROJECT**

**(DRANESVILLE DISTRICT) (Tape 12)**

(R)(NOTE: On December 14, 1992, the Board held a public hearing on this application, but deferred decision to January 11, 1993.)

Supervisor Berger moved adoption of the Resolution authorizing the acquisition of a sanitary sewer easement necessary for construction of Project X00820 (B00001) - Sugarland Subdivision Sanitary Sewer Extension Project. This motion was seconded

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

**112.4:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT**

**S92-I-B1 FOR THE SITE ADJACENT TO UPTON HILL**

**REGIONAL PARK AND THE FAIRFAX/ARLINGTON**

**COUNTY LINE (MASON DISTRICT) (Tapes 12-13)**

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

Following the public hearing, which included testimony by 10 speakers, Supervisor Trapnell moved to defer Board decision on Out-of-Turn Plan Amendment S92-I-B1 for the site adjacent to Upton Hill Regional Park and the Fairfax/Arlington County line until **January 25, 1993 at 4:30 p.m.** The motion, the second to which was inaudible, carried by unanimous vote.

**ADDITIONAL BOARD MATTER**

**113.ADDITIONAL LEGISLATIVE ISSUE (Tape 13)**

(NOTE: Earlier in the meeting, additional action was taken regarding this item. See Clerk's Summary Item CL#48.)

Supervisor Hanley raised the issue of the Tank Farm, stating that she had overlooked a request from from the City of Fairfax to ask the General Assembly to enact legislation amending Section 58.1. Supervisor Hanley asked unanimous consent that this item be referred to the Legislative Subcommittee. Without objection, it was so ordered.

**114.A-1 - REVISIONS TO THE PERSONNEL REGULATIONS**

**REGARDING THE REDUCTION-IN-FORCE (RIF) PROCEDURE**

**AND UNDERFILL APPOINTMENTS (Tape 13)**

(NOTE: Earlier in the meeting, there was a discussion regarding this issue. See Clerk's Summary Item CL#8.)

Supervisor Dix called the Board's attention to Action Item - A-1 - Revisions to the Personnel Regulations Regarding the Reduction-In-Force (RIF) Procedure and Underfill Appointments. He said that Paul L. Baldino, Acting Director, Office of Personnel, had provided him with a copy of the survey used in preparing this item.

Supervisor Dix moved to amend the motion (made earlier in the day) as follows:

- Page 29 of Action Item A-1 - Delete the provision regarding the severance pay provisions; and
- That the County continue to provide payments for the Health Insurance Plan for 90 days following separation from employment.

This motion was seconded by Supervisor Berger.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board refer this issue to the Personnel Subcommittee for discussion on January 12, 1993 and Board action on January 25, 1993. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

#### **115.BOARD ADJOURNMENT (Tape 13)**

At 7:00 p.m., the Board adjourned.