

VW:vw

The meeting was called to order at 10:30 a.m. with all Members being present, with the exception of Supervisor Trapnell, and with Chairman Davis presiding.

Supervisor Trapnell arrived at 10:35 a.m.

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

2.PROCLAMATION DESIGNATING "GIRL SCOUT LEADER'S DAY"

(Tape 1)

Supervisor Bulova moved approval of the Proclamation, presented to Emily Whitaker, Representative, National Girl Scout Association, designating April 22, 1993 as "**GIRL SCOUT LEADER'S DAY**" in Fairfax County, and urging all citizens to acknowledge the efforts of these outstanding volunteers. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

3.ADOPTION OF A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX I, FAIRFAX COUNTY SPECIAL SERVICE DISTRICT FOR THE CONTROL OF GYPSY MOTH INFESTATIONS, SECTION 5, TO REDUCE ITS TAX RATE (Tape 1)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved ***adoption of the proposed amendment to the Code of the County of Fairfax, Appendix I, Fairfax County Special Service District for the Control of Gypsy Month Infestations, Section 5, to decrease the Gypsy Moth Infestation tax rate from \$0.0028 per \$100 assessed real property value to \$0.0014 per \$100 assessed real property value.*** This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of nine, Supervisor Frey voting "**NAY.**"

(*NOTE: Later in the meeting, this action was restated following the scheduled public hearing. See Clerk's Summary Item CL#5.*)

**4.10:30 A.M. - BOARD DECISION ON THE COUNTY'S AND
SCHOOLS' FISCAL YEAR (FY) 1993 THIRD QUARTER**

REVIEW (Tape 1)

(SARs)

(FPRs)

[NOTE: The public hearings on the County's and Schools' Fiscal Year (FY) 1993 Third Quarter Review were held on April 12, 13, and 14, 1993.]

Certificates of Publication were filed from the Editors of the Washington Post showing that notice of said public hearings had been duly advertised in that Newspaper in the issue of April 4, 1993.

Supervisor Davis moved Board:

- Approval of Supplemental Appropriation Resolution (SAR) AS 93054 and Amendment to the Fiscal Planning Resolution (FPR) AS 93905 which includes the revenue, expenditure, and transfer adjustments contained in the County and Schools' Third Quarter Review which results in an available Combined General Fund Set Aside Reserve of \$12,871,158;
- Appropriation of the Federal/State grant awards and adjustments reflected in Attachment Five of the Memorandum to the Board dated April 12, 1993 resulting in a net decrease of \$211,187 in appropriations to Subfund 107, Federal/State Grants; and
- Approval of adjusting the Managed Reserve to maintain the reserve at two percent of total disbursements based on the action taken by the Board as part of the Third Quarter Review.

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

**5.10:30 A.M. - PUBLIC HEARING ON PROPOSED AMENDMENT
TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX I,
FAIRFAX COUNTY SPECIAL SERVICE DISTRICT FOR THE**

**CONTROL OF GYPSY MOTH INFESTATIONS, SECTION 5,
TO REDUCE ITS TAX RATE (Tape 1)**

(O)(NOTE: Earlier in the meeting, action was taken on the proposed change to the Ordinance "Fairfax County Special Service District for the Control of Gypsy Moth Infestations" to Reduce its Tax Rate; however, because of an oversight, the public hearing was not held. See Clerk's Summary Item CL#3. Accordingly, the Board proceeded with the public hearing, restating its action at the conclusion.)

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of March 26 and April 2, 1993.

Following the public hearing, Supervisor Davis moved adoption of the proposed amendment to the Code of the County of Fairfax, Appendix I, Fairfax County Special Service District for the Control of Gypsy Moth Infestations, Section 5, to decrease the Gypsy Moth Infestation tax rate from \$0.0028 per \$100 assessed real property value to \$0.0014 per \$100 assessed real property value. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

**6.10:30 A.M. - BOARD DECISION ON THE PROPOSED
AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 6,
SECTION 4-6-8 [LOCAL TAX FOR ENHANCED EMERGENCY
TELEPHONE SERVICE (E-911)] AND CHAPTER 67
(SANITARY SEWERS AND SEWAGE DISPOSAL), ARTICLE 4,
SECTION 67-4-2, SUBSECTION (D) (SERVICE CHARGES)**

(Tape 1)

(Os)[NOTE: The public hearings on the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Section 4-6-8 and Chapter 67 (Sanitary Sewers and Sewage Disposal), Article 4, Section 67-4-2, Subsection (d)

(Service Charges), were held on April 12, 1993. The record was held open, for written testimony only, until Board decision.]

Certificates of Publications were filed from the Editor of the Washington Post showing that notice of said public hearings had been duly advertised in that Newspaper in the issues of March 11 and March 18, 1993.

Vice-Chairman McConnell closed the public hearings.

Supervisor Davis moved that the Board adopt the proposed amendments to the Code of the County of Fairfax:

- Chapter 67 (Sanitary Sewers and Sewage Disposal), Article 4, Section 67-4-2, Subsection (d) (Service Charges), to increase the service charge from \$2.34 per 1,000 gallons to \$2.50 per 1,000 gallons; and
- Chapter 4 (Taxation and Finance), Section 4-6-8 [Local Tax for Enhanced Emergency Telephone Service (E-911)] to increase the tax from \$0.44 to \$0.74 per line per month, or from \$5.28 per year to \$8.88 per year.

This motion was seconded by Supervisor Hyland.

Supervisor Dix asked unanimous consent that action be taken on the proposed amendments by seriatim vote. Without objection, it was so ordered.

Chapter 67:

The question was called on the motion to adopt the proposed amendment to **Chapter 67** which carried by unanimous vote.

Chapter 4:

The question was then called on the motion to adopt the proposed amendment to **Chapter 4** which **CARRIED** by a recorded vote of eight, Supervisor Dix and Supervisor Hanley voting "NAY."

7.10:30 A.M. - BOARD MARKUP OF THE COUNTY

EXECUTIVE'S FISCAL YEAR (FY) 1994 ADVERTISED

BUDGET PLAN AND THE FY 1994 ADD-ON PACKAGE

(Tapes 1-2)**(Tape 1)****Fiscal Year (FY) 1994 Add-On Package:**

Supervisor Davis moved approval of the revenue and administrative adjustments and the mandated and recommended consideration items included in the Fiscal Year (FY) 1994 Add-On Package resulting in a balance of \$5,893,013. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Establishment of FY 1994 Real Estate Tax Rate:

Supervisor Davis moved that the Board establish a Real Estate Tax Rate of \$1.16 per \$100 of assessed value. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

FY 1994 School Transfer:

Supervisor Davis moved that the balance of \$5,893,013 be transferred to the Schools. This action will result in a total FY 1994 County transfer of \$642.7 million. This motion was seconded by Supervisor Hyland.

Supervisor Hanley stated that last week at the Board's Budget Subcommittee meeting, Board Members were informed of the balance, which exists because of a fraction higher than projected property tax revenue and reduced expenditures on the County's side through the year. She stated that this action recognizes that education is the highest priority of the Board of Supervisors and that this increased transfer exceeds the Board's two percent guideline.

Since the imposition by the School Board of adult user fees for fields and gyms did not generate the projected revenue and did generate a great deal of confusion, as well as deterioration in those programs, Supervisor Hanley asked that the motion be amended to include the request that the School Board rescind those fees and make the appropriate adjustments in the FY 1994 budget, and this was accepted.

Supervisor Hanley stated that there has been a great deal of discussion about ending balances in the School Board's budget. The School Board's revised proposed budget does reflect a \$24 million beginning balance for FY 1994, but that balance is included as revenue to be used, not as a surplus fund. The School Board shows a zero ending balance for FY 1994. She stated that both the School Board and County budgets provide a process for carrying over unspent funds for line item projects until the next

year to prevent the "use or lose" syndrome and to allow for rebids or readjustments to protect the taxpayers' interests.

However, in light of all of the confusion and the intent of the Board to see that the School Board budget is revised and its Third Quarter Review is funded, Supervisor Hanley asked that the motion be amended to include a request that, if any additional balances occur, the policy be continued of saving those balances rather than funding any new programs in the remaining FY 1993 or FY 1994 budget, and this was accepted.

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

Adjustments to County Budget:

Supervisor Davis moved that the Board approve the adjustments to the County budget reflected in Attachment One (contained in the informational package distributed to Board Members entitled, "Adjustments to County Budget") which reflects the reallocation of resources to address priority items. After this action, an available balance of \$52,129 remains.

ATTACHMENT ONE

Adjustments to County Budget

-Adjustments to Managed Reserve \$ 416,641

-Reduce expenditures for Board Offices from
\$35,000 to \$5,000 in FY 1993 and FY 1994 600,000

-Reduce Economic Development Authority (EDA) advertising
expenditures since concurrent state funds were not
approved and provide \$150,000 to develop a regional
advertising program. Funds will be held in reserve
pending approval of the advertising plan 200,000

-Reduce Debt Service Expenditures 515,000

Total Available \$1,731,641

Items:

- Athletic Field Fee Avoidance (Park Authority) \$ 400,000
- Circuit Court Positions 180,631
- Reston Midday Express Bus 60,000
- Metrobus Route 18B 43,000
- Emergency Food Program 39,000
- Project Life 6,240
- Hispanic Committee 35,000
- Hospice 50,000
- Northern Virginia Diving Foundation 25,000
- Council of the Arts - Arts Groups 50,000
- Measures to Equalize Pay Inequities 200,000
- Juvenile Court Staff Restoration 231,641
- Child Care Assistance Program 250,000
- Neighborhood Watch 25,000
- Outstanding Performance Awards 35,000
- Reston Youth Council Pilot Teen Project 24,000
- Gunston/Wiley Pump and Haul 25,000

Total Items \$1,679,512

Balance 52,129

Supervisor Davis moved that the Board add those Items as listed in Attachment One on Page Six of the Clerk's Board Summary.

Athletic Field Fee Avoidance (Park Authority):

Supervisor Hanley stated that implicit in the items to be added is the \$400,000 that would allow the Park Authority to increase their maintenance. She stated that this **does not** include the total number of capital Life Cycle costs; however, does include other costs, as well as the field maintenance costs. She asked that the motion be amended to include the same request to the Park Authority that was included to the School Board (under the title of "**FY 1994 School Transfer**" shown on Page Five of the Clerk's Board Summary), that the Park Authority not impose user fees for fields, and this was accepted.

Supervisor Hanley stated that the Park Authority's trust fund available balance is higher than last year and she asked that the motion be amended to request the Park Authority to find other places to fund those Life Cycle costs, and this was accepted.

Supervisor Alexander asked that the motion be amended to include a notation to the Park Authority that Life Cycle costs are not the kinds of items that are to be added into a fee, and this was accepted.

Summer Wood (Daviswood) Subdivision Storm Drainage

Project, McLean:

Supervisor Davis amended his motion to include an additional item for the Summer Wood Subdivision (McLean) Storm Drainage Project in the amount of \$50,000.

Following a brief summary on the background of the Summer Wood Subdivision storm drainage situation by Supervisor Berger, discussion ensued among Board Members regarding the priority listing of projects throughout the County.

Second to Supervisor Davis' Motion to Add Items:

For discussion purposes, Vice-Chairman McConnell seconded Supervisor Davis' motion, as amended, and which includes the Summer Wood Subdivision Storm Drainage Project.

Deletion of Summer Wood (Daviswood) Subdivision and

Discussion of Weights and Measures Function in the

Department of Consumer Affairs:

Supervisor Bulova moved an amendment to the motion that the Board delete the Summer Wood Subdivision Storm Drainage Project from the list and add, in its place, the restoration of the weights and measures function in the Department of Consumer Affairs in the amount of \$47,001. This motion was seconded by Supervisor Hyland.

Supervisor Alexander moved an amendment that the Board delete the Summer Wood Subdivision Storm Drainage Project from the list on the basis that the project is identified as "Priority Four."

Supervisor Bulova **WITHDREW** her amendment and she seconded Supervisor Alexander's amendment to the motion.

The question was called on the amendment to delete the Summer Wood Subdivision Storm Drainage Project (\$50,000) from the list which **FAILED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE.**"

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Office for Women:

Supervisor Berger moved that the Board eliminate six positions in the Office for Women and transfer the function to the Center for Women. This motion **DIED** for lack of a second.

Retirement Administration Agency:

Supervisor Berger moved that the Board eliminate one-half of the 19 positions in the Retirement Administration Agency. This motion **DIED** for lack of a second.

Materials Testing Laboratory, Department of**Environmental Management (DEM):**

Supervisor Berger moved that the Board eliminate the Materials Testing Laboratory in the Department of Environmental Management (DEM). This motion was seconded by Supervisor McConnell for discussion purposes.

Supervisor McConnell suggested that the Board retain the Materials Testing Laboratory and request the Virginia Department of Transportation (VDOT) to provide funding from its budget for this function.

Following discussion, Supervisor Bulova moved to call the question.

Following further discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Alexander moved to call the question. This motion was seconded by Supervisor Hanley and **CARRIED** by a recorded vote of six, Supervisor Berger, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis voting "**NAY.**"

The question was then called on the elimination of the Materials Testing Laboratory which **FAILED** by a recorded vote of nine, Supervisor Berger voting "**AYE.**"

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct the County Executive to review this item and either report with strategies that would produce revenues or provide an update that would allow Board Members the opportunity to become more familiar with the Materials Testing Laboratory and appropriately weigh its function. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Site Inspection Section, DEM:

Supervisor Berger moved that the Board eliminate six positions in the Site Inspection Section of DEM which serve as assistants to the Supervisor of Site Inspections. The motion, which was seconded by Supervisor McConnell for discussion purposes only, **FAILED** by a recorded vote of nine, Supervisor Berger voting "**AYE.**"

Special Services Branch, Department of Consumer Affairs:

Supervisor Berger moved that the Board eliminate the Special Services Branch of the Department of Consumer Affairs. This motion was seconded by Supervisor Frey.

Following discussion, the question was called on the motion which **FAILED** by a recorded vote of eight, Supervisor Berger and Supervisor Frey voting "**AYE.**"

Office Service Manager I, Department of Consumer Affairs:

Supervisor Berger moved that the Board eliminate the Office Service Manager I position in the Department of Consumer Affairs. This motion was seconded by Supervisor McConnell for discussion purposes only.

Following discussion, with input from Richard A. King, Deputy County Executive for Public Safety, and William J. Leidinger, County Executive, the question was called on the motion which **FAILED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell voting "**AYE.**"

Merit Increments in FY 1994 and Cost-of-Living Adjustment:

Supervisor Berger briefly highlighted the Washington Personnel Association's annual salary survey, of which Fairfax County has been a participant for the past 13 years. He moved that the Board:

- Increase the Cost-of-Living Adjustments (COLA) from two percent to three percent;
- Eliminate the merit increases until the County can "come to grips" with its flawed merit system; and
- Freeze the pay systems that are "woefully" out-of-line with what the County's counterparts are being paid.

Supervisor Berger stated that this action does not include the police and fire and rescue personnel. This motion **DIED** for lack of a second.

Supervisor Frey stated that Board Members had not received the salary survey nor the analysis of the survey that had been prepared by Supervisor Berger. He requested Supervisor Berger to forward this information to Board Members.

Supervisor Hyland called for Point of Order. He stated that there is no second to the motion and, therefore, the item cannot be discussed.

Urban Forestry Section, DEM:

Supervisor Berger moved that the Board eliminate 10 of the 11 positions in the Urban Forestry Section of DEM. This motion **DIED** for lack of a second.

Deputy Director, Office of Transportation:

Supervisor Berger moved that the Board eliminate the Deputy Director position in the Office of Transportation. This motion **DIED** for lack of a second.

School-Age Child Care (SACC) Program:

Supervisor Berger moved that the Board revise the fee schedule in the School-Age Child Care (SACC) Program in order to recoup at least \$2 million of the subsidy. This motion was seconded by Supervisor McConnell and **FAILED** by a recorded vote of eight, Supervisor Berger and Supervisor McConnell voting "**AYE.**"

Historian III Positions, Heritage Resources Branch

Office of Comprehensive Planning (OCP):

Supervisor Berger moved that the Board eliminate two Historian III positions in the Heritage Resources Branch of the Office of Comprehensive Planning (OCP). This motion **DIED** for lack of a second.

Department of Community Action:

Supervisor Berger moved that the Board eliminate the Department of Community Action. This motion **DIED** for lack of a second.

Medical Plan for County Employees:

Supervisor Berger moved that the Board shift a five percent ratio in the medical plan from the County to employee contribution. This motion **DIED** for lack of a second.

Public Information Staff, Various Agencies:

Supervisor Berger moved that the Board:

- Remove 14 Public Information staff positions from various agencies;
- Eliminate seven of those 14 positions; and
- Transfer the remaining seven positions to the Office of Public Affairs.

This motion **DIED** for lack of a second.

PMH:pmh

(Tape 2)

Supervisor Hyland moved that the Board:

- Add \$125,000 for the Gunston/Wiley Project;
- Restore the four Consumer Specialist (\$114,822) Positions and the Weights and Measures Position (\$47,000) in the Department of Consumer Affairs; and
- Add \$250,000 for child care assistance.

In terms of funding these items, Supervisor Hyland further moved that the Board defer replacement of WANG equipment (\$500,000) for Supervisors offices leaving \$300,000 in that account. This motion was seconded by Supervisor Hanley.

Following discussion, Supervisor Berger moved that the Board vote on these items seriatim. This motion was seconded by Chairman Davis and carried by unanimous vote.

The question was called on the motion to defer replacement of WANG equipment (\$500,000) for Supervisors offices leaving \$300,000 in that account which **FAILED** by a recorded vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Chairman Davis voting "**AYE.**"

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved to transfer \$250,000 from the WANG Fund to child care assistance. This motion was seconded by Supervisor Hanley and **CARRIED** by a recorded vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Frey voting "**NAY.**"

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hyland moved that the Board restore the following positions utilizing monies from the WANG Fund:

- \$47,000 for the Weights and Measures Position in the Department of Consumer Affairs; and
- \$114,822 for the Consumer Specialist Positions (four) in the Department of Consumer Affairs.

The motion, the second to which was inaudible, **FAILED** by a recorded vote six, Supervisor Alexander, Supervisor Bulova, Supervisor Hyland, and Supervisor Trapnell voting "**AYE.**"

Supervisor Hyland moved that the Board restore \$114,822 for the four Consumer Specialist Positions in the Department of Consumer Affairs. This motion was seconded by Supervisor Bulova and **FAILED** by a recorded vote six, Supervisor Alexander, Supervisor Bulova, Supervisor Hyland, and Supervisor Trapnell voting "**AYE.**"

Supervisor Hyland moved that the Board restore \$125,000 for Gunston/Wiley Project and increase the revenue from delinquent real property taxes by an equal sum. This motion was seconded by Supervisor Bulova.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Hanley moved to amend the motion to transfer \$125,000 from Project 3099 to the Gunston/Wiley Project. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Dix moved approval of a non-general fund item contained in the Add-on Package on handwritten page 11, that is recommended to be funded out of the Reston Community Center Fund - Teen Partnership Program (\$59,432). This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Dix moved:

- Approval of \$15,000 for the Terraset School-Age Child Care (SACC) Program; and
- Since he has absorbed the costs for conversion away from the WANG System within his allocated office budget, that the \$15,000 needed for the Terraset SACC Program be transferred from the WANG System Program.

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

Following discussion, Supervisor Berger moved reconsideration of the action taken earlier in the meeting, as part of the Board Decision on the County's Fiscal Year (FY) 1993 Third Quarter Review, regarding the nine Department of Environmental Management (DEM) positions. This motion was seconded by Supervisor McConnell and **FAILED** by a recorded vote of eight, Supervisor Berger and Supervisor McConnell voting "**AYE.**"

Supervisor Berger moved reconsideration of the action taken earlier in the meeting regarding the addition of 17 individuals in agency who would be reassigned to assist the consultant. This motion died due to the lack of a second.

The question was called on the main motion, as amended by additions/deletions resulting from Board discussion, carried by unanimous vote.

8.BOARD DECISION ON THE COMMUNITY DEVELOPMENT

BLOCK GRANT (CDBG) STATEMENT OF OBJECTIVES

AND USE OF FUNDS FOR FISCAL YEAR (FY) 1994 -

PROGRAM YEAR 19 (Tape 2)

Supervisor McConnell moved approval of the County Executive's recommendations regarding the Community Development Block Grant (CDBG) Package including the following adjustments:

- Deletion of \$122,000 from the Home Improvement Loan Program;
- Addition of \$12,000 to the Town of Clifton Sidewalk Extension Project;
- Addition of \$45,000 to the Huntington Sidewalk Extension Project;
- Addition of \$25,000 to the Making the Grade Camp Project; and
- Addition of \$40,000 to the Multicultural Human Services.

The motion, the second to which was inaudible, carried by unanimous vote.

(NOTE: Later in the meeting, additional action was taken regarding this issue. See Clerk's Summary Item CL#12.)

ADDITIONAL BOARD MATTERS

9.NO DESTAFFING OF ENGINE COMPANIES IN FISCAL

YEAR (FY) 1995 (Tape 2)

Supervisor Alexander moved that it is the sense of the Board that there be no destaffing of any engine companies in FY 1995. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

10.STRUCTURE OF THE FIRE AND RESCUE DEPARTMENT

TO MEET ENVIRONMENTAL DISASTERS (Tape 2)

Supervisor Hanley announced her intent to revisit the issue of the structure of the Fire and Rescue Department to meet environmental disasters.

11.TENANT ASSISTANCE PROGRAM (TAP) (Tape 2)

Supervisor Hanley moved to delay the pronouncement that the Tenant Assistance Program (TAP) is dead in 1995 until it is addressed in the Carryover in the August/September timeframe. This motion was seconded by Supervisor McConnell and carried by a unanimous vote.

**12.RECONSIDERATION OF BOARD DECISION ON THE
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
STATEMENT OF OBJECTIVES AND USE OF FUNDS
FOR FISCAL YEAR (FY) 1994 - PROGRAM**

YEAR 19 (Tape 2)

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

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board reconsider its action regarding the Community Development Block Grant (CDBG). This motion was seconded by Supervisor Dix and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Trapnell moved that the Board transfer an additional \$20,000 from the Improvement Fund to the Refugee Fund. The motion, the second to which was inaudible, carried by unanimous vote.

**13.DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S (DEM)
TARGET RATE OF COST RECOVERY (Tape 2)**

Supervisor Frey stated that on June 2, 1988, the Board adopted a 100 percent rate of cost recovery for the Department of Environmental Management (DEM). He said that DEM has been unable to meet this target rate of recovery for a number of reasons. First, the County's financial accounting system requires DEM to account for revenue

in the year for which it is received. Since DEM's projects are multi-year, revenue is often not accounted for in the same year that costs are incurred. Consequently, recovering costs for a project does not translate to recovering costs in each fiscal year. In addition, at the Board's direction, fees are occasionally waived. Moreover, in some instances, the Commonwealth of Virginia has legislated caps on the fees that the County can charge in DEM, which limit DEM's ability to recover full costs. Finally, there are some activities performed by DEM that are not necessarily directly related to development in the County.

Therefore, Supervisor Frey moved that the Board adopt a target rate of cost recovery for DEM of 80 percent, effective July 1, 1993. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

14. BOARD MARKUP ON THE FAIRFAX COUNTY ADVERTISED

CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL

YEARS (FY) 1994-1998 (Tape 2)

Supervisor Dix moved approval of the Capital Improvement Program (CIP) for Fiscal Years (FY) 1994-1998 as submitted. This motion was seconded by Supervisor Trapnell.

Supervisor Bulova said that the issue of play equipment being removed from Wakefield Park and Lake Accotink had been previously discussed at Budget Subcommittee meetings. She stated for the record, that equipment at Lake Accotink will be replaced.

Therefore, Supervisor Bulova moved to amend the CIP items to include:

- Replacement equipment at Wakefield Park (\$50,000); and
- Funding for the Howry Field Lighting Project (Project #474288 for \$300,000).

This motion was seconded by Supervisor Hyland.

Supervisor Hyland moved to amend the motion to include the addition of play equipment at the Lorton field, and this was accepted.

Supervisor Alexander moved to defer the proposed amendments.

Following discussion, Supervisor Alexander withdrew his motion.

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

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

ADDITIONAL BOARD MATTERS

15.BUDGET GUIDELINES (Tape 2)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer action on the Budget Guidelines. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

16.NEIGHBORHOOD WATCH PROGRAM VACANCIES (Tape 2)

Supervisor Alexander asked unanimous consent that the Board direct staff to report on how the vacancies on the Neighborhood Watch Program are being filled. Without objection, it was so ordered.

17.GUIDELINES FOR SUPERVISOR'S OFFICE BUDGETS (Tape 2)

(P)Supervisor Frey moved that the Board adopt a Policy that establishes each Supervisor's Office Budget as a separate and individual account and that the monies cannot be transferred from within those accounts; however, a Board Member can request supplemental appropriations from the Board. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

18.RECESS/EXECUTIVE SESSION (Tape 2)

At 12:10 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Code of Virginia 2.1-344; and

- Dave Pyles Lincoln Mercury, Incorporated; Jerry's Ford Sales, Incorporated; Stohlman Volkswagen, Incorporated; Tysons Mitsubishi, Incorporated doing business as Stohlman Mitsubishi; Templeton Oldsmobile, Incorporated; Tysons Ford,

Incorporated; Moore Cadillac, Company; Palone Chevrolet, Incorporated, versus the Board of Supervisors of Fairfax County, Virginia At Law No. 120702.

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

ADDITIONAL BOARD MATTER

19.APPRECIATION EXPRESSED TO CHAIRMAN

THOMAS M. DAVIS, III (Tape 2)

Supervisor Hanley expressed her appreciation to Chairman Thomas M. Davis, III, for his work as the Chairman of the Board's Budget Subcommittee.

CM:cm

At 12:25 p.m., the Board reconvened in the Board Auditorium with all Board Members present, and with Chairman Davis presiding.

20.ACTIONS FROM EXECUTIVE SESSION (Tape 3)

A.CERTIFICATION BY BOARD MEMBERS REGARDING

ITEMS DISCUSSED IN EXECUTIVE SESSION

Supervisor McConnell moved that the Board of Supervisors certify that, to the best of their knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed or considered by the Board during the Executive Session. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of nine, Supervisor Bulova abstaining because she was not present for the Executive Session.

B.RECONSIDERATION AND SETTLEMENT OF

DAVE PYLES LINCOLN-MERCURY, INCORPORATED;

JERRY'S FORD SALES, INCORPORATED; STOHLMAN

VOLKSWAGEN, INCORPORATED; TYSONS MITSUBISHI,

INCORPORATED, D/B/A STOHLMAN MITSUBISHI;

**TEMPLETON OLDSMOBILE, INCORPORATED; TYSONS
FORD, INCORPORATED; MOORE CADILLAC COMPANY;
AND PALLONE CHEVROLET, INCORPORATED, VERSUS
BOARD OF SUPERVISORS OF FAIRFAX COUNTY,
VIRGINIA, AT LAW NUMBER 120702**

Supervisor Dix moved that the Board **RECONSIDER** its action taken at the Board of Supervisors' meeting held on April 12, 1993 regarding settlement of Dave Pyles Lincoln-Mercury, Incorporated; Jerry's Ford Sales, Incorporated; Stohlman Volkswagen, Incorporated; Tysons Mitsubishi, Incorporated, d/b/a Stohlman Mitsubishi; Templeton Oldsmobile, Incorporated; Tysons Ford, Incorporated; Moore Cadillac Company; and Pallone Chevrolet, Incorporated, versus the Board of Supervisors of Fairfax County, Virginia, At Law Number 120702. The motion, the second to which was inaudible, **CARRIED** by a recorded vote of seven, Supervisor Hanley and Supervisor Hyland voting "NAY," Supervisor Bulova abstaining.

Supervisor Alexander moved that the Board authorize settlement of Dave Pyles Lincoln-Mercury, Incorporated; Jerry's Ford Sales, Incorporated; Stohlman Volkswagen, Incorporated; Tysons Mitsubishi, Incorporated, d/b/a Stohlman Mitsubishi; Templeton Oldsmobile, Incorporated; Tysons Ford, Incorporated; Moore Cadillac Company; and Pallone Chevrolet, Incorporated, versus the Board of Supervisors of Fairfax County, Virginia, At Law Number 120702 according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and **CARRIED** by a recorded vote of seven, Supervisor Hanley and Supervisor Hyland voting "NAY," Supervisor Bulova abstaining.

21. BOARD ADJOURNMENT (Tape 3)

At 12:30 p.m., the Board adjourned.