

SBE:sbe

The meeting was called to order at 9:45 a.m. with all Members being present, with the exception of Supervisor Alexander, and with Chairman Davis presiding.

Supervisor Alexander was absent from the entire meeting.

Others present were William J. Leidinger, County Executive; David 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.CERTIFICATE OF APPRECIATION CONGRATULATING THOMAS

"BO" WHITE FOR HIS SERVICE ON THE FAXFAIR BOARD

OF DIRECTORS (Tape 1)

Supervisor Trapnell moved approval of the presentation of the Certificate of Appreciation, presented to Thomas "Bo" White, congratulating him for his years of outstanding and dedicated service on the FaxFair Board of Directors. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

3.RESOLUTION COMMENDING THE CENTENNIAL ANNIVERSARY

OF THE VIRGINIA BANKERS ASSOCIATION (Tape 1)

Supervisor Dix moved approval of the presentation of the Resolution, presented to Marshall H. Groom, Chairman, George Mason Bank, commending the centennial anniversary of the Virginia Bankers Association. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

4.10:00 A.M. - PRESENTATION BY THE FORESTED WETLANDS

COMMITTEE OF ITS FINAL REPORT (Tape 1)

(BAC)Mary Lightlinger, League of Women Voters Representative, Forested Wetlands Committee, presented to Board Members the Committee's final report, Methods to Protect Wetlands during Implementation of Regional Stormwater Management Ponds.

Following the presentation, a question-and-answer period ensued among Board Members.

Supervisor Hyland moved that the Board:

- Refer the report to staff for its review; and
- Direct staff to report within 60 days with recommended changes for Board action that would be consistent with those contained in the report.

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

5.ABSENCE OF LEE DISTRICT SUPERVISOR

JOSEPH ALEXANDER (Tape 1)

Chairman Davis announced that Lee District Supervisor Joseph Alexander is absent from today's meeting because he is representing Fairfax County at the American Public Transit Association Conference being held in Indianapolis, Indiana.

6.10:15 A.M. - PRESENTATION BY THE METROPOLITAN

WASHINGTON COUNCIL OF GOVERNMENTS (COG)

(Tapes 1-3)

The following representatives of the Metropolitan Washington Council of Governments (COG) presented to Board Members an overview of COG activities and programs, including key human services, public safety, and transportation issues. A briefing was also provided on the requirements of the Clean Air Act Amendments and the work being done by the Metropolitan Washington Air Quality Committee to comply with those requirements:

- Ruth R. Crone, Executive Director;
- Stuart A. Freudberg, Director
of Environmental Programs; and
- Ronald F. Kirby, Director

of Transportation Planning.

Following the presentation, a question and-answer period ensued among Board Members, with input from Mr. Freudberg.

**7.10:45 A.M. - PRESENTATION BY THE ECONOMIC
DEVELOPMENT AUTHORITY (EDA) ON REVIEW OF ITS
PROGRAMS (Tapes 3-4)**

Patricia M. Woolsey, Chairman, Fairfax County Economic Development Authority (EDA), presented to Board Members a review of the Authority's programs.

Following the presentation, a question-and-answer period ensued among Board Members, with input from Ms. Woolsey.

AP:ap

8.ADMINISTRATIVE ITEMS (Tape 5)

Supervisor Hyland moved approval of the Administrative Items. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Bulova and ***Supervisor McConnell*** being out of the room, Supervisor Alexander being absent.

(*NOTE: Later in the meeting, Supervisor McConnell asked unanimous consent that she be recorded as voting "AYE" on the Administrative Items and Action Items A-1 - A-3. See Clerk's Summary Item CL#25.)

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM

(SPRINGFIELD AND SULLY DISTRICTS)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated May 10, 1993 be recommended for acceptance into the State Secondary System, as follows: Ashleigh of Clifton, Thomas Ashleigh Lane, Springfield; Chantilly Highland Section 4B, Bankfoot Court, Grey Friars Place; Fifty West Corporate Center, Section 2, Fair Ridge Drive (Route 7960), Sully District.

ADMIN 2 - APPROVAL OF WATER MAIN, WESTLAND GOLF

COURSE (SULLY DISTRICT)

Approved the request for installation of approximately 540 feet of 12-inch water main in the right-of-way of Lee Jackson Memorial Highway (Route 50).

ADMIN 3 - ADDITIONAL TIME TO COMMENCE

CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 82-D-038-1 (HADID INVESTMENT

GROUP, INCORPORATED (PROVIDENCE DISTRICT)

(AT)Approved the request for 18 months of additional time to commence construction for Special Exception Amendment Application SEA 82-C-038-1 until **November 25, 1994** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

9. A-1 - MANDATORY WEEKLY COUNTYWIDE CURBSIDE

COLLECTION OF NEWSPAPERS (COUNTYWIDE)

(Tape 5)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the requirement that all solid waste collectors collect newspapers weekly for recycling beginning July 1, 1993 and that all programs be operational as of December 31, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of eight, ***Supervisor McConnell*** being out of the room, Supervisor Alexander being absent.

There was a brief discussion regarding this item with input from John W. di Zerega, Director, Department of Public Works.

(*NOTE: Later in the meeting, Supervisor McConnell asked unanimous consent that she be recorded as voting "**AYE**" on the Administrative Items and Action Items A-1 - A-3. See Clerk's Summary Item CL#25.)

10. A-2 - DEPARTMENT OF RECREATION AND COMMUNITY

SERVICES' GRANT APPLICATION TO THE UNITED STATES

(U.S.) DEPARTMENT OF AGRICULTURE FOR THE SUMMER

LUNCH PROGRAM FOR CHILDREN (Tape 5)

On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of eight, ***Supervisor McConnell*** being out of the room, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the Department of Recreation and Community Services' Grant application in the amount of \$74,399 for the 1993 United States (U.S.) Department of Agriculture's Summer Lunch Program for Children.

(*NOTE: Later in the meeting, Supervisor McConnell asked unanimous consent that she be recorded as voting "AYE" on the Administrative Items and Action Items A-1 - A-3. See Clerk's Summary Item CL#25.)

**11. A-3 - APPROVAL FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD TO ACCEPT A VIRGINIA
FAMILY VIOLENCE PREVENTION PROGRAM GRANT FROM
THE VIRGINIA DEPARTMENT OF SOCIAL SERVICES**

(Tape 5)

On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of eight, ***Supervisor McConnell*** being out of the room, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved acceptance of a \$17,000 Virginia Family Violence Prevention Program Grant from the Virginia Department of Social Services to continue funding for one grant exempt position (.5 SYE) which provides crisis intervention/volunteer coordination services.

(*NOTE: Later in the meeting, Supervisor McConnell asked unanimous consent that she be recorded as voting "AYE" on the Administrative Items and Action Items A-1 - A-3. See Clerk's Summary Item CL#25.)

**12. A-4 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD TO SUBMIT AN APPLICATION
FOR A DEMONSTRATION GRANT TO THE CENTER FOR
SUBSTANCE ABUSE TREATMENT (CSAT) FOR FUNDING OF**

**ADOLESCENT DAY TREATMENT TARGETING JUVENILE
OFFENDERS, HISPANIC ADOLESCENT AND FAMILY
OUTPATIENT PROGRAM AND FUNDING FOR SUNRISE II**

(Tape 5)

On motion of Supervisor Hanley, seconded by Supervisor Frey, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the Fairfax-Falls Church Community Services Boards' application to the Center for Substance Abuse Treatment (CSAT) for approximately \$521,000.

**13. A-5 - APPROVAL TO ACCEPT FEDERAL BLOCK FUNDING
TO ENHANCE AND EXPAND ALCOHOL AND DRUG SERVICES
ADOLESCENT DAY TREATMENT AND EARLY INTERVENTION
SERVICES FOR COURT INVOLVED YOUTH (Tape 5)**

On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Fairfax-Falls Church Community Services Boards' application to the Center for Substance Abuse Treatment (CSAT) for approximately \$521,000.

**14. A-6 - PROPOSED FEDERAL CAPITAL IMPROVEMENTS
PROGRAM FOR FISCAL YEARS (FY) 1994-1998**

(Tape 5)

On motion of Supervisor Frey, the second to which was inaudible, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and authorized staff to submit comments to the National Capital Planning Commission (NCPC), stating that while, in general, Fairfax County endorses the Proposed Federal Capital Improvements Program (CIP), Fiscal Years (FY) 1994 - 1998, the County:

- Desires to receive and comment on all projects as they move towards final planning, land acquisition and construction;
- Requests that the Army continue to work with County staff in the expansion and development process at the Fort Belvoir Main Post as a result of the Base Realignment and Closure Act of 1988; on the Engineer Proving Ground site development proposal; and to mitigate all environmental, transportation, and public facilities impacts as a result of these potential expansions; and
- Supports the construction of the Smithsonian's Air and Space Museum expansion on the Dulles Airport property.

15. A-7 - ADJUSTMENT OF UNIT PRICE SCHEDULE USED

BY THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

(DEM) TO DETERMINE THE VALUE OF BONDS FOR

SUBDIVISION AND SITE PLAN AGREEMENTS

(Tape 5)

On motion of Supervisor Frey, seconded by Supervisor Dix, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the proposed unit price schedule, effective July 1, 1993.

16. A-8 - EXECUTION OF A COMPREHENSIVE STORMWATER

DETENTION AGREEMENT WITH THE VIRGINIA

DEPARTMENT OF TRANSPORTATION (VDOT)

(Tape 5)

Supervisor Berger moved that the Board concur in the recommendation of staff and authorize the Director of the Department of Environmental Management (DEM) to execute, on behalf of the Board, the Comprehensive Stormwater Detention Agreement between the Virginia Department of Transportation (VDOT) and Fairfax County. This motion was seconded by Supervisor Frey, and carried by a vote of nine, Supervisor Alexander being absent.

There was a brief discussion, with input from staff, regarding this item.

**17. A-9 - REVISIONS TO CHAPTERS 2, 4, 7, 8, and 10
OF THE PERSONNEL REGULATIONS REGARDING WORK DAY
DEFINITION, PAY RATE UPON RECLASSIFICATION,
FLSA, TRANSFERS, PROMOTIONS AND DEMOTIONS, AND
ADMINISTRATIVE LEAVE (Tape 5)**

Supervisor Trapnell moved that the Board concur in the recommendation of staff and approve the proposed revisions to Chapters 2, 4, 7, 8, and 10 of the Personnel Regulations. This motion was seconded by Chairman Davis.

Following discussion, with input from Carol Stuart, Office of Personnel, the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Berger voting "NAY," Supervisor Alexander being absent.

Supervisor Dix asked unanimous consent that the Board direct the County Executive to provide an analysis concerning employees who take half hour lunches and two 15 minute breaks versus employees who take one hour lunches and no breaks. Without objection, it was so ordered.

**18.A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 94001 TOTTALLING \$381,746 FOR THE
DEPARTMENT OF HUMAN DEVELOPMENT PY 1993
ECONOMIC DISLOCATION AND WORKER ADJUSTMENT
ASSISTANCE (EDWAA) PROGRAM (Tape 5)**

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Berger, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 94001 in the amount of \$381,746 for the Department of Human Development PY 1993 Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program.

**19. A-11 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 93061 FOR THE VIRGINIA INSURANCE**

**COUNSELING AND ADVOCACY PROJECT UTILIZING
VOLUNTEERS THROUGH THE AREA AGENCY ON AGING**

(Tape 5)

(SAR)On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93061 in the amount of \$8,000 for the Virginia Insurance Counseling and Advocacy Project Utilizing Volunteers Through the Area Agency on Aging.

20. A-12 - PARKING REDUCTION FOR THE BURKE

**PRESBYTERIAN CHURCH AND BURKE PRESBYTERIAN
CHURCH PRESCHOOL (BRADDOCK DISTRICT)**

(Tape 5)

On motion of Supervisor Bulova, seconded by Supervisor Frey, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the 7.8 percent parking reduction of the required parking to accommodate a Preschool at the Burke Presbyterian Church pursuant to Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance on the conditions outlined in the Board Package.

21. A-13 - PARKING REDUCTION FOR FAIRFAX TOWNE

CENTER (SULLY DISTRICT) (Tape 5)

On motion of Supervisor Frey, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved a parking reduction for Fairfax Towne Center pursuant to Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance on the conditions outlined in the Board Package.

22. A-14 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 93063 FOR THE AREA AGENCY ON AGING

PY 1993 JOB TRAINING PARTNERSHIP ACT (JTPA)

(Tape 5)

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 93063 in the amount of \$33,673 for the Area Agency on Aging PY 1993 Job Training Partnership Act (JTPA).

23. A-15 - SUPPORT FOR THE NORTHERN VIRGINIA DENTAL SOCIETY VOLUNTEER DENTAL CLINIC FOR THE INDIGENT**(Tape 5)**

On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Fairfax County's participation in a regional effort to provide approximately 1,250 square feet of leased and renovated office space at no cost to the Northern Virginia Dental Society for a dental clinic to serve the indigent.

24. A-16 - AUTHORIZATION TO ADVERTISE CHANGES TO THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM) USER FEE SCHEDULE (Tape 5)**(A)**

(R)On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on May 27, 1993 and before the Board of Supervisors on **June 7, 1993 at 3:30 p.m.** on the proposed changes to the Department of Environmental Management (DEM) Fee Schedule.

25. A-17 - SALE OF GENERAL OBLIGATION BONDS, SERIES 1993B (Tape 5)**(Bonds)**

(Rs)Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the sale of general obligation bonds in an amount of \$103,000,000, the proceeds of which will be used to fund the Fiscal Year (FY) 1993 construction of capital facilities and infrastructure as previously approved by the Board. This motion was seconded by Supervisor Bulova.

ADDITIONAL BOARD MATTER**REQUEST TO RECORD VOTE (Tape 5)**

Supervisor McConnell asked unanimous consent that she be recorded as voting "**AYE**" on the first four items (Administrative Items and Action Items A-1 through A-3.) Without objection, it was so ordered.

Following a brief discussion, with input from James P. McDonald, Deputy County Executive for Management and Budget, the question was called on the motion on Action Item A-17, which carried by a vote of nine, Supervisor Alexander being absent.

AR:ar**26. C-1 - CONSIDERATION OF AN ORDINANCE TO CREATE****FAIRFAX COUNTY FAIR CAMPAIGN PRACTICES****COMMISSION (COUNTYWIDE) (Tape 6)**

The Board next considered an item contained in the Memorandum to the Board dated May 10, 1993 regarding an ordinance to create a Fairfax County Fair Campaign Practices Commission.

Supervisor Hanley moved that the Board authorize the advertisement of a public hearing for consideration of the adoption of an ordinance to create a Fairfax County Fair Campaign Practices Commission (Countywide). This motion was seconded by Supervisor Hyland.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved a substitute motion authorizing the Chairman of the Board to write a letter to the Chairman of each political party requesting submission of their membership recommendations for the Commission for consideration by the Board of Supervisors as expeditiously as possible. This motion was seconded by Supervisor Berger.

Supervisor Hyland moved to amend the substitute motion by requesting the submission of a response from the political parties within a period of 30 days. This motion was seconded by Supervisor Hanley.

With a notation that the Fairfax County Republican Committee does not meet until September 1993, Chairman Davis stated that he could not support Supervisor Hyland's motion to amend.

Following discussion, the question was called on the motion (Supervisor Hyland's) to amend the substitute motion, which **FAILED** by a recorded vote of six, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE**," Supervisor Alexander being absent.

Following additional discussion, including a request from the Chairman for the submission of the draft letter as an Information Item on May 17, 1993, the question was called on the substitute motion which **CARRIED** by a recorded vote of seven, Supervisor Bulova and Supervisor Hyland voting "**NAY**," Supervisor Alexander being absent.

The question was then called on the main motion, as substituted, which **CARRIED** by a recorded vote of seven, Supervisor Bulova and Supervisor Hyland voting "**NAY**," Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

27. I-1 - THE 1992 ASSESSMENT-SALES REPORT FOR THE OFFICE OF ASSESSMENTS (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 10, 1993 presenting the 1992 Assessment-Sales Report for the Office of Assessments.

28. I-2 - FAIRFAX COUNTY EXCEPTIONAL DESIGN AWARDS REPORT COSTS (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 10, 1993 presenting the staff response to the question raised about the cost of producing the Exceptional Design Awards Report.

29.I-3 - CONTRACT AWARD - SITE INFORMATION MANAGEMENT

SYSTEM (SIMS) FOR PARK AUTHORITY (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 10, 1993 requesting authorization for staff to proceed to finalize negotiations and award the contract to BetaData Systems, Incorporated in an amount not to exceed \$1,336,744.00 to automate functions in the Park Authority.

Following extensive discussion, with input from William C. Beckner, Director, Park Authority; Larry N. Wellman, Director, Purchasing and Supply Management Agency; and Kevin C. Greenlief, Director, Personal Property, State Income and License Division, Office of Assessments, Supervisor Dix moved that the Board defer action on this matter until the County Executive has had an opportunity to review and comment on the programmatic portion of the item. As a point of clarification, Supervisor Dix expressed particular concerns regarding:

- The Request for Proposal (RFP) is 18 months old and the prices and technology have changed greatly in that period of time;
- The Board Package does not contain the other companies who bid on the contract; and
- The company chosen to receive this substantial contract award is not located in, or have a business license for, Fairfax County.

This motion was seconded by Supervisor Berger.

Chairman Davis stated his concern that this item contains no back-up data - nothing on the bid - the best value competition versus price entered - what other companies were involved - how many invitations for bid were sent out? He noted that none of this information is contained in the Board Package, and announced his support for the motion to refer this item to the County Executive for his review and recommendations.

Supervisor Berger asked to amend the motion to include, as part of the County Executive's review, that consideration be given to obtaining an out-source (privatizing) for the Park Authority functions outlined in this item, and this was accepted.

Supervisor Hyland moved a substitute motion that the Board refer this matter to the County Executive for his review today, and his return to the Board before its meeting adjourns this afternoon, with his recommendation for appropriate action. This motion was seconded by Chairman Davis with the stipulation that the County Executive is

authorized to award this contract to BetaData Systems, Incorporated if, after his review, he feels it is ready to go forward, and this was accepted.

Supervisor Dix asked that the substitute motion be amended to incorporate the consideration of a request for a 72-hour extension on the May 14, 1993 deadline for a Board decision on this contract, thereby allowing for the return of this matter to the Board as a Consideration Item on May 17, 1993, and this was accepted.

Following additional discussion, the question was called on the substitute motion, as amended, which **CARRIED** by a recorded vote of seven, Supervisor Berger and Supervisor Dix voting "NAY," Supervisor Alexander being absent.

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

30.I-4 - CONTRACT AWARD - CONSTRUCTION OF COMMUNITY

PARK IMPROVEMENTS AND RELATED WORK AT NEWINGTON

PARK (MOUNT VERNON DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 10, 1993 requesting authorization for staff to proceed to finalize negotiations and award the contract to Tessa Construction Company of Washington, D.C. in the amount of \$163,300 for Project 475588, Community Park Development, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

31.I-5 - APPROVAL OF AN AGREEMENT BETWEEN FAIRFAX

COUNTY AND THE CITY OF FALLS CHURCH PROVIDING

FOR THE CONSTRUCTION OF NEW WATER MAINS AS PART

OF JAMES LEE PHASE III COMMUNITY DEVELOPMENT

PROJECT (PROVIDENCE DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 10, 1993 requesting authorization for staff to proceed to execute the

enclosed agreement with the City of Falls Church, whereby the City of Falls Church is to reimburse Fairfax County an amount of 44.3 percent of the actual contract award amount for water main relocation work plus 10.0 percent of that amount for contingencies, plus costs of 12 house services.

The staff was directed administratively to proceed as proposed.

**32.I-6 - APPROVAL OF ADDITIONAL SERVICES FOR
GAUTHIER, ALVARADO AND ASSOCIATES TO PERFORM THE
SERVICES FOR INCREASING THE SQUARE FOOTAGE AND
CONVERTING THE HEATING SYSTEM TO NATURAL GAS
FOR THE BOYS PROBATION HOME (SULLY DISTRICT)**

(Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 10, 1993 requesting authorization for staff to proceed to authorize Gauthier, Alvarado and Associates, to perform the additional service in the amount of \$40,600 for increasing the square footage and converting the heating system to natural gas for the Boys Probation Home.

The staff was directed administratively to proceed as proposed.

**33.I-7 - CONTRACT AWARD TO WHITENER AND JACKSON,
INCORPORATED FOR RENOVATION TO THE ROBINSON
SQUARE PUBLIC HOUSING PROJECT (BRADDOCK
DISTRICT) (Tape 6)**

The Board next considered an Information Item contained in the Memorandum to the Board dated May 10, 1993 requesting authorization for staff to proceed to authorize a contract to Whitener and Jackson, Incorporated in the amount of \$565,900 subject to the Department of Housing and Urban Development (HUD) guidelines for renovation of the Robinson Square Townhouses Project VA1927.

Following a query from Supervisor Frey regarding the age of this project, the staff was directed administratively to proceed as proposed.

34.I-8 - AUTHORIZATION TO INCREASE THE CONSTRUCTION CONTRACT AND CONTINGENCY FOR THE RENOVATION OF GREENWOOD APARTMENTS FUNDED UNDER THE COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM (CIAP) VA-19-30 (MASON DISTRICT) (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 10, 1993 requesting authorization for staff to redirect funds as outlined in the Memorandum to the Board and proceed with executing the proposed changes in an amount not to exceed \$136,256 for the renovation of Greenwood Apartments funded under the Comprehensive Improvement Assistance Program (CIAP) VA-19-30.

Following a brief discussion, the staff was directed administratively to proceed as proposed.

BOARD MATTERS

35.COMPLETION OF THE I-66/FAIRFAX COUNTY PARKWAY INTERCHANGE (Tape 6)

Chairman Davis stated that on March 31, 1993, the Commonwealth Transportation Board (CTB) held its preallocation public hearing in Northern Virginia. One major project the Board of Supervisors emphasized in its testimony to the CTB at the hearing was the completion of the I-66/Fairfax County Parkway Interchange. With the recent approval of County and State transportation bonds, this interchange project has now become the missing link in a continuous Parkway from Spring Street in Herndon to Beulah Street in Franconia.

With a notation that the CTB meets on May 20, 1993, to review the tentative allocations, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board of Supervisors endorse a letter, a copy of which has been distributed to Board Members, to Virginia Secretary of Transportation John Milliken reemphasizing the need for the CTB to allocate full national highway system funding

during this allocation cycle to complete the I-66/Fairfax County Parkway Interchange. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

**36.APPOINTMENT TO CITIZENS ADVISORY COMMITTEE
ON SOLID WASTE AND DISPOSAL MATTERS (Tape 6)**

(APPT)

Supervisor Davis moved the appointment of Ms. Susan Brassell as the Business Recycling (Alternate) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters. This motion was seconded by Vice-Chairman McConnell and carried by a vote of nine, Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**37.DEVELOPMENT AND CONSTRUCTION IN FAIRFAX
COUNTY AFFECTING UNDERGROUND UTILITIES**

(Tape 6)

Supervisor Dix noted that on April 12, 1993, the Board of Supervisors approved his request that the County Executive direct staff to review the existing County Zoning Ordinance and any other documents related to development and construction in Fairfax County affecting underground utilities, including pipelines.

Supervisor Dix stated that there is some confusion, particularly on the part of the Chairman of the Planning Commission, as to what role the Planning Commission should play in this action.

Supervisor Dix noted that, of course, the Planning Commission is the appropriate body to work with staff on recommendations to the Board. This is an important issue that affects all underground utilities, not just pipelines; although pipelines have been the subject of attention of late. In addition, this is not only an environmental issue, although the environmental aspects are very important; but this is a large issue of public health, welfare and safety, as well as land use in the County.

Therefore, Supervisor Dix moved that the Board direct the Chairman of the Planning Commission to appoint a special committee to carry out the responsibilities of the Planning Commission with regard to the broad issues enumerated in the above

referenced Board action of April 12, 1993, including but not limited to those impacting pipelines. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

38.FEDERAL LEGISLATION H. R. 1357 REGARDING**SOLID WASTE FLOW CONTROL (Tape 6)**

Supervisor Dix moved that the Board, in accordance with discussion in today's Legislative Subcommittee Meeting, declare its support for Federal Legislation H. R. 1357, which would give authority to State and Local Governments to enforce Solid Waste Flow Control. The motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being absent.

39.IMPACT OF PROPOSED ENERGY TAX ON LOCAL**GOVERNMENT (Tape 6)**

Supervisor Dix moved that the Board direct the County Executive to examine the impact of the proposed energy tax on local government, specifically in Fairfax County, in order that the Board may choose to take a legislative position on this particular matter. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

PMH:pmh**40.REQUEST FEE WAIVER FOR THE POOR CLARE SISTERS****(Tape 7)**

Supervisor Hyland stated that recently he received a letter from the Poor Clare Sisters requesting that the fee associated with a recently approved amendment to their Special Permit be waived. The Monastery of the Poor Clares, a non-profit group, is an order of cloistered nuns who do not leave the monastery and exist solely on contributions from friends and benefactors.

Supervisor Hyland explained that the Special Permit approval allows the construction of an addition to the rear of their existing facility. Part of the process for the amendment requires a Site Plan Waiver with an accompanying \$500 fee.

Supervisor Hyland said that to date, the Poor Clares have spent more than \$6,668 in their effort to receive Site Plan approval which included soils reports and plan

submission costs. They are seeking relief of the \$500 filing fee for the Site Plan Waiver.

Therefore, Supervisor Hyland moved that the Board grant the request of the Monastery of the Poor Clares for a waiver of the fee for the Site Plan Waiver request associated with Site Plan Number 8689-SP-01-1. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

41.INFORMATION: NATIONAL ASSOCIATION OF COUNTIES'

(NACO) REPORT ON PRESIDENT CLINTON'S FISCAL YEAR

(FY) 1994 BUDGET AND IMPACTS (Tape 7)

Supervisor Hyland stated that recently he received a copy of an "Analysis of President Clinton's Fiscal Year (FY) 1994 Budget" prepared by the National Association of Counties' (NACO) which he distributed to Board Members.

Supervisor Hyland explained that the report provides an itemized summary statement indicating the appropriation designations and the areas of impact of each program on states and counties.

42.REQUEST STAFF'S RECOMMENDATIONS FOR

IMPLEMENTATION OF HOUSE BILL 1845 (Tape 7)

Supervisor Hyland said that House Bill 1845 was recently passed by the Virginia State General Assembly and has been signed into law.

Supervisor Hyland stated that this bill would amend the Virginia Public Procurement Act by allowing certain localities with affordable housing programs, when making deposits of public funds, to give preference to banks which promise to promote affordable housing in the locality.

Therefore, Supervisor Hyland moved that the Board direct staff to review the provisions of House Bill 1845 and report on June 7, 1993 with its recommendations as to how this bill can be implemented in Fairfax County to provide more affordable housing. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

43.STATUS OF INDEPENDENT AUDITOR POSITION AND

REFERRAL THERETO (Tape 7)

Supervisor Hyland said that on April 12, 1993, the Board approved the establishment of an Independent Auditor position.

Supervisor Hyland said that to date, he has received a resume applying for this position as well as a constituent comment which would require the services of the Independent Auditor-to-be.

Therefore, Supervisor Hyland moved that the Board:

- Direct staff to provide a status report as it pertains to establishing the specifics of the Internal Auditor function along with information as to what is being done to fill the position i.e. have solicitations gone out, if so when and if not, when would this be expected; and
- Refer this constituent communication to be held in abeyance and passed on to the Internal Auditor upon his or her selection.

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

(NOTE: Later in the meeting, the Board took action to correct the reference from Internal Auditor **TO** Independent Auditor. See Clerk's Summary Item CL#45.)

44.AMENDMENTS TO THE POTOMAC EMBAYMENT STANDARDS**(Tape 7)**

Supervisor Hyland said that the State Water Control Board adopted the Potomac Embayment Standards in 1971 to address serious nutrient enrichment problems evident in the Virginia embayments and Potomac River. These standards are blanket standards for all sewer plants discharging into the Potomac River embayments. During the ensuing years, upgrading treatment plants has occurred which has resulted in significant water quality improvement but still has not met the Embayment Standards. Questions arose over the high capital operating costs and even if adequate technology was available. Therefore, in 1978 the State Water Control Board reevaluated those standards to determine waste load allocations and effluent limits for each facility that would still protect the embayments and the Potomac River.

Supervisor Hyland noted that on January 6, 1992 the Board endorsed revising the Potomac Embayment Standards as proposed by a regional task force that would allow

the State Water Control Board to review each sewer treatment application on an individual basis that would demonstrate how it would meet certain quality effluent standards as applied to the Potomac Embayment Standards. He said that because the State Water Control Board task force has also made certain recommendations, and because a public hearing will be held on May 19, 1993 at the Government Center at 7:00 p.m., it is appropriate now for the Board to deliver its official statement.

Supervisor Hyland moved that the Board direct staff to develop an official written statement on behalf of the Board, supporting the task force's recommendations, and to have the statement delivered at the State Water Control Board's public hearing on May 19, 1993 by the County Executive. This motion was seconded by Supervisor Hanley.

Supervisor Dix asked that the motion be amended to direct staff to provide the Board with the information requested at the May 17, 1993 Board Meeting in the form of an Information Item, and this was accepted.

Following discussion, Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova and asked that the motion be amended to include information regarding the length of time the review will take, and this was accepted.

Acting-Chairman Bulova returned the gavel to Vice-Chairman McConnell.

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

45.CORRECTION TO BOARD MATTER REGARDING

INDEPENDENT AUDITOR (Tape 7)

(NOTE: Earlier in the meeting, action was taken by the Board regarding this matter. See Clerk's Summary Item CL#43.)

Supervisor Hyland asked unanimous consent that his reference in an earlier Board Matter regarding an Independent Auditor be corrected. He said that he had referred to the position as an Internal Auditor and that it should be an Independent Auditor. Without objection, it was so ordered.

46.DECLARING MAY "FAIRFAX COUNTY WETLANDS MONTH"

(Tape 7)

Supervisor Hyland stated that for the third consecutive year, the Environmental Protection Agency (EPA) has proclaimed May as "American Wetlands Month."

Supervisor Hyland said that Friends of the Huntley Meadows Park urge that the Board designate May as Fairfax County Wetlands Month in support of the national observance.

Therefore, Supervisor Hyland moved that the Board proclaim May as "**FAIRFAX COUNTY WETLANDS MONTH**" and that the Office of Public Affairs provide a press release. This motion was seconded by Vice-Chairman McConnell and carried by a vote of nine, Supervisor Alexander being absent.

47.RECOGNITION OF MOUNT VERNON HIGH SCHOOL BANDS

REQUESTED (Tape 7)

Supervisor Hyland stated that he recently learned that the Mount Vernon High School bands brought home the most trophies in a single competition in the school's history from a FIESTA-VAL Invitational Music Festival held recently in Myrtle Beach, South Carolina.

Supervisor Hyland said that in addition to winning first place in the jazz, symphonic, all brass, indoor guard and percussion categories, the Mount Vernon bands were also awarded the Instrumental Grand Champion Trophy -- the highest achievement in musical performance for the festival.

Supervisor Hyland noted that the 15 trophies and six plaques awarded to the bands are the most ever earned by the Mount Vernon High School in a single competition in the school's history.

Therefore, Supervisor Hyland moved that the Mount Vernon High School bands, along with their band director, Jack Elgin, be invited to the Board Meeting on June 7, 1993 at 9:30 a.m. for the purpose of receiving the Board's recognition for their outstanding accomplishments. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

48.EXPEDITED PROCESSING REQUESTED FOR PROFFERED

CONDITION AMENDMENT FOR KINGSTOWNE (Tape 7)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and on behalf of Supervisor Alexander, moved that the Board direct staff to expedite processing for the

recently filed Proffered Condition Amendment for Kingstowne concerning the proposed change from a multi-purpose court to an exercise trail in the South Village. This motion was seconded by Vice-Chairman McConnell.

Supervisor Davis said that the developer has worked closely with the residents and staff on this change to provide an amenity that will be heavily utilized. They would like to construct this needed trail link this summer.

Supervisor Davis stated that the applicant understands that this neither provides him with a vested right in the plan approval nor relieves him from the responsibility of any plan modifications as a result of Board review.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

49.RECOMMENDATION TO THE LIBRARY BOARD (Tape 7)

Supervisor Berger referred to the Library Board and its policy regarding the distribution of materials.

Supervisor Berger expressed concern that the Library Board did not consider all its options with its recent discussion regarding The Blade.

Supervisor Berger stated for the record that he has no interest in requesting the Library Board to ban The Blade from the Library. He added that he has a strong interest in making sure this publication is kept away from children.

Having read all the legal opinions from the County Attorney on this matter, Supervisor Berger moved that the Board request the Library Board to direct Library staff to remove all non-governmental periodicals and non-governmental materials from the lobbies of the Library System in Fairfax County. This motion was seconded by Supervisor Dix.

Following discussion, Supervisor Trapnell asked that the motion be amended to delete the following:

• "**...non-governmental materials...**"

And this was accepted.

Supervisor Bulova asked to amend the motion to change the word "direct" to "consider" as follows:

•PROPOSED BY SUPERVISOR BERGER: "...that the Board request the Library Board to **direct Library staff to remove...**"

•PROPOSED BY SUPERVISOR BULOVA: "...that the Board request the Library Board to **consider the removal of...**"

Following additional discussion, this was accepted.

Chairman Davis restated the motion as follows:

•The motion is an additional consideration in light of everything else that the Library Board has considered or may be considering to point out that it might want to look at this proposal.

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

50.FEE WAIVER REQUEST (Tape 7)

Supervisor Berger stated that Mr. Taylor is a private citizen in the Dranesville District who resides at 6263 Park Road in McLean. He is experiencing drainage problems across his lot, in part caused by run-off from a neighboring school and park.

Supervisor Berger explained that Mr. Taylor has hired a professional engineer to review his drainage problem and is willing to have plans prepared and improvements made, subject to all County Codes, to alleviate the problem at his own expense. Therefore, Supervisor Berger said that it seems only proper, since the County will ultimately receive the facility for maintenance, to waive review and inspection fees for Mr. Taylor's project in light of the estimated \$13,000 out of pocket cost to Mr. Taylor to establish the improvements.

Supervisor Berger moved that the Board direct staff to waive all fees related to plan review and inspection associated with drainage improvements for the Douglas Taylor property located at 6263 Park Road in McLean. This motion was seconded by Supervisor McConnell.

Supervisor Bulova asked that the motion be amended to defer this issue to staff for their recommendation.

Following discussion, with input from Irving Birmingham, Director, Department of Environmental Management (DEM), Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to review this issue and report its recommendations later in the day or next week. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

51.WAKEFIELD FOREST ELEMENTARY SCHOOL GYM:

TILE VERSUS CARPET (Tape 7)

Supervisor Bulova stated that on Thursday the School Board will make a decision on whether or not to allow individual schools the option of carpeted versus tile gyms when they are being built or renovated.

Supervisor Bulova said that this has become an issue at Wakefield Forest Elementary School located in the Braddock District. She said that the community feels strongly that Wakefield Forest Elementary School is unique because of the use that the gym experiences, especially athletic users, and should warrant an exception to the overall policy for carpeted gyms.

Supervisor Bulova stated that there is a precedent for the Board taking a position on this issue. In January 1991, Supervisor Hyland requested the Board to support his request to the School Board that Waynewood Elementary School gym remain tile instead of carpet.

Supervisor Bulova asked for Board support in making a similar request to the School Board for keeping tile flooring in the gym at Wakefield Forest Elementary School. She added that this gym is very heavily used by athletic groups in the County, especially basketball. The school community is united with the athletic community in requesting the gym to remain tile.

Supervisor Bulova moved that the Board go on record and communicate to the School Board its support for retaining a tile floor at Wakefield Forest Elementary School or schools where there is a similarly compelling case for an exception be given the local option of having tile versus carpeting. This motion was seconded by Chairman Davis.

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

52.EXPANSION OF THE ANNANDALE RESIDENTIAL PERMIT

**PARKING DISTRICT (RPPD): EXPEDITED PROCESSING
AND WAIVER OF THE MINIMUM STANDARDS FOR PARKING
SPACES AND WAIVER OF THE FEES (Tape 7)**

Supervisor Bulova stated that student parking on residential streets around Annandale High School continues to be a serious problem. Enforcement of parking violations by the Mason District police has been vigorous, and while they are to be commended for their efforts, expansion of the Annandale Residential Permit Parking District (RPPD) is the best solution.

Supervisor Bulova said that she is forwarding a petition for the expansion of the RPPD to the Office of Transportation. She added that this petition requests relief on Newcastle Drive from Erie Street to Heritage Drive and on Erie Street from 4902 to 4907.

Therefore, Supervisor Bulova moved that the Board direct staff to waive the minimum number of parking spaces and the fees and to proceed as expeditiously as possible. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Alexander being absent.

53. WAKEFIELD CHAPEL RECREATION ASSOCIATION (Tape 7)

Supervisor Bulova stated that the Wakefield Chapel Recreation Association, a non-profit organization, is submitting an application to amend its Special Permit in order to add a small basketball court and tennis hitting wall. The Association had hoped to have this installed during this year's season in order to help improve membership.

Therefore, Supervisor Bulova moved that the Board:

- Request the Board of Zoning Appeals (BZA) to agree to an Out-of-Turn hearing;
- Direct staff to concurrently review the Site Plan Waiver;
- Direct the County Executive to waive the street light requirements;
- Direct the staff of the Office of Comprehensive Planning (OCP) to waive all fees associated with the Special Permit Amendment; and
- Direct the staff of the Department of Environmental Management (DEM) to pay all fees related to Site Plan Waiver and exception review associated with this addition.

Supervisor Bulova said that the Association understands that these actions do not guarantee approval of the amendment to the Special Permit or the Site Plan exception.

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

VW:vw

54.HOURS OF GOVERNMENT CENTER CAFETERIA (Tape 8)

Chairman Davis called to the Board's attention the lateness in the hour and he announced that the Government Center cafeteria would be closing at 2:00 p.m. Because it was now 1:53 p.m., he stated that Board Matters may need to be continued later in the meeting.

55.STAFF REQUESTED TO PUBLICIZE DANGER OF INDIVIDUALS

WHO STEAL TRASH AND THEN USE THE CREDIT CARD OR

BANK INFORMATION FOR FRAUD (Tape 8)

Supervisor Hanley called the Board's attention to the fact that one of her constituents had caught an individual picking through her trash and placing it in the trunk of his car. Having just seen a television special on individuals who steal trash and then use the credit card or bank information for fraud, the constituent is very concerned that this almost happened to her and she had wanted the announcement in order to publicize this danger so that other Fairfax County residents are made aware of the situation.

56.SIMULTANEOUS PROCESSING REQUESTED FOR THE SPECIAL

PERMIT APPLICATION FILED BY THE CIRQUE DU SOLEIL

(PROVIDENCE DISTRICT) (Tape 8)

Supervisor Hanley stated that the Cirque du Soleil has applied for an out-of-turn public hearing for a Special Permit Application to be heard before the Board of Zoning Appeals (BZA). The BZA has scheduled the public hearing for the end of June 1993.

Accordingly, Supervisor Hanley moved that the Board direct staff to simultaneously process the Site Plan for this application. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

**57.SIMULTANEOUS PROCESSING REQUESTED FOR DAY CARE
CENTER APPLICATION FILED BY THE SAINT PAUL'S
LUTHERAN CHURCH (PROVIDENCE DISTRICT) (Tape 8)**

Supervisor Hanley stated that the Saint Paul's Lutheran Church will soon be applying to the Board of Zoning Appeals (BZA) for a Special Permit Application to permit a child care center.

Because of the time constraints, Supervisor Hanley moved that the Board direct staff to:

- Process the site plan simultaneously with the Special Permit Application; and
- Waive the Site Plan fees.

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

**58.REQUEST FOR EXPEDITIOUS SCHEDULING OF PUBLIC
HEARING FOR REZONING APPLICATION RZ 80-P-116
(PROVIDENCE DISTRICT) (Tape 8)**

Supervisor Hanley moved that the Board direct staff to schedule the public hearing before the Board of Supervisors for Rezoning Application RZ 80-P-116 on July 26, 1993. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

**59.REQUEST FOR EXPEDITIOUS SCHEDULING OF PUBLIC
HEARINGS FOR SPECIAL EXCEPTION APPLICATION
SE 93-P-012 AND REZONING APPLICATION RZ 93-P-007
(PROVIDENCE DISTRICT) (Tape 8)**

Supervisor Hanley moved that the Board direct staff to schedule the public hearings before the Board of Supervisors for Special Exception Application SE 93-P-012 and Rezoning Application RZ 93-P-007 on August 2, 1993. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

**60.REQUEST AIR TIME ON CABLE CHANNEL 16 TO INFORM
CITIZENS OF THE CONTENT OF THE ENVIRONMENTAL
PROTECTION AGENCY'S (EPA) ORDER REGARDING THE
PICKETT ROAD TANK FARM SPILL (Tape 8)**

Supervisor Hanley announced that the Environmental Protection Agency (EPA) has issued a unilateral order on Phase Two, the method of implementation for long-term remediation to clean up the area in Mantua contaminated by the spill of the Pickett Road Tank Farm. The committee of citizens and officials that is advising the EPA has requested time on Cable Channel 16 to inform the community of the content of the order.

Accordingly, Supervisor Hanley moved that the Board direct staff to work with the EPA and the committee to provide weekly air time to inform the citizens of the content of the EPA order. She announced that Fairfax City Cable is already working with the EPA and the committee. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

**61.FIRE AND RESCUE DEPARTMENT'S LONG-TERM PLAN FOR
THE INVESTIGATION, REMEDIATION, AND COORDINATION
OF THE COUNTY'S MULTI-AGENCY RESPONSE TO HAZARDOUS
MATERIALS AND WASTE, ENVIRONMENTAL INCIDENTS, AND
ORGANIZATIONAL STRUCTURE (Tape 8)**

Supervisor Hanley distributed to Board Members copies of her earlier Fiscal Year (FY) 1994 budget question and staff response regarding the Fire and Rescue Department's long-term plan for the investigation, remediation, and coordination of the County's multi-agency response to hazardous materials and waste and environmental incidents.

On April 26, 1993, the same date the Board adopted its budget, the State Water Control Board (SWCB) approved a consent order that, among other things, required Star Enterprise to pay for connecting the residents of the Mantua community who do not have municipal water to the water system. In addition, the order includes reimbursing the County General Fund for the expenses of the water mains that are now under construction in Mantua.

Because the County Executive is currently reviewing the Fire and Rescue Department's organizational structure and now this funding will be available by Carryover, Supervisor Hanley moved that the County Executive's plan for the Fire and Rescue Department's long-term hazardous waste, environmental incidents, and reorganization be included as a Mandated Consideration Item at Carryover. This motion was seconded by Supervisor Hyland.

In response to a query by Chairman Davis, Supervisor Hanley responded that the County will be getting back approximately \$300,000 and it would cost less than \$270,000 to implement the plan.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Hanley amended her motion that, if the cost to implement the plan is less than the \$300,000 being returned to the County, that the item be included as a Mandated Consideration Item at Carryover, and this was accepted.

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

62.ORDERS OF THE DAY (Tape 8)

Because of the lateness of the hour and the closing of the Government Center cafeteria, Chairman Davis announced that the Board would recess and proceed with the continuation of Board Matters later in the meeting.

63.RECESS/EXECUTIVE SESSION (Tape 8)

At 1:55 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in **Virginia Code** Section 2.1-344, as stated in the Agenda, as well as:

- Board of Supervisors of Fairfax County, Virginia, versus Juanita Barsh Riffle, et al., At Law Number 115336; and

•The Circuit Court Order to amend the schedule of non-traffic offense fines to include County Code Section 82-10-10 (Display of License; License Required for Operation).

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

AP:ap

64.ACTIONS FROM EXECUTIVE SESSION (Tape 9)

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. The motion, the second to which was inaudible, carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

(NOTE: Later in the meeting Supervisor McConnell asked to be recorded as voting "AYE" on this certification. See Clerk's Summary Item CL#68.)

B.DEED OF TRUST FOR ELECTRIC AVENUE

Supervisor Berger moved that the Board authorize the exercise of its option to accelerate sums due and invoke its power of sale pursuant to the terms of the Deed of Trust for 8409 Electric Avenue, as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

ADDITIONAL BOARD MATTERS

VW:vw

65.JOINT MEETING OF HUMAN SERVICES COUNCIL AND

HUMAN SERVICES SUBCOMMITTEE (Tape 10)

Supervisor Hanley announced that a joint meeting has been scheduled between the Human Services Council and the Human Services Subcommittee on Monday, May 24, 1993 to receive the final comments regarding the Human Services reorganization. This issue is scheduled before the Board of Supervisors on June 7, 1993.

66.CONSUMER UTILITY TAX APPLIES TO CELLULAR**TELEPHONES (Tape 10)**

Supervisor Hanley distributed to Board Members copies of an article appearing in the Virginia Association of Counties, May 1, 1993 edition regarding the consumer utility tax. She quoted from the article that, "The law is clear that the tax should apply to cellular telephones." She asked unanimous consent that the Board refer this issue to the County Attorney for his review and to determine whether Fairfax County is currently applying this law. Without objection, it was so ordered.

67.JOINT HEARING BETWEEN THE VIRGINIA DEPARTMENT OF**EDUCATION AND LEARNING DISABILITIES ASSOCIATION****OF NORTHERN VIRGINIA CONCERNING PROPOSED SPECIAL****EDUCATION REGULATIONS (Tape 10)**

Supervisor Hanley announced that the Learning Disabilities Association of Northern Virginia is conducting a joint hearing this evening with the Virginia Department of Education concerning proposed special education regulations. The hearing will be held this evening, May 10, 1993, at the Fair Oaks Holiday Inn from 4:00 p.m. until 6:00 p.m.

68.REQUEST TO RECORD VOTE ON CERTIFICATION BY BOARD**MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE****SESSION (Tape 10)**

(NOTE: Earlier in the meeting, action was taken on items discussed in Executive Session. See Clerk's Summary Item CL#64.)

Because she was not present in the Board Auditorium when the Board reconvened the meeting following its Executive Session recess, Supervisor McConnell asked unanimous consent that she be recorded as voting "AYE" on the motion certifying that, to the best of her knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed or considered by the Board during the Executive Session. Without objection, it was so ordered.

**69.REQUEST FOR CONCURRENT PROCESSING OF THE
PRELIMINARY AND SITE PLANS FOR CENTRE RIDGE,
LAND BAY TWO (SULLY DISTRICT) (Tape 10)**

Supervisor Frey stated that Land Bay Two in Centre Ridge was recently approved by the Planning Commission with the Final Development Plan. He moved, with the understanding that this action is fully at the applicant's risk, that the Board direct the Department of Environmental Management (DEM) staff to allow concurrent processing of the preliminary plan and site plan for Centre Ridge, Land Bay Two. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

**70.STAFF COMMENDED FOR OUTSTANDING PERFORMANCE ON
REVIEWING THE ZONING ORDINANCE TO ELIMINATE
DUPLICATE REGULATIONS AND REQUIREMENTS WITH
REGARD TO THE DEVELOPMENT PROCESS (Tape 10)**

Supervisor Frey referred to the memorandum from William J. Leidinger, County Executive, distributed to Board Members last week regarding the proposed regulatory revisions. He stated that a workshop has been scheduled for June 11, 1993 from 9:00 a.m. until 12:00 noon to allow the input of the development industry on the streamlining of the process.

Supervisor Frey commended the outstanding performance of the staff who, over the past several months, have been reviewing the Zoning Ordinance and other development regulations to eliminate duplicate regulations and requirements.

71.APPOINTMENT TO THE TRANSPORTATION ADVISORY

COMMISSION (Tape 10)

(APPT)

Supervisor Frey moved the appointment of Mr. Richard D. Frank as the Sully District Representative to the Transportation Advisory Commission to fill the unexpired term of Mr. Sidney R. Steele, who had resigned in order to become the Mount Vernon District Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

72.REQUEST FOR BOARD POLICY TO DESIGNATE A PROJECT**MANAGER TO OVERSEE LAND USE CASES THAT REQUIRE****THE INVOLVEMENT OF A NUMBER OF DIFFERENT COUNTY****AGENCIES (Tape 10)**

Supervisor Trapnell announced that she would refer to Supervisor Frey her request that the Board consider adopting a policy which requires that all land use cases (rezoning, special exception, and special permit), which require the involvement of a number of different County agencies, be designated a **PROJECT MANAGER**, who is in charge of coordinating all of the relevant agencies and oversees the case from start to finish.

PMH:pmh**73.CONSolidation OF PARCELS ADJACENT TO OX ROAD****(Tape 10)**

Supervisor McConnell stated that recently the Board approved an Out-of-Turn Plan Amendment which provided a recommendation for a coordinated development of the 38 acre tract adjacent to Ox Road. She said that the tract contains eight parcels which front directly on Ox Road. The Plan Amendment recommendation requires that these parcels be consolidated in a manner which will eliminate direct access of any of these parcels onto Ox Road. The relevant Plan language also requires that these parcels be consolidated through a single development plan and through coordinated development plans heard concurrently.

Supervisor McConnell said the Rezoning Application RZ 92-S-028 was already pending when this Plan Amendment was approved. She noted that the application contains approximately half of the area in question. Recently a new Rezoning Application was filed and includes the remaining portion of this area. She explained that the purpose of her motion is to consolidate the two applications for public hearing so that coordinated development plans for this Planning Area can be heard concurrently.

Therefore, in order to implement the intent of Comprehensive Plan Amendment Item S92-III-P1, Supervisor McConnell moved that:

- The Rezoning Application that contains tax map reference 97-3((2))1, 2A, 2B, 2C and 97-3((1)) 10 and 11 be scheduled for public hearing before the Planning Commission on June 24, 1993 and heard concurrently with RZ 92-S-028; and

- Both of these cases be scheduled for public hearing before the Board of Supervisors concurrently on **July 12, 1993**.

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

**74.APPRECIATION TO STAFF FOR THEIR EFFORTS IN
QUICKLY AND EFFICIENTLY PROCESSING CITIZENS
WHO WERE PURCHASING THEIR COUNTY STICKERS**

(Tape 10)

Supervisor McConnell stated that last month was the final day of the annual rush for citizens to buy their County stickers. She noted that unlike the previous years, there were no long lines at the West Springfield Governmental Center.

Supervisor McConnell commended William J. Leidinger, County Executive, for the new plan which allowed citizens to go through the system very quickly. She also commended the staff for their efforts.

Chairman Davis, Supervisor Hyland, and Supervisor Berger also commended staff for their hard work regarding the "annual rush" of citizens to purchase their County stickers.

The County Executive stated that there was a great deal of interest among County employees in improving the process.

75. NEW VOLUNTEER BUILDING IN FOUNTAINHEAD PARK

AT OCCOQUAN (Tape 10)

Supervisor McConnell stated that a new volunteer building opened last week in Fountainhead Park at Occoquan which is a beautiful facility.

Supervisor McConnell encouraged citizens to visit the wonderful facilities in Fairfax County.

CM:cm

76. ORDERS OF THE DAY (Tape 11)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board change its Orders of the Day and proceed, at this time, with the Board decision on proposed parking reduction for Skyline Center. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

77.3:30 P.M. - BOARD DECISION ON PROPOSED "PARKING REDUCTION FOR SKYLINE CENTER" (MASON DISTRICT)

(Tape 11)

(NOTE: At the Board of Supervisors' meeting held on April 26, 1993, a public hearing was held and action taken to approve Proffered Condition Amendment Application PCA C-52-3. Action was also taken to defer Board decision on the "Parking Reduction for Skyline Center.")

Supervisor Trapnell moved that the Board approve the "Parking Reduction for Skyline Center," subject to the conditions and parking tabulations contained in the Staff Report. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

78.3:30 P.M. - PH ON REZONING APPLICATION RZ 92-Y-034

(TOLL BROTHERS, INCORPORATED) (SULLY DISTRICT)

(Tape 11)

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

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

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

Supervisor Frey moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-Y-034 be amended from the R-1 and Water Supply Protection Overlay Districts to the R-2 and Water Supply Protection Overlay Districts subject to the executed proffers dated March 12, 1993. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

79.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 74-2-077, REZONING APPLICATION

RZ 92-Y-003, AND SPECIAL EXCEPTION APPLICATION

SE 92-Y-016 (EXXON CORPORATION) (SULLY DISTRICT)

(Tape 11)

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

Mr. McDermott 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.

Chairman Davis disclosed that Hunton and Williams has represented the Planning Research Corporation (PRC), of which he is associated. He stated, for the record, that he has had no business or financial relationship with Hunton and Williams, either personally or through PRC.

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 74-2-077 subject to the proffers dated May 5, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-Y-003 be amended from the I-5 District to the C-8 District subject to the proffers dated May 5, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved approval of Special Exception Application SE 92-Y-016 subject to the development conditions dated April 29, 1993, with the addition of the following condition:

•"At the time of site plan approval for a use located on the portion of Tax Map Parcel 24-4 ((1)) 5 not subject to this Special Exception approval, an interparcel access easement between the subject service station portion and the aforesaid remainder of Parcel 5 (in addition to that shown on the General Development Plan/Special Exception Plat (GDP/SE Plat) for the shared Centreville Road access point) shall be provided parallel to the McLearen Road right-of-way south of the car wash stacking lane, if requested by the Fairfax County Office of transportation and if approved by the Director, Department of Environmental Management (DEM); provided that subject service station's direct entrance onto McLearen Road as depicted on the GDP/SE Plat shall not be closed and that no amendment to this Special Exception approval shall be required to accomplish this interparcel access."

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

80.ORDERS OF THE DAY (Tape 11)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board change its Orders of the Day and proceed at this time with the Board decision on Special Exception Application SE 87-Y-119. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

81.BOARD DECISION ON SPECIAL EXCEPTION APPLICATION

SE 87-Y-119 (LA PETITE ACADEMY, INCORPORATED)

(SULLY DISTRICT) (Tape 11)

(NOTE: The public hearing was held on April 26, 1993 and action taken to defer Board decision on Special Exception Application SE 87-Y-119.)

Supervisor Frey moved approval of Special Exception Application SE 87-Y-119 subject to the development conditions dated May 6, 1993. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Frey further moved:

- Modification of the transitional screening requirements in favor of the existing vegetation as shown on the Special Exception Plat along the eastern and western boundaries of the property;
- Waiver of the barrier requirement along the periphery of the site; and
- Waiver of the service drive requirement along Lee Jackson Highway.

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

82.3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 90-P-028-2 (LPC COMMERCIAL

SERVICES, INCORPORATED, AGENT FOR TYSONS OFFICE

CENTER LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)

(Tape 11)

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Mr. Walsh 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 Hanley moved approval of Special Exception Amendment Application SEA 90-P-028-2 subject to the development conditions dated April 22, 1993. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Bulova, Supervisor Dix, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

83.3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN

**AMENDMENT S92-I-B3 FOR THE AREA LOCATED BETWEEN
ROUTE 7 AND SPRING LANE NEAR THE INTERSECTION OF
ROUTE 7 AND COLUMBIA PIKE IN BAILEYS CROSSROADS
(MASON DISTRICT) (Tapes 11-12)**

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 April 22 and April 29, 1993.

Following the public hearing, which included testimony by nine speakers, Supervisor Trapnell moved to defer the Board decision on Out-of-Turn Plan Amendment S92-I-B3 for the area located between Route 7 and Spring Lane near the intersection of Route 7 and Columbia Pike in Baileys Crossroads until **May 17, 1993 at 10:00 a.m.** This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

**84.3:30 P.M. - JOINT PH WITH THE VIRGINIA DEPARTMENT
OF TRANSPORTATION (VDOT) TO CONSIDER CUT-THROUGH
TRAFFIC RESTRICTIONS IN THE MANTUA (HORNER AND
LIDO ROADS AREA) SUBDIVISION (PROVIDENCE DISTRICT)
(Tapes 12-14)**

(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 April 22 and April 29, 1993.

Following the public hearing, which included testimony by 22 speakers, Supervisor Hanley stated that, in lieu of the numerous safety issues raised, she has asked the Virginia Department of Transportation (VDOT) to investigate the following:

- The pedestrian crosswalk at Kirkwood and Hamilton Drive for replacement of the crossing signs;
- The pedestrian crosswalk on Alba and Hamilton Drive; and
- The pedestrian crossing signs and crosswalk at Prince William Drive and Convento Terrace.

Supervisor Hanley moved that the Board:

- Approve the measures, proposed by VDOT to reduce cut-through traffic and enhance safety in the Mantua (Horner and Lido Roads) Subdivision;
- Request VDOT to fund the measures from their secondary road maintenance budget; and
- Direct staff to not proceed with implementation of these measures until after the Briarway public hearings.

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

Supervisor Hanley further moved that the Board:

- Refer to staff and VDOT for their review and comment the suggestions of Dr. Charles Trichilo, (Speaker 16) regarding the synchronization of the traffic signals; and
- Direct staff to request the police department to continue their aggressive speed monitoring in the neighborhood.

This motion was seconded by Supervisor Frey.

Supervisor Bulova moved that the motion be amended to direct staff and VDOT to conduct a study to identify and minimize the bottleneck areas that causes the Mantua cut-through traffic, specifically Guinea Road, Route 236, and Prosperity Avenue intersections, to focus on options to optimize traffic flows and prevent unnecessary bottlenecks and to report with their recommendations. This motion was seconded by Supervisor Hyland.

This amendment was not accepted by Supervisor Hanley, who asked for a ruling of the Chair because, as she recalled, the last time this issue was raised it had failed and Supervisor Bulova was not on the prevailing side.

Vice-Chairman McConnell ruled the motion to be in order as a new request.

The question was then called on the amendment which **CARRIED** by a recorded vote of five, Supervisor Dix and Supervisor Hanley voting "NAY," Supervisor Berger and Chairman Davis being out of the room, Supervisor Alexander being absent.

The question was then called on the main motion, as amended, which carried by a vote of seven, Supervisor Berger and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Hanley asked unanimous consent that the Board direct the staff of the Office of Transportation to immediately notify the Pine Ridge Community of the Board's action and requested study. Without objection, it was so ordered.

**85.BOARD DECISION ON PROPOSED "PARKING REDUCTION
FOR SKYLINE CENTER" (MASON DISTRICT) (No Tape)**

(NOTE: Earlier in the meeting, action was taken to approve the parking reduction for Skyline Center. See Clerk's Summary Item CL#77.)

86.4:00 P.M. - BOARD DECISION ON SPECIAL EXCEPTION

**APPLICATION SE 87-Y-119 (LA PETITE ACADEMY,
INCORPORATED) (SULLY DISTRICT) (No Tape)**

(NOTE: Earlier in the meeting action was taken to approve Special Exception Application SE 87-Y-119. See Clerk's Summary Item CL#81.)

ADDITIONAL BOARD MATTER

**87.EXECUTING FINAL BONDS AND AGREEMENTS ON THE
GREEN TRAILS NEIGHBORHOOD ISSUE (Tape 14)**

Supervisor Frey informed the Board that he had been working with staff on the Green Trails Neighborhood issue which has been in default. The project was taken over by the lender and the lender has now been taken over by the Resolution Trust Corporation (RTC) which is preparing to transfer the property to the developer.

Since the agreement is ready, and in order to avoid further delay, Supervisor Frey moved that the Board authorize the Director of the Department of Environmental Management (DEM) to execute the final bonds and agreements on behalf of the Board. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Berger and Chairman Davis being out of the room, Supervisor Alexander being absent.

88.BOARD ADJOURNMENT (Tape 14)

At 6:40 p.m., the Board adjourned.