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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 arrived at 9:50 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 "EMERGENCY MEDICAL SERVICES WEEK" IN FAIRFAX COUNTY (Tape 1)

Supervisor Dix moved approval of the Proclamation, presented to Chief Deputy Mark Wheatley, designating May 23 through May 29, 1993 as "**EMERGENCY MEDICAL SERVICES WEEK**" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander not yet having arrived.

3.PROCLAMATION DESIGNATING "SPRINGFIELD DAYS" IN FAIRFAX COUNTY (Tape 1)

Supervisor Alexander moved approval of the Proclamation, presented to Chuck Marginot, President, Springfield Chamber of Commerce, and Joey Jones, President-elect of the Springfield Chamber of Commerce, as well as Chairman of Springfield Days, designating June 4 through June 6, 1993 as "**SPRINGFIELD DAYS**" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Frey being out of the room.

4.PROCLAMATION DESIGNATING "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY (Tape 1)

Supervisor McConnell moved approval of the Proclamation, presented to John W. di Zerega, Director, Department of Public Works, and representatives of Public Works agencies, designating May 16 through May 22, 1993 as "**PUBLIC WORKS WEEK**" in Fairfax County. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Trapnell being out of the room.

5.RECOGNITION OF COUNTY STAFF WHO WORKED ON THE PERSONAL PROPERTY/COUNTY DECAL PROGRAM

(SMILES CAMPAIGN) (Tape 1)

Following a tribute from William J. Leidinger, County Executive, for a job well done, Chairman Davis recognized County staff who worked on the personal property/County decal program (SMILES Campaign).

6.PROCLAMATION DESIGNATING "SAFE KIDS WEEK" IN FAIRFAX COUNTY (Tape 1)

Supervisor Dix moved approval of the Proclamation, presented to Nancy O'Shea, designating May 23 through May 29, 1993 as "**SAFE KIDS WEEK**" in Fairfax County, and urging all residents to support the efforts and activities of Safe Kids America to prevent childhood injury. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

7.PROCLAMATION DESIGNATING "JOE GIBBS DAY" IN FAIRFAX COUNTY (Tape 1)

Supervisor Dix moved approval of the Proclamation designating May 20, 1993 as "**JOE GIBBS DAY**" in Fairfax County. This motion was jointly seconded by Supervisor Alexander and Supervisor Hyland and carried by a vote of eight, Supervisor Berger and Supervisor Trapnell being out of the room.

8.10:00 A.M. - PRESENTATION OF THE COMMISSION ON AGING OUTSTANDING SERVICE AWARDS (Tape 1)

On behalf of the Commission on Aging, Ms. Trudy Wright, Chairman, presented awards to the following individuals for outstanding service to elders:

- James and Marguerite Mott, Lincoln- Lewis-Vannoy Community Volunteers;
- Angela Porretta, Annandale Adult Day Health Care Center; and
- Guerin and Nanine Goldsmith, GCG Productions.

**9.10:00 A.M. - BOARD DECISION 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) (Tape 1)**

(NOTE: The Board held the public hearing on Out-of-Turn Plan Amendment S92-I-B3 on May 10, 1993 and Board decision deferred until May 17, 1993.)

Supervisor Trapnell moved that the Board defer its 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 **3:30 p.m. today**. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

(NOTE: Later in the meeting, action was taken on Board Decision on Proposed Out-of-Turn Plan Amendment S92-I-B3. See Clerk's Summary Item CL#69.)

10.ADMINISTRATIVE ITEMS (Tapes 1-2)

Supervisor Hanley moved approval of the Administrative Items. This motion was seconded by Supervisor Bulova.

Supervisor Hanley asked that the motion be amended to add the proposal of the pedestrian access in the Tyson's area to Administrative Item Three - Authorization to Advertise a Public Hearing on Proposed Transportation Enhancement Program Projects (Countywide), and this was accepted.

Supervisor Bulova asked that Administrative Item Three be amended to add a proposal to make permanent the cut-through measures in Kings Park, including some plantings to be maintained by the Kings Park Civic Association, and this was accepted.

In addition, Supervisor Bulova asked that Administrative Item Three be amended to include the Braddock District Tree Planting Project which is sponsored by the Braddock District Council of Community Associations, and this was accepted.

Supervisor Hyland asked that Administrative Item Three be amended to include information as to where additional bus shelters are proposed to be constructed throughout Fairfax County, and this was accepted.

Following input from Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, Supervisor Frey asked that Administrative Item Three be amended to include consideration of landscaping for the Franklin Farm Community to act as a sound buffer along the Fairfax County Parkway, and this was accepted.

The question was then called on the motion to approve the Administrative Items, to include the amendments to Administrative Item Three, which carried by unanimous vote.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM

(DRANESVILLE AND MOUNT VERNON DISTRICTS)

(R)Approved the request that certain streets listed in the Memorandum to the Board dated May 17, 1993 be recommended for acceptance into the State Secondary System, as follows: Riverbend Estates, Club View Drive, (Route 5671), Katie Leigh Court, Lindsey Blake Lane; Dranesville District - Collingwood Manor West, Mack Street; Mount Vernon District.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON THE ACQUISITION OF CERTAIN DEDICATIONS

AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF

THE ROUTE 123 TO HOOES ROAD/POHICK ROAD SEGMENT

OF THE FAIRFAX COUNTY PARKWAY (SPRINGFIELD AND

BRADDOCK DISTRICTS)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **June 7, 1993 at 3:30 p.m.** on the acquisition of interests in real property necessary for the Route 123 to Hooes Road/Pohick Road Segment of the Fairfax County Parkway.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON PROPOSED TRANSPORTATION ENHANCEMENT

PROGRAM PROJECTS (COUNTYWIDE)

(A)Authorized the posting and advertisement of a public hearing to be held before the Board of Supervisors on **June 7, 1993 at 4:30 p.m.** to solicit comments and input on proposed Transportation Enhancement Projects.

(NOTE: During the approval of Administrative Items, there were several amendments to this item. See Clerk's Summary Item CL#10.)

**11. A-1 - APPROVAL OF AN INITIAL ACTION PLAN FOR THE
COMMERCIAL REVITALIZATION PROGRAM (COUNTYWIDE)**

(Tape 2)

Supervisor McConnell moved that the Board concur in the recommendation of staff and take the actions as contained in the Memorandum to the Board dated May 17, 1993 regarding approval of an Initial Action Plan for the Commercial Revitalization Program. This motion was seconded by Supervisor Alexander.

Following discussion, with input from William J. Leidinger, County Executive, and Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor McConnell asked to go on record with her concerns regarding the fees and proffers which may be required by the County, particularly with regard to the revitalization of some of the run-down areas.

Supervisor Dix asked that the motion be amended to include a reference to the Town of Vienna in this program, and that the Town receive an invitation to participate in these discussions, and this was accepted.

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

**12. A-2 - RECOMMENDATIONS CONCERNING PROPOSED
METROBUS REROUTINGS AFFECTING HERNDON AND
RESTON (DRANESVILLE AND HUNTER MILL DISTRICTS)**

(Tape 2)

On motion of Supervisor Dix, seconded by Supervisor Alexander, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and approved the Metrobus route changes as proposed in the Washington Metropolitan Area Transit Authority (WMATA) Public Hearing Docket B93-6 as contained in the Memorandum to the Board.

**13. A-3 - APPROVAL TO REFUND THE NORTHERN VIRGINIA
TRANSPORTATION COMMISSION 1990 SERIES COMMUTER
RAIL BONDS (BRADDOCK, LEE, MASON, MOUNT VERNON
AND SPRINGFIELD DISTRICTS) (Tape 2)**

(R)On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and:

- Adopted the Resolution authorizing the Northern Virginia Transportation Commission (NVTC) to refinance the 1990 Series Commuter Rail Bonds, and direct the County Executive to transmit this action to NVTC;
- Directed the staff to work with NVTC staff to assure that the minimum proceeds NVTC receives from a refinancing are greater than or equal to three percent of the net present value of the portion of the debt being refinanced (i.e., \$700,000 or greater) and to identify the specific use of these funds prior to the refinancing; and
- Authorized the Chairman to execute any changes to the Commuter Rail Master Agreement which may be necessary to undertake the refinancing.

**14. A-4 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 93060 FOR A PUBLIC TRANSPORTATION INTERN
(ALL DISTRICTS) (Tape 2)**

(SAR)On motion of Supervisor Alexander, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and:

- Authorized the Director of the Office of Transportation to execute a grant contract with the Virginia Department of Rail and Public Transportation (VDRPT); and

•Approved Supplemental Appropriation Resolution (SAR) AS 93060 in the amount of \$5,040.

15. A-5 - SUPPLEMENTAL APPROPRIATION RESOLUTION

(SAR) AS 94003 FOR THE OFFICE FOR CHILDREN TO

OPEN A SCHOOL-AGE CHILD CARE CENTER AT GREEN

ACRES ELEMENTARY SCHOOL AS REQUESTED BY THE CITY

OF FAIRFAX (Tape 2)

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 94003 in the amount of \$76,871 for the Office of Children to operate a School-Age Child Care (SACC) Center at Green Acres Elementary School.

16. A-6 - MODIFICATION OF THE FAIRFAX COUNTY

PURCHASING RESOLUTION (Tape 2)

(R)Supervisor Hyland moved that the Board concur in the recommendation of staff and adopt the modification to Article 3 of the Fairfax County Purchasing Resolution entitled Bidder/Contractor Remedies. This motion was seconded by Supervisor Alexander.

Supervisor McConnell referred to the top of Page 32 of the Memorandum to the Board dated May 17, 1993, and asked unanimous consent that she be recorded as being opposed to the directive with regard to "... work through the Board of Supervisors Legislative Subcommittee to obtain the enactment of legislation which will allow certain employees of a jurisdiction to be appointed as hearing officers." Without objection, it was so ordered.

Supervisor Bulova asked that the motion be amended to include consideration by the Board of other ways to try to mediate, and this was accepted.

The question was then called on the motion, as amended, and with the notation of Supervisor McConnell's objection to the Page 32 directive, carried by vote of nine, Supervisor Trapnell being out of the room.

**17. A-7 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD (CSB) TO ACCEPT FEDERAL
BLOCK FUNDING FROM THE DEPARTMENT OF MENTAL HEALTH,
MENTAL RETARDATION, AND SUBSTANCE ABUSE SERVICES
(DMHMRSAS) TO PROVIDE INTENSIVE IN-HOME TREATMENT
SERVICES (Tape 2)**

On motion of Supervisor Hyland, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to accept \$88,296 to contract for intensive in-home treatment services through June 30, 1994.

**18. A-8 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD TO ACCEPT STATE FUNDING
FOR FAMILY SUPPORT SERVICES (Tape 2)**

On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to accept \$43,651 from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) for Family Support Services.

**19. A-9 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD (CSB) TO ACCEPT A
PROJECTS FOR ASSISTANCE IN TRANSITION FROM
HOMELESSNESS (PATH) GRANT CONTINUATION FROM THE
DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION,
AND SUBSTANCE ABUSE SERVICES (DMHMRSAS), TO SERVE**

**PERSONS WHO ARE SERIOUSLY MENTALLY ILL AND HOMELESS
OR AT RISK OF HOMELESSNESS (Tape 2)**

On motion of Supervisor Hanley, seconded by Supervisor Berger, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and approved the Fairfax-Falls Church Community Services Board (CSB) acceptance of \$110,083 from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) for continuation of the Projects for Assistance in Transition from Homelessness (PATH) grant for Fiscal Year (FY) 1994.

**20. A-10 - AUTHORIZATION FOR THE DEPARTMENT OF HUMAN
DEVELOPMENT (DHD), THE FAIRFAX-FALLS CHURCH
COMMUNITY SERVICES BOARD (CSB), AND THE FAIRFAX
COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)
IN PARTNERSHIP WITH NON-PROFIT ORGANIZATIONS TO
APPLY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT (HUD) FOR SUPPORTIVE HOUSING PROGRAM
GRANTS (Tape 2)**

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the Department of Human Development (DHD), the Fairfax-Falls Church Community Services Board (CSB) and the Fairfax County Redevelopment and Housing Authority (FCRHA) to apply in partnership with non-profit organizations to the Department of Housing and Urban Development (HUD) for \$15,053,805 in Supportive Housing Program grants over a five-year period with required County funds of \$687,617. This motion was seconded by Supervisor Berger.

Following discussion, with input from Suzanne Manzo, Director, Department of Human Development, Supervisor McConnell asked that the motion be amended to include a request for a breakdown showing the expenses per person per year, and this was accepted.

Following additional discussion, the question was called on the motion, as amended, which carried by unanimous vote.

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**21. A-11 - PARKING REDUCTION FOR THE JEWISH
COMMUNITY CENTER OF NORTHERN VIRGINIA (MASON
DISTRICT) (Tape 3)**

Supervisor Trapnell moved that the Board concur in the recommendation of staff and approve a 13.0 percent reduction of the required parking to accommodate the Geshur School at the Jewish Community Center pursuant to Paragraph 4, Section 11-102 of the Fairfax County Zoning Ordinance in accordance with the conditions contained in the Memorandum to the Board dated May 17, 1993. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

There was a brief discussion regarding this item, with input from Barbara A. Byron, Director, Zoning Evaluation Division, Office of Comprehensive Planning,

**22.A-12 - EXPANSION OF THE COUNTY'S APPROVED SEWER
SERVICE AREA: TURKEY RUN SEWER SHED (DRANESVILLE
DISTRICT) (Tape 3)**

On motion of Supervisor Berger, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Trapnell being out of the room, the Board concurred in the recommendation of staff and expanded the Approved Sewer Service Area to include that portion of the Turkey Run Sewer Shed delineated on the map contained in the Memorandum to the Board dated May 17, 1993.

**23.A-13 - ESTABLISHMENT OF AN AUDIT COMMITTEE AND
AN INDEPENDENT FINANCIAL AND PROGRAMS AUDIT STAFF
(COUNTYWIDE) (Tape 3)**

(BACs)

Following discussion, with input from David P. Bobzien, County Attorney, and Michael Long, Assistant County Attorney, Supervisor Bulova moved that the Board concur in the recommendation of staff and reconsider the creation of an Audit Committee and an Independent Financial and Programs Audit staff and revise and clarify the proposal, adopted in principle at the Board of Supervisors' meeting held on April 12, 1993, as follows:

- To delete the limitation on participation by the citizen members on personnel matters so that all members have equivalent status;
- To appoint initial members to terms which expire on December 31, 1993, and to make subsequent regular appointments for two-year terms beginning on January 1, 1994 (persons appointed to fill a vacancy should serve the balance of an unexpired term);
- To establish and budget the Audit Committee and the Financial and Programs Auditor as a separate agency reporting to the Board; and
- To specify whether the two citizen members will be given compensation of up to \$50 per meeting.

This motion was seconded by Chairman Davis.

Following discussion, Supervisor Berger moved to amend the motion to delete the following condition:

- To specify whether the two citizen members will be given compensation of up to \$50 per meeting.

This motion to amend was seconded by Supervisor Alexander.

Following discussion, the question was called on the amendment which **CARRIED** by a recorded vote of seven, Supervisor Bulova and Supervisor Hyland voting "NAY," Supervisor Trapnell being out of the room.

Following further discussion, with input from Mr. Bobzien, the question was then called on the main motion, as amended, which **CARRIED** by a recorded vote of eight, Supervisor Frey voting "NAY," Supervisor Trapnell being out of the room.

Supervisor Dix asked unanimous consent that the Board direct staff to clarify whether this committee would have the authority to declare an executive session. Without objection, it was so ordered.

24.C-1 - AMENDMENTS TO FAIRFAX COUNTY ATHLETIC**COUNCIL BYLAWS (Tape 3)**

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated May 17, 1993 requesting the Board's consideration to amend the Bylaws for the Fairfax County Athletic Council, as follows:

- Article III to allow the addition of seven members and the deletion on one member, resulting in a net increase of six members to the Athletic Council; and
- Article IV, Section 4, to allow the Chairman and Vice-Chairman to serve three consecutive years in lieu of the currently approved limitation of two consecutive years.

Supervisor McConnell moved that the Board approve the staff recommendation for Consideration Item One. This motion was seconded by Supervisor Alexander.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer its consideration of this item.

Following discussion, with input from W. Michael Kendrick, Director, Department of Recreation and Community Services, and Ren Morani, Chairman, Athletic Council, Supervisor Dix moved a substitute motion that the Board return the item to the Athletic Council for further review and discussion and to report, for Board action, once a greater consensus is reached. This motion was seconded by Supervisor Alexander.

After further discussion, Supervisor Bulova moved an amendment to the substitute motion that the Board also reconstitute the Adult User Fee Task Force, chaired by Supervisor Hanley and Supervisor Dix, to assist the Athletic Council in negotiating a consensus. This motion was seconded by Supervisor Frey.

Supervisor Davis asked that the substitute motion also be amended to rename the Task Force as the "Athletic Council Bylaws Subcommittee Task Force," and this was accepted.

The question was called on the amendment to the substitute motion which **CARRIED** by a recorded vote of eight, Supervisor McConnell voting "NAY," Supervisor Trapnell being out of the room.

The question was then called on the main motion, as substituted and amended, which **CARRIED** by a recorded vote of eight, Supervisor McConnell voting "NAY," Supervisor Trapnell being out of the room.

Following discussion, with further input from Mr. Kendrick, Supervisor Hanley moved that the Board approve the following staff recommendation regarding changing the terms:

- Article IV, Section 4, to allow the Chairman and Vice-Chairman to serve three consecutive years in lieu of the currently approved limitation of two consecutive years.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**25.I-1 - APPROVAL OF AN AGREEMENT BETWEEN FAIRFAX
COUNTY AND THE CITY OF FALLS CHURCH PROVIDING FOR
THE CONSTRUCTION OF NEW WATER MAINS AS PART OF
ELLISON HEIGHTS NEIGHBORHOOD IMPROVEMENT PROJECT
(DRANESVILLE DISTRICT) (Tape 3)**

Supervisor Hyland moved that the Board approve Information Item One, contained in the Memorandum to the Board dated May 17, 1993, requesting authorization for staff to execute an agreement between Fairfax County and the City of Falls Church to provide for the construction of new water mains as part of the Ellison Heights Neighborhood Improvement program, Dranesville District. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Trapnell being out of the room.

**26.I-2 - CONTRACT AWARD - DEVELOPMENT AND VALIDATION
OF MEDICAL STANDARDS AND PHYSICAL ABILITIES TESTS
FOR UNIFORMED PUBLIC SAFETY POSITIONS (Tape 3)**

Supervisor Hyland moved that the Board approve Information Item Two, contained in the Memorandum to the Board dated May 17, 1993, requesting authorization for the Purchasing Agent to proceed to finalize negotiations and award a contract to Human Performance Systems, Incorporated, in an amount not to exceed \$126,944, for the development and validation of medical standards and physical abilities tests for uniformed public safety positions. This motion was seconded by Supervisor Hanley.

In response to a query by Supervisor Dix, Larry N. Wellman, Director, Purchasing and Supply Management Agency, informed Board Members that Human Performance Systems, Incorporated, is located in Hyattsville, Maryland.

Request that Board Package Items Contain

Additional Information Regarding the

Location of Contractors:

Supervisor Dix stated that, on numerous occasions, he has requested staff to include the location of contractors in the Board Package material; however, to date, staff continues to disregard his request.

Once again, Supervisor Dix asked unanimous consent that the Board **direct** staff to include, in the Board Package material for contract awards, the name, **location**, and whether the individuals are licensed in Fairfax County. Without objection, it was so ordered.

The question was then called on the motion to approve Information Item Two which carried by a vote of nine, Supervisor Trapnell being out of the room.

27.BOARD MEMBERS REMINDED THAT FORMAL MOTIONS ARE NOT NECESSARY FOR APPROVAL OF INFORMATION ITEMS

(Tape 3)

Chairman Davis reminded Board Members that formal motions are not necessary on Information Items (especially procurement items). He stated that these items are administratively approved.

28.I-3 - CONTRACT AWARD - AWARD OF CONTRACTS FOR SPECIFIC HUMAN SERVICES FOR THE DEPARTMENT OF

COMMUNITY ACTION (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for the Purchasing Agent to proceed to complete negotiations and award contracts, in the total amount not to exceed \$1,717,351, to the selected vendors listed in the Board Package for specific human services for the Department of Community Action (DCA).

Following discussion, with input from Trudy Brisendine, Acting Director, Department of Community Action, Supervisor Hanley asked unanimous consent that action on this item be deferred until later in the meeting to allow additional time for staff to respond to her questions. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken to approve Information Item Three. See Clerk's Summary Item CL#39.)

29.I-4 - CONTRACT AWARD - PSYCHOSOCIAL REHABILITATION**SERVICES IN SUPPORT OF FAIRFAX-FALLS CHURCH****COMMUNITY SERVICES BOARD (CSB) CLIENTS (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for the Purchasing Agent to proceed to finalize negotiations and award a contract to the Social Center for Psychiatric Rehabilitation, in the amount stated in the Board Package, for psychosocial rehabilitation services in support of Fairfax-Falls Church Community Services Board (CSB) clients.

Following discussion regarding the number of solicitations and responses received, the staff was directed administratively to proceed as proposed.

30.I-5 - FISCAL YEAR (FY) 1993 HOUSING OPPORTUNITIES**FOR PERSONS WITH AIDS PROGRAM (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for staff to:

- Sign the letter and Comprehensive Housing Affordability Strategy (CHAS) Certification statement;

- Forward both to the Northern Virginia Planning District Commission (NVPDC); and
- Authorize the Department of Housing and Community Development (DHCD) to receive the formula allocation of Fiscal Year (FY) 1993 Housing Opportunities for Persons with AIDS (HOPWA) funds for the provision of rental assistance to Fairfax County residents with AIDS.

The staff was directed administratively to proceed as proposed.

31.I-6 - ENFORCEMENT OF PERSONAL PROPERTY AND

DECAL LAWS (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 presenting a response to the Board's request for additional information (at its April 26, 1993 meeting) regarding the requirements for County decals as they pertain to vehicles parked on private property of condominium associations and the ticketing of such vehicles for not displaying a valid County decal.

32.I-7 - PROPOSED INTERJURISDICTIONAL SOLID WASTE/

REFUSE EXCHANGE AGREEMENT WITH PRINCE WILLIAM

COUNTY (COUNTYWIDE) (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for staff to finalize the proposed Interjurisdictional Solid Waste/Refuse Exchange Agreement with Prince William County.

Following discussion regarding the issue of non-processable waste and the Prince William County incinerator, with input from John W. diZerega, Director, Department of Public Works, the staff was directed administratively to proceed as proposed.

33.I-8 - CREATION OF A FAIRFAX COUNTY FAIR CAMPAIGN

PRACTICES COMMISSION (COUNTYWIDE) (Tape 3)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for staff to present to the

Chairman, for his signature, a draft letter to be sent to the local Democratic and Republican Committees, conveying the Board's request for their input and nominees, prior to the creation of a Local Fair Campaign Practices Commission.

Supervisor Hanley asked unanimous consent that the Board direct staff to revise the material (Board Package and letter) to reflect the correct spelling of Catherine Hudgins, Chair, Fairfax County Democratic Committee. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to include in the letter a response deadline and agreement by both parties regarding the fifth member.

Following discussion, Supervisor Hanley moved that a deadline of July 1, 1993 be included in the letter. This motion was seconded by Supervisor Hyland.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved a substitute motion to change the response date from July 1, 1993 to read "as soon as possible." The question was called on the substitute motion, the second to which was inaudible, which **CARRIED** by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley and Supervisor Hyland voting "**NAY**," Supervisor Trapnell being out of the room.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

34.I-9 - VACATION OF INGRESS-EGRESS EASEMENT ON MILL

RIDGE COURT (ROUTE 7482) MILLWOOD SUBDIVISION

(DRANESVILLE DISTRICT) (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for staff to take the appropriate action to effect the vacation of the ingress-egress easement on Mill Ridge Court (Route 7482), Millwood Subdivision, Dranesville District), based on the method chosen by the agent for the applicant.

Following a brief discussion regarding the possible concurrence of the owners of Lots Six and Seven, the staff was directed administratively to proceed as proposed.

**35.I-10 - COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY
(CHAS) CERTIFICATIONS - SUPPORTIVE HOUSING GRANT
APPLICATIONS BY HOMESTRETCH, THE SALVATION ARMY
FAIRFAX CORPS, AND GOOD SHEPHERD HOUSING AND FAMILY
SERVICES, INCORPORATED (PROVIDENCE, MASON, LEE AND
MOUNT VERNON DISTRICTS) (Tape 3)**

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for staff to sign the appropriate Comprehensive Housing Affordability Strategy (CHAS) Certification for inclusion in each application to the Department of Housing and Urban Development (HUD) as outlined in the Board Package.

The staff was directed administratively to proceed as proposed.

**36.I-11 - CONTRACT AWARD - SITE INFORMATION MANAGEMENT
SYSTEM (SIMS) FOR THE PARK AUTHORITY (Tapes 3-4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for staff to finalize negotiations and award a contract to BetaData Systems, Incorporated, of Tucson, Arizona in an amount not to exceed \$1,336,744.00 for the Park Authority's Site Information System (SIMS).

Following brief discussion regarding the amount budgeted for this project, the staff was directed administratively to proceed as proposed.

**37.I-12 - CONTRACT AWARD - SMALL BUSINESS
ADMINISTRATION (SBA) LANDSCAPE PLANTING AT THREE
SITES: HOLMES RUN STREAM VALLEY AT ROSE LANE,
BORGE STREET, AND FRANKLIN FARM PARKS (MASON,
PROVIDENCE, AND SULLY DISTRICTS) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated May 17, 1993 requesting authorization for staff to award a contract to McDonnell Landscape, Incorporated, of Derwood, Maryland in the amount of \$39,624.

The staff was directed administratively to proceed as proposed.

BOARD MATTERS

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38.RECOGNITION OF STUDENT INTERNS FROM SULLY

DISTRICT OFFICE (Tape 4)

Supervisor Frey recognized the presence of two student interns from Oakton High School who have been working in the Sully District office for the past three and one-half months, Ms. Allison Smith and Ms. Jamie Simpson.

Chairman Davis warmly welcomed them to the Board Auditorium.

39.APPROVAL OF INFORMATION ITEM I-3 - CONTRACT AWARD -

AWARD OF CONTRACTS FOR SPECIFIC HUMAN SERVICES FOR

THE DEPARTMENT OF COMMUNITY ACTION (Tape 4)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#28.)

Supervisor Hanley asked unanimous consent that the Board consider, at this time, Information Item Three - Contract Award - Award of Contracts for Specific Human Services for the Department of Community Action which was deferred earlier in the meeting for additional information. Without objection, it was so ordered.

Following a brief discussion, with input from Trudy Brisendine, Acting Director, Department of Community Action, Information Item Three was administratively approved.

40.ALCOHOLIC BEVERAGE TAX (Tape 4)

Chairman Davis informed the Board of allegations regarding various costs of different wines in Virginia versus the District of Columbia and Maryland. He stated that if costs in the District of Columbia are lower on a number of main brands because of franchise agreements, it could mean a loss in tax dollars to the Commonwealth of Virginia and Fairfax County.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board send a letter to the Consumer Protection Commission to review the allegations that have been presented, perhaps hold hearings, and report to the Board regarding whether this has an impact on the County's tax base and on consumers. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Trapnell being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

41.RESTON COMMUNITY CENTER BOARD OF GOVERNORS

ELECTIONS (Tape 4)

Supervisor Dix informed the Board that the annual Preference Poll for the members of the Reston Community Center Board of Governors will take place on Saturday, October 16, 1993.

Therefore, Supervisor Dix moved that the Board direct staff to coordinate with the Electoral Board to make arrangements for necessary voting machines for use by the Community Center on that day should the Board of Governors determine that is the vehicle they wish to pursue. He stated that the Board of Governors will make that determination within the next thirty days. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

42.ISSUANCE OF A JOYCE KILMER POSTAGE STAMP

(Tape 4)

Supervisor Dix informed the Board of a very intensive nationwide effort by many different associations, individuals, and elected officials promoting the issuance of a Joyce Kilmer postage stamp. He stated that he was recently approached by a constituent, Gordon Christensen, who is Vice-President of the Malcolm-Windover Heights Civic Association, and asked to bring this matter before the Board.

Supervisor Dix stated that American poet Joyce Kilmer wrote the very famous poem "Trees" which has become one of the most widely known poems of the 20th Century. Mr. Kilmer was not only a well known American poet, but was also a journalist and a patriot as well, and published at least three books of poetry in his short lifetime. He stated that Joyce Kilmer's son, Kenton Kilmer, has been a longtime resident of the Town of Vienna, and is also a constituent of the Hunter Mill District.

Supervisor Dix informed the Board that at the last Vienna Town Council meeting, the Council authorized the Mayor of Vienna to write to the Postmaster General requesting the issuance of a Joyce Kilmer Stamp.

Therefore, Supervisor Dix moved that the Board request the Northern Virginia Congressional Delegation to do all that it can do to secure the support of the Postmaster General and the Citizens Stamp Advisory Committee in the consideration and issuance of a Joyce Kilmer stamp. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

43. NORTHERN VIRGINIA BUILDING INDUSTRY ASSOCIATION

(NVBIA) CHARITY HOME FEE WAIVER (Tape 4)

Supervisor Dix informed the Board of correspondence he had received from Diane Cox Basheer, President, Fairfax Chapter of Northern Virginia Building Industry Association (NVBIA) requesting consideration of fee waivers for County permits, tap fees, and inspection fees in the construction of their 1993 Charity Home.

Supervisor Dix stated that Reston Land Corporation has donated a finished lot and stated his belief that there is a precedent for the Board to direct the Department of Environmental Management (DEM) to waive their plan review and inspection fees associated with this type of project. A similar charity home was constructed in Reston in 1987 and associated development fees were waived in that instance.

Therefore, Supervisor Dix moved that the Board:

- Direct the Department of Environmental Management to pay, on behalf of the Board, all DEM fees related to plan, review, and inspection associated with the NVBIA 1993 Charity Home to be constructed in Reston; and
- Approve a contribution of \$7,863 (\$4000 water connection fee and \$3863 sewer fees) from the Fiscal Year (FY) 1994 miscellaneous contribution reserve in contributory agencies to cover the costs of related sewer and water hook-up charges for the NVBIA

Charity Home which anticipates generating \$750,000 to be utilized for Fairfax County charities.

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

44.RESTON AND VIENNA COMMUNITY FESTIVALS (Tape 4)

Supervisor Dix extended an invitation to all Board Members and citizens to attend the Reston Festival to be held Friday evening, May 21 through Sunday, May 23, 1993 at the Issac Newton Square.

Supervisor Dix also announced the Viva Vienna Festival to be held the weekend of May 30, 1993 in Vienna along Church Street and invited Board Members and citizens to participate in these worthwhile festivals.

VW:vw

45.PARTNERSHIP FOR REGIONAL EXCELLENCE (Tape 5)

Supervisor Bulova said that on May 12, 1993, a Draft Preliminary Report of the **PARTNERSHIP FOR REGIONAL EXCELLENCE** was preliminarily endorsed by members of the Partnership and presented to the Metropolitan Washington Council of Governments (COG) for its consideration. A final report will be adopted and presented on July 14, 1993. Following the final modifications and adoption of the report, she will seek Board endorsement.

Supervisor Bulova stated that the report calls for better regional integration of land use, transportation, and environment. The report acknowledges that any solution must respect the autonomy of the two states and the District and local governments, and ensure compliance with those federal and state environmental regulations tied to air and water quality. The report recommends the reconstitution of COG's Metropolitan Development Policy Committee, with representation from the Transportation Planning Board (TPB), the Metropolitan Washington Air Quality Committee (MWAQC), and the Planning Directors. It also recommends increased representation from business and civic/environmental communities. Recommended tasks include the preparation of a composite map of the region's plans that show existing and proposed uses. The process would be similar to the Northern Virginia Planning District Commission's (NVPDC) work on a Northern Virginia regional map.

Supervisor Bulova distributed to Board Members and County staff copies of the draft report for their review and reactions. She stated that Board Members and staff could

contact Supervisor Bruce Adams of Montgomery County, and staff from COG directly with any questions and comments.

46.VIRGINIA HOUSING STUDY COMMISSION PUBLIC HEARING

(Tape 5)

Supervisor Bulova announced that a Virginia Housing Study Commission public hearing has been scheduled for Thursday, May 20, 1993, 10:00 a.m. until 12:00 noon, Arlington Public Library, 1015 North Quincy Street, Arlington. She stated that various subjects will be discussed including housing needs and fire-retardant plywood (FRT) roofs. She asked unanimous consent that the Board direct:

- Staff to publicize this public hearing on Channel 16; and
- Staff from the Department of Environmental Management (DEM) to attend the public hearing and provide testimony on the issue of fire-retardant plywood (FRT).

Without objection, it was so ordered.

47.COMMENDATIONS FOR MS. SHIRLEY SNELSON WHO RECENTLY RECEIVED THE OUTSTANDING RAP CERTIFICATE OF MERIT

AND NAMED RAP VOLUNTEER (Tape 5)

Supervisor Bulova announced that Ms. Shirley Snelson of Weichert Realtors recently received the Outstanding RAP Certificate of Merit and has been named RAP Volunteer. Ms. Snelson is the first Northern Virginia Realtor to obtain this award.

On behalf of the entire Board, Supervisor Bulova extended her congratulations to Ms. Snelson on her receipt of this prestigious award.

48.PAUL BALDINO, ACTING DIRECTOR, OFFICE OF PERSONNEL, NAMED LOCAL PERSONNEL EXECUTIVE OF THE YEAR

(Tape 5)

Supervisor Bulova called to the Board's attention a recent article contained in the May 14, 1993 edition of the Courier Newspaper announcing that Paul Baldino, Acting Director, Office of Personnel, received the Jack Foster Executive of the Year Award

on Friday, May 7, 1993, at the annual ceremony of the Local Government Personnel Association of the Baltimore-Washington Metropolitan area. This award is the highest given by the Association.

On behalf of the entire Board, Supervisor Bulova extended her congratulations to Mr. Baldino on his receipt of this prestigious award.

49.APPOINTMENT TO THE FAIRFAX COUNTY AIRPORTS

ADVISORY COMMITTEE (Tape 5)

(APPT)

Supervisor Alexander moved the appointment of Ms. Beth Neese as the Lee District Representative to the Fairfax County Airports Advisory Committee to fill the unexpired term of Mr. Tom Pendergast who had resigned because he is leaving the area. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

50.REQUEST FOR WAIVER OF FILING FEES FOR SPECIAL

PERMIT APPLICATION BY GRACE LUTHERAN CHURCH FOR

THE CONSTRUCTION OF A SHED (Tape 5)

Supervisor Trapnell stated that the Grace Lutheran Church, located at 3233 Annandale Road, Falls Church, will be submitting a Special Permit Application for approval to build a shed to replace an existing shed. She stated that it was not until earlier this year, when the Church replaced the shed and was cited with a violation, that it was realized that a permit was never issued years ago for the existing shed. Currently the Church is trying to expeditiously correct the situation.

Accordingly, Supervisor Trapnell moved that the Board direct staff to waive the filing fees for the Special Permit Application. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

51.CONGRATULATIONS TO MS. HAZEL GOODMAN ON RECEIVING

A HUMAN RIGHTS AWARD FROM THE HUMAN RIGHTS

COMMISSION (Tape 5)

On behalf of the entire Board, Supervisor Trapnell extended her congratulations to Ms. Hazel Goodman, a Mason District constituent, who recently received a Human Rights Award last week from the Human Rights Commission.

**52.REQUEST FOR CONCURRENT PROCESSING FOR SPECIAL
EXCEPTION AMENDMENT APPLICATION SEA 81-P-021-2
(GESHER SCHOOL AND JEWISH COMMUNITY CENTER OF
NORTHERN VIRGINIA) (Tape 5)**

Supervisor Trapnell moved that the Board direct staff to concurrently process the Site and Building Plans for Special Exception Amendment Application SEA 81-P-021-2. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

**53.REQUEST FOR CONCURRENT PROCESSING FOR SPECIAL
PERMIT APPLICATION SP 93-Y-011 (ANACONDA GOLF
COMPANY, INCORPORATED) (SULLY DISTRICT) (Tape 5)**

Supervisor Frey announced that Anaconda Golf Company, Incorporated, has filed Special Permit Application SP 93-Y-011 for approval of commercial outdoor recreational uses which include a golf range, miniature golf courses, putting tee, and baseball hitting range.

Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to process the Site Plan for the outdoor recreational uses on Tax Map Reference 34-3 ((1)) 34 concurrently with the County's processing of Special Permit Application SP 83-Y-011. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

**54.REQUEST TO CONVENE AN ENGINEERS AND SURVEYORS
INSTITUTE (ESI) RETREAT AT THE GOVERNMENT CENTER
(Tape 5)**

Recognizing that great strides in improving the development process have been made, as well as improvements that are yet to be made, Supervisor Frey moved that the Board:

- Endorse the concept of planning and convening an Engineers and Surveyors Institute (ESI) retreat at the Government Center, similar to the retreat that was held five years ago to "kick-off" the creation of ESI. The purpose of the retreat would be to focus and analyze the already implemented changes, as well as to discuss further positive changes to the process. Additionally, the goal is to continue and further the beneficial channels of communication between the engineering community and the County; and
- Direct William J. Leidinger, County Executive, and Anthony H. Griffin, Deputy County Executive for Planning and Development, and his staff, to begin working with ESI representatives to develop an agenda for the retreat.

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

55.COMMENDATIONS FOR CAPTAIN ART MABRY, FAIR OAKS

SUBSTATION, FAIRFAX COUNTY POLICE DEPARTMENT

(Tape 5)

On behalf of the residents of the Sully District, Supervisor Frey expressed his appreciation and commended the outstanding performance of Captain Art Mabry, Fair Oaks Substation, Fairfax County Police Department. Captain Mabry has been promoted to another division and will be soon leaving the Fair Oaks Substation.

PMH:pmh

56.STORMWATER DISCHARGES (Tape 6)

Supervisor Hyland referred to the notice of public hearing scheduled for July 19, 1993 in connection with permitting for stormwater discharges resulting from heavy manufacturing facilities, light manufacturing facilities, land application sites, transportation facilities, open dumps, recycling facilities and construction sites.

Supervisor Hyland asked unanimous consent that the Board direct staff to:

- Review each of these with a view towards providing testimony on July 19, 1993; and

•Present the proposed testimony to the Board for its review prior to the public hearing.

Without objection, it was so ordered.

**57.REGULATION OF BASIC CABLE RATES AND A REVIEW OF
BASIC TIERS (Tape 6)**

Supervisor Hyland referred to the review of the Federal Communications Commission's (FCC) set of rules governing cable television service rates provided by Ronald Mallard, Director, Department of Consumer Affairs. He said that there are two items referenced in his memorandum which indicates that as of June 21, 1993 the County may apply to the FCC to be certified to regulate basic cable rates.

Therefore, Supervisor Hyland moved that the County make application to the FCC to be certified to regulate basic cable rates. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Trapnell being out of the room.

Supervisor Hyland asked unanimous consent that the Board direct staff to review the basic tiers in terms of providing an analysis and report whether the Board should be petitioning the FCC in connection with those charges and whether a request to "roll back" those charges would be appropriate. Without objection, it was so ordered.

**58.CONGRATULATIONS TO MOUNT VERNON DEPARTMENT
RECREATION STAFF (Tape 6)**

Supervisor Hyland read a letter that he had received congratulating the Mount Vernon Department of Recreation staff, specifically Ms. Nancy Capanos and her rink staff during the USA Hockey Players Development Camp.

Supervisor Hyland asked unanimous consent that the Board forward its commendation and appreciation to William Beckner, Director, Park Authority and his staff. Without objection, it was so ordered.

59.FEE WAIVER REQUEST (Tape 6)

Supervisor Berger reminded Board Members that on May 10, 1993, he made a motion to waive the fees for a citizen in the Dranesville District who wants to correct a drainage problem at his own expense. He said that the Board requested staff to provide additional information which has been forwarded to Board Members.

Therefore, Supervisor Berger moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive all fees associated with the Taylor drainage improvement project. This motion was seconded by Supervisor McConnell.

Following discussion, with input from Irving Birmingham, Director, DEM, the question was called on the motion which **FAILED** by a recorded vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell voting "**AYE.**"

60.MCLEAN COMMUNITY CENTER GOVERNING BOARD

APPOINTMENTS (Tape 6)

(APPTs)

Supervisor Berger moved that the Board confirm the following appointments to the McLean Community Center Governing Board:

- Barbara Comstock;
- Rebecca Horahan;
- David Sanders;
- Howard E. Ball;
- Brett Prince; and
- Cary Van Doren.

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

61.GAG ORDER POLICY (Tape 6)

Supervisor McConnell referred to an article in the Washington Post regarding an officer who was issued a "gag" order because he wrote a letter to his Chief about a policy with which he was not in agreement. She said that the article details the retaliation that he suffered as a result of this letter.

Supervisor McConnell said that the judge in Federal Court approved a consent agreement which affirmed that the officer had first amendment rights that could trump

even a police chief's order. He was awarded \$75,000 and full satisfaction of any and all claims for damages including claims for personal injury, emotional distress, pain and suffering and for attorney fees. She added that the settlement declared that it is unconstitutional to require that all communications going outside of the Department be cleared with the head of the Department.

Therefore, Supervisor McConnell moved that the Board:

- Direct staff to review County Policy concerning "Gag" orders on employees;
- Direct staff to ensure that there is a Board Policy in place which gives every person the freedom of speech regardless of the issue; and
- If not, direct staff to report with a Resolution for Board action.

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

**62.BURKE COMMUNITY CHURCH YOUTH GROUP PAINTS AND
CLEANS THE BRADDOCK COMMUNITY CENTER (Tape 6)**

Supervisor McConnell stated that on Saturday the Burke Community Church Youth Group painted and cleaned the Braddock Community Center. On behalf of the Community, Supervisor McConnell expressed her appreciation to the Youth Group for its hard work.

**63.NOISE WALLS REGARDING SHREVEWOOD COMMUNITY
(Tape 6)**

Supervisor Hanley stated that on March 8, 1993, she inquired about noise walls for the Shreveewood Community in conjunction with the Virginia Department of Transportation (VDOT) project to add an auxiliary lane between Route 50 and I-66 on the beltway. She said that staff has responded with information about a small existing gap in the noise wall to the north of the community.

Therefore, Supervisor Hanley moved that the Board direct staff to investigate the area and determine the size, height and cost of a sound wall that would ameliorate the noise problem along Oldewood Drive. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

64.STOCKBRIDGE COMMUNITY ASSOCIATION

(Tape 6)

Supervisor Hanley stated that she had received a letter from the Stockbridge Community Association which is associated with the Pickett Road Tank Farm. She said that the Association expressed its appreciation to the Fairfax County Fire and Rescue Services for all of its efforts regarding this situation. In particular, they recognized Battalion Chief Michael Neuhard who was always available to respond to questions, concerns and desires.

Supervisor Hanley stated that the Association has voted to contribute \$700 in the name of Battalion Chief Neuhard to the Fire and Rescue Department Trust Fund for emergency medical services.

65.OPEN HOUSE (Tape 6)

Supervisor Alexander announced that on Saturday, May 22, 1993 from 10:00 a.m. until 2:00 p.m. an open house will be held at the new Franconia Governmental Center. He invited all individuals to attend.

AR:ar**66.RECESS/EXECUTIVE SESSION (Tape 7)**

At 1:00 p.m., Supervisor Dix moved that the Board recess for lunch and go into Executive Session at 2:30 p.m., for discussion and consideration of matters enumerated in **Virginia Code** Section 2.1-344, as stated in the Agenda for this meeting, as well as the following litigation items:

- Carol Walsh Versus Officer Jeffrey E. Powell, At Law Number 115179;
- Phillip G. Norton Versus Board of Supervisors of Fairfax County, Virginia, At Law Numbers 111452, 111453, 111454, 111455, and 111457;
- Board of Supervisors of Fairfax County Versus Riffle, Et.Al., At Law Number 115336;
- Jane W. Gwinn, Fairfax County Zoning Administrator Versus Mazur and Meyer, (Trading as The Furniture Store), In Chancery Number 129817;
- Jane W. Gwinn, Fairfax County Zoning Administrator Versus Watano Rosewood Furniture, In Chancery Number 129518;

•Jane W. Gwinn, Fairfax County Zoning Administrator Versus Lawn and Leisure, Limited, In Chancery Number 129519; and

•J. D. Fowler, Et.Al., Versus William Leidinger, Et.Al., CA Number 92-1380-A.

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

AP:ap

At 4:00 p.m., the Board reconvened in the Board Auditorium with all Board Members present, and with Chairman Davis presiding.

67.ACTIONS FROM EXECUTIVE SESSION (Tape 8)

A.CERTIFICATION BY BOARD MEMBERS

REGARDING ITEMS DISCUSSED IN

EXECUTIVE SESSION

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

B.SETTLEMENT OF BOARD OF SUPERVISORS

VERSUS RIFFLE, ET AL., AT LAW

NUMBER 115336

Supervisor Frey moved that the Board authorize the settlement of Board of Supervisors versus Riffle, et al., At Law Number 115336, according to the terms and conditions outlined and recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

C.SETTLEMENT OF BOARD OF SUPERVISORS

VERSUS PHILLIP G. NORTON, AT LAW

**NUMBERS 111452, 111453, 111454,
111455 AND 111457**

Supervisor Frey moved that the Board authorize settlement of Phillip G. Norton versus Board of Supervisors of Fairfax County, Virginia, At Law Numbers 111452, 111453, 111454, 111455, and 111457, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by unanimous vote.

**D.REFER ISSUE OF RETAIL SALES IN THE I-4,
I-5 AND I-6 DISTRICTS TO THE PLANNING
COMMISSION**

Supervisor McConnell moved that the Board refer the issue of retail sales in the I-4, I-5 and I-6 Districts to the Planning Commission for the establishment of a special committee to study this issue, including the implications of any proposed changes to the retail commercial districts, and to propose appropriate amendments, if any, to the Zoning Ordinance. The Planning Commission Committee should, as it determines necessary, seek views from the community in forming its recommendations for Board action. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of nine, Supervisor Alexander voting "NAY."

**E.CONVEYANCE OF TWO CONTIGUOUS PARCELS
AS PAYMENT OF DELINQUENT REAL ESTATE
TAXES AND PARTLY AS A GIFT**

Supervisor Trapnell moved that the Board accept conveyance of two contiguous parcels in the northwest corner of the I-495 and Little River Turnpike Interchange to the Fairfax County Park Authority, partly as a gift, as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

ADDITIONAL BOARD MATTER

**68.DEFERRAL OF PUBLIC HEARING ON PROPOSED
OUT-OF-TURN PLAN AMENDMENT S93-II-F1**

(Tape 8)

Supervisor Hanley moved that the Board defer the public hearing on the proposed Out-of-Turn Plan Amendment S93-II-F1 until **June 28, 1993 at 4:30 p.m.** This motion was seconded by Chairman Davis and carried by unanimous vote.

SBE:sbe

69.10:00 A.M. - BOARD DECISION 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) (Tape 9)**

(NOTE: Earlier in the meeting, action was deferred on proposed Out-Of-Turn Plan Amendment S92-I-B3 until later in the meeting. See Clerk's Summary Item CL#9.)

Supervisor Trapnell moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Trapnell moved approval of 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 as recommended by the Planning Commission, with the following amendments:

- Amend the second to the last sentence of Condition "c" to read: "For the entire development 20 percent open space should be provided."
- Amend the first sentence of Condition "d" to specify that the 50-foot wide transitional buffer and screening yard should be provided along all property boundaries adjacent to existing single-family detached residential use.
- Amend the last sentence of Condition "d" to read: "Plant materials should primarily consist of evergreen materials for year-around screening."
- Replace Condition "e" with the following: "A 25-35 foot wide buffer/screening transition yard with appropriate barriers and landscaping is to be provided along

property boundaries adjacent to planned or existing townhouses, garden apartments or school facilities. A 10-foot wide transition yard with a six-foot high masonry wall should be provided adjacent to the existing mid-rise apartment building."

- Amend Condition "f" to add the clause: "within the shopping center" at the end of the last sentence.

- Replace the recommendation for recommendation B-7 in Land Unit B with the following: "These parcels may be developed for townhouse use at a density of 8-10 dwelling units per acre and at 10-12 dwelling units per acre if these parcels are consolidated with

Tax Map 61-2-((1))-63."

This motion was seconded by Supervisor Berger.

Supervisor McConnell asked that the motion be amended to revise Bullet One to read:

- "For the entire development, open space in excess of the Zoning Ordinance requirement should be provided."

This was accepted.

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

70.3:30 P.M. - PH ON REZONING APPLICATION RZ 92-Y-018

(PERCH ASSOCIATES LIMITED PARTNERSHIP) (SULLY

DISTRICT) (Tape 9)

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

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

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

Supervisor Frey moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

Supervisor Frey moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-Y-018 be amended from the R-1 and Water Supply Protection Overlay Districts to the PDH-2 and Water Supply Protection Overlay Districts subject to the executed proffers dated May 17, 1993. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Dix and Supervisor Hanley being out of the room.

Supervisor Frey moved that the Board direct staff to designate any monetary contributions to the Centreville Road Fund for the properties that are north of Route 66, east of Walney Road, west of Stringfellow Road, and south of Melville Lane, and which are within the Centreville Road Fund Study Area to assist in the funding of the design and/or construction of Northbourne Drive. If alternative funding is identified or obtained for the design and/or construction of Northbourne Drive, those funds previously designated for Northbourne Drive, in conjunction with the aforementioned, shall be reallocated to the current priority projects within the Centreville Study Area. This motion was seconded by Supervisor Trapnell and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Dix and Supervisor Hanley being out of the room.

Supervisor Frey moved to waive the 200-foot setback in favor of what is shown on the Development Plan. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Dix and Supervisor Hanley being out of the room.

71.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 88-L-073 (LEVIN CONSTRUCTION

CORPORATION) (LEE DISTRICT) (Tape 9)

Mr. Thomas P. Dugan reaffirmed the validity of the affidavit for the record.

Supervisor Hyland disclosed the following campaign contributions that he had received:

- In the amount of \$250 from Robert J. Surovell of Surovell, Jackson, Colten and Dugan on September 19, 1992; and

•In the amount of \$100 from Robert J. Surovell of Surovell, Jackson, Colten and Dugan on September 30, 1991.

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

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

Supervisor Alexander moved approval of Proffered Condition Amendment Application PCA 88-L-073 subject to the executed proffers dated May 13, 1993. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Hanley being out of the room.

Supervisor Alexander moved modification of the:

- Transitional screening and barrier requirements along the northern and eastern boundaries; and
- Transitional screening requirements along the southern boundary to that shown on the Generalized Development Plan.

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

72.3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN

AMENDMENT S93-IV-MV1 FOR THE AREA LOCATED NORTH

OF RICHMOND HIGHWAY (ROUTE 1) BETWEEN OSMAN DRIVE

AND HIGHLAND LANE IN THE WOODLAWN COMMUNITY

BUSINESS CENTER (LEE DISTRICT) (Tape 9)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

Following the public hearing, Supervisor Alexander moved approval of Out-of-Turn Plan Amendment S93-IV-MV1, for the area located north of Richmond Highway (Route 1), between Osman Drive and Highland Lane, in the Woodlawn Community Business Center, Lee District, as set forth in the Staff Report, with an amendment to the text relating to the transportation, as recommended by the Planning Commission. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Hanley being out of the room.

73.3:30 P.M. - PH TO AMEND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 10, SECTION 82-10-4, RELATING TO THE MOTOR VEHICLE LICENSE TAX (Tape 9)

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

Following the public hearing, Supervisor Alexander moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 10, Section 82-10-4, to eliminate the requirement to refund vehicle license fees. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Bulova, Supervisor Frey, and Supervisor Hanley being out of the room.

74.3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S93-II-F1 FOR A PARCEL LOCATED AT THE INTERSECTION OF ROUTE 123 AND WHITE GRANITE DRIVE NEAR I-66 (PROVIDENCE DISTRICT) (No Tape)

(NOTE: Earlier in the meeting, the public hearing on proposed Out-Of-Turn Amendment S93-II-F1 was deferred until **June 28, 1993 at 4:30 p.m.** See Clerk's Summary Item CL#68.)

75.4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-L-008 (CHRISTIAN CENTER SCHOOL,

INCORPORATED, AND CHRISTIAN CENTER MINISTRIES)**(LEE DISTRICT) (Tape 9)**

Mr. Andrew C. Bisulca reaffirmed the validity of the affidavit for the record.

Mr. Bisulca stated, for the record, that a revised affidavit had been prepared and dated May 13, 1993 to reflect a change in the composition of the Board of Trustees.

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

Chairman Davis introduced to Board Members those residents in the Board Auditorium from Gum Springs and he warmly welcomed them.

Supervisor Alexander expressed his appreciation to Carl L. Sell, Jr., Lee District Planning Commissioner, for his outstanding performance on this item.

Supervisor Alexander moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Bulova and Supervisor Hanley being out of the room.

Supervisor Alexander moved approval of Special Exception Amendment Application SEA 86-L-008 subject to the development conditions dated May 6, 1993. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Bulova and Supervisor Hanley being out of the room.

Supervisor Alexander moved waiver of the barrier requirement on the northern boundary of Parcel 66 and the western boundary of Parcel 3 subject to the development conditions. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Bulova and Supervisor Hanley being out of the room.

Supervisor Alexander moved modification of the transitional screening requirements along the eastern, western, and northern boundaries of Parcel 66 and all boundaries of Parcel 3 subject to the development conditions. This motion was seconded by

Supervisor Berger and carried by a vote of eight, Supervisor Bulova and Supervisor Hanley being out of the room.

76.4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN

LAND RIGHTS NECESSARY FOR CONSTRUCTION OF COUNTY

ROAD PROJECT - ROUTE 1/BUCKMAN ROAD (LEE DISTRICT)

(Tape 9)

(R)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

Following the public hearing, Supervisor Alexander moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of County Road Project 064115 - Route 1/Buckman Road, Lee District. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor Hanley being out of the room.

77.4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN

LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF

THE MAPLEWOOD DEVELOPMENT/WILLOW PONDS (SULLY

DISTRICT) (Tape 9)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

Supervisor Frey announced that negotiations on this issue were ongoing in the Board Conference Room. He asked unanimous consent that the Board defer this public hearing until later in the meeting. Without objection it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#80.)

78.4:00 P.M. - PH TO SET ASSESSMENTS IN FAIRDALE

(MASON DISTRICT) (Tape 9)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

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

Following the public hearing, which included testimony by four speakers, Supervisor Trapnell moved to defer decision on the issue of setting assessments in Fairdale until **June 7, 1993 at 4:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor Hanley, and Chairman Davis being out of the room.

AP:ap

79.4:30 P.M. - PH ON REZONING APPLICATION RZ 92-H-033

AND SPECIAL EXCEPTION AMENDMENT APPLICATION

SEA 79-C-007-2 (GENEVA ENTERPRISE, INCORPORATED

[D/B/A ROSENTHAL JAGUAR AND ROSENTHAL HONDA])

(HUNTER MILL DISTRICT) (Tape 10)

Mr. William B. Lawson, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Lawson 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, Catherine Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-H-033 be amended from the I-4 District to the C-7 District subject to the executed proffers dated March 3, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor

Alexander, Supervisor Berger, Supervisor Hanley, and Chairman Davis being out of the room.

Supervisor Dix moved approval of Special Exception Amendment Application SEA 79-C-007-2 subject to development conditions dated May 12, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Hanley, and Chairman Davis being out of the room.

**80.4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN
LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF
THE MAPLEWOOD DEVELOPMENT/WILLOW PONDS (SULLY
DISTRICT) (Tape 10)**

(R)(NOTE: Earlier in the meeting this item was discussed. See Clerk's Summary Item CL#77.)

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 29 and May 6, 1993.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the installation of certain public improvements with construction of private Developer Project PD0063 - Maplewood Development/Willow Ponds, Sully District. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Trapnell, and Chairman Davis being out of the room.

**81.4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT
APPLICATION SEA 83-S-047 (SHELL OIL COMPANY)
(SPRINGFIELD DISTRICT) (Tape 10)**

Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova.

Mr. Robert C. Burgess reaffirmed the validity of the affidavit for the record.

Supervisor McConnell disclosed the following campaign contribution which she had received:

- In the amount of \$200 from Cardinal Plaza Shell.

Mr. Burgess 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 McConnell moved approval of Special Exception Amendment Application SEA 83-S-047 subject to the development conditions dated March 24, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Chairman Davis being out of room.

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

82.4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND

RIGHTS NECESSARY FOR CONSTRUCTION OF THE BAILEY'S

ROAD IMPROVEMENTS PHASE D PROJECT (MASON DISTRICT)

(Tape 10)

Because the necessary title work for the determination of property ownership has not been completed, Supervisor Trapnell moved to defer the public hearing on the proposed acquisition of certain land rights necessary for the construction of the Bailey's Road Improvements Phase D Project, Mason District, until **June 7, 1993 at 4:30 p.m.** The motion, the second to which was inaudible, carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Chairman Davis being out of the room.

83.4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND

RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE JAMES

LEE PHASE IV PROJECT (PROVIDENCE DISTRICT)

(Tape 10)

(R)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

Following the public hearing, which included testimony by one speaker, Supervisor Hanley moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project 003910 - James Lee Phase IV, Providence District. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Trapnell being out of the room.

**84.4:30 P.M. - PH ON PROPOSED REVISION TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY
EMPLOYEES), ARTICLE 2 (SUPPLEMENTAL RETIREMENT
SYSTEM ORDINANCE), REGARDING EXCLUSION OF
OVERTIME FROM CREDITABLE COMPENSATION) (Tape 10)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

Following the public hearing, which included testimony by one speaker, Supervisor Trapnell moved adoption of the proposed revision to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 2 (Supplemental Retirement System), regarding the exclusion of overtime from creditable compensation. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

**85.4:30 P.M. - PH ON THE ACQUISITION OF CERTAIN
SANITARY SEWER EASEMENTS NECESSARY FOR CONSTRUCTION
OF WEST OX ROAD AT HORSEPEN RUN BY THE VIRGINIA
DEPARTMENT OF TRANSPORTATION (VDOT) (HUNTER MILL
AND SULLY DISTRICTS) (Tape 10)**

(R)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

Following the public hearing, Supervisor Frey moved adoption of the Resolution authorizing the acquisition of certain sanitary sewer easements necessary for the construction of Project 0608 -029-265, C501 - West Ox Road at Horsepen Road, Hunter Mill and Sully Districts. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor Hanley being out of the room.

Supervisor Frey commented that the motion was also made on behalf of Supervisor Dix who had to leave due to a prior commitment.

**86.4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND
FINANCE), RELATING TO THE BUSINESS LICENSE TAXATION
OF RESEARCH AND DEVELOPMENT BUSINESSES (Tape 10)**

(O)A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1993.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell due to a possible conflict of interest and he left the Board Auditorium.

Supervisor Trapnell announced that she would not participate in the discussion or voting due to a conflict of interest and she left the Board Auditorium.

Following the public hearing, which included testimony by two speakers, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), to amend Section 4-7-21 and to enact Section 4-7-35 relating to the business license taxation of Research and Development businesses. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Dix, Supervisor Trapnell, and Chairman Davis being out of the room.

87.5:00 P.M. - PH ON REZONING APPLICATION RZ 92-V-024

(HOUCANG M. SENDI, ELOISE M. SENDI AND DAVID

SENDI) (MOUNT VERNON DISTRICT) (Tape 10)

Mr. Marc E. Bettius reaffirmed the validity of the affidavit for the record.

Mr. Bettius 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, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Dix and Chairman Davis being out of the room.

Supervisor Hyland moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-V-024 be amended from the R-2 District to the PDH-2 District subject to the executed proffers dated April 20, 1993.

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

88.BOARD RECESS (Tape 10)

At 5:55 p.m., the Board recessed for dinner and at 7:30 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Hyland and Supervisor McConnell, and with Chairman Davis presiding.

89.7:30 P.M. - PH TO RECEIVE CITIZEN COMMENTS ON

ISSUES OF CONCERN (Tape 11)

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 29 and May 6, 1993.

Citizens of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: Issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Citizens must call the Office of

the Chairman of the Board of Supervisors to register to speak and provide their names, addresses, phone numbers, and topics they wish to address.

The public hearing was held and included testimony by one speaker.

**90.7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON THE
APPOINTMENTS OF RESIDENTS FROM THE DRANESVILLE,
HUNTER MILL, LEE, AND SULLY DISTRICTS TO THE
FAIRFAX COUNTY SCHOOL BOARD (Tape 11)**

(BACs)

(NOTE: State law requires the Board to conduct this public hearing to receive the views of citizens on the appointment of School Board Members at least seven days prior to an appointment. The terms of the seven members will expire after June 30, 1993 and the terms for the new appointees will begin on July 1, 1993. Appointments are scheduled for Board action on June 28, 1993. **No person whose name has not been considered at the public hearing may be appointed.**)

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 29 and May 6, 1993.

The public hearing was held and included testimony by 18 speakers.

Testimony was presented regarding the following individuals:

- Mr. Anthony Lane, Lee District;
- Mr. Stuart Mendelsohn, Dranesville District;
- Mr. Gary Reese, Sully District; and
- Mr. Louis Zone, Hunter Mill District.

It was the consensus of the Board to hold the record open on the public hearing to receive **written testimony only** until the Board's decision on the appointments scheduled for **June 28, 1993**. It was noted that any comments submitted regarding

individuals to be considered for the School Board vacancies are limited to those names proposed at the public hearing.

91.BOARD ADJOURNMENT (Tape 11)

At 8:20 p.m., the Board adjourned.