

AM:am

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

Others present were William J. Leidinger, County Executive; David P. Bobzien, County Attorney; William O. Howland, Jr., Assistant to the County Executive; Barbara M. Jenkins, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

BOARD MATTER

2.CONDOLENCES TO SULLY DISTRICT PARK

AUTHORITY REPRESENTATIVE HAL STRICKLAND

AND FAMILY ON DEATH OF THEIR DAUGHTER

(Tape 1)

Supervisor Frey expressed his condolences to Sully District Park Authority Representative Hal Strickland and family on the death of their daughter in a Beltway accident last week.

3.CERTIFICATE OF APPRECIATION CONGRATULATING

FOUR COUNTY AGENCIES FOR RECEIVING NATIONAL

ASSOCIATION OF COUNTIES (NACO) AWARDS AND

INFORMATION ITEM I-4 - FAIRFAX COUNTY WINS

FOUR NATIONAL AWARDS (Tape 1)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 announcing that Fairfax County has won four 1993 National Achievement Awards for innovative programs from the National Association of Counties (NACo).

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved approval of the presentation of the Certificates of Appreciation presented to:

- James P. Zook, Director, Office of Comprehensive Planning (OCP);
- Kay McCarron, Heritage Resources Branch, OCP; and
- Bruce Kriviskey, Heritage Resources Branch, OCP;

congratulating them for receiving National Achievement Awards from NACo for innovative programs. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley moved approval of the presentation of the Certificates of Appreciation presented to:

- Dr. Carol Sharrett,

Health Department, Community Health

Care Network (CHCN); and

- Ms. Donna Foster,

Health Department, (CHCN);

congratulating them for receiving National Achievement Awards from NACo. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved approval of the presentation of the Certificates of Appreciation presented to:

- J. Michael Kendrick,

Director, Department of Recreation; and

- Cisco Jeter,

Department of Recreation,

Wheelchair Sports and Conditioning Program;

congratulating them for receiving National Achievement Awards from NACo. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Davis moved approval of the presentation of the Certificates of Appreciation presented to:

•Chief Glenn Gaines

Fire and Rescue Department,

Highrise Building Fire Protection

System and Testing Program; and

•Deputy Chief Steve Smith

Fire and Rescue Department,

Highrise Building Fire Protection

System and Testing Program;

congratulating them for receiving National Achievement Awards from NACo. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Vice-Chairman Mcconnell returned the gavel to Chairman Davis.

4.CERTIFICATE OF APPRECIATION CONGRATULATING

ROBERT E. KUHNS, TRANSPORTATION PLANNER,

OFFICE OF TRANSPORTATION, FOR YEARS OF

SERVICE (Tape 1)

Supervisor Hyland moved approval of the presentation of the Certificate of Appreciation presented to Robert E. Kuhns, Transportation Planner, Office of Transportation, congratulating him for his many years of service. This motion was seconded by Supervisor Frey and carried by unanimous vote.

5.RESOLUTION DESIGNATING "NATIONAL NIGHT OUT" IN

FAIRFAX COUNTY (Tape 1)

Supervisor Trapnell moved approval of the Resolution designating August 3, 1993 as "NATIONAL NIGHT OUT" in Fairfax County.

Supervisor Trapnell recognized the following people for assisting with "National Night Out":

- Sgt. Brian Boykin; • Joellyn Ostrander;
- MPO James Kelly; • Bonnie Macy;
- PFC Douglas Payne; • Dave Shonerd; • MPO Larry Clerk; • Bill Henderson;
- MPO Joseph Gould; • Charles Phifer;
- MPO Robbie Cloyd; • Earl Leisten;
- MPO Kevin Brown; • Carol Teigen; and
- PFC Keith Florence; • Steve Nolan.

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

**6.10:00 A.M. - PRESENTATION BY THE ENVIRONMENTAL
QUALITY ADVISORY COUNCIL (EQAC) OF ITS ANNUAL
REPORT ON THE ENVIRONMENT (Tapes 1-2)**

(BACs)

John DeNoyer, Chairman, Environmental Quality Advisory Council (EQAC), introduced to Board Members those EQAC Members present in the Board Room.

Dr. DeNoyer presented to Board Members the 1993 Annual Report on the Environment.

Following the presentation of the 1993 Annual Report on the Environment, Supervisor Hyland referred to the Report and requested Dr. DeNoyer to provide information at a later date concerning:

- Section I - Water Resources - A. - Issues - 2. - Pollutants - b. Total Nitrogen [Nitrate Nitrogen and organic (Kjeldahl) nitrogen] - The Potomac River has an estimated annual nitrogen load of 70.7 million pounds.

*How does this compare with the standard that indicates whether it is polluted insofar as nitrogen is concerned?

•Section I - Water Resources - B. Programs, Projects and Analyses - 4. - State's Stream Water Quality Monitoring Program - The regional office of the Virginia Water Control Board (VWCB) conducts a stream monitoring program within three watersheds. The overall water quality in Bull Run and Difficult Run, based on VWCB reports, remains fair. Monitoring trends in Pohick Creek indicate decreasing water quality. The overall quality in Pohick Creek is poor.

*What is the basis for the conclusion that the Pohick Creek is experiencing decreasing water quality and that the overall quality is poor? and

*What are the causes for the decreasing water quality?

Supervisor Hyland moved that the Board instruct County agencies to comment on relevant EQAC recommendations indicating actions that they have taken to implement the recommendations or the reasons why they do not think the recommendations are appropriate. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

With reference to Comment 12 on Page I-10 of the EQAC report, Supervisor Bulova suggested that the County take a closer look into publicizing and expanding on those efforts demonstrated at Lake Barcroft.

7.10:15 A.M. - PRESENTATION ON THE MASTER COMPOSTER

PROGRAM (Tape 2)

Following the presentation by Robert J. Doyle, Director, Department of Extension and Continuing Education, Supervisor Hyland moved that the Board direct the Department of General Services to set up a demonstration compost facility on the grounds of the Government Center. This motion was seconded by Supervisor McConnell

Supervisor Bulova asked that the motion be amended to include a request that staff, where possible, consider establishing a demonstration facility at each Supervisor's District Office, and this was accepted.

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

8.MOUNT VERNON DISTRICT SUPERVISOR GERRY HYLAND'S

GIFT OF BLACKBERRIES (Tape 2)

Supervisor Hyland announced that he brought blackberries from his garden for all Board Members.

CM:cm

9.10:30 A.M. - APPOINTMENTS TO CITIZEN BOARDS,

AUTHORITIES, COMMISSIONS (BACS) AND ADVISORY

GROUPS (Tape 3)

(APPTs)

(BACs)

ADVISORY SOCIAL SERVICES BOARD

Supervisor Hanley moved the reappointment of Ms. Letitia Haworth as the Providence District Representative to the Advisory Social Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Ruth Thomas as the Braddock District Representative to the Advisory Social Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: The appointment of the Dranesville District Representative to the Advisory Social Services Board was deferred.)

ARCHITECTURAL REVIEW BOARD

Supervisor Alexander moved the reappointment of Mr. Richard O'Brien as the At-Large (Historian) Representative to the Architectural Review Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

Chairman Davis moved the reappointment of Mr. Carl Neuberg as the At-Large (Architect) Representative to the Architectural Review Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

ATHLETIC COUNCIL

Supervisor Hanley moved the reappointment of Mr. Richard Sullivan as the Providence District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

[NOTE: The appointments of the Dranesville (Alternate) and the Sully District (Alternate) Representatives to the Athletic Council were deferred.]

CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS

Supervisor Bulova moved the appointment of Mr. James O. Evans as the Braddock District (Principal) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: Later in the meeting, additional appointments to the Citizens Advisory Committee on Solid Waste and Disposal Matters were made. See Page Nine of the Summary.)

CHAS COORDINATING COMMITTEE

(NOTE: The appointments of the Braddock and the Springfield District Representatives to the CHAS Coordinating Committee were deferred.)

CHILD CARE ADVISORY COMMITTEE

Supervisor Hanley moved the reappointment of Ms. Ernestine Heastie as the Providence District Representative to the Child Care Advisory Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Ms. Francine Jupiter as the Lee District Representative to the Child Care Advisory Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Ms. Frances Hicks as the Mount Vernon District Representative to the Child Care Advisory Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

CRIMINAL JUSTICE ADVISORY BOARD

(NOTE: The appointment of the Sully District Representative to the Criminal Justice Advisory Board was deferred.)

ENGINEERING STANDARDS REVIEW COMMITTEE

Supervisor Alexander moved that the Board confirm the following appointment to the Engineering Standards Review Committee:

•Mr. Bruce E. Titus to fill the unexpired term of Mr. Tony Calabrese as the Fairfax Bar Association Representative.

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

FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE

(NOTE: The appointment of the Sully District Representative to the Fairfax County Airports Advisory Committee was deferred.)

FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD

(NOTE: The appointment of the Springfield District Representative to the Fairfax/Falls Church Community Services Board was deferred.)

HUMAN RIGHTS COMMISSION

Chairman Davis moved the appointment of Ms. Dorothy Nam as the At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor McConnell.

Supervisor Dix moved the reappointment of Mr. Monroe Freeman as the At-Large Representative to the Human Rights Commission. This motion was seconded by Chairman Davis.

Supervisor Dix moved the reappointment of Ms. Elana Dietz as the At-Large Representative to the Human Rights Commission. This motion was seconded by Chairman Davis.

Supervisor Alexander moved the reappointment of Mr. John Strother as the At-Large Representative to the Human Rights Commission. This motion was seconded by Chairman Davis.

Supervisor Trapnell moved the reappointment of Mr. J. Sidney Holland as the At-Large Representative to the Human Rights Commission. This motion was seconded by Chairman Davis.

Supervisor Hanley moved the reappointment of Mr. James Tso as the At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Bulova.

Following a show of hands vote, the following reappointments were made to the Human Rights Commission:

•Ms. Elana Dietz, At-Large Representative;

•Mr. Monroe Freeman, At-Large

Representative;

•Mr. J. Sidney Holland, At-Large

Representative; and

•Mr. John Strother, At-Large Representative.

Following a show of hands vote, the following appointment was made to the Human Rights Commission:

•Ms. Dorothy Nam, At-Large Representative.

HUMAN SERVICES COUNCIL

Supervisor Hanley moved the reappointment of Mr. Kevin Bell as the Providence District Representative to the Human Services Council. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Trapnell moved the reappointment of Mr. Mel Cotner as the Mason District Representative to the Human Services Council. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Bulova moved the reappointment of Mr. Joe Caturano as the Braddock District Representative to the Human Services Council. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Mr. Jim Roseman as the Lee District Representative to the Human Services Council. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: The appointment of the Springfield District Representative to the Human Services Council was deferred.)

JUVENILE COURT CITIZEN ADVISORY BOARD

Supervisor Hanley moved the appointment of Mr. LaVert H. Taylor to fill the unexpired term of Ms. Morgan Brooke-Devlin as the Providence District Representative to the Juvenile Court Citizen Advisory Board. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

PLUMBING ADVISORY AND LICENSING BOARD

Chairman Davis moved the reappointment of Mr. Fred Borden as the At-Large (Class A Plumbing Contractor) Representative to the Plumbing Advisory and Licensing Board. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Chairman Davis moved the reappointment of Mr. Everett Long as the At-Large (Limited Master Plumber) Representative to the Plumbing Advisory and Licensing Board. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Hanley moved the reappointment of Mr. William Foley as the At-Large (Plumbing Tradesman) Representative to the Plumbing Advisory and Licensing Board. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

PROJECT SELECTION COMMITTEE

Supervisor Hyland moved the appointment of Mr. John Friedman as the Mount Vernon District (Huntington Area) Representative to the Project Selection Committee. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Berger moved the reappointment of Mr. Dale Adams as the Dranesville District Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hanley moved the reappointment of Mr. Henry Rodriguez as the Providence District Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Mr. Raymond Knippel as the Lee District (Burgundy Area) Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: The appointment of the Springfield District Representative to the Project Selection Committee was deferred.)

SUPPLEMENTAL RETIREMENT SYSTEM BOARD OF TRUSTEES

Chairman Davis moved the reappointment of Mr. Robert Carlson as the At-Large Representative to the Supplemental Retirement System Board of Trustees. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

AD HOCS

CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS

(NOTE: Earlier in the meeting during appointments, action was taken to appoint Mr. James O. Evans as the Braddock District (Principal) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters. See Page Six of the Summary.)

Supervisor Trapnell moved the appointment of Thomas R. Donnelly as the Mason District (Alternate) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters. This motion was seconded by Chairman Davis and carried by unanimous vote.

[NOTE: The appointment of the Sully District (Alternate) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters was deferred.]

DULLES CORRIDOR TASK FORCE

Supervisor Dix stated, for the record, that the official name of the Task Force is the "Dulles Corridor Task Force," not the Dulles Corridor Land Use Task Force.

Supervisor Hanley noted, for the record, that the position for the Providence District Representative is vacant. She added that, since this position was added late, she would not nominate a representative to fill the vacancy at this time.

(NOTE: The appointment of the Sully District Representative to the Dulles Corridor Task Force was deferred.)

TYSONS CORNER TASK FORCE

(NOTE: The appointment of the At-Large Representative to the Tysons Corner Task Force was deferred.)

ADDITIONAL APPOINTMENTS

ENVIRONMENTAL QUALITY ADVISORY COMMITTEE

Supervisor Alexander moved the appointment of Ms. Johna Gagnon to fill the unexpired term of Mr. Chapin Wilson as the Lee District Representative to the Environmental Quality Advisory Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

REDEVELOPMENT AND HOUSING AUTHORITY

Supervisor Alexander moved the appointment of Mr. Dana Kauffman to fill the unexpired term of Mr. Liles Creighton as the Lee District Representative to the Redevelopment and Housing Authority. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

Supervisor Alexander asked unanimous consent that the Board direct staff to prepare a Certificate of Appreciation to be presented to Mr. Creighton for his many years of service to Fairfax County. Without objection, it was so ordered.

FAIRFAX AREA DISABILITY SERVICES BOARD

Supervisor Hanley moved the appointment of Ms. Elinor Light to fill the unexpired term of Ms. Peggy Singleton as the Providence District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

TREE COMMISSION

Supervisor Trapnell moved the appointment of Mr. Robert J. Yock to fill the unexpired term of Mr. Raymond Bergeron as the Mason District Representative to the Tree Commission. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

10.ADMINISTRATIVE ITEMS (Tape 3)

Supervisor Hyland moved approval of the Administrative Items with the exception of Administrative Item Eight. This motion was seconded by Supervisor Bulova.

Supervisor Bulova called the Board's attention to **Administrative Item Nine - Authorization to Advertise the Fiscal Year (FY) 1993 Carryover Review to Amend the Appropriation Level in the FY 1994 Revised Budget Plan** and asked that the motion be amended to consider this item separately.

Supervisor Frey called the Board's attention to **Administrative Item Two - Additional Time to Commence Construction for Special Exception Application SE 88-S-031, Hilton Sites, Incorporated (Sully District)** and asked that the motion be amended to defer this item until later in the meeting, and this was accepted. (NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#11).

Supervisor Hyland called the Board's attention to **Administrative Item Eight - Authorization to Advertise a Public Hearing to Consider Amending Provisions of the Code of the County Fairfax, Chapter 6 (Weapons) Relating to Hunting, The Sale of Firearms and Pistols and Shooting of Bows (Countywide)**. He said that there is an issue with the existing Ordinance that was noted when a case came before the court and criminal charges dismissed. Apparently, when the Ordinance was amended, the Board delegated authority to the Director of Animal Control regarding designation of areas in the County in which firearms may not be used. Supervisor Hyland asked unanimous consent that the Board direct staff to report with the following information:

- Why this delegation of authority occurred when State law does not give the Board this authority?; and
- What kind of a review process is in place to ensure that the Fairfax County Ordinance is up-to-date, consistent with changes in the State law?

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Hyland asked unanimous consent that Administrative Item Eight be deferred until later in the meeting.

Supervisor Hanley asked that the request include directing staff to provide information:

- Indicating the penalties; and
- Clarification of where bow hunting is allowed.

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

Supervisor Bulova suggested that the issue of bow, compound-bow and cross-bow hunting be reviewed during the summer prior to the public hearing scheduled for the Fall.

Supervisor Frey noted that the issues of penalties has been referred to the Legislative Subcommittee for possible consideration of additional Enabling Legislation. (NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#53.)

Supervisor Bulova called the Board's attention to **Administrative Item Nine - Authorization to Advertise the Fiscal Year (FY) 1993 Carryover Review to Amend the Appropriation Level in the FY 1994 Revised Budget Plan** regarding North Springfield Elementary School. She stated that she had been contacted by constituents who have been on the School Aged Child Care (SACC) Program's waiting list for two years trying to get their children in the program. Part of the problem is that the North Springfield Center is one of the original small programs that was originally set up for "special needs children."

Supervisor Bulova noted that, in reviewing the matter, she discovered that North Springfield has available room to accommodate 15 children at a cost of \$29,545 per year, which will cover a teacher's salary, snacks, field trips, and supplies. Fees collected for the program would be approximately \$23,045, which results in a net cost to the County of \$6,500. There would be no start-up fees and the program would be self-supporting.

Therefore, Supervisor Bulova asked unanimous consent that the money necessary to expand the SACC Program at North Springfield at the start of school this fall be brought before the Board as a Consideration Item in the Fiscal Year (FY) 1993 Carryover Budget scheduled for public hearing in September.

Following discussion, Supervisor Bulova amended her request and asked that Administrative Item Nine be deferred until later in the day pending input from staff of the Office for Children. Without objection, the amended request, was so ordered.

(NOTE: Later in the meeting, additional action was taken regarding Administrative Item Nine. See Clerk's Summary Item CL#77.)

With regard to the advertisement of the Carryover Budget, Supervisor Hanley reminded the Board that she had requested that the Tenant Assistance Program (TAP) be addressed as part of Carryover. She added that she had requested information

regarding TAP so that the Board would have the information when it considered Carryover.

Therefore, Supervisor Hanley asked unanimous consent that the Board direct staff to provide this information as expeditiously as possible. Without objection, it was so ordered.

The question was then called on the Administrative Items, and as amended, carried by unanimous vote.

ADMIN 1 - RENAMING HAINES WAY IN ROCK SPRINGS

PROFESSIONAL CENTER (MASON DISTRICT)

Approved the request for a street name change from Haines Way in the Official Street Names and Property Numbering Atlas, to Columbia Pike within the Rock Springs Professional Center commercial development on Tax Map Reference 061-2-41.

ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION

FOR SPECIAL EXCEPTION APPLICATION SE 88-S-031,

HILTON SUITES, INCORPORATED (SULLY DISTRICT)

(NOTE: During the approval of the Administrative Items, this item was deferred until later in the meeting. See Clerk's Summary Item CL#10.)

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION

FOR SPECIAL EXCEPTION APPLICATION SE 88-C-043,

HILTON SUITES, INCORPORATED (HUNTER MILL DISTRICT)

(AT)Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 88-C-043 until **February 13, 1996** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE

AUTHORIZING JURORS TO DONATE ALL OR PART OF THEIR

COMPENSATION TO IMPROVE COURT SERVICES (COUNTYWIDE)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 13, 1993 at 4:00 p.m.** to consider the adoption of an Ordinance authorizing jurors to donate all or part of their compensation to improve court services.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE

COUNTY OF FAIRFAX, CHAPTER 109 (SOLID WASTE)

(COUNTYWIDE)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 13, 1993 at 4:00 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 109 (Solid Waste) to address several solid waste and recycling issues.

ADMIN 6 - AUTHORIZATION TO ADVERTISE PROPOSED

REVISION TO POLICE OFFICERS RETIREMENT SYSTEM

ORDINANCE REGARDING FAILURE TO COOPERATE WITH

VOCATIONAL REHABILITATION, MEDICAL TREATMENT,

AND/OR SELECTIVE SERVICE EMPLOYMENT

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 13, 1993 at 4:00 p.m.** on the proposed revision to the Police Officers Retirement System Ordinance.

There was a brief discussion on this item regarding clarifying the language of the proposed ordinance.

ADMIN 7 - AUTHORIZATION TO ADVERTISE PROPOSED

REVISION TO UNIFORMED RETIREMENT SYSTEM ORDINANCE

REGARDING ADDITION OF BOARD OF TRUSTEE ELECTED

MEMBER

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 13, 1993 at 4:00 p.m.** on the proposed revision to the Uniformed Retirement System Ordinance regarding the addition of a Board of Trustee Elected Member.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING PROVISIONS OF THE CODE OF THE COUNTY FAIRFAX, CHAPTER 6 (WEAPONS) RELATING TO HUNTING, THE SALE OF FIREARMS AND PISTOLS AND SHOOTING OF BOWS (COUNTYWIDE)

(NOTE: Later in the meeting, action was taken by the Board on this item. See Clerk's Summary Item CL#53.)

ADMIN 9 - AUTHORIZATION TO ADVERTISE THE FISCAL YEAR (FY) 1993 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 1994 REVISED BUDGET PLAN

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

11. ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 88-S-031, HILTON SUITES, INCORPORATED (SULLY DISTRICT)

(NOTE: Earlier in the meeting, action was deferred on Administrative Item Two. See Clerk's Summary Item CL#10).

Supervisor Frey stated that the applicant had requested 40 months of additional time, but staff has only recommended approval of 30 months.

Supervisor Frey said that it was his opinion that the request for 40 months was reasonable. Therefore, he moved that the applicant be granted additional time not to exceed **40 months**. The motion, the second to which was inaudible, carried by unanimous vote.

12.A-1 - FISCAL YEAR 1993 APPROPRIATION

ADJUSTMENT (Tape 3)

(SAR)On motion of Supervisor Alexander, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Authorized staff to process payment vouchers for items previously approved and appropriated in Fiscal Year (FY) 1993 for the interim period from July 1 until the Board approves the FY 1993 Carryover Review, which is scheduled for action on September 13, 1993; and

- Approved Supplemental Appropriation Resolution (SAR) AS 93072 for one General Fund agency and two Other Funds requiring additional appropriations for FY 1993.

13. A-2 - DELINQUENT REAL ESTATE; PERSONAL PROPERTY:

BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSE

(BPOL) TAX LISTS FOR 1991 AND 1992 (Tape 3)

On motion of Supervisor Frey, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to publish lists of Delinquent Real Estate, Personal Property and Business, Professional, and Occupational License Taxes (BPOL).

14. A-3 - TRANSPORTATION ADVISORY COMMISSION'S (TAC)

"TRANSPORTATION PRIORITIES IN FAIRFAX COUNTY"

REPORT (Tape 3)

Supervisor Berger moved to defer Action Item 3 - Transportation Advisory Commission's (TAC) "Transportation Priorities in Fairfax County" Report.

Following discussion, Supervisor Berger amended his motion to accept the report as simply a nonbinding, flexible "guideline," and this was accepted.

Following further discussion, Supervisor Hyland moved to amend the amendment that the Board accept this document as the Commission's recommendation to the Board in terms of their views on setting priorities for projects around the County, but note that the ultimate decision will rest with the Board, and this was accepted. The question was called on the motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor McConnell voting "NAY."

Supervisor Hyland asked unanimous consent that the Board direct staff to remove Vernon View Drive from the list. Without objection, it was so ordered.

15. A-4 - SUPPLEMENTAL FISCAL YEAR (FY) 1993 REVENUE

SHARING PROGRAM FUNDS (COUNTYWIDE) (Tape 3)

(R)On motion of Supervisor Frey, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution designating up to \$200,000 in County funds and a maximum of \$200,000 in matching Virginia Department of Transportation (VDOT) supplemental Revenue Sharing Program funds to supplement previous funding of the construction of the segments of the Route 50 westbound third lane from Majestic Lane to Stringfellow Road, and to extend the westbound third lane through the Stringfellow Road intersection.

16. A-5 - DEBT SERVICE RESERVE INVESTMENT PLAN

(Tape 3)

(R)On motion of Supervisor Hyland, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution which authorizes:

- Investment of \$7,057,327.50 in an investment agreement which will eliminate the risk of negative arbitrage in the Debt Service Subfund; and
- Delegation to the County Executive or the Deputy County Executive for Management and Budget authority to:
 - *Determine certain details of the investment structure;
 - *Request and accept bids from interested financial institutions; and
 - *Execute an investment agreement.

**17. A-6 - VIRGINIA DEPARTMENT OF TRANSPORTATION
PROJECT FOR WIDENING BEULAH STREET (ROUTE 613)
FROM FRANCONIA ROAD (ROUTE 644) TO WOODLAWN
ROAD (ROUTE 618) (LEE AND MOUNT VERNON DISTRICTS)**

(Tape 3)

Supervisor Alexander moved that the Board concur in the recommendation of staff and endorse the Virginia Department of Transportation (VDOT) design plans to widen Beulah Street between Franconia Road and Woodlawn Road to four lanes, including provision of a six-foot trail on the east side, five-foot sidewalk on the west side, and curb section north of Telegraph Road and shoulder section south of Telegraph Road, as presented in the June 3, 1993 public hearing, subject to the following:

- Contingency on further traffic studies currently underway by VDOT, consider rebuilding the intersection of Franconia Road and Beulah Street as a four-lane rather than five-lane) approach and revise the cross section, to minimize impacts on Olivet Episcopal Church and the Franconia Elementary School;
- Reexamination of the issue of a raised median from Franconia Road to View Lane in areas where appropriate;
- Evaluation of the need for traffic signals at the intersections of Beulah/View Lane and Beulah/Crestleigh Way;
- Relocation of access to Beulah Road Park closer to the existing entrance;
- Review, and where possible, revision the locations of stormwater management ponds to minimize the impacts to adjacent properties; and
- Consideration of requesting VDOT to evaluate how to address the concerns of the Washington Area Bicyclist Association, while retaining the separate multi-purpose trail for recreational users.

With the following addition:

- "With the understanding that the six-foot wide trail may be modified to lessen the impact on private individual properties."

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

18. A-7 - DESIGNATION OF PLANS EXAMINERS STATUS

UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW

PROGRAM (Tape 3)

On motion of Supervisor Berger, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and designated the following individuals, identified with their registration numbers, as Plans Examiners:

•Aleksandra Tuliszka (105); and

•Gary L. Yowell (106).

19. A-8 - APPLICATION OF COMMONWEALTH GAS SERVICES,

INCORPORATED FOR AN EXPEDITED INCREASE IN

NATURAL GAS RATES - CASE NO. PUE930035 (Tape 3)

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize staff of the Department of Consumer Affairs and the County Attorney's Office to file a notice of protest to the application of Commonwealth Gas Services to revise its rate schedules. This motion was seconded by Supervisor Hanley and **CARRIED** by a recorded vote of nine, Supervisor Berger voting "NAY."

20. A-9 - AUTHORIZATION TO APPLY TO THE FEDERAL

COMMUNICATIONS COMMISSION (FCC) FOR JOINT

CERTIFICATION BY LOCAL JURISDICTIONS TO REGULATE

CABLE TELEVISION BASIC SERVICE RATES (Tape 3)

Supervisor Hanley moved that the Board concur in the recommendation of staff and authorize the staff to apply to the Federal Communications Commission (FCC) to be jointly certified to regulate basic cable service rates and equipment charges on behalf of the County and the Towns of Clifton, Herndon, and Vienna. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

21. A-10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A TOWING ORDINANCE REGULATING VEHICLE TOWING FROM PRIVATE PROPERTY AND APPOINTMENT OF AN ADVISORY BOARD (Tape 3)

(A)

(BACs)

(APPT)

Supervisor Frey moved that the Board concur in the recommendation of staff and authorize the staff to:

- Prepare the advertisement of a public hearing to be held before the Board of Supervisors on **September 27, 1993 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) Section 82-5-32 to regulate towing of vehicles unlawfully parked on private property; and
- Create an Advisory Board composed of seven members representing the towing industry, homeowners associations, the Police Department, the Department of Consumer Affairs and the Consumer Protection Commission.

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

There was a brief discussion on this item regarding towing fees and towing locations.

22. A-11 - SUBMISSION OF LOCAL PLANNING ALLOCATIONS GRANT, PUBLIC LAW 101-476 PART H FUNDING TO PROVIDE PLANNING OF EARLY INTERVENTION SERVICES TO HANDICAPPED INFANTS AND THEIR FAMILIES (Tape 3)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that Action Item A-11 be withdrawn. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**23. A-12 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 94019 TALLING \$153,445 FOR SUPPLEMENTAL
FEDERAL FUNDING FOR THE DEPARTMENT OF HUMAN
DEVELOPMENT'S PY 1993 JOB TRAINING PARTNERSHIP
ACT, TITLE II-B, SUMMER YOUTH PROGRAM (Tape 3)**

(SAR)On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 94019 totalling \$153,445 for the Department of Human Development to appropriate supplemental Job Training Partnership Act (JTPA) Title II-B Summer Youth Employment Program.

**24. A-13 - SUPPLEMENTAL APPROPRIATION RESOLUTION
(SAR) AS 94018 TALLING \$455,431 FOR THE
DEPARTMENT OF HUMAN DEVELOPMENT'S CASE MANAGEMENT
PROJECT FOR THE ELDERLY GRANT (Tape 3)**

(SAR)Supervisor Hanley moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 94018 totalling \$455,431 for the Department of Human Development to appropriate funds for the Case Management Project for the Elderly Grant. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

**25. A-14 - IMPLEMENTATION OF THE FORESTED WETLANDS
COMMITTEE RECOMMENDATIONS TO MINIMIZE DISTURBANCE
OF WETLANDS DURING IMPLEMENTATION OF REGIONAL
STORMWATER MANAGEMENT PONDS (COUNTYWIDE) (Tape 3)**

On motion of Supervisor Berger, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Policies and Procedures for Establishing Methods to Protect Wetlands during

Implementation of Regional Stormwater Management Ponds as contained in the Memorandum to the Board.

26. A-15 - FAIRFAX COUNTY CIRCUIT COURT GRANT

APPLICATION TO THE VIRGINIA CIRCUIT RECORDS

PRESERVATION GRANT PROGRAM, VIRGINIA STATE

LIBRARY (Tape 3)

Supervisor Dix moved that the Board concur in the recommendation of staff and approve the Court's grant application in the amount of \$208,800 and an in-kind match of \$35,091 and a local cash match of \$35,091 to preserve photostat deed books. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

27. A-16 - APPROVAL OF AN AGREEMENT BETWEEN THE

BOARD OF SUPERVISORS AND THE VIRGINIA DEPARTMENT

OF TRANSPORTATION (VDOT) FOR THE RIGHT-OF-WAY

ACQUISITION AND CONSTRUCTION OF THE FAIRFAX

COUNTY PARKWAY BETWEEN ROUTE I-66 AND BRADDOCK

ROAD INCLUDING ROUTE 29 INTERCHANGE (SULLY

(DISTRICT) (Tape 3)

On motion of Supervisor Frey, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute the agreement (contained in the Memorandum to the Board) between Fairfax County and the Virginia Department of Transportation (VDOT).

AR:ar

28.C-1 - ISSUANCE OF TAX EXEMPT BONDS BY THE

FAIRFAX COUNTY REDEVELOPMENT AND HOUSING

AUTHORITY (FCRHA) TO FINANCE THE ACQUISITION

AND REHABILITATION OF MURRAYGATE VILLAGE**APARTMENTS (LEE DISTRICT) (Tape 4)**

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1993 regarding the issuance of tax exempt revenue bonds for Murraygate Village Apartments.

Supervisor Alexander moved approval of the issuance of tax-exempt revenue bonds for Murraygate Village Apartments as provided for in the "Uniform Policy for Issuance of Economic Development Authority and Redevelopment and Housing Authority Industrial Development Bonds" adopted on March 7, 1983 by the Board of Supervisors. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

29.C-2 - BOARD CONSIDERATION OF FISCAL YEAR (FY)**1995 BUDGET GUIDELINES (Tape 4)**

(R)The Board next considered an item contained in the Memorandum to the Board dated August 2, 1993 regarding the consideration of adopting Fiscal Year (FY) 1995 Budget Guidelines which will assist in the development of the County and Schools' FY 1995 budget.

Supervisor Dix moved adoption of the Resolution containing the FY 1995 Budget Guidelines. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

30.I-1 - DELEGATION OF SETTLEMENT AUTHORITY**EXPENDITURES REPORT FOR THE COUNTY'S****SELF-INSURANCE CLAIMS (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to continue to provide information to the Board summarizing the types and amounts of claims disposed of under the Resolution adopted by the Board on March 23, 1987 which authorizes the delegation of settlement authority at various levels in order to expedite resolution of self-insured claims.

Supervisor Hyland moved that the Board direct staff, in connection with the settlement of any claim against the County involving either litigation that has commenced or been threatened, to advise the Board of that claim prior to any settlement, no matter what sum of money is involved. Supervisor Hyland added that this notification would be submitted as part of the agenda for Executive Session. This motion was seconded by Supervisor Bulova.

Following discussion, with input from William J. Leidinger, County Executive, and David P. Bobzien, County Attorney, Supervisor Hyland asked unanimous consent that this matter be deferred until the Board has had an opportunity for a more detailed discussion. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional action regarding this item. See Clerk's Summary Item CL#82.)

31.I-2 - OPENING OF ROLLING VALLEY PARK-AND-RIDE

EXPANSION (SPRINGFIELD DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 announcing the opening of the Rolling Valley Park-and-Ride Expansion, located on Old Keene Mill Road east of Shiplett Boulevard.

There was a brief discussion regarding this item.

32.I-3 - POLICE DEPARTMENT POLICY REGARDING THE

RELEASE OF ACCIDENT REPORTS (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 presenting the Police Department Policy regarding the release of accident reports.

Following discussion, Supervisor Hyland moved that the Board direct the Police Department to create a procedure whereby citizens in each Magisterial District may obtain, through the Supervisor's Office at no cost to the citizens, copies of accident reports that are in the Substation. This motion was seconded by Supervisor Alexander.

After additional discussion, the question was called on the motion which **CARRIED** by a recorded vote of eight, Chairman Davis voting "NAY," Supervisor Berger being out of the room.

33.I-4 - FAIRFAX COUNTY WINS FOUR NATIONAL AWARDS

(Tape 4)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#3.)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 announcing that Fairfax County has won four 1993 National Achievement Awards for innovative programs from the National Association of Counties (NACo).

34.I-5 - AUTHORIZATION TO: 1) EXTEND HOUSING TRUST FUND FLOAT TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) FOR AN ADDITIONAL ONE YEAR TERM FOR STONEGATE VILLAGE APARTMENTS (HUNTER MILL DISTRICT); AND 2) TO MAKE A HOUSING TRUST FUND FLOAT LOAN TO BE USED FOR INTERIM FINANCING FOR THE PURCHASE OF NINE AFFORDABLE DWELLING UNITS (ADU) (SULLY DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to:

- Extend Housing Trust Fund Float to the Fairfax County Redevelopment and Housing Authority (FCRHA) for an additional one year term for Stonegate Village Apartments; and
- Make a Housing Trust Fund Float Loan to be used for interim financing for the purchase of nine affordable dwelling units (ADU).

Supervisor Frey asked unanimous consent that the record show that the nine ADU units are located in the Sully District. Without objection, it was so ordered.

Supervisor Hanley reiterated the Board's intent, when the ADU Ordinance was adopted, to ensure that the acquisition of the ADU's proceed as rapidly and as automatically as possible.

The staff was directed administratively to proceed as proposed.

35.I-6 - AWARD OF FISCAL YEAR (FY) 1993 DRUG

ELIMINATION GRANT BY THE UNITED STATES

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(HUD) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 announcing that on June 28, 1993 the United States Department of Housing and Urban Development (HUD) notified the Fairfax County Redevelopment and Housing Authority (FCRHA) that it has been selected to receive a Fiscal Year 1993 Public Housing Drug Elimination Grant in the amount of \$196,240.

36.I-7 - FEASIBILITY OF ESTABLISHMENT OF A STORMWATER

UTILITY IN FAIRFAX COUNTY (COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to revise the Stormwater Utility Proposal for Fairfax County Feasibility Study based on initial comments received. Subsequently, the Board will be asked to provide further guidance on proceeding with a Stormwater Utility Program.

Following a brief discussion, with input from John W. diZerega, Director, Department of Public Works, the staff was directed administratively to proceed as proposed.

37.I-8 - AWARD OF CONTRACT - CONSULTANT SERVICES TO

CONDUCT AN ECONOMIC FEASIBILITY ANALYSIS AND

MARKET STUDY OF PROPOSED ENGINEER PROVING GROUND

SITE DEVELOPMENT (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award a contract to TAI Realty Advisors in the amount of \$29,692 for consultant services to conduct a technical study of the potential market impact and economic feasibility for the development proposed for the Engineering Proving Ground site at Fort Belvoir, Virginia.

Supervisor Alexander asked unanimous consent that the Board direct staff to work with the task force involved in order to ensure coordination with the consultant as this study progresses. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

**38.I-9 - AWARD OF CONTRACT - EXPERT ASSISTANCE IN
COMPUTER SYSTEMS PLANNING AND APPLICATION
DEVELOPMENT OF A CORPORATE LAND SYSTEM FOR THE
PLANNING AND DEVELOPMENT DEPUTY COUNTY AREA**

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to finalize negotiations and award a contract to Life Cycle Technology in the amount of \$1,100,000 for expert assistance in computer systems planning and application development of a Corporate Land System for the Planning and Development Deputy County Area.

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

**39.I-10 - CONTRACT AWARD - RENOVATION OF THE CLARK
HOUSE AT BARCROFT MEWS PARK (MASON DISTRICT)**

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award a contract to Siegfried Construction, Incorporated of Vienna, Virginia in the amount of \$447,000

for renovation of the Clark House at Barcroft Mews Park as part of Project 475888, Park Building Renovation, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

**40.I-11 - AWARD OF CONTRACT FOR REHABILITATION OF
PROPERTY AT 2621 MEMORIAL STREET (MOUNT VERNON
DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to:

- Award a contract to D.H. Kim, Incorporated, in the amount of \$67,140 for major renovation of the property in the Memorial Heights neighborhood as part of the Memorial Heights Community Improvement Project; and
- Upon award of this contract, Subfund 411 fund balances will decrease from \$1,512,707 to \$1,445,567.

The staff was directed administratively to proceed as proposed.

**41.I-12 - CONTRACT AWARD - COURTLAND PARK PHASE I
NEIGHBORHOOD IMPROVEMENTS (MASON DISTRICT)
(Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to:

- Award a contract to Martin and Gass Incorporated, in the amount of \$1,454,551.33 for construction of Courtland Park Phase I, Project C00082, in Subfund 488 Neighborhood Improvement Program, and Project I00176, in Subfund 468, Public Works Construction; and
- Reallocate funds as outlined in the Memorandum to the Board.

Supervisor Trapnell asked unanimous consent that the Board direct the Director of the Department of Public Works to defer award of this contract until certain concerns have been addressed. Without objection, it was so ordered.

Following discussion and input from John W. diZerega, Director, Department of Public works, William J. Leidinger, County Executive, noted that, if concerns are satisfactorily addressed by staff, this item could be included in Information Item I-21 - Award of Contracts During Board of Supervisors' Recess, scheduled to be considered by the Board later today.

42.I-13 - CONTRACT AWARD - JAMES LEE PHASE III,

ROAD IMPROVEMENTS (PROVIDENCE DISTRICT)

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award a contract to Shirley Contracting Corporation, in the amount of \$499,849 for the construction of James Lee, Phase III, Road Improvements, Project 03910, Phase 004, in Subfund 479, Housing General Obligation Bond Construction.

The staff was directed administratively to proceed as proposed.

43.I-14 - CONTRACT AWARD - MOUNT ZEPHYR PHASE I

NEIGHBORHOOD IMPROVEMENTS (MOUNT VERNON DISTRICT)

(Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to:

- Award a contract to Granja Contracting Incorporated, in the amount of \$1,267,135.18 for the construction of the Mount Zephyr Phase I Neighborhood Improvements, Project C00087, in Subfund 488, Neighborhood Improvements Program; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

44.I-15 - CONTRACT AWARD - HAYCOCK ROAD SANITARY

SEWER EXTENSION AND PUMP STATION ABANDONMENT

(DRANESVILLE DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award a contract to CBJ Construction Company, Incorporated, in the amount of \$27,306 for the construction of Haycock Road Sanitary Sewer Extension and Pump Station Abandonment, in Project X00930, Sewer Relocation for the Virginia Department of Transportation (VDOT), in Subfund 524, Sewer Bond Extension and Improvements.

The staff was directed administratively to proceed as proposed.

**45.I-16 - CONTRACT AWARD - REHABILITATION OF THE
TERTIARY CLARIFIERS - CC BUILDING (TANKS 1A AND
1B) AT THE LOWER POTOMAC POLLUTION CONTROL PLANT
(LPPCP) (MOUNT VERNON DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award a contract to John J. Kirlin, Incorporated, in the amount of \$2,485,000 for the CC Building Rehabilitation of the Tertiary Clarifiers (Tanks 1A and 1B) for Project N00320, at the Lower Potomac Pollution Control Plant (LPPCP) Expansion beyond 36 million gallons per day (MGD), in Subfund 575, Sewer Bond Construction.

The staff was directed administratively to proceed as proposed.

**46.I-17 - AMENDMENT TO THE ARCHITECTURAL CONTRACT
WITH HAYES, SEAY, MATTERN, AND MATTERN FOR THE
DESIGN OF THE RESTON EAST COMMUTER PARK-AND-RIDE
(HUNTER MILL DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award a contract to Hayes, Seay, Mattern, and Mattern, in the amount of \$1,434,697 for the design and construction of the Reston East Commuter Park-and-Ride, Project 88A007, in Subfund 471, County Bond Construction.

The staff was directed administratively to proceed as proposed.

**47.I-18 - CONTRACT AWARD - REHABILITATION OF THE
SLUDGE PROCESSING BUILDING - K1, SLUDGE PROCESSING
BUILDING - K2 (PARTIAL), SLUDGE STORAGE TANK - R1
(MOUNT VERNON DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award a contract to Hankin Environmental Systems, Incorporated, in the amount of \$7,968,000 for the construction and rehabilitation of the Sludge Processing (K1) Building associated with Project N00320, the Lower Potomac Expansion beyond 36 million gallons per day (MGD), in Subfund 575, Sewer Bond Construction.

The staff was directed administratively to proceed as proposed.

**48.I-19 - CONTRACT AWARD - PATRICK HENRY LIBRARY
(HUNTER MILL DISTRICT) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award this contract including all alternates to Merritt-Meridian Construction Corporation, in the amount of \$1,226,700 for the construction at Project 004831, Patrick Henry Library, in Subfund 460, Library Construction.

The staff was directed administratively to proceed as proposed.

**49.I-20 - AWARD OF CONTRACTS FOR TARGETED HIV EDUCATION
AND PREVENTION SERVICES (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to award these contracts to the Whitman-Walker Clinic, Salud, Incorporated, and the Indochinese Community Center in the following amounts:

- Whitman-Walker Clinic - \$52,606;
- Salud, Incorporated - \$43,616; and

•Indochinese Community Center - \$22,863,

for targeted HIV Education and Prevention Services.

The staff was directed administratively to proceed as proposed.

50.I-21 - AWARD OF CONTRACTS DURING BOARD OF SUPERVISORS' RECESS (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to continue to award contracts and extensions while the Board is in recess.

The staff was directed administratively to proceed as proposed.

51.I-22 - RESPONSE TO BOARD OF SUPERVISORS' REQUEST FOR INFORMATION REGARDING SUPERVISOR MCCONNELL'S PROPOSED RESOLUTION OF JULY 26, 1993 REGARDING EARLY INTERVENTION SERVICES (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 outlining the response to the Board's request for information regarding Supervisor's McConnell's proposed resolution of July 26, 1993 pertaining to early intervention services.

Supervisor McConnell moved that the Board direct the Deputy County Executive for Human Services to return to the Board in September 1993 with a plan to bring in independent contractors to provide direct diagnostic services to meet the needs of children who have significant handicapping conditions, with a stipulation that the item will be expanded to include all children with developmental needs. This motion was seconded by Chairman Davis.

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

52.I-23 - REPORT ON TAX EVADERS CABLE TELEVISION PROGRAM (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 outlining the results of the Tax Evaders Cable Television Program. The Tax Evaders Program will be continued through Fiscal Year (FY) 1994, airing delinquent taxpayers that have been approved for publication by the Board of Supervisors.

(NOTE: Later in the meeting, an additional Information Item, I-24 - Initiation of a Remedy for Failing Septic Systems in the Wiley/Gunston Heights Community (Mount Vernon District), was considered by the Board. See Clerk's Summary Item CL#79C.)

53.ADDITIONAL DISCUSSION ON ADMINISTRATIVE ITEM

ADMIN-8 - AUTHORIZATION TO ADVERTISE A PUBLIC

HEARING TO CONSIDER AMENDING PROVISIONS OF THE

FAIRFAX COUNTY CODE RELATING TO HUNTING, THE

SALE OF FIREARMS AND PISTOLS AND SHOOTING OF

BOWS (COUNTYWIDE) (Tape 4)

(A)(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#10.)

Following input from Michael H. Long, Assistant County Attorney, Supervisor Dix referred to Article 4 on Page 20 of the Draft Ordinance and asked unanimous consent that the Board direct staff to examine the safety considerations which need to be addressed concerning the shooting of bows in residential neighborhoods. Without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide each Board Member and the Legislative Subcommittee with a copy of the State's Enabling Legislation which deals with bows. Without objection, it was so ordered.

Following additional discussion, the Board unanimously authorized the advertisement of a public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 6 (Weapons) relating to hunting, the sale of firearms and pistols, and the shooting of bows.

BOARD MATTERS

54.IDENTIFICATION OF NON-TAX REVENUE SOURCES**FOR THE SCHOOL SYSTEM (Tape 4)**

With reference to School Board Chairman Gary Jones' recent appearance before the Board of Supervisors when he raised the possibility of identifying non-tax revenue sources for the School System, Chairman Davis expressed his belief that it is essential that creative, new funding mechanisms be explored, with non-tax revenue being at the top of the list.

Accordingly, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board refer this matter to the Legislative Subcommittee for its consideration and examination of legislation necessary to permit the collection of non-tax revenue dedicated to Schools. He added that this may include, but not be limited to, ideas which have been suggested, such as a provision for the the inclusion of a voluntary contribution to the School System on the County tax bills; endowment funds to solicit volunteer contributions; a State lottery ticket surcharge; or a County-operated lottery. Without objection, it was so ordered.

55.NATURAL GAS VEHICLES (Tape 4)

Supervisor Davis stated that he is in receipt of information which shows possible annual fuel savings on natural gas vehicles of up to \$538 per vehicle. He noted that currently there are grants available from the Virginia Department of Mines, Minerals and Energy as well as from the Urban Mass Transportation Administration (UMTA) of the United States Department of Transportation, and these grants are used to help defray the costs of converting the vehicles to run on natural gas. Supervisor Davis added that he is interested in knowing how much grant money would be available to Fairfax should it decide to institute widespread conversion of County vehicles.

Supervisor Davis noted that the acceleration of conversion to natural gas would serve two purposes, the first of which is the potential savings to the County in terms of annual fuel costs. The second purpose is to comply with the Clean Air Act of 1990 and the Energy Policy Act of 1992, which mandate the use of "clean fuels" in fleets beginning in 1998.

Accordingly, Supervisor Davis moved that the Board direct staff to examine the costs and potential savings associated with accelerating the study to convert the entire fleet of County-owned vehicles to run on natural gas. This motion was jointly seconded by Supervisor Alexander and Supervisor Hyland.

Supervisor Dix asked that the motion be amended to include a request for staff to address his concerns with regard to the availability of fueling stations, and the significantly shorter distances which can be traveled by vehicles converted to natural gas, and this was accepted.

Following discussion, Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Alexander and asked that the motion be amended to include a request for staff to obtain information from the City of Baltimore regarding the success of the recent conversion of its vehicles, and this was accepted.

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

Acting-Chairman Alexander returned the gavel to Chairman Davis.

56.PUBLIC HEARING TO REVIEW FAIRFAX AREA

DISABILITY SERVICES BOARD REPORT (Tape 4)

Supervisor Dix stated that the primary responsibility of the Fairfax Area Disability Services Board is to provide input to State and local agencies on the service needs and priorities of persons with physical and sensory disabilities. This group has chosen four areas to assess, including employment, housing, transportation, and medical services.

Supervisor Dix announced that a public hearing to review the recent Fairfax Area Disability Services Board Report is scheduled for Saturday, September 18, 1993, from 9:00 a.m. until 12:30 p.m. in the County Human Services Building, B-3, Second Floor Training Room. He added that anyone who is interested in additional information should contact Ms. Grace Starbird at Telephone Number 703-324-5421.

CM:cm

57.VACATION OF A PORTION OF GAINES STREET

IN HISTORIC OLD BURKE NORTH OF JACKSON

STREET (Tape 5)

Supervisor Bulova informed the Board of a small portion of Gaines Street in Historic Old Burke to the north of Jackson Street that has been abandoned by the State. She stated that over the years the existing three homeowners have privately maintained the narrow gravel road.

Supervisor Bulova stated that the Smiths are owners of the existing fourth lot and wish to build a home there, but because of a technical requirement that cannot be waived, they would first be required to construct a two lane road to State standards and then ask the State to take this short section of roadway into the secondary road system. This would require the clearing of many trees, which would change the character of Historic Old Burke, and would be an undue financial burden on the Smiths. None of the neighbors want the road built either.

Supervisor Bulova stated that the solution to this problem would be to vacate the abandoned portion of Gaines Street. All the owners have entered into a covenant agreement to maintain the roadway as a private street and the Smiths have prepared a package to formally vacate the roadway.

Supervisor Bulova stated that she has turned the package over to the Director of the Office of Transportation (OT) and the Director of the Department of Environmental Management (DEM) and they have no problem with the vacation.

Therefore, Supervisor Bulova moved that the Board direct staff to expedite the review of this request for vacation and schedule a public hearing as soon as possible so that the Smiths may apply for their building permit. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

58.FAIRFAX COUNTY PARKWAY NOISE ATTENUATION

AND SAFETY ISSUES (Tape 5)

Supervisor Bulova stated that she had a number of matters regarding the Fairfax County Parkway and noise and safety issues. She stated her awareness of the difficult issue of building the Fairfax County Parkway and the lack of opportunity for providing some kind of noise attenuation for constituents who will be negatively affected by the new road. She pointed out that, in many cases, individuals meet all or most of the criteria for noise walls, but lack of funding precludes their construction. She reminded the Board that about a month ago residents of Burke Centre addressed the Board about their plight. The residents abutting the Parkway on Cooper's Landing Court, Steamboat Landing Lane, Heritage Landing Court, and Swann Landing Court would warrant noise walls according to one or all of the State's criteria. Unfortunately, because of funding and/or precedent, noise walls are **NOT** included at these locations.

Supervisor Bulova pointed out that in almost all cases true noise attenuation can only be obtained from a noise wall. She stated that she has been meeting with staff from the Department of Public Works (DPW), Office of Transportation (OT), and Virginia Department of Transportation (VDOT), and with the affected homeowners and asked

the Board's support for some temporary measures that would insure at least a visual or safety buffer and perhaps some small degree of noise attenuation from the road.

Supervisor Bulova stated that because there will be excess dirt during construction of this stretch of the Parkway, berms can be constructed in limited locations. This will be helpful for some homeowners, but for others the berms will not be nearly enough. The homeowners have agreed in concept, and ask the Board to do likewise, to a cost sharing proposal that would augment the berms with a mixture of residential fencing and trees, not noise walls. She stated that the estimated total cost for doing this would be not more than \$52,000. The homeowners would commit to one-third of the cost, approximately \$17,300. The Burke Centre Conservancy would be requested to provide another third from the funds they have received from land acquisition associated with the project.

Therefore, Supervisor Bulova moved that should the other parties commit to their shares, that the County commit to the last third, or \$17,300, and that this relatively modest sum be identified within the existing budget for the Parkway project. The second to this motion was inaudible.

Following a lengthy discussion, Supervisor Berger moved to call the question. The motion, the second to which was inaudible, **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hanley, and Chairman Davis voting "**NAY.**"

The question was then called on the main motion which **FAILED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE.**"

Supervisor Bulova moved that the Board refer this issue to staff for a review of the overall issue. This motion was seconded by Chairman Davis.

Following further discussion, Supervisor Hanley asked unanimous consent that during staff review of this issue, they also review whether or not fences work in regards to noise mitigation and to look at other issues of noise attenuation and safety along the Parkway. Without objection, it was so ordered.

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

Supervisor Bulova pointed out that on the larger issue of funding almost all County funds are needed for land acquisition and construction of the Parkway itself, but stated her hope of holding out some promise for true mitigation in the future and asked for the Board's support to commit that future funding be sought through Federal, State and/or County bond sources, to revisit noise attenuation on the Parkway.

Therefore, Supervisor Bulova moved that the Board adopt a Resolution stating the Board's intent to seek funding through Federal, State or future County bond sources to revisit at a future date the provision for noise attenuation measures for properties abutting the Parkway where it is clearly needed and warranted. This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor McConnell asked that motion be amended to include the following phrase in the Resolution:

•"Therefore be it resolved that after the Parkway design is completed and the funding has been obtained that the Board seek the funding through Federal, State or future County bond sources."

This was accepted.

Following further discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Dix moved a substitute motion to defer this item until staff can review the issues of noise attenuation. This motion was seconded by Supervisor Frey and **CARRIED** by a recorded vote of nine, Supervisor Bulova voting "NAY."

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

59.REPORT OF THE PARTNERSHIP ON REGIONAL

EXCELLENCE (Tape 5)

Supervisor Bulova reminded the Board of her request for staff's reaction to the Partnership on Regional Excellence Report.

Supervisor Bulova informed the Board that the Council of Governments (COG) Board is scheduled to complete action on the Report on October 13, 1993, and stated that during this three month period they are actively seeking comments from local governments.

Supervisor Bulova asked unanimous consent that the Board direct staff to review the report and respond by September. Without objection, it was so ordered.

PMH:pmh

60.OPTIONS REGARDING THE LEASING OF SPACE LOCATED

AT 6901 RICHMOND HIGHWAY (Tape 5)

Supervisor Alexander stated that on July 12, 1993 the Board approved the leasing of space located at 6901 Richmond Highway for a number of County Department of Human Services' agencies. He said that on July 29, 1993 a letter was received from the contract owner of the building indicating that they will no longer be proceeding with lease negotiations.

Therefore, Supervisor Alexander asked unanimous consent that the Board direct staff to add this issue to the items to be discussed in Executive Session. Without objection, it was so ordered.

**61. EXPEDITIOUS AND SIMULTANEOUS PROCESSING FOR A
SPECIAL EXCEPTION AMENDMENT APPLICATION FOR
THE HILLTOP SAND AND GRAVEL COMPANY LOCATED AT
8000 TELEGRAPH ROAD (Tape 5)**

Supervisor Alexander moved that the Board direct staff to:

- Expedite and simultaneously process the Special Exception Amendment Application and Site Plan that will be filed by the Hilltop Sand and Gravel Company for their property located at 8000 Telegraph Road (Tax Map Reference 100-1-001-11A); and
- Waive the Office of Comprehensive Planning (OCP) application and the Department of Environmental Management (DEM) review fees for this Special Exception Amendment Application.

Supervisor Alexander informed the Board that the Gailliot's, long time supporters of the Fairfax County Park system, are proposing to build two baseball fields on this property. He stated that they recognize the need in the community for more fields for the children. Since they currently have a Special Exception on the property, construction of the fields would require a Special Exception Amendment. They would lease the property to Fairfax County for Pioneer League baseball fields, once the fields are constructed.

Supervisor Alexander stated his belief that it would be in the best interest of the County's land use process to waive the normal application fees and stated his strong support to the Gailliot's on their endeavors to benefit the community where they live and work. He informed the Board that the applicant understands that this neither

provides him with a vested right in the plan approval or relieves him from the responsibility of any plan modifications as a result of Board review.

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

**62.SIMULTANEOUS AND EXPEDITED PROCESSING OF REZONING,
SUBDIVISION PLANS AND SITE PLANS FOR THE SITE
LOCATED AT TAX MAP REFERENCE 90-2-001-86A,
96-A, AND 94 (Tape 5)**

Supervisor Alexander moved simultaneous and expedited processing of the Rezoning, Subdivision Plans and the Site Plan for an eight and one-half acre site located at Tax Map Reference 90-2-001-86A, 96-A, and 94. The property is currently zoned for office buildings and the applicant is requesting a mixed use of townhouses and commercial. This motion was seconded by Vice-Chairman McConnell.

Supervisor Alexander stated that the applicant has worked closely with the Lee District Land Use Committee as well as the Springfield Forest Citizens Association and has received their support. The property is within the Franconia/Springfield Transit Station Area and will be in conformance with the recommended amendment to the Comprehensive Plan. Task Force members feel this proposed use will be an enhancement to the community as well as to Metro.

Supervisor Alexander informed the Board that the applicant understands that this neither provides him with a vested right in the plan approval or 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 seven, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

**63.DESIGNING A MARKER FOR THE HUNTLEY HISTORIC
OVERLAY DISTRICT (Tape 5)**

Supervisor Alexander informed the Board of Historic Overlay District markers or signs used throughout Virginia and other states to identify the particular historic district in which they are located. These markers are not intended to provide

interpretive information as do historic highway markers. Rather, they serve to simply identify the particular historic district in which they are located. Such markers let people know that they are passing through or living in a designated Historic Overlay District and call attention to the fact that these are "Special" places. They are usually located on major streets at points of entry to a district.

Supervisor Alexander stated that the first Historic Overlay District in the County was designated by the Board 23 years ago. It would seem appropriate that these significant and protected heritage resources be marked as a matter of pride for County residents and visitors.

Supervisor Alexander moved that the Board direct the Heritage Resources Branch of the Office of Comprehensive Planning (OCP) to work with the Department of Public Works (DPW) to design a suitable marker for the Huntley Historic Overlay District. The "Friends of Historic Huntley" have funds available for such a sign. This design can then be used for other Historic Overlay Districts if private funds are available. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

64.INTRODUCTION OF SUMMER INTERN FOR THE MASON

DISTRICT SUPERVISOR'S OFFICE (Tape 6)

Supervisor Trapnell introduced to Board Members her Summer Intern, Franklin Nichols.

65.CONCURRENT REVIEW OF ROAD IMPROVEMENTS ADJACENT

TO THE GREEN SPRING FARM PARK (Tape 6)

Supervisor Trapnell stated that the Park Authority has requested concurrent review by the Office of Transportation for the proposed abandonment of the right-of-way of a portion of Green Spring Road and by the Department of Environmental Management (DEM) for Site Plan review of the proposed two cul-de-sacs in related road improvements adjacent to Green Spring Farm Park.

Therefore, Supervisor Trapnell moved that the Board direct the:

- Office of Transportation and DEM to concurrently review the proposed Green Spring Farm Park road improvements.

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

66.ADVISORY COMMISSION TO THE DEPARTMENT OF ANIMAL CONTROL (Tape 6)

Supervisor Frey stated that he had previously raised the issue of creating an Advisory Commission to the Department of Animal Control.

Following discussions with staff, Supervisor Frey moved that the Board refer this issue to staff to report as expeditiously as possible regarding the following questions:

- Composition of the Commission;
- Potential of consolidating the proposed Commission with the Pet Overpopulation Commission; and
- How to make the Commission "work."

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

67.DEVELOPMENT AT THE UNITED STATES (U.S.) ARMY'S HARRY DIAMOND LABORATORY PROPERTY LOCATED IN PRINCE WILLIAM COUNTY (Tape 6)

Supervisor Hyland stated that the United States (U.S.) Army's Harry Diamond Laboratories located in Prince William County, is scheduled to be closed and is currently being reviewed by the U.S. Senate Subcommittee on Military Construction Appropriations. The Library of Congress is interested in obtaining approximately 100 acres of the 580 acre site to construct a major, long-term storage facility for materials they receive.

Supervisor Hyland said that under the 1991 Base Realignment and Closure Commission, the Secretary of the Army is proceeding with the disposal and redevelopment process of this site. The Environmental Impact Study (EIS) identified alternative uses and both the Library of Congress and the Fish and Wildlife Service are interested in the land.

Supervisor Hyland explained that this site has been studied by a noted ornithologist and has determined it to have a unique east coast meadowland containing habitat for certain rare bird species, habitat for the endangered American Bald Eagle and migratory neo-tropical songbirds. If this land is not preserved (especially because of the newly rezoned Belmont Center just north of this site) it is anticipated that significant losses of diverse animal and plant life will occur.

Therefore, Supervisor Hyland moved that the Board:

- Direct the Chairman to write a letter on behalf of the Board to Senator Jim Sasser, Chairman of the Subcommittee on Military Construction Appropriations, Committee on Appropriations, supporting the Mount Vernon Council of Citizens' Association resolution to request the Committee Chairman to convey the U.S. Army, Harry Diamond Laboratory property in its entirety, the joint letter from Senators John Warner and Charles S. Robb.

This motion was seconded by Supervisor Berger.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion include adding Representative Leslie Byrne to the list, and this was accepted.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

68.SCHEDULING OF REZONING APPLICATION RZ 93-V-008

CONCURRENT WITH SPECIAL EXCEPTION APPLICATION

SE 93-V-029 (Tape 6)

Supervisor Hyland said that on June 22, 1993, the Planning Commission held a public hearing on Rezoning Application RZ 93-V-008. The Planning Commission deferred decision indefinitely on this case in order to develop additional proffers and finalize the Generalized Development Plan (GDP). He added that the attorney for the applicant is continuing to work with the adjacent property owners in Crosspointe and the Federation of Lorton Communities.

Supervisor Hyland moved that the Board direct staff to schedule its public hearing on Rezoning Application RZ 93-V-008 and Special Exception Application SE 93-V-029

on **September 27, 1993**. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Trapnell being out of the room.

69.FAIRFAX COUNTY DEMOCRATIC REPRESENTATIVES

SELECTED FOR APPOINTMENT TO THE FAIR CAMPAIGN

PRACTICES COMMITTEE (Tape 6)

Supervisor Hanley announced that the Fairfax County Democratic Committee has chosen and is submitting the following names as representatives of the Fair Campaign Practices Committee:

•Ms. Janet Muldon; and

•Mr. James W. Dyke.

NV:nv

70.SCHEDULING OF REZONING APPLICATION AND CONCURRENT

PROCESSING FOR J.R. LOVELESS HOMES, INCORPORATED

(Tape 7)

On behalf of Supervisor McConnell who must abstain from this case, Supervisor Berger stated that J.A. Loveless Home, Incorporated, plans to file a rezoning application for property identified as Tax Map Reference 79-3-4-21 and 22 and 79-3-5-13B and 14. He moved that the Board direct staff to schedule a public hearing before the Board upon acceptance of the rezoning request. He further moved that the Board direct the Department of Environmental Management (DEM) to accept the subdivision plans and site plans to be processed concurrently with the rezoning application. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

71.SPECIAL EXCEPTION APPLICATION FOR PLEASANT GROVE

CHURCH AND WAIVER OF FILING FEES (Tape 7)

Supervisor Berger stated that Pleasant Grove Church is an old, historic church in the Dranesville District which is in the process of being restored following a damaging

lightning strike in July, 1992. He noted that the entire community is helping with this project, private funds are being raised, and a volunteer group, Friends of Pleasant Grove, is heading up the effort to repair this historic structure.

Supervisor Berger added that in the process of the repair work, the Department of Environmental Management (DEM) determined that this structure is a public benefit association which requires special exception approval under the Zoning Ordinance because it is no longer used as a church and is used for community uses. He stated that there are future plans to establish a small black history museum in the basement to preserve the heritage of Pleasant Grove.

To complete the repairs and enable the use of the facility this fall, Supervisor Berger moved that the Board direct staff to:

- Expedite the special exception application for a public benefit associated with the Pleasant Grove Church located at 8700 Lewinsville Road;
- Waive the filing fee for this application; and
- Modify, to the greatest extent possible, the submission requirements for this special exception.

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

72.STORM WATER MANAGEMENT FACILITY FOR THE JARVIS

SUBDIVISION ON THE LANGLEY HIGH SCHOOL PROPERTY

(Tape 7)

Supervisor Berger explained that a few years ago an applicant, Dr. Jarvis, was absolved from storm water management on a proposed subdivision in the Dranesville District in return for his providing the engineering design for a regional storm water facility to be located almost directly behind Langley High School. He stated that the neighbors were not notified of this proposed facility.

Supervisor Berger informed the Board that there are no funds available for this facility, nor will there be in the foreseeable future. He noted that the proposal, if approved, would destroy the buffer of trees located between the school, the existing stadium, and other ball fields directly behind the school and that there is no substantial

erosion in this area. He also stated that this expensive facility cannot be justified and that it would destroy a wildlife habitat.

Accordingly, to address the concerns of citizens living behind the Langley High School property, Supervisor Berger moved that the Board:

- Instruct the Department of Environmental Management (DEM) to return the public improvement plan for the Upper Turkey Run Storm Water Management Facility to the developer of the Jarvis Subdivision;
- Direct DEM to modify the approved storm water management waiver for the Jarvis Subdivision to delete the requirement for submission of a regional storm water management plan as a condition to approval of the Jarvis Subdivision plan; and
- Instruct the Department of Public Works (DPW) to address stream bank stabilization and erosion concerns along Turkey Run downstream of the Jarvis Subdivision as funding is available.

This motion was seconded by Chairman Davis.

Following a lengthy discussion, with input from Irving Birmingham, Director, DEM, Supervisor Berger withdrew his motion and asked unanimous consent to return this issue to the Board later in the meeting when staff from the DPW would be available to address the concerns of the Board regarding the regional storm water management plan. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk's Summary Item CL#81.)

73.CLARIFICATION OF WASHINGTON POST ARTICLE

REGARDING SALARIES OF AIDES TO BOARD

MEMBERS (Tape 7)

Supervisor McConnell called the Board's attention to an article in today's issue of the Washington Post entitled "Raises by Fairfax Board Bring 'Glass House' Charge." As a point of clarification, she stated that no one on her staff had received a 16 percent raise. She explained that she had two employees who had been part-time and that the increase in salary resulted from an increase in hours to full time.

74.BRADDOCK ROAD WIDENING FROM ROUTE 123 TO SHIRLEY

GATE ROAD (Tape 7)

Supervisor McConnell stated that Braddock Road is scheduled to be widened from Route 123 to approximately Shirley Gate Road beginning this spring. She stated that the Virginia Department of Transportation (VDOT) is completing an intersection improvement with Braddock Road and Route 123 by extending the left turn lane from westbound Braddock Road onto southbound Route 123.

Accordingly, Supervisor McConnell moved that the Board direct the Office of Transportation to work with the VDOT to determine other measures which could help that busy intersection. She stated her belief that there are short term solutions available for reconstruction at little or no cost. She noted that the right turn lane from eastbound Braddock Road onto southbound Route 123 could be extended with either additional pavement or by repairing the existing shoulder by filling in ruts and potholes. She further moved that the Board direct staff to review the left turn lane in this location for possible extension. This motion was seconded by Chairman Davis and carried by unanimous vote.

75.SPECIAL EXCEPTION FOR THE HERITAGE ACADEMY AND**CHILD CARE CENTER AT BURKE CENTRE (Tape 7)**

Supervisor McConnell stated that the Heritage Academy and Child Care Center at Burke Centre is filing an amendment to their original Special Permit, SP 82-S-006. The amendment proposes the deletion of a condition which restricts acceptance of children between the ages of 18 months and seven years.

Noting that this is a minor change to the original application, Supervisor McConnell moved that the Board direct staff to request an expedited hearing date for this application which now requires a special exception. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

76.SPECIAL EXCEPTION APPLICATION SE 93-S-034 FOR A**CAR WASH ON THE FORMER MOBIL OIL SITE ON ROLLING****ROAD (Tape 7)**

Supervisor McConnell stated that a Special Exception application was recently filed by Melvin Burke to put in a car wash on the former Mobil Oil site on Rolling Road across from her office. She stated that this site has been vacant for some time and that the old Mobil car wash still stands.

Therefore, Supervisor McConnell moved that the Board request staff to expedite Special Exception Application SE 93-S-034 to ensure that it is heard by the Planning Commission and the Board prior to December, 1993. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

**77.ADMIN 9 - AUTHORIZATION TO ADVERTISE THE FISCAL
YEAR (FY) 1993 CARRYOVER REVIEW TO AMEND THE
APPROPRIATION LEVEL IN THE FY 1994 REVISED BUDGET
PLAN AND EXPANSION OF THE NORTH SPRINGFIELD
ELEMENTARY SCHOOL'S SCHOOL AGE CHILD CARE PROGRAM**

(Tape 7)

(A)(NOTE: Earlier in the meeting, during Matters Presented by the County Executive, the Board discussed this issue. See Clerk's Summary Item CL#10.)

Authorized the advertisement to increase the Fiscal Year (FY) 1994 appropriation level. The advertisement encompasses both the County and Schools' FY 1993 Carryover reviews.

Supervisor Bulova moved that the Board expand the School Age Child Care (SACC) Program at North Springfield Elementary School, and authorize one additional SACC teacher position at that location. She stated that the Office for Children (OFC) will attempt to absorb the cost through fee revenue. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Berger and Supervisor McConnell voting "**NAY.**"

78.RECESS/EXECUTIVE SESSION (Tapes 7-8)

At 1:40 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion of matters set forth in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

•Jane W. Gwinn, Fairfax County Zoning Administrator, versus Olan D. Hott, In Chancery Number 124767;

- Initiation of Broadcast Programming by Television Station WTMW (Television Channel 14);
- Septic Systems in the Wiley/Gunston Community (Mount Vernon District);
- Thomas versus County of Fairfax, Ivins versus County of Fairfax, and Belk versus County of Fairfax;
- Polar Water Company; and
- Proposed lease of Jemal Building, 6910 Richmond Highway.

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

At 3:50 p.m., the Board reconvened in the Board Auditorium with all Board Members present, and with Chairman Davis presiding.

79.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 jointly seconded by Supervisor Berger and Supervisor Hanley and carried by unanimous vote.

B.TELEVISION STATION WTMW, CHANNEL 14

Chairman Davis stated that television station WTMW-TV has been seeking approval from the Federal Communcation Commission (FCC) for operation on Channel 14. He stated that Channel 14 broadcasts over a frequency which is very close to radio channels used by the Fire and Rescue Department, and that caused concern that the County's radio communications could be adversely affected. He noted that that concern is the only impediment to FCC approval of program test authority.

Chairman Davis stated that to resolve the County's concern, a new proposal has been made that would require some change to the County's radio network, and with those changes Channel 14 seeks FCC approval of program test authority. Channel 14 has agreed to pay for a large portion of those changes.

Accordingly, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board authorize the County Attorney to settle this dispute as described in Executive Session so that Channel 14 may obtain program test authority. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of nine, Supervisor Berger voting "NAY."

Vice-Chairman McConnell returned the gavel to Chairman Davis.

C.I-24 - INITIATION OF A REMEDY FOR FAILING

SEPTIC SYSTEMS IN THE WILEY/GUNSTON

HEIGHTS COMMUNITY (MOUNT VERNON DISTRICT)

Supervisor Hyland briefed the Board on the situation of the failing septic systems in the Wiley/Gunston Heights Community, consisting of two adjacent subdivisions located in the Mason Neck area of the Mount Vernon District. Because the Comprehensive Plan does not recommend extending the public sewer service to the area, Supervisor Hyland stated that the Board previously allocated \$150,000 in subfund 468 to initiate the process for finding a remedy to the sewage problems in the Community.

Supervisor Hyland stated that the Department of Public Works staff has completed some preliminary work in this regard and has proposed a pump and haul system for the Wiley/Gunston Heights Community, similar to the system currently in place in the Town of Clifton. This system would involve the construction of a gravity sewer system, with cost estimates of \$1.9 million for construction and \$128,000 annually for operation. Supervisor Hyland noted that significant considerations and concerns must be satisfied before final design and construction can be authorized by the Board including, but not limited to, the following:

- Identification of funding to include a mix of general fund, sewer fund, grant, and fee support;
- Extension of the approved sewer service area;
- Comprehensive Plan and zoning issues; and

- Establishment of a conservation district.

Supervisor Hyland moved that the Board direct staff to continue their efforts to find a solution to the failure of the septic systems consistent with the Board's land use policy. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

D.COMMUTER RAIL STATION

Supervisor Hyland stated that during Executive Session, staff briefed the Board on the status of the acquisition of property located on Tax Map Reference 107-4, Parcel Number 52, for the proposed commuter rail station. To be prepared in the event that the County cannot consummate an agreement on the sale of this property, he moved that the Board direct staff to immediately proceed to undertake a study to identify alternate sites for the commuter rail station and to return to the Board with this information as soon as possible. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

80.DEFERRAL OF PUBLIC HEARINGS FOR REZONING

APPLICATION RZ 93-P-007 AND SPECIAL EXCEPTION

APPLICATION SE 93-P-012 (Tape 8)

Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 93-P-007 and Special Exception Application SE 93-P-012 until **September 13, 1993 at 4:30 p.m.** This motion was seconded by Supervisor Alexander and Supervisor Bulova and carried by unanimous vote.

81.STORM WATER MANAGEMENT FACILITY FOR THE JARVIS

SUBDIVISION ON THE LANGLEY HIGH SCHOOL PROPERTY

(Tape 8)

(NOTE: Earlier in the meeting, the Board discussed this issue. See Clerk's Summary Item CL#72.)

Supervisor Berger moved that the Board:

- Instruct the Department of Environmental Management (DEM) to return the public improvement plan for the Upper Turkey Run Storm Water Management Facility to the developer of the Jarvis Subdivision;
- Direct DEM to modify the approved storm water management waiver for the Jarvis Subdivision to delete the requirement for submission of a regional storm water management plan as a condition to approval of the Jarvis Subdivision plan; and
- Instruct the Department of Public Works (DPW) to address stream bank stabilization and erosion concerns along Turkey Run downstream of the Jarvis Subdivision as funding is available.

The second to this motion was inaudible. Following a question-and-answer session between the Board and John di Zerega, Director, Department of Public Works (DPW) and Irving Birmingham, Director, DEM, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Bulova and Supervisor Hanley abstaining, Supervisor Alexander being out of the room.

82.I-1 - DELEGATION OF SETTLEMENT AUTHORITY

EXPENDITURES REPORT FOR THE COUNTY'S

SELF-INSURANCE CLAIMS (Tape 8)

(NOTE: Earlier in the meeting, during Matters Presented by the County Executive, this item was discussed. See Clerk's Summary Item CL#30.)

The Board next considered an Information Item contained in the Memorandum to the Board dated August 2, 1993 requesting authorization for staff to continue to provide information to the Board summarizing the types and amounts of claims disposed of under the Resolution adopted by the Board on March 23, 1987 which authorizes the delegation of settlement authority at various levels in order to expedite resolution of self-insured claims.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide in a future Executive Session a summary report detailing the claims that have been settled or have come before staff for negotiation. Without objection, it was so ordered.

AM:am

83.3:30 P.M. - PH ON REZONING APPLICATION

**RZ 93-P-007 (DEWEY ASSOCIATES) AND SPECIAL
EXCEPTION APPLICATION SE 93-P-012 (NATIONAL
TIRE WHOLESALE) (PROVIDENCE DISTRICT) (No Tape)**

(NOTE: The Planning Commission deferred its decision on Rezoning Application RZ 93-P-007 and Special Exception Application SE 93-P-012 to September 9, 1993.)

(NOTE: Earlier in the meeting, action was taken to defer the public hearing on Rezoning Application RZ 93-P-007 and Special Exception Application SE 93-P-012. See Clerk's Summary Item CL#80.)

**84.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATION PCA C-634-6 (FAIRFAX PLAZA LIMITED
PARTNERSHIP) (PROVIDENCE DISTRICT) (Tape 9)**

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

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

Following the public hearing, Regina Murray, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Proffered Condition Amendment Application PCA C-634-6 subject to the revised development conditions dated August 2, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey, Supervisor McConnell and Chairman Davis being out of the room.

**85.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION
SE 93-L-020 (WESTLYN LIMITED PARTNERSHIP) (LEE
DISTRICT) (Tape 9)**

Mr. Thomas D. Fleury reaffirmed the validity of the affidavit for the record.

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

Supervisor Hyland disclosed the following campaign contribution which he had received:

- In the amount of \$1150 given by his "political godmother" Emily Myatt who has an interest in one of the subsidiary corporations of West*Group, Incorporated.

Following the public hearing, Cathy Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Alexander moved approval of Special Exception Application SE 93-L-020 subject to the revised development conditions dated July 15, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor McConnell, Supervisor Trapnell and Chairman Davis being out of the room.

86.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

SE 93-D-009 (RANDOLPH WILLIAMS, INCORPORATED)

(DRANESVILLE DISTRICT) (Tape 9)

Mr. L. Randolph Williams reaffirmed the validity of the affidavit for the record.

Mr. Williams 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 Chase, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Berger moved:

- Approval of Special Exception Application SE 93-D-009 subject to the revised development conditions dated July 29, 1993; and

- Waiver of the service drive requirement along the Leesburg Pike frontage of the site.

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

**87.3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE
PUBLIC FACILITIES MANUAL REGARDING SANITARY
SEWER STANDARDS AND RECYCLING SYSTEM DESIGN**

CRITERIA (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 this Newspaper in the issues of July 15 and July 22, 1993.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Public Facilities Manual (PFM) setting forth design criteria for recycling systems for certain businesses and properties containing multiple family dwelling units pursuant to the Code of the County of Fairfax, Chapter 109 (Solid Waste), and revise certain sanitary sewer technical standards to reflect existing standards. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Berger, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

**88.4:00 P.M. - PH ON REZONING APPLICATION
RZ 92-H-015 AND PROFFERED CONDITION AMENDMENT
APPLICATION PCA C-698 (RALPH D. ROCKS AND**

JEAN W. ROCKS) (HUNTER MILL DISTRICT) (Tape 9)

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

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

Following the public hearing, Kevin Guinaw, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA C-698 subject to the revised development conditions dated July 15, 1993. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova abstaining, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Dix moved:

- That the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 92-H-015 be amended from the R-1 and PDC Districts to the PDH-20 District; and

- Approval of the Conceptual Development Plan (CDP) subject to the executed proffers dated August 2, 1993 and contingent upon the applicant's payment of funds required by State law, the amount of which the applicant has been advised, and in accordance with the Board of Supervisor's formula and procedures for the rezoning of commercial or industrial land to a residential use within the Route 28 Tax District.

This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova abstaining, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Dix moved that the Board set the "effective date" of this Rezoning Application to be October 1, 1993, with payment to be received at least 10 days prior to the effective date in accordance with the Board's adopted procedures. If payment is not made as and when required by the Board of Supervisors formula and procedures, the change in zoning classification shall not become effective and the Ordinance approving such change shall be void. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova abstaining, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Dix moved that the Board modify the transitional screening requirement, and waive the barrier requirement, along the southern boundary of the site, and between the child care center and the residential units, in favor of existing vegetation on the site and the landscaping shown on the CDP/Final Development Plan (FDP), and subject to the proffers; and that the Board modify the maximum length limitation for private streets in a residential development as shown on the CDP/FDP and subject to the proffers. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova abstaining, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

SBE:sbe

**89.4:00 P.M. - JOINT PUBLIC HEARING WITH THE
VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)
TO CONSIDER CUT-THROUGH TRAFFIC RESTRICTIONS
ON ALLAN AVENUE (PROVIDENCE DISTRICT)**

(Tape 10)

(Verbatim)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of July 15 and July 22, 1993.

Following the public hearing, which included testimony by seven speakers, Supervisor Hanley moved that the Board approve the measures proposed by Virginia Department of Transportation (VDOT) to reduce cut-through traffic and enhance safety on Allan Avenue as contained in the Memorandum to the Board. These measures include the installation of multi-way stop signs at the intersection of Allan Avenue and Woodley Place, and the installation of a speed hump on Allan Avenue between West Street and Stuart Place and that the Board request VDOT to fund the measures from their Secondary Road budget. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

**90.4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE
OF THE COUNTY OF FAIRFAX, CHAPTER 30 (MINIMUM
PRIVATE SCHOOL AND CHILD CARE FACILITY STANDARDS),
ARTICLE 2 (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 this Newspaper in the issues of July 8 and July 15, 1993.

Following the public hearing, which included testimony by one speaker, Supervisor McConnell moved adoption of the proposed amendment to the Code of the County of

Fairfax, Chapter 30 (Minimum Private School and Child Care Facility Standards), Article 2 as follows:

- To establish a waiver provision, upon written request, for existing buildings or premises to provide platforms or steps to allow children safe access to adult size toilets and wash basins in lieu of requiring the installation of child size toilets and wash basins. The waiver provision applies only to part-day (4 hours or less) programs;
- To standardize the expiration date of annual permits to September 30 of each calendar year;
- To establish a separate section for a fee schedule;
- To establish an additional fee for applications for permit renewals received after the expiration date of the permit;
- To increase the application fee for initial applications; and
- To establish a prorated fee schedule for new applications received during the permit year.

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

91.4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT

APPLICATION PCA 85-P-113 (AN PING CORPORATION)

(PROVIDENCE DISTRICT) (Tape 10)

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

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

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

Supervisor Hanley moved approval of Proffered Condition Amendment Application PCA 85-P-113 subject to the executed proffers dated July 22, 1993. This motion was

seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

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

92.4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT

**APPLICATION PCA 87-S-024 (CLARION BUILDERS,
INCORPORATED) (SULLY DISTRICT) (Tape 10)**

Mr. Allan D. Baken reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 87-S-024 subject to the executed proffers dated June 30, 1993. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being out of the room.

93.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

**SE 93-Y-006 (DRAGON PROPERTIES, LIMITED) (SULLY
DISTRICT) (Tape 10)**

Mr. Zia U. Hassan reaffirmed the validity of the affidavit for the record.

Mr. Hassan 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, Kris Abrahamson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 93-Y-006 subject to the revised development conditions dated June 17, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room.

Supervisor Frey moved modification of the transitional screening requirement along the northern, western and northeastern lot lines, and a waiver of the barrier requirement along the northeast lot line in favor of the screening and buffering measures shown on the Special Exception Plat and required by the proposed development conditions. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room.

94.4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 82-S-087-2 (MERRIFIELD GARDEN

CENTER CORPORATION) (SULLY DISTRICT) (Tapes 10-11)

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 noted, for the record, that Hunton and Williams, the firm representing the applicant, represents Planning and Research Corporation, with which he is currently employed. He stated that Hunton and Williams has no business or financial relationship with him or through PRC except for being hired on a contractual basis.

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

Supervisor Frey moved approval of Special Exception Amendment Application SEA 82-S-087-2 subject to the revised development conditions dated July 28, 1993, with a revision to condition number four to read "All necessary temporary ancillary

easements....." This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Frey moved reaffirmation of a modification to the screening and waiver of the barrier in favor of the landscaping and screening depicted in the Special Exception Plat, pursuant to Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Frey moved modification of the additional standards for plant nurseries to specifically allow outdoor storage of bag materials, pursuant to Section 9-003 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Frey clarified the above motion by stating it applied to the R-1 section of the site.

95.4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT

APPLICATION SEA 81-M-097-2 (MOBIL OIL CORPORATION)

(MASON DISTRICT) (Tape 11)

Ms. Marie B. Travesky reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Kris Abrahamson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Trapnell moved:

- Approval of Special Exception Amendment Application SEA 81-M-097-2 subject to the revised development conditions dated July 12, 1993; and

- Modification of the transitional screening requirement and waiver of the barrier requirement along the eastern lot line in favor of the landscaping shown on the Special Exception Plat.

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

96.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION

**SE 93-P-010 (CHERNER LINCOLN MERCURY,
INCORPORATED) (PROVIDENCE DISTRICT) (Tape 11)**

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

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

Following the public hearing, Cathy Chianese, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Special Exception Application SE 93-P-010 subject to the proposed development conditions dated July 29, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

Supervisor Hanley moved approval of the following waivers and modifications, subject to the proposed development conditions dated July 23, 1993 and the Special Exception Plat:

- Waiver of the open space requirement, pursuant to Section 9-612 of the Zoning Ordinance;
- Waiver of the interior parking lot landscaping requirement, pursuant to paragraph 6 of Section 13-210 of the Zoning Ordinance;
- Modification of the peripheral parking lot landscaping requirement, pursuant to paragraph 3 of Section 13-202 of the Zoning Ordinance, and;

•Modification of the tree cover requirement, pursuant to paragraph 2 of Section 13-404 of the Zoning Ordinance.

This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

97. ORDERS OF THE DAY (Tape 11)

Chairman Davis announced that the Orders of the Day would be changed to allow the Board to proceed with the 5:00 p.m. - Public Hearing to Receive Citizen Comment on Issues of Concern.

98. 5:00 P.M. - PH TO RECEIVE CITIZEN COMMENT ON

ISSUES OF CONCERN (Tape 11)

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 15 and July 22, 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.

There were no speakers for this public hearing.

99.4:30 P.M. - PH ON REZONING APPLICATIONS

RZ 93-M-001 (MARBART, INCORPORATED) AND

RZ 93-M-003 (DIEHL HOMES, INCORPORATED)

(MASON DISTRICT) (Tapes 11-17)

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavit for the record.

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

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

- In the amount of \$500 from Mr. Curtis M. Coward, McGuire, Woods, Battle and Booth.

Supervisor Frey disclosed the following campaign contribution which he had received:

- In the amount of \$200 from Mr. Lee Fifer, Jr., McGuire, Woods, Battle and Booth.

Following the public hearing, which included testimony by 82 speakers, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Trapnell moved:

- That the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-M-001 be amended from the R-3, R-5, R-8, PDC, C-5, Highway Corridor and Sign Control Districts to the C-6 and Highway Corridor and Sign Control Districts subject to the executed proffers dated July 14, 1993;

- Modification to the transitional screening and barrier requirements along the northwestern, northeastern, and southwestern boundaries to that reflected on the Generalized Development Plan, and;

- Waiver of the service drive requirements along Route 7.

This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Chairman Davis voting "NAY."

Supervisor Trapnell moved to defer Board decision on Rezoning Application RZ 93-M-003 until **September 13, 1993 at 3:30 p.m.** This motion was seconded by Chairman Davis and carried by unanimous vote.

100. 5:00 P.M. - PH TO RECEIVE CITIZEN COMMENT ON

ISSUES OF CONCERN (No Tape)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#98.)

101.BOARD ADJOURNMENT (Tape 17)

At 12:05 a.m., August 3, 1993, the Board adjourned.