

Final Board Summary, 9/13/93

The meeting was called to order at 10:05 a.m. with all Members being present, and with Chairman Davis presiding.

Others present were William J. Leidinger, County Executive; David 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.

2. PROCLAMATION DESIGNATING "TURN OFF THE VIOLENCE DAY"

(Tape 1)

Supervisor Trapnell moved approval of the Proclamation, presented to the Friends of the Fairfax County Victim Assistance Network, designating October 14, 1993 as "**Turn Off the Violence Day**" in Fairfax County, and urging all citizens to take advantage of this day to turn off violent materials and turn on nonviolent entertainment. This motion was Supervisor Frey and carried by unanimous vote.

3. 9:45 A.M. - PRESENTATION BY THE VOLUNTEER CENTER OF FAIRFAX

COUNTY, INCORPORATED ON VOLUNTEERISM IN FAIRFAX COUNTY (Tape 1)

Steven M. Weitz, President, and Ruth Myer, Executive Director of Volunteer Center of Fairfax County, Incorporated on volunteerism in Fairfax County, briefed the Board on volunteerism activities in Fairfax County.

4. 10:00 A.M. - PRESENTATION FOR THE RESTON EAST PARK-AND-RIDE FACILITY BY THE PLAZA AMERICA DEVELOPMENT CORPORATION

(Tape 1)

David A. Ross, President, Atlantic Realty Company, Incorporated presented a check for \$450,000 for the Reston East Park-And-Ride Facility by the Plaza America Development Corporation.

5. DEFERRAL OF PH ON THE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS) RELATING TO

**HUNTING, SALE OF HANDGUNS AND SHOOTING OF BOWS
(COUNTYWIDE) (Tape 1)**

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and moved to defer the public hearing on the proposed amendments to the Code of the County of Fairfax, Chapter 6 (Weapons) relating to hunting, the sale of hand guns and shooting of bows until **September 27, 1993 at 4:00 p.m.** This motion was jointly seconded by Supervisor Bulova and Supervisor Frey and carried by a vote of nine, Supervisor McConnell being out of the room.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, further action was taken on this item. See Clerk's Summary Items CL#102, #104 and #118.)

**6. PRESENTATION OF THE DISTINGUISHED SERVICE AWARD BY THE
GREATER WASHINGTON SOCIETY OF ASSOCIATION EXECUTIVES**

(Tape 1)

Chairman Davis presented the Distinguished Service Award given by the Greater Washington Society of Association Executives to Supervisor McConnell for her work with the Economic Recovery Committee.

**7. 10:00 A.M. - PH ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY)
1993 CARRY OVER REVIEW TO AMEND THE APPROPRIATION LEVEL
IN THE FY 1994 REVISED BUDGET PLAN (Tapes 1-2)**

(SAR)

(FPR)

(BACs)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of August 19, 1993.

Following a brief staff presentation by James P. McDonald, Deputy County Executive for Management and Budget, the Board proceeded with the public hearing on the County and Schools' Fiscal Year (FY) 1993 Carryover Review to amend the Appropriation Level in FY 1994, which included testimony by five speakers.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved approval of Supplemental Appropriation Resolution (SAR) AS 94016 and Amendment to the Fiscal Planning Resolution (FPR) AS 94901 which includes expenditure authorization for Fiscal Year 1993 Carryover encumbrances, unencumbered items, unexplained capital project balances, and administrative adjustments identified in the County and Schools' FY 1993 Carryover Review which results in a Combined General Fund balance of \$34.31 million. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Berger being out of the room.

Supervisor Davis moved approval of adjusting the Managed Reserve to maintain the reserve two percent of total Combined General fund disbursements based on the actions taken by the Board as part of the FY 1993 Carryover Review. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Berger being out of the room.

Supervisor Davis moved that in compliance with the FY 1995 Budget Guidelines Resolution approved by the Board on August 2, 1993, that the Board approve maintaining the remaining available balance in a set aside reserve. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Dix moved that the following conditions be associated with any additional appropriation to the Park Authority for athletic field maintenance:

- The need for a direct costing system;
- A pilot effort to be implemented in FY 94 to ensure that this effort is up and running by FY 95;
- Parameters for funding in subsequent years need to be addressed now;
- Taking fields not utilized now off-line; and
- Definition of life cycle costs and what it is not.

Supervisor Dix moved that the Board recommend the following directives to the Park Authority:

- Direct the Park Authority to develop and fully implement by FY 95 a direct costing system of their maintenance budget specific to athletic facilities. As a minimum, labor and material costs should be identified for each field;
- Direct the Park Authority to pilot this direct costing system in FY 94 on all Level 1 athletic fields. This should include an estimate of maintenance

performed since July 1, 1993, with real time and materials documented beginning immediately;

- Direct that athletic field maintenance funding requests in the out-years be based on expenditures incurred by field during FY 95, but in no case should the request exceed the approved funding allocation in FY 94 unless fully justified;
- To ensure that these or additional funds are necessary, direct the Park Authority, working with the Athletic Council, to re-examine the initial 59 fields that were identified as having little or no impact on using organizations. If supported, open play areas and adjust funding needs accordingly in fiscal year 1995; and
- Direct the Park Authority to acknowledge in writing that by accepting these additional funds, along with what the Board has approved heretofore, that they are being used for field maintenance and not life cycle costs which are defined in part as costs or funds associated with the eventual replacement or complete renovation of athletic fields.

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

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved to recommend William J. Leidinger, County Executive be given discretion to work with the Swim and Dive Foundation Diving Center at Oak Marr to advance up to \$25,000 to assist in their grant matching efforts. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Dix moved to appropriate \$5,000 as a grant to the Dulles Corridor Task Force Workshop to be held in October. This grant will be matched by the Virginia Department of Public Rail and Transportation, the Airports Authority and Loudoun County. The grant will be conditional upon the contribution from Loudoun County. The motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Dix moved consideration of an appropriation of \$18,000 to extend the Reston Internal Bus Service (RIBS) on Friday and Saturday evenings beyond its present time frame. This motion was seconded Supervisor McConnell and carried by unanimous vote.

Supervisor Dix moved that the Board direct staff to report with a Consideration Item concerning Dulles Airport Marketing efforts at mid-year review. This motion was seconded by Supervisor Davis and carried by unanimous vote.

In regard to Chantilly Battlefield, Supervisor Frey moved that the Board:

- Direct staff to contact the property owner and to open negotiations with the possibility of the acquiring Parcel Five;
- Direct the Office of Comprehensive Planning (OCP) to look at the profit contribution from the adjacent property owner the developer of the project known as Fairfax Town Center. There is a contribution amount of \$114,000 that was proffered as a contribution for the development of the battlefield; and
- As a part of the deficit reserve to reserve funding for the possibility of acquiring parcel 5.

The motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Bulova asked unanimous consent that the Board request Supervisor Frey to work with a constituent and the developers of the Fairfax Town Center concerning historical preservation. Without objection, it was so ordered.

Supervisor Berger moved that the Board direct staff to contact the owner of the property to determine if they would consider a Lead Trust to Fairfax County which would allow use of the property but would be given to the heirs at some future date. The motion, the second to which was inaudible, carried by unanimous vote.

Supervisor McConnell moved that the Board set aside \$50,000 to use for matching funds for the Council of the Arts. This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hanley moved that \$37,000 be appropriated to the Virginian to complete a service drive which would be connected to the red light. The motion was seconded by Supervisor Bulova and carried by unanimous vote.

Following discussion, with additional input from Dr. McDonald and Mr. Long, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct staff to take the necessary action in order to advertise a public hearing before the Board of Supervisors on a proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) to change the personal property due date to October 5th and combine personal property taxes and decal purchases into a single payment. This motion was seconded by Supervisor Alexander and carried by unanimous vote. Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor McConnell moved that the Board:

- Adopt vehicle filing exception; and
- Establish a task force including staff from the Chairman's Office and the County Executive's Office to develop appropriate language for exception filing

to be submitted to the Legislative Subcommittee for inclusion in the 1994 General Assembly package.

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

Supervisor McConnell moved that the Board direct staff to take necessary action to change the decal display deadline from 30 to 60 days for new purchases and move-ins to the County. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor McConnell moved that the Board direct staff to take necessary action in order to advertise a public hearing to amend the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) to require that all personal property taxes be paid on all personal property before buying a decal for any vehicle. The motion, the second to which was inaudible, carried by unanimous vote.

SBE:sbe

8. ADMINISTRATIVE ITEMS (Tape 3)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and called the Board's attention to Administrative Item 2 - Dedication of a Portion of Columbia Pike in Memory of Justice Thurgood Marshall, and asked unanimous consent that this item be considered separately. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley called the Board's attention to Administrative Item 6 - Authorization to Advertise a Public Hearing to Consider Proposed Voluntary Relocation of the Boundary Between the City of Fairfax and Fairfax County. There was a brief question-and-answer period with input from Anthony H. Griffin, Deputy County Executive for Planning and Development.

Supervisor McConnell moved approval of the Administrative Items with the exception of Administrative Item 2 - Dedication of a portion of Columbia Pike in Memory of Justice Thurgood Marshall. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (LEE DISTRICT)

(R) Approved the request that certain streets listed in the Memorandum to the Board dated September 13, 1993 be recommended for acceptance into the State Secondary System, as follows:

Subdivision District Street

Charleston Collection, Section 2 LeeForsythia Street Route 1225

Kingstowne, Section 13, Phase 3 Lee Kingstowne Commons

Drive

ADMIN 2 - DEDICATION OF A PORTION OF COLUMBIA PIKE IN MEMORY OF JUSTICE THURGOOD MARSHALL (MASON DISTRICT)

(NOTE: Action was taken later in the meeting to adopt the Resolution dedicating a portion of Columbia Pike in honor and memory of Justice Thurgood Marshall. See Clerk's Summary Item CL#9.)

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 91-M-004, ANNANDALE VOLUNTEER FIRE DEPARTMENT (MASON DISTRICT)

(AT) Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 91-M-004 until **July 22, 1995** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 - DISCONTINUANCE OF MAINTENANCE OF AN OLD REALIGNED PORTION OF SEMINARY ROAD (ROUTE 716) (MASON DISTRICT)

(R) Adopted the Resolution concurring in the discontinuance of maintenance on a realigned portion of Seminary Road. This realignment provides for improved highway engineering and traffic safety at the reconstructed Seminary Road/Columbia Pike interchange.

ADMIN 5 - DISCONTINUANCE OF MAINTENANCE AND ACCEPTANCE OF A REALIGNED PORTION OF TELEGRAPH ROAD (ROUTE 611) (MOUNT VERNON DISTRICT)

(R) Adopted the Resolution:

- Concurring in the discontinuance of maintenance of an old portion of Telegraph Road; and
- Requesting the acceptance of the realigned portion of Telegraph Road into the Virginia Department of Transportation (VDOT) Secondary System.

This realignment provides for a new bridge over Accotink Creek and improves overall highway engineering and traffic safety at this location.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED VOLUNTARY RELOCATION OF THE BOUNDARY BETWEEN THE CITY OF FAIRFAX AND FAIRFAX COUNTY (BRADDOCK DISTRICT)

(A) (NOTE: Earlier in the meeting, during approval of the Administrative Items, there was a brief discussion on this item. See page 6.)

Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 11, 1993 at 4:00 p.m.** in order to meet all state and federal requirements for boundary adjustments between the City of Fairfax and Fairfax County prior to January 1, 1994.

ADMIN 7 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3, (COUNTY EMPLOYEES) ARTICLE 5, RELATING TO THE REQUIREMENT FOR FILING FINANCIAL INTEREST DISCLOSURE FORMS

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 11, 1993 at 4:00 p.m.** on proposed revisions to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 5 regarding financial disclosure.

ADMIN 8 - AUTHORIZATION TO ADVERTISE PROPOSED REVISION TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) SUPPLEMENTAL AND UNIFORMED RETIREMENT SYSTEMS ORDINANCES REGARDING TRANSFERRING SERVICE BETWEEN FAIRFAX COUNTY RETIREMENT SYSTEMS

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 11, 1993 at 4:00 p.m.** on proposed revisions to the Code of the County of Fairfax, Chapter 3 (County Employees), Supplemental and Uniformed

Retirement System Ordinances regarding transferring service between Fairfax County Retirement Systems Ordinances.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A JOINT VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)/FAIRFAX COUNTY BOARD OF SUPERVISORS PUBLIC HEARING ON PROPOSED CUT-THROUGH TRAFFIC RESTRICTIONS IN THE BUFFALO HILLS AREA (MASON DISTRICT)

(A) Authorized the advertisement and posting of the notice of intent to conduct a public hearing to be held before the Board of Supervisors on **October 25, 1993 at 4:30 p.m.** regarding the Virginia Department of Transportation (VDOT) proposal to modify the pavement markings on Nicholson Street and to install a sign on Sleepy Hollow Road prohibiting right turn onto Nicholson Street during specified hours.

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE MODIFICATION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE FRANCONIA-SPRINGFIELD PARKWAY (LEE DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 25, 1993 at 4:30 p.m.** regarding modification of interests in real property that was necessary for construction of the Franconia-Springfield Parkway

formerly known as Springfield Bypass South - Accotink Bridge), Project 006484.

ADMIN 11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AN UNIMPROVED PORTION OF WILLOW ROAD (SULLY DISTRICT)

(A) Authorized the posting and advertisement of a public hearing to be held before the Board of Supervisors on **October 25, 1993 at 4:00 p.m.** regarding the intent to vacate an unimproved portion of Willow Road.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF BRADDOCK ROAD (SULLY DISTRICT)

(A) Authorized the posting and advertisement of a public hearing to be held before the Board of Supervisors on **October 25, 1993 at 4:00 p.m.** regarding the intent to vacate and abandon a realigned portion of Braddock Road (Route 620).

ADMIN 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO VACATE A PORTION OF EAST AVENUE (DRANESVILLE DISTRICT)

(A) Authorized the posting and advertisement of a public hearing to be held before the Board of Supervisors on **October 25, 1993 at 3:30 p.m.** regarding the intent to vacate a portion of East Avenue.

9. ADMIN 2 - DEDICATION OF A PORTION OF COLUMBIA PIKE IN MEMORY OF JUSTICE THURGOOD MARSHALL (MASON DISTRICT) (Tape 3)

(R) (NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#8.)

Supervisor Trapnell moved adoption of the Resolution dedicating a portion of Columbia Pike in Memory of Justice Thurgood Marshall. The Resolution will enable the Virginia Department of Transportation (VDOT) to process the dedication.

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

10. A-1 - DESIGNATION OF PLANS EXAMINERS STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM (Tape 3)

On motion of Supervisor Frey, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and designated George M. O'Quinn (107) as a Plans Examiner to participate in the Expedited Land Development Review Program pursuant to the adopted criteria and recommendation of the Advisory Examiner Board (APEB).

11. A-2 - DRANESVILLE ROAD IMPROVEMENT PROJECT (DRANESVILLE DISTRICT) (Tape 3)

On motion of Supervisor Berger, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and endorsed the design plans to widen Dranesville Road between the Town of Herndon and Route 7 to four lanes, including a raised median, trail on the east side, sidewalk on the west side, and curb and gutter as presented at the July 22, 1993 public hearing, subject to the following:

- Consider the measures to reduce impacts of the road widening on adjacent properties, such as retaining walls, elimination of right turn lanes where feasible, and other measures;

- Evaluate the need for traffic signalization in the Powells Tavern Place-Forty Oaks Drive area;
- Consider options for addressing concerns of bicyclists without increasing the total width of the cross section; and
- Evaluate the cost of undergrounding utilities between Hiddenbrook Drive and Butter Churn Drive, where utility easements impact adjacent private residences.

12. A-3 - AUTHORIZATION TO ADD THE CITIES OF FAIRFAX AND FALLS CHURCH IN THE APPLICATION TO THE FEDERAL COMMUNICATIONS COMMISSION FOR JOINT CERTIFICATION BY LOCAL JURISDICTIONS TO REGULATE CABLE TELEVISION BASIC SERVICE RATES AND CHARGES FOR EQUIPMENT (Tape 3)

On motion of Supervisor Hanley, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to apply to the Federal Communications Commission (FCC) to be certified to regulate basic cable service rates and equipment charges on behalf of the County, the towns of Clifton, Herndon and Vienna, and the Cities of Fairfax and Falls Church.

13. A-4 - APPROVAL OF PRIORITIES FOR USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (Tape 3)

Following discussion, Supervisor Dix moved that the Board concur in the recommendation of staff and establish priorities for the use of Community Development Block Grant (CDBG) funds as recommended by the Fairfax County Redevelopment and Housing Authority (FCRHA). This motion was seconded by Supervisor Berger and carried by unanimous vote.

14. A-5 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING OFF-STREET PARKING AND SHOPPING CENTERS (Tape 3)

(R)

(A) On motion of Supervisor McConnell, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 7, 1993 and before the Board of Supervisors on **October 11, 1993 at 3:30 p.m.** on the proposed amendments to the Code of the County of Fairfax , Chapter 112 (Zoning Ordinance) to revise the off-street parking

requirement for shopping centers, to modify the definition of gross floor area (GFA) for parking purposes and to revise the definition of shopping centers.

15. A-6 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING HOURS OF OPERATION - GROUP 1 SPECIAL PERMIT USES (Tape 3)

Supervisor Frey moved to defer Action Item A-6, Authorization to Advertise Proposed Amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Hours of Operation - Group 1 Special Permit Uses, **until September 27, 1993** to allow for further discussion. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

16. A-7 - OFFICE OF TRANSPORTATION SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS94020 FOR A FISCAL YEAR (FY) 1994 GOVERNMENT CENTER TRANSPORTATION DEMAND MANAGEMENT (TDM) DEMONSTRATION PROGRAM AND AUTHORIZATION FOR CONTRACT EXECUTION (ALL DISTRICTS) (Tape 3)

(SAR) On motion of Supervisor Dix, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS94020 in the amount of \$170,000 for acceptance of the Virginia Department of Rail and Public Transportation (VDRPT) grant to implement a Government Center Transportation Demand Management (TDM) Demonstration Program.

17. A-8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94021 FOR THE DEPARTMENT OF HUMAN DEVELOPMENT PY 1993 ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE/VIRGINIA EMPLOYMENT COMMISSION GRANT (Tape 3)

(SAR) On motion of Supervisor Berger, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS94021 in the amount of \$250,000 for Economic Dislocation and Worker Adjustment Assistance (EDWAA)/Virginia Employment Commission (VEC) grant funds for the Department of Human Development.

18. A-9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94022 TALLING \$222,445 FOR THE DEPARTMENT OF HUMAN

DEVELOPMENT TO ACCEPT SUPPLEMENTAL FUNDING FOR AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) EDUCATION AND TRAINING CHILD CARE (Tape 3)

(SAR) On motion of Supervisor McConnell, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS94022 in the amount of \$222,445 for Aid to Families with Dependent Children (AFDC) Education and Training Child Care.

19. A-10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94023 FOR CONTINUATION OF THE FEDERAL HEAD START PROGRAM GRANT WITHIN THE OFFICE FOR CHILDREN (Tape 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS94023 in the amount of \$1,726,413 for continuation of ongoing federal Head Start programs and Training Child Care.

20. A-11 - GRANT APPLICATION BY THE OFFICE OF THE SHERIFF TO THE NATIONAL INSTITUTE OF CORRECTIONS TO SERVE AS A NATIONAL RESOURCE CENTER FOR JAIL MENTAL HEALTH SERVICES LINKAGES

(Tape 3)

On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Sheriff's Office grant application to the National Institute of Corrections in the amount of \$28,245 for the purpose of serving as a resource center on the subject of mental health services.

21. A-12 - OFFICE FOR CHILDREN APPLICATION FOR A GRANT FROM THE VIRGINIA COUNCIL ON CHILD DAY CARE AND EARLY CHILDHOOD PROGRAMS (Tape 3)

Following discussion, Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the Office for Children's application for a "Centers for Families That Work" grant in the amount of \$325,000 for Category I, \$105,000 for Category II and \$50,000 for Category III funds. This motion was seconded by Supervisor Frey and carried by unanimous vote.

22. A-13 - 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)

On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the submission of the grant application to the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) in the amount of \$213,259 to provide support for the Fairfax-Falls Church Interagency Coordinating Council to implement mandated services.

23. A-14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE DISTRICT HOME BOARD TO NEGOTIATE AND EXECUTE THE SALE OF THE DISTRICT NURSING HOME SITE AND TO APPROVE A PROFFER FOR THE SITE (Tape 3)

(A) Following discussion, Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the advertisement of a public hearing to be held before the Board of Supervisors on **September 27, 1993 at 4:00 p.m.** regarding the sale of surplus property, known as the District Nursing Home, which has been requested by the District Home Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

24. A-15 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS (Tape 3)

On motion of Supervisor Trapnell, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the amendments to the County's Classification and Compensation Plans necessary to abolish the Circuit Court Administrator (S-28, \$44,736 - \$69,243) class and to establish the exempt Director of Judicial Operations class at Grade S-31, \$51,625 - \$76,101.

25. A-16 - INTERJURISDICTIONAL SOLID WASTE/REFUSE EXCHANGE AGREEMENT WITH PRINCE WILLIAM COUNTY (Tape 4)

Supervisor Dix moved that the Board concur in the recommendation of staff and approve the Interjurisdictional Solid Waste/Refuse Exchange Agreement with Prince William County yard waste facility and landfill capacity for capacity at the I-95 Energy/Resource Recovery Facility (ERRF). This motion was seconded by Supervisor Hanley.

Following discussion, Supervisor Hyland asked unanimous consent that the Board defer action on this item until after the recess in order to allow Board Members time to read the information which was just distributed. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#84.)

CM:cm

26. C-1 - PRIVATIZATION OF THE SOLID WASTE REDUCTION AND RECYCLING CENTERS (SWRRC), FORMERLY PARKOUTS (DRANESVILLE, SULLY, SPRINGFIELD AND PROVIDENCE DISTRICTS) (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated September 13, 1993 regarding consideration of options available to provide refuse collection service at the Solid Waste Reduction and Recycling Centers (SWRRC).

Supervisor McConnell moved that the Board direct staff to continue operation of the refuse collection service at the SWRRC by County staff. This motion was seconded by Supervisor Bulova.

Following discussion, with input from William J. Leidinger, County Executive, and John W. di Zerega, Director, Department of Public Works, the question was called on the motion, which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

27. I-1 - BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 1994 (Tape 4)

(CLERK)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 presenting the Board of Supervisors' Meeting Schedule for calendar year 1994.

Following discussion, Supervisor McConnell moved that the Board of Supervisors' meeting scheduled for August 8, 1994, be moved to August 1, 1994. This motion was seconded by Supervisor Berger.

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

Supervisor Hanley moved that the Board delete the Board Meeting scheduled for November 7, 1994. The second to this motion was inaudible.

Following further discussion, the question was called on the motion which **FAILED** by a recorded vote of five, Supervisor Alexander, Supervisor Hanley, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis voting "AYE."

**28. I-2 - STAFF SUMMARIES OF JUNE AND JULY, 1993
TRANSPORTATION ADVISORY COMMISSION MEETINGS (TAC)
(COUNTYWIDE) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 presenting the Staff Summaries of June and July, 1993 Transportation Advisory Commission (TAC) meetings.

**29. I-3 - UPDATE ON ECOLODAY, OCTOBER 2 ENVIRONMENTAL
FESTIVAL (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 presenting an update on Ecoloday, the County's first environmental festival scheduled for October 2, 1993.

**30. I-4 - COMPREHENSIVE GRANT PROGRAM (COMPREHENSIVE
IMPROVEMENT ASSISTANCE PROGRAM) (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCHRA) to proceed with processing and submission of their Final Application to the U.S. Department of Housing and Urban (HUD) for funds for capital improvements to public housing developments.

The staff was directed administratively to proceed as proposed.

**31. I-5 - REVISIONS TO PROCEDURAL MEMORANDUM NO. 134 -
EXEMPT SERVICE REGARDING FAMILY AND MEDICAL LEAVE (Tape 4)**

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for staff to amend Procedural Memorandum No. 134 - Exempt Service Regarding Family and Medical Leave which establishes the personnel policies and procedures governing the administration of the exempt service.

The staff was directed administratively to proceed as proposed.

32. I-6 - WAIVER OF MINIMUM HOMES ELIGIBLE FOR PARTICIPATION IN THE COMMUNITY IMPROVEMENT PROGRAM (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 presenting the staff response to the issue raised by the Board as to whether the Community Improvement Program (CIP) criterion of a minimum of 20 homes can be waived in order to provide improvements to six residences without curb and gutter along Five Oaks Road where owners are reporting drainage problems on their property.

33. I-7 - PROPOSED PUBLIC MEETING ON POTOMAC EMBAYMENT STANDARDS (COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for staff to attend the proposed public meeting on Potomac Embayment Standards and relay the Board's endorsement of the Task Force's recommendations.

Following a brief discussion, Supervisor Hanley asked unanimous consent that the Board direct staff to provide Board Members with a copy of the Task Force's recommendations. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

34. I-8 - NATIONAL HOMELESS ANIMALS' DAY (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 announcing that Governor L. Douglas Wilder officially recognized August 21, 1993 as Homeless Animals' Day.

35. I-9 - THE DEPARTMENT OF ANIMAL CONTROL'S ADOPTION FEE INCREASE (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 announcing that the Department of Animal Control will increase the adoption fees for dogs and cats from \$10 to \$20 effective October 2, 1993.

There was a brief discussion with input from Richard A. King, Deputy County Executive for Public Safety.

36. I-10 - THE DEPARTMENT OF ANIMAL CONTROL'S NEW HOURS OF OPERATION FOR THE ANIMAL SHELTER AND WARDEN SERVICES (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 announcing that the Department of Animal Control will reduce its hours of operation to the following:

- **SHELTER SERVICE**

- Redemption Hours - Tuesday through Saturday - 8:00 a.m. to

4:30 p.m.;

- Adoption Hours - Tuesday through Saturday - 10:00 a.m. to 4:00 p.m.

- **WARDEN SERVICE**

- Monday through Friday - 7:00 a.m. to 10:00 p.m.;

- Saturday and Sunday 10:00 a.m. to 8:00 p.m.

There was a brief discussion with input from Richard A. King, Deputy County Executive for Public Safety.

37. I-11 - LARRY N. WELLMAN ELECTED PRESIDENT OF THE NATIONAL INSTITUTE OF GOVERNMENTAL PURCHASING, INCORPORATED, (NIGP) FOR 1994 (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 announcing that Larry N. Wellman, Director, Purchasing and Supply Management Agency, was recently elected as the 52nd President of the National Institute of Governmental Purchasing (NIGP).

Chairman Davis congratulated Mr. Wellman on this accomplishment.

38. I-12 - APPLICATION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE FUNDING OF NINE UNITS OF ASSISTED HOUSING UNDER THE FAIRFAX COUNTY AFFORDABLE DWELLING UNIT ORDINANCE (ADU) (SCATTERED SITES) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 presenting an application by the Fairfax County Redevelopment and Housing Authority (FCRHA) to the U.S. Department of Housing and Urban Development (HUD) for funding the acquisition of assisted housing.

39. I-13 - APPROVAL BY THE AFFORDABLE DWELLING UNIT ADVISORY BOARD (ADUAB) OF AN APPLICATION BY WORLDGATE ASSOCIATES, L.P. FOR MODIFICATION OF THE REQUIREMENT OF THE AFFORDABLE DWELLING UNIT (ADU) ORDINANCE (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 announcing approval by the Affordable Dwelling Unit Advisory Board of an application by Worldgate Associates, L.P. for modification of the requirements of the Affordable Dwelling Unit (ADU) Ordinance.

There was a brief discussion regarding this application.

40. I-14 - APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF STORM SEWER AND A NEW BIKE TRAIL ALONG BRADDOCK ROAD FROM ROUTE 123 TO THE FAIRFAX COUNTY PARKWAY (BRADDOCK, SPRINGFIELD AND SULLY DISTRICTS) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for staff to execute an agreement with the Virginia Department of Transportation (VDOT) in the amount of \$39,995 for the construction of storm sewer and a new bike trail along Braddock Road from Route 123 to the Fairfax County Parkway, Project U00100, VDOT Participation Project in Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

41. I-15 - APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF STORM SEWER AND A NEW BIKE TRAIL ALONG

**LAWYERS ROAD FROM WEST OX ROAD TO FOX MILL ROAD
(HUNTER MILL DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for staff to execute an agreement with the Virginia Department of Transportation (VDOT) in the amount of \$19,142 for the construction of storm sewer and a new bike trail along Lawyers Road from West Ox Road to Fox Mill Road, Project U00100, VDOT Participation Project in Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

**42. I-16 - AMENDMENT TO THE ARCHITECTURAL CONTRACT WITH
THE LUKMIRE PARTNERSHIP FOR THE DESIGN OF THE JUVENILE
DETENTION CENTER EXPANSION II (CENTRAL COUNTY
COMPLEX)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for staff to:

- Amend the scope of the Juvenile Detention Center Expansion II project;
- Approve the contract amendment to the Lukmire Partnership in the amount of \$106,004; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

**43. I-17 - ENGINEERING CONTRACT ADDENDUM AWARD TO GREELEY
AND HANSEN ENGINEERS FOR THE DESIGN OF THE DIFFICULT RUN
FORCE MAIN REPLACEMENT PROJECT (HUNTER MILL AND
PROVIDENCE DISTRICTS)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for staff to award a contract addendum to Greeley and Hansen Engineers in the amount of \$498,002 for repair/replacement of the Difficult Run Force Main, Project X00905, Sewer Line Replacement and Transmission, in Subfund 524, Sewer Extension and Improvement.

The staff was directed administratively to proceed as proposed.

44. I-18 - AWARD OF DESIGN CONTRACT ADDENDUM FOR SOUTH VAN

DORN/I-95 INTERCHANGE (LEE DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for staff to award a contract addendum to PBO&D in the amount of \$70,385.44 for:

- Alternative study for Storm Water Management;
- Study of various construction items in coordination with the Oakwood Corporate Center development, such as construction impact on the development site, the difference in construction cost, maintenance of traffic, or other construction if the County Project is constructed prior to Oakwood development construction;
- Feasibility study for design of a pedestrian bridge access over the South Van Dorn Street ramp to I-95;
- Preparation for and response to Value Engineering review; and
- Additional geotechnical, survey, and design services.

The staff was directed administratively to proceed as proposed.

45. I-19 - CONTRACT AWARD TO H & H CONTRACTING, INCORPORATED. FOR RENOVATION TO THE BARROS CIRCLE PUBLIC HOUSING PROJECT (CENTREVILLE DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 13, 1993 requesting authorization for staff to award a contract to H&H Contracting, Incorporated, in the amount of \$269,500 subject to the United States Department of Housing and Urban Development (HUD) guidelines for the renovation of the Barros Circle Townhouses Project VA1935. Funding for the project shall be provided out of Subfund 153, Public Housing Under Modernization.

The staff was directed administratively to proceed as proposed.

CM:cm

46 . SMALL BUSINESS HEALTH ISSUES CONFERENCE (Tape 4)

Chairman Davis announced the upcoming Conference on Health Care Issues being sponsored at the Government Center on Tuesday, September 21, 1993, and invited Board Members and all Fairfax County small businesses to attend.

Chairman Davis stated that the Fairfax County Chamber of Commerce, the George Mason University Center for Health Policy, INOVA, the Northern Virginia

Association of Realtors, Northern Virginia Building Industry Association (NVBIA), and the Virginia Restaurant Association have joined with him to support this conference, which will be free of charge to anyone who would like to attend.

Registration for the conference will occur in the Atrium area of the Government Center at 9:30 a.m., to be followed by a formal program in the Board Auditorium beginning at 10:00 a.m. Several expert speakers will discuss health care problems and solutions that affect small businesses, and will be providing some very practical and useful information. This session will be immediately followed by a health fair in the conference area across from the Board Auditorium, where small business owners can talk directly with health care providers and insurers concerning their programs and services.

Chairman Davis stated that although the program is free, space is limited and will be available on a first-come basis. A number of conference flyers have been placed in the Board Auditorium this morning. Interested persons are encouraged to get their reservations in to his office as soon as possible. Persons needing additional information or wishing to register for the conference can also contact Ron Martinson in the Chairman's Office for assistance.

47. ELECTION OF SUPERVISOR DIX AS THE FIRST VICE-PRESIDENT TO VIRGINIA ASSOCIATION OF PLANNING DISTRICT COMMISSIONERS

(Tape 4)

Chairman Davis announced that the prestigious position of First Vice-President to Virginia Association of Planning District Commissioners has been filled by Supervisor Robert Dix, Hunter Mill District, and congratulated him on this accomplishment.

48. APPOINTMENT TO THE ADVISORY SOCIAL SERVICES BOARD (Tape 4)

(APPT)

Chairman Davis announced the resignation of Mr. David Roberts from the Advisory Social Services Board and moved the appointment of Ms. Faith Moor as the At-Large Representative. This motion was seconded by Supervisor Dix and carried by unanimous vote.

49. RESIGNATION - FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) (Tape 4)

(BACs)

Chairman Davis announced the resignation of Ms. Marcia Manning, At-Large Representative to the Fairfax/Falls Church Community Services Board (CSB), however he added that he was not ready to fill the vacancy at this time.

50. APPOINTMENT TO THE CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS (Tape 4)

(APPT)

Chairman Davis announced the resignation of Mr. Kevin G. Garrahan as the At-Large (Alternate) Representative to the Citizens Advisory Committee for Solid Waste and Disposal Matters and moved the appointment of Mr. Richard F. Neel, Jr. This motion was seconded by Supervisor Dix and carried by unanimous vote.

51. RECOGNITION OF CLEAN FAIRFAX COUNTY, INCORPORATED (CFC) (Tape 4)

Supervisor Dix stated that Clean Fairfax County, Incorporated (CFC), a private, non-profit organization of volunteers dedicated to a cleaner County through litter prevention and control, recycling and environmental education, has been recognized recently with the Keep Virginia Beautiful Awards for their work in litter prevention and control, recycling, and environmental education.

Therefore, Supervisor Dix moved that CFC be invited to come before the Board for formal recognition of this reward and to thank them for all of their outstanding efforts on behalf of the environment. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

(NOTE: Later in the meeting, there was additional discussion regarding this matter. See Clerk's Summary Item CL#90).

52. RECOGNITION OF DR. JAMES P. MCDONALD, DEPUTY COUNTY EXECUTIVE FOR MANAGEMENT AND BUDGET AND STAFF (Tape 4)

Supervisor Dix stated that according to a memorandum received by each Board Member from the County Executive, the County sold \$253,045,000 of General Obligation Refunding Bonds at a True Interest Cost of 5.148882 percent to refund

\$237.1 million of outstanding debt. The calculated savings are \$7.023 million Net Present Value (NPV) or 2.9738 percent of the refunded bonds.

Supervisor Dix expressed his appreciation to Dr. James P. McDonald, Deputy County Executive for Management and Budget, and his staff, on behalf of the citizens of Fairfax County, for their efforts in achieving these very significant savings. As a result of their highly competent fiduciary oversight of the portfolio, the County has once again continued to maintain its coveted Triple-A rating from both Moody's and Standard and Poors.

53. CONCURRENT PROCESSING REQUEST - THE FITNESS AUTHORITY

(Tape 4)

Supervisor Dix stated that Professional Fitness Group II, Incorporated (The Fitness Authority), has submitted a Special Permit Application to the Board of Zoning Appeals (BZA) to operate a fitness center at 11445 Isaac Newton Square in Reston.

Supervisor Dix stated that the fitness center is being funded by a Small Business Administration loan, the terms of which carry severe interest and point penalties if the facility is not open for business within six months of loan closing. Loan closing occurred at the end of August. This loan term of six months to open was arbitrarily set and not negotiable.

Supervisor Dix stated that in compliance with the County's development procedures, the Fitness Authority will be submitting a Site Plan Waiver request and a parking tabulation to the Department of Environmental Management (DEM). In an effort to assist this company in avoiding possible severe financial loan penalties, Supervisor Dix moved that the Board authorize the concurrent processing of the Site Plan Waiver and parking tabulation with the Special Permit Application now under consideration by the BZA.

This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the Special Permit Application in any way. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being out of the room.

54. APPOINTMENT TO THE DULLES CORRIDOR TASK FORCE (Tape 4)

(APPT)

Supervisor Dix informed the Board of the resignation of Mr. Pat Moynahan as the AHOME Representative to the Dulles Corridor Task Force and moved the appointment of Mr. Carson Lee Fifer as the new AHOME Representative. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being out of the room .

55. COSTA RICAN RECOGNITION OF SHERIFF'S OFFICE (Tape 4)

Supervisor Dix reminded the Board that Fairfax County has one of the most outstanding Sheriff's Offices in the nation. In keeping with the excellent reputation earned by that office, both in Fairfax County and far beyond its boundaries, Supervisor Dix stated his pride in being able to share some information he recently received from Sheriff Peed regarding a commendation given to the Sheriff's Department by the Supreme Court of the Republic of Costa Rica.

Earlier in the year, there was an assault on their courthouse in which all of their Supreme Court Justices were taken hostage and subsequent to that action, they requested the Sheriff's assistance in auditing courthouse and court security procedures.

Included in a letter issued by the Supreme Court of the Republic of Costa Rica dated June 21, 1993, directed to Carl R. Peed, Sheriff of Fairfax County, Virginia, United States of America, is a resolution thanking, congratulating and recognizing the Sheriff Department, Sheriff Peed and Captain Marshal A. Valentine whose knowledge of security aspects were of great benefit to the Ministry of Justice for Costa Rica.

Supervisor Dix stated his belief that it was appropriate to take the time to acknowledge publicly this commendation, which we should all be extremely proud of, and at the same time ask that we extend the Board's congratulations on their having received this commendation, as well as to acknowledge and applaud the ongoing outstanding service provided to the citizens of Fairfax County by Sheriff Carl Peed, Captain Marshal A. Valentine, and all the other members of the Sheriff's Office.

Acting-Chairman Alexander asked unanimous consent that staff be directed to make sure that the Sheriff's Department receives a copy of this commendation. Without objection, it was so ordered.

56. PROCLAMATION/GIFT FOR "HANDS ACROSS THE WATER" (Tape 4)

Supervisor Dix stated that he was contacted by Mr. James Hoy, Assistant Principal at South Lakes High School in Reston, regarding an upcoming educational exchange with Russia, in which he and several others will be participating.

This exchange program is called "Hands Across the Water" and is directed by the Educational Information and Resource Center in Sewell, New Jersey. The main purpose is for American educators to experience Russian life and to experience Russia's educational system firsthand.

Supervisor Dix stated that there will be a number of educators in Fairfax County participating in this project and moved that the Board direct staff to:

- Prepare an official proclamation from the Board recognizing the hospitality of each of the host cities, and
- Provide a County flag or some other memento to each host city for presentation to their town leaders.

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

Supervisor Bulova informed the Board that Russian police officers will be visiting Fairfax County the first part of October.

57. DRIVING UNDER THE INFLUENCE (DUI) OFFENSE CHARGES AND DESIGNATION OF DUI FINES FOR ALCOHOL ENFORCEMENT PROGRAMS (Tape 4)

Supervisor Dix reminded the Board that in January, 1993, Fairfax County Police began a program to charge first offense Driving Under the Influence (DUIs) under the County rather than the State Code. Thus, fines collected for DUI-1 now go to the County rather than the State.

Supervisor Dix therefore moved that the Board direct staff to expand this program to include charging DUI-2, DUI-3, and Driving on a Suspended Operators License (DOS) under the Fairfax County Code. The County has already adopted into the County Code, effective July 1, 1993, those parts of the State Code necessary to implement this procedure.

Supervisor Dix stated that according to estimates provided by Mothers Against Drunk Driving (MADD), the potential yearly return to the County from these fines is significant, perhaps several hundred thousand dollars. It would therefore seem fitting for fines derived from alcohol related offenses to be allocated to improved alcohol related safety programs and enforcement programs.

Supervisor Dix further moved that the Board designate the source of revenue from fines assessed for DUI offenses be allocated for increased alcohol related safety

educational and enforcement programs, i.e., sobriety checkpoints, six-pack patrol, printed materials, a youth alcohol abuse hotline, and other related activities. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell and Chairman Davis being out of the room.

58. SUBSURFACE UTILITY ENGINEERING (Tape 4)

Supervisor Dix informed the Board of an issue he had raised at the July 26, 1993 Board Meeting regarding subsurface utility engineering. Mr. Leidinger has circulated a memo to all Board Members with a recommendation on the issue of requiring the use of technology to specifically locate underground utilities prior to commencement of construction. Staff believes that legislative authority currently exists to promulgate regulations requiring the specific location of underground utilities. However, prior to making a recommendation on the merits of establishing such regulations, staff recommends the formation of a task force, to include members of industry, to study the feasibility and effect of such regulations.

Supervisor Dix moved that the Board direct staff to formalize the creation of a task force and ask that their efforts be coordinated with the efforts of the Planning Commission's subcommittee looking at these matters and to report to the Board by the December 6, 1993 Board Meeting so that should anything need to be included in the legislative package the Board would have the opportunity to do so. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell and Chairman Davis being out of the room.

59. OPERATION START OF SCHOOL (S.OS.) 1993 (Tape 4)

Supervisor Dix stated that since school has reconvened, safety of our school children is of the utmost priority. He called to the Board's and the public's attention a region-wide program which the Police Department will be participating in, sponsored by the Metropolitan Washington Council of Governments (COG).

The program is called "Operation S.O.S. (Start of School) '93." This special enforcement program is being directed against two types of violators: those who pass school buses loading or unloading and displaying flashing red lights (except when traveling in the opposite direction on a divided highway) and those who exceed the 25 mile speed limit in school zones when the flashing lights on school zone signs are operational.

The hope is that by calling special attention to these laws designed to protect children at the beginning of the school year, everyone will be reminded and encouraged to be careful throughout the coming year.

Selective enforcement efforts by both traffic and patrol officers will be employed throughout the County. Radar will be used for speed law enforcement in school zones, and officers will maintain surveillance of school bus routes, with particular attention being given to those routes and areas where school bus drivers report problems with violators.

Supervisor Dix expressed a hope that the "S.O.S. '93" message gets through to drivers the importance of observing school zone speed limits and flashing red lights on school buses. He stated that it is up to everyone to assume responsibility for the safety of all of the children in Fairfax County.

60. **THE CLEAN AIR ACT** (Tapes 4-5)

Supervisor Dix reminded the Board of the workshop this morning regarding the plan to be submitted to the Environmental Protection Agency (EPA) by November 15, and approved by the Metropolitan Washington Air Quality Committee.

Supervisor Dix called to the Board's attention one of the items on the table for consideration in the package under the Transportation Control Measures, the "Employee Commute Option." Supervisor Dix stated his belief that this item should not be included in this package because it is not implementable in any realistic fashion in Northern Virginia.

The requirement under the "Employee Commute Option" as originally intended would require all employers of over 100 employees to submit a plan as to how they intend to reduce employee trips by 25 percent. The original cost estimates were \$154 million annually, \$136 million of which would be expected to be borne by the business community. There have been a number of iterations that have been tossed around for ways of accomplishing this task, the most recent of which now reduces the number of employees down to businesses with 50 or more employees and has an annual cost in excess of \$30 million to the business community alone. This does not take into consideration what the cost to consumers or local government would be.

Supervisor Dix informed the Board that the Transportation Planning Board will be meeting on Wednesday, September 15, 1993, and that he would make a motion in hopes of taking it to that meeting relative to the County's position on mandated commute options.

Supervisor Dix therefore moved that the Board take a position in opposition to any employer trip reduction program or employer commute option as a principal measure or contingency measure in the Air Quality Plan which must be submitted by the

Metropolitan Washington Air Quality Committee to EPA by November 15, 1993. This motion was seconded by Supervisor Berger.

Following discussion, Supervisor Bulova asked to amend the motion to change the wording to ask for voluntary compliance or voluntary measures to reduce the trips and this was accepted.

Following further discussion, the motion was restated for the record: Supervisor Dix moved that the Board take a position in opposition to any employer trip reduction program or employer commute option other than voluntary programs. However the Board will continue to encourage and endorse voluntary programs.

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

AM:AM

61. NATIONAL ASSOCIATION OF COUNTIES AND EPA PARTNERS

PROTECTING AMERICA'S ENVIRONMENT (Tape 6)

Supervisor Bulova stated that she had received a letter from the National Association of Counties and EPA Partners Protecting America's Environment inviting local governments to a conference regarding regulatory demands and was wondering if the Board was going to ask someone to attend. The conference is scheduled October 7 - 9, 1993 at the Washington Hilton Hotel.

Supervisor Berger asked unanimous consent that staff from the Department of Environmental Management attend. Without objection, it was so ordered.

62. APPOINTMENT TO CHAS COORDINATING COMMITTEE (Tape 6)

(APPT)

Supervisor Bulova moved the appointment of Ms. Carol Rader Aron as the Braddock District Representative to the CHAS Coordinating Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

63. RAVENSWORTH BAPTIST CHURCH WAIVER REQUESTS (Tape 6)

Supervisor Bulova stated that the Ravensworth Baptist Church received approval from the Board of Zoning Appeals (BZA) to add two very minor additions to the church:

- A 41-foot tower affixed to the existing building; and
- A small connector between the two existing buildings.

The footprint of the existing building will not change and the nature of the construction does not intensify its use. The proposed construction adds 1018 square feet and increases the Floor Area Ratio (FAR) from 0.08 to 0.09. However, because of the church's unique location: it's bounded by three roads, Braddock, Bristow and Ravensworth, there were a number of requirements that put an undue burden on the church.

Supervisor Bulova said that she has been working with the church, the Virginia Department of Transportation (VDOT) and staff to try to work things out. She expressed her appreciation to Michelle Brickner, Site Review Branch, Chief, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), for all her efforts on the church's behalf.

In order to resolve the final issues, Supervisor Bulova moved that the Board take the following actions concerning the construction of two building additions on the Ravensworth Baptist Church site:

- Direct the County Executive to waive the dedication of a trail easement and construction of the pedestrian trail indicated on the Comprehensive Plan adjacent to Ravensworth Road (The Comprehensive Plan shows a trail on Ravensworth road, but does not denote on which side of the road the trail should be placed);
- Direct the staff of the Department of Environmental Management (DEM) to pay all fees related to the Site Plan Waiver, Exception, and record plat review associated with the construction of two building additions on the Ravensworth Baptist Church.

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

64. **ADOPT-A-CAUSE EVENT** (Tape 6)

Supervisor Bulova said that the progress is being made on the Adopt-A-Cause Event which is going to be held on October 18, 1993, and urges all Board members to attend. The event which is a half day event, will be held in the Government Center.

Supervisor Bulova moved that the Board direct staff to prepare a resolution proclaiming October 18, 1993 as **ADOPT-A-CAUSE DAY**. The motion was

seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

65. RAVENSWORTH HISTORICAL MARKER (Tape 6)

Supervisor Bulova expressed her appreciation to Chairman Davis and Supervisor Trapnell for attending the dedication of the Ravensworth Historical Marker on Saturday. This was the first, but not the last historical marker placed in the Braddock District.

66. BRADDOCK DISTRICT TOWN MEETING ON SEPTEMBER 28, 1993 REGARDING CLEAN AIR (Tape 6)

Supervisor Bulova stated the Braddock District will hold a town meeting on September 28, 1993 regarding clean air and invited all interested persons to attend.

PMH:pmh

67. APPOINTMENT TO THE PROJECT SELECTION COMMITTEE (Tape 7)

(APPT)

Supervisor Trapnell moved the appointment of Ms. Gay L. Smith as the Mason District Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

68. STATUS OF THE TENANT ASSISTANCE PROGRAM (TAP) (Tape 7)

Supervisor Trapnell said that the Housing Subcommittee had met earlier this morning with the Fairfax County Redevelopment and Housing Authority (FCRHA) regarding the Tenant Assistance Program (TAP) which had been proposed for termination at the end of Fiscal Year (FY) 1994. She reported that the sense of the Board is that it did not want to see individuals displaced, but that the cost of continuing the program is too great as it is presently structured.

Therefore, the general sense of the Subcommittee is that the program should be phased out over a number of years so that individuals would not find themselves losing their housing. The FCRHA will work with the current participants to help them obtain housing assistance through other programs already in operation in the County.

Supervisor Trapnell moved that next year the Board review the concept of rental assistance and perhaps consider another program with a cap on the amount of assistance to be provided. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

69. REQUEST FOR WAIVER OF FEES ASSOCIATED WITH SALVATION ARMY, ADULT REHABILITATION CENTER (Tape 7)

Supervisor Trapnell said that the Salvation Army, Adult Rehabilitation Center in Annandale has submitted or will be submitting an application to the County to expand its parking lot facilities. This expansion will allow them to better serve the community in a number of ways by making this facility and these services more accessible.

Supervisor Trapnell stated that this project is time sensitive and therefore, she moved that the Board direct staff to waive all fees associated with this project. This motion was seconded by Chairman Davis and carried by unanimous vote.

70. RECEIPT OF LOT AS A GIFT FROM THE RAVENSWORTH ROAD VENTURE (Tape 7)

Supervisor Trapnell said that Lot 27, Elan News Subdivision, Section 1 (Tax Map Reference 71-1-27-0027) contains approximately 3,400 square feet. The lot is currently the only undeveloped townhouse lot in Elan Mews and is located at the corner of Backlick Road and John Marr Drive.

Supervisor Trapnell explained that the owners of this parcel, the Ravensworth Road Venture have indicated that they would like to turn ownership of this property over to either the County or the Park Authority, and that it would be an ideal site for a small park.

Therefore, Supervisor Trapnell moved that the Board direct staff to investigate the possibility of receiving this lot as a gift from the Ravensworth Road Venture. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

71. REQUEST FOR BOARD COMMENT ON THE REAPPOINTMENT OF MS. MARTHA HARRIS TO THE BOARD OF ZONING APPEALS (BZA) (Tape 7)

Supervisor McConnell referred to a letter that had been distributed to Board Members from Judge Jamborsky who requested Board comment on the reappointment of Ms. Martha Harris to the Board of Zoning Appeals (BZA).

Supervisor McConnell moved that the Board transmit a letter to Judge Jamborsky stating its desire to have Ms. Harris' term expire and that Mr. Robert Dively be appointed to fill the impending vacancy. This motion was seconded by Chairman Davis.

Following discussion, Supervisor Bulova moved a substitute motion that each Board Member send his/her comments individually to Judge Jamborsky. This motion was seconded by Supervisor Hyland and **FAILED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "**AYE.**"

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

72. REQUEST FOR AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PARAGRAPH 8 OF SECTION 16-401 PERTAINING TO CONCEPTUAL DEVELOPMENT PLAN APPROVAL

(Tape 7)

(A) Supervisor McConnell moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors to amend the Code of County of Fairfax, Chapter 112 (Zoning Ordinance), Paragraph 8 of Section 16-401 regarding Conceptual Development Plan (CDP) approval. She said that this provision unduly restricts the ability of the Board to consider requests for a modification from strict application of Planned Development regulations. The Ordinance now states in the last sentence of Paragraph 8 of Section 16-401 that:

"In no case, however, shall the maximum density provisions or the land area designated for commercial uses under the PDH District and the maximum Floor Area Ratio (FAR) provisions under the PDC District, be varied or modified."

The second to this motion was inaudible.

Supervisor McConnell stated that the Board needs to have the authority to at least be able to consider, in the context of a CDP Application or Conceptual Development Plan Amendment (CDPA) application, requests to modify the maximum land area limitation or commercial uses in the PDH Zoning District.

Supervisor McConnell stated that the PDH District has a unique provision contained in Paragraph 6 of Section 6-106 which limits maximum land area, (not building square footage) devoted to commercial uses to only 400 square feet per dwelling unit in the PDH-1 through PDH-4 Districts. While this generic land area limitation may be appropriate in some PDH communities, in others it may be too small to produce a neighborhood convenience commercial area which is of an adequate size to be economically viable and to be able to accommodate the various needs of residents of the community.

Supervisor McConnell said that with regard to the Crosspointe Community, this limitation has created a situation where the land area which is allowed to be devoted to retail uses under this formula is so small that a veterinarian, (which the Zoning Administrator has deemed a commercial use) cannot be accommodated on a pad site approved for a daycare use, which was deemed institutional, but which has not been acceptable to daycare operators. The Board should have the ability to consider in a Rezoning Application modifications to the PDH commercial land area restriction in certain limited instances where the character of the PDH District would not be adversely affected.

Following input from James P. Zook, Director, Office of Comprehensive Planning (OCP), Supervisor Frey asked unanimous consent that the Board refer the workload priority list to the Development Process Subcommittee for its review. Without objection, it was so ordered.

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

**73. REQUEST FOR AUTHORIZATION TO PROCEED WITH A PROPOSED
AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX,
CHAPTER 112 (ZONING ORDINANCE) REGARDING LOT LINE
ADJUSTMENTS IN THE RC DISTRICT (Tape 7)**

(A) Supervisor McConnell stated that it has come to her attention that a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding lot line adjustments in the RC District has been delayed for authorization to advertise. Specifically, the amendment would allow neighbors to swap equal amounts of property with one another. The size of the lots would remain the same, the lot lines would be adjusted.

Supervisor McConnell explained that this amendment was raised several years ago and was placed on the Zoning Ordinance Work Program. It was originally scheduled to go before the Board for authorization in December 1992 with the Planning Commission date of January 1993 and a Board hearing in February 1993. She said it is her understanding that this amendment is near completion.

Supervisor McConnell moved that the Board direct staff to:

- Report with an Administrative Item on September 27, 1993 requesting authorization to advertise this item; and
- Schedule a public hearing as expeditiously as possible to be held before the Planning Commission and the Board of Supervisors.

This motion was seconded by Chairman Davis.

Following input from James P. Zook, Director, Office of Comprehensive Planning (OCP), the question was called on the motion which carried by unanimous vote.

74. APPOINTMENT TO THE CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

(Tape 7)

(APPT)

Supervisor Frey moved the appointment of Mr. E. Bret Coulson as the Sully District Representative to the Criminal Justice Advisory Board (CJAB) to fill the unexpired term of Mr. Anthony J. Weaver. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

75. RECESS/EXECUTIVE SESSION (Tape 7)

At 1:50 p.m., Supervisor Dix moved that the Board recess for lunch 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:

- Equitable Variable Life Assurance Society versus Board of Supervisors, At Law No. 119857;
- Fairfax County Economic Development Authority (EDA) and Board of Supervisors of Fairfax County, Virginia, versus Taxpayers, Property Owners and Citizens of Fairfax County, Virginia, At Law No. 121909;

- Thomas versus County of Fairfax; Ivins versus County of Fairfax; Belk versus County of Fairfax;
- G.V.V. Rao versus Fairfax County Government, U.S. Equal Employment Opportunity Commission, Charge No. 100-90-0144; and
- Legal Matters relating to Virginia Railway Express.

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

SBE:SBE

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

76. ACTIONS FROM EXECUTIVE SESSION (Tape 8)

A. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION

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

B. EQUITABLE VARIABLE LIFE ASSURANCE SOCIETY

VERSUS BOARD OF SUPERVISORS, AT LAW NUMBER 11987

Supervisor Hanley moved that the Board authorize settlement of Equitable Variable Life Assurance Society versus Board of Supervisors, At Law Number 11987, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

PMH:pmh

77. SIMULTANEOUS AND EXPEDITED PROCESSING OF THE PRELIMINARY PLAN AND SITE PLAN AND CONCURRENT AND EXPEDITED PROCESSING OF A PROFFER CONDITION AMENDMENT APPLICATION FOR THE VAN DORN/CENTENNIAL PROPERTY (Tape 9)

Supervisor Alexander moved that the Board to direct staff to:

- Simultaneously process the Preliminary Plan, Site Plan, and Proffer Condition Amendment Application; and
- Expedite the scheduling of the Preliminary Plan, Site Plan, and Proffer Condition Amendment Application

for the Van Dorn/Centennial Property.

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

Supervisor Alexander noted that this motion neither provides the applicant with a vested right in the plan approval or relieves him from the responsibility of any plan modifications as a result of Board review.

78. SIMULTANEOUS PROCESSING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-L-030-07 AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDP 82-L-030-7 FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY'S ELDERLY HOUSING PROJECT IN THE MANCHESTER LAKES COMMUNITY

(Tape 9)

Supervisor Alexander moved that the Board direct staff to simultaneously process the Proffered Condition Amendment Application PCA 82-L-030-7 and Final Development Plan Application FDP 82-L-030-7 for the Fairfax County Redevelopment and Housing Authority's (FCRHA) Elderly Housing Project in the Manchester Lakes Community. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

Supervisor Alexander noted that this motion neither provides the applicant with a vested right in the plan approval or relieves him from the responsibility of any plan modifications as a result of Board review.

NV:nv

79. PRESENTATION OF T-SHIRTS FROM THE FAIRFAX AREA DISABILITY SERVICES BOARD (Tape 10)

Supervisor Berger presented to Board Members T-shirts provided by the Fairfax Area Disability Services Board and designed by Ms. Elaine Stump, the Dranesville District Representative to that Board.

80. REQUEST FOR AUTHORIZATION TO ADVERTISE AN ORDINANCE TO PROHIBIT PARKING WHICH BLOCKS ACCESS TO CURB RAMPS (Tape 10)

(A) Supervisor Berger said that the 1993 Session of the Virginia General Assembly enacted legislation which permits local governments to prohibit parking which blocks curb ramps. Blocking those ramps is a serious problem to some residents with disabilities who need those ramps to cross streets.

Therefore, Supervisor Berger moved that the Board direct staff to draft such an ordinance for Board consideration at the earliest available date. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

81. REQUEST TO DEPUTIZE VOLUNTEERS TO ISSUE TICKETS TO ENFORCE ORDINANCES GOVERNING PARKING FOR DISABLED PERSONS (Tape 10)

Supervisor Berger stated that some localities in the United States allow non-uniformed persons/volunteers to be deputized to issue tickets to enforce ordinances governing parking for disabled persons. He stated that he would like to deputize disabled persons in Fairfax County to permit them to perform this enforcement action, but that would require enabling authority by the General Assembly in Richmond.

Accordingly, Supervisor Berger moved to refer this parking enforcement issue to the Legislative Subcommittee. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

82. REQUEST FOR WAIVER REGARDING REZONING APPLICATION

RZ 89-D-052 (Tape 10)

Supervisor Berger stated that Rezoning Application RZ 89-D-052 was for a single family residential development approved by the Board in 1991 for Reston Land Corporation. In order to supplement and correct the Board's action, a waiver of the requirement for 100 feet of separation between clusters of pipestem lots is needed.

Supervisor Berger pointed out that this action should have been concluded by the Board at the time of the rezoning; although no one, including Reston Land or the Office of Comprehensive Planning, realized that this was an issue at that time. He added that this waiver will, however, achieve the important proffered goals of maximizing open space and tree save areas.

Therefore, Supervisor Berger moved for the purpose of processing the Site Plan filed on behalf of Reston Land and Rezoning Application RZ 89-D-052, that the requirement for 100 feet of separation between clusters of pipestem be waived. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

83. FIRST ANNUAL McLEAN WINE FESTIVAL AND WAIVER OF TENT FEE

(Tape 10)

Supervisor Berger stated that the first annual McLean Wine Festival, a fundraiser for the McLean Orchestra, was held this past weekend, September 11-12, 1993. He noted that this event is an example of creative fundraising for arts organizations which could eliminate their dependance on County funding.

Supervisor Berger stated that the County did require a tent erection permit for the Festival at a cost of \$80 which he had asked staff to hold in abeyance pending Board action today. Accordingly, Supervisor Berger moved that the Board direct staff to waive the tent fee. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

84. A-16 - INTERJURISDICTIONAL SOLID WASTE/REFUSE EXCHANGE AGREEMENT WITH PRINCE WILLIAM COUNTY (Tape 10)

(NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#25.)

Supervisor Hyland moved approval of the Interjurisdictional Solid Waste/Refuse Exchange Agreement with Prince William County, exchanging Prince William yard waste facility and landfill capacity for capacity at the I-95 Energy/Resource Recovery Facility (ERRF). This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

Supervisor Hyland and Chairman Davis congratulated John W. di Zerega, Director, Department of Public Works, and his staff for their efforts.

(NOTE: Later in the meeting, there was additional action on this item. See Clerk's Summary Item CL#87.)

85. JOINT RESOLUTION OF THE CHAS COORDINATING COMMITTEE AND THE HOMELESS OVERSIGHT COMMITTEE (Tape 10)

Supervisor Hyland said that he recently received from the Fairfax County Housing Coalition a copy of a joint resolution of the CHAS Coordinating Committee and the Homeless Oversight Committee recommending that the Board request legislative authority to increase the County's transient occupancy tax rate in the County's 1994 legislative package and that such legislation be written to specifically dedicate the resulting increased tax revenue to the Fairfax Housing Trust Fund.

Supervisor Hyland noted that this item had been addressed at the Legislative Subcommittee meeting on Friday, September 10, 1993.

86. REQUEST FOR EXPEDITED AND CONCURRENT PROCESSING FOR GENESIS HOUSING (Tape 10)

Supervisor Hyland stated that Genesis Housing Corporation/Huntington Condominiums L.C. has recently acquired the 66-unit Huntington Apartment complex located on Farrington Avenue at Huntington Avenue in the Mount Vernon District. The property, which is referenced in the tax map and County records as 83-1((15))515, is presently zoned C-5.

Supervisor Hyland explained that the property owner proposes to substantially renovate the existing apartment complex and convert them to condominiums. The renovated units will still be affordable to Fairfax County residents and the physical improvements to the property will favorably enhance the neighborhood. Residents and members of the Huntington Community Association are supportive of the project.

Supervisor Hyland said that the Huntington Apartments exist as a non-conforming use, the property owner is required to receive the approval of a Special Exception in order to effectuate the condominium conversion. As the buildings are already existing, the application will be administrative in nature. The property owner has requested expedited and concurrent processing.

Therefore, Supervisor Hyland moved that the Board direct:

- The Planning staff to expedite the processing of the Special Exception Application that will be filed in the name of Huntington Condominiums L.C. ; and

- The Director of the Department of Environmental Management (DEM) to accept a Site Plan, Site Plan Waiver request, building plans or other associated engineering drawings for concurrent processing of the Special Exception.

This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Hanley and Supervisor McConnell being out of the room.

87. A-16 - INTERJURISDICTIONAL SOLID WASTE/REFUSE EXCHANGE AGREEMENT WITH PRINCE WILLIAM COUNTY (Tape 10)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Items CL#25 and #84.)

Chairman Davis relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board direct staff to determine if there should be a formal signing ceremony with the Prince William County Board of Supervisors for the Interjurisdictional Solid Waste/Refuse Exchange with Prince William County. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

88. ESTABLISH NOTIFICATION POLICY FOR ADJACENT JURISDICTIONS REGARDING PROPOSED LAND USE CHANGES (Tape 10)

Supervisor Hyland said that recently the Prince William County Board of Supervisors approved a major mixed land use rezoning that will have significant adverse impacts on Fairfax County, specifically the Lorton community. Discussions had taken place between Prince William County and Fairfax County staffs months prior, yet he has never been notified of those discussions nor sent copies of correspondence.

Supervisor Hyland stated that subsequently when the Prince William County's Board of Supervisors' public hearing was announced, he received a number of urgent phone calls from Mount Vernon constituents asking why they were not informed. He explained that this entire episode could have been avoided had staff informed him in the beginning of their discussions and involvement.

Therefore, Supervisor Hyland said that when staff is aware of any land use activity or discussion in neighboring jurisdictions and when there are land use proposals that could impact neighbors, all pertinent parties and jurisdictions must be notified and when appropriate, included in deliberations. He said that a notification policy must be created and put in place a mechanism that will serve local legislators in adjacent jurisdictions, including, but not limited to Prince William County, Loudoun County,

City of Fairfax, Alexandria, Vienna, Herndon, Falls Church, etcetera. He added that this policy must create an opportunity to be notified and possibly involved in proposed land use changes.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the County Executive to:

- Develop a formal notification policy and procedure including a mechanism that will keep all local legislators informed on a routine and continuing basis of any land use proposals that will have impacts on neighboring jurisdictions; and
- Return to the Board with a proposed procedure for action no later than October 11, 1993.

This motion was seconded by Supervisor Dix.

Chairman Davis suggested that Fairfax County and adjacent jurisdictions pass reciprocal ordinances which would request neighboring jurisdictions to notify each other.

After discussion, the question was called on the motion, which carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

89. **"SMOG OUT MONTH"** (Tape 10)

Supervisor Hyland said that he had received an interesting letter from a member of the Metropolitan Washington Air Quality Citizens Committee. He said that Ms. Jane John suggests that the County institute a "Smog-Out" month, asking everyone to make a maximum effort to limit driving and extra trips during one specific month and then to quantify the impacts on air quality.

Supervisor Hyland asked unanimous consent that the Board direct staff to review Ms. John's suggestions and, if feasible, devise an action plan and return to the Board for decision. Without objection, it was so ordered.

90. **"CLEAN FAIRFAX COUNTY, INCORPORATED"** (Tape 10)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#51.)

Supervisor Hyland referred to his written Board Matter entitled "Clean Fairfax County, Incorporated" and noted that earlier in the meeting he had joined Supervisor

Dix in recognizing the efforts of Clean Fairfax County, Inc. upon winning the "Keep Virginia Beautiful" award for 1993.

91. **MORE TRAILS** (Tape 10)

Supervisor Hyland distributed to Board Members a copy of a letter to the editor from Mr. Warren Johnson who was the Mount Vernon Trails Representative for 20 years.

Supervisor Hyland noted that the trails system is not complete. He asked unanimous consent that the Board direct staff, the Trails Commission, and the Park Authority to:

- Review all the shelved designed multi-purpose trails projects;
- Develop an action plan to reactivate the trails program;
- Determine funding mechanisms; and
- Report to the Board with an action plan by November 22, 1993.

Without objection, it was so ordered.

92 . **FAIRFAX COUNTY FAMOUS FOR WASTE REDUCTION AND RECYCLING PROGRAMS** (Tape 10)

Supervisor Hyland stated that Fairfax County is famous for its recycling and waste reduction programs. The Waste Reduction and Recycling Branch receives requests from all over the world about the County's program. For instance, during the last two years they conducted tours for representatives of the Netherlands Municipal Affairs Department, the Mexican Government, the Embassy of Ireland, and the Japanese Ministry of the Environment. The Chinese government was on tour this past weekend.

Supervisor Hyland congratulated staff for their efforts.

93. **CALHOUN COUNTY EMERGENCY RELIEF RESULTS** (Tape 10)

Supervisor Hyland stated that he would like to share with the Board the results of Fairfax County's Fire and Rescue Department's help with relief efforts for the flood victims. The Department collected \$4,000 and a truckload of cleaning supplies and are packing the truck at Fire and Rescue Station #22, Braddock Road, at 4:00 p.m. tomorrow afternoon.

Supervisor Hyland stated that the materials will be delivered to Calhoun County which is located on a peninsula in the heart of the Mississippi and Illinois Rivers. This rural farming community of 5,822 people is still under four feet of water and cannot begin cleaning up until the water has receded. Sixty of the 65 businesses were flooded

out, all ferry service is lost and there is only one access road. Their hardships are only beginning and the efforts of our community are greatly appreciated by everyone there.

94. TRUCK SAFETY INSPECTION RESULTS (Tape 10)

Supervisor Hyland stated that, as a result of Fairfax County's concerns for its residents and because of the steadily increasing number of truck-related accidents in our area, the Virginia State Police and Fairfax County Police performed a random inspection in the Lorton area. This eight hour truck inspection site yielded 297 violations, 72 summons, two trucks were charged with overweight violations, and 54 out of 157 trucks inspected were taken out of service.

Supervisor Hyland noted that truck safety inspections are done on a daily basis and these findings are typical. Violations involve mostly brakes, tires, and mechanical problems.

Supervisor Hyland commended both Police Departments for diligently pursuing truck safety issues and asked unanimous consent that the Board request staff to continue these safety inspections on a daily basis in Fairfax County and particularly in the Lorton area where there are so many trucks. Without objection, it was so ordered.

95. PETITION REQUESTING RESIDENTIAL PERMIT PARKING DISTRICT NEAR OAKTON HIGH SCHOOL (Tape 10)

Supervisor Hanley stated that she has received petitions requesting a Residential Permit Parking District (RPPD) to be established for Brightlea Drive and Crossbow Court behind Oakton High School because of the number of students parking there. Accordingly, she moved that the Board direct staff to waive the minimum number of parking spaces and the fees in order to process this request. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

96. SIMULTANEOUS PROCESSING REQUEST FOR THE OAKTON UNITED METHODIST CHURCH (Tape 10)

Supervisor Hanley stated that the Oakton United Methodist Church is applying to the Board of Zoning Appeals (BZA) for an amendment to its special use permit to operate a day care center. She moved that the Board direct staff to simultaneously process the site plan with the special use permit. She noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards and that this does not prejudice the consideration of this special permit in any way. This motion was seconded by Chairman Davis and

carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

97. GRAFFITI ON BRIDGE FROM TYSONS I TO TYSONS II (Tape 10)

Supervisor Hanley circulated to Board Members a letter and disturbing pictures she had received about graffiti on the bridge from Tysons I to Tysons II. She asked unanimous consent to:

- Direct staff to address what the County can do to establish some mechanism to correct these situations in a timely manner; and
- Direct the County Attorney to review the penalties associated with this kind of defacement of public property to determine if they serve as a preventative.

Without objection, it was so ordered.

98. RESIGNATION OF MARK FUHRMANN, OFFICE OF TRANSPORTATION (Tape 10)

Supervisor Hanley announced that the County is losing Mr. Mark Fuhrmann, who is resigning from the Office of Transportation to go to the Minneapolis/St. Paul area. She thanked him for his years of service as the Metro liaison. She asked unanimous consent that the Board direct staff to send an expression of appreciation to him. Without objection, it was so ordered.

99. RESIGNATION OF MATT BUDD, OFFICE OF MANAGEMENT AND BUDGET (Tape 10)

Supervisor Hanley announced that Mr. Matt Budd has recently resigned from the Office of Management and Budget. She stated that Mr. Budd had worked with the Board in connection with legislative issues. Supervisor Hanley asked unanimous consent that the Board direct staff to express the Board's appreciation to him.

100. NEW CITIZENS MOVING INTO HOMES OWNED BY STAR ENTERPRISE ON TOVITO DRIVE (Tape 10)

Supervisor Hanley stated her concern that newcomers to the County are moving into the homes owned by Star Enterprise on Tovito Drive. Supervisor Hanley moved that the Board direct the County Attorney to review what kind of authority the County has regarding preventing unsuspecting citizens from moving into this kind of situation and to report back to the Board. This motion was seconded by Chairman Davis and carried

by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

101. MEETING REGARDING REZONING APPLICATION RZ 80-P-116 (MARGARET M. LAURENCE, TRUSTEE) (PROVIDENCE) (Tape 10)

Supervisor Hanley stated that she would be meeting with citizens regarding Rezoning Application RZ 80-P-116 (Margaret M. Laurence) directly following her Board Matters.

102. PUBLIC HEARING TO CONSIDER THE ADOPTION OF AMENDMENTS TO THE FAIRFAX COUNTY CODE RELATING TO HUNTING, THE SALE OF HANDGUNS AND THE SHOOTING OF BOWS (COUNTYWIDE) (Tape 10)

Chairman Davis announced that the public hearing scheduled to Consider the Adoption of Amendments to the Fairfax County Code Relating to Hunting, the Sale of Handguns, and the Shooting of Bows would be readvertised and rescheduled for **September 27, 1993 at 4:00 p.m.** He stated that interested parties could call his office regarding the new language that would be drafted.

(NOTE: See Clerk's Summary Items CL#5, #104 and #118 for additional discussion regarding this item.)

103. REZONING OF A PORTION OF THE SITE FOR THE CENTER FOR INNOVATIVE TECHNOLOGY (CIT) (Tape 11)

(R) Supervisor Berger stated that a portion of the Center for Innovative Technology (CIT) is located within Fairfax County. The CIT has begun to lease space within its building to private companies. As such, and due to the fact that the site is currently zoned R-1, it has been determined that the property must be rezoned to a commercial office zoning district. Such an action would not modify the development potential of the site, but would permit a broader mix of tenants.

Accordingly, Supervisor moved that the Board initiate a Board's Own Motion rezoning of the portion of the CIT property that is located within Fairfax County by adopting the following resolution:

WHEREAS, there is a public benefit to be realized from facilitating the activities of the CIT, and

WHEREAS, the action is required merely to accommodate a different type of tenant within the CIT complex, and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require such action;

THEREFORE, BE IT RESOLVED that the Board of Supervisors initiate a Board's Own Motion rezoning for the CIT site from the R-1 District to the most appropriate commercial office district;

AND FURTHER BE IT RESOLVED, that this action be scheduled for public hearing as expeditiously as possible.

This motion was seconded by Supervisor Hyland. After discussion, with input from Barbara Byron, Director, Zoning Evaluation Division, Office of Comprehensive Planning, the question was called on the motion which carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room.

104. PUBLIC HEARING TO CONSIDER THE ADOPTION OF AMENDMENTS TO THE FAIRFAX COUNTY CODE RELATING TO HUNTING, THE SALE OF HANDGUNS AND THE SHOOTING OF BOWS (COUNTYWIDE) (Tape 11)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Items CL#5 and #102.)

David P. Bobzien, County Attorney, announced that in the matter of the Amendments to the Code of the County of Fairfax, Chapter 6 (Weapons) relating to hunting, the sale of handguns, and the shooting of bows, Michael Long, Assistant County Attorney, has prepared a new proposed amendment which will be circulated later in the meeting.

(NOTE: Later in the meeting, the Board authorized readvertisement of the proposed amendments to Chapter 6 (Weapons). See Clerk's Summary Item CL#118.)

AR:ar

105. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SEA 88-A-004 (ALBERT J. DWOSKIN, TRUSTEE) (BRADDOCK DISTRICT) (Tape 11)

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

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

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

Supervisor Bulova moved approval of Special Exception Amendment Application SEA 88-A-004 subject to the development conditions dated September 13, 1993, which include the changes recommended by the Planning Commission and as further revised as follows:

- Addition of the phrase, "as may be determined applicable by the Department of Environmental Management (DEM)" at the end of the first sentence in Development Condition Number Three. Therefore, the entire sentence reads, "This Special Exception Amendment is subject to the provisions of Article 17, Site Plans as may be determined applicable by the Department of Environmental Management (DEM)."

In addition, Supervisor Bulova moved:

- Modification of the transitional screening along the southern boundary be reaffirmed in order to permit the existing vegetation and fence to remain; and
- Requirement that all Site Plans which include building additions 250 square feet or more to be returned to the Planning Commission.

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

106. 3:30 P.M. - PH ON PROPOSED ADOPTION OF A RECODIFICATION OF THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67 (SANITARY SEWERS AND SEWAGE DISPOSAL) (Tape 11)

(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 August 26 and September 2, 1993.

Following the public hearing, Supervisor Hyland moved adoption of the proposed recodification of the Code of the County of Fairfax, Chapter 67 (Sanitary Sewers and Sewage Disposal) as Chapter 67.1 to incorporate modifications required by the State

Water Control Board and to substantially conform to the Model Pretreatment Ordinance of June 1992, as promulgated by the Environmental Protection Agency (EPA). This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room.

107. 3:30 P.M. - PH ON THE MOUNT VERNON MANOR COMMUNITY ASSESSMENTS AND IMPROVEMENTS (MOUNT VERNON DISTRICT)

(Tape 11)

(R) A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issues of August 26 and September 2, 1993.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved adoption of the Resolution setting assessments in Mount Vernon Manor. The plan provides for the construction of curb and gutter, storm drainage, and street improvements on Lea Lane, McNair Drive and Oak Leaf Drive. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Frey, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

108. 3:30 P.M. - BOARD DECISION ON REZONING APPLICATION RZ 93-M-003 (DIEHL HOMES, INCORPORATED AND RALPH H. STOWE) (MASON DISTRICT) (Tape 11)

(NOTE: The public hearing for Rezoning Application RZ 93-M-003 was held on August 2, 1993, but Board Decision was deferred until September 13, 1993.)

Supervisor Trapnell moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-M-003 be amended from the R-5 and Highway Corridor Districts to the R-12 and Highway Corridor Districts subject to the proffers dated July 24, 1993. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Frey, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Trapnell moved waiver of the minimum district size. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Frey, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Trapnell moved waiver of the transitional screening and modification of the barrier requirements along the southern boundary. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Frey, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

109. 4:00 P.M. - PH ON REZONING APPLICATION RZ 88-Y-043 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-S-109 (DAVID L. HUNTER) (SULLY DISTRICT) (Tape 11)

Supervisor Frey moved to defer the public hearings on Rezoning Application RZ 88-Y-043 and Proffered Condition Amendment Application PCA 88-S-109 until **September 27, 1993 at 4:00 p.m.** 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.

110. 4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 3 (UNIFORMED RETIREMENT SYSTEM ORDINANCE) (Tape 11)

(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 August 26 and September 2, 1993.

Following the public hearing, Supervisor Trapnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 3 (Uniformed Retirement System Ordinance) to add an elected member to the Board of Trustees representing law enforcement. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Chairman Davis being out of the room.

111. 4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 7 (POLICE OFFICERS RETIREMENT SYSTEM ORDINANCE) (Tape 11)

(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 August 26 and September 2, 1993.

Following the public hearing, Supervisor Trapnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 7 (Police Officers Retirement System Ordinance) to give the Board of Trustees the authority to compute the retirement allowance as if the member's

suspended Workers' Compensation had been received when a member's refusal to cooperate with vocational rehabilitation, medical treatment and/or selective employment was justified. This motion was seconded by Acting-Chairman Bulova and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Chairman Davis being out of the room.

112. 4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 109 (SOLID WASTE) (Tape 11)

(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 the Newspaper in the issues of August 26 and September 2, 1993.

Following the public hearing, Supervisor Alexander moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 109 (Solid Waste) to:

- Remove unnecessary numbering of definitions;
- Strengthen the definition of "recycling center";
- Be in compliance with State law regarding recyclable materials;
- Include nonprofit businesses in recycling requirements;
- Better control unpermitted solid waste collectors;
- Provide random inspection of solid waste vehicles;
- Amend permit information requirements;
- Impose late fee on unpaid accounts; and
- Strengthen the County's flow control ordinance and out-of-County waste contribution.

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

113. 4:00 P.M. - PH ON PROPOSED ADOPTION OF AN ORDINANCE AUTHORIZING JURORS TO DONATE ALL OR A PART OF THEIR COMPENSATION TO FUND ADMINISTERED BY THE CLERK OF THE CIRCUIT COURT TO IMPROVE COURT SERVICES (Tape 11)

(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 August 26 and September 2, 1993.

Following the public hearing, Supervisor Hyland moved adoption of a proposed ordinance authorizing jurors to donate all or a part of their compensation to a fund

administered by the Clerk of the Circuit Court to improve court services to become **effective on October 1, 1993**. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Chairman Davis being of the room.

114. 4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS) (No Tape)

(NOTE: Later in the meeting, these proposed amendments were authorized for readvertisement for public hearing on September 27, 1993 at 4:00 p.m. See Clerk's Summary Item CL#118.)

115. 4:00 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) (Tape 11)

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

Mr. Martin had filed the necessary notices showing that at least 25 adjacent and/or interested parties 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, Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-P-007 be amended from the C-3 District to the I-5 District, subject to the proffers dated June 29, 1993. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Hanley moved:

- Approval of Special Exception Application SE 93-P-012 subject to the development conditions dated September 9, 1993;
- Waiver of the minimum lot width in accordance with the provisions of Section 9-610 of the Zoning Ordinance; and
- Modification of the peripheral and interial parking lot landscaping to that shown on the General Development Plan/Special Exception (GDP/SE) Plat .

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

116. 4:00 P.M. - PH ON REZONING APPLICATION RZ 80-P-116 (MARGARET M. LAURENCE, TRUSTEE) (PROVIDENCE DISTRICT) (Tape 11)

Mr . E. Dean Morley reaffirmed the validity of the affidavit for the record.

Mr. Morley had filed the necessary notices showing that at least 25 adjacent and/or interested parties 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, Regina Murray, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 80-P-116 be amended from the R-2 District to the R-3 District, subject to the executed proffers dated September 10, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to return the Subdivision Plan to the Planning Commission for a recommendation prior to subdivision approval. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER

117. RECOGNITION OF FORMER BOARD CHAIRMAN JOHN HERRITY (Tape 11)

Chairman Davis recognized the presence of former Board Chairman John Herrity and welcomed him to the Board Room.

118. ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE

COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS) RELATING TO HUNTING (COUNTYWIDE) (Tapes 11-12)

(A) (NOTE: Earlier in the meeting, there was additional discussion regarding this item. See Clerk's Summary Items CL#5, #102 and #104.)

Following a brief presentation by the Office of the County Attorney, and discussion by the Board, Supervisor Berger moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **September 27, 1993 at 4:00 p.m.** to consider the adoption of an ordinance to amend Chapter 6 (Weapons) and to add an Appendix J to the Code of the County of Fairfax relating to the prohibition of hunting in certain areas. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell and Supervisor Trapnell being out of the room.

Supervisor Bulova asked unanimous consent that the Board direct staff, as soon as possible after the subject public hearing, to return with proposed amendments which address the other gun and bow control issues in the County. Without objection, it was so ordered.

119. BOARD ADJOURNMENT (Tape 12)

At 5:20 p.m., the Board adjourned.