

AR:ar

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

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

2. PROCLAMATION DESIGNATING THE MONTH OF OCTOBER, 1993, AS "FAIRFAX COUNTY ARCHAEOLOGY MONTH" (Tape 1)

Supervisor Hyland moved approval of the Proclamation, presented to Joyce Pearsall, representing the Archaeological Society of Virginia, designating the Month of October, 1993 as "**Fairfax County Archaeology Month**," and that the theme of this Fairfax County Archaeology Month be "Fairfax County Archaeology: A Jefferson Legacy Worth Preserving." This motion was seconded by Supervisor Frey and carried by unanimous vote.

3. PROCLAMATION DESIGNATING THE MONTH OF OCTOBER, 1993, AS "NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH" IN FAIRFAX COUNTY" (Tape 1)

Supervisor Hyland moved approval of the Proclamation, presented to Julia Treagy of the Fairfax Area Disability Services Board, designating the Month of October, 1993 as "**National Disability Employment Awareness Month**" in Fairfax County. This motion was seconded by Supervisor Berger and carried by unanimous vote.

4. CERTIFICATE OF APPRECIATION RECOGNIZING JOHN LYNCH, REPRESENTATIVE, ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR HIS MANY YEARS OF SERVICE (Tape 1)

Supervisor Alexander moved approval of the Certificate of Appreciation presented to John Lynch, Representative, Economic Development Authority (EDA), recognizing him for his many years of dedicated service as a Member of the EDA. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

5. CERTIFICATE OF APPRECIATION RECOGNIZING LARRY FOWLER, CHAIRMAN, CONSUMER PROTECTION COMMISSION (CPC), FOR HIS MANY YEARS OF SERVICE (Tape 1)

Supervisor Alexander moved approval of the Certificate of Appreciation presented to Larry Fowler, Chairman, Consumer Protection Commission (CPC), recognizing him for 12 years of dedicated service as Chairman of the CPC. Mr. Fowler continues to serve on the Commission and is commencing his 30th year. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Trapnell being out of the room.

6. CERTIFICATE OF APPRECIATION RECOGNIZING EDWARD YOUNGBLOOD, NICHOLAS GIL, CHRISTIAN MITCHEL AND BOY SCOUT TROOP 1130 FOR THEIR VOLUNTEER EFFORTS TOWARDS LANDSCAPING AND BEAUTIFICATION OF THE MCLEAN GOVERNMENTAL CENTER (Tape 1)

Supervisor Berger moved approval of the Certificate of Appreciation presented to:

- Edward Youngblood;
- Nicholas Gil;
- Christian Mitchel; and
- Boy Scout Troop 1130;

for their volunteer efforts towards the landscaping and beautification of the McLean Governmental Center. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Trapnell being out of the room.

7. PROCLAMATION COMMENDING THE RESTON TRIATHLON COMMITTEE ON THE CELEBRATION OF ITS TENTH ANNIVERSARY (Tape 1)

Supervisor Dix moved approval of the Proclamation, presented to Beth O'Connor Toman and Michael Toman, Co-Directors of the Reston Triathlon Committee, commending the Committee on the celebration of its Tenth Anniversary on September 12, 1993. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor Trapnell being out of the room.

8. 10:00 A.M. - PRESENTATION BY THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT OF THE 1992 ANNUAL STATISTICAL REPORT (Tapes 1-2)

Gaylord L. Finch, Chief Judge, Juvenile and Domestic Relations District Court, and Vincent M. Picciano, Director of Court Services, presented the 1992 Annual Statistical Report of the Juvenile and Domestic Relations District Court.

There was a brief question and answer period regarding this report.

SBE:SBE

9. ADMINISTRATIVE ITEMS (Tape 3)

Supervisor Hyland moved approval of the Administrative Items.

Supervisor Dix called the Board's attention to Administrative Item 10 - Authorization to Advertise a Public Hearing on a Change of the Parking Meter Rate at the Public Safety Center (PSC) and The Establishment of a Procedure for Determining Pay-for-Parking Rates at the PSC Garage and asked that the motion be amended to consider this item separately, and this was accepted.

Supervisor McConnell called the Board's attention to Administrative Item 8 - Authorization to advertise a Public Hearing on proposed Amendments to the Code of the County or Fairfax, Chapter 65 (Plumbing and Gas Provisions) and asked that the motion be amended to consider this item separately, and this was accepted.

The motion, as amended, was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Hanley called the Board's attention to Administrative Item 3- Correction to an Adopted Order Abandoning a Portion of Spring Hill Road (Route 684) (Dranesville District) and noted for the record that part of the Spring Hill Project is in Providence District as well as Dranesville District.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, SPRINGFIELD AND SULLY DISTRICTS)

(R) Approved the request that certain streets listed in the Memorandum to the Board dated September 27, 1993 be recommended for acceptance into the State Secondary System as follows:

Subdivision District Street

Chesterbrook-Divine's Addition Dranesville East Avenue, Route 3270

West Creek Hunter Mill Sunny Creek Cove

Woodland Park Road Hunter Mill Woodland Park Road

Crosspointe, Section 14 Springfield Meadow Crossing Way,

Route 8347

Meadow Edge Terrace

Little Rocky Run, Section 55 Sully South Springs Drive,

Route 8250

ADMIN 2 - RENAMING FOUNDRY HILL LANE IN MASONS MILL SUBDIVISION (SPRINGFIELD DISTRICT)

Authorized the street name change from Foundry Hill Lane in the Official Street Names and Property Numbering Atlas, to Twelve Oaks Drive, from its intersection with Yates Ford Road to the end of the cul-de-sac of Foundry Hill Lane in the Masons Mill Subdivision on Tax Map Reference 086-2-09-0001 through 0019.

ADMIN 3 - CORRECTION TO AN ADOPTED ORDER ABANDONING A PORTION OF SPRING HILL ROAD (ROUTE 684) (DRANESVILLE AND PROVIDENCE DISTRICTS)

(R) Adopted the Resolution correcting the Order of Abandonment for a portion of Spring Hill Road (Route 684).

(NOTE: Earlier in the meeting, during approval of the Administrative Items, Supervisor Hanley noted that part of the Spring Hill Project is in the Providence District as well as the Dranesville District. See page 3.)

ADMIN 4 - TELEGRAPH WOODS SANITARY SEWER REIMBURSEMENT AGREEMENT (LEE AND MOUNT VERNON DISTRICTS)

Authorized the execution of an Agreement to collect fees and reimburse the developer for capacity in section of the Telegraph Woods sanitary sewer line which will be utilized by others.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER

9 (CABLE COMMUNICATIONS) RELATING TO REGULATION OF BASIC CABLE TELEVISION SERVICE RATES

(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 proposed amendments to the Code of the County of Fairfax, Chapter 9 (Cable Communications) relating to the regulation of Basic Cable Television Service Rates.

ADMIN 6 - AUTHORIZATION TO ADVERTISE AN AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, (MOTOR VEHICLES AND TRAFFIC), SECTION 82-5-1, PARKING PROHIBITED IN SPECIFIED PLACES

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 25, 1993 at 4:00 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) Section 82-5-1, Parking Prohibited in Specified Places. This proposed amendment would prohibit parking so as to prevent the use of curb ramps, as authorized by Section 46.2-1306.1 of the Code of Virginia, enacted on July 1, 1993.

ADMIN 7 - ADVERTISEMENT OF A PUBLIC HEARING ON AN AMENDMENT TO THE WOODLEY-NIGHTINGALE REDEVELOPMENT PLAN (MOUNT VERNON 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 proposed amendments to the Woodley-Nightingale Redevelopment Plan.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 65 (PLUMBING AND GAS PROVISIONS)

(NOTE: Later in the meeting, action was taken to approve Administrative Item 8. See Clerk's Summary Item CL#9A.)

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE ENLARGEMENT, DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE AND PROVIDENCE DISTRICTS)

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **November 15, 1993 at 3:30 p.m.** on the following Small and Local

Sanitary Districts for refuse and leaf collection service in accordance with the Board of Supervisors' adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts:

Type of Staff

Sanitary District ActionServiceRecommendations

Local District A-1-1 within SmallEnlargeRefuse & LeafApprove

District One within Dranesville

District

Local District A-6-1 within SmallEnlargeRefuse & LeafApprove

District One within Dranesville

District

Small District One withinDe-Create/Refuse & LeafDeny

within Providence DistrictRe-Create

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A CHANGE OF THE PARKING METER RATE AT THE PUBLIC SAFETY CENTER (PSC) AND THE ESTABLISHMENT OF A PROCEDURE FOR DETERMINING PAY-FOR-PARKING RATES AT THE PSC GARAGE

(NOTE: Later in the meeting, action was taken to approve Administrative Item 10. See Clerk's Summary Item CL#9B.)

9A. ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 65 (PLUMBING AND GAS PROVISIONS) (Tape 3)

(A) (NOTE: Earlier in the meeting, action was deferred on Administrative Item 8. See Clerk's Summary Item CL#9.)

Supervisor McConnell moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **October 25, 1993 at 3:30**

p.m. regarding proposed amendments to the Code of the County of Fairfax, Chapter 65 (Plumbing and Gas Provisions) with the following amendment:

- Insert "upon compliance with the connection agreement requirement of Section 65-7-8" after "hereby declared valid in Subsection C of proposed Section 65-7-8."

Supervisor McConnell stated that this amendment would allow for a grandfather clause for those facilities that already have sewer and water connections.

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

9B. ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A CHANGE OF THE PARKING METER RATE AT THE PUBLIC SAFETY CENTER (PSC) AND THE ESTABLISHMENT OF A PROCEDURE FOR DETERMINING PAY-FOR-PARKING RATES AT THE PSC GARAGE (Tape 3)

(A) (NOTE: Earlier in the meeting, action was deferred on Administrative Item 10. See Clerk's Summary Item CL#9.)

Following discussion, Supervisor Hyland moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on **October 25, 1993 at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) concerning a change to the parking meter rate at the Public Safety Center (PSC) and adoption of a procedure for determining the pay-for-parking rates to be used at the public parking garage under construction at the PSC.

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

10. A-1 - AUTHORIZATION TO PAY FISCAL YEAR (FY) 1994 SECOND QUARTER WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) BILLING (COUNTYWIDE) (Tape 3)

(R) Following discussion, Supervisor Alexander moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing payment of the Fiscal Year (FY) 1994 second quarter transit operating and capital billing in the net amount of \$13,670,116 to the Washington Metropolitan Area Transit Authority (WMATA). This Resolution is necessary to make these payments while retaining flexibility to adjust future quarterly payments to reflect service and budget adjustments.

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

11. A-2 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94024 FOR CONTINUATION OF THE FEDERAL HEAD START/PUBLIC SCHOOLS EARLY CHILDHOOD TRANSITION DEMONSTRATION GRANT WITHIN THE OFFICE FOR CHILDREN (Tape 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted Supplemental Appropriation Resolution (SAR) AS 94024 in the amount of \$650,000 for continuation of the federally funded Head Start/Public School Transition Demonstration project.

12. A-3 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94025 FOR AN IBM FAMILY DEPENDENT CARE INITIATIVE GRANT TO THE OFFICE FOR CHILDREN (Tape 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Trapnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted Supplemental Appropriation Resolution (SAR) AS 94025 in the amount of \$23,875 for an IBM Family Dependent Care Initiative grant for the Employer Child Care Council Quality Child Care Initiative.

13. A-4 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94026 FOR THE DEPARTMENT OF HUMAN DEVELOPMENT INDEPENDENT LIVING INITIATIVES GRANT (Tape 3)

(SAR) Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt Supplemental Appropriation Resolution (SAR) AS 94026 in the amount of \$62,062 for the Independent Living Initiatives Grant Program Year 1994. This motion was seconded by Supervisor Alexander.

With a notation that Board Package attachment listed the localities only through Middlesex County, Supervisor Hanley asked unanimous consent that the Board direct staff to provide the rest of the attachment. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to determine why localities with no children involved had the same amount of money reallocated as localities with one or two children involved. Without objection, it was so ordered.

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

14. A-5 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94027 FOR THE DEPARTMENT OF HUMAN DEVELOPMENT TRANSITIONAL HOUSING PROGRAM GRANT AWARD THREE - PROGRAM YEAR FIVE (Tape 3)

(SAR) Supervisor, Berger moved that the Board concur in the recommendation of staff and adopt Supplemental Appropriation Resolution (SAR) AS 94027 in the amount of \$1,343,499 for the Department of Human Development to fund Transitional Housing Program Grant Award Three, Program Year Five. Of this amount, \$553,208 represents U.S. Department of Housing and Urban Development funds and \$790,291 is the required local match. This motion was seconded by Supervisor Alexander,

Following discussion, with input from Verdia L. Haywood, Deputy County Executive for Human Services and staff from the Department of Housing and Community Development, Supervisor Dix asked unanimous consent that the Board direct staff to provide the projected cost share percentages for the Federal and local participation, respectively, for the entire period of the grant. Without objection, it was so ordered.

Supervisor McConnell asked unanimous consent that the Board direct staff to provide an informational packet that describes the cost effectiveness of this program. Without objection, it was so ordered.

The question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Berger voting "NAY."

15. A-6 - MEMORANDUM OF UNDERSTANDING BETWEEN THE FAIRFAX COUNTY POLICE DEPARTMENT AND THE UNITED STATES COAST GUARD, TELECOMMUNICATION AND INFORMATION SYSTEMS COMMAND, TELEGRAPH ROAD FACILITY (LEE DISTRICT) (Tape 3)

On motion of Supervisor Alexander, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to certify the Memorandum of Understanding by signing the two copies of the Agreement for the Board as prescribed in Article 1, Section 15.1-131.3 of the Code of Virginia. The effective date of this agreement will be upon signature of the County Executive.

16. A-7 - FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC SAFETY SECTION, GRANT APPLICATION TO THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (Tape 3)

On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Fairfax County Police Department's application to the National Highway Traffic Safety Administration in the amount of \$40,000 for a demonstration project to implement a Bicycle Safety Team.

17. A-8 - APPROVAL OF THE SCHEDULE FOR THE 1994 AREA PLANS REVIEW YEAR (COUNTYWIDE) (Tape 3)

On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a schedule for the 1994 Area Plans Review Year as recommended by the Planning Commission.

18. A-9 - AUTHORIZATION TO ADVERTISE PROPOSED ZONING ORDINANCE AMENDMENT RE: HOURS OF OPERATION - GROUP 1 SPECIAL PERMIT USES (Tape 3)

(R)

(A) On motion of Supervisor Frey, seconded by Chairman Davis, 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 November 4, 1993 and before the Board of Supervisors on

November 15, 1993 at 4:00 p.m. regarding the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to modify the hours of operation for Group 1 Extraction and Excavation Special Permit Uses.

19. A-10 - EXPANSION OF THE APPROVED SANITARY SEWER SERVICE AREA, MILL BRANCH WATERSHED (MOUNT VERNON DISTRICT)

(Tape 3)

Supervisor Hyland moved to defer action on Action Item 10 - Expansion of the Approved Sanitary Sewer Area, Mill Branch Watershed until the public hearing on Rezoning Application RZ 93-V-008 scheduled for 3:30 p.m. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#100.)

20. A-11 - SYCAMORE LAKES STORMWATER MANAGEMENT POND REIMBURSEMENT AGREEMENT (HUNTER MILL DISTRICT) (Tape 3)

On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room, the Board concurred in the recommendation of staff and authorized the execution of an Agreement to reimburse Church Street Group Limited Partnership from developer pro rata share collections for the construction cost of Sycamore Lakes Regional Stormwater Management Pond (Regional Pond H-18).

21. A-12 - SHARED PARKING AGREEMENTS FOR DAR AL-HIJRAH MOSQUE (MASON DISTRICT) (Tape 3)

Supervisor Trapnell asked unanimous consent that the Board defer action on Action Item 12 - Shared Parking Agreements for Dar Al-Hijrah Mosque until the public hearing on Special Exception Application SE 93-M-022 at 3:30 p.m. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#97.)

22. A-13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94028 FOR THE DEPARTMENT OF HUMAN DEVELOPMENT RENEWAL OF TRANSITIONAL HOUSING PROGRAM GRANT AWARDS ONE AND TWO PROGRAM YEAR SIX (Tape 3)

(SAR) On motion of Supervisor Hyland, seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 94028 in the amount of \$523,210 to appropriate funding for the renewal of Transitional Housing Program Grant Awards One and Two, Program Year Six.

23. A-14 - APPROVAL FOR THE FIRE AND RESCUE DEPARTMENT TO SUBMIT RESCUE SQUAD ASSISTANCE FUND GRANT APPLICATION FOR THE PURCHASE OF ADDITIONAL TRAINING EQUIPMENT (Tape 3)

On motion of Supervisor McConnell, seconded jointly by Supervisor Alexander and Supervisor Hyland, and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room, the Board concurred in the recommendation of staff and approved the Fire and Rescue Department's submission of a Virginia Rescue Squad

Assistance Fund (RAF) grant application for the purchase of additional training equipment.

Supervisor McConnell commended the staff of the Fire and Rescue Department for pursuing this grant.

24. A-15 - AUTHORIZATION TO ADVERTISE PROPOSED ZONING AND SUBDIVISION ORDINANCE AMENDMENTS REGARDING MINOR ADJUSTMENT OF PROPERTY LINES (Tape 3)

(R)

(A) Supervisor McConnell moved that the Board adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on

October 28, 1993 and the Board of Supervisors on **November 15, 1993 at 3:30 p.m.**

on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) and the subdivision Ordinance to provide for certain minor lot line adjustments for lots which, although legally established, are not in conformance with current zoning district requirements with one revision:

- Whereby all references to Article 3 of the Subdivision Ordinance are corrected to reference Article 4 of the Subdivision Ordinance.

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

25. A-16 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94029 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC SAFETY SECTION FOR A BICYCLE SAFETY TEAM (Tape 3)

(SAR) Following discussion, with input from staff, Supervisor Bulova moved that the Board concur in the recommendation of staff and approve Supplemental Appropriation Resolution (SAR) AS 94029 in the amount of \$12,000 to fund a Bicycle Safety Team with an emphasis on education regarding the recently enacted bicycle helmet law. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Berger being out of the room.

AM:am

26. C-1 - COMMEMORATIVE GIFT ITEMS (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated September 27, 1993 presenting a program to procure and offer for sale items which would bear recognition of Fairfax County, such as the County Seal. The items could be offered for sale to the general public and to County employees as souvenirs or keepsakes of Fairfax County. The items also could be sold to Members of the Board of Supervisors for use as commemorative gifts to citizens who perform meritorious public service.

Supervisor Hanley asked unanimous consent to add a stick pin to the list of items being considered for sale. Without objection, it was so ordered.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Bulova moved approval of the staff proposal to procure and offer for sale items which would bear recognition of Fairfax County, such as the County Seal. This motion was seconded by Supervisor Alexander.

Supervisor Bulova amended the motion to add a Christmas ornament to the list of items being considered for sale, and this was accepted.

Chairman Davis noted for the record that the items would be sold at a mark-up and that the County would be making a profit.

Following additional discussion, with input from William J. Leidinger, County Executive and Fred K. Kramer, Director, Department of General Services, the question was called on the motion, and as amended, **CARRIED** by a recorded vote of nine, Supervisor Berger voting "NAY."

27. C-2 - 1993 VIRGINIA MUNICIPAL LEAGUE ANNUAL CONFERENCE

(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated September 27, 1993 regarding Board designation of a voting and alternate delegate to represent the County at the Virginia Municipal League (VML) Annual Conference.

Supervisor Hanley moved that the Board designate:

- Chairman Davis as the Voting Delegate; and
- Supervisor Dix as the Alternate Delegate.

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

28. C-3 - APPROVAL OF COUNTY SEWER FUND INVESTMENT IN BOND ANTICIPATION NOTES, AUTHORIZATION TO ENTER INTO TWO LEASE AGREEMENTS (A GROUND LEASE AND AN OPERATING LEASE), NOTIFICATION BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF THE FINANCING PLAN FOR THE BRADDOCK COMMUNITY CENTER AND ITS REQUEST FOR AN INVESTMENT FROM THE FAIRFAX COUNTY INTEGRATED SEWER FUND, AND REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (SPRINGFIELD DISTRICT) (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated September 27, 1993 regarding approval of County Sewer Fund Investment in Bond Anticipation Notes, authorization to enter into two lease agreements (a ground lease and an operating lease), notification by the Fairfax County Redevelopment and Housing Authority (FCRHA) of the financing plan for the Braddock Community Center and its request for an investment from the Fairfax County Integrated Sewer Fund, and reallocation of Community Development Block Grant funds.

Following discussion, with input by Walter D. Webdale, Director, Department of Housing and Community Development, Supervisor Dix moved that the Board defer this item until later in the day. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Chairman Davis being out of the room.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#111.)

29. I-1 - AWARD FOR EXCELLENCE TO BE RECEIVED BY THE FAIRFAX COUNTY POLICE DEPARTMENT FOR PUBLIC INFORMATION PROGRAM (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 announcing that Colonel Michael W. Young, Chief of Police, and the Fairfax County Police Department have been selected to receive an Award for Excellence from the National Association of Government Communicators (NAGC) for the Department's Public Information Program.

30. I-2 - CONTRIBUTIONS RECEIVED FOR SUPPORT OF THE FAIRFAX CHRONICLES (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to appeal for financial support of the Fairfax Chronicles, an archaeology, history and preservation

newsletter by the Heritage Resources Branch of the Office of Comprehensive Planning (OCP) to be included in the first newsletter published in the next fiscal year.

The staff was directed administratively to proceed as proposed.

31. I-3 - ACCELERATING CONVERSION OF COUNTY FLEET TO NATURAL GAS (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 presenting the staff response to the Board request regarding the feasibility and cost-effectiveness of a major conversion of the County fleet to run on Compressed Natural Gas (CNG) fuel.

32. I-4 - CONTRACTOR LICENSING AND THE VIRGINIA TRADESMAN CERTIFICATION PROGRAM: DRAFT LEGISLATION PROPOSED FOR THE 1994 VIRGINIA GENERAL ASSEMBLY (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to forward comments of the Legislative Subcommittee to the Virginia Department of Professional and Occupational Regulation (DPOR) regarding two legislative proposals (as outlined in the Memorandum to the Board).

The staff was directed administratively to proceed as proposed.

33. I-5 - STRINGFELLOW ROAD (ROUTE 645) PROJECT - GENERAL DESCRIPTION OF IMPROVEMENTS (SULLY DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to:

- Proceed with the Stringfellow Road Improvement Project as outlined in the General Description of Improvements; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

34. I-6 -AWARD OF CONTRACT - UNARMED SECURITY GUARD SERVICES AT THE FAIRFAX COUNTY GOVERNMENT CENTER (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to award a contract

to MVM International Security for unarmed security guard services, for one year to begin tentatively October 1, 1993 (with an option for two additional years), at the Fairfax County Government Center.

Following discussion, Supervisor Alexander asked unanimous consent that the Board direct staff to report later in the day with information concerning:

- Bonding and criminal checks for security guards; and
- Whether any sworn officers will be present in the building.

Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken to defer this item. See Clerk's Summary Items CL#113 and CL#116.)

35. I-7 - AWARD OF CONTRACT - LONG-TERM RESIDENTIAL SERVICE FOR ADULTS WITH MENTAL RETARDATION - MINERVA FISHER INTERMEDIATE CARE FACILITY (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to finalize negotiations and award a contract to Alternative Homes for Adults, Incorporated for long-term residential services for 12 adults, age 18 or older, with mental retardation.

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

36. I-8 - APPROVAL OF AN AGREEMENT BETWEEN FAIRFAX COUNTY AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROVIDING FOR THE CONSTRUCTION OF ADDITIONAL IMPROVEMENTS ON STRINGFELLOW ROAD IN CONJUNCTION WITH THE I-66 HIGH OCCUPANCY VEHICLES (HOV) EXTENSION PROJECT (SULLY DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to execute the Agreement with the Virginia Department of Transportation (VDOT):

- For the design;
- To acquire the necessary land rights;
- To make any necessary utility adjustments; and

- To extend the widening of Stringfellow Road as part of the I-66 High Occupancy Vehicle (HOV) Extension contract, with the cost of the additional improvements to be the responsibility of Fairfax County.

The staff was directed administratively to proceed as proposed.

Supervisor Frey announced that a Town Meeting will be held for communities in the Stringfellow Road Corridor on Thursday, October 7, 1993 at 7:30 p.m. in the Sully District Office conference room.

37. I-9 - CONTRACT AWARD - LAND SURVEYING SERVICES FOR GREAT FALLS NIKE PARK (DRANESVILLE DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to award a contract to A. Morton Thomas and Associates, Incorporated of Rockville, Maryland in the amount of \$34,571 for Professional Land Surveying Services at Great Falls Nike Park as part of Project 474188, Athletic Field Development, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

38. I-10 - CONTRACT AWARD - CONSTRUCTION OF PLAYGROUND REPLACEMENT/RENOVATION AT LAKE ACCOTINK AND WAKEFIELD PARKS (BRADDOCK DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to award a contract to Triple J Construction, Incorporated of Kensington, Maryland in the amount of \$97,881 for the construction of playground equipment replacement/renovation at Lake Accotink and Wakefield Parks as a part of Project 475588, Community Park Development, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

39. I-11 - FAILING SEPTIC SYSTEMS IN THE WILEY/GUNSTON HEIGHTS COMMUNITY (MOUNT VERNON DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated September 27, 1993 requesting authorization for staff to proceed with the Existing Conditions Report (ECR) while also providing support to Supervisor Hyland

as he works with the Wiley/Gunston Heights Community regarding the recommendation to install a "pump and haul" system.

The staff was directed administratively to proceed as proposed.

AR:ar

40. RESOLUTION RELOCATING THE FAIRFAX COUNTY OFFICE FOR WOMEN (Tape 5)

(R) Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board adopt the following Resolution:

WHEREAS, the Fairfax County Board of Supervisors is dedicated to eliminating discrimination and barriers to equality on the basis of sex, race, economic class and religion;

WHEREAS, the Fairfax County Board of Supervisors established the Fairfax County Commission for Women to help end sex discrimination;

WHEREAS, the Office for Women, consisting of the Commission for Women and the former Career Development Center for Women and Financial Education Center, continues:

1. To work to eliminate discrimination against women and girls on the basis of sex in Fairfax County,
2. To make recommendations and propose initiatives to the Board of Supervisors for ending such discrimination and removing barriers to women and girls,
3. To carry out such functions that improve the status of women and girls in all aspects of life;

WHEREAS, the Office for Women, through the Commission for women, works with all agencies of the County Government, and from time to time makes recommendations about County policies affecting all agencies of the County Government;

AND WHEREAS, the Office for Women and the Commission for Women, as part of a mandate that responds to and helps rectify community and County Government problems and injustices, must be perceived as independent;

THEREFORE BE IT RESOLVED, that the Office for Women, consisting of the Commission for Women and the former Career Development Center for Women and

Financial Education Center, reports to the Board of Supervisors, administratively connected to the County Executive through a liaison relationship with the Deputy County Executive for Human Services; that the Director of the Office for Women reports to and is supervised by the Commission for Women with approval of the Deputy County Executive for Human Services;

BE IT FURTHER RESOLVED, that the Commission for Women shall be made up of 11 (eleven) members appointed by the Board of Supervisors with at least one set-aside minority seat and that each member shall be appointed for a three-year term or for such other term as the Board may designate and that all vacancies on the Commission shall be filled by appointment for the balance of the unexpired term of office or for such other term as the Board may designate;

BE IT FURTHER RESOLVED, that each year a Chair shall be named by the Commission from among the 11 (eleven) members; that the Commission shall include members of the following groups: married and unmarried women, men and minority and majority racial groups; and that the County Executive shall provide staff assistance to the Commission as is necessary;

BE IT FURTHER RESOLVED, that this change in position of the Office for Women shall be effective on January 1, 1994.

This motion was seconded by Vice-Chairman McConnell.

Following discussion, Supervisor Berger asked that the motion be amended to reduce the staff of the Office for Women from seven to one (the director) who could still work with the Commission for Women, do assessments, and report to the Board on the status of women.

Vice-Chairman McConnell suggested that Supervisor Berger's amendment might be more appropriately considered as a separate item at a later time since this resolution addresses the structure of the organization.

After additional discussion, Supervisor Davis stated that he could not accept the amendment to his motion.

The question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Berger voting "NAY," Supervisor Frey being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

41. **RECESS/EXECUTIVE SESSION** (Tape 5)

At 12:15 p.m., Supervisor Dix moved that the Board recess for lunch and go into Executive Session for discussion or consideration of matters enumerated in the Code of Virginia 2.1-344 and listed 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:

- Woodland Associates versus Board of Supervisors, At Law Numbers 111512 and 111513;
- Thomas versus County of Fairfax, Ivins versus County of Fairfax, and Belk versus County of Fairfax;
- Discussion of a personnel matter as enumerated in the Code of Virginia 2.1-344.A.1;
- Discussion concerning the acquisition of real property for a public purpose as enumerated in the Code of Virginia 2.1- 344.A.3;
- Legal advice concerning Virginia Railway Express(VRE);
- Legal advice concerning cable television regulation; and
- Legal advice concerning erroneous tax assessment cases.

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

SBE:sbe

At 2:55 p.m., the Board reconvened in the Board Auditorium with all Board Members present, and with Chairman Davis presiding.

42. ACTIONS FROM EXECUTIVE SESSION (Tape 6)

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 Frey.

Chairman Davis stated for the record that he was present at the beginning and the end of Executive Session, but that he had to leave in the middle of the Session to represent the County at a meeting. He stated that during the time that he was there, the Freedom of Information Act was upheld and completely fulfilled.

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

B. VACOM, INCORPORATED, VERSUS THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY AND IRVING BIRMINGHAM, DIRECTOR, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM), AT LAW NUMBER 119742

Supervisor Frey moved that the Board designate the following individuals to give deposition on testimony on behalf of

the County of Fairfax in Vacom, Incorporated versus Board of Supervisors of Fairfax County and Irving Birmingham, Director, Department of Environmental Management (DEM), At Law Number 119742, as recommended by the County Attorney in Executive Session.

The individuals are:

- Mohammad Gharavi, Department of Public Works;
- Thomas S. Nelson, DEM; and
- John N. Winfield, DEM.

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

C. BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA VERSUS ROSENTHAL, ET AL., AT LAW NUMBER 118854

Supervisor Frey moved that the Board authorize settlement of Board of Supervisors of Fairfax County, Virginia versus Rosenthal, et al., At Law Number 118854, according to terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

D. WOODLAND ASSOCIATES VERSUS BOARD OF SUPERVISORS

Supervisor Dix moved that the Board accept the settlement offer of Woodland Associates in Woodland Associates versus Board of Supervisors At Law Numbers 111512 and 111513, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

AR:ar

43. CABLE TELEVISION DISPUTES (Tape 7)

Chairman Davis noted that there are still some disputes between Media General and some of the local origination channels, Channel 4 in particular, and on behalf of the Board, expressed the desire that these differences can be settled as expeditiously as possible in order that the viewers can enjoy the full services which were available from Media General prior to the deregulation. He relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board grant authority to the County Executive and himself to assist in any way possible in getting the parties involved together to resolve these disputes. Without objection, it was so ordered.

44. APPOINTMENT TO THE FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) (Tape 7)

(APPT)

Supervisor Davis moved the appointment of Julian Martinez as the At-Large Representative to Fairfax/Falls Church Community Services Board (CSB) to fill the unexpired term of Ms. Marsha Manning. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

45. MEETING AT FIRE STATION 25 (Tape 7)

Supervisor Dix expressed his appreciation to everyone who participated in a recent meeting held at Fire Station 25.

46. PROCLAMATION FOR EMBRY RUCKER (Tape 7)

Supervisor Dix noted that, since having been elected, he has had the privilege and the honor of meeting and working with of tremendously talented and dedicated citizen activists. He added that one who stands tall in this category is Embry Rucker, who some months ago suffered a major stroke and currently at the Cameron Glen Care Center in Reston, where he is doing very well and is receiving wonderful care.

Supervisor Dix stated that, for his deep and genuine concern and for the desire he demonstrated in making the lives of the neediest in the community easier to bear, the Board of Supervisors in 1989 renamed the Reston/North County Community Shelter the "Embry Rucker Shelter for the Homeless." Mr. Rucker served for many years on the Housing Assistance Advisory Committee (now called CHAS) and he previously served on the Reston Community Center Board as well.

Supervisor Dix recalled that back in the early sixties when Reston was founded, Mr. Rucker became the first Episcopal vicar in Reston and went on to establish the Common Ground Foundation, and through his desire to have people become involved in social and political action, was instrumental in establishing a number of still-thriving services and institutions. He has also been active in organizing the local citizens to do everything from the still in progress attempt at revitalizing the historically designated Lake Anne Plaza to organizing a major petition drive to save Carter Glass Library at Lake Anne Plaza.

With a notation that Mr. Rucker is known and loved by all those individuals he has touched over the years and that he will be celebrating his 79th birthday on October 1, Supervisor Dix moved that the Board direct the Office of Public Affairs to prepare a suitably appropriate Certificate of Appreciation from the Board to be presented to Mr. Rucker at Cameron Glen in its Board Room on October 1 at approximately 1:00 p.m. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Dix extended an invitation to all of his colleagues on the Board, as well as to Verdia L. Haywood, Deputy County Executive for Human Services, to join him to make the presentation of this Certificate a very special occasion and to wish Mr. Rucker a "Happy Birthday." Supervisor Dix asked those who wished to be present for this special occasion to let him know in order that Cameron Glen may be told how many individuals to expect.

47. PROCLAMATION RECOGNIZING DR. RICHARD J. ERNST FOR HIS 25 YEARS AS PRESIDENT OF NORTHERN VIRGINIA COMMUNITY COLLEGE (NVCC) BOARD (Tape 7)

Supervisor Dix noted that on Monday, October 18, 1993, the Northern Virginia Community College (NVCC) Board and the NVCC Education Foundation are hosting a Gala Celebration of the 25th Anniversary of Dr. Richard J. Ernst as President of NVCC at the Community Cultural Center, Annandale Campus.

Supervisor Dix stated that everyone recognizes Dr. Ernst for his great leadership abilities, his continuing commitment to higher education, and his extraordinary contributions to education here in Northern Virginia.

In recognition of Dr. Ernst's 25th Anniversary as President of NVCC, Supervisor Dix extended congratulations on behalf of the Board and the citizens of Fairfax County, and moved that the Board direct the County Executive to prepare a suitably appropriate framed Proclamation on behalf of the Board for presentation the evening

of the Gala Celebration, October 18, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

48. DEFERRAL OF PUBLIC HEARING ON REZONING APPLICATION RZ 93-H-004 (SALLIE MAE-STUDENT LOAN MARKETING ASSOCIATION) (HUNTER MILL DISTRICT) (Tape 7)

Supervisor Dix moved that the Board defer the public hearing on Rezoning Application RZ 93-H-004 until **November 15, 1993 at 4:30 p.m** at the request of the applicant. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor McConnell and Supervisor Trapnell being out of the room.

49. OPEN HOUSE - RESTON DISTRICT STATION (Tape 7)

Supervisor Dix announced that on October 2, 1993, between 10:00 a.m. and 2:00 p.m., the Reston District Station will be holding an open house. The Police Department will present static displays of various specialized units, and the police side of the governmental building will be open for inspection by the citizens.

Supervisor Dix noted that, in addition to the static displays, live K-9 demonstrations have been planned for 11:00 a.m. and 1:00 p.m. There will be activities planned for children by the Police Wives Club and refreshments will be sold to benefit Fairfax County Police Explorer Post Number 1742.

Supervisor Dix stated that he has been asked by Captain John L. Dooley to mention this event, and to extend an invitation to all interested citizens. As the new Station Commander, Captain Dooley is looking forward to meeting and getting acquainted with the citizens of Reston and "showing off" the facility and staff of the Reston District Station and the Police Department as a whole.

The Reston District Station is located in the North County Governmental Center at 12000 Bowman Towne Drive just off the Reston Parkway in Reston, and across from the Regional Library.

50. SPECIAL MEETING ON THE REPORT OF THE DULLES TOLL ROAD SPECIAL ADVISORY COMMITTEE (Tape 7)

Supervisor Dix stated that his office is sponsoring a public meeting to discuss the Report of the Dulles Toll Road Special Advisory Committee regarding the conceptual plan for the expansion of the Dulles Toll Road to include a full time High Occupancy Vehicles (HOV) lane. This meeting is scheduled to be held at the Reston Community Center on October 7, 1993 from 7:00 p.m. until 9:30 p.m. Beginning at 7:00 p.m.,

there will be a presentation of the report, and at 7:30 p.m., public comment will begin. Persons who wish to speak at this meeting may call Supervisor Dix's office at 478-0283 to sign up. There will be a standard three minute time limit.

51. MEMORANDUM FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY OF THE COMMONWEALTH OF VIRGINIA (Tape 7)

Supervisor Dix called the Board's attention to a memorandum recently received from the Department of Environmental Quality of the Commonwealth of Virginia regarding the Potomac Power Plant and commended everyone involved, particularly County staff, for their efforts.

52. COMPARATIVE STUDY OF FAIRFAX COUNTY BUSINESS TAXES (Tape 7)

Supervisor Dix stated that the Board entered into an arrangement with the Fairfax County Chamber of Commerce to engage a Business Tax Study of business taxes in the County. He distributed copies of the Comparative Study of Fairfax County Business Taxes to each Board Member and moved that the Board endorse the establishment of the Business Tax Study Group with a notation that the initial recommendations of the Study Group will most probably be presented to the Board by the first meeting of December 1993. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being out of the room.

AM:am

53. EXPEDITED PROCESSING FOR WORLDGATE (Tape 8)

Supervisor Berger stated that Worldgate is a mixed-use project in the northeast quadrant of the intersection of the Dulles Airport Access Road and Centreville Road. The Charles E. Smith Companies are presently in negotiations with a potential purchaser for one of the Worldgate Office Buildings. While there are no modifications proposed to the physical improvements of the site, a few issues must be resolved with regard to the proffers. He said that a Proffered Condition Amendment will be necessary in order to accommodate this contract purchaser.

Supervisor Berger said that due to the administrative nature of the proposed application, and in consideration that no physical improvements are proposed to the application property, expedited processing is appropriate. He added that Proffered Condition Amendment Application PCA 86-D-093-7 will be filed within the next several weeks, and the applicant will seek a waiver of the development plan submission requirement.

Supervisor Berger moved that the Board direct staff to expeditiously process this application to be filed by Worldgate Associates Limited Partnership and referenced as PCA 86-D-093-7. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

54. REQUEST FOR REALLOCATION OF FUNDS FOR WIEHLE AVENUE

(Tape 8)

Supervisor Berger said that the completion of all of Wiehle Avenue in its entirety to the Loudoun County line is a high priority. The current County Road Bond Project 6459-B has \$1.4 million in remaining funds earmarked for land acquisition for Wiehle Avenue east of Dranesville road. No design plans have been developed for Wiehle Avenue west of Dranesville Road.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Berger moved that the Board direct staff to return with an Action item for reallocating remaining funds in Project 6459-B to preconstruction activities for all of Wiehle Avenue, including in-house engineering design for Wiehle West. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

55. REQUEST FOR SIMULTANEOUS PROCESSING (Tape 8)

Supervisor Berger stated that on July 26, 1993, Starbuck's Coffee Company filed Special Exception Application SE 93-D-039 for the remodeling of an existing building located on the northwest corner of the intersection of Chain Bridge Road and Redmond Drive in McLean inside the Central Business District (CBD).

Supervisor Berger moved that the Board grant simultaneous processing to allow the Department of Environmental Management (DEM) to review the Site Plan during the Special Exception process. In granting simultaneous processing, the Board in no way relieves the applicant of complying with all applicable Ordinance and Code provisions. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being absent.

56. FAX MACHINES FOR FIRE STATIONS (Tape 8)

Supervisor Berger said that he has just learned that fire stations are not all equipped with FAX machines. As a result, accident reports involving personnel or a piece of equipment must be reported almost immediately and hand delivered to the appropriate Battalion headquarters.

Supervisor Berger explained that as a result, fire and rescue people are forced to use whatever piece of equipment is available and it can be, and often is, a three person vehicle out of service. Then there are three people delivering a single accident report that could have been sent over a FAX machine in minutes.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Berger moved that the Board direct staff to review this issue and report

with the following information:

- The cost of installing a FAX machine and a photo copying machine in each fire/police station currently without one; and
- Determine where the funds can be found to do this.

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

57. VARIABLE-RATE TRASH STUDY (Tape 8)

Supervisor Berger noted that there is \$183,296 in the solid waste non-general fund budget to conduct a study on variable rates for trash pickup involving the County's 17 percent of the business.

Supervisor Berger explained that variable rates mean that a citizen would pay a flat fee allowing them to dispose of a fixed number of gallons of trash not including recyclables. They would then be required to purchase stamps for each 32 gallon bag or other container over and above their flat fee allotment.

Supervisor Berger said that there is not enough trash in Fairfax County to burn in the incinerator and the County is on a "put or pay system." He explained that this means if the County does not furnish a certain number of tons a day it must pay \$65 for each ton that it is short.

Supervisor Berger said that the incinerator burns 3,000 tons a day producing 70 megawatts a day which is sold to Virginia Power making this a very cost effective operation. Fairfax County has permission for adding a fifth line that could burn an additional 750 tons a day.

Supervisor Berger noted that Fairfax County is also well ahead of the County's goals for recycling and that the citizens are doing a magnificent job of recycling and getting much better at it. Supervisor Berger pointed out that there is no market for recyclables

and this is causing a severe problem. This \$183,296 is about to be spent in solving a problem that does not exist in an attempt to fix something that is not broken.

Supervisor Berger stated, although several locations in the United States, about 1,000 to be precise, have gone to the variable rate, it was for totally different reasons and to solve problems that do exist in their location.

Supervisor Berger called to the Board's attention the Wall Street Journal news item of September 20, 1993 stating that the New Hampshire-Vermont municipal authority has filed for bankruptcy because it cannot meet the "put or pay" requirement.

Supervisor Berger pointed out that young families which by necessity produce more trash than empty-nest and single home customers, view variable rates as discriminating. Older citizens, although producing less, view the stamp purchase or buying special bags as a hassle they do not need.

Following discussion, with input from John W. di Zerega, Director, Department of Public Works, Supervisor Berger moved that the Board stop any effort at this time to conduct this unnecessary study for this year and the planned pilot program which would adversely effect 7,600 constituent households in the Wednesday pickup group starting next July 1, 1994. This motion was seconded by Supervisor Dix and **FAILED** by a recorded vote of six, Supervisor Berger and Supervisor Dix voting "AYE," Supervisor McConnell and Supervisor Trapnell being out of the room.

58. **DIRECT DEPOSIT** (Tape 8)

Supervisor Berger noted that currently there are 8,674 employees who have their paychecks direct deposited by the County into their bank accounts and that Fairfax County is mandating this requirement for all employees as of October 1993.

Supervisor Berger expressed his concern that the County spends over \$2,500 every two weeks or \$65,000 a year on first class postage to notify employees at their homes that their checks have been deposited.

In order to save possibly \$75,000 when all employees are on direct deposit, Supervisor Berger asked unanimous consent that the Board direct the County Executive to explore ways to have cost effective workplace delivery or explain why it is not possible and cost effective. Without objection, it was so ordered.

59. **STREAMLINING PAYROLL PROCEDURES** (Tape 8)

(BACs)

Supervisor Berger stated that in an effort to save staff hours, cut down on paperwork and unwarranted travel time, he has been examining the payroll system dealing with time and attendance (T&A) sheets. He said that he was shocked to find a system so complicated, so expensive, and so manually intensive that it belongs to the pre-information age.

Supervisor Berger suggested a one page, very simple form that clearly shows and accounts for all time worked or not worked, the account to be charged, and the elimination of all back-up documents.

Supervisor Berger said that these one page reports would be signed by the employee and his/her supervisor and then taken to a "focal point" located in the same location and in the same organization for one final quick check to ensure that the hours tabulate correctly and then the focal point person enters the data via a computer.

Therefore, Supervisor Berger moved that the Board:

- Set up a Task Force of approximately five comptrollers or their designees from some of the Counties largest employers like Mobil, TRW, BDM, and others, who have all successfully implemented streamlined payroll systems.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct the County Executive to look into this matter and report back to the Board. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

60. LIBRARY BOARD FOUNDATION (Tape 8)

Supervisor Berger stated that the Library Board voted to establish without delay a 501(C)-3 Foundation with officers, a paid staff, etcetera, and that the Foundation would develop a year round program to solicit revenues and other supplemental funding.

Supervisor Berger said that even though this matter was mentioned to the Board earlier, it has not fully discussed the following:

- The propriety of forming such an organization;
- Whether this would further remove the Library Board from recommendations, suggestions, and influence by this Board as elected representatives of the people since it would not have to rely on this Board for funding; and
- The legality of such action.

Supervisor Berger moved that the Board:

- Direct the County Executive and County Attorney to review this issue; and
- Request the Library Board to withhold any immediate action until this Board hears back from the County Executive and County Attorney.

This motion was seconded by Supervisor Dix.

Supervisor Alexander moved a substitute motion to request the County Executive to look into this matter and report back to the Board. This motion was seconded by Supervisor Bulova.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct the Library Board to make a presentation before the Board in two weeks. With objection it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

61. PAYING TAXES BY CREDIT CARD (Tape 8)

Supervisor Berger said that he recently learned that the County charges taxpayers the full credit card pass through of 2.25 percent when they pay by credit card. Supervisor Berger noted that this practice is strictly prohibited by the by-laws of the major credit card companies.

Therefore, Supervisor Berger moved that the Board direct staff to review this policy with the ideas being to stop passing this fee onto the taxpayer and if the 2.25 percent is prohibitive, renegotiate with other banks to seek a lower fee. This motion was seconded by Chairman Davis and carried by unanimous vote.

62. TENT ORDINANCE (Tape 8)

Supervisor Berger stated that there are some very restrictive, complicated and bureaucratic ordinances involving tents that are over 10-feet by 10-feet.

Supervisor Berger explained that a building permit must be obtained to put them up, Site Plans must be filed, endless forms must be filled out, affidavits regarding fire proofing, etcetera.

Supervisor Berger moved that the Board direct staff to:

- Prepare a revised amendment to the Code of the County of Fairfax concerning tents and that every attempt be made to:
 - Make it simple to administer with stop only; and
 - Increase the minimum size of the tent to the point where a collapse or fire would in fact present a threat to public safety.

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

63. BOND COUNSEL AND FINANCIAL ADVISOR (Tape 8)

Supervisor Berger stated that since the mid-1950's the County has had a continuing relationship with Brown and Wood, in New York, as Bond Counsel and with Craigie, Incorporated in Richmond as Financial Advisor.

Supervisor Berger's item noted that in 1984, formal non-competitive contracts were signed with each firm and they continue today with a fee schedule agreed upon at that time.

The item pointed out that the agreement with Bond Counsel has undergone minor changes since the 1950's including revision of the renewable option period to a limit of three years. Currently, there is a written extension in effect for Bond Counsel which expires October 31, 1993.

The issue is that apparently both services met the exclusion requirements established for the hiring of legal services, expert witnesses, and other services associated with litigation or regulatory proceedings exempting these two contracts from the competitive bid process as determined by the purchasing agent.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to report with a Consideration Item on this issue at the October 11, 1993 meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

64. OVERDUE BOOKS CHECKED OUT BY CHILDREN IN FAIRFAX COUNTY LIBRARIES (Tape 8)

Supervisor Berger stated that it has come to his attention that when children check out books at the Library, and those books become overdue and fines are levied, that parents are not permitted to know what individual books are overdue.

Supervisor Berger pointed out that not only is there a problem when a youngster has an overdue book somewhere in the house and the parent does not know what book to look for, but it is an issue of parental rights.

Supervisor Berger asked unanimous consent that the Board contact the Library Board and request them to change this policy, thereby giving parents the right to know what books their children are checking out of the Library. Without objection, it was so ordered.

PMH:pnh

65. BOUNDARY ADJUSTMENT BETWEEN THE CITY OF FAIRFAX AND THE COUNTY OF FAIRFAX (Tape 9)

(R)

(A) Supervisor Bulova stated that at the September 13, 1993 meeting of the Board, it authorized the advertisement of public hearings to consider a proposed voluntary relocation of the boundary between the City of Fairfax and the County of Fairfax. She said that if the advertised boundary adjustment goes into effect, portions of two parcels would come into the County from the City. The Zoning Ordinance provides that when land comes into the County, it assumes the R-C District classification. The portions of these two properties that are currently located within the County are zoned in the R-1 District. One property contains a single family dwelling, and the other, the Barcroft Bible Church. In order to put the entire area of each of the properties into the zoning district, Supervisor Bulova moved that the Board initiate a Board's Own Motion rezoning on Tax Map parcels 58-3((1))2 and 58-3((8))9 from the R-C District to the R-1 District by adopting the following:

WHEREAS, the R-C Zoning District may be unreasonable; and

WHEREAS, the Comprehensive Plan calls for public facilities, governmental and institutional use on Tax Map parcel 58-3((1))2 and residential development at 1-2 dwelling units per acre on Tax Map parcel 58-3((8))9; 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 Tax Map parcels 58-3((1))2 and 58-3((8))9 from the R-C District to the R-1 District,

THEREFORE, BE IT FURTHER RESOLVED THAT, this action be scheduled for public hearing so that action would be taken as soon as possible after clearance of the boundary adjustment by the Justice Department.

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

66. LAKE BRADDOCK COMMUNITY ASSOCIATION (Tape 9)

Supervisor Bulova said that in an effort to provide more recreational amenities for children, the Lake Braddock Community Association, a non-profit homeowners association, built a tot lot and a small paved basketball court on common open space near the townhouses on Dahlgreen Court. Neither of these additions required a building permit. However, Lake Braddock is a P District and neither of these additions are shown on the Development Plan. She added that this is an old zoning and there is a notation shown on the as-built that any additions require the approval of the appropriate County agency.

Supervisor Bulova said that the Zoning Evaluation Division, Office of Comprehensive Planning (OCP) has determined that these additions are in conformance with the Development Plan. However, approval is needed from the Director of the Department of Environmental Management (DEM). Staff has determined that this requirement can be satisfied with a Site Plan Waiver.

Therefore, Supervisor Bulova moved that the Board direct staff to pay all fees related to Site Plan Waiver and Exception review associated with these additions. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, and Chairman Davis being out of the room.

67. TOWN MEETING (Tape 9)

Supervisor Bulova announced that a Town meeting is scheduled for Tuesday, September 28, 1993 at 7:30 p.m. located at Little Run Elementary School on Olley Lane. She noted that the subject is clean air. She added that the meeting would be televised on Channel 16 and interested individuals may call in.

68. BROCHURE FOR ADOPT-A-CAUSE (Tape 9)

Supervisor Bulova distributed to Board Members a copy of a brochure "Adopt-A-Cause" which is a County sponsored event to encourage partnerships between non-profits and the business community and the private sector clubs and organizations. She encouraged interested individuals to contact her office at 703-425-9300.

69. REQUEST FOR IMPROVED COFFEE (Tape 9)

Supervisor Bulova noted that the coffee purchased from the Cafeteria is very bitter. She asked unanimous consent that the Board direct staff to review this issue and determine if any action can be taken to correct this situation. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to determine if recyclable cups (used during Board meetings) could be obtained. Without objection, it was so ordered.

70. APPOINTMENT TO THE DULLES CORRIDOR ADVISORY TASK FORCE

(Tape 9)

(APPT)

Supervisor Frey moved the appointment of Kenneth E. Born as the Sully District Representative to the Dulles Corridor Advisory Task Force to fill the unexpired term of Mr. David Ralston. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Chairman Davis being out of the room.

71. DEVELOPMENT PROCESS SUBCOMMITTEE SCHEDULED (Tape 9)

Supervisor Frey announced that the Development Process Subcommittee meeting would be held on Tuesday, September 28, 1993 at 9:00 a.m. in Conference Room 1, Government Center.

72. RANDOM HILLS ABANDONMENT (Tape 9)

Supervisor Frey said that the Random Hills Subdivision was the subject of a neighborhood consolidation, a Comprehensive Plan amendment, and ultimately a rezoning by Friendswood Development Company. The property was approved for mixed use residential, office and retail development. All of the residential structures have long since been vacated. Even though the old subdivision streets were vacated pursuant to State statutes and County Ordinances, after review and approval by the County Attorney and the Department of Environmental Management (DEM), by a Deed of Vacation recorded on June 21, 1991, the Virginia Department of Transportation (VDOT) continues to require "abandonment" of the vacated streets before it will remove them from its maintenance program and permit redevelopment.

Supervisor Frey moved that the Board authorize staff to advertise a public hearing on abandonment of public streets located within the old Random Hills Subdivision and that this hearing be scheduled as expeditiously as possible in November. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

73. CONCURRENT PROCESSING OF SITE PLAN AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-101-2 (Tape 9)

Supervisor Frey moved that the Board:

- Direct the Director of Environmental Management (DEM) to accept and process the Site Plan for multi-family housing on property identified as Tax Map Reference 46-3((1))36B and 56-1((1))20A concurrently with the processing of Proffered Condition Amendment Application PCA 84-P-01-2; and
- Direct staff to schedule a public hearing as expeditiously as possible for Proffered Condition Amendment Application PCA 84-P-101-2.

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

74. REQUEST FOR A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 24 (BINGO) (Tape 9)

Supervisor Frey asked unanimous consent that the Board direct staff to report with a proposed amendment to the Code of County of Fairfax, Chapter 24 (Bingo). He added that there had been changes in the Code of Virginia that need to be reflected in the Code of the County of Fairfax. Without objection, it was so ordered.

75. REQUEST FOR WAIVER OF THE FILING FEE FOR A SPECIAL PERMIT APPLICATION (Tape 9)

Supervisor Frey stated that Ms. Monica Cochran received a permit from the County to build a deck and screened porch which were constructed. Subsequently, staff realized they had made an error in approving construction of the deck. Staff told her that she must file for a Special Permit, but because the County approved the original building permit in error, she is requesting a waiver of the filing fee.

Therefore, Supervisor Frey moved waiver of the filing fees for a Special Permit Application. This motion was seconded by Vice-Chairman McConnell and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

76. VIRGINIA CITIZENS PLANNING ASSOCIATION AWARD PRESENTED TO MR. GLENN A. STROUP (Tape 9)

Supervisor Frey announced that the Virginia Citizens Planning Association is planning to present an award to Mr. Glenn A. Stroup. This award is dedicated to furthering, throughout the Commonwealth, the public's understanding and awareness of the need for community planning.

Supervisor Frey asked unanimous consent that the Board direct staff to prepare a letter for the Chairman's signature congratulating Mr. Stroup on receiving this prestigious award. Without objection, it was so ordered.

77. ANIMAL OVERPOPULATION TASK FORCE REPORT (Tape 9)

(BACs)

Supervisor Hyland stated that during the December 14, 1992 Board Meeting, the Board established an Animal Overpopulation Task Force to study animal overpopulation as it exists in Fairfax County. The Task Force was to define the extent of the problem, consider solutions and to have the Task Force present a report to the Board with its recommendations within 12 months.

Supervisor Hyland expressed his appreciation to the members of the Task Force for their completed report and its important findings, which reflect the extensive work the Task Force has done.

Supervisor Hyland distributed to Board Members the Task Force's documents for review and comment and he moved that the Board direct the County Executive to:

- Disseminate the Animal Overpopulation Task Force Report and draft an amendment to the Code of the County of Fairfax to the appropriate staff including but not limited to the Deputy County Executive for Public Safety, Animal Control Director and County Attorney for comment; and
- Report with staff recommendations.

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

78. WHITE HOUSE ENVIRONMENTAL FELLOWSHIP PROGRAM (Tape 9)

Supervisor Hyland stated that the White House is looking for people with an interest in environmental policy to apply for its Fellowship Program for 1994-1995. People

who are between the ages of 11 and 19 are encouraged to apply. They would become full-time paid assistants to Cabinet secretaries and other executive branch officials, e.g. they could be assigned to Vice-President Gore, Energy Secretary O'Leary, Interior Secretary Babbitt or Environmental Protection Agency (EPA) Administrator Browner. The position requires writing speeches, reviewing proposed legislation, responding to congressional inquiries, chairing meetings, etcetera.

Supervisor Hyland explained that this non-partisan commission considers people from all political parties and backgrounds. Choices are based on academic, professional and demonstrated interest in public service.

Supervisor Hyland said that applications for the fellowship programs are due by December 1, 1993 and more information can be obtained by calling Justin Leites at 202-395-4522 or by writing to him at the President's Commission on White House Fellowships, 712 Jackson Place, N.W. Washington, DC 20503.

Supervisor Hyland asked unanimous consent that the Board direct staff to disseminate this information and include notice about it on cable television. Without objection, it was so ordered.

79. ECOLODAY NEEDS YOU! (Tape 9)

Supervisor Hyland stated that 50 good volunteers are needed to help at the first environmental festival - Ecoloday.

Supervisor Hyland said that staff needs event evaluators, recycling monitors, information desk helpers, cake cutters, various greeters and two people for the Chessie monster and Woodsy Owl costumes.

Supervisor Hyland said that interested individuals should call Faxfair at 703-324-5303.

80. SANITARY SEWER EXTENSION AND IMPROVEMENT OF ROUTE 123 AT LORTON PROJECT (Tape 9)

Supervisor Hyland stated that the Route 123-Lorton Sanitary Sewer Project originated as a result of letters from citizens during 1971 and 1972. This project could not be funded until Fiscal Year (FY) 1989 when a sanitary sewer outfall for this area became available. A survey of the area by the Health Department indicated that of the 56 existing septic systems, eight are classified as Class I failures which are malfunctioning and are potentially creating a health hazard to the community. In addition, due to soil conditions in this area, it can be expected that the remaining

septic systems will continue to fail and contribute further to the potential health hazard situation.

Supervisor Hyland said that the implementation of this critical sanitary sewer project was impacted temporarily to resolve legal issue of providing sewer service to the area west of Route 123. A favorable Board resolution of this issue was subsequently reached and the project is proceeding as originally proposed.

Supervisor Hyland noted that the engineering design of the Route 123-Sanitary Sewer Project is 95 percent complete and the process of acquiring the required sanitary sewer easements will be initiated in October.

Supervisor Hyland moved that the Board direct and authorize staff to expedite the land acquisition phase of the Route 123-Lorton Sanitary Sewer Project. It will be the intent of the Board to acquire, through eminent domain quick-take powers any necessary land rights which cannot be acquired through negotiation. As such following completion of the appraisals and title work, this process will require the advertisement and holding of a public hearing to authorize condemnation of the necessary land interests. This motion was seconded by Vice-Chairman McConnell and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

81. CLEAN AIR ISSUES (Tape 9)

Supervisor Hyland expressed concern about clean air issues and moved that the Board direct:

- The Board and staff to review this issue of the number of vehicles and the increase in the number of vehicles in Fairfax County and "reach out" to the businesses in Fairfax County to determine how to reduce the number of vehicles in the County; and
- Staff to report with recommendations on what the Board can do to help with this problem.

This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Frey asked that the motion be amended to increase the Board's efforts to decrease the number of vehicles, and this was accepted.

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

82. EXPEDITIOUS PROCESSING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-P-048 (Tape 9)

Supervisor Hanley stated that the property located at 8001 Leesburg Pke was the subject of Rezoning Application RZ 88-P-048. The current office market has not allowed the redevelopment of the property in accordance with the Proffered Condition Development Plan and the existing retail uses have continued to operate. In order to allow one of the existing retail tenants to make minor modifications to an existing building, a Proffered Condition Amendment Application has been deemed to be necessary.

Due to the minor nature of this request, Supervisor Hanley moved that Board direct staff to expeditiously process Proffered Condition Amendment Application PCA 88-P-048 that will be filed at the property located at 8001 Leesburg Pike. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

83. QUESTIONS REGARDING CONNECTIONS TO PUBLIC WATER FOR THE MANTUA SUBDIVISION (Tape 9)

Supervisor Hanley stated that several citizens in the Mantua Subdivision have been operating on well water. She said that their connection to the public water paid for by Star Texaco is underway. She added that polybutylene pipe is to be used and the following questions need to be addressed as expeditiously as possible:

- Does the polybutylene pipe to be used meet the Code requirements?
- Is there any danger of it being harmed by coming into contact with petroleum products? and
- Will the chlorine, if any, in the water system damage the pipe?

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

84. EXPEDITIOUS PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 93-P-044 (Tape 9)

Supervisor Hanley stated that the Ziegler Companies have applied for a Special Exception to increase the square footage of the sign it wishes to display at the Tysons III Center. Because the Site Plan is already being processed, Supervisor Hanley moved that the Board direct staff to expeditiously process Special Exception Application SE 93-P-044. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Chairman Davis being out of the room.

85. EXPEDITIOUS PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 93-P-046 (Tape 9)

Supervisor Hanley moved that the Board direct staff to expeditiously process Special Exception Application SE 93-P-046. She added that the applicant understands that this does not mean that the Application will be approved. This motion was seconded by Supervisor Frey and carried by a vote of nine, Chairman Davis being out of the room.

86. FAIR CAMPAIGN PRACTICES - APPOINTMENTS (Tape 9)

Supervisor Hanley reminded Board Members that the Board endorsed legislation to establish the Fair Campaign Practices last year. She said that in moving forward with this issue, the names from the Democratic Committee have been submitted as follows:

- Ms. Janet Muldoon; and
- Mr. Jim Dyke.

Supervisor Hanley said that the Board was informed that the Republican Party had not yet met and been able to submit names. She questioned whether the Republican Party had met and would be submitting names.

Vice-Chairman McConnell stated that she would check into the matter.

NV:nv

87. REQUEST FOR EXTENSION OF TIME FOR 456-193-12 (Tape 10)

Supervisor Alexander stated that Southwestern Bell Mobil Systems, Incorporated, trading as Cellular One Washington/Baltimore, has applied to the Planning Commission for a determination that a proposed site in the Fullerton Industrial Park is in conformance with the Comprehensive Plan. Cellular One proposes to install a 150-foot mono pole and equipment building.

Supervisor Alexander said that the Lee District Land Use Committee, concerned about the proliferation of such facilities in the District, has requested a deferral of the public hearing to be held before the Planning Commission in order to obtain information as to the total number and location of other facilities in the area. There are several other pending proposals for similar facilities in Lee District.

Supervisor Alexander explained that in order for the Planning Commission to reschedule the public hearing on this application, Board approval is required to extend the time in which the Planning Commission must act on the 456 application. The

Code of Virginia specifies that the Commission must act within 60 days of the date an application is filed unless such time is extended by the governing body. This application was filed on August 11, 1993.

Therefore, Supervisor Alexander moved that the Board approve the extension of time for the Planning Commission to act on 456-L93-12 until October 28, 1993. This motion conforms to the provisions of 15.1-456 (B) of the Code of Virginia, as amended. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

88. REQUEST FOR WAIVER OF SITE PLAN FEES FOR THE ENGLSIDE LIONS CLUB (Tape 10)

Supervisor Alexander moved that the Board waive Site Plan fees for the Engleside Lions Club located at 7846 Richmond Highway, Special Exception Application SE 88-L-053. He said that he is making this request because the applicant is strictly a service organization and that they have a limited budget. The profits from their service will go directly back into to the community. The motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

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

89. RECOGNITION OF "ZEKE" NEWCOMB AND SUPERVISOR ALVIN BANDY, STAFFORD COUNTY (Tape 10)

Chairman Davis recognized the presence of Mr. "Zeke" Newcomb and Supervisor Alvin Bandy, Stafford County, and warmly welcomed them to the Board Auditorium.

90. REQUEST FOR WAIVER OF FILING FEE FOR A RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) FOR THE RESIDENTS OF MAGNOLIA LANE AND PAUL STREET (Tape 10)

Supervisor Trapnell stated that residents of Sunset Manor have submitted an application for a Residential Permit Parking District (RPPD) in their neighborhood. She said that her office, staff from the Office of Transportation, and the affected residents have designed an RPPD which will help alleviate the overflow parking problems.

Therefore, Supervisor Trapnell moved that the Board waive the \$10 filing fee for residents on Magnolia Lane and Paul Street within the designated RPPD. This motion

was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Frey being out of the room.

91. REQUEST TO DECLARE OCTOBER 1993 AS "AFFORDABLE HOUSING AWARENESS MONTH" IN VIRGINIA (Tape 10)

(R) Supervisor Trapnell stated that this fall Governor Wilder hopes to raise the public's awareness of the need for safe, decent affordable housing throughout the Commonwealth of Virginia, as well as nationally. He has asked each local jurisdiction to do their part by declaring October 1993 as "**Affordable Housing Awareness Month**" in Virginia. Supervisor Trapnell moved adoption of the following Resolution indicating the Board's continuing support of affordable housing programs:

WHEREAS, decent, safe, and affordable housing is the cornerstone upon which our families and our communities are built; and

WHEREAS, substandard or deteriorating housing, inadequate plumbing, and overcrowding threaten the health and safety of Virginia's households and diminish the economic vitality of Virginia's communities; and

WHEREAS, those Virginians with special needs for accessibility or supportive services have additional difficulty finding adequate housing; and

WHEREAS, the dream of decent, affordable housing will only become a reality through the leadership and partnership of state and local governments, businesses, and civic organizations; and

THEREFORE BE IT RESOLVED, that the County of Fairfax, Virginia recognizes the month of October 1993 as "Affordable Housing Awareness Month."

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

92. BOARD DATES FOR PUBLIC HEARINGS FOR CROSSPOINTE (Tape 10)

Supervisor McConnell moved to confirm the Board dates for public hearings for Crosspointe applications Proffered Condition Amendment PCA 85-W-052, Final Development Plan Amendment FDPA 85-W-052-2, and Special Exception SE 92-V-040 as **January 24, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Frey being out of the room.

93. SITE PLAN WAIVER FEES FOR CLIFTON POTTERY (Tape 10)

Supervisor McConnell stated that she was presenting this Board Matter on behalf of George and Liliane Knakmuhs, the owners of the Clifton Pottery located at 7601 Clifton Road. She explained that they were granted a temporary two-year Site Plan Waiver to operate a retail/office use within an existing residential structure at the intersection of Wolf Run Shoals Road and Clifton Road.

Supervisor McConnell stated that the temporary Site Plan Waiver has now expired and the owners must submit either a formal waiver or Site Plan. The owners attempted to file the formal application in September, 1992. A surveyor was hired, a plat drawn, and a waiver submitted. They paid a fee of \$500 to the Department of Environmental Management (DEM) to review this waiver application number 12603. DEM staff rejected the request at the time stating that they needed a more detailed plan.

Supervisor McConnell further explained that Mr. and Mrs. Knakmuhs proceeded to hire a firm to prepare a more detailed plan. The revised waiver application was routed by the engineering firm through the Fire Marshal's Office, Health Department, and Urban Forestry Division, DEM, for review. Their comments were addressed and the plan was submitted to DEM Site Review Branch for review and approval in August, 1993.

Supervisor McConnell stated that the owners were later informed by DEM staff that they would not accept the revised application under the original waiver number 12603 and that a new waiver application should be filed at a cost of an additional \$500. DEM staff also verbally informed the applicants that a \$500 site plan waiver fee for each improvement being waived on the property would be required. Supervisor McConnell noted that 10 waivers are administratively necessary and that the submission fee would be \$5000.

Stating that these fees cause an undue hardship to a retired couple trying to run a small pottery business, Supervisor McConnell moved that the Board direct staff to limit the DEM fee on any new Site Plan Waiver application by Clifton Pottery to \$500. This motion was seconded by Supervisor Hyland for purposes of discussion.

A question-and-answer session ensued, with input from Irving Birmingham, Director, DEM.

Supervisor McConnell moved to change the DEM fee schedule. This motion died for lack of a second.

Following further discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to return this item to the Board at the next meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

94. ABANDONMENT OF PORTIONS OF HOOES ROAD (Tape 10)

Supervisor McConnell stated that the Office of Transportation and the Virginia Department of Transportation (VDOT) have been working together on the land acquisition of the Herbert Aman Property, known as Whisperwoods, located at the intersection of the Fairfax County Parkway and Hooes and Pohick Roads. To finalize the land acquisition settlement, two small areas of existing Hooes Road must be abandoned.

Accordingly, Supervisor McConnell moved that the Board direct staff of the Office of Transportation to initiate the application for abandonment of these two segments of prescriptive right-of-way along Hooes Road adjacent to the Fairfax County Parkway and the Whisperwoods development. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey and Supervisor Hanley being out of the room.

95. CONTRACTING OUT THERAPY SERVICES (Tape 10)

Supervisor McConnell said that Congress passed Public Law 99-457 in 1986. This law was reauthorized in 1990, and became Public Law 101-478, Individuals with Disabilities Education Act. A part of this Act authorized the Department of Education to administer a five-year discretionary grant program to develop and implement interagency service delivery to infants and toddlers with serious disabilities and their families.

Supervisor McConnell stated that, as she indicated in her Board Matter on July 26, 1993, Fairfax County is assuming almost complete responsibility for these services with the exception of the Federal Grant approved by the Board on September 13, 1993. She noted that access to service is limited by location with the Day Time Development Center having one location in Fairfax City. A waiting list exists for intake, assessment, and on-going service delivery.

Supervisor McConnell explained that she has discussed this matter with parents and others in this area of service and has concluded that there are good opportunities to be more innovative by leveraging third party funding resources necessary to expand services to citizens who are not now receiving services in a timely manner.

Therefore, Supervisor McConnell moved that the Board direct staff to:

- Work with the appropriate parties, including parents, to develop a comprehensive plan to consider contracting out for all therapy services to private businesses who have third party reimbursement capability, both for evaluation/assessments and therapy services. Under this alternative, the County would retain planning, intake, and case management and contract monitoring responsibilities; and
- Report with a plan of action by November 1, 1993.

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

CM:cm

96. **ORDERS OF THE DAY** (Tape 11)

Chairman Davis announced that the Orders of the Day would be changed to allow the Board to proceed with the 3:30 p.m. - Public Hearing on Special Exception Application SE 93-M-022 (Dar Al-Hijrah Islamic Center, Incorporated) in Mason District.

97. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-M-022 (DAR AL-HIJRAH ISLAMIC CENTER, INCORPORATED) (MASON DISTRICT) AND ACTION ITEM A-12 - SHARED PARKING AGREEMENTS FOR DAR AL-**

HIJRAH MOSQUE (Tape 11)

Mr. Larry E. Beckner reaffirmed the validity of the affidavit for the record.

Mr. Beckner 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 six speakers, David Hunter, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Trapnell moved **DENIAL** of Special Exception Application SE 93-M-022. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

With regard to Action Item A-12 - Shared Parking Agreements for Dar Al-Hijrah Mosque, Supervisor Trapnell further moved that the Board approve shared parking between the Dar Al-Hijrah Mosque at 3159 Rowe Street and two nearby churches, the Church of Christ at 6149 Leesburg Pike and the First Christian Church at 6165 Leesburg Pike, under the following conditions:

- The approval is valid for a time period of up to four years or until the respective grants of permission from the Church of Christ and the First Christian Church may be rescinded, whichever shall occur first;
- This approval is granted for the use by the Mosque of 120 parking spaces at the Church of Christ and 70 parking spaces at the First Christian Church. Because the churches have restricted the right of the Mosque to use their respective parking spaces only during Friday afternoon prayer services, the shared parking approval is granted only for Fridays between the hours of noon and 3:00 p.m.; and
- The Mosque must arrange for and provide an off-duty police officer to be stationed at the intersection of Rowe Street and Leesburg Pike on Friday afternoons between noon and 2:30 p.m. to direct traffic and ensure pedestrian safety.

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

**98. 3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT
APPLICATION PCA 77-S-093, REZONING APPLICATION RZ 93-L-012,
AND SPECIAL EXCEPTION APPLICATION SE 93-L-026 (GENESIS
FEDERAL CREDIT UNION) (LEE DISTRICT) (Tape 11)**

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Ms. Strobel 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 she proceeded to present her case.

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

Supervisor Alexander moved approval of Proffered Condition Amendment Application PCA 77-S-093 subject to the execution of proffers dated September 3, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six,

Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Supervisor Alexander moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-L-012 be amended from the C-2, C-6, Sign Control and Highway Corridor Districts to the C-3, Sign Control and Highway Corridor Districts subject to the proffers dated September 3, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Supervisor Alexander moved approval of Special Exception Application SE 93-L-026 subject to the development conditions dated September 16, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Supervisor Alexander moved approval of the requested modification of transitional screening requirements along the western side of the site pursuant to paragraph 4 of Section 13-304 and subject to the development conditions proposed with Special Exception Application SE 93-L-026 dated September 16, 1993. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell being out of the room.

99. 3:30 P.M. - PH ON REZONING APPLICATION RZ 93-V-008 AND SPECIAL EXCEPTION APPLICATION SE 93-V-029 (ALI AND MAHIN JAVADI) (MOUNT VERNON DISTRICT) (Tapes 11-12)

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

Supervisor Hyland moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-V-008 be amended from the R-1 District to the R-3 District subject to the proffers dated September 16, 1993. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hanley, and Supervisor McConnell being out of the room.

100. A-10 - EXPANSION OF THE APPROVED SANITARY SEWER SERVICE AREA, MILL BRANCH WATERSHED (MOUNT VERNON DISTRICT) (Tape 12)

(NOTE: Earlier in the meeting, the Board deferred this item. See Clerk's Summary Item CL #19.)

On motion of Supervisor Hyland, seconded by Chairman Davis, and carried by a vote of seven, Supervisor Alexander, Supervisor Hanley, and Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and expanded the Approved Sanitary Sewer Service Area to include that portion of Mill Branch Watershed as identified in Attachment 1.

101. SCHEDULING OF PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 93-V-029 (Tape 12)

Supervisor Hyland moved that the Board direct staff to schedule the Public Hearing for Special Exception Application SE 93-V-029 on **November 15, 1993 at 4:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Hanley, and Supervisor McConnell being out of the room.

102. 3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-M-022 (DAR AL-HIJRAH ISLAMIC CENTER, INCORPORATED) (MASON DISTRICT) (No Tape)

(NOTE: Earlier in the meeting action was taken on this item. See Clerk's Summary Item CL#97.)

103. 3:30 P.M. - PH AND ADOPTION OF ORDINANCE AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-5-32 RELATING TO REMOVAL AND DISPOSITION OF VEHICLES UNLAWFULLY PARKED ON PRIVATE PROPERTY (No Tape)

(NOTE: This public hearing was cancelled due to the need to readvertise certain amendments proposed by the Fairfax County Towing Advisory Board. Additionally, the Tenant-Landlord Commission recommended changes that warrant consideration.)

104. 4:00 P.M. - PH ON REZONING APPLICATION RZ 93-M-010 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-M-100-2 (ANNANDALE UNITED METHODIST CHURCH) (MASON DISTRICT) (Tape 12)

Mr. Randy Gordon reaffirmed the validity of the affidavit for the record.

Mr. Gordon 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.

Chairman Davis disclosed the following campaign contribution which he had received:

- In the amount of \$350 from Ms. Elizabeth Melany.

Following the public hearing, which included testimony by one speaker, Lori Greenlief, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Supervisor Trapnell moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-M-010 be amended from the R-2 and Highway Corridor and Sign Control Districts to the R-3 and Highway Corridor and Sign Control Districts subject to the proffers dated September 15, 1993. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hanley and Chairman Davis being out of the room.

Supervisor Trapnell further moved:

- Approval of Special Exception Amendment Application SEA 85-M-100-2 subject to the revised development conditions dated September 23, 1993;
- Modification of the transitional screening requirement; and
- Waiver of the barrier requirement along all lot lines pursuant to Section 13-304, Paragraphs 3, 9 and 12, of the Zoning Ordinance.

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

105. 4:00 P.M. - PH ON REZONING APPLICATION RZ 89-S-030 (JUDITH A. BELL AND JOHN E. BELL) (SPRINGFIELD DISTRICT) (Tape 12)

Mr. Douglas Walker reaffirmed the validity of the affidavit for the record.

Mr. Walker 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 two speakers, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), presented the staff and Planning Commission recommendations.

Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova and moved that the:

- Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 89-S-030 be amended from the R-1 and Water Supply Protection Overlay Districts to the R-2 and Water Supply Protection Overlay Districts subject to the proffers dated September 21, 1993; and
- Board waive the minimum district size.

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

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

106. 4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-L-014 (BURGUNDY FARM COUNTRY DAY SCHOOL, INCORPORATED) (LEE DISTRICT) (Tape 12)

Mr. James Moore reaffirmed the validity of the affidavit for the record.

Mr. Moore 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 Alexander moved approval of Special Exception Application SE 93-L-014 subject to the development conditions dated September 22, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Chairman Davis being out of the room.

Supervisor Alexander further moved modification of the transitional screening and barrier requirement along the entire periphery of the site in favor of that shown on the SE Plat and as specified in the development conditions. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Chairman Davis being out of the room.

107. 4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112, (ZONING ORDINANCE) REGARDING VARIANCE APPLICATION FEE FOR RESIDENTIAL ACCESSORY STRUCTURES OR ACCESSORY USES (Tape 12)

(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 September 9 and September 16, 1993.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Variance Application fees for residential accessory structures or Accessory uses. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Chairman Davis being out of the room.

108. 4:00 P.M. - PH ON THE SALE OF THE COUNTY'S INTEREST IN A PROPERTY KNOWN AS THE DISTRICT NURSING HOME LOCATED IN THE TOWN OF WARRENTON, VIRGINIA (Tape 12)

A Certificate of Publication was filed from the Editor of the Washington Post showing that notice of said public hearing had been duly advertised in this Newspaper in the issue of September 23, 1993.

Following the public hearing, Supervisor Hyland moved that the Board authorize the County Executive to enter into the sales contract for the District Nursing Home property located in the Town of Warrenton, Virginia. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

109. DEFERRAL OF PH ON REZONING APPLICATION RZ 88-Y-043 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-S-109 (DAVID L. HUNTER) (SULLY DISTRICT) (Tape 12)

Supervisor Frey moved to **defer indefinitely** the public hearing on Rezoning Application RZ 88-Y-043 and Proffered Condition Amendment Application PCA 88-S-109. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

110. CHANGE IN ORDERS OF THE DAY (Tape 12)

Vice-Chairman McConnell announced that staff was now ready to proceed with Consideration Item C-3 which was deferred earlier in the day. She relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the 4:00 p.m. Public Hearing to Consider Adoption of Proposed Amendments to the Code of the County of Fairfax, Chapter 6 (Weapons) be deferred until later in the day. Without objection, it was so ordered.

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

[NOTE: Later in the meeting, the Public Hearing to Consider the Adoption of Proposed Amendments to the Code of the County of Fairfax, Chapter 6 (Weapons) was held. See Clerk's Summary Item CL#112.]

111. C-3 - APPROVAL OF COUNTY SEWER FUND INVESTMENT IN BOND ANTICIPATION NOTES, AUTHORIZATION TO ENTER INTO TWO LEASE AGREEMENTS (A GROUND LEASE AND AN OPERATING LEASE), NOTIFICATION BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF THE FINANCING PLAN FOR THE BRADDOCK COMMUNITY CENTER AND ITS REQUEST FOR AN INVESTMENT FROM THE FAIRFAX COUNTY INTEGRATED SEWER FUND, AND REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (SPRINGFIELD DISTRICT) (Tapes 12-13)

Supervisor Dix moved that the Board direct staff to:

- Proceed with its plans for the construction and financing of Braddock Community Center;
- Enter into a ground lease agreement and an operating lease agreement with the County;
- Reallocate \$450,000 for the Braddock Community Center from Community Development Block Grant (CDBG) Contingency Fund 003899, Subfund 178,

making funds available to the Virginia Department of Highways (VDOT) and the Fairfax County Water Authority (FCWA).

Following discussion, with input from William J. Leidinger, County Executive, and Walter D. Webdale, Director, Department of Housing and Community Development, Supervisor Dix withdrew his motion.

Following further discussion, Supervisor Frey moved to defer this item for two weeks. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor Trapnell, and Chairman Davis being out of the room.

112. 4:00 P.M. - PH TO CONSIDER THE ADOPTION OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS) (Tapes 12-14)

(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 September 17 and September 24, 1993.

Following the public hearing, which included testimony by eight speakers, Supervisor Bulova moved:

- Approval of staff recommendations in the adoption of a proposed Ordinance to amend the Code of the County of Fairfax, Chapter 6 (Weapons) including recommended Change Numbers 1, 2, 3 (Option 1) and 5, dated September 27, 1993;
- Addition of a new Appendix J to the Code of the County of Fairfax relating to the prohibition of shooting firearms in certain areas; and
- Approval of an amendment to Change Number 3, Option 1, by deleting the words "public park" from the phrase "within 100 yards of any public school or public park."

This motion was seconded by Supervisor Hanley.

Following further discussion, Supervisor Berger moved to amend the motion to delete the reference in the document that requires landowners to register people hunting on their property by name, by deleting the phrase "who are registered pursuant to Section 6-1-3" at the top of page 7(e). This motion was seconded by Supervisor Dix.

Following further discussion, the question was called on the amendment which **FAILED** by a recorded vote of six, Supervisor Alexander, Supervisor Berger, and Supervisor Dix voting "**AYE**," Chairman Davis being out of the room.

Following further discussion, Supervisor Hyland moved to amend the motion to have the language "or public parks" reinstated in the Ordinance to amend Section 6-1-2(c). This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of five, Supervisor Bulova, Supervisor Berger, Supervisor Frey, and Supervisor Hanley voting "**NAY**," Chairman Davis being out of the room.

Following a lengthy discussion, Supervisor Alexander moved to call the question. This motion, the second to which was inaudible, carried by a vote of nine, Chairman Davis being out of the room.

The question was then called on the main motion made by Supervisor Bulova, as amended by Supervisor Hyland, which carried by a vote of nine, Chairman Davis being out of the room.

Supervisor Frey moved that the Board direct staff to create a working group comprised of County staff and concerned groups/individuals in the County to review this Section of the Code and to report to the Board with recommendations to update it in regard to the hunting provisions as well as the weapons themselves. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board direct staff to return this matter as an Information Item at the next meeting to give Board Members a time frame to know how long staff will need to solicit input from concerned parties. Without objection, it was so ordered.

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

Supervisor Dix acknowledged Michael Long, Assistant County Attorney, and thanked him for his efforts and cooperation in working with this issue.

113. I-6 - AWARD OF CONTRACT - UNARMED SECURITY GUARD SERVICE AT THE FAIRFAX COUNTY GOVERNMENT CENTER (Tape 14)

Vice-Chairman McConnell announced that Information Item I-6 would be discussed later in the meeting.

(NOTE: Later in the meeting, action was taken to defer this item. See Clerk's Summary Item CL#116.)

114. 4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN (Tapes 14-15)

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 16 and September 23, 1993.

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

The public hearing was held with testimony from the following individuals:

- Ms. Karen Gounaud, Representative, Family Values Coalition;
- Mr. Kurt Michael;
- Mr. Joseph Strada;
- Mr. Neil Markva, Representative, Christian Communities;
- Ms. Carolyn Wesley;
- Mr. Ronald Bashian;
- Mr. James T. Fowler;
- Mr. Anthony Falzerano; and
- Mr. William Nowers,

Representative, American Family Association; and

- Ms. Jennifer Maggio.

Following the public hearing, Supervisor Berger moved that the Board direct staff to:

- Report at the next meeting on how to legally remove The Blade from the libraries; and
- Review procedures of how to abolish the Library Board.

This motion was seconded by Supervisor Frey.

Following a lengthy discussion, with input from David P. Bobzien, County Attorney, Supervisor Berger moved to call the question. This motion, the second to which was inaudible, carried by a vote of six, Supervisor Alexander, Supervisor Hanley, Supervisor Trapnell, and Chairman Davis being out of the room.

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

115. 4:30 P.M. - PH TO RECEIVE COMMENT FROM FAIRFAX COUNTY BUSINESSES ON ISSUES OF CONCERN (Tape 15)

Certificates of Publication were filed from the Editor of the Washington Post, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 16 and September 23, 1993.

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

There were no speakers for this hearing.

116. DEFERRAL OF INFORMATION ITEM I-6 - AWARD OF CONTRACT - UNARMED SECURITY GUARD SERVICE AT THE FAIRFAX COUNTY GOVERNMENT CENTER (Tape 15)

(NOTE: Earlier in the meeting, the Board deferred this item. See Clerk's Summary Items CL#34 and CL#113.)

Supervisor Hyland moved to defer Information Item I-6 until the next meeting scheduled for October 11, 1993. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Alexander, Supervisor Hanley, Supervisor Trapnell, and Chairman Davis being out of the room.

117. DEVELOPMENT PROCESS SUBCOMMITTEE MEETING SCHEDULED

(Tape 15)

Supervisor Frey reminded Board Members that the Development Process Subcommittee meeting would be held on Tuesday, September 28, 1993 at 9:00 a.m. in Conference Room One, Government Center.

118. BOARD ADJOURNMENT (Tape 15)

At 8:50 p.m., the Board adjourned.