

**CM:cm**

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. **CERTIFICATE OF APPRECIATION TO PAUL E. SMITH, SUPERVISOR, OFFICE OF ASSESSMENTS FOR DEDICATED SERVICE** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Appreciation presented to Paul E. Smith, Supervisor, Office of Assessments, for over 17 years of distinguished service and dedicated commitment to the government and citizens of Fairfax County. This motion was seconded by Supervisor Dix and carried by unanimous vote.

3. **RECOGNITION OF FORMER SUPERVISOR OF HUNTER MILL DISTRICT (FORMERLY CENTREVILLE) MS. MARTHA V. PENNINO** (Tape 1)

Chairman Davis recognized the presence of Ms. Martha V. Pennino, former Supervisor of the Hunter Mill District (formerly Centreville) and warmly welcomed her to the Board Auditorium.

4. **CERTIFICATE OF RECOGNITION TO THE ANNANDALE HIGH SCHOOL ATOMS 1993 VARSITY FOOTBALL TEAM** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to the Annandale High School Atoms 1993 Varsity Football Team for winning the Potomac District Championship, Northern Virginia Regional Championship, and the Division Six State Championship. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being out of the room.

5. **PRESENTATION OF CERTIFICATES OF RECOGNITION TO MEMBERS OF THE MOSCOW INTERN PROGRAM** (Tape 1)

Supervisor Bulova introduced the following Moscow police officers:

- Colonel Aleksey Grigorlev;
- Colonel Nikolay Klimenkov;
- Lt. Colonel Vladmir Loboda; and
- Major Valery Kazakov;

who are visiting Fairfax County for two weeks to observe the County's public safety operations.

Supervisor Bulova moved approval of the Certificates of Recognition to the four police officers who are members of the Moscow Intern Program and a Certificate of Appreciation to Mr. George Guma of Vienna who has volunteered to be the interpreter for the interns during their two week stay. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide an appropriate memento to the Moscow visitors. Without objection, it was so ordered.

6. **APPOINTMENT OF SUPERVISOR ELAINE MCCONNELL AS VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS FOR 1994** (Tape 1)

(BACs)  
(APPTS)

Supervisor Alexander moved the appointment of Supervisor McConnell as the Vice-Chairman to the Board of Supervisors. This motion was seconded by Supervisor Dix and carried by unanimous vote.

7. **10:00 A.M. - BOARD ORGANIZATION AND APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AGENCIES, COMMITTEES AND SUBCOMMITTEES** (Tape 1)

(BACs)  
(APPTS)

Chairman Davis distributed to Board Members a listing of the Board organization and appointments to the various regional agencies, committees and subcommittees and announced that a new committee "Liaison with Central Fairfax Chamber of Commerce" had been added to the list with Supervisor Bulova being Fairfax County's Representative to that Committee.



Supervisor Alexander moved approval of the listing, as distributed. This motion was seconded by Supervisor McConnell.

Supervisor Hanley asked unanimous consent that the Board direct staff to combine the Council of Governments (C.O.G) Human Services Policy Committee and the C.O.G. Public Safety Committee and list it as the C.O.G. Human Services and Public Safety Policy Committee with Supervisor Hyland as the Principal Representative and Supervisor Hanley as the Alternate Representative. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to delete her name from the Executive Board of the Virginia Association of Counties (VACo) list. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct staff to list the C.O.G. Task Force on High Occupancy Vehicle (HOV) Use for the Dulles Toll Road as a Commonwealth Transportation Board (CTB) Committee as opposed to a C.O.G. Committee. Without objection, it was so ordered.

The question was then called on the motion to approve the listing of the Board organization and appointments to the various regional agencies, committees and subcommittees, as amended, which carried by unanimous vote.

Following discussion, Supervisor Alexander moved the appointment of Supervisor Hyland as the Representative to the INOVA Board. This motion was seconded by Chairman Davis.

Following further discussion, Supervisor Dix asked unanimous consent that the appointment to the INOVA Board be deferred until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was no further discussion regarding the INOVA Board appointment.)

Supervisor Dix asked unanimous consent that the Board direct staff to change the name of the Economic Recovery Committee to the Economic Advisory Committee. Without objection, it was so ordered.

Following is a listing of the Board organization and appointments to the various regional agencies, committees and subcommittees, as approved:

**APPOINTMENTS OF BOARD MEMBERS TO VARIOUS REGIONAL AGENCIES,  
COMMITTEES AND SUBCOMMITTEES FOR CALENDAR YEAR 1994**

**INTERJURISDICTIONAL COMMITTEES**

<b><u>CHURCH</u></b>	<b><u>ALEXANDRIA</u></b>	<b><u>FALLS</u></b>
Chairman	Gerald Hyland, Chairman	Christine Trapnell,
Hanley	Joseph Alexander	Katherine K.
	Christine Trapnell	Ernest Berger

**ARLINGTON**

Christine Trapnell, Chairman  
Ernest Berger  
Thomas Davis

**FORT BELVOIR**

Joseph Alexander, Chairman  
Gerald Hyland  
Thomas Davis  
Elaine McConnell

**DISTRICT OF COLUMBIA**

Thomas Davis, Chairman  
Joseph Alexander  
Gerald Hyland  
Ernest Berger

**HERNDON**

Ernest Berger, Chairman  
Thomas Davis  
Robert Dix

**FAIRFAX CITY**

Elaine McConnell  
Katherine Hanley  
Sharon Bulova  
Michael Frey

**LOUDOUN COUNTY**

Ernest Berger, Chairman  
Michael Frey  
Robert Dix

**PRINCE WILLIAM**

**(Includes UOSA, City of Manassas and City of Manassas Park)**

Michael Frey, Chairman  
Gerald Hyland  
Elaine McConnell

**INTERGOVERNMENTAL BOARDS AND COMMITTEES**  
**(Including Federal and State)**

**AUDIT COMMITTEE**

Ernest Berger  
Thomas Davis  
Katherine Hanley

(NOTE: The Audit Committee also includes two citizen members.)

**COMMONWEALTH TRANSPORTATION BOARD HIGH OCCUPANCY VEHICLE (HOV) USE FOR THE DULLES TOLL ROAD COMMITTEE**

Robert Dix

**COUNCIL OF GOVERNMENTS (COG)**

**C.O.G. METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE**

Robert Dix - Principal  
Thomas Davis - Principal  
Gerald Hyland - Principal  
Sharon Bulova - Alternate  
Ernest Berger - Alternate

**C.O.G. AIRPORT NOISE ABATEMENT**

Ernest Berger - Principal  
Gerald Hyland - Alternate

**C.O.G. ENVIRONMENTAL POLICY COMMITTEE**

Michael Frey - Principal  
Gerald Hyland - Principal  
Richard Gozikowski and Jimmie Jenkins - Alternates

**C.O.G. HUMAN SERVICES & PUBLIC SAFETY POLICY COMMITTEE**

Gerald Hyland - Principal  
Katherine Hanley - Alternate

**COMMITTEE**

**C.O.G. METROPOLITAN DEVELOPMENT POLICY**

Ernest Berger - Principal  
Robert Dix - Alternate

**C.O.G. TRANSPORTATION PLANNING BOARD**

Michael Frey - Principal  
Thomas Davis - Alternate  
Robert Dix - Principal  
Ernest Berger - Alternate

**GEORGE MASON UNIVERSITY**

Elaine McConnell, Chairman  
Thomas Davis  
Sharon Bulova

**IHS HOSPITALS BOARD**

**INOVA**

Elaine McConnell  
Ira Hunt

\*

(\*NOTE: The appointment of the INOVA Representative was deferred.)

**METROPOLITAN WASHINGTON AIRPORTS (MWA) PROJECT  
POLICY COMMITTEE**

Michael Frey - Principal  
Ernest Berger - Alternate  
Robert Dix - Alternate

**NORTHERN VIRGINIA PLANNING DISTRICT COMMITTEE**

Ernest Berger  
Sharon Bulova  
Robert Dix

Katherine Hanley  
Christine Trapnell  
Elaine McConnell

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION**

Joseph Alexander - Principal for WMATA  
Ernest Berger  
Sharon Bulova  
Katherine Hanley - Alternate for WMATA

Elaine McConnell

**TRANSPORTATION SAFETY COMMISSION**

Sharon Bulova

**NATIONAL ASSOCIATION OF COUNTIES (NACo)**

**(NACo must confirm recommended nominees)**

Gerald Hyland

**VIRGINIA ASSOCIATION OF COUNTIES (VACo)**

**(VACo must confirm recommended nominees)**

Executive Board:        Thomas Davis  
                                 Robert Dix  
                                 Michael Frey  
                                 Gerald Hyland

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

Joseph Alexander - Principal  
Katherine Hanley - Alternate

(Appointed by NVTC. The Board of Supervisors will make recommendations for consideration.)

**INTRAGOVERNMENTAL AND OTHER SUBCOMMITTEES**

**BOARD PROCEDURES**

Ernest Berger, Chairman  
Gerald Hyland, Vice-Chairman

**BUDGET POLICY COMMITTEE**

Thomas Davis, Chairman  
(Committee of the Whole)

**BUILDING AND DEVELOPMENT REGULATION**

**ENFORCEMENT**

Michael Frey, Chairman  
Joseph Alexander, Vice-Chairman  
(Committee of the Whole)



**ECONOMIC ADVISORY COMMITTEE**

Elaine McConnell, Chairman  
Robert Dix, Vice-Chairman  
(Liaison with EDA; Chamber of Commerce)

**ENVIRONMENTAL SUBCOMMITTEE**

Gerald Hyland, Chairman  
(Committee of the Whole)

**FIRE COMMISSION**

Gerald Hyland, Chairman  
Robert Dix, Vice-Chairman

**GOVERNMENT REORGANIZATION SUBCOMMITTEE**

Sharon Bulova, Chairman  
Robert Dix, Vice-Chairman

**HOUSING AND COMMUNITY DEVELOPMENT**

Christine Trapnell, Chairman  
Katherine Hanley, Vice-Chairman

**HUMAN SERVICES**

Katherine Hanley, Chairman  
Christine Trapnell, Vice-Chairman  
(Committee of the Whole)

**INTERNAL AUDIT COMMITTEE**

Thomas Davis, Chairman  
Ernest Berger  
Katherine Hanley

**LEGISLATIVE/TAX EXEMPTION STATUS**

Robert Dix, Chairman  
Katherine Hanley, Vice-Chairman  
(Committee of the Whole)

**LIAISON WITH CENTRAL FAIRFAX CHAMBER OF**

**COMMERCE**

Sharon Bulova

**PERSONNEL**

Christine Trapnell, Chairman  
Joseph Alexander, Vice-Chairman

**ROUTE 28 HIGHWAY TRANSPORTATION IMPROVEMENT  
DISTRICT COMMISSION**

Ernest Berger                      Michael Frey  
Thomas Davis                      Elaine McConnell  
Robert Dix

**TRANSPORTATION SUBCOMMITTEE**

Ernest Berger  
(Committee of the Whole)

**VIRGINIA MUNICIPAL LEAGUE (VML) COMMITTEES**

**COMMITTEE**

**VML COMMUNITY & ECONOMIC DEVELOPMENT**

Robert Dix

**VML EDUCATIONAL POLICY COMMITTEE**

Katherine Hanley

**VML EFFECTIVE GOVERNMENT ANNEXATION COMMITTEE**

Thomas Davis

**VML ENVIRONMENTAL QUALITY COMMITTEE**

Gerald Hyland

**VML HUMAN DEVELOPMENT COMMITTEE**

Christine Trapnell

**VML PUBLIC SAFETY COMMITTEE**

Ernest Berger

**VML TRANSPORTATION COMMITTEE**

Joseph Alexander

**AR:ar**

8. **10:00 A.M. - PH ON THE COUNTY AND SCHOOLS' FISCAL YEAR (FY) 1994 MIDYEAR REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 1994 REVISED BUDGET PLAN** (Tapes 2-3)

(SARs)

(FPRs)

A Certificate of Publication was filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of December 24, 1993.

A brief question-and-answer period ensued among Board Members, James P. McDonald, Deputy County Executive for Management and Budget, and Edward L. Long, Director, Office of Management and Budget (OMB).

Following the public hearing, which included testimony by 12 speakers, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved approval of

Supplemental Appropriation Resolution (SAR) AS 93073 to account for adjustments resulting from the Fiscal Year (FY) 1993 audit. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Berger being out of the room.

Supervisor Davis moved approval of Supplemental Appropriation Resolution (SAR) AS 94035, and the Amendment to the Fiscal Planning Resolution (FPR) AS 94036, which includes the revenue, expenditure, transfer and audit adjustments contained in the County and School's Midyear Review which results in a Combined General Fund Set Aside Reserve of \$45.71 million. This motion was seconded by Supervisor Alexander.

Supervisor Dix called the Board's attention to handwritten page 19 and asked unanimous consent that the Board direct staff to provide a cost efficiency document identifying what staff reductions resulted in lost revenue, and an explanation as to how the appropriation of another half million dollars would support sufficient revenues to justify this additional expense designated for the Park Authority Operations Trust Fund. Without objection, it was so ordered.

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

Supervisor Davis moved appropriation of Federal/State grant awards and adjustments reflected in Attachment IV, resulting in a net increase of \$4,210,694 in appropriations to Subfund 107, Federal/State Grant fund. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Davis moved approval of the following Consideration Items to be funded in the Midyear Review:

- Purchase of Land for the Ox Hill Battlefield Park - \$550,000;
- Funding to Provide Restrooms at Braddock Park - \$320,000; and
- Funding for Hispanic Leadership Development - \$7,318.

This motion was seconded by Supervisor Frey.

Supervisor Dix distributed to Board Members copies of an article highlighting a project in Middletown, Maryland, whereby a group has been selling honorary square-foot plots of a battlefield, and asked that the portion of the motion pertaining to the Ox Hill Battlefield Park be amended to include a request that staff examine the possibility of allowing the private sector to purchase honorary or ceremonial pieces of the Ox Hill Battlefield. This amendment was accepted, along with the understanding that this motion provides the directive for staff to begin the discussions to attempt to purchase Parcel Five.

With reference to inaccurate information contained in a recent Taxpayers Alliance Newsletter, Supervisor Dix asked unanimous consent that the Board direct staff to meet with the representatives from the Taxpayers Alliance and review the current financial status of both this year and the upcoming two years in terms of the projected deficits facing Fairfax County. Without objection, it was so ordered.

In addition, Supervisor Dix asked unanimous consent that the Board refer the recent information received relative to the School Health and Flexible Benefits Fund to the Board subcommittee in which Supervisor Berger and Supervisor Bulova are examining the potential joint activities between the Board of Supervisors and the School Board. Without objection, it was so ordered.

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

Supervisor Davis moved approval of adjusting the Managed Reserve to maintain the reserve at two percent of total Combined General Fund Disbursements based on the actions taken by the Board as part of the Midyear Review. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

AM:am

9. **ADMINISTRATIVE ITEMS** (Tape 4)

Supervisor Alexander moved approval of the Administrative Items. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

**ADMIN 1 - GALLOWS ROAD INDUSTRIAL PARK SANITARY SEWER REIMBURSEMENT AGREEMENT (PROVIDENCE DISTRICT)**

Approved the request to authorize the execution of an Agreement to collect fees and reimburse developer for capacity in section of the Gallows Road Industrial Park sanitary sewer line which will be utilized by others.

**ADMIN 2 - AUTHORIZATION TO ADVERTISE: JOINT PUBLIC HEARING BY THE BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) ON THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROPOSED STATEMENT OF OBJECTIVES AND PROJECTED USE OF FUNDS FOR FISCAL YEAR (FY) 1995 (PROGRAM YEAR 20)**

- (A) Authorized the advertisement of a joint public hearing to be held before the Board of Supervisors and the Fairfax County Redevelopment and Housing Authority (FCRHA) on **February 28, 1994 at 7:30 p.m.** on the proposed Community Development Block Grant (CDBG) Proposed Statement of Objectives and Projected Use of Funds for Fiscal Year (FY) 1995 (Program Year 20) and proposed reprogramming, if, any, of the prior years' CDBG funds.

**ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ESTABLISH A RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) IN THE SUNSET MANOR COMMUNITY (MASON DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **February 7, 1994 at 3:30 p.m.** to obtain public comment regarding the proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A [Residential Permit Parking Districts (RPPD)], Appendix G to establish an RPPD in the Sunset Manor Community.

**ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE SALE OF COUNTY-OWNED PROPERTY IN THE LINCOLN-LEWIS-VANNOY CONSERVATION AREA TO DAVID A. TUBACH AND DONNA J. TUBACH (SULLY DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **February 7, 1994 at 4:00 p.m.** regarding the sale of a portion of County-owned property

in the Lincoln-Lewis-Vannoy (LLV) Conservation Area, Tax Map Reference 66-2((1))-004C, to David A. Tubach and Donna J. Tubach; and directed staff to notify adjacent property owners of the public hearing by certified mail.

**ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER A REQUEST BY THE PARKLAWN RECREATION ASSOCIATION, INCORPORATED, FOR EXEMPTION FROM THE PROPERTY TAX (COUNTYWIDE REVENUE IMPACT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **January 24, 1994 at 4:00** p.m. to consider a request from the Parklawn Recreation Association, Incorporated ("Parklawn"), for special state legislation that would confer exemption from County property taxes.

10. **A-1 - APPROVAL OF FEDERAL FISCAL YEAR (FY) 1993 HOME PROGRAM FUNDING RECOMMENDATIONS TO COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS AND REALLOCATION OF HOME FUNDS** (Tape 4)

On motion of Supervisor Trapnell, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the funding recommendations to the Community Housing Development Organizations (CHDOs) from the federal Fiscal Year (FY) 1993 HOME Program and the reallocation of HOME FY 1992 funds.

11. **A-2 - AUTHORIZATION TO ESTABLISH THREE FEDERALLY FUNDED POSITIONS IN THE SECTION EIGHT HOUSING PROGRAM** (Tape 4)

On motion of Supervisor Trapnell, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to establish three Section Eight positions (3/3.0 SYE) at an annual cost of \$94,141.

12. **A-3 - AUTHORIZATION TO SUBMIT GRANT APPLICATION FOR THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES** (Tape 4)

On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the grant application in the amount of \$9,989.45 from the Juvenile and Domestic Relations District court to the Virginia Department of Criminal Justice Services (DCJS) to conduct new advanced research on the factors leading to the over-representation of minority youths within its secure facilities.

13. **C-1 - COUNTY LEGISLATIVE PROGRAM FOR THE 1994 SESSION OF THE VIRGINIA GENERAL ASSEMBLY--CONSIDERATION OF PROPOSED CHANGES TO THE URBAN COUNTY EXECUTIVE FORM OF GOVERNMENT (COUNTYWIDE)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated January 10, 1994, presenting for Board consideration changes to the Urban County Executive form of government relating to:

- Authorization of voter initiatives;
- Authorization of advisory referenda;
- Authorization of local administrative control of the Health Department; and
- Enactment of certain powers for the Chairman of the Board.

Following discussion, Supervisor Dix moved approval of the County Legislative Program for the 1994 Session of the Virginia General Assembly. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Supervisor Alexander and Supervisor Hyland asked to renew their opposition to bullet number four, enactment of certain powers for the Chairman of the Board.

14. **C-2 - CONSIDERATION OF PROVIDING FLEET MAINTENANCE SERVICE AT THE WEST OX FACILITY** (Tapes 4-6)

The Board next considered an Item contained in the Memorandum to the Board dated January 10, 1994, presenting for Board consideration how fleet maintenance service is to be provided for the West Ox Facility: whether to award a contract to provide the service or to continue to provide that service by the Equipment Management and Transportation Agency (EMTA), Department of General Services.

William J. Leidinger, County Executive and Chairman of the Selection Advisory Committee (SAC), presented the results of the SAC Review of the bid proposals for providing fleet maintenance service at the West Ox Facility.



Discussion ensued with input from Fred K. Kramer, Director, Department of General Services, and James D. Gorby, Director, Equipment Management Transportation Agency (EMTA), Department of General Services and the following members of the Privatization Action Team (PAT):

- John W. diZerega;
- Leonard Wales;
- James Kaplan; and
- William O. Howland, Jr.

(NOTE: Discussion on this item was continued later in the meeting. See Clerk's Summary Item CL#37.)

15. **RECESS/EXECUTIVE SESSION** (Tape 6)

At 2:30 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in Virginia Code Section 2.1-344 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:

- Board of Supervisors of Fairfax County versus Board of Zoning Appeals (BZA) of Fairfax County, In Chancery Number 122492;
- Harvey Construction Company, Incorporated versus Fairfax County Board of Supervisors and County of Fairfax, Virginia, At Law Number 115980;
- Frederick H. Goldbecker, Harry F. Gillman, Sandra K. Gillman, and John Doe and Jane Doe versus Fairfax County Economic Development Authority and the Board of Supervisors of Fairfax County, Virginia, Supreme Court of the United States, Term, 1993;
- Erroneous Tax Assessment Litigation; and
- INOVA Board Appointment.

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

At 4:20 p.m., the Board reconvened in the Board Auditorium with all Board Members present, and with Chairman Davis presiding.

**ACTIONS FROM EXECUTIVE SESSION****16. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 6)

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 and carried by unanimous vote.

**17. SETTLEMENT OF USAIR, INCORPORATED VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY AT LAW NUMBER 120617** (Tape 6)

Supervisor Hanley moved that the Board authorize settlement of USAir, Incorporated versus the Board of Supervisors of Fairfax County, Virginia, At Law Number 120617, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**18. SETTLEMENT OF THE PRUDENTIAL INSURANCE COMPANY OF AMERICA VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, ET AL., AT LAW NUMBER 120730** (Tape 6)

Supervisor Dix moved that the Board authorize settlement of The Prudential Insurance Company of America versus Board of Supervisors of Fairfax County et al., At Law Number 120730, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

**19. HARVEY CONSTRUCTION COMPANY, INCORPORATED VERSUS FAIRFAX COUNTY BOARD OF SUPERVISORS AND COUNTY OF FAIRFAX AT LAW NUMBER 115980** (Tape 6)

Supervisor Alexander moved that the Board authorize settlement of Harvey Construction Company, Incorporated versus Fairfax County Board of Supervisors and County of Fairfax, At Law Number 115980, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by unanimous vote.

**20. OAKWOOD VAN DORN ASSOCIATES LIMITED PARTNERSHIP** (Tape 6)

Supervisor Alexander moved that the Board authorize staff to proceed in the matter of Oakwood Van Dorn Associates Limited Partnership in accordance with the terms outlined by the County Attorney in Executive Session. This motion was seconded by Chairman Davis

and carried by unanimous vote.

21. **I-1 - BOARD OF SUPERVISORS' MEETING SCHEDULE FOR CALENDAR YEAR 1994** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 requesting approval to implement the Board of Supervisors' meeting schedule for January through December 1994, with the May 16th Board meeting date.

Supervisor Hyland moved to cancel the proposed meeting scheduled for November 7, 1994. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

Supervisor Frey asked unanimous consent that the Board direct staff to reschedule the proposed meeting scheduled for May 23rd, to May 16, 1994. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

22. **I-2 - WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) PUBLIC HEARINGS FOR PROPOSED METROBUS SERVICE CHANGES IN NORTHERN VIRGINIA (ALL DISTRICTS)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 announcing that public hearings will be held by the Washington Metropolitan Area Transit Authority (WMATA) on several proposed Metrobus service changes in Northern Virginia, including Fairfax County. Locations, dates and times for the public hearings are as follows:

- January 20, 1994 at 7:30 p.m. located at the West Springfield High School - 6100 Rolling Road, Springfield, Virginia; and
- January 26, 1994 at 7:30 p.m. located at Alexandria City Hall - 301 King Street, Alexandria, Virginia.

23. **I-3 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) COMPUTERIZED TRAFFIC SIGNAL MANAGEMENT SYSTEM (COUNTYWIDE)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 presenting the Virginia Department of Transportation (VDOT) computerized traffic signal system for the Northern Virginia (NOVA) District.

24. **I-4 - RESPONSE TO THE BOARD'S REQUEST TO PROVIDE AN ACTION PLAN FOR BUS SERVICE TO LORTON COMMUNITY (MOUNT VERNON DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 presenting the staff response to the Board's request to staff to provide an action plan for bus service to Lorton community.

Following a brief discussion, Supervisor Hyland asked unanimous consent that the Board direct Supervisor Alexander and Shiva K. Pant, Director, Department of Transportation to work with him to respond to the suggestions, in this Information Item and plan a cost effective way to provide bus service to the southeastern corridor of Fairfax County. Without objection, it was so ordered.

25. **I-5 - STAFF SUMMARIES OF THE NOVEMBER, 1993 TRANSPORTATION ADVISORY COMMISSION MEETINGS (COUNTYWIDE)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 presenting the Staff Summaries of the November, 1993 Transportation Advisory Commission meetings.

Following discussion, Supervisor Bulova asked unanimous consent that the Board direct staff to determine if the Transportation Advisory Commission is receiving all information relating to transportation issues. Without objection, it was so ordered.

26. **I-6 - MEMORANDUM OF AGREEMENT FOR THE COMBINED COUNTY AND VOLUNTEER OPERATION OF THE KINGSTOWNE FIRE STATION (LEE DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 requesting authorization for staff to execute the Memorandum of Agreement identifying the roles and responsibilities of Fairfax County and of the Franconia Volunteer Fire Department regarding the Kingstowne Station, also known as Station 37.

Supervisor Alexander asked unanimous consent that the Board direct staff to meet with the citizens and work out the Kingstowne Fire Station Site Plan concerns. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

27. **I-7 - MEMORANDUM OF AGREEMENT FOR THE COMBINED COUNTY AND VOLUNTEER OPERATION OF THE WEST CENTREVILLE FIRE STATION (SULLY DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 requesting authorization for staff to execute the Memorandum of Agreement identifying the roles and responsibilities of Fairfax County and of the Centreville Volunteer Fire Department regarding the West Centreville Station, also known as Station 38.

Supervisor Frey asked unanimous consent that the Board direct staff to meet with the citizens and work out the West Centreville Fire Station Site Plan concerns. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

28. **I-8 - PROPOSED REGULATIONS FOR PUBLIC USE OF FACILITIES AND GROUNDS AT THE FAIRFAX COUNTY GOVERNMENT CENTER** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 requesting authorization for staff to sign and promulgate the draft Procedural Memorandum (with clarifications as outlined in the Memorandum to the Board) regarding the proposed regulations for public use of facilities and grounds at the Fairfax County Government Center.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to insert the following:

- On handwritten page two of the proposal under number 12, non-profit groups, pre-emption of an event will not be permitted except with the approval of the County Executive or Board of Supervisors.

Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following a brief discussion, Supervisor Hanley asked unanimous consent to defer this item. Without objection, it was so ordered.

29. **I-9 - CONTRACT AWARD - EMPLOYEE ASSISTANCE PROGRAM** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 requesting authorization for staff to award a contract to Employee Assistance Service, Incorporated, to administer the three County Employee Assistance Programs (EAP).

There was a brief discussion regarding this item.

The staff was directed administratively to proceed as proposed.

30. **I-10 - AWARD OF CONTRACT - CONSTRUCTION OF THE BRADDOCK COMMUNITY CENTER (SPRINGFIELD DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 requesting authorization for staff to award a contract to the Tan-Kat

Corporation in the amount of \$1,161,400 for the construction of the Braddock Community Center, Project 003829, in Subfund 178, Community Development Block Grant (CDBG), and in Subfund 419, Fairfax County Redevelopment and Housing Authority (FCRHA) Private Finance.

The staff was directed administratively to proceed as proposed.

31. **I-11 - CONTRACT AWARD - CONSTRUCTION OF COMMUNITY PARK IMPROVEMENTS AND RELATED WORK AT HUNTERS WOODS PARK (HUNTER MILL DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 requesting authorization for staff to award a contract to New Construction, Incorporated, of Vienna, Virginia in the amount of \$310,392 for the construction of a soccer field, two multi-use courts, a tot lot, a picnic area, water line improvements, a paved entrance and parking lot, trails and related work at Hunters Woods Park as part of Project 475588, Community Park Development, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

32. **I-12 - ADVISORY COMMISSION TO THE DEPARTMENT OF ANIMAL CONTROL** (Tape 7)

(BACs)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 presenting the staff review of the issue of approving the concept of an Animal Control Commission.

Following discussion, Supervisor Frey moved that the Board create a Shelter Advisory Commission composed of 10 members. This motion was seconded by Supervisor Berger.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to schedule the Shelter Advisory Commission on the next scheduled upcoming appointments listing. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

33. **I-13 - REVIEW OF FAIRFAX COUNTY DEPARTMENT OF EXTENSION AND CONTINUING EDUCATION (DECE) WATER QUALITY PROGRAM INITIATIVES AND REPORT ON PRINCE WILLIAM COUNTY'S RESIDENTIAL WATER QUALITY MANAGEMENT PROGRAM** (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 requesting authorization for Fairfax County Department of Extension and Continuing Education (DECE) to continue to implement current water quality programs in the County and to follow up on the recommendations outlined in the Memorandum to the Board.

Following a brief discussion, Supervisor Hyland moved to support recommendation number three:

- Support DECE's plans to seek state and federal grant funds to initiate a pilot project, "Sustainable Urban Landscape Management and Environmental Protection."

The motion, the second to which was inaudible, carried by unanimous vote.

The staff was directed administratively to proceed as proposed.

34. **I-14 - SUBSTITUTION OF A PRIVATE CONTRACTOR TO REPLACE METROBUS AS THE OPERATOR OF EXISTING BUS SERVICE IN THE HERNDON/RESTON AREAS (COUNTYWIDE)** (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 10, 1994 presenting the staff response to questions raised at a public meeting held regarding the bus privatization in the Herndon/Reston areas.

### **BOARD MATTERS**

35. **DEFERRAL OF THE PUBLIC HEARING ON REZONING APPLICATION RZ 93-B-034 (BOARD OF SUPERVISORS' OWN MOTION) (BRADDOCK DISTRICT)** (Tape 7)

Supervisor Bulova announced that staff learned the property which is the subject of Rezoning Application RZ 93-B-034 was not properly posted and the application will have to be readvertised.

Therefore, Supervisor Bulova moved to defer the public hearing on Rezoning Application RZ 93-B-034 until **February 7, 1994 at 3:30 p.m.** The motion, the second to which was inaudible, carried by unanimous vote.

36. **DEFERRAL OF THE PUBLIC HEARING ON REZONING APPLICATION RZ 93-S-027 (LOVELESS HOMES II, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 7)

Supervisor McConnell moved to defer the public hearing on Rezoning Application RZ 93-S-027 until **January 24, 1994 at 4:00 p.m.** The motion, the second to which was inaudible,

carried by unanimous vote.

37. **C-2 - CONTINUATION OF CONSIDERATION OF PROVIDING FLEET MAINTENANCE SERVICE AT THE WEST OX FACILITY** (Tapes 7-8)

(NOTE: Earlier in the meeting, there was additional discussion regarding this matter. See Clerk's Summary Item CL#14.)



Following a lengthy discussion, Supervisor Berger moved that the Board award the contract to Johnson Controls to provide fleet maintenance service at the West Ox Facility. This motion was seconded by Supervisor Trapnell and **CARRIED** by a recorded vote of six, Supervisor Alexander, Supervisor Bulova, Supervisor Hanley, and Supervisor Hyland voting "NAY."

Following a query from Supervisor Alexander, Susan Woodruff, Supervisor, Employee Relations Division, Office of Personnel, briefly explained the County's Reduction In Force (RIF) procedures.

Supervisor Alexander moved that the Board direct William J. Leidinger, County Executive, to present a monthly report on the West Ox Fleet Maintenance Facility. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

SBE:sbe

38. **3:30 P.M. - BOARD DECISION ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-5-32 RELATING TO REGULATIONS OF THE TOWING AND STORAGE OF VEHICLES UNLAWFULLY PARKED ON PRIVATE PROPERTY** (Tape 9)

(O) (NOTE: On November 22, 1993, the Board held a public hearing on this issue and deferred Board Decision until December 6, 1993. On December 6, 1993 the Board deferred its Decision until January 10, 1994.)

Supervisor Bulova moved approval of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-4-32 relating to regulations of the towing and storage of vehicles unlawfully parked on private property. This motion was seconded by Chairman Davis.

Following discussion, with input from staff, the question was called on the motion which carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

39. **3:30 P.M. - PH ON REZONING APPLICATION RZ 93-B-034 (BOARD OF SUPERVISORS' OWN MOTION) (BRADDOCK DISTRICT)** ( No Tape )

(NOTE: Earlier in the meeting, this hearing was deferred. See Clerk's Summary Item CL#35.)

40. **3:30 P.M. - PH ON REZONING APPLICATION RZ 93-B-033 (BOARD OF SUPERVISORS' OWN MOTION) (BRADDOCK DISTRICT)** (Tape 9)

David P. Bobzien, County Attorney, stated that the applicant, Mr. Elmer W. Endter, Jr., was

not in the Board Auditorium because of the lateness of the hour, but he had

submitted to staff a reaffirmation in writing of the affidavit dated November 8, 1993. Mr. Bobzien stated that this was sufficient affirmation.

Staff from the Office of Comprehensive Planning had filed the necessary notices showing that at least 25 adjacent and/or interested persons had been notified of the date and hour of this public hearing.

Following the public hearing, Diane Johnson-Quinn, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-B-033 be amended from the R-C District to the R-1 District. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, and Supervisor Dix being out of the room.

41. **3:30 P.M. - PH ON REZONING APPLICATION RZ 93-S-027 (J. A. LOVELESS HOMES II, INCORPORATED) (SPRINGFIELD DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this hearing was deferred. See Clerk's Summary Item CL#36.)

42. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-101-2 (JEFFERSON AT FAIR OAKS LIMITED PARTNERSHIP) (SULLY DISTRICT)** (No tape )

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#44.)

43. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-P-046 (LIMEI HU AND HSIN YING HSIEH) (PROVIDENCE DISTRICT)** (Tape 9)

Ms. Hsin Ying Hsieh reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hanley moved approval of Special Exception Application SE 93-P-046 subject to the development conditions dated December 22, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Berger,

- Supervisor Dix, and Supervisor Trapnell being out of the room.
44. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-101-2 (JEFFERSON AT FAIR OAKS LIMITED PARTNERSHIP) (SULLY)** (Tape 9)

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

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

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 84-P-101-2 subject to the proffers dated January 4, 1994. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Trapnell being out of the room.

Supervisor Frey moved approval of a modification of transitional screening pursuant to Paragraph 5 of Section 13-304 of the Zoning Ordinance in favor of that depicted on the Final Development Plan (FDP). This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor Trapnell being out of the room.

Supervisor Frey moved approval of the requested modifications to Section 6-301.4 and Section 6-303.8 of the Public Facilities Manual (PFM) subject to conditions contained in letters to the applicant dated December 20, 1993 contained in Appendix 15 of the staff report. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

45. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-P-046 (LIMEI HU AND HSIN YING HSIEH) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this hearing was held. See Clerk's Summary Item CL#43.)

46. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING SANITARY SEWER STANDARDS** (Tape 9)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 28, 1993 and January 4, 1994.

Following the public hearing, Supervisor Frey moved approval of the proposed amendments to the Public Facilities Manual (PFM) pertaining to sanitary sewer standards to become effective on **February 1, 1994 at 12:01 a.m.** This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

47. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-Y-001 (CLIFFORD ALLAN TAYLOR, MADONNA TAYLOR AND RUTH E. TAYLOR) (SULLY DISTRICT)** (Tape 9)

Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

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

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

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

Supervisor Frey moved:

- Approval of Special Exception Application SE 93-Y-001 subject to the Planning Commission recommended development conditions dated November 17, 1993 with the following modification to the Condition Seven:
  - "A contribution shall be made for transportation improvements in the Fairfax Center Area in the amount of \$3,600 which shall be payable in full within 30 days of approval of the Special Exception Application."

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

Supervisor Frey also moved:

- Modification of the transitional screening requirements along the northern and western property boundaries to the existing vegetation as shown on the Special Exception Plat and modification of the transitional screening requirements along the eastern property boundary in accordance with the revised development conditions;
- Waiver of the barrier requirements along all property boundaries;
- Modification of the 100-foot building setback from any lot line abutting the R District to 50 feet;
- Modification of the 50-foot setback requirement for off-street parking or loading spaces to that shown on the Special Exception Plat as modified by the development conditions; and
- Waiver of service drive requirement along the Route 29 frontage.

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

48. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 64 (MECHANICAL PROVISIONS), CHAPTER 65 (PLUMBING AND GAS PROVISIONS) AND CHAPTER 66 (ELECTRICAL PROVISIONS)** (Tape 9)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 28, 1993 and January 4, 1994.

Following the public hearing, Supervisor Hyland moved approval of the proposed amendments to the Code of the County of Fairfax:

- Chapter 64 (Mechanical Provisions);
- Chapter 65 (Plumbing and Gas Provisions); and
- Chapter 66 (Electrical Provisions).

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

These amendments will be effective at **12:01 a.m. on February 1, 1994**. These amendments will apply to all contractor licenses issued or renewed with Fairfax County beginning 12:01

a.m. on February 1, 1994 and to all tradesman certificates issued beginning 12:01 a.m. on February 1, 1994.

49. **4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN SANITARY SEWER EASEMENTS NECESSARY FOR CONSTRUCTION OF THE ROUTE 123 AT LORTON SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (MOUNT VERNON DISTRICT)** (Tape 9)

- (R) A Certificate of Publication was filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 28, 1993 and January 4, 1994.

Following the public hearing, which included testimony by two speakers, Supervisor Hyland moved adoption of the Resolution authorizing the acquisition of sanitary sewer easements necessary for the construction of Project X00819 (P00001) - Route 123 at Lorton Sanitary Sewer Extension and Improvement Project. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor Bulova, and Supervisor Hanley being out of the room.

**AR:ar**

50. **4:00 P.M. - PH ON PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS (COUNTYWIDE)** (Tape 10)

A Certificate of Publication was filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 28, 1993 and January 4, 1994.

Following a presentation by Paul A. Eno, Office of Transportation, the public hearing, which included testimony by eight speakers, was held.

Following the testimony of Mr. David Sullivan (Speaker Three), representing the Mount Vernon Council of Citizens Association, Supervisor Hyland asked unanimous consent that the Board direct staff to ensure that the Fort Hunt Trail Project is included in the list of proposed projects, and provide cost estimates for its completion. Without objection, it was so ordered.

Supervisor Berger asked unanimous consent that the formal request of the West Langley Civic Association for noise barriers be included in the official record of these proceedings. Without objection, it was so ordered.

After reading into the record a letter from the Kings Park Civic Association, dated January 3, 1994, Supervisor Bulova asked unanimous consent that the Board direct staff to evaluate and provide its recommendation on the permanent installation of the Kings Park cut-through traffic devices. Without objection, it was so ordered.

Supervisor Hanley referred to handwritten page 17 of Attachment II, specifically the

Accotink and the Long Branch Commuter Bikeways, and asked unanimous consent that the Board direct staff to contact the City of Fairfax regarding its support for obtaining funding through the State for the completion of the connection necessary to provide access in these areas. Without objection, it was so ordered.

Supervisor McConnell recalled her recent request regarding the planting of wildflowers in the long stretches of the Fairfax County Parkway, and asked unanimous consent that her request be made a part of the official record. Without objection, it was so ordered.

Supervisor Frey called the Board's attention to his reference last year to the sections of the Fairfax County Parkway through the Franklin Farm/Franklin Glen Neighborhoods and asked unanimous consent that the Board direct staff to respond to the request for berming and/or plantings to try to mitigate the noise as well as create a safer environment in this area. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct staff to include the following projects for consideration as part of the proposed transportation enhancement program:

- The trail section along the south side of Fox Mill Road;
- The previous request for 12 bus shelters as part of the County's overall program; and
- The landscaping improvements along Sunrise Valley Drive across from the proposed Monroe Avenue Park and Ride Facility, as outlined earlier by Mr. Scott Honiberg (Speaker One).

Without objection, it was so ordered.

Supervisor Trapnell asked unanimous consent that the Board direct staff to include for consideration the applications made by both the Annandale and Bailey's Revitalization Committees. Without objection, it was so ordered.

Supervisor Bulova referred to the last page of Attachment II, Item Number 11 (Pedestrian Trail to the Burke Centre Virginia Railway Express), and reiterated the urgent need for construction of this trail. She asked unanimous consent that the Board direct staff to include this trail for special consideration in its projects to be funded. Without objection, it was so ordered.

Chairman Davis announced that the Board decision on the proposed transportation enhancement program projects is scheduled for **February 7, 1994.**

51. **4:00 P.M. - PH ON THE SALE OF COUNTY-OWNED PROPERTY LOCATED AT THE INTERSECTION OF BURNING BUSH DRIVE AND RUGBY ROAD TO THE FAIRFAX CHURCH OF CHRIST (SULLY DISTRICT)** (Tapes 10-11)



A Certificate of Publication was filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 28, 1993 and January 4, 1994.

Following the public hearing, which included testimony by three speakers, Supervisor Frey moved to **DEFER** adoption of the Resolution authorizing the sale of a .40445 acre portion of County-owned property located at the intersection of Burning Bush Drive and Rugby Road to the Fairfax Church of Christ until **January 24, 1994 at 4:30 p.m.**, to be scheduled following the public hearing for Special Exception Application SE 93-Y-036. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

52. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112, (ZONING ORDINANCE) REGARDING HOURS OF OPERATION - GROUP 1 SPECIAL PERMIT USES** (Tape 11)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 28, 1993 and January 4, 1994.

Following the public hearing, Supervisor Frey moved approval of the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow the Board of Zoning Appeals (BZA) to modify the hours of operation for Group 1 Extraction and Excavation Special Permit Uses to become effective at **12:01 a.m. on January 11, 1994.** This motion was seconded by Supervisor Trapnell.

After discussion and consultation with the staff of the Office of Comprehensive Planning (OCP), and Mr. Joseph Andrews, Vice-President, Luck Stone Corporation, Supervisor Frey amended his motion by striking the words in the amendment, "...unless modified by the BZA," and replacing them with, "...provided however the BZA may modify the hours to permit loading, unloading and delivery after 6:00 p.m., upon a determination that such modification will not adversely impact the surrounding area," and this was accepted.

The question was then called on the motion, as amended, which carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

53. **4:30 P.M. - PH ON REZONING APPLICATION RZ 93-M-021 (JOHN L. HANSON, JR. AND PATRICIA L. HANSON) (MASON DISTRICT)** (Tape 11)

Mr. John L. Hanson, Jr. reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Supervisor Trapnell 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 nine, Supervisor McConnell being out of the room.

Supervisor Trapnell asked unanimous consent that the Board defer action on this Rezoning Application until later in the meeting in order to provide additional time for consultation with staff and the applicant. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this application. See Clerk's Summary Item CL#56.)

54. **4:30 P.M. - PH ON THE LEASING OF COUNTY-OWNED OFFICE SPACE AT 4080 CHAIN BRIDGE ROAD TO THE INTERNATIONAL SOCIETY OF EMERGENCY MEDICAL SERVICES (ISEMS) (BRADDOCK DISTRICT)** (Tape 11)

A Certificate of Publication was filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 28, 1993 and January 4, 1994.

Following the public hearing, Chairman Davis relinquished the Chair to Acting-Chairman Bulova and moved that the Board authorize the County Executive to execute a lease with the International Society of Emergency Medical Services (ISEMS) for County-owned office space at 4080 Chain Bridge Road, Tax Map Reference 57-4((1))-0014. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Supervisor Trapnell being out of the room.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

55. **4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON THE APPOINTMENT OF ONE AT-LARGE MEMBER TO THE FAIRFAX COUNTY SCHOOL BOARD** (Tapes 11-12)

(NOTE: State law requires the Board to conduct this public hearing to receive the views of citizens on the appointment of School Board Members at least seven days prior to an appointment. The appointment of the At-Large Member is scheduled for Board action on January 24, 1994. No person whose name has not been considered at the public hearing may be appointed.)

Certificates of Publication were filed from the Editor of the Fairfax Journal, showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of December 28, 1993 and January 4, 1994.

Chairman Davis read into the record the following names which were submitted by telephone calls to his office for consideration of this appointment:

- Mr. Stephen E. Blake;
- Mr. George Dumas;
- Mr. Russell G. Harris;

- Mr. Herbert L. Jackson;
- Mr. Basil Jeffers;
- Ms. Phyllis Myers;
- Mr. Ralph Miles;
- Ms. Shirley Nelson; and
- Mr. Byron A. Smith, Sr.

The public hearing was held and included testimony by 16 speakers.

Testimony was presented regarding the following individuals:

- Ms. Shirley Nelson; and
- Mr. Ralph Miles.

Chairman Davis closed the public hearing and announced that the record will remain open for submission of written testimony until the time of the Board decision on the appointment of the At-Large Member to the Fairfax County School Board on **January 24, 1994 at 10:15 a.m.**

56. **4:30 P.M. - PH ON REZONING APPLICATION RZ 93-M-021 (JOHN L. HANSON, JR. AND PATRICIA L. HANSON) (MASON DISTRICT)** (Tape 12)

(NOTE: Earlier in the meeting, there was discussion regarding this matter. See Clerk's Summary Item CL#53.)

Supervisor Trapnell moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-M-021 be amended from the C-2, Highway Corridor and Sign Control District to the R-12 District subject to the proffers labeled Alternative Two and dated November 16, 1993. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of nine, Supervisor Bulova abstaining.

Supervisor Trapnell moved waiver of the minimum district size, pursuant to Section 9-610 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of nine, Supervisor Bulova abstaining.

**BOARD MATTERS**

PMH:pmh

57. **LACK OF ACCESS BY THE LOW INCOME POPULATION TO LEGAL SERVICES** (Tape 13)

Chairman Davis distributed to Board Members a Resolution from the Community Action Advisory Board (CAAB). It concerns the lack of access by the low income population to legal services.

Chairman Davis explained that the CAAB indicated that, during the reorganization of Human Services in Fairfax County, plans should be made to include in all five regional offices space for the use by Legal Services of Northern Virginia and lawyers working pro bono.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to review this Resolution and that it be given every consideration. Without objection, it was so ordered.

58. **CONGRATULATIONS TO LAWRENCE SPAINE, DIRECTOR, FACILITIES MANAGEMENT, DEPARTMENT OF GENERAL SERVICES** (Tape 13)

Supervisor Davis stated that it has come to his attention that Lawrence Spaine, Director, Facilities Management, Department of General Services, has recently been awarded the designation of Certified Facility Manager by the International Facility Management Association.

On behalf of the Board, Supervisor Davis congratulated Mr. Spaine on his accomplishment.

59. **CONTRIBUTORY STATUS FOR THE FAIRFAX COUNTY ADULT SOFTBALL COUNCIL** (Tape 13)

Supervisor Davis said that the Fairfax County Adult Softball Council has been under the impression that it had been granted contributor status in 1989.

Supervisor Davis asked unanimous consent that the Board direct the County Executive to:

- Determine whether contributory status has been granted to the Fairfax County Adult Softball Council; and
- If this status has not been granted, direct staff to determine if this group is eligible for contributory status.

Without objection, it was so ordered.

60. **MEDIATION SERVICE** (Tape 13)

Supervisor Davis said that the Northern Virginia Mediation Service has been providing mediation and conciliation services to this area since 1989. He said that many of these cases are domestic disputes with the balance being workplace or organizational conflicts. He added that the benefit to the County, the courts, and those involved in avoiding court battles are great. The Service charges fees which cover approximately 40 percent of their costs with the remainder coming from various grants and donations.

Supervisor Davis stated that given the vital work of the Service, he asked unanimous consent that the Board direct staff to:

- Advise the Board on the possibility of designating the Service as a contributory agency for Fiscal Year (FY) 1995; and
- Review the possibility of including a \$50,000 appropriation in the budget.

Without objection, it was so ordered.

61. **SCHOOL BOARD CALENDAR** (Tape 13)

Supervisor Davis said that the School Board is currently considering the calendar for the System for the next school year. He expressed concern because the tentative schedule now starts the school year on September 7, 1994 which is midway through the Rosh Hashanah.

Therefore, Supervisor Davis moved that the Board authorize the Chairman to send a letter on its behalf, to the Chairman, School Board expressing the Board's support for changing the starting date of the school year to September 8, 1994. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

62. **FAIRFAX COUNTY WINS ANOTHER WASTE REDUCTION AWARD: YES, IN MY BACKYARD (YIMBY) PROGRAM** (Tape 13)

Supervisor Hyland stated that Fairfax County's Yes, In My Backyard (YIMBY) Program, has been chosen as a model for environmental excellence by RENEW AMERICA, a national non-profit organization dedicated to tracking, verifying and advancing community-based environmental solutions to waste.

Supervisor Hyland said that yard debris constitutes approximately 18 percent of solid waste stream. In order to divert this large volume of material (more than 162,000 tons per year) from the incinerator, the YIMBY Program was developed. The Program consists of education seminars, demonstrations and publications on grasscycling, mulching and landscaping alterations and composting.

Supervisor Hyland stated that future plans are being developed for other lawn care alternatives, including a Master Composter Program. Beginning this spring, residents can participate in this new program where they can learn and, in turn, teach others. The Master Composter Training Program will train volunteers one evening per week for three weeks and one Saturday. In return for the training participants will be asked to volunteer the same number of hours educating others in the composting process. Volunteer hours may include a variety of activities aimed at teaching composting. The Program is a cooperative effort between the Department of Public Works and the Department of Extension and Continuing Education.

Therefore, Supervisor Hyland asked unanimous consent that a letter of commendation for staff be prepared for the Chairman's signature and placed in the personnel files of those persons responsible for this program. Without objection, it was so ordered.

63. **MOUNT VERNON LADIES REQUEST BOARD'S SUPPORT FOR THEIR EFFORT TO OBTAIN TAX EXEMPT STATUS** (Tape 13)

- (R) Supervisor Hyland stated that he had received a letter from the Resident Director of the Mount Vernon Estate for the Mount Vernon Ladies' Association in which he explains their efforts to become exempt from paying State sales tax.

Supervisor Hyland said that recently, their effort has received support from Delegate Bob McDonnell of Virginia Beach and it was recommended that it would be very helpful if the Board passed a Resolution supporting the Mount Vernon Ladies' Association cause.

Therefore, Supervisor Hyland moved that the Board adopt the following Resolution:

**WHEREAS** Mount Vernon has traditionally been the single largest tourism draw in Fairfax County; and

**WHEREAS** exemption from paying sales tax would save the Mount Vernon Ladies' Association of the Union (a non-profit organization) approximately \$25,000 annually; and

**WHEREAS** unlike other historic sites in the Commonwealth of Virginia, Mount Vernon does not ask for nor receive any form of direct financial support from government at the Federal, State or Local Levels; and

**WHEREAS** the County's share of lost revenue is not substantial at about

\$6,000 per year; and

**WHEREAS** the exemption from paying sales tax on goods purchased by the Mount Vernon Estate for its operations and for acquiring historic documents and other items displayed on the estate would be of great long-term benefit; and

**WHEREAS** the annual savings is nearly the cost the Association must pay to purchase an original George Washington letter, other important document or object;

**THEREFORE, BE IT RESOLVED**, that the Fairfax County Board of Supervisors supports the Mount Vernon Ladies' Association in its effort to obtain exemption from paying sales tax on their purchases for the Estate with the understanding that this action would not preclude the Estate from collecting sales tax on their retail sales which currently generates about \$300,000 in revenue through State and local taxes charged to visitors.

The second to this motion was inaudible.

Following discussion, Supervisor Bulova asked that the motion be amended to include a review of the Braddock Tree Planting Project, and this was accepted.

Supervisor Hyland amended the motion to direct the County Attorney to review this issue.

Following input from David P. Bobzien, County Attorney, the question was called on the motion, as amended, which carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell being out of the room.

64. **SANITARY SEWER EXTENSION AND IMPROVEMENT FOR SHIRLEY ACRES, GREEN RIDGE, AND CURTIS SUBDIVISIONS** (Tape 13)

Supervisor Hyland stated in April 1993, an Extension and Improvement (E and I) project was initiated within the Shirley Acres Subdivision (Project X00823, Subproject P00004). The current scope of Subproject P00004, which is in engineering design, includes the installation of approximately 4,250 linear feet of sanitary sewer facilities to serve 39 dwellings and 11 vacant lots.

Supervisor Hyland explained that in September 1993, residents in the vicinity of Subproject P00004 petitioned Fairfax County for inclusion in the E and I Program. Based on the results of an evaluation by the County Health Department, the additional petition qualifies for inclusion in the E and I Program.

Supervisor Hyland moved that the Board direct staff to:

- Expand the scope of Subproject P00004, as shown on the map (distributed to Board Members), in order to



- provide sanitary sewer facilities to an additional 26 existing dwelling units;
- Transfer available funds in the amount of \$522,000 from Subfund 520, Sewer Bond Revenue, to Subfund 524, Sewer Revenue Fund, Project X00823, in order to fully implement this expansion in scope; and
- Initiate survey and preliminary design of the expansion area at this time.

Supervisor Hyland noted that this project cannot be constructed until a sewer outfall is built. This sewer outfall is dependent upon other development in the area (ie: Lorton Pumpover agreement or another development project).

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

65. **REQUEST FOR DEFERRAL OF SPECIAL EXCEPTION APPLICATION SE 93-V-008 (SILVERBROOK CONSORTIUM LIMITED PARTNERSHIP) (MOUNT VERNON DISTRICT)** (Tape 13)

Supervisor Hyland stated that Special Exception Application SE 93-V-008 is scheduled for public hearing by the Board of Supervisors on January 24, 1994 at 3:30 p.m. He said that the applicant has had several meetings with the homeowners adjacent to the subject property. He added that the applicant is awaiting further input from the homeowners regarding an alternative proposal.

At the applicant's request, Supervisor Hyland moved that the Board defer the public hearing on Special Exception Application SE 93-V-008 for 30 days. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

66. **UNIFORM STATEWIDE BUILDING CODE FOR LOCAL AUTHORITY TO ENFORCE THE STATE REGULATIONS PERTAINING TO ABOVEGROUND AND UNDERGROUND STORAGE TANKS** (Tape 13)

Supervisor Hyland, member of the ad hoc Commonwealth's Joint Subcommittee to Study the Interrelationship Between the Powers of the Commonwealth and the Powers of Local Governments Regarding Environmental and Building Code Matters, pursuant to HJR 519, stated that the Committee voted to introduce legislation pertaining to aboveground and underground storage tanks.

Supervisor Hyland pointed out that the legislation clarifies local governments' authority to inspect and enforce the Code for both underground and aboveground storage tanks, including construction, installations, repairs, upgrades and closures. The proposed legislation gives local governments the authority to enforce the Code, with a local building code appeals

process and inspection.

Supervisor Hyland asked unanimous consent that the proposed legislation be submitted to the Legislative Subcommittee to be adopted and for the Subcommittee to work with Delegation to support its passage in the 1994 General Assembly. Without objection, it was so ordered.

67. **REQUEST FOR FUNDING REALLOCATION FOR ALL REMAINING DEVELOPMENT ACTIVITIES AT WOODLEY HILLS ESTATES** (Tape 13)

Supervisor Hyland stated that the Fairfax County Redevelopment and Housing Authority (FCRHA) is proceeding with final development activities in the Woodley Nightingale Redevelopment area.

In addition to landscaping, construction of a tot lot, demolition of unused structures and storm drainage improvements, other activities which impact the security and safety of the residents of the Woodley Hills Estates Mobile Home Park will be undertaken.

Supervisor Hyland said that the additional development activities include the following:

- Removal of debris which has been dumped by trespassers on the property;
- Security for the property and prohibition of further dumping by obstructing street entrances with barriers;
- Safety for pedestrians and children by installing speed bumps in the Mobile Home Park.

Supervisor Hyland pointed out that the Board has appropriated Community Development Block Grant Funds (CDBG) to cover unanticipated costs for overruns in approved capital projects.

Supervisor Hyland moved that the Board approve the reallocation of \$41,600 in CDBG contingency funds to complete all additional development activities in the Woodley Hills Home Park. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being out of the room.

68. **SCHOOL AGE CHILD CARE CENTERS (SACC) FOR FORESTDALE ELEMENTARY SCHOOL AND ROSE HILL ELEMENTARY SCHOOL** (Tape 13)

On behalf of Supervisor Alexander, Supervisor Hyland informed the Board of the \$6.2 million which was included in a 1990 bond referendum for the construction of additional School Aged Child Care Centers (SACC). In line with this, renovations were made to Forestdale Elementary School and Rose Hill Elementary School for SACC Programs.

However, funding was not available for implementation of SACC Programs at these schools for the 1993-1994 school year.

Supervisor Hyland stated that citizens realizing the critical need for school-age child care in the County voted for this bond issue and working parents counted on the opening of these SACC centers and have every right to expect fully operational SACC centers at these sites. Although renovations for SACC Centers were made at Rose Hill and Forestdale, SACC Programs are nonexistent due to lack of funding.

Supervisor Hyland asked unanimous consent that the Board direct staff to develop a plan for the opening of SACC Programs at Forestdale Elementary and Rose Hill Elementary Schools.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the request be amended to direct staff to review the issue in the context of the budget to determine how the opening of these SACC Programs could be accomplished. Without objection, the request as amended, was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

69. **SIMULTANEOUS PROCESSING FOR THE MOUNT VERNON CHURCH OF CHRIST** (Tape 13)

On behalf of Supervisor Alexander, Supervisor Hyland moved simultaneous Special Permit and Site Plan processing for the Mount Vernon Church of Christ at 8607 Old Mill Road, Alexandria, Virginia. This motion was seconded by Chairman Davis.

Supervisor Hyland stated that there are two small buildings on this site. One functions as a church and the other is used as a meeting place. The current membership has outgrown these buildings and there is an immediate need to erect a new church with parking facilities.

Supervisor Hyland said that full frontage public improvements, as stipulated in the comprehensive plan and required by the Department of Environmental Management (DEM) and Virginia Department of Transportation (VDOT) will be provided with this development project.

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

70. **COMMENDATION FOR STAFF OF THE ELECTORAL BOARD** (Tape 13)

Supervisor Dix noted that Board Members had received copies of a memorandum to William J. Leiding, County Executive, from Ms. Hudgins of the Electoral Board, recognizing a number of departments and staff members for their assistance in the recent elections.

Therefore, Supervisor Dix asked unanimous consent that the Board direct staff to note this commendation in the employee files of the individuals who have been recognized. Without

objection, it was so ordered.

71. **POSSIBLE RECONSTRUCTION OF WASHINGTON (FORMERLY KNOWN AS LAKE ANNE) PLAZA** (Tape 13)

Supervisor Dix stated that Lake Anne is the historical core of Reston, and Washington Plaza (formerly known as Lake Anne Plaza) is the original Reston town center. The plaza provides passive and active recreational space, public access to a small shopping area, and public access to some residential units clustered around Lake Anne. In recognition of its unique design and historical significance, the plaza has been designated as an historical district overlay by Fairfax County. Now owned by the Lake Anne of Reston Condominium Association, the Plaza is nearly 30 years old. Unfortunately, the condominium has limited resources, and does not have adequate capital to undertake needed extensive renovations.

Supervisor Dix stated that he has been meeting with representatives of the Lake Anne of Reston Condominium Board of Directors, the Reston Association, and the Department of Housing and Community Development to discuss a partnership between the County and the private sector aimed toward a comprehensive renovation of Washington Plaza.

Supervisor Dix said that the proposed renovation could meet the eligibility criteria and national objectives required for Community Development Block Grants (CDBG), and therefore could be funded through a combination of CDBG funding and funding committed by the condominium association and the Reston Association. He said that originally, the discussions centered on phasing the renovations over a five-year period using a small annual allocation of CDBG funds combined with contributions dedicated by the private sector. Unfortunately, this approach would require piece-meal improvements and would extend the disruptions inherent in major construction over an extremely long period of time.

Supervisor Dix said that an alternative to this phased improvement could be achieved by financing the complete renovation through a CDBG Section 108 loan, which loan could be repaid by a commitment of CDBG and private funds for the annual payments on the loan. Such an approach would both minimize the length of time required for renovation of this historical feature and guarantee a commitment of private funding to complement the public commitment of CDBG funds.

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

- Work with the Lake Anne of Reston Condominium Association and the Reston Association to assess the feasibility of obtaining a CDBG Section 108 loan for the reconstruction of Washington Plaza; and
- If determined feasible, return to the Board with an application for Section 108 loan funding for consideration and approval.

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

72. **OUTSTANDING ISSUES REMAIN AS A RESULT OF THE HAZARDOUS LIQUID PIPELINE RUPTURE IN RESTON** (Tape 13)

Supervisor Dix stated that there were outstanding issues that had not been resolved which were the result of the hazardous liquid pipeline rupture in Reston. The Office of Pipeline Safety, Federal Department of Transportation, authorized an increase in the operating pressure of the 36-inch hazardous fluid pipeline throughout Fairfax County.

Supervisor Dix stated that the County has received no response from the federal agencies regarding these issues. Therefore, Supervisor Dix asked unanimous consent that the Board direct staff to determine the legal avenues that may or may not be available to the Board to pursue as it relates to the current conditions on the Colonial Pipeline that runs through Fairfax County. Without objection, it was so ordered.

73. **GIRL SCOUT LEADER APPRECIATION DAY** (Tape 13)

Supervisor Bulova announced that April 22, 1994 is Girl Scout Leader Day and that she had been contacted by a constituent who had requested that the Board officially proclaim April 22, 1994 as Girl Scout Leader Appreciation Day.

Therefore, Supervisor Bulova asked unanimous consent that the Board direct staff to prepare this Proclamation for presentation at the Board of Supervisors meeting scheduled for April 18, 1994.

Following a query from Chairman Davis, William O. Howland, Assistant to the County Executive, stated that April 18, 1994 was scheduled for mark-up of the budget and that presentations were not usually scheduled for this date.

Supervisor Bulova amended the request to direct staff to schedule this presentation as close to, but prior to April 22, 1994 as possible. Without objection, the request as amended, was so ordered.

74. **APPOINTMENT TO THE FAIRFAX AREA DISABILITY SERVICES BOARD**  
(Tape 13)

(APPT)

Supervisor Bulova moved the appointment of Mr. Robert Dublin as the Braddock District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

75. **BOARD OF SUPERVISORS' ADMINISTRATIVE APPROVAL OF HIGHER FENCE HEIGHT FOR RESIDENTS ABUTTING THE FAIRFAX COUNTY PARKWAY** (Tape 13)

Supervisor Bulova stated that at the December 6, 1993 Board meeting, she indicated her intent to request the Board to administratively approve higher fence heights for residents abutting the Fairfax County Parkway at today's meeting.

Supervisor Bulova said that in accordance with County Policy, her office sent letters to all the adjacent owners who would be affected by the higher fences. The letters were postmarked December 16, 1993, well in advance of the 20 day notification requirement. She noted that she has not received any objections from any of the owners.

Therefore, in accordance with Paragraph 3G of Section 10-104 of the Zoning Ordinance, Supervisor Bulova moved that the Board administratively approve fences higher than eight-feet for those residents abutting the Fairfax County Parkway who have requested relief. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

**NV:nv**

76. **SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 93-P-016** (Tape 14)

Supervisor Hanley moved that the Board direct staff to schedule a public hearing to be held before the Board of Supervisors on Rezoning Application RZ 93-P-016 on **February 28, 1994 at 4:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

77. **CONCURRENT AND EXPEDITED PROCESSING FOR SITE PLAN ON PROPERTY IDENTIFIED AS TAX MAP 39-2 ((1)) 9 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-P-048** (Tape 14)

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept and process the Site Plan and building plans for retail renovations on property identified as Tax Map 39-2 ((1)) 9 concurrently with the processing of Preferred Condition Amendment Application PCA 88-P-048. She stated that the applicant understands that this does not guarantee the approval of the PCA.

Supervisor Hanley further moved that the Board expedite the public hearing for Proffered Condition Amendment Application PCA 88-P-048. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

78. **APPOINTMENT TO THE PROJECT SELECTION COMMITTEE** (Tape 14)

(APPT)

Supervisor Hanley moved the appointment of Ms. Dana L. Bednarsky as the James Lee Conservation Area Representative to the Project Selection Committee. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

79. **SAFETY IMPROVEMENTS TO PROSPERITY AVENUE** (Tape 14)

Supervisor Hanley reported on a Christmas Eve tragedy where a woman was killed on Prosperity Avenue as she was pulling out of a driveway and was hit by a passing truck. She stated that the police indicated that neither speed nor alcohol was a factor in the crash. Because Prosperity Avenue is such a dangerous road, Supervisor Hanley moved that the Board direct the staff of the Police Department and Office of Transportation to immediately work with staff from the Virginia Department of Transportation (VDOT) to find and implement measures acceptable to the community which would improve the safety of this road. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

80. **COMMERCIAL REVITALIZATION PROGRAM** (Tape 14)

Referring to her written Board Matter regarding the Annandale area revitalization, Supervisor Trapnell moved that the Board, recognizing the Annandale Central Business District (CBD) Planning Committee's desire to have the Acorn light fixture as the accepted light fixture to be located within the CBD, direct staff to:

- Take all necessary steps, including any necessary negotiations with the Virginia Department of Transportation (VDOT) and Virginia Power, to accept the acorn light fixture for the Annandale CBD; and
- Report to the Board regarding this issue as expeditiously as possible.

This motion was seconded by Chairman Davis. Following a brief discussion, the question was called on the motion which carried by a vote of nine, Supervisor Alexander being out of the room.

Supervisor Trapnell moved that the Board direct staff to:

- Resurrect the proposed Commercial Revitalization Program, Recommended Implementation Plan originally scheduled before the Board in April 1992; and

- Return this Plan to the Board for approval as soon as possible.

This motion was seconded by Supervisor Bulova. Following a brief discussion, the question was called on the motion which carried by a vote of nine, Supervisor Alexander being out of the room.

81. **COSTS ASSOCIATED WITH A STORM SEWER REPLACEMENT PROJECT**  
(Tape 14)

Supervisor Trapnell distributed to Board Members detailed costs associated with a storm sewer replacement project located at 6371 Vale Court, Alexandria, Virginia (Pinecrest, Lot 3 - Plan Number 8704-RGP-01).

Supervisor Trapnell said that on December 14, 1992, the Board took action regarding the submission of the Rough Grading Plan (RGP) for this project and directed staff to "be as flexible as possible when addressing the issues of this project," since the drainage problem was inherited with the purchase of the home and was required by the County, to be completed at homeowner cost.

Supervisor Trapnell referred to an invoice dated September 27, 1993 requesting the property owner to pay \$339.28 in engineering review and field inspection fees, in addition to the \$350 in fees already paid.

Supervisor Trapnell expressed the opinion that this amount is onerous and not in the spirit of the motion passed by the Board in December, 1992. Therefore, she moved that the Board direct staff to waive additional engineering review and inspection fees. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

82. **BOARD MATTERS FOR SUPERVISOR MICHAEL FREY** (Tape 14)

Supervisor Frey stated that he had no Board Matters to present today.

83. **BOARD MATTERS FOR SUPERVISOR ERNEST BERGER** (Tape 14)

Supervisor Berger stated that Chairman Davis had already presented the only Board Matter he had planned to present today.



84. **EXPRESSION OF CONDOLENCES TO FAMILY OF MRS. R. JOAN JACKSON**  
(Tape 14)

(BACs)

With great sorrow, Supervisor McConnell announced the loss of Mrs. R. Joan Jackson of Fairfax Station whom she had known for the past several years as her appointee to the Consumer Protection Commission. She stated that since 1979, Mrs. Jackson's demonstrated commitment to the County and its citizens dramatically improved consumer services for all residents.

Supervisor McConnell stated that Mrs. Jackson passed away from cancer on December 31, 1993. The family has requested memorials to be made to the Strickland Memorial Children's Art Fund in care of the Fairview Elementary School in Fairfax Station.

At this time, Supervisor McConnell asked the Board to join her in a moment of silent prayer in memory of Mrs. R. Joan Jackson and for her beloved family.

Supervisor Bulova asked unanimous consent that the Board direct staff to send written condolences from the Board to the family. Without objection, it was so ordered.

85. **REQUEST FOR REVIEW OF REQUIREMENTS FOR BOARD APPOINTEES WHO MUST FILE FINANCIAL DISCLOSURE FORMS** (Tape 14)

Supervisor McConnell stated that she recently received some phone calls and visits from a few of her appointees regarding their requirement to fill out a financial disclosure form. She noted that in the past they were not required to submit the form.

Supervisor McConnell expressed concern about asking citizen volunteers for sensitive, personal financial information which is made available to the public. She pointed out that these citizens volunteer their time, energy and expertise to serve on Boards, Authorities, and Commissions (BACs). In most instances, they are not making a final, binding decision but are making recommendations to the Board of Supervisors.

Therefore, Supervisor McConnell asked unanimous consent that the Board review the rules for filing financial disclosure forms in the hope of removing this burden on most of the appointees. Supervisor Hanley pointed out that appointees must comply this year in conformance with a County ordinance. With the understanding that this review would apply to future disclosures, without objection, Supervisor McConnell's request was so ordered.

86. **UPDATE ON PLANNING FOR DEVELOPMENT IN THE COUNTY PARKING AREA IN FAIRFAX CITY** (Tape 14)

Supervisor McConnell asked unanimous consent that the Board direct the County Executive to provide an update on January 24, 1994 on the planning for development in the County parking area in Fairfax City and the other development in the area. Following discussion, without objection, the request was so ordered.

87. **BEST WISHES FOR FORMER CHAIRMAN JOHN F. ("JACK") HERRITY**  
(Tape 14)

Supervisor McConnell announced that former Board Chairman John F. ("Jack") Herrity has been hospitalized with heart problems and, on behalf of the entire Board, expressed her best wishes to him for a speedy recovery.

88. **FORMER FAIRFAX RESIDENT RECIPIENT OF KIDNEY DONATION IN NEW YORK** (Tape 14)

Supervisor McConnell reported that the kidneys of one of the victims of the Long Island, New York commuter train shooting were donated to a former resident of Fairfax County, Mr. Jay Bradley.

89. **BOARD ADJOURNMENT** (Tape 14)

At 9:10 p.m., the Board adjourned.