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The meeting was called to order at 9:35 a.m. with all Members being present, with the exception of Supervisor Alexander and Supervisor Trapnell, 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.

Supervisor Alexander arrived at 9:45 a.m.

Supervisor Trapnell arrived at 9:55 a.m.

2. **CERTIFICATE OF RECOGNITION TO DEPUTY CHIEF EDWARD P. PLAUGHER FOR YEARS OF SERVICE** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Deputy Chief Edward P. Plaugher for 24 years of service as a member of the Fairfax County Fire and Rescue Department. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Supervisor Trapnell not yet having arrived.

3. **CERTIFICATE OF RECOGNITION TO ELECTRONIC DATA SYSTEMS (EDS) AND THE STAFF OF THE DEPARTMENT OF HUMAN DEVELOPMENT** (Tape 1)

Supervisor Frey moved approval of the Certificates of Recognition presented to Electronic Data Systems (EDS) and the staff of the Department of Human Development for their contributions and participation in the Holiday Spirit Program. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Trapnell not yet having arrived.

4. **10:00 A.M. - PRESENTATION BY THE COMMISSION FOR WOMEN OF THE REPORT ENTITLED "MANAGING WORK AND FAMILY: BOTTOM LINE ISSUES FOR FAIRFAX COUNTY EMPLOYEES"** (Tape 1)

A presentation of the report entitled "Managing Work and Family: Bottom Line Issues for Fairfax County Employees" was made by Mary Margaret Hammond and Leia Francisco, Co-Chairs, Work/Family Task Force, and Members of the Commission for Women.

Following discussion, Supervisor Dix moved that the Board accept this report and refer it to staff for submission of its review and recommendations to the Board no later than **February 28, 1994**. This motion was seconded by Supervisor Berger.

Supervisor Hyland asked to amend the motion with a request that staff, following a review of the report and its eight recommendations, prepare a policy statement for adoption by the Board, outlining the Board's position with regard to women in the workforce, and this was accepted.

Supervisor Berger asked to amend the motion with a request that staff provide information regarding the costs involved in implementing the report's recommendations, and this was accepted.

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

Supervisor Hanley referred to Page 28 of the Report, third paragraph regarding "The Impact of Human Resource Policies on Employees," and asked unanimous consent that the Board request the Commission for Women to provide more details regarding the following issue:

- "Work/family support may indeed require 'a leap of faith,' and this study gives some evidence that this leap of faith may well be justified-that when companies are more accommodating, employees are more likely to respond in kind."

Without objection, it was so ordered.

CM:cm

5. **10:15 A.M. BOARD DECISION ON THE APPOINTMENT OF ONE AT-LARGE MEMBER TO THE FAIRFAX COUNTY SCHOOL BOARD** (Tape 2)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent to defer decision on the appointment of the At-Large Representative to the School Board until February 7, 1994. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, the Board voted on this deferral. See Clerk's Summary Item CL#7.)

6. **10:30 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 2)

Supervisor Dix, Chairman, Board's Legislative Subcommittee, circulated Legislative Report Number One to Board Members for their information and also information requested regarding agricultural and forestal districts.

Supervisor Berger briefed the Board on the Enabling Legislation regarding the current statute which calls for a limit of 25 acres or more for agricultural and forestal districts and moved that the Board seek to change the Enabling Legislation from 25 to 20 acres. This motion was seconded by Supervisor Frey.

Supervisor Bulova asked unanimous consent that the motion be deferred until later in the meeting to allow time for Board Members to review the information just distributed regarding other ways to address this kind of issue. Without objection, it was so ordered.

(NOTE: Later in the meeting, the Board took action on this issue. See Clerk's Summary Items CL#72 and CL#78.)

Supervisor Dix announced that the Legislative Subcommittee meetings are scheduled at 4:00 p.m. on Fridays.

Supervisor Hanley called the Board's attention to House Bill Number HB 181 regarding public hearings for solid waste contracts and asked unanimous consent that the Board direct staff to analyze the Bill to determine its impact on Fairfax County. Without objection, it was so ordered.

Supervisor Hanley called the Board's attention to House Joint Resolution HJR 19, the study of local solid waste management and recycling and asked unanimous consent that the Board direct staff to analyze the initial report and update Board Members. Without objection, it was so ordered.

Supervisor Hanley called the Board's attention to Senate Bill SB 63 regarding Clerk's fees and asked unanimous consent that the Board direct staff to review this item. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide Board Members with copies of the Growth Strategies Act Bill, the Statewide GIS regarding the State planning process at the next Legislative Subcommittee meeting for the purpose of taking a position. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the request from the Mount Vernon Ladies Association regarding exemption from State sales tax be referred to the Legislative Subcommittee for a position. Without objection, it was so ordered.

Supervisor Bulova asked unanimous consent that the Braddock tree planting issue be brought before the Legislative Subcommittee and that the Board direct staff to provide a copy of the Bill to Board Members at the next meeting. Without objection, it was so ordered.

7. **DEFERRAL OF BOARD DECISION ON THE APPOINTMENT OF ONE AT-LARGE MEMBER TO THE FAIRFAX COUNTY SCHOOL BOARD** (Tape 2)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved to defer decision on the appointment of the At-Large Representative to the Fairfax County School Board until **February 7, 1994**. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

8. **10:45 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 2)

(BACs)
(APPTS)

ADVISORY PLANS EXAMINER BOARD

CONFIRMATIONS:

Supervisor Dix moved that the Board confirm the following appointments to the Advisory Plans Examiner Board:

- Mr. Thomas D. Rust as the Licensed Professional Engineer or Land Surveyor Representative; and
- Mr. Richard N. Davis as the Citizen Representative.

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

ADVISORY SOCIAL SERVICES BOARD

Supervisor Berger moved the reappointment of Ms. Barbara Baron as the Dranesville District Representative to the Advisory Social Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken to reconsider and defer the appointment of the Dranesville District Representative to the Advisory Social Services Board. See Page 12.)

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

(NOTE: The appointment of the At-Large Representative to the Alcohol Safety Action Program Local Policy Board was deferred until February 7, 1994.)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Chairman Davis moved the reappointment of Ms. Julia W. Friar as the At-Large Representative to the A. Heath Onthank Memorial Award Selection Committee. The second to this motion was inaudible.

Supervisor Bulova moved the appointment of Mr. Richard Yessian as the Braddock District Representative to the A. Heath Onthank Memorial Award Selection Committee. The second to this motion was inaudible.

Supervisor Dix moved the appointment of Ms. Leslie A. Braunstein as the Hunter Mill District Representative to the A. Heath Onthank Memorial Award Selection Committee. The second to this motion was inaudible.

Supervisor Alexander moved the reappointment of Ms. Gloria Haher as the Lee District Representative to the A. Heath Onthank Memorial Award Selection Committee. The second to this motion was inaudible.

Supervisor Trapnell moved the reappointment of Mr. Francis Maccini as the Mason District Representative to the A. Heath Onthank Memorial Award Selection Committee. The second to this motion was inaudible.

Supervisor Hyland moved the reappointment of Mr. Lars E. Janson as the Mount Vernon District Representative to the A. Heath Onthank Memorial Award Selection Committee. The second to this motion was inaudible.

Supervisor Hanley moved the reappointment of Ms. Barbara Hildreth as the Providence District Representative to the A. Heath Onthank Memorial Award Selection Committee. The second to this motion was inaudible.

Supervisor McConnell moved the reappointment of Mr. Philip Rosenthal as the Springfield District Representative to the A. Heath Onthank Memorial Award Selection Committee. The second to this motion was inaudible.

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

(NOTE: The appointment of the Dranesville District Representative to the A. Heath Onthank Memorial Award Selection Committee was deferred.)

ATHLETIC COUNCIL

Chairman Davis moved the reappointment of Mr. Daniel Shoemaker as the At-Large Representative to the Athletic Council. The second to this motion was inaudible.

Supervisor Hanley moved the reappointment of Mr. Craig Sharon as the Providence District (Alternate) Representative to the Athletic Council. The second to this motion was inaudible.

(NOTE: The appointment of the Dranesville District Representative to the Athletic Council was deferred.)

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

BOARD OF BUILDING CODE APPEALS - TECHNICAL DIVISION

Chairman Davis moved the reappointment of Mr. Whitney Wagner as the At-Large Representative to the Board of Building Code Appeals - Technical Division. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

CHAS COORDINATING COMMITTEE

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

COMMUNITY ACTION ADVISORY BOARD

Chairman Davis moved the appointment of Ms. Carla Yock as the At-Large Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Dix.

Supervisor Bulova moved the appointment of Ms. Victoria Buie-Owens as the Braddock District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Hanley.

Supervisor Alexander moved the reappointment of Mr. John Rosenthal as the Lee District Representative to the Community Action Advisory Board. The second to this motion was inaudible.

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

(NOTE: The appointments of the Dranesville and the Springfield District Representatives to the Community Action Advisory Board were deferred.)

COMMUNITY IMPROVEMENT COMMITTEE

Supervisor Dix moved the appointment of Ms. Kathleen Jensen as the Hunter Mill District Representative to the Community Improvement Committee. The second to this motion was inaudible.

Supervisor Alexander moved the reappointment of Mr. Ed Cave as the Lee District (Engleside) Representative to the Community Improvement Committee. The second to this motion was inaudible.

Supervisor Trapnell moved the reappointment of Mr. Stuart Finley as the Mason District Representative to the Community Improvement Committee. The second to this motion was inaudible.

Supervisor Hyland moved the reappointment of Mr. W. Keats Nicoll as the Mount Vernon District Representative to the Community Improvement Committee. The second to this motion was inaudible.

Supervisor Hyland moved the reappointment of Mr. David LePage as the Mount Zephyr Community Representative to the Community Improvement Committee. The second to this motion was inaudible.

Supervisor Hanley moved the reappointment of Mr. James Wolffe as the Providence District Representative to the Community Improvement Committee. The second to this motion was inaudible.

Supervisor Frey moved the reappointment of Mr. Dallas P. Hutchison as the Sully District Representative to the Community Improvement Committee. The second to this motion was inaudible.

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

(NOTE: The appointments of the Dranesville and the Springfield District Representatives to the Community Improvement Committee were deferred.)

CONSUMER PROTECTION COMMISSION

Chairman Davis moved the appointment of Ms. Norma Ragland as the At-Large (Resident of Fairfax County) Representative to the Consumer Protection Commission. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

Chairman Davis informed the Board that he had received a call from Ms. Juanita Balenger who will soon be moving from the area and must resign from the Consumer Protection Commission.

CIVIL SERVICE COMMISSION VACANCY

Accordingly, Chairman Davis announced that Ms. Norma Ragland has resigned from the Civil Service Commission to fill the vacancy on the Consumer Protection Commission.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to include the vacancy of the At-Large Representative to the Civil Service Commission on the next Upcoming Appointments Listing. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

COUNTYWIDE TRAILS COMMITTEE

Supervisor Hyland moved the reappointment of Mr. Gustav Braun as the Mount Vernon District Representative to the Countywide Trails Committee. The second to this motion was inaudible.

Supervisor Trapnell moved the reappointment of Ms. Lorraine Foulds as the Mason District Representative to the Countywide Trails Committee. The second to this motion was inaudible.

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

CRIMINAL JUSTICE ADVISORY BOARD

Supervisor Dix moved the reappointment of Mr. Maurice Sovern as the Hunter Mill District Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

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

ENGINEERING STANDARDS REVIEW COMMITTEE

Supervisor Dix moved the appointment of Mr. George F. Kain, Jr. as the At-Large (Citizen) Representative to the Engineering Standards Review Committee. The second to this motion was inaudible.

Chairman Davis moved the appointment of Mr. James Hoffman as the At-Large (Citizen) Representative to the Engineering Standards Review Committee. This motion was seconded by Supervisor Dix.

Chairman Davis moved the reappointment of Mr. Donald Morton as the At-Large (Citizen) Representative to the Engineering Standards Review Committee. This motion

was seconded by Supervisor Dix.

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

FAIRFAX AREA DISABILITY SERVICES BOARD

Chairman Davis moved the appointment of Ms. Judith Lieberman as the At-Large Representative to the Fairfax Area Disability Services Board. This motion was seconded by Supervisor McConnell.

Supervisor Hanley moved the appointment of Ms. Roberta Cerio as the Providence District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Davis.

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

FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE

Chairman Davis moved the appointment of Mr. Stephen Kramer as the At-Large Representative to the Fairfax County Airports Advisory Committee. This motion was seconded by Supervisor Dix.

Supervisor Hyland moved the reappointment of Mr. Robert Thornton as the Mount Vernon Business District Representative to the Fairfax County Airports Advisory Committee. The second to this motion was inaudible.

Supervisor Hyland moved the reappointment of Mr. Claude Schonberger as the Mount Vernon District Representative to the Fairfax County Airports Advisory Committee. The second to this motion was inaudible.

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

FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD

Supervisor Hyland moved the appointment of Ms. Maxine Carpenter to fill the unexpired term of Mr. Irving Levine as the Mount Vernon District Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

FAXFAIR CORPORATION BOARD

Chairman Davis moved the appointment of Ms. Charlotte Peed as the At-Large Representative to the Faxfair Corporation Board. This motion was seconded by Supervisor Dix.

Chairman Davis moved the appointment of Ms. Phyllis Verhalen as the At-Large Representative to the Faxfair Corporation Board. This motion was seconded by Supervisor Hanley.

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

HISTORY COMMISSION

(NOTE: The appointment of the At-Large Representative to the History Commission was deferred.)

HUMAN SERVICES COUNCIL

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

JUVENILE COURT CITIZEN ADVISORY COUNCIL

Supervisor Bulova moved the appointment of Ms. Janet Muldoon as the Braddock District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Chairman Davis.

Supervisor Berger moved the reappointment of Mr. David Karmol as the Dranesville District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Supervisor Hyland.

Supervisor Alexander moved the reappointment of Ms. Helen Hester as the Lee District Representative to the Juvenile Court Citizen Advisory Council. The second to this motion was inaudible.

Supervisor Trapnell moved the reappointment of Mr. James Lamb as the Mason District Representative to the Juvenile Court Citizen Advisory Council. The second to this motion was inaudible.

Supervisor Hanley moved the reappointment of Mr. LaVert Taylor as the Providence District Representative to the Juvenile Court Citizen Advisory Council. The second to this motion was inaudible.

Supervisor McConnell moved the reappointment of Ms. Judith Isom as the Springfield District Representative to the Juvenile Court Citizen Advisory Council. The second to this motion was inaudible.

CONFIRMATIONS:

Supervisor Hanley moved that the Board confirm the following

appointments to the Juvenile Court Citizen Advisory Council:

- Ms. Janet Bacon as the City of Fairfax Representative; and
- Mr. John Harold as the City of Fairfax Representative.

This motion was seconded by Supervisor Bulova.

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

MECHANICAL ADVISORY AND LICENSING BOARD

(NOTE: The appointment of the At-Large Representative to the Mechanical Advisory and Licensing Board was deferred.)

POLICE RETIREMENT BOARD

Supervisor Hyland moved the reappointment of Mr. Forrest Williams as the At-Large (Citizen) Representative to the Police Retirement Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

PROJECT SELECTION COMMITTEE

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

SHELTER ADVISORY COMMISSION

Supervisor Hanley moved to rename the Shelter Advisory Commission the **Animal Shelter Advisory Commission**. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

(NOTE: The appointments to the Animal Shelter Advisory Commission were deferred until February 7, 1994.)

TENANT LANDLORD COMMISSION

Supervisor Trapnell moved the reappointment of Mr. Robert Pescott as the At-Large (Tenant) Representative to the Tenant Landlord Commission. This motion was seconded by Chairman Davis and carried by unanimous vote.

TREE COMMISSION

Supervisor Hanley moved the appointment of Ms. Linda Waller as the Providence District Representative to the Tree Commission. This motion was seconded by

Chairman Davis and carried by unanimous vote.

WETLANDS BOARD

Supervisor Alexander moved the appointment of Mr. Brad Center as the Lee District Representative to the Wetlands Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

ADDITIONAL APPOINTMENTS

TRANSPORTATION ADVISORY COMMISSION

Supervisor McConnell moved the appointment of Ms. Susan Borinsky to fill the unexpired term of Mr. David Albo as the Springfield District Representative to the Transportation Advisory Commission. The second to this motion was inaudible.

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

AD-HOCS

CITIZEN ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS

Supervisor Hanley moved the appointment of Mr. Walter Sisson to fill the unexpired term of Ms. Mary Wolfe as the Providence District (Principal) Representative. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

MOTION TO RECONSIDER PREVIOUS APPOINTMENT OF THE DRANESVILLE DISTRICT REPRESENTATIVE TO THE ADVISORY SOCIAL SERVICES BOARD

Supervisor Berger moved to reconsider the reappointment of Ms. Barbara Baron as the Dranesville District Representative to the Advisory Social Services Board made earlier in the day. This motion was seconded by Chairman Davis and carried by unanimous vote.

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

SBE:sbe

9. **ADMINISTRATIVE ITEMS** (Tape 3)

Supervisor Hanley moved approval of the Administrative Items. This motion, the second to which was inaudible, carried by unanimous vote.

ADMIN-1 - STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, SPRINGFIELD AND SULLY DISTRICTS) (Tape 3)

- (R) Adopted the request that certain streets listed in the Memorandum to the Board dated January 24, 1994 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Polo Fields, Section 1A	Hunter Mill	Thunder Chase Drive, Route 6373 Players Pond Lane
South Run Oaks, Section 4B	Springfield	Oak Bridge Lane, Route 7921 Chapel Oak Drive Oaktop Court
Weltman Estates, Section 1	Sully	Meherrin Drive, Route 8580 Eagle Tavern Lane
Weltman Estates, Section 2	Sully	Meherrin Drive Trillium House Lane Eagle Tavern Lane Flowerdew Hundred Court
Westport, Section 9	Sully	Gristmill Square Lane, Route 8582 Gristmill Square Trace, Route 8583

ADMIN-2 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO CHAPTER 118, CHESAPEAKE BAY PRESERVATION ORDINANCE, OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA (Tape 3)

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on February 17, 1994 and before the Board of Supervisors on **February 28, 1994 at 3:30 p.m.** on the proposed amendments to the set of maps of the Chesapeake Bay Preservation Areas.

10. **A-1 - PROPOSED RESPONSE TO THE RECOMMENDATIONS OF THE SMALL AND DISADVANTAGED BUSINESS COMMISSION (SDBC) REPORT**
(Tape 3)

(BACs)

Following opening remarks from Robert P. Rogers, Jr., Chairman, Small and Disadvantaged Business Commission (SDBC), discussion ensued regarding the staff response to the recommendations of the SDBC Report, with input from William J. Leidinger, County Executive; Fred K. Kramer, Director, Department of General Services (DGS); and Larry N. Wellman, Director, Purchasing and Supply Management Agency (PSMA), DGS.

In reference to the County's use of the Washington Metropolitan Procurement Digest, as outlined on page 20 of the Memorandum to the Board dated January 24, 1994, Supervisor Hyland asked unanimous consent that the Board direct staff to:

- Explain the cost to a small business for that information;
- Determine whether it is a subscription publication, and, if so, its cost; and
- Determine whether this publication is currently available in the Fairfax County Public Libraries, and if not, to determine whether it would be practical to make it available.

Without objection, it was so ordered.

Further discussion ensued between the Board, staff, and Mr. Rogers.

(NOTE: Later in the meeting, there was further discussion and action on this item. See Clerk's Summary Item CL #13.)

11. **ORDERS OF THE DAY** (Tape 3)

Chairman Davis announced that the Board would now proceed with Information Item One - The Keep America Beautiful National Recycling Award Presented to Fairfax County's Department of Public Works, Division of Solid Waste Collection and Recycling.

12. **I-1 - THE KEEP AMERICA BEAUTIFUL NATIONAL RECYCLING AWARD PRESENTED TO FAIRFAX COUNTY'S DEPARTMENT OF PUBLIC WORKS, DIVISION OF SOLID WASTE COLLECTION AND RECYCLING** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 24, 1994 announcing that the Fairfax County Department of Public Works, Division of Solid Waste Collection and Recycling (DSWCR), was presented with the Keep America Beautiful National Recycling Award, for its Commercial Recycling Program.

Tanis Skislak, Chief, Waste Reduction and Recycling Branch (WRRB), DSWCR, introduced the following members of the Business Recycling Task Force (BRTF):

- Robert Potts, Past Chairman, BRTF;
- Pat Keough, Chairman, BRTF;

- Tim Mann, Past Chairman and current member of the Executive Committee, BRTF, from INOVA; and
- Jeff Kibler, Vice-Chairman, BRTF, from Southeast Recyclers;

Ms. Skislak also introduced the following staff members involved in this program:

- C. Edward Harris, Commercial Recycling Auditor, WRRB; and
- Laurie Uhl, Commercial Data Base Manager, WRRB.

There was a brief discussion regarding this item.

13. **A-1 - CONTINUATION OF PROPOSED RESPONSE TO THE RECOMMENDATIONS OF THE SMALL AND DISADVANTAGED BUSINESS COMMISSION (SDBC) REPORT** (Tape 3)

(BACs)

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

Discussion continued, with input from staff and Robert P. Rogers, Jr., Chairman, Small and Disadvantaged Business Commission (SDBC).

Supervisor Dix asked unanimous consent that the Board direct staff to determine if the County's procurement requirements deny any firms the opportunity to qualify as a bid respondent because they have not performed services for the County in the past. Without objection, it was so ordered.

Following further discussion, Supervisor Dix asked unanimous consent that the Board direct staff to review the procurement requirements regarding past County experience to determine whether the words "or comparable" would be appropriate.

In regard to page 23, item seven, second bullet, contained in the Memorandum to the Board dated January 24, 1994, Supervisor Dix asked unanimous consent that the Board direct staff to correct the record to reflect that the Board authorized and partially funded a study of all business taxes, not only a study of Business, Professional, and Occupational License (BPOL) taxes. Without objection, it was so ordered.

Following further discussion, Supervisor Dix moved that the Board concur in the recommendation of staff and approve the staff response to the recommendations contained in the SDBC report dated June 30, 1993, with modifications as recommended by the Commission in subsequent discussions and correspondence with the following modification to Recommendation Eight to direct staff to:

- Report with an assessment of the results of the implementation of these recommendations; and
- Return to the Board in one year regarding the issue of the study.

This motion was seconded by Chairman Davis.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked to amend the motion to direct the County Executive to continue discussions with the SDBC regarding conducting a less expensive study which the Board could address in less than one year and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

14. **A-2 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94040 FOR CONTINUATION OF THE VIRGINIA PRIMARY CARE GRANT AWARDED TO THE AFFORDABLE HEALTH CARE PROGRAM** (Tape 4)

(SAR)

On motion of Supervisor Hanley, seconded by Supervisor Trapnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 94040 in the amount of \$204,182 to be awarded to the Health Department by the Virginia Health Care Foundation for the period January 1, 1994 to December 31, 1994.

15. **A-3 - APPROVAL OF GRANT APPLICATIONS TO BE FILED FOR REVITALIZATION AREAS (MASON DISTRICT)** (Tape 4)

On motion of Supervisor Trapnell, seconded jointly by Supervisor Alexander and Supervisor Berger, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Endorsed the grant application to the Virginia Department of Forestry for the planting of trees in the Bailey's Crossroads area and authorize staff to forward the

appropriate application; and

- Authorized the County Executive to sign the Letter of Agreement with the community.

16. **A-4 - APPOINTMENTS TO THE AFFORDABLE DWELLING UNIT (ADU) ADVISORY BOARD (COUNTYWIDE)** (Tape 4)

(APPTS)

On motion of Supervisor Hanley, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and reappointed the following individuals to the Affordable Dwelling Unit Advisory (ADU) Board:

- Ms. Barbara A. Byron; and
- Mr. John Payne.

17. **A-5 - AUTHORIZATION TO ADVERTISE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING PUBLIC COMMUTER PARK-AND-RIDE LOTS** (Tape 4)

(A)

(R)

On motion of Supervisor McConnell, seconded by Supervisor Bulova, 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 February 10, 1994 and before the Board of Supervisors on **February 28, 1994 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to allow required off-street parking spaces to be used for public commuter park-and-ride lots.

18. **A-6 - DESIGNATION OF PLANS EXAMINERS STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM** (Tape 4)

Following a unanimous vote, the Board concurred in the recommendation of staff and designated the following individuals, identified with their registration numbers, as Plans Examiners:

- John L. Gavarkavich (112); and
- Dennis M. Thomas (111).

19. **A-7 - ESTABLISHMENT OF 9/9.0 SYE ADDITIONAL MERIT REGULAR POSITIONS IN THE OFFICE OF THE COUNTY ATTORNEY TO PROVIDE INCREASED TAX ASSESSMENT LITIGATION SERVICES** (Tape 4)

Following discussion, with input from David P. Bobzien, County Attorney, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent

that the Board defer decision on this item until later in the meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#65.)

20. **A-8 - AUTHORIZATION FOR THE DEPARTMENT OF HUMAN DEVELOPMENT (DHD) TO SUBMIT RENEWAL GRANT APPLICATION FOR THE TRANSITIONAL HOUSING PROGRAM TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** (Tape 4)

Supervisor Bulova moved that the Board concur in the recommendation of staff and authorize the Department of Human Development (DHD) to submit an application for the renewal of Transitional Housing Grant Award Three to the United States Department of Housing and Urban Development (HUD) for funding to continue essential services to Transitional Housing clients. This motion was seconded by Chairman Davis for purposes of discussion.

Following discussion, with input from Suzanne Manzo, Director, Department of Human Development, Supervisor Dix asked unanimous consent that the Board direct staff to provide more information regarding the renewal of Grant Awards One and Two for a second five years. Without objection, it was so ordered.

Following further discussion, with input from Verdia Haywood, Deputy County Executive for Human Services, and Ms. Manzo, Supervisor Hanley stated that a meeting of the Human Services Subcommittee would be scheduled at 8:30 a.m. on February 7, 1994 regarding this item.

Following further discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer action on this item until **February 7, 1994**. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following further discussion, Supervisor Berger stated for the record that since the "War on Poverty" started during President Lyndon Johnson's administration, the situation has worsened despite massive spending.

Supervisor Hyland asked unanimous consent that the Board direct staff to conduct a cost-benefit analysis of the costs associated with families who have completed the program. This analysis should project the costs associated with supporting those families with the services they received before entering the program versus the costs of

services they received after completing the program. The analysis should also evaluate the human

effect regarding the difference in the families' quality of life and independence. In addition, Supervisor Hyland asked unanimous consent that the Board direct staff to provide a copy of the Federal Audit for this Grant in terms of their expectations for the expenditure of the funds. Without objection, the requests were so ordered.

21. **C-1 - DEPRECIATION OF COMPUTER EQUIPMENT** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated January 24, 1994, requesting Board direction regarding the depreciation of computer equipment for business tangible personal property taxes.

Supervisor Dix moved that the Board recommend to the Supervisor of Assessments approval of the Business Tax Study Group's Recommended Depreciation Schedule as outlined in the Memorandum to the Board dated January 24, 1994. This motion was seconded by Supervisor Berger.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer this item until later in the meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Chairman Davis expressed his appreciation to Supervisor Dix and the members of the Business Tax Study Group for their efforts on this issue.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#67.)

22. **C-2 - APPEAL BY GREGORY J. AND JANICE L. BUDNIK OF THE DENIAL OF SUBDIVISION WAIVER NUMBER 013665, TAX MAP NUMBER 099-4-01-0034 AND 0039 (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated January 24, 1994, presenting the appeal of the denial of Subdivision Waiver Number 013665 by the Deputy County Executive for Planning and Development, acting for the County Executive.

Following a presentation by staff, discussion ensued with input from Irving Birmingham, Director, Department of Environmental Management (DEM) and Mr. Gregory J. Budnik, Appellant.

Supervisor Hyland moved to defer this item until later in the meeting. This motion was seconded by Chairman Davis and carried by unanimous vote.

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

Item CL#68.)

23. **C-3 - SUBSTITUTION OF A PRIVATE CONTRACTOR TO REPLACE METROBUS AS THE OPERATOR OF EXISTING BUS SERVICE IN THE HERNDON/RESTON AREAS (COUNTYWIDE)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated January 24, 1994, regarding the substitution of a private contractor to replace Metrobus as the operator of existing bus service in the Herndon/Reston Areas.

Supervisor Dix moved to defer this item until later in the meeting. This motion was seconded by Chairman Davis and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on item. See Clerk's Summary Item CL#69.)

24. **I-1 - THE KEEP AMERICA BEAUTIFUL NATIONAL RECYCLING AWARD PRESENTED TO FAIRFAX COUNTY'S DEPARTMENT OF PUBLIC WORKS, DIVISION OF SOLID WASTE COLLECTION AND RECYCLING** (No tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#12.)

25. **I-2 - CONTRACT AWARD - FRANCONIA/LEEWOOD PHASE I STORM DRAINAGE IMPROVEMENT (LEE DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated January 24, 1994 requesting authorization for staff to award a contract to William B. Hopke Company, Incorporated in the amount of \$56,455 for the construction of Project I00167, Franconia/Leewood Phase I Storm Drainage Improvement, in Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

AR:ar

26. **INCREASE IN RENT FOR THE COUNCIL OF THE ARTS** (Tape 5)

Chairman Davis stated that a short time ago the Council of the Arts was informed by the Park Authority that its rent would be increased from \$35,079.50 (\$8.50 per square foot) to \$41,270.00 (\$10.00). He added that it is his understanding that the rent from the Packard Center goes into the Park Authority Trust Fund and is used to maintain the building. However, in these lean times, the Council is facing a reduction in funding and believes it should not be subject to a rent increase.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and

moved that the Board direct staff to meet with the Park Authority and the Council of the Arts to determine if a compromise can be reached in this matter. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

27. **NATIONAL GIRLS AND WOMEN IN SPORTS DAY** (Tape 5)

Supervisor Davis announced that on Tuesday, February 1, 1994, the Commission for Women will sponsor a reception in the Government Center Forum to celebrate "**National Girls and Women in Sports Day.**" Women athletes representing many different sports will be in attendance, including an Olympian from the 1948 and 1952 gymnastic teams.

Supervisor Davis stated that the Women's Sports Foundation will announce the formation of the Fairfax County Women's Sports Awards and Grants Committee. Its goal will be to identify, support, and recognize girls and women in sports. This committee will be able to access the Foundation's funding programs.

28. **CRITICAL BLOOD SHORTAGE** (Tape 5)

Supervisor Davis noted that his office has received a notice from the INOVA Health System stating that there is a critical blood shortage. A combination of holidays, bad weather, and escalating violent crime across the country has been devastating to the blood supply.

Blood Donor Services are offered at 3289 Woodburn Road in Annandale between the hours of 8:00 a.m. and 8:00 p.m. Monday through Friday, and between 9:00 a.m. and 5:00 p.m. on Saturdays. Calls may be made to 703-698-3885 for information and appointments.

Supervisor Davis asked unanimous consent that the Board direct staff to publish this important information in the County Courier and the Weekly Agenda. Without objection, it was so ordered.

29. **ZONING ORDINANCE AMENDMENT REGARDING MINOR ADJUSTMENT OF LOT LINES** (Tape 5)

Supervisor Davis noted that in November 1993, the Board adopted a Zoning Ordinance amendment which allowed, under limited circumstances, a minor adjustment of lot lines for legally created lots which do not comply with the current regulations. This amendment basically allows a resubdivision to rearrange lot lines in cases where the reconfigured lots will contain the same lot area as existed prior to the adjustment of the lot lines. This amendment provided some needed flexibility; however, Supervisor Davis stated that he has become aware of another type of situation which is deserving some additional flexibility.

Supervisor Davis stated that there are instances where there are proposals to resubdivide

and combine existing lots which do not comply with the current Zoning District requirements into new lots. The result is a reduction in the number of non-conforming lots with no aggravation of the non-conforming conditions. Supervisor Davis expressed his belief that the Zoning Ordinance would also allow for this type of resubdivision and that such provisions can be drafted so as to ensure the continued integrity of the Zoning District regulations. He also stated that he is aware that the Board previously noted that all requests for Zoning Ordinance amendments should be referred to the Board's Development Review Subcommittee for prioritization.

Accordingly, Supervisor Davis moved that the Board refer this issue to the Development Review Subcommittee for its prompt review and recommendation. This motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

30. **MOUNT VERNON'S SEVENTH ANNUAL TOWN MEETING SCHEDULED FOR SATURDAY, JANUARY 29, 1994** (Tape 5)

Supervisor Hyland announced that the Mount Vernon's seventh annual Town Meeting is scheduled to be held on Saturday, January 29, 1994, at the Mount Vernon High School Little Theatre Auditorium, 8515 Old Mount Vernon Road. Participants, guests and citizens are welcome for coffee, donuts, and mingling at 8:30 a.m., and the meeting will begin at 9:15 am.

With a notation that this meeting is open to all citizens of Fairfax County, Supervisor Hyland stated that this year's Town Meeting provides an excellent opportunity for citizens to hear first hand the significant issues involving Mount Vernon as well as the County and, in so doing, meet their elected legislators and government officials. Supervisor Hyland presented an overview of the significant issues confronting the County and the Mount Vernon District which will be covered at the meeting, to include subjects such as the Fiscal Year (FY) 1994 and 1995 Budgets/Taxes; the Status of the Human Services Redesign; Fairfax County Schools and Education System; Crime in the Route One Corridor and Mount Vernon District; and the Status of the Woodrow Wilson Bridge Improvement Study.

Those persons who have been invited to serve as panelists include: Thomas Davis, Chairman of the Board; Joe Alexander, Lee District Supervisor; William J. Leidinger, County Executive; Dr. Robert Spillane, Superintendent of the Fairfax County Public Schools; Kris Amundson, School Board Member; Verdiana Haywood, Deputy County Executive for Human Services; Richard King, Deputy County Executive for Public Safety; Don P. Sheldon, Area I Superintendent Fairfax County Schools; and Dave Gendell, Federal Highway Administration and Chairman of the Woodrow Wilson Bridge Improvement Study Coordinating Committee.

31. **AWARD OF DISTINCTION FOR FAIRFAX COUNTY DEPARTMENT OF**

ANIMAL CONTROL (Tape 5)

Supervisor Hyland stated that on December 15, 1993, Barbara Snow, Director, Department of Animal Control, received the Virginia Department of Agriculture and Consumer Services Award of Excellence from Dr. William Sims, State Veterinarian, Director of the Division of Animal Health, for her high standards in operating and management procedures.

Supervisor Hyland noted that the Fairfax Shelter is one of only 12 localities in Virginia which received the certification. The Commonwealth's innovative certification program is designed to give recognition to localities which meet stringent requirements for the facility, vehicles, sanitary conditions, and humane treatment of animals. The County's Department of Animal Control handles more than 13,000 animals a year, of which approximately 30 percent are adopted and another 30 percent are returned to owners. More and more people are thinking of shelters as places to adopt a pet and this is something we all want. "This team effort shows that Fairfax County is devoted to total quality service to the public in all areas," stated Robert Fanton, compliance enforcement supervisor with the Virginia Division of Animal Health.

Supervisor Hyland called the Board's attention to a beautiful plaque which was received at the award ceremony and asked unanimous consent that the Board direct staff to find an appropriate place to hang the plaque in the Government Center's Hall of Honor. Without objection, it was so ordered.

32. **CLEAN AIR ACT AMENDMENT AND FAIRFAX COUNTY'S ABILITY TO COMPLY** (Tape 5)

Supervisor Hyland noted that in the summer months the volatile organic compounds (VOC) in the Washington metropolitan region air has unhealthy levels of ground level ozone, a harmful gas that is formed when VOCs combine with nitrogen oxides and sunlight. This smog is a serious threat to public health and because of the adverse health impacts, the region is categorized as "serious non-attainment" as defined in the Clean Air Act Amendments.

Supervisor Hyland stated that on December 17, 1993, the Metropolitan Washington Air Quality Committee adopted its emission control measures to meet the 15 percent reduction target based on the 1990 emission inventory. Northern Virginia is responsible for reducing its VOCs by 59.8 tons per day by 1996. Department of Environmental Quality (DEQ) Director Richard Burton has reviewed and signed off on the package which is now ready to be submitted to the Environmental Protection Agency (EPA).

Supervisor Hyland noted that now is the appropriate time for the County of Fairfax to review its laws, codes and regulations to determine its ability to comply and to determine if and how the County budget and staff will be impacted.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff, including but not limited to the County Attorney, the Health Department's Air Quality Director, the Director of Management and Budget (OMB), the Director of Personnel, and the Director of the Office of Comprehensive Planning (OCP), to coordinate with the Virginia Department of Environmental Quality to determine what Fairfax County must do in order to conform by 1996, with the submitted State Implementation Plan, and to present a white paper with recommendations to the Board's Environmental Subcommittee on March 7, 1994.

Supervisor Bulova asked to amend the request to include information with regard to what action is required by the County by November 1994 in order to comply with the Clean Air Act, and this was accepted.

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

33. **FAIRFAX RELEAF ARBOR DAY** (Tape 5)

Supervisor Hyland called the Board's attention to a letter which he received from James Fazier, President of Fairfax ReLeaf. Plans are being made to hold the third annual Arbor Day Festivities on April 16, 1994, and Fairfax ReLeaf is requesting the Board's endorsement and authorization for this event. Each year Arbor Day activities are held in different jurisdictions. Last year, it was in the Dranesville District, and this year it will be held in the Mount Vernon District.

Supervisor Hyland noted that, once again, the corporate sponsor is Ogden Martin of Fairfax, Incorporated, who has contributed more than \$10,000 toward this event. As part of the event, there will be a dedication of a tree grove commemorating and honoring all babies born in Fairfax County during the past year. This program was developed from a 1992 Board action and has been well received by the community. Also as part of Arbor Day celebrations, ReLeaf chose, with the help of the Superintendent of Schools, an elementary school which has a strong environmental interest. This year it will be Belle Haven Elementary School which has a new environmental curriculum that includes constructing a nature walk through a wetland and planting trees and shrubs that will attract wildlife on the school grounds.

Therefore, Supervisor Hyland moved that the Board declare its support and sponsorship of Arbor Day and direct the Office of Public Affairs to prepare a press release announcing this event. This motion was seconded by Supervisor Alexander and carried by unanimous consent.

34. **APPRECIATION EXPRESSED TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) AND FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS** (Tape 5)

Supervisor Hyland noted that, under extreme weather conditions, the Virginia Department of Transportation (VDOT) worked through unrelenting subzero temperatures to remove ice and snow. There are approximately 7,000 lane miles to treat in an ice/snow storm in Fairfax County. VDOT has 204 pieces of snow removal equipment and 291 pieces of contracted equipment. In Fairfax County, for snow removal efforts, VDOT employs 422 employees, with 313 extra contracted out. At any given time, 735 employees are on the road working towards the ice/snow removal efforts.

Supervisor Hyland commended the County's Department of Public Works (DPW) for its dedication and efforts during the recent storm. DPW has been working 24-hour rotation

shifts since last Monday morning. This team effort included the Maintenance and Construction Division, the lead agency, but because the task was so immense and the ice so thick, staff from the Division of Solid Waste and Line Maintenance Division had to be called in to assist in meeting the safety standards for sidewalks and parking lots. It was especially tough because of the cold temperatures, but not one of more than 150 people gave up in clearing library parking lots, sidewalks, fire and rescue stations, police stations, government centers, health centers, park and ride facilities, and community centers.

Supervisor Hyland invited all Board Members to join him in extending a big "Thank You" to the employees of VDOT and DPW who worked non-stop from midnight Sunday for a job well done. He added that the conditions were treacherous and the efforts extraordinary.

Following discussion and notations by several Board Members that other Supervisor Districts within the County did not receive prompt response to the ice/snow conditions on the roads in their Districts, Supervisor Bulova moved that the Board direct staff to contact Ken Wester, VDOT maintenance representative, and invite him to appear before the Board at its next meeting to discuss VDOT's ice/snow removal procedures for Fairfax County. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

35. **SALE OF ALCOHOL TO MINORS** (Tape 5)

Supervisor Hyland called the Board's attention to a recent statement released from the Police Department which indicated that on two days in December 1993, police officers conducted surveys of establishments in two parts of the County, Mount Vernon and Lee being one of them, basically checking to see which businesses which sell alcohol complied with the law and which did not. The result was rather alarming because approximately 25 percent of the establishments surveyed were determined to be in violation of the law.

Supervisor Hyland asked unanimous consent that the Board refer this matter to the Board's Legislative Subcommittee for its review and determination as to whether the County has or could get the authority to basically terminate privileges to sell alcoholic beverages if a business is found to be in violation of the law, for example, on three occasions. Without objection, it was so ordered.

PMH:pmh

36. **EXPEDITIOUS AND SIMULTANEOUS PROCESSING OF THE PRELIMINARY PLAT AND SITE PLANS ASSOCIATED WITH THE LAND AREA INCLUDED IN REZONING APPLICATION RZ 92-H-027** (Tape 6)

Supervisor Dix stated that in January, 1993, the Planning Commission recommended approval of two zoning applications which had been filed by Bahman Batmanghelidj

(Rezoning Application RZ 92-H-027 and Proffered Condition Amendment Application PCA 85-C-008-2). The property which was the subject of these applications consisted of 55.63 acres of land within the Route 28 Tax District.

Subsequently, the Board of Supervisors' public hearing on these applications was deferred indefinitely because of a change in ownership for a portion of this property. Supervisor Dix said that an amendment of the original applications has been submitted by Mr. Batmanghelidj for that portion of the property for which he retained ownership, and new applications have been filed by the owner of the remaining 38.86 acres -- Coppermine, Incorporated. A date of March 31, 1994 has been scheduled for a public hearing to be held before the Planning Commission on both applications.

Supervisor Dix moved that the Board direct staff to:

- Expediently process these applications;
- Schedule a date and time certain for a public hearing to be held before the Board of Supervisors; and
- Simultaneously process the Preliminary Plat and Site Plans associated with the land area included in Rezoning Application RZ 92-H-027.

Supervisor Dix noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the Rezoning Application in any way.

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

37. **WAIVER OF FEES AND EXPEDITED PROCESSING FOR PERMITS FOR HIGHER FENCES FOR PROPERTIES ABUTTING THE FAIRFAX COUNTY PARKWAY** (Tape 6)

Supervisor Bulova reminded the Board that on January 10, 1994, it administratively approved fences higher than eight-feet for those residences abutting the Fairfax County Parkway.

Supervisor Bulova explained that the residents are installing these fences at their own expense to provide some relief from the impact of the Parkway. Because the fences will require footers, it will be necessary for the owners to obtain building permits.

Therefore, Supervisor Bulova moved that the Board:

- Waive the fees associated with the issuing and review of the permits; and

- Process the permits expeditiously.

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

38. **REQUEST FOR EXPEDITED PROFFERED CONDITION AMENDMENT (PCA) APPLICATION TO EVALUATE THE PERMANENT ACCESS AT THE FULLERTON ROAD GATE THAT INTERSECTS WITH ROLLING ROAD**
(Tape 6)

Supervisor Alexander proposed that the Board authorize a Board's Own Motion expedited Proffered Condition Amendment (PCA) Application to evaluate the permanent access at the Fullerton Road gate that intersects with Rolling Road. He said that he has received over 3,000 signatures from constituents who reside in the Lee District as well as the Springfield District which includes over 700 businesses within the Fullerton Business Park.

Supervisor Alexander stated that the site is located at the Virginia 95 Business Park, which is a 127 acre industrial park between Rolling Road and Backlick Road. The site was originally rezoned on June 27, 1977 (Rezoning Application RZ-C-526). At that time, proffer number one was accepted and read:

- "... and there shall be no direct access to Rolling Road for industrial or commercial traffic."

Supervisor Alexander explained that when this restriction was written, the Saratoga community to the west was concerned with heavy truck traffic in their area. In the last 17 years, there have been tremendous changes in the area. These changes include an influx of residential communities and businesses as well as major transportation improvements. He added that the Virginia Department of Transportation (VDOT) requested that the County allow the restrictive gate to remain open for one year during construction of the recently completed Newington/I-95 interchange improvement to ease traffic conditions in this area. It was during this "open time" that he was contacted by members of the community requesting this access remain open.

Supervisor Alexander said that a public hearing is the most effective way to examine the transportation and development changes in the area as well as hear from the citizens that are impacted by this restriction.

Therefore, Supervisor Alexander moved that the Board:

- Authorize the advertisement of a public hearing to be held before the Board of Supervisors, on its Own Motion, a PCA Application, to be scheduled on March 21, 1994 at 7:30 p.m. regarding the opening or closing of Fullerton

Road on a permanent basis.

This motion was seconded by Supervisor Hyland.

Supervisor Hanley stated for the record that signatures for the affidavit must be obtained from all of the landowners of the property which is the subject of the rezoning.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning, Chairman Davis asked that the motion be amended to direct staff to schedule the public hearing for March 21, 1994, if possible, and this was accepted.

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

Supervisor Alexander moved that the Board extend the gate opening until after its public hearing. This motion was seconded by Supervisor Hyland and CARRIED by a recorded vote of seven, Supervisor Berger and Supervisor McConnell voting "NAY."

Supervisor McConnell asked unanimous consent that should it be determined that the road remain open, that the Board direct staff to report to her office regarding:

- This road that the VDOT has determined is unacceptable;
- Necessary construction and construction time;
- Who is going to pay for the construction;
- How long it is going to take; and
- Other essential details.

Without objection, it was so ordered.

39. **PUBLIC HEARING ON DRAFT FRANCONIA-SPRINGFIELD AREA PLAN (S93-CW-1CP) (COUNTYWIDE)** (Tape 6)

Supervisor Alexander announced that the Board will hold its public hearing on the draft Franconia-Springfield Area Plan (S93-CW-1CP) at 7:30 p.m., this evening. He said that due to bad weather conditions, the Planning Commission deferred its public hearing on this item and would reschedule its hearing following the Board's public hearing.

Following discussion, with input from David P. Bobzien, County Attorney, and James P. Zook, Director, Office of Comprehensive Planning (OCP), Chairman Davis relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board defer this issue until later in the meeting which would allow time for Board discussion during Executive Session. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken to defer the public hearing until February 7, 1994 at 4:00 p.m. See Clerk's Summary Item CL#64.)

40. **BOARD MEMBERS INVITED TO ATTEND A RECEPTION SPONSORED BY THE VIRGINIA ASSOCIATION OF PUBLIC TRANSIT OFFICIALS FOR GENERAL ASSEMBLY MEMBERS** (Tape 6)

Supervisor Alexander announced that the Virginia Association of Public Transit Officials is having a reception for General Assembly Members on Thursday, January 27, 1994 from 5:30 p.m. until 7:00 p.m. at the Jefferson Hotel in Richmond, Virginia. He extended an invitation to Board Members.

Supervisor Alexander said that a bus is scheduled to leave Woodbridge in the afternoon. He added that he will distribute additional information regarding the event later in the day.

41. **PROFFERED CONDITION AMENDMENT APPLICATION (PCA) AND FINAL DEVELOPMENT PLAN (FDP) AMENDMENT APPLICATION FOR LAND BAY A OF THE FAIRFAX COUNTY GOVERNMENT CENTER** (Tape 6)

Supervisor Frey stated that The Charles E. Smith Companies has an option to purchase and develop Land Bay A of the Fairfax County Government Center, which is presently approved for development with office and hotel uses. Stoney Brook Associates Limited Partnership, an entity formed by The Charles E. Smith Companies, anticipates filing a Proffered Condition Amendment (PCA) Application and a Final Development Plan (FDP) Amendment Application to allow residential development on Land Bay A. As Land Bay A is presently owned by the Fairfax County Board of Supervisors, a motion by the Board is required to evidence concurrence with the filing of the application. He added that this concurrence is not an endorsement of approval but simply allows the proposed application to be filed and accepted.

Therefore, Supervisor Frey moved that the Board consent to the filing of a PCA Application and an FDP Application for Land Bay A of the Fairfax County Government Center. This motion was seconded by Supervisor Dix and carried by a vote of nine, Chairman Davis being out of the room.

42. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 93-Y-036 (FAIRFAX CHURCH OF CHRIST, TRUSTEE) (SULLY DISTRICT)** (Tape 6)

Supervisor Frey announced his intent, later in the meeting, at the appropriate time, to defer the public hearing on Special Exception Application SE 93-Y-036.

NV:nv

43. **CURBSIDE RECYCLING FOR MAGAZINES, CATALOGS, AND CARDBOARD**
(Tape 7)

Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova and stated that she had received a letter from a constituent regarding curbside recycling for magazines, catalogs, and cardboard. She asked unanimous consent that the Board direct staff to report with the status on this issue.

Without objection, it was so ordered.

44. **NATIONAL CAPITAL POISON CENTER** (Tape 7)

Supervisor McConnell stated that she had received numerous inquiries from constituents regarding the closing of the National Capital Poison Center. Supervisor Dix responded that there are three budget amendments currently being introduced in the Virginia General Assembly regarding this issue.

Supervisor McConnell asked unanimous consent that the Board direct staff to report in writing on this issue. Without objection, it was so ordered.

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

Supervisor McConnell stated that due to the cancellation of the Planning Commission meeting last Thursday, their decision on Rezoning Application RZ 93-S-027 has been deferred to this week.

Therefore, Supervisor McConnell moved to defer the public hearing on Rezoning Application RZ 93-S-027 until **February 7, 1994 at 4:00 p.m.**

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

46. **PUBLIC HEARING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-P-048** (Tape 7)

Supervisor Hanley moved that the Board schedule a public hearing on Proffered Condition Amendment Application PCA 88-P-048 for the first meeting in April, 1994. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

47. **SUTHERLAND SQUARE PROFFERED CONDITION AMENDMENT** (Tape 7)

Supervisor Hanley stated that a fence between two civic associations had been built on Tax Map Number 48-3-(44) Parcel A. A portion of that fence is located on property that is owned by the County. Because this fence is not in compliance with the proffer, a Proffered Condition Amendment (PCA) is required. Accordingly, Supervisor Hanley

moved that the Board concur in the application for this PCA for Sutherland Square. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Hyland being out of the room.

48. **LITERACY COUNCIL** (Tape 7)

Supervisor Hanley stated that the County has reduced its funding to the Literacy Council and, in turn, they have reduced their allocation. Fairfax County reduced its allocation to the Literacy Council by 20 percent in Fiscal Years (FY) 1992 and 1993, while allocations from Arlington and Alexandria have remained the same or increased slightly. She stated that Fairfax County's contribution covers 33 percent of the Council's cost to each student compared to Alexandria's contribution of 56 percent and Arlington's 43.7 percent, respectively.

Supervisor Hanley moved that the Board direct staff to develop a Consideration Item of an added appropriation of \$5000 for the Literacy Council in the Third Quarter Budget review of FY1994 and a similar appropriation for FY1995. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

49. **SNOW REMOVAL ON SIDEWALKS** (Tape 7)

Supervisor Hanley stated that one of her constituents raised the issue of developing an ordinance which would require residents to remove snow from sidewalks. Accordingly, Supervisor Hanley moved that the Board direct staff to recirculate to the Board the information on this issue. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

50. **WATER PIPE RUPTURES** (Tape 7)

Referring to an article in the Washington Post dated Monday, January 24, 1994, entitled "Thaw Brings Washington Back to Life," Supervisor Hanley stated that the Fairfax County Water Authority reported 6000 calls from customers reporting "ruptured pipes or no water at all." She noted that the Fairfax County Fire and Rescue Department also received a number of water-related/broken pipe calls. Because a number of the problems were related to ruptures at the house connections, she expressed concern that the Building Code requirements may not be stringent enough.

Therefore, Supervisor Hanley moved the Board direct staff to report with the:

- Number of frozen pipe-related calls that the Fairfax County and Falls Church Water Authorities received from Fairfax County constituents; and
- Number of calls that the Fire and Rescue

Department received.

She further moved that the Board direct the staff of the Department of Environmental Management to review the Building and Plumbing Code requirements on pipe insulation

to determine if they are adequate to prevent these ruptures. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

51. **ROLLING ELECTRICAL BLACKOUTS BY VIRGINIA POWER** (Tape 7)

Supervisor Hanley called the Board's attention to the issue of the unannounced rolling electrical blackouts conducted by Virginia Power during the previous week's record cold weather. Accordingly, she moved that the Board direct staff to work with the staff at Virginia Power to develop a plan to notify constituents of any impending blackouts. This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked the motion be amended to direct staff to include in their discussions with Virginia Power an inquiry on the effect of rolling electrical blackouts on kidney dialysis patients and other emergency functions and this was accepted. Following discussion, the question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

52. **MOBIL OIL ENERGY CONSERVATION** (Tape 7)

Citing an article in the Washington Post dated January 24, 1994, entitled "Shedding Light, Cutting Consumption," Supervisor Hanley noted that Mobil Oil Corporation has been cited for its energy conservation efforts by being honored by the Environment Protection Agency (EPA) with a Partner of the Year award under its Green Light Program.

Accordingly, Supervisor Hanley moved that the Board direct staff to send a letter, under the Chairman's signature, to Mobil Oil to recognize and congratulate it for its efforts in this regard. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

53. **CERTIFIED LOCAL GOVERNMENT** (Tape 7)

Supervisor Hanley reported that she had read in the Business Journal that the Virginia Department of Historic Resources has announced that Arlington has become the 12th certified local government in the Commonwealth. This certification is designed to promote preservation of Virginia's priceless historic buildings and sites to an active partnership between state and local offices. Accordingly, Supervisor Hanley moved that the Board direct staff to:

- Determine if Fairfax County is a certified local government; and, if not, determine the steps necessary to become certified to qualify for application for federal funds for preservation.

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

54. **WHITTIER SCHOOL FACILITY AND LAZARUS AT THE GATE** (Tape 7)

Supervisor Hanley referred to a memorandum distributed by the County Executive concerning the impending closure of the Whittier School facility and a necessary relocation of Lazarus at the Gate because of the building's poor physical condition.

Discussion ensued, with input from William J. Leidinger, County Executive.

55. **WORLDGATE PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-D-093-A** (Tape 7)

Supervisor Berger stated that the Charles E. Smith Companies continues to develop the project known as Worldgate, which was previously divided into land bays. He stated that they are pursuing a residential development option on Land Bay F and has made modifications to the type of residential product as well as minor modifications to the design and layout of the residential building. The overall number of residential units has decreased and the amount of open space has increased. He stated that the Charles E. Smith Companies has requested expedited processing to allow approval of required land use applications as soon as possible.

Citing the relative minor modifications proposed to the residential building, Supervisor Berger moved that the Board direct the staff of the Office of Comprehensive Planning (OCP) to expeditiously process the application filed by Worldgate Associates Limited Partnership and referenced as Proffered Condition Amendment Application PCA 86-D-093-A and Final Development Plan Amendment Application FDPA 86-D-093-6.

Supervisor Berger further moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept the Site Plan for concurrent processing in conjunction with the previously described application. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor McConnell being out of the room.

56. **RECOMMENDATION TO LIMIT NEW EMPLOYEES HEALTH INSURANCE ENROLLMENT TO THE SELF-INSURED PLAN** (Tape 7)

Supervisor Trapnell stated that at the October 26, 1993 meeting of the Board Personnel Subcommittee, the Subcommittee endorsed the recommendation to limit new employees health insurance enrollment to the self-insured plans and to freeze enrollment in the other plans.

Supervisor Trapnell said that when this matter was presented to the full Board at the November 15, 1993 meeting, the Board deferred action based on a letter from an individual member of the Employees Advisory Council (EAC) who objected to the

change and asked that the Board obtain additional input from employees.

Supervisor Trapnell noted that the issue was presented to employees in the Courier in both a news article and the "Voice of the EAC" column. The Office of Personnel received about a dozen phone calls, and conducted three meetings attended by a total of approximately twenty employees. When the reasons for the proposed limitation were explained, most employees expressed support.

Accordingly, Supervisor Trapnell moved that:

- Effective July 1, 1994, new employees' health insurance enrollment be limited to the self-insured plans, FairChoice and Blue Cross/Blue Shield Out-of-Area; and
- Enrollment in other County health plans, Kaiser Permanente and HealthPlus, be frozen. Implementation on July 1, 1994 will provide current employees a final opportunity during the 1994 open season to switch into other plans.

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

57. **RESCISSION OF AUTHORIZATION FOR AN OUT-OF-TURN PLAN AMENDMENT FOR 4800 NORTH CHAMBLISS STREET** (Tape 7)

Supervisor Trapnell stated that recently the Board authorized an Out-of-Turn Plan Amendment for property located at 4800 North Chambliss Street. Since that time, the owner of the property has indicated that he no longer wishes to seek the Plan Amendment or the subsequent rezoning.

Therefore, Supervisor Trapnell moved that the Board rescind the authorization for an Out-of-Turn Amendment at 4800 North Chambliss Street. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

58. **SMALL BUSINESS AWARDS** (Tape 7)

Chairman Davis announced that the Fairfax County Chamber of Commerce is sponsoring a series of small business awards to acknowledge the best business product, retailer, and service of the year, and to recognize others in the small business community.

Chairman Davis distributed the 1994 nomination forms to Board Members and announced that additional forms are available from the Chamber of Commerce. He encouraged Board Members and others to work with the Chamber to recognize the immeasurable contributions that small businesses make to the County.

59. **THOMAS AVENUE SANITARY SEWER EXTENSION PROJECT** (Tape 7)

Chairman Davis referred to a memorandum from the County Executive regarding the Thomas Avenue Sanitary Sewer Extension Project Waiver. Supervisor Berger stated that this issue would be discussed in Executive Session.

(NOTE: Later in the meeting, the Board took action on this issue. See Clerk's Summary Item CL#66.)

60. **SPECIAL EXCEPTION AND OUT-OF-TURN PLAN AMENDMENT FOR THE DBS PARTNERSHIP** (Tape 7)

Supervisor Hyland called the Board's attention to his written Board Matter number six regarding a Special Exception application filed by DBS Partnership. He stated that DBS Partnership has filed a Special Exception application to permit an increase of the floor area ratio (FAR) from .54 to .60 on property in the Newington Industrial Park, identified as Tax Map 99-3 ((1)) 20 and 20F and zoned I-6, Heavy Industrial District. The applicant plans to construct an 8,000 square foot addition on the roof of one of its existing buildings. The current and proposed FARs slightly exceed that which is recommended in the Comprehensive Plan.

Supervisor Hyland stated that DBS Partnership has been in the printing business at this location for over 16 years. Prior to the 1989 Commercial and Industrial (C&I) amendments, the proposed addition would have been permitted by right. The applicant is experiencing difficulties with its current space limitations. Time is very critical in order to maintain the efficiency of the business operation. Supervisor Hyland stated that the proposed addition should not have any adverse land impacts.

The applicant has prepared an Out-of-Turn Plan Amendment which would permit an increase in the FAR under certain limited conditions. Therefore, Supervisor Hyland moved that the Board direct staff to expedite the processing of an Out-of-Turn Plan Amendment to amend the Comprehensive Plan for Land Unit E in the I-95 Corridor Industrial Area to allow an increase in the FAR up to .60 provided that certain criteria are met.

Supervisor Hyland further moved that the Board authorize concurrent processing of the Plan Amendment and the Special Exception application. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

61. **RECESS/EXECUTIVE SESSION** (Tape 7)

At 1:55 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:

- 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, October Term, 1993;
- Thomas Versus County of Fairfax; Ivins versus County of Fairfax; and Belk versus County of Fairfax;
- Special Exception Application SE 93-P-044 (Tysons 3 Partnership) (Providence District);
- Rezoning Application RZ 93-S-027 (J.A. Loveless Homes II, Incorporated) (Springfield District);
- Draft Franconia-Springfield Area Plan (S93-CW-1CP) (Countywide);
- Erroneous Tax Assessment Litigation; and
- Request for Waiver of Fees Regarding Thomas Avenue Sanitary Sewer Extension Project.

Supervisor Bulova asked to amend the motion to include discussion of the protest by the Equipment Management and Transportation Agency's (EMTA) West Ox Facility regarding the awarding of the privatization contract and this was accepted.

This motion, as amended, the second to which was inaudible, carried by unanimous vote.

SBE:sbe

At 4:35 p.m., the Board reconvened in the Board Auditorium with all Board Members present, and with Chairman Davis presiding.

ACTIONS FROM EXECUTIVE SESSION

62. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 8)

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

considered by the Board during the Executive Session. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

63. **ACTION AGAINST FREDERICK CHARLES SHIVELY AND RUTH S. SHIVELY**
(Tape 8)

Supervisor Frey moved that the Board authorize action against Frederick Charles Shively and Ruth S. Shively to remove them from County-owned property. This motion was seconded by Supervisor Berger and carried by unanimous vote.

64. **DEFERRAL OF THE PUBLIC HEARING ON DRAFT FRANCONIA-SPRINGFIELD AREA PLAN (S93-CW-1CP)** (Tape 8)

(NOTE: Earlier in the meeting there was discussion regarding this issue. See Clerk's Summary Item CL#39.)

Supervisor Alexander announced that on the advice of the County Attorney and because the Planning Commission has not made a decision on the Out-of-Turn Plan Amendment S93-CW-1CP, for the Engineering Proving Ground, Springfield Community Business Center and the Franconia/Springfield Transit Station Area in Lee District, the Public Hearing scheduled at 7:30 p.m. this evening is cancelled.

Therefore, Supervisor Alexander moved to defer the public hearing on Out-of-Turn Plan Amendment S93-CW-1CP, for the Engineering Proving Ground, Springfield Community Business Center and the Franconia/Springfield Transit Station Area in Lee District until **February 7, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Hyland and carried by unanimous vote.

65. **A-7 - ESTABLISHMENT OF 9/9.0 SYE ADDITIONAL MERIT REGULAR POSITIONS IN THE OFFICE OF THE COUNTY ATTORNEY TO PROVIDE INCREASED TAX ASSESSMENT LITIGATION SERVICES** (Tape 8)

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

Supervisor Hyland moved approval of Action Item 7 - Establishment of 9/9.0 Sye Additional Merit Regular Positions In The Office Of The County Attorney To Provide Increased Tax Assessment Litigation Services. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of eight, Supervisor Berger voting "NAY," Supervisor McConnell being out of the room.

Supervisor Hyland stated that motion is subject to:

- The County Attorney reviewing the possibility of contracting out some of the work and contacting other law firms with a view toward considering alternatives to creating nine new positions; but with

- The understanding that the motion authorizes the creation of nine new positions intended for a two-year period of time; and
- Making it clear to the individuals hired that at the end of two-years if the caseload goes down the positions could be eliminated.

A brief discussion among Board Members ensued.

66. **WAIVER OF FEES ON THOMAS AVENUE SANITARY SEWER EXTENSION PROJECT** (Tape 8)

Supervisor Berger moved to waive all fees regarding the Thomas Avenue Sanitary Sewer Extension Project based on the fact the individuals involved are landlocked and will pay for the sewer extension. This motion was seconded by Supervisor Dix and **FAILED**, by a recorded vote of five, Supervisor Berger, Supervisor Dix, Supervisor Hyland, and Supervisor Trapnell voting "AYE," Supervisor McConnell being out of the room.

67. **C-1 - DEPRECIATION OF COMPUTER EQUIPMENT** (Tape 8)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#21.)

The question was called on the motion to refer this issue to staff for review, which carried by unanimous vote.

68. **C-2 - APPEAL BY GREGORY J. AND JANICE I. BUDNIK OF THE DENIAL OF SUBDIVISION WAIVER NUMBER 013665, TAX MAP NUMBER 099-4-01-0034** (Tape 8)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#22.)

Supervisor Hyland moved to grant the appeal filed by Mr. and Mrs. Budnik regarding the denial of Subdivision Waiver Number 013665. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of seven, Supervisor Bulova, Supervisor Hanley, and Chairman Davis voting "NAY."

69. **C-3 - SUBSTITUTION OF A PRIVATE CONTRACTOR TO REPLACE METROBUS AS THE OPERATOR OF EXISTING BUS SERVICE IN THE HERNDON/RESTON AREAS** (Tape 8)

(NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#23.)

Supervisor Dix moved approval of Consideration Item C-3 - Substitution Of A Private Contractor To Replace Metrobus As The Operator Of The Existing Bus Service In The Herndon/Reston Areas. This motion was seconded by Supervisor Frey.

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

ADDITIONAL BOARD MATTER

70. **WELCOME CUB SCOUT PACK 1346 TO THE BOARD AUDITORIUM**
(Tape 8)

Supervisor Bulova introduced Cub Scout Pack 1346 from the Fairview Elementary School as well as Gale Nelson, Sally So, and Sheila Whitman, Den Mothers, and warmly welcomed them to the Board Auditorium.

AM:am

71. **3:30 P.M. - ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY (COUNTYWIDE)** (Tape 9)

At 5:10 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Davis in accordance with Article III, Section 1 of the Bylaws.

Supervisor Hanley moved that the Board appoint the following officers to the Fairfax County Solid Waste Authority:

OFFICERS

Thomas M. Davis, III Chairman, Fairfax County Board of Supervisors	Chairman
Elaine McConnell Vice-Chairman, Fairfax County Board of Supervisors	Vice-Chairman
Nancy Vehrs Clerk to the Fairfax County Board of Supervisors	Secretary
William J. Leidinger, County Executive	Executive Director

David P. Bobzien
County Attorney

Attorney

Susan S. Planchon
Director, Office of Finance

Treasurer

John W. di Zerega
Director, Department of
Public Works

Authority Representative

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

Supervisor Hyland moved approval of the minutes for the Fairfax County Solid Waste Authority from its meeting of January 25, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Hyland moved approval of the financial report for the Authority as contained in the Memorandum to the Board dated January 24, 1994. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

There was discussion with input from John W. di Zerega, Director, Department of Public Works.

At 5:20 p.m., the annual meeting of the Fairfax County Solid Waste Authority adjourned.

ADDITIONAL BOARD MATTER

72. **CONTINUATION OF DISCUSSION CONCERNING CHANGE OF ACREAGE IN THE AGRICULTURAL AND FORESTAL DISTRICTS FROM 25 ACRES TO 20 ACRES** (Tape 9)

(NOTE: Earlier in the meeting, this issue was discussed. See Clerk's Summary Item CL#6.)

Supervisor Berger briefed the Board on the Enabling Legislation regarding the current statute which calls for a limit of 25 acres or more for agricultural and forestal districts and moved that the Board seek to change the Enabling Legislation from 25 to 20 acres. This motion was seconded by Supervisor Frey.

Following a discussion with input from staff, Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Hyland and asked unanimous consent that this item be

deferred until later in the meeting to allow staff from the Office of Assessments time to respond to several questions. Without objection, it was so ordered.

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

(NOTE: Later in the meeting, action was taken regarding this issue. See Clerk's Summary Item CL#78.)

73. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-M-047 (PARKLAWN RECREATION ASSOCIATION) (MASON DISTRICT)** (Tape 9)

(NOTE: Action was taken on this item later in the meeting. See Clerk's Summary Item CL#75.)

74. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-B-042 (FAIRFAX COUNTY PARK AUTHORITY) (BRADDOCK DISTRICT)** (Tape 9)

Ms. Cecilia Lammers reaffirmed the validity of the affidavit for the record.

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

Supervisor Bulova moved approval of Special Exception Application SE 93-B-042, subject to the development conditions dated January 6, 1994. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

75. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-M-047 (PARKLAWN RECREATION ASSOCIATION) (MASON DISTRICT)** (Tape 9)

(NOTE: The Planning Commission will defer its public hearing on this application until February 17, 1994.)

Supervisor Trapnell moved to defer the public hearing on Special Exception Application SE 93-M-047 until **February 28, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

76. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-V-008 (SILVERBROOK CONSORTIUM LIMITED PARTNERSHIP) IN MOUNT VERNON DISTRICT** (Tape 9)

(NOTE: On January 10, 1994 the Board deferred the public hearing on this application for 30 days.)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 93-V-008 until **February 28, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

77. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 92-V-040 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-W-052 (CROSSPOINTE RETAIL LIMITED PARTNERSHIP) (SPRINGFIELD AND MOUNT VERNON DISTRICTS)** (Tape 9)

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Denise James, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Approval of Proffered Condition Amendment Application PCA 85-W-052 subject to the proffers dated November 10, 1993; the Planning Commission having previously approval Final Development Plan Application FDPA 85-W-052-2 on January 13, 1994;
- Approval of Special Exception Application SE 92-V-040 subject to the development conditions dated January 13, 1994; and
- Reaffirmation of the waiver of the barrier requirements and modification of the screening requirements in favor of that shown as part of the Final Development Plan Amendment Application FDPA 85-W-052-2.

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

ADDITIONAL BOARD MATTER

78. **CONTINUATION OF DISCUSSION CONCERNING CHANGE OF ACREAGE
IN THE AGRICULTURAL AND FORESTAL DISTRICTS FROM 25 ACRES TO
20 ACRES**

(Tape 9)

(NOTE: Earlier in the meeting, this issue was discussed. See Clerk's Summary Items CL#6 and CL#72.)

Following a question and answer period, with input by Kevin Greenlief, Acting-Supervisor, Office of Assessments, John M. Yeatman, Director, Real Estate

Division, Office of Assessments, and Michael H. Long, Assistant County Attorney, Supervisor Berger restated the original motion that the Board seek to change the Enabling Legislation from 25 to 20 acres regarding Agricultural and Forestal Districts.

Supervisor Trapnell moved to call the question.

The question was called on Supervisor Berger's motion, which carried by a vote of seven, Supervisor Alexander, Supervisor Hanley, and Chairman Davis being out of the room.

79. **3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 87-S-028 (GATEWAY CHANTILLY, LC) (SULLY DISTRICT)** (Tape 9)

Mr Paul T. Ebert reaffirmed the validity of the affidavit for the record.

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

Supervisor Frey moved approval of Special Exception Amendment Application SEA 87-S-028 subject to the development conditions dated November 24, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Hanley, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Frey moved to reaffirm the waiver of the service drive requirement along the Route 50 frontage of the property subject to Special Exception Amendment Application SEA 87-S-028. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Hanley, Supervisor Trapnell, and Chairman Davis being out of the room.

80. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE
COUNTY OF FAIRFAX, CHAPTER 9 (CABLE COMMUNICATIONS)
RELATING TO REGULATION OF BASIC CABLE TELEVISION SERVICE
RATES** (Tapes 9-10)

- (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 January 7 and January 14, 1994.

Following the public hearing, which included testimony by four speakers, Supervisor Bulova moved approval of the proposed amendments to the Code of the County of

Fairfax, Chapter 9 (Cable Communications) to add language to implement basic cable television (CATV) service rate regulation. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

81. **4:00 P.M. - PH ON REZONING APPLICATION RZ 93-P-026 (ZIMMERMAN DEVELOPMENT CORPORATION) (PROVIDENCE DISTRICT)** (Tape 11)

Mr. Mark Jenkins reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Hanley noted for the record that Criterion Eight is not mandatory and does not apply to this application.

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-P-026 be amended from the R-1 District to the R-3 District subject to the executed proffers dated January 10, 1994. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Hanley further moved that the Board direct the Director of the Department of Environmental Management (DEM) to return the Construction/Subdivision Plats to the Planning Commission for review prior to the final approval of the Subdivision Plat. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor McConnell, Supervisor Trapnell and Chairman Davis being out of the room.

82. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-P-044 (TYSONS 3 PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 11)

Supervisor Hanley moved to defer the public hearing on Special Exception Application SE 93-P-044 until **February 7, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

83. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-Y-038 (FIRST VIRGINIA BANK) (SULLY DISTRICT)** (Tape 11)

Ms. Sarah Reifsnnyder reaffirmed the validity of the affidavit for the record.

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

Supervisor Frey moved approval of Special Exception Application SE 93-Y-038 subject to the development conditions dated December 1, 1993. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor McConnell, Supervisor Trapnell and Chairman Davis being out of the room.

84. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-Y-036 (FAIRFAX CHURCH OF CHRIST, TRUSTEE) AND BOARD DECISION ON SALE OF COUNTY-OWNED PROPERTY LOCATED AT THE INTERSECTION OF BURNING BUSH DRIVE AND RUGBY ROAD TO THE FAIRFAX CHURCH OF CHRIST (SULLY DISTRICT)** (Tape 11)

Supervisor Frey moved to defer until **February 7, 1994, at 4:00 p.m.**, the following:

- The public hearing on Special Exception Application SE 93-Y-036 (Fairfax Church of Christ, Trustee) (Sully District); and
- The Board Decision 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).

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

85. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-V-030 (DBS GENERAL PARTNERSHIP) (MOUNT VERNON DISTRICT)** (Tape 11)

Supervisor Hyland moved to defer **indefinitely** the public hearing on Special Exception Application SE 93-V-030. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor McConnell, Supervisor Trapnell and Chairman Davis being out of the room.

86. **4:00 P.M. - PH TO CONSIDER A REQUEST FROM THE PARKLAWN RECREATION ASSOCIATION, INCORPORATED, FOR EXEMPTION FROM THE PROPERTY TAX (COUNTYWIDE REVENUE IMPACT)** (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 January 7 and January 14, 1994.

Following the public hearing, which included testimony by one speaker, Supervisor Alexander moved approval of the request from the Parklawn Recreation Association,

Incorporated for special State legislation that would confer exemption from County property taxes. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Supervisor Trapnell being out of the room.

87. **4:00 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, action was taken to defer the public hearing on Rezoning Application RZ 93-S-027. See Clerk's Summary Item CL#45.)

88. **4:00 P.M. - BOARD DECISION ON SALE OF COUNTY-OWNED PROPERTY LOCATED AT THE INTERSECTION OF BURNING BUSH DRIVE AND RUGBY ROAD TO THE FAIRFAX CHURCH OF CHRIST (SULLY DISTRICT)**
(No Tape)

(NOTE: Earlier in the meeting, action was taken to defer Board Decision on the Resolution authorizing the sale of the subject property to the Fairfax Church of Christ. See Clerk's Summary Item CL#84.)

89. **7:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN**
(No Tape)

(NOTE: The public hearing to Receive Citizen Comment on Issues of Concern was deferred.)

ADDITIONAL BOARD MATTER

90. **SYMPATHY CARD FOR MR. BOB PORTER** (Tape 11)

Supervisor Hyland announced that Mr. Bob Porter's wife passed away last week and he asked unanimous consent that the Board direct staff to send a sympathy card on behalf of the Board of Supervisors. Without objection, it was so ordered.

91. **7:30 P.M. - PUBLIC HEARING ON DRAFT FRANCONIA-SPRINGFIELD AREA PLAN (S93-CW-1CP) (COUNTYWIDE)** (Tape 11)

David P. Bobzien, County Attorney, announced that the public hearing on Draft Franconia-Springfield Area Plan S93-CW-1CP was deferred until **February 7, 1994 at 4:00 p.m.**

92. **ADJOURNMENT** (Tape 11)

At 6:40 p.m., the Board adjourned.