

SBE:sbe

The meeting was called to order at 9:45 a.m. with all Members being present, with the exception of Supervisor Berger and Supervisor McConnell, and with Chairman Davis presiding.

Others present were William J. Leiding, 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 Berger arrived at 9:50 a.m.

Supervisor McConnell arrived at 9:55 a.m.

2. **CERTIFICATE OF RECOGNITION TO WILFRED G. MCINTOSH FOR YEARS OF SERVICE** (Tape 1)

Supervisor Alexander moved approval of the Certificate of Recognition presented to Wilfred G. McIntosh for 30 years of service to the government and citizens of Fairfax County as a member of the Fairfax County Fire and Rescue Department. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor McConnell not yet having arrived.

3. **PROCLAMATION DESIGNATING THE MONTH OF FEBRUARY, 1994 AS "BLACK HISTORY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Hanley moved approval of the Proclamation presented to Glenda Mayo-Hall, President, National Political Congress of Black Women, Northern Virginia Chapter, and Victor Dunbar, Chairman, Human Rights Commission, designating the month of February, 1994 as "**Black History Month**" in Fairfax County. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell not yet having arrived.

4. **9:45 A.M. - PRESENTATION BY THE EMPLOYEES ADVISORY COUNCIL (EAC) OF THE DON SMITH EAC AWARD WINNERS** (Tape 1)

Margaret Savage, Representative, Employees Advisory Council (EAC), presented the Don Smith EAC Award to the following individuals:

- Mr. Daniel W. Jackson, Jr.; Director, Office of Human Relations, Fairfax County Public Schools; and
- Mr. C. David Litzenburg, Chief of Printing Operations, Division of

Communications, Department of General Services.

5. **10:00 A.M. - PRESENTATION BY THE PRC DISTRICT TASK FORCE OF ITS FINAL REPORT** (Tape 1)

(BACs)

Prior to presenting the Final Report of the PRC District Task Force, Nancy Larson, Chairman, PRC District Task Force, recognized the presence of Patricia Moore and Edward L. Campbell, Jr., Members of the Task Force, and Jack Gwynn, Chairman, Planning and Zoning Committee in Reston.

Following the presentation of the Report by Ms. Larson, Supervisor Dix moved that the Board formally express its appreciation to the Members of the PRC Task Force for their time and effort and direct staff to prepare Certificates of Appreciation for presentation at a subsequent meeting. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Dix moved that the Board commend this Report to staff for comment and to the Planning Commission for review, public comment, and recommendation. This motion was seconded by Supervisor Bulova and carried by a vote nine, Supervisor McConnell being out of the room.

Supervisor Dix further moved that the Board direct staff to make copies of the Report available to the respective organizations which have a direct interest in its outcome, with the understanding that this is the Task Force Report and not necessarily the final product.

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

6. **10:15 A.M. - PRESENTATION BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT), ON VDOT'S ICE/SNOW REMOVAL PROCEDURES FOR FAIRFAX COUNTY** (Tapes 1-2)

Following a presentation by Ho Chang, Resident Engineer; Tom Farley, District Administrator, and Ken Werster, Assistant District Engineer, Virginia Department of Transportation (VDOT), on VDOT's ice/snow removal procedures for Fairfax County, a lengthy discussion ensued between the Board and VDOT staff.

Supervisor Bulova asked unanimous consent that the Board direct staff to monitor VDOT's request to the State for funding of a two-way radio system. Without objection, it was so ordered.

Further discussion continued between the Board and VDOT staff.

7. **REPORT ON GENERAL ASSEMBLY ACTIVITIES** (No Tape)

(NOTE: This Report was deferred until later in the meeting. See Clerk's Summary Item CL#11.)

8. **ORDERS OF THE DAY** (Tape 2)

Chairman Davis announced that the Board would now proceed with a Board Matter presented by Supervisor Berger, followed by the 11:00 a.m. - Presentation by the Fairfax County Economic Development Authority (EDA) of its Annual Report.

**BOARD MATTER**

9. **THE DISABILITY SERVICES BOARD REPORT** (Tape 2)

Supervisor Berger moved that the Board:

- Accept the Report, from the Disability Services Board, regarding the service needs and priorities of persons with physical and sensory disabilities in Fairfax County; and
- Direct staff to review the report and return to the Board with implementation recommendations.

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

Supervisor Berger introduced Martha Glennan, Chairman of the Disability Services Board, who spoke on behalf of the Disabilities Services Board.

Supervisor Dix moved that the Board direct staff to schedule time for a presentation by the Disability Services Board regarding the report on the service needs and priorities of persons with physical and sensory disabilities in Fairfax County. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

10. **11:00 A.M. - PRESENTATION BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) OF ITS ANNUAL REPORT** (Tapes 2-3)

Following a presentation by Patricia M. Woolsey, Chairman, Fairfax County Economic Development Authority (EDA), of its Annual Report, discussion ensued.

Supervisor Hyland asked unanimous consent that the Board direct the staff of EDA to report to the Board regarding the plans of the Commonwealth Visitors Center Program to encourage tourism in Fairfax County. Without objection, it was so ordered.

Supervisor Dix moved that the Board direct staff to appropriate funds for the:

- Greater Washington Marketing Partnership in association with the greater Washington Board of Trade in the amount of \$75,000; and
- Gateways Program with the Washington Airports Task Force in the amount of \$25,000,

as recommended by EDA.

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

**AR:ar**

11. **10:45 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 4)

Supervisor Dix, Chairman, Board's Legislative Committee, called the Board's attention to the following hand-outs which had been distributed to Board Members:

- Draft letter to Delegate Alan E. Mayer concerning House Bill HB 600 regarding enabling legislation to restrict shooting of bows in residential areas; and
- Proposed Amendments to House Bill HB 650 relating to the sale of firearms by law-enforcement agencies.

With a reminder that the Legislative Committee meets each Friday afternoon at 4:00 p.m., Supervisor Dix moved that the Board endorse the Legislative Report as circulated. This motion was seconded by Chairman Davis.



Following a request for clarification of the Board's position on the Growth Strategies Act Bill, Supervisor Hyland announced that there is a hearing scheduled for this evening at 7:00 p.m. and asked unanimous consent that the Board direct staff to communicate the Board's position on this Bill to the legislative staff in Richmond. Without objection, it was so ordered.

Supervisor Hyland referred to House Joint Resolutions HJR 138 and HJR 256 and asked unanimous consent that the Board direct staff to add these items to the agenda for the review of the Legislative Committee next Friday. Without objection, it was so ordered.

With reference to House Joint Resolution HJR 272, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to review this item. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley called the Board's attention to House Bill HB 947 and asked unanimous consent that the Board direct staff to obtain any analysis which the School Division may have on the effect of these proposals from the Commission on Equity in Education as expeditiously as possible. Without objection, it was so ordered.

In addition, Supervisor Hanley asked unanimous consent that the Board refer House Bill HB 961, which bans the purchase or transportation of assault weapons, to the Legislative Committee for inclusion on its agenda for next Friday. Without objection, it was so ordered.

Supervisor Berger asked unanimous consent that the Board refer House Joint Resolution HJR 136 to the Legislative Committee for review at its next meeting. Without objection, it was so ordered.

The question was then called on the main motion, including the draft letter and proposed amendments relating to the sale of firearms, which carried by unanimous vote.

CM:cm

12. **11:30 A.M. - BOARD DECISION ON THE APPOINTMENT OF ONE AT-LARGE MEMBER TO THE FAIRFAX COUNTY SCHOOL BOARD** (Tape 5)

(BACs)

(APPT)

(NOTE: The public hearing was held on January 10, 1994 and Board Decision scheduled for January 24, 1994. On January 24, 1994 the Board deferred Decision until February 7, 1994.)

(NOTE: State law requires the Board to conduct this public hearing to receive the views

of citizens on the Board decision on the appointment of School Board Members at least seven days prior to an appointment. The appointment of the At-Large Member is scheduled for February 7, 1994. No person whose name has not been considered at the public hearing may be appointed.)

Chairman Davis moved the appointment of Mr. Ralph Miles as the At-Large Representative to the School Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Chairman Davis recognized the presence of Mr. Miles in the Board Auditorium and introduced him to Board Members.

13. **11:30 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 5)

(BACs)  
(APPTs)

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

Supervisor Berger moved the reappointment of Mr. Don Kanen as the Dranesville District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

**ADVISORY SOCIAL SERVICES BOARD**

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

**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.)

**ANIMAL SHELTER ADVISORY COMMISSION**

Supervisor Bulova moved the appointment of Ms. Scott M. Mead as the Braddock District Representative to the Animal Shelter Advisory Commission. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Frey moved the appointment of Ms. Celia Dunlevy as the Sully District Representative to the Animal Shelter Advisory Commission. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Chairman Davis moved the appointment of Ms. Elaine Milita as the At-Large

Representative to the Animal Shelter Advisory Commission. This motion was seconded by Supervisor Berger and carried by unanimous vote.



Supervisor Dix moved the appointment of Ms. Ava McDannell as the Hunter Mill District Representative to the Animal Shelter Advisory Commission. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Howard Bontz as the Mount Vernon District Representative to the Animal Shelter Advisory Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointments of the Dranesville, Lee, Mason, Providence, and Springfield District Representatives to the Animal Shelter Advisory Commission were deferred.)

### **ATHLETIC COUNCIL**

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

### **CHAS COORDINATING COMMITTEE**

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

### **CIVIL SERVICE COMMISSION**

(NOTE: The appointment of the At-Large Representative to the Civil Service Commission was deferred until later in the meeting. See Clerk's Summary Item CL#98.)

### **COMMISSION FOR WOMEN**

(NOTE: The appointment of the Mount Vernon District Representative to the Commission for Women was deferred.)

### **COMMUNITY ACTION ADVISORY BOARD**

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

### **SCHEDULING OF APPOINTMENTS FOR NEXT MEETING**

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to schedule appointments for the Board meeting scheduled for February 28, 1994. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.



**COMMUNITY IMPROVEMENT COMMITTEE**

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

**CRIMINAL JUSTICE ADVISORY BOARD**

Supervisor Trapnell moved the appointment of Mr. John White as the Mason District Representative to the Criminal Justice Advisory Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

**HISTORY COMMISSION**

Supervisor Frey moved the appointment of Mr. Bret Coulson as the At-Large (Citizen) Representative to the History Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

**HUMAN SERVICES COUNCIL**

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

**MECHANICAL ADVISORY AND LICENSING BOARD**

Chairman Davis moved the appointment of Mr. Robert Hufford as the At-Large Representative to the Mechanical Advisory and Licensing Board. This motion was seconded by Supervisor Berger and carried by unanimous vote.

**PROJECT SELECTION COMMITTEE**

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

**AD-HOCS**

**CITIZEN ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS**

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

14. **ADMINISTRATIVE ITEMS** (Tape 5)

Supervisor Alexander moved approval of the Administrative Items. This motion was seconded by Supervisor Hyland.



Supervisor Bulova called the Board's attention to Administrative Item Four - Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl) (Countywide) and noted that this is a "pooper scooper law."

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and called the Board's attention to Administrative Item Two - Authorization to Advertise an Amendment to the Code of the County of Fairfax, Creating a New Chapter 36, Sections 36-1-1 Through 36-1-4, Hotels and Other Lodging Facilities, and asked to amend the motion to direct staff to provide a copy of this Ordinance to the Hotel Groups in the County for appropriate comments and this was accepted.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

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

**ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (SPRINGFIELD AND SULLY DISTRICTS)**

- (R) Adopted the request that certain streets listed in the Memorandum to the Board dated February 7, 1994 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Silverbrook Forest, Section 3 Springfield		Argent Court
Franklin Manor	Sully	Ashvale Drive, Route 7538 Franklin Manor Court Franklin View Court
Poplar Park, Section 1	Sully	Walney Park Drive Walney Knoll Court Leighfield Valley Drive Lawrence Park Court
Sully Station, Phase II	Sully	Sully Park Drive

**ADMIN 2 - AUTHORIZATION TO ADVERTISE AN AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CREATING A NEW CHAPTER 36, SECTIONS 36-1-1 THROUGH 36-1-4, HOTELS AND OTHER LODGING FACILITIES**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 7, 1994 at 3:30 p.m.** to amend the Code of the County of Fairfax, to create a new Chapter 36, Sections 36-1-1 through 36-1-4, Hotels and Other Lodging Facilities.

**ADMIN 3 - AUTHORIZATION TO ADVERTISE AN AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 8 (SECURITY ALARM SYSTEMS), AMENDING SECTION 8-3-7, INSPECTION OF ALARM SYSTEMS, AND SECTION 8-3-9, PENALTIES FOR SUBSEQUENT VIOLATIONS**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 7, 1994 at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 8 (Security Alarm Systems) amending Section 8-3-7, Inspection of Alarm Systems, and Section 8-3-9, Penalties for Subsequent Violations.

**ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL) (COUNTYWIDE)**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 7, 1994 at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl).

**ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) ARTICLE SIX, UTILITY TAX TO EXEMPT RELIGIOUS ORGANIZATIONS FROM UTILITY TAXATION**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 7, 1994 at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article Six, Utility Tax to exempt religious organizations from utility taxation to obtain comments concerning the exemption of religious organizations from County utility taxes.

(NOTE: Later in the meeting, the Board reaffirmed its authorization of this advertisement. See Clerk's Summary Item CL#41.)

15. **A-1 - RECIPROCAL AGREEMENT BETWEEN THE CITY OF FAIRFAX AND THE COUNTY OF FAIRFAX** (Tape 5)

On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to certify the Reciprocal Agreement between the City of Fairfax and the County of Fairfax by signing the two copies of the agreement for the Board as prescribed in Article 1, Section 15.1-131.3 of the Code of Virginia.

16. **A-2 - APPROVAL OF AN AGREEMENT BETWEEN THE BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY WATER AUTHORITY FOR WATER MAIN INSTALLATION WITH THE CONSTRUCTION OF THE FAIRFAX COUNTY PARKWAY BETWEEN ROUTE 123 AND HOOES ROAD/POHICK ROAD (BRADDOCK AND SPRINGFIELD DISTRICTS)** (Tape 5)

On motion of Supervisor McConnell, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute the agreement between the Fairfax County Water Authority and Fairfax County for water main installation work to be included in the construction contract for the Project 064146, Fairfax County Parkway from Route 123 to Hooes Road/Pohick Road in Subfund 463, Primary and Secondary Road Bond Construction.

17. **A-3 - PROPOSED RESTRICTIVE PARKING ALONG A SERVICE ROAD ON LEESBURG PIKE (PROVIDENCE DISTRICT)** (Tape 5)

On motion of Supervisor Hanley, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the staff to install and enforce the appropriate "No Parking" signs on the service road on Leesburg Pike between Gallows Road and Aline Avenue.

18. **A-4 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) ENHANCEMENT PROGRAM PROJECTS (COUNTYWIDE)** (Tape 5)

- (R) Supervisor Berger called the Board's attention to Attachment I of the Memorandum to the Board regarding the list of projects and moved to:

- On handwritten Page Two, Item III, sub-paragraph Two, McLean Citizens Association, landscape along Dolley Madison Boulevard, amend the estimated cost from \$100,000 to \$30,000; and
- Move this item from the unmatched list to the matched list.

Following discussion, with input from Paul A. Eno, Office of Transportation, Supervisor Alexander moved to approve the recommendation of staff and endorse the proposed enhancement projects to be submitted to the Commonwealth Transportation Board (CTB) for funding as outlined in the Memorandum to the Board, including Supervisor Berger's amendment. This motion was seconded by Chairman Davis.

Following further discussion, Supervisor Hyland moved that the Board commit to make the 20 percent match in connection with the trails projects listed, beginning on Page A-4, handwritten Page 1, to qualify for matching funds. This motion died for lack of a second.



Following discussion, Supervisor Dix asked to amend the motion to move Item II on handwritten page 2, to the endorsed list since a match was identified by the Bridle Ridge Homeowners Association, with the understanding that if a match is not available at the time of the application it will be withdrawn in accordance with the requirements of the program and this was accepted.

After further discussion, Supervisor Hyland renewed his amendment to have the Board commit to make the 20 percent match in connection with the trails projects listed, beginning on Page A-4, handwritten Page 1, to qualify for matching funds. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of seven, Supervisor Hanley abstaining, Supervisor Frey voting "NAY," \*Supervisor Dix\* being out of the room.

(NOTE: Later in the meeting, \*Supervisor Dix\* asked to be recorded as voting "NAY" on this amendment.)

Supervisor Alexander moved to amend the main motion to add the Historic Huntley amount to the endorsed list because they do have a local match. This motion was seconded by Chairman Davis and carried by unanimous vote.

Further discussion ensued.

#### **REQUEST TO RECORD VOTE**

Supervisor Dix stated that he was out of the room at the time of the vote on Supervisor Hyland's amendment and asked unanimous consent that he be recorded as voting "NAY." Without objection, it was so ordered.

The question was then called on the main motion, as amended, which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

19. **A-5 - ANNUAL ADJUSTMENT OF RATE OF PARTICIPATION IN FAIRFAX CENTER AREA ROAD FUND ACCOUNT (SULLY DISTRICT)** (Tape 5)

On motion of Supervisor Frey, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and revised the rate of participation in the Fairfax Center Area Road Fund by increasing the rate one-half percent, from \$4.04 to \$4.06 per gross square foot on non-residential building structure and from \$898 to \$902 per residential unit, effective March 1, 1994.

20. **A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94041 FOR THE FIRE AND RESCUE DEPARTMENT, RESCUE SQUAD ASSISTANCE FUND (RSAF) GRANT** (Tape 5)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Alexander, and carried by

unanimous vote, the Board concurred in the recommendation of staff and approved the Supplemental Appropriation Resolution (SAR) AS 94041 in the amount of \$9,650 to purchase training equipment, and thereby qualify for 50 percent reimbursement from the Commonwealth of Virginia's Department of Health, Rescue Squad Assistance Fund (RSAF).

21. **A-7 - DENSITY CREDIT FOR ADVANCE DEDICATION OF LAND FOR PUBLIC PURPOSES (BRADDOCK ROAD) (SULLY DISTRICT)** (Tape 5)

(DC)

(R) On motion of Supervisor Frey, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a Resolution, contained in Attachment Five of the Memorandum to the Board, approving density credit for the portion of the following parcels that are to be dedicated for public use for public street purposes. Based on information available at this time, the applicant is requesting advanced density credit for the following approximate amount of land from the following Tax Map Parcel:

<u>Tax Map Reference</u>	<u>Approximate Area</u>
67-2((1))1	33,143 square feet
<u>TOTAL</u>	33,143 square feet

22. **A-8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94043 FOR THE FIRE AND RESCUE DEPARTMENT, DEPARTMENT OF MOTOR VEHICLES GRANT FOR THE BICYCLE SAFETY PROGRAM** (Tape 5)

(SAR) On motion of Supervisor Frey, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the Supplemental Appropriation Resolution (SAR) AS 94043 in the amount of \$8,560 to conduct a bicycle helmet public information program to the culturally diverse and low-income communities using language-appropriate displays and literature.

(NOTE: Later in the meeting, there was an additional Action Item A-9. See Clerk's Summary Item CL#47.)

**AR:ar**

23. **C-1 - CONSIDERATION TO USE THE VIRGINIA POWER ACORN STYLE LIGHT FIXTURE IN THE ANNANDALE COMMERCIAL REVITALIZATION AREA (MASON DISTRICT)** (Tape 6)

The Board next considered an Item contained in the Memorandum to the Board dated February 7, 1994, presenting the staff report on the use of the Virginia Power Acorn style

street light fixture in the Annandale Commercial Revitalization Area.

Supervisor Trapnell asked unanimous consent that this item be removed from consideration by the Board at this time. Without objection, it was so ordered.

24. **C-2 - REQUEST TO MAKE THE LAKE BARCROFT WATERSHED IMPROVEMENT DISTRICT A CONTRIBUTORY AGENCY** (Tape 6)

The Board next considered an Item contained in the Memorandum to the Board dated February 7, 1994, presenting the staff report regarding the establishment of a "contributory" status for the Lake Barcroft Watershed Improvement District (WID) and the lakes in Reston.

Following discussion, Supervisor Trapnell moved that the Board declare its support for the Lake Barcroft WID project. This motion was seconded by Chairman Davis.

Supervisor Dix asked to amend the motion by directing staff to include the Reston Association during the budget discussions on this matter, and this was accepted.

Supervisor Bulova asked to amend the motion to direct staff to include consideration of Lake Braddock in its discussions on this matter.

After further discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved a substitute motion that the Board refer this item to the Board's Budget Committee for its review and recommendations. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

25. **I-1 - RECRUITMENT FOR THE POSITION OF FINANCIAL AND PROGRAMS AUDITOR TO THE BOARD OF SUPERVISORS** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to initiate recruitment and selection action for the position of Financial and Programs Auditor.

Following discussion, Supervisor Bulova moved that the Board direct the Office of Personnel to initiate recruitment and selection action for the position of Financial and Programs Auditor, unless there is objection by the Audit Committee. This motion was seconded by Chairman Davis and carried by unanimous vote.

26. **I-2 - FAIRFAX COUNTY SUPPLEMENT TO THE NORTHERN VIRGINIA BEST MANAGEMENT PRACTICES (BMP) HANDBOOK** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to forward the Fairfax

County Supplement to the Northern Virginia Best Management Practices (BMP) Handbook to the Northern Virginia Planning District Commission and the Engineers and Surveyors Institute (ESI) for distribution to those using the Northern Virginia BMP Handbook.

The staff was directed administratively to proceed as proposed.

27. **I-3 - CONTRACT RENEWAL - ANNUAL CONTRACT FOR GEOTECHNICAL ENGINEERING SERVICES (COUNTYWIDE)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to Woodward-Clyde Consultants in the amount of \$200,000 to provide geotechnical engineering services on County projects which are being designed by County staff.

The staff was directed administratively to proceed as proposed.

28. **I-4 - WIDENING OF I-66 TRAFFIC MANAGEMENT PROJECT** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 presenting the Widening of I-66 Traffic Management Project.

There was a brief discussion regarding the manpower support for this project.

29. **I-5 - CONTRACT AWARD - FAIRFAX COUNTY PARKWAY, I-66 TO BRADDOCK ROAD (SULLY DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to:

- Award a contract to William A. Hazel, Incorporated in the amount of \$3,329,285.71 for the construction of Project 064145, Fairfax County Parkway, I-66 to Braddock Road, in Subfund 463, Primary and Secondary Road Bond Construction; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

30. **I-6 - CONTRACT AWARD - LITTLE HUNTING CREEK SEWAGE TREATMENT PLANT AND PUMPING STATION 44B ABANDONMENT (MOUNT VERNON DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to

The Driggs Corporation in the amount of \$559,000 for Project K00115, Little Hunting Creek Abandonment in Subfund 524, Sewer Bond Extension and Improvement for demolition, salvage, removal and disposal of designated above ground structures and related appurtenances, including an underground fuel tank. Asbestos abatement procedures will be required during designated roof and piping removal. The work shall also include the relocation of one emergency standby generator to a new location and site work to complete restoration of the area.

The staff was directed administratively to proceed as proposed.

31. **I-7 - ENGINEERING CONTRACT AWARD TO URBAN ENGINEERING AND ASSOCIATES, INCORPORATED FOR DESIGN SERVICES REQUIRED FOR PHASE V OF THE GUM SPRINGS STORM DRAINAGE IMPROVEMENTS (MOUNT VERNON DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to Urban Engineering and Associates in the amount of \$74,377 for design work associated with Phase V of Project 003905, Gum Springs Storm Drainage Improvements, Subfund 178, Community Development Block Grant (CDBG), Phase 000, Program Year 19.

The staff was directed administratively to proceed as proposed.

32. **I-8 - CONTRACT AWARD - ACCOTINK CREEK STORM DRAINAGE IMPROVEMENTS (PROVIDENCE DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to:

- Award a contract to New Construction, Incorporated in the amount of \$293,627 for the construction of Project X00090, Accotink Creek Storm Drainage Improvements, in Subfund 470, Storm Drainage Bond Construction; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

33. **I-9 - CONTRACT AWARD - CONSTRUCTION OF LANDSCAPE PLANTING, FENCING, LANDSCAPE MAINTENANCE, AND RELATED WORK AT HUNTSMAN PARK (SPRINGFIELD DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to STM Landscape Services, Incorporated of Oakton, Virginia in the amount of \$29,421 for

construction of landscape planting, fencing, landscape maintenance and related work at Huntsman Park as part of Project 004369, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

34. **I-10 - CONTRACT AWARD - CONSTRUCTION OF LANDSCAPE PLANTING, LANDSCAPE MAINTENANCE, AND RELATED WORK AT POPES HEAD PARK (SPRINGFIELD DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to Gilmore, Plant and Bulb Company, Incorporated of North Carolina in the amount of \$37,859 for construction of landscape planting, landscape maintenance and related work at Popes Head Park, as part of Project 004368, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

35. **I-11 - CONTRACT AWARD - CONSTRUCTION OF LANDSCAPE PLANTING, FENCING, FITNESS COURSE, LANDSCAPE MAINTENANCE, AND RELATED WORK AT ELLANOR C. LAWRENCE PARK (SULLY DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to Gilmore, Plant and Bulb Company, Incorporated of North Carolina in the amount of \$54,508 for construction of landscape planting, fencing, fitness course, landscape maintenance and related work at Ellanor C. Lawrence Park, as part of Project 004698, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

36. **I-12 - CONTRACT AWARD - LANDSCAPING AND RELATED WORK AT THE CLARK HOUSE, BARCROFT MEWS PARK (MASON DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to The Davey Tree Expert Company of Chantilly, Virginia in the amount of \$26,895 for landscape and related work at the Clark House, Barcroft Mews Park, as part of Project 475888, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

With reference to Information Items I-9 through I-12, Supervisor Dix noted that it should be made a matter of public record that these contracts were all awarded to firms in the private sector.

37. **I-13 - CONTRACT RENEWAL - ANNUAL CONTRACT FOR TRAFFIC SIGNAL ENGINEERING SERVICES (COUNTYWIDE)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the

Board dated February 7, 1994 requesting authorization for staff to award a contract to Bellomo-McGee, Incorporated in the amount of \$100,000 to provide traffic signal design plans on County projects which are being designed by County staff and/or when traffic signal designs are not part of a design contract with an outside consulting firm.

The staff was directed administratively to proceed as proposed.

38. **I-14 - AWARD OF CONTRACT - CONSTRUCTION OF UNDERGROUND ROOF AND DRAINAGE REPLACEMENT FOR ONE UNIVERSITY PLAZA (4500 UNIVERSITY DRIVE (BRADDOCK DISTRICT))** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to Function Enterprises, Incorporated in the amount of \$252,650 for construction of a replacement roof at One University Plaza, Project Number VA 19-910 in Subfund 153, Comprehensive Improvement Assistance Program (CIAP).

Supervisor Hanley asked unanimous consent that the Board direct staff to provide information with regard to how this project fits into the overall space issues under consideration in the upcoming budget discussions. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

39. **I-15 - CONTRACT AWARD - ARCHITECTURAL AND ENGINEERING SERVICES FOR DESIGN OF PHASE I OF THE STANDARD RESTROOM DESIGN AT BRADDOCK PARK (SPRINGFIELD DISTRICT)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 requesting authorization for staff to award a contract to United Design Engineers, P.C. of Washington, D.C. in the amount of \$38,940 for the design of Phase I of the standard restroom design at Braddock Park in Project 009409, Braddock Park, in Subfund 461, County Construction.

The staff was directed administratively to proceed as proposed.

40. **I-16 - STATUS OF COUNTY STAFF REVIEW AND COORDINATION REGARDING THE PROPOSED DISNEY PROJECT IN PRINCE WILLIAM COUNTY (COUNTYWIDE)** (Tape 6)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 7, 1994 presenting the status of the County staff review and coordination regarding the proposed Disney Project in Prince William County.

The staff was directed administratively to proceed as proposed.



41. **STATUS OF ADMIN-5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 6, UTILITY TAX TO EXEMPT RELIGIOUS ORGANIZATIONS FROM UTILITY TAXATION** (Tape 6)

Following a query from Supervisor Dix, Chairman Davis reaffirmed the inclusion of Administrative Item Admin-5 in the earlier approval of Administrative Items. (See Clerk's Summary Item CL#14.)

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

At 1:20 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:

- Computer Science Corporation versus Board of Supervisors of Fairfax County, In Chancery Number 131653;
- Thomas versus County of Fairfax; Ivins versus County of Fairfax; and Belk versus County of Fairfax;
- Mantua Tank Farm Litigation; and
- Legal Restrictions on Display of Art in the Government Center.

This motion was seconded by Supervisor Hyland.

Supervisor Hyland asked to amend the motion by adding the appeal of Evelyn Busby, and this was accepted with a notation by Chairman Davis that this matter falls under Personnel Matters to be considered in Executive Session.

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

**SBE:sbe**

At 3:30 p.m., the Board reconvened in the Board Auditorium with all Board Members present, with the exception of Supervisor Frey and Supervisor McConnell and with Chairman Davis presiding.

**ACTIONS FROM EXECUTIVE SESSION**43. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 7)

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 Hanley and carried by a vote of eight, \*Supervisor Frey\* and Supervisor McConnell being out of the room.

(NOTE: Upon his return to the Board Auditorium, \*Supervisor Frey\* asked unanimous consent that he be recorded as voting "AYE" on the certification by Board Members' motion. Without objection, it was so ordered. See Clerk's Summary Item CL#49.)

44. **RICHARD C. MORAUER VERSUS FAIRFAX COUNTY BOARD OF SUPERVISORS, JOSEPH T. HIX, AND SUSAN S. PLANCHON, AT LAW NUMBER 94779** (Tape 7)

Supervisor Hyland moved that the Board authorize settlement of Richard C. Morauer versus Fairfax County Board of Supervisors, Joseph T. Hix, and Susan S. Planchon, At Law Number 94779, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

45. **JACK B. BAKER VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, INCORPORATED, IN CHANCERY NUMBER 102465** (Tape 7)

Supervisor Hyland moved that the Board authorize an appeal of the Fairfax County Circuit Court decision in Baker versus Board of Supervisors, In Chancery Number 102465, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

46. **EMINENT DOMAIN PROCEEDINGS TO ACQUIRE A PARCEL OF LAND IN THE LORTON AREA FOR A PROPOSED VIRGINIA RAIL EXPRESS (VRE) STATION, PARKS, AND/OR HOUSING FACILITIES** (Tape 7)

(R) Supervisor Hyland moved adoption of the following Resolution:

**WHEREAS**, there exists a need for transportation, parks and/or housing

facilities in the Lorton area; and

**WHEREAS**, the preliminary site reviews have been performed and analyzed resulting in the recommendation to purchase all of a parcel located near the intersection of Lorton Road and Timarand Drive; and

**WHEREAS**, the Board of Supervisors finds that it would be in the best interest of the citizens of Fairfax County to acquire this property; and

**WHEREAS**, it is necessary to expedite the purchase of the site; and

**NOW, THEREFORE, BE IT RESOLVED**, that the County Attorney is hereby authorized and directed to institute eminent domain proceedings to acquire the following parcel in its entirety:

<u>PROPERTY OWNER(S)</u>	<u>TAX MAP NUMBER</u>	<u>INTEREST ACQUIRED</u>
Lorton 86 Partnership	107-4-01-0052	Total
Price Excavating Company Incorporated and/or Estate of J. E. Wills, Purchaser at Auction		Acquisition

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

47. **A-9 - PARKING REDUCTION FOR THE WILLSTON CENTER I SHOPPING CENTER SITE (MASON DISTRICT)** (Tape 7)

On motion of Supervisor Trapnell, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved a parking space reduction of 24 spaces for the Willston Center I Shopping Center Site, Tax Map Number 51-3((18))0004.

48. **CLAIM OF ROBIN PERKINS** (Tape 7)

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and moved that the Board **DENY** the claim of Robin Perkins as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of nine, Supervisor McConnell being out of the room.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

49. **REQUEST TO RECORD VOTE** (Tape 7)

Supervisor Frey asked unanimous consent that he be recorded as voting "AYE" on the certification by Board Members' motion. Without objection, it was so ordered.

AM:am

50. **3:30 P.M. - PH ON REZONING APPLICATION RZ 93-B-034 (BOARD OF SUPERVISORS' OWN MOTION) (BRADDOCK DISTRICT)** (Tape 8)

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

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

Supervisor Bulova moved to waive the presentation of the staff and Planning Commission recommendations. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Bulova moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-B-034 be amended from the R-C District to the R-1 District. This motion was seconded by Chairman Davis and carried by unanimous vote.

51. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-S-053-3 AND APPLICATION 456-Y93-4 [FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)] (SULLY DISTRICT)** (Tape 8)

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 21 and January 28, 1994.

Mr. Jack B. Clark reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved that the Board affirm the determination by the Planning Commission of Application 456-Y93-4 by the Fairfax County Redevelopment and Housing Authority (FCRHA) as substantially in accord with the County's Comprehensive Plan pursuant to Section 15.1-456 of the Code of Virginia. This motion was seconded

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

Supervisor Frey moved that the Board Authorize the FCRHA to acquire approximately 2.07 acres located along the west side of Centreville Road (Tax Map: 54-4((1))pt. 73, pt. 74, pt. 75), as being in compliance with Section 36-19.2 of the Code of Virginia. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 87-S-053-3; the Planning Commission having previously approved Final Development Plan Amendment Application FDPA 87-P-053-3 on January 21, and February 7, 1994 and subject to the proposed Conceptual Development Plan (CDP) development conditions contained in Appendix 2A of the Staff Report. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

Supervisor Frey moved that the Board reaffirm a waiver of the service drive and approve a modification of the screening and waiver of the barrier pursuant to paragraph 5 of Section 13-304 of the Zoning Ordinance in favor of the screening depicted on the Final Development Plan. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

52. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 74-2-035-2 (FAIRFAX COURT LIMITED PARTNERSHIP) (SULLY DISTRICT)** (Tape 8)

Supervisor Frey moved to defer the public hearing on Proffered Condition Amendment Application PCA 74-2-035-2 until **March 21, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Dix being out of the room.

53. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING WOOD WASTE RECLAMATION FACILITIES** (Tapes 8-9)

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 21 and January 28, 1994.

Following the public hearing, which included testimony by five speakers, Supervisor Frey moved that the Board **NOT** approve the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding wood waste reclamation facilities. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of seven, Supervisor McConnell abstaining, Supervisor Alexander and Chairman Davis being out of the room.

54. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-P-044 (TYSONS 3 PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Hanley moved:

- To defer the public hearing on Special Exception Application SE 93-P-044 until **February 28, 1994 at 4:30 p.m.**; and
- That the Board direct staff to determine:
  - How many of the grandfathered signs along the Route 7 Corridor are in compliance with the Sign Ordinance, the sign overlay as it exists; and
  - The width of Route 7 when the sign overlay was established.

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

**ADDITIONAL ACTION FROM EXECUTIVE SESSION**

55. **SETTLEMENT OF BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA VERSUS GREENWOOD ASSOCIATES, ET AL., AT LAW NUMBER 90302** (Tape 9)

Supervisor Trapnell moved that the Board authorize settlement of Board of Supervisors of Fairfax County, Virginia versus Greenwood Associates, et al., At Law Number 90302, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Hyland, and Chairman Davis being out of the room.

56. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, TO ESTABLISH A RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), IN THE SUNSET MANOR COMMUNITY - (TAX MAP NUMBER 61-4 AND 62-3) (MASON DISTRICT)** (Tape 9)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of January 21 and January 28, 1994.

Following the public hearing, which included testimony by seven speakers, Supervisor Trapnell moved approval of the proposed amendment to the Code of the County of



Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, to establish the Sunset Manor Residential Permit Parking District (RPPD), Appendix G-18. The following streets are included in the proposed district: Paul Street from Scoville Street to Bouffant Boulevard and Magnolia Lane from Seminary Road to Paul Street. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Chairman Davis being out of the room.

57. **4:00 P.M. - PH ON DRAFT FRANCONIA-SPRINGFIELD AREA PLAN (S93-CW-1CP) (COUNTYWIDE)** (Tapes 9-12)

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 21 and January 28, 1994.

Following the presentation by Fred L. Selden, Branch Chief, Policy Development Branch, Office of Comprehensive Planning, Lynda R. Stanley, Division Director, Planning Division, OCP and Robert L. Moore, Transportation Planning Division, Office of Transportation, a question and answer period ensued.

Following the public hearing, which included testimony by 16 speakers, Supervisor Alexander moved to defer Board decision on the proposed Draft Franconia-Springfield Area Plan S93-CW-1CP recommended by the Planning Commission until **February 28, 1994 at 11:00 a.m.** and to allow the record to stay open for written comment until **February 28, 1994 at 10:00 a.m.** This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room.

58. **4:00 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT APPLICATION S93-IV-LP2, PROPERTY AT LORTON ROAD AND ROUTE 1, NORTH OF GUNSTON PLAZA (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: This public hearing has been deferred until **February 28, 1994 at 4:30 p.m.**)

59. **4:00 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT APPLICATION S93-IV-MV2, PROPERTY AT BUCKMAN ROAD AND MAIN STREET (LEE DISTRICT)** (No Tape)

(NOTE: This public hearing has been deferred until **February 28, 1994 at 4:30 p.m.**)

60. **4:00 P.M. - PH ON THE SALE OF A PORTION OF COUNTY-OWNED PROPERTY IN THE LINCOLN-LEWIS-VANNOY CONSERVATION AREA TO DAVID A. AND DONNA J. TUBACH (SULLY DISTRICT)** (Tape 12)

(R) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of

January 21 and January 28, 1994.

Following the public hearing, Supervisor Frey moved adoption of the Resolution authorizing the sale of County-owned property, Tax Map Reference 66-2((1))004C, to David A. and Donna J. Tubach. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Bulova, and Supervisor McConnell being out of the room.

61. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-P-044 (TYSONS 3 PARTNERSHIP) (PROVIDENCE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this hearing was deferred. See Clerk's Summary Item CL#54.)

62. **4:00 P.M. - 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)** (Tape 12)

(NOTE: The public hearing was held on this issue was held on January 10, 1994 and Board Decision deferred until January 24, 1994. On January 24, 1994 the Board deferred its decision until February 7, 1994.)

Supervisor Frey moved to defer the Board decision on the sale of county-owned property located at the intersection of Burning Bush Drive and Rugby Road to **February 28, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room.

63. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-Y-036 (FAIRFAX CHURCH OF CHRIST, TRUSTEE) (SULLY DISTRICT)** (Tape 12)

Supervisor Frey moved to defer the public hearing on Special Exception Application SE 93-Y-036 until **February 28, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Bulova and Supervisor McConnell being out of the room.

64. **4:00 P.M. - PH ON REZONING APPLICATION RZ 93-S-027 (J. A. LOVELESS HOMES II, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 12)

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

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

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

- In the amount of \$500 from Joseph A. Loveless, Sr.

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

Supervisor Berger moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-S-027 be amended from the R-1 District to the R-3 District subject to the executed proffers dated December 20, 1993. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Bulova and Supervisor McConnell being out of the room.

## **BOARD MATTERS**

NV:nv

65. **ADDITIONAL FUNDS NEEDED FOR PHASE IV AND PHASE V OF THE PIMMIT HILLS SUBDIVISION SIDEWALK CONSTRUCTION** (Tape 13)

Chairman Davis informed the Board that the Pimmit Hills subdivision is in need of additional funds to complete the construction of their sidewalks. Phases I-III have already been completed; however, additional funding is needed to complete Phases IV-V.

Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to address restoring the funding for Pimmit Hills sidewalks and report to the Board at the next meeting on its status, with the possibility of making it a Consideration Item in the budget process. Without objection, it was so ordered.

66. **GEORGE MASON UNIVERSITY (GMU) WOMEN'S HEALTH FORUM TO BE HELD ON MARCH 2, 1994** (Tape 13)

Supervisor Davis announced that the George Mason University (GMU) Center for Health Policy, College of Nursing and Health Science, will hold its first forum on women's health on Wednesday, March 2, 1994.

Supervisor Davis expressed his pleasure of past work with Dr. Hazel Johnson-Brown, Director of the Center for Health Policy, and complimented her and Dr. Bethany Hall-Long for their work in putting on this conference. Flyers about the program have been made available to the Fairfax County Commission for Women. The program will be held at the Student Union Building II Ballroom on the main GMU Campus from 9:15 a.m. to 2:30 p.m., including lunch. Speakers will include Federal and local experts in

women's health and public policy issues.

Persons desiring additional information or registration materials can contact the Center for Health Policy at 703-993-1931 or the Commission for Women.

67. **STATUS OF TAXPAYER CUSTOMER SERVICE BY TELEPHONE** (Tape 13)

Supervisor Davis informed the Board of his review last year of the County's tax administration system. He stated that he had inquired about the service received by taxpayers who call or visit government offices regarding taxes owed to Fairfax County. He stated that his office had received numerous complaints from citizens who were kept on hold for long periods of time, transferred from place to place, and who sometimes could not get answers to questions.

Supervisor Davis stated that he had recommended that a review be conducted of the customer service procedures of the Offices of Finance and Assessments, with a goal toward eliminating duplication of effort, and making the system more "customer friendly."

Supervisor Davis complimented the County Executive for his prompt follow-up in setting up a task force of senior staff to review these matters and stated his understanding that staff has developed a number of recommendations to improve service. He stated that he had received a memorandum last fall prepared by the Office of Assessments indicating that the "benchmark" standard for incoming taxpayer telephone calls is a wait of no longer than three minutes, at which time additional staff are applied to handle overloads.

Supervisor Davis informed the Board of an article appearing in last week's Washington Times discussing regional efforts to streamline personal property and decal procedures. The article quoted two citizens in a companion article who encountered great difficulty in obtaining corrected assessments and tax bills from the County. In addition to this, Supervisor Davis stated that his office just received a letter from a taxpayer who spoke of being kept waiting on the telephone for 15 minutes, and then being transferred multiple times resulting in additional delays and confusion.

In light of the County's recent decision to streamline personal property tax and decal procedures, Supervisor Davis moved that the Board direct staff to obtain and report the status of combining or integrating customer service functions of the Assessments and Finance Offices, and minimizing waiting time for taxpayers who call for information or assistance. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Bulova, Supervisor McConnell, and Supervisor Trapnell being out of the room.

68. **STATUS OF RETAIL IN INDUSTRIAL ZONES** (Tape 13)

Supervisor Davis asked unanimous consent that the Board direct staff to provide a status

report on Retail in Industrial Zones at the next meeting of the Board. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

69. **COMMENDATION FOR JOE STOWERS, CHAIRMAN, PLANNING AND ZONING COMMITTEE OF THE RESTON CITIZENS ASSOCIATION** (Tape 13)

Supervisor Dix informed the Board that Mr. Joe Stowers recently announced his decision to resign as Chairman of the Planning and Zoning Committee of the Reston Citizens Association, after holding that post for 17 years. During those years, Mr. Stowers

generously contributed his time, energy, knowledge, and expertise to the Reston community and to all of Fairfax County. He has testified before the Board on numerous occasions, and his dedication and interest in development and transportation issues is known countywide.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Mr. Stowers to a future Board meeting so that the Board can officially commend him for his service to Reston and Fairfax County and acknowledge his tenure as Chairman of the Reston Planning and Zoning Committee. Without objection, it was so ordered.

70. **OZONE TRANSPORT COMMISSION AND LOW EMISSION VEHICLES**  
(Tape 13)

Supervisor Dix stated that last week the Ozone Transport Commission considered a recommendation to the Environmental Protection Agency (EPA) regarding mandatory requirements for Low Emission Vehicles (LEV) for the 13-state area and the District of Columbia comprising the Northeast Ozone Transport Non-Attainment Area.

Referring to the Board's current position opposing mandatory LEV programs, Supervisor Dix moved that the Board authorize the Chairman of the Board of Supervisors or designated staff to, in writing, reinforce that position in opposition of mandated LEV and to communicate that position to the:

- Administrator of the EPA;
- Secretary of Natural Resources for the Commonwealth of Virginia;  
and
- Congressional delegation from the Commonwealth of Virginia.

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

Supervisor Dix further moved that the Board authorize a request for the Attorney General of the Commonwealth of Virginia to render a legal opinion regarding the constitutional nature of the authority of EPA, at the recommendation of the Ozone Transport Commission, to impose mandated requirements on states, particularly when an individual state legislature has already rejected the measure through its legislative process. This motion was seconded by Supervisor Berger.

Following discussion, the question was called on the motion which carried by a vote of seven, Supervisor Bulova, Supervisor Hanley, and Supervisor McConnell being out of the room.

PMH:pmh

71. **SCHEDULING OF PUBLIC HEARINGS ON SPECIAL EXCEPTION AMENDMENT APPLICATIONS SEA 92-L-027 AND SEA 92-L-005 BY THE EXXON CORPORATION AND SIMULTANEOUS PROCESSING OF THE SITE PLANS** (Tape 14)

Supervisor Alexander stated that two previously approved Exxon Corporation projects in Lee District have been the subject of the Virginia Department of Transportation (VDOT) requests for significant entrance realignments during Site Plan processing, resulting in relocation and reorientation of pump islands to a degree that requires an amendment to the Special Exception Application. Exxon has agreed to make these changes at great expense and loss of time. Based upon the cause and nature of the requested changes with these Special Exception Amendment Applications, Supervisor Alexander moved that the Board direct staff to:

- Schedule a public hearing for Special Exception Amendment Application SEA 92-L-027 on May 16, 1994;
- Schedule a public hearing for Special Exception Amendment Application SEA 92-L-005 on June 6, 1994; and
- Allow simultaneous processing of the Site Plans for the two projects during the processing of the Special Exception Amendment Applications.

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

72. **EXPEDITED PROCESSING FOR THE SITE PLAN FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY'S (FCRHA) ELDERLY HOUSING PROJECT IN MANCHESTER LAKES** (Tape 14)

Supervisor Alexander moved that the Board direct staff to expedite the Site Plan for the Fairfax County Redevelopment and Housing Authority's (FCRHA) elderly housing project in Manchester Lakes.

Supervisor Alexander said that it is in the best interest of the County to expedite the Site Plan. This new housing will provide moderately priced housing for the elderly in an area that it is desperately needed.

Supervisor Alexander said that the applicant understands that this neither provides him with a vested right in the Plan approval or relieves him from the responsibility of any Plan modifications as a result of Board or staff review.

- This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Bulova, Supervisor Hanley, and Supervisor McConnell being out of the room.
73. **SCHEDULING OF A PUBLIC HEARING ON REZONING APPLICATION RZ 81-S-075, A PLAN AMENDMENT AND A PROFFERED CONDITION AMENDMENT APPLICATION** (Tape 14)

Supervisor Alexander stated that at the January 24, 1994, Board Meeting, the Board authorized a March 21, 1994 public hearing on a Board's Own Motion expedited Proffered Condition Amendment Application on Rezoning Application RZ-C-526. He explained that this motion was made in order to evaluate the permanent access at the Fullerton gate that intersects with Rolling Road. He corrected that case number which is Rezoning Application RZ 81-S-075, not the one previously mentioned. He added that it should be noted that a Plan Amendment is required to allow permanent access to Rolling Road.

Therefore, Supervisor Alexander moved that the Board:

- Authorize the advertisement of a public hearing to be held before the Board of Supervisors on a Plan Amendment to be scheduled on **April 25, 1994 at 4:00 p.m.**; and
- Authorize a public hearing to be held before the Board of Supervisors, on its Own Motion, on a Proffered Condition Amendment Application for Rezoning Application RZ 81-S-075 to also be scheduled on **April 25, 1994 at 4:00 p.m.**

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

74. **PICKETT ROAD TANK FARM** (Tape 14)

Supervisor Hanley stated that at its November 15, 1993 meeting, the Board voted unanimously to authorize the County Attorney to initiate and pursue any appropriate litigation against Star Enterprise to recover property taxes lost to the County due to the reduction in property value assessments caused by the petroleum leak emanating from Star's Pickett Road Tank Farm. It was recently reported that despite the Board's November action, the County Attorney has not filed suit against Star.

Supervisor Hanley explained that following the Board's action, the County Attorney's Office has been actively negotiating with Star about the lost tax revenue. She said that that office has informed her that they are near what they believe to be a favorable settlement with Star, which they would bring back to the Board for ultimate approval.

Supervisor Hanley noted that as a general matter, authorizing the County Attorney to file suit often produces favorable settlements for the County, settlements that eliminate the



need to file suit. The fact that the County Attorney has not actually filed suit against Star should by no means be taken as an indication that the County is not serious about

recovering the property taxes owed to it, that it has an unsupported position, or that the County will not file suit if necessary. The County is serious about collecting lost property revenues and other funds owed to it by Star.

75. **FAIRFAX COUNTY VOLUNTEER FIRE AND RESCUE DEPARTMENTS MISSION STATEMENT** (Tape 14)

Supervisor Hanley stated that she had received the Volunteer Fire and Rescue Department's Mission Statement. She distributed a copy to Board Members and said that the Volunteer Fire and Rescue Department suggested that the Board ratify the Mission Statement and reenforce their position and work.

Therefore, Supervisor Hanley moved acceptance and agreement of the Fairfax County Volunteer Fire and Rescue Department's Mission Statement. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Bulova being out of the room.

76. **USE OF COUNTY GOVERNMENT CENTER BY CIVIC ASSOCIATIONS** (Tape 14)

Supervisor Hanley stated that at its January 24, 1994 meeting, the Providence District Council approved the Resolution (distributed to Board Members) on the proposed regulations governing the use of and cost of the County Government Center by official, County and other groups.

Supervisor Hanley said that the Providence District Council believes that the civic, citizens and homeowner associations should be allowed to use the County facility on a space available basis without charge since they are comprised of County taxpayers who are paying for these facilities and their operations.

77. **IMPACT OF THE DEPARTMENT OF HEALTH REDUCTIONS** (Tape 14)

Supervisor Hanley distributed to Board Members a copy of a letter from the Department of Health and she asked unanimous consent that the Board direct staff to review and comment on the letter to determine the impact of the reductions proposed by the Department of Health, specifically whether the reductions will affect the health of Fairfax County citizens. Without objection, it was so ordered.

78. **CENTER FOR MULTICULTURAL HUMAN SERVICES TO BE CONSIDERED FOR BUDGET CONSIDERATION AND DISCUSSION** (Tape 14)

Supervisor Hanley distributed to Board Members a copy of a letter from the Center for Multicultural Human Services and she asked unanimous consent that the Board direct the County Executive to consider the letter during his budget deliberations. Without objection, it was so ordered.



79. **WHIP ANTENNAS ON TOP OF WATER TANKS** (Tape 14)

Supervisor Hanley referred to a letter from the Office of Comprehensive Planning (OCP), Zoning Administration Division, to a mobile communications Company regarding the ability to put whip antennas on top of the Willston Water Tank and the Lewinsville water tank. She said that it has been interpreted as a governmental use; therefore, they can automatically put their antenna on someone else's tank without any review.

Therefore, Supervisor Hanley asked unanimous consent that the Board direct staff to review this issue as a policy matter to determine if this is a correct interpretation that this is a "by right" use on someone else's water tank. Without objection, it was so ordered.

80. **REQUEST FOR ACCEPTANCE OF RECORD PLATS, SUBDIVISION PLANS, SITE PLANS AND ANY OTHER NECESSARY SUBMISSIONS FOR REVIEW DURING THE PROCESSING OF PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 86-P-089-2, PCA 86-W-001-5 AND FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 86-W-001-3**  
(Tape 14)

Supervisor Frey stated that Stoneybrook Associates Limited Partnership, an entity of the Charles E. Smith Companies, has recently filed three concurrent applications on Land Bay A of the Fairfax County Government Center. The applicant has the option to purchase and develop Land Bay A and proposes a modification of the approved plans to permit residential development. Should the applications be approved, the applicant desires to commence construction as soon as possible.

Therefore, Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept Record Plats, Subdivision Plans, Site Plans and any other necessary submissions for review during the processing of the following applications:

- Proffered Condition Amendment Application PCA 86-P-089-2;
- Proffered Condition Amendment Application PCA 86-W-001-5;  
and
- Final Development Plan Amendment Application FDPA  
86-W-001-3.

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

81. **APPRECIATION TO THE DEPARTMENT OF ANIMAL CONTROL FOR ITS EXPEDITIOUS REACTION** (Tape 14)

Supervisor Frey stated that he has a copy of a letter from the President of the Little Rocky Run Homeowners Association to Chief Warden Dennis Reed, Department of Animal Control, expressing his appreciation to:

- Warden Mark Hall;
- Warden Dennis Reid; and
- Warden William Tanner;

for their expeditious reaction to a situation that occurred in December 1993 when a dog attacked two children in the neighborhood.

Supervisor Frey asked unanimous consent that the Board direct the County Executive to ensure that the letter of commendation be placed in these individuals' personnel files. Without objection, it was so ordered.

82. **SMALL AND DISADVANTAGED BUSINESS COMMISSION** (Tape 14)

(BACs)

Supervisor Frey said that the Board previously adopted several of the recommendations of the staff in response to the Small and Disadvantaged Business Commission in opening up the County's business process. He reminded Board Members that last summer it had requested that a member of the Small and Disadvantaged Business Commission be included; however, no representative was appointed.

Therefore, Supervisor Frey moved that the Board direct staff to include the following as they begin to implement the process:

- In researching the County's business database for small, minority and women owned businesses specifically research to the extent possible businesses owned by persons with disabilities;
- With regard to the re-constituted Small and Disadvantaged Business Commission that will monitor with staff the progress on implementation -- there should be a representative from the disabled business community; and
- That any specific outreach efforts and networking opportunities to be initiated on behalf of small, minority and women owned businesses also include businesses owned and operated by persons with disabilities.

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

83. **REQUEST TO INVITE WINNER OF NATIONAL FOOTBALL LEAGUE'S TEACHER OF THE YEAR AWARD** (Tape 14)

On behalf of Supervisor Bulova, Supervisor Frey asked unanimous consent that the Board direct staff to invite Mary Lou Winkler, Fifth Grade Teacher, Canterbury Woods Elementary School to appear before the Board to receive recognition for being selected as the National Football League's Teacher of the Year for 1993. Without objection, it was so ordered.

84. **MACBETH** (Tape 14)

On behalf of Supervisor Bulova, Supervisor Frey announced that tickets have been distributed to Board Members for the revised program of Macbeth to be held at Robinson Secondary School.

Supervisor Frey said that for more information about how to attend, interested individuals should call the Box Office at 354-1615.

85. **RIDECHOICES/METROCHECK PROGRAM** (Tape 14)

On behalf of Supervisor Bulova, Supervisor Frey stated that an article appeared in the January 21st edition of the Courier regarding the County's RIDECHOICES program. He reminded Board Members that this program, sponsored by the Office of Transportation, provides incentives for employees working at the Government Center complex to carpool, vanpool or take the bus or rail.

Supervisor Frey said that there had been several inquiries from County employees asking why this opportunity is not being offered to County employees working in locations other than the Government Center complex, such as the Massey Building.

Supervisor Frey asked unanimous consent that the Board direct staff to report on the possibility of extending this program to employees working in locations other than the Government Center. Without objection, it was so ordered.

Supervisor Dix noted that the program taking place at the Government Center is a pilot program that is restricted to the Government Center.

86. **NATIONAL AND COMMUNITY SERVICE TRUST ACT** (Tape 14)

On behalf of Supervisor Bulova, Supervisor Frey stated that information regarding the National and Community Service Trust Act of 1993 was previously distributed to Board Members. He said that every state is being required to create a State Commission for National Service.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to:

- Review this issue; and
- Take the necessary action to ensure that Fairfax County is involved.

Without objection, it was so ordered.

**NV:nv**

87. **LAZARUS AT THE GATE** (Tape 15)

Supervisor Trapnell referred to a memorandum from Peter Clark, Director of Administration, Office of Human Services, to Verdia L. Haywood, Deputy County Executive for Human Services, copies of which were distributed to the Board, regarding the recent move of Lazarus at the Gate from the Whittier School facility to a site on Prosperity Avenue in Merrifield and commended staff for finding a new home for Lazarus at the Gate and coordinating the physical move. She wished the program much success in its new location.

88. **PERSONNEL REGULATIONS REGARDING THE REDUCTION IN FORCE (RIF) PROCEDURE AND SEVERANCE PAY** (Tape 15)

Supervisor Trapnell stated that the Employees Advisory Council (EAC) has brought to the attention of the Board an issue with respect to the implementation of the Reduction In Force (RIF) procedure as the County privatizes the West Ox Facility. Specifically, the current Personnel Regulations state that employees who decline a County placement or bumping offer forfeit severance pay. This creates an inequity because placement offers for County positions are made first to the most senior employees being "RIF'ed."

To correct this inequity, Supervisor Trapnell moved that the Board:

- Amend the Personnel Regulations on an emergency basis by inserting the following phrase at the beginning of Section 9.4-6b regarding severance pay:
  - "Unless otherwise specified by the Board of Supervisors"; and
- Grant severance pay to all County employees who accept a position with Johnson Controls after being displaced by the RIF regardless of whether they were offered a position with the County.

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

89. **MOUNT VERNON'S SEVENTH ANNUAL TOWN MEETING CONSIDERED "BEST EVER" BY CITIZENS** (Tape 15)

Supervisor Hyland said that despite cold and residual icy conditions, more than 225 citizens from the Mount Vernon vicinity attended the Seventh Annual Town Meeting at Mount Vernon High School's "Little Theatre" Auditorium. Comments received from those who attended this year's event were glowing.



For contributing to this successful outcome, Supervisor Hyland referred to his written Board Matter and expressed his appreciation to the following individuals:

- Chairman Thomas Davis;
- Supervisor Joseph Alexander (Lee District);
- William J. Leidinger, County Executive;
- Verdia L. Haywood, Deputy County Executive for Human Services;
- Robert R. Spillane, Division Superintendent, Fairfax County School System;
- Richard A. King, Deputy County Executive for Public Safety;
- Dave Gendell, Federal Highway Commission;
- Kris Amundson, Mount Vernon District Representative, School Board;
- Gilbert S. McCutcheon, Mount Vernon District Representative, Park Authority; and
- Sidney R. Steele, Mount Vernon District Representative, Transportation Advisory Commission.

Supervisor Hyland explained that the principal concern for citizens this year has been the quality and substance of the educational system and process. From parents concerned about the lack of a Gifted/Talented Center in Area I to those with special needs students, it was clear that this subject represented a priority for them. He said that in contrast with this, some citizens expressed great satisfaction with the school system and were grateful for the amenities offered residents of Fairfax County.

Supervisor Hyland said that another issue of importance to citizens, was the need to not only contain, but rather to reduce crime in the Route One Corridor. In response to the presentation on Focus 2000, speakers indicated a greater need for police presence in the Corridor and adjacent businesses and communities.

Supervisor Hyland announced that on Wednesday, March 9, 1994 at 7:30 p.m. at the Mount Vernon Government Center, he will conduct a Conference on Crime in the Route One Corridor and will be asking citizens to share their concerns and ideas for addressing the needs in this area.

Supervisor Hyland said that the Human Services Redesign and its impact on Region I consumers was on the front burner for many citizens. The Human Services Redesign Meeting will be held on Saturday, March 26, 1994 at 9:00 a.m. in the Community Room of the Mount Vernon Government Center.

Supervisor Hyland noted that in addition to County legislators, officials and representatives, Congressman Jim Moran of the Eighth Congressional District, State Senators Joe Gartlan (36th District) and Robert Calhoun (30th District) along with Delegates Toddy Puller (44th District), Marian Van Landingham (45th District), and David Albo (42nd District) were present.

90. **REQUEST BOARD RECOGNITION FOR PARTICIPANTS OF ADOPT-A-FAMILY PROGRAM** (Tape 15)

Supervisor Hyland referred to his written Board Matters which stated that the "Adopt-A-Family" Program, sponsored by the County's Department of Community Action (DCA), provides new clothing, toys, food and seasonal decorations to low-income families throughout Fairfax County. To qualify for the program, the client families must meet eligible income guidelines. The income level for a family of four may not exceed \$17,938. Non-profit, community-based organizations, acting as delegate agencies, provide a variety of services to low-income families through programs developed by the DCA.

Supervisor Hyland stated that during last year's holiday season, many corporations, businesses, individuals and various County agencies sponsored needy families. Working with delegate agencies, DCA matched selected families with the participating sponsors. The sponsors raised funding within their own groups to provide the gifts or, in some cases, donated funds for volunteers to shop, wrap and deliver.

Supervisor Hyland explained that gifts are delivered to the delegate agencies on an assigned date before Christmas and the families pick them up from the delegates. In some cases, groups may choose to maintain a relationship with the family they adopt and continue to provide assistance throughout the year, buying birthday gifts and back-to-school clothes for the children.

Supervisor Hyland said that for the 1993 holiday season, there was an estimated value of donations in the amount of \$220,000 generously provided by 240 sponsors which included companies and associations, some Fairfax County agencies, groups from schools, colleges, health organizations, churches, and individuals.

Accordingly, Supervisor Hyland moved that the Board direct staff to invite all participants in the 1993 Adopt-A-Family Program to appear before the Board of Supervisors to receive recognition for their generous efforts on behalf of others. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Bulova being out of the room.



91. **ISSUANCE OF FREE VEHICLE REGISTRATION DECALS REQUESTED FOR ACTIVE MEMBERS OF VOLUNTEER FIRE DEPARTMENTS** (Tape 15)

Supervisor Hyland referred to his written Board Matters which stated that at its recent regular monthly meeting, the Volunteer Fire Commission discussed the possibility of the issuance of free Fairfax County decals for vehicles owned by active members of the Volunteer Fire Department.

Supervisor Hyland said that the Code of Virginia addresses this under Paragraph 46.2-752, Titling and Registration of Motor Vehicles, Article 11, State and Local Motor Vehicle Registration.

Accordingly, because of the extraordinary service provided the citizens of Fairfax County by the Volunteer Fire Departments, Supervisor Hyland moved that the Board tentatively approve the Volunteer Fire Commission's request by exercising Paragraph 46.2-752 of the Code of Virginia and issuing free registration decals for vehicles owned by active members of volunteer fire departments subject to a review by staff. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Bulova being out of the room.

92. **MOUNT VERNON CHRONICLE PROVIDES AN OPPORTUNITY FOR CITIZENS TO CALL IN QUESTIONS ABOUT THE WOODROW WILSON BRIDGE IMPROVEMENT STUDY** (Tape 15)

Supervisor Hyland said that on Tuesday, February 22, 1994 at 7:00 p.m., he will be conducting a live interview on Channel 16 concerning the latest information on the Woodrow Wilson Bridge Improvement Study (WWBIS). He added that his guests will include Dave Gendell of the Federal Highway Administration and Chairman of the WWBIS Coordination Committee.

Supervisor Hyland referred to his written Board Matters which explained that the purpose of the broadcast is two-fold -- first, to brief viewers on the current status of study, particularly the citizen participation process; secondly, to answer questions called in by the public.

Supervisor Hyland stated that the program will be taped and aired again on Tuesdays at 7:00 p.m. and again on Fridays and Sundays at 3:00 p.m.

Citizens who wish to become involved should call the Study and Design Center at 703-519-9800 and ask that they be assigned to one or more of the following focus groups:

- Environmental Issues;
- Interchanges;

- Transit/Moving People;
- Trucking/Commerce;
- Housing/Neighborhood Improvement;
- Regional Perspective/Umbrella Group; and
- Citizen Participation - How the Process is Working.

Supervisor Hyland added that groups will be meeting to formalize their issues, schedules and outcomes. Additional groups may be formed at outreach meetings as needed.

93. **CLEAN FAIRFAX COUNTY, INCORPORATED PROCLAMATION KEEP FAIRFAX COUNTY BEAUTIFUL MONTHS AND EARTH CARING MONTHS**  
(Tape 15)

Supervisor Hyland said that he has received a letter from Clean Fairfax County, Incorporated, once again requesting that the Board proclaim April and May as "**Keep Fairfax County Beautiful**" and "**Earth Caring**" months. He said that many events are being planned, such as road clean-ups, adopt-a-stream clean-ups, reforestation projects, and soil erosion projects. These events involve many residents who are working together to make Fairfax County cleaner, more beautiful and helping with attaining the environmental standards that are prized in Fairfax County.

Supervisor Hyland asked unanimous consent that the Board:

- Declare April and May as both "**Keep Fairfax County Beautiful**" and "**Earth Caring**" months for all Fairfax County residents;
- Direct staff to report with the two 1994 Proclamations on March 7, 1994; and
- As events are scheduled, direct the Office of Public Affairs to assist with publishing those festivities being held in Fairfax County by providing appropriate press releases.

Without objection, it was so ordered.

94. **LOCATION SIGNAGE FOR THE TOWN OF LORTON** (Tape 15)

Supervisor Hyland referred to his written Board Matters which stated that he had received a letter from the President of the Lorton Ruritan Club, Phil Brooks, and the President of the Federation of Lorton Communities, Lorrie Frost, requesting that signs be

erected along the highways coming into the Lorton area identifying Lorton, Virginia as well as its sister town of Lorton, England. For example, the signs along I-95 Exit 161 fails to mention this area; rather, it says Fort Belvoir and Mount Vernon many miles away. This same oversight is observed when traveling north on Route One crossing the Occoquan River. These large green locator signs fail to recognize the Town of Lorton. Therefore, Supervisor Hyland moved that the Board request the Virginia Department of Transportation (VDOT) to review the signage along all vicinity highways to determine where and how designations can be made for the Town of Lorton. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Bulova and Supervisor Trapnell being out of the room.

95. **EMPLOYER-ASSISTED HOME-BUYING FORUM SPONSORED BY FAIRFAX COUNTY CHAMBER OF COMMERCE** (Tape 15)

Supervisor Hyland announced that the Fairfax County Chamber of Commerce is holding a forum at 7:30 a.m. on Thursday, February 10, 1993 in the Government Center to discuss how employers can assist their employees in buying a home in the County.

96. **UPDATE ON THE PROGRESS ON THE PUBLIC/PRIVATE PARTNERSHIP ON THE EARLY INTERVENTION PROGRAM (IDEA-PART H)** (Tape 15)

Supervisor McConnell stated that staff has been working on a model and method of implementing a public/private partnership for services by private providers for infants age two and under with disabling conditions.

Supervisor McConnell provided the Board with a summary update on when staff expects to have the model and the implementation plan available.

Supervisor McConnell expressed her appreciation to Verdia L. Haywood, Deputy County Executive for Human Services, and his staff for their work with the members of the community to produce the best system for serving the children and their parents.

Supervisor McConnell asked unanimous consent that the Board direct the County Executive to follow through on this issue. Without objection, it was so ordered.

97. **SCHOOL BOOKS** (Tape 15)

Supervisor McConnell called the Board's attention to an article that appeared in the Washington Post last Monday concerning school books going to the Philippines instead of local schools in the United States.

Supervisor McConnell said that there was a request for these books in Dallas County, Alabama (a very poor income school district) to have the books sent there, but the School System did not have the money for transportation.

Supervisor McConnell said that Robert R. Spillane, District Superintendent, School System, has agreed to send the books to Dallas County if transportation could be provided.

Supervisor McConnell reported that many citizens volunteered to drive trucks, to pay for the books to be sent, among other things and that transportation plans are in the process of being finalized.

Supervisor McConnell stated that there are many schools in the United States that could benefit from the books. She said that a meeting will be scheduled with all concerned businesses and citizens to address the issue and establish a central distribution clearinghouse. She invited all Board Members to attend the meeting.

Supervisor McConnell expressed her appreciation to all the individuals who called her office and offered their assistance and to Congressman Earl Hillards (Representative of Dallas County).

Supervisor Hyland asked unanimous consent that the Board direct staff to contact the Virginia Department of Education regarding this issue. Without objection, it was so ordered.

98. **APPOINTMENT TO THE CIVIL SERVICE COMMISSION** (Tape 15)

(APPT)

Supervisor Dix moved the appointment of Ms. Vera S. Hannigan to the Civil Service Commission. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Bulova being out of the room.

99. **SIGN LANGUAGE INTERPRETERS FOR MEETINGS OF THE BOARD OF SUPERVISORS** (Tape 15)

Following discussion regarding sign language interpreters, with input from William O. Howland, Jr., Assistant to the County Executive, Supervisor Hanley asked unanimous consent that the Board direct staff to review the cost of providing sign language interpreters for meetings of the Board of Supervisors as a Consideration Item as part of the budget process. Without objection, it was so ordered.

Referring to a request that her office had had for a sign language interpreter, Supervisor Trapnell asked unanimous consent that the Board direct staff to review how that request had been paid. Without objection, it was so ordered.

100. **OPPOSITION TO STREET LIGHTS IN THE UPPER MCLEAN/GREAT FALLS AREA OF THE DRANESVILLE DISTRICT** (Tape 15)

Supervisor Berger stated that there is opposition from community and citizens associations' to streetlights in planned developments in the upper McLean/Great Falls

area of the Dranesville District.

Following discussion, Supervisor Hyland asked unanimous consent that the Board direct staff to review whether staff has the legal authority to waive the requirements of the Public Facilities Manual (PFM) which would require a developer to install streetlights in a new subdivision. Without objection, it was so ordered.



Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to review the Board's criteria for streetlights and return it as an Information Item. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

101. **BOARD'S OWN MOTION FOR SECOND ACCESS ONTO CHOWNING PLACE**  
(Tape 15)

Supervisor Berger moved adoption of the following Resolution:

**"WHEREAS**, Proffered Condition Amendment Application PCA 77-D-053 was approved by the Board of Supervisors on March 8, 1993 to allow driveway access to serve Tax Map Number 31-3(1) Parcel 33 to be relocated from Carlin Lane to Chowning Place through Tax Map Parcel 31-3(36) Parcel A-1, which is owned by the Board of Supervisors, in accordance with the Carlin Lane Road Improvement Project; and

**WHEREAS**, the Rezoning Application RZ 93-D-039 has been recently filed by David Booth to rezone Parcel 33 consisting of 1.158 acres from the R-1 District to the R-2 District in order to develop two (2) single family detached units at a density of 1.72 dwelling units per acre; and

**WHEREAS**, the submitted Generalized Development Plan (GDP) proposes a second driveway access point onto Chowning Place across Tax Map Number Parcel A-1; and

**WHEREAS**, the proffer approved by the Board of Supervisors pursuant to PCA 77-D-053 must be amended in order to allow a second driveway access onto Chowning Place; and

**WHEREAS**, the promotion of safe access to Chowning Place rather than reinstating access to Carlin Lane and the public convenience, general welfare and good zoning practice may require that the proffer approved with Proffered Condition Amendment Application PCA 77-D-053 be amended to allow a second driveway onto Chowning Place:

**NOW, THEREFORE**, the Board of Supervisors directs staff to advertise and schedule concurrently with Rezoning Application RZ 93-D-039 a Board's Own Motion Proffered Condition Amendment to PCA 77-D-053 to amend the proffers as they apply to Tax Map Number 31-3(36) Parcel A-1 so that a second driveway access may be permitted across Parcel A-1."

With the understanding that this Board's Own Motion refers to a two foot by two foot parcel of County-owned land, this motion was seconded by Chairman Davis. Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to return this matter as a Consideration Item at the next meeting. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

102. **REQUEST FOR STAFF ANALYSIS OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)** (Tape 15)

Supervisor Berger reminded Board Members that the Transportation Advisory Commission (TAC) established a Transit-TDM working group last fall to identify portions of the Zoning Ordinance where refinements might be made to make developments more transit friendly. The working group consists of members of the Transportation Advisory Commission, the Planning Commission, citizen representatives of various County organizations, and staff personnel.

Supervisor Berger informed Board Members that the TAC has now forwarded the first two recommendations of the working group for proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance).

Supervisor Berger said that the TAC request is that the Board now authorize the staff to undertake analysis and staff coordination of the two proposals and to put them in the format in which proposed amendments are normally presented to the Board for authorization of public hearings. When that has been accomplished the amendments will be returned to the Board for approval of public hearings and referral to the Planning Commission.

Therefore, Supervisor Berger moved that the Board authorize staff to commence analysis of the two proposed amendments and return them to the Board with its recommendations.

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

103. **BOARD ADJOURNMENT** (Tape 15)

At 8:35 p.m., the Board adjourned.