

SBE:sbe

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

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

Supervisor McConnell arrived at 9:40 a.m.

Supervisor Trapnell arrived at 9:40 a.m.

Supervisor Alexander was absent from the entire meeting.

2. PROCLAMATION DESIGNATING THE MONTH OF MARCH, 1994 AS "WOMEN'S HISTORY MONTH" IN FAIRFAX COUNTY (Tape 1)

Supervisor Bulova moved approval of the Proclamation presented to Leia Francisco, Executive Director, Office for Women, designating the month of March, 1994 as "**Women's History Month**" in Fairfax County. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

3. PROCLAMATION DESIGNATING THE MONTHS OF APRIL AND MAY, 1994 AS "KEEP FAIRFAX COUNTY BEAUTIFUL MONTHS" IN FAIRFAX COUNTY (Tape 1)

Supervisor Hyland stated for the record that Ms. Rosemary Byrne would be accepting the Proclamation for Ms. Jenny Weber whose husband, Joe, recently died. Supervisor Hyland acknowledged Mr. Weber's contributions over the years to Fairfax County and to the Clean Fairfax County, Incorporated, effort and stated that he would be greatly missed.

Supervisor Hyland moved approval of the Proclamation presented to Ms. Byrne designating the months of April and May, 1994 as "**Keep Fairfax County Beautiful Months**" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

4. PROCLAMATION DESIGNATING THE MONTHS OF APRIL AND MAY, 1994 AS "EARTH CARING MONTHS" IN FAIRFAX COUNTY (Tape 1)

Supervisor Hyland moved approval of the Proclamation presented to Mr. Jim Fraizer designating the months of April and May, 1994 as "**Earth Caring Months**" in Fairfax County. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

5. CERTIFICATES OF RECOGNITION TO PARTICIPANTS OF THE "ADOPT-A-FAMILY" PROGRAM (Tape 1)

Supervisor Hyland moved approval of the Certificates of Recognition presented to Sandra S. Lowe, Department of Community Action, and participants of the "Adopt-A-Family" Program. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being absent.

6. CERTIFICATE OF RECOGNITION TO DMITRY KAZACHKOV OF THE FAIRFAX CORNER IN MOSCOW PROGRAM AND HIS HOST FAMILY, MERRITT AND SHIRLEY OLSON (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to Dmitry Kazachkov of the Fairfax Corner in Moscow Internship Program and his host family Merritt and Shirley Olson. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

7.10:00 A.M. - PRESENTATION BY THE SCHOOL BOARD ON ITS FISCAL YEAR (FY) 1995 ADVERTISED BUDGET (Tapes 1-2)

Gary L. Jones, Chairman, Fairfax County School Board, presented the School Board's proposed Fiscal Year (FY) 1994 Budget.

Chairman Davis recognized the presence of Kenton Pattie, President, County Council of PTAs (CCPTA); and Emily Snyder and Susan Sheridon, Members, CCPTA; and warmly welcomed them to the Board Auditorium.

Following discussion, with input from Robert R. Spillane, Division Superintendent of Schools, and Mr. Jones, Supervisor Hanley asked unanimous consent that the Board direct the Schools to provide specific information and details regarding infrastructure repairs, instructional technology, and replacement equipment. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct the Schools to provide the:

- Number of special needs schools in Area I;
- Distribution of these schools within the different Areas; and
- Distribution of these schools in all the Areas.

Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct the Schools to address the noise problem in the Belle View Elementary School Library which resulted from renovation of the duct work. Without objection, it was so ordered.

A short discussion followed regarding police officers in the Schools.

AM:am

8.10:15 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES (Tape 3)

Supervisor Dix moved that the Board endorse the Legislative Report Number Four dated March 7, 1994, as submitted. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix moved that the Board direct the:

■ Budget Subcommittee to determine whether a full-time Federal Lobbyist is the appropriate direction for the Board to follow;

■ Legislative Subcommittee to:

▪ Comment on this as input for the budget process in April;
and

▪ Determine whether to readvertise an appropriate Request for Proposal (RFP) or proceed in a different direction as it relates to how the Board interfaces on Federal issues.

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

Supervisor Dix moved that the Board schedule the Federal Lobbyist issue as an agenda item for the March 25, 1994 Legislative Subcommittee meeting. The motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

9. ADMINISTRATIVE ITEMS (Tape 3)

Supervisor Bulova moved approval of the Administrative Items. This motion was seconded by Chairman Davis.

Supervisor Hanley asked that the motion be amended to pull and consider separately Administrative Item - Admin 9 - Authorization to Advertise a Public Hearing on Amendments to the Code of the County of Fairfax, Chapter 62 (Fire Protection) to reflect the adoption of the 1993 Virginia Statewide Fire Prevention Code, and this was accepted.

Following discussion, the question was called on the motion, as amended, which carried by a vote

of nine, Supervisor Alexander being absent.

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

ADMIN 1 - PROPOSED ABANDONMENT OF PORTIONS OF HOOES ROAD (ROUTE 636) (SPRINGFIELD DISTRICT)

(O)Adopted an Order of Abandonment, contained in Attachment Two of the Memorandum to the Board dated March 7, 1994, for portions of surplus Hooes Road right-of-way.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE CREATION, ENLARGEMENT, DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE AND LEAF COLLECTION SERVICE (DRANESVILLE AND MASON DISTRICTS)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **April 11, 1994 at 4:00 p.m.** on the following small and local sanitary districts for refuse and leaf collection service in accordance with the Board of Supervisors' adopted criteria for the Creation/Enlargement/Withdrawal of Small or Local Sanitary Districts:

<u>SANITARY</u>	<u>ACTION</u>	<u>TYPE OF SERVICE</u>	<u>STAFF RECOMMENDATIONS</u>
Local District A-1-1 within Small District 1 within Dranesville District	Enlarge	Refuse & Leaf	Approve
Local District A-1-1 within Small District 1 within Dranesville District	Enlarge	Refuse & Leaf	Approve
Local District A-1-1 within Small District 1 within Dranesville District	Enlarge	Refuse & Leaf	Approve
Local District A-6-1 within Small District 1 within Dranesville District	Enlarge	Refuse & Leaf	Approve
Small District 1 within Mason District (Skyline Village)	De-Create/ Re-Create	LeafDeny	
Small District 1 within Mason District (Federal Hill)	De-Create/ Re-Create	Refuse & Leaf	Deny

Local District 1-E Create Refuse Approve
within Small District 1 (Conditional)
within Mason District
(Federal Hill)

ADMIN 3 - THE GYPSY MOTH PROGRAM: CHANGE TO ORDINANCE "FAIRFAX COUNTY SPECIAL SERVICE DISTRICT FOR THE CONTROL OF GYPSY MOTH INFESTATIONS"

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **April 25, 1994 at 3:30 p.m.** regarding a proposed change to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Appendix I, "Fairfax County Special Service District for the Control of Gypsy Moth Infestations to bring the County Ordinance in line with the revised Commonwealth of Virginia Gypsy Moth Suppression Program Guidelines.

ADMIN 4 - AUTHORIZATION TO ADVERTISE PUBLICATION OF FISCAL YEAR (FY) 1995 BUDGET AND REQUIRED TAX RATES

(As)Authorized the advertisement of public hearings to be held before the Board of Supervisors on April 11, 12 and 13, 1994 on the following:

- A real estate tax rate of \$1.16 per \$100 of assessed value for Fiscal Year (FY) 1995 (This will allow the Board of Supervisors the maximum amount of flexibility when considering the FY 1995 Advertised Budget Plan; the Board can lower the rate as part of their budget discussions, but cannot increase the rate over the amount advertised);
- A proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) Section 4-6-8 local tax for Enhanced Emergency Telephone Service (E-911) to increase the tax from \$0.74 to \$1.30 per line month, or from \$4.88 per year to \$15.60 per year;
- Authorize public hearings on the proposed Capital Improvement Program (CIP) for Fiscal Years 1995 through 1999;
- A brief synopsis of the FY 1995 Budget; and
- The notice of the proposed adoption of a Resolution appropriating funds for FY 1995.

(NOTE: The Board has scheduled the mark-up of the Budget issues for April 18, 1994 and the adoption of the Fiscal Plan, Tax Levy and Appropriation Resolution for April 25, 1994.)

ADMIN 5 - ADVERTISEMENT OF A SEWER ORDINANCE AMENDMENT TO INCREASE SEWER SERVICE CHARGES AND AVAILABILITY FEES (COUNTYWIDE)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **April 11, 1994 at 4:00 p.m.** concurrent with public hearing on the Fiscal Year (FY) 1995 Advertised Budget], regarding a proposed amendment to the Code of the County of Fairfax, Chapter 67 (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), to change all references to the unit cost of sewer service as outlined in the Memorandum to the Board.

ADMIN 6 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) ARTICLE 7, SECTION 4-7-10, TAXABLE THRESHOLD FOR BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **April 11, 1994 at 4:00 p.m.** regarding a proposed amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance) Article 7, Section 4-7-10 to adjust the taxable threshold for Business, Professional and Occupational License (BPOL) taxes.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-35, COMPLIANCE WITH CHAPTER; PENALTY FOR VIOLATION OF CHAPTER

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **April 11, 1994 at 3:30 p.m.** regarding a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-35, Compliance with Chapter; Penalty for Violation of the Chapter and incorporates an action of the 1992 General Assembly.

ADMIN 8 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING STORM SEWER, ROADWAY, SANITARY SEWER AND CLEARING STANDARDS

(A)Authorized the advertisement of a public hearing to be held before the Planning Commission on April 20, 1994; and before the Board of Supervisors on **May 9, 1994 at 3:30 p.m.** regarding proposed amendments to the Public Facilities Manual (PFM) pertaining to various standards.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION) TO REFLECT THE ADOPTION OF THE 1993 VIRGINIA STATEWIDE FIRE PREVENTION CODE

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#10.)

10.ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 62 (FIRE PROTECTION) TO REFLECT THE ADOPTION OF THE 1993 VIRGINIA STATEWIDE FIRE PREVENTION CODE (Tape 3)

(A)Following discussion, with input by Captain David Diamantes, Fire Prevention Division, Fire and Rescue Department, Supervisor Berger moved authorization of the advertisement of a public hearing to be held before the Board of Supervisors on **March 21, 1994 at 4:30 p.m.** regarding a proposed amendment to the Code of the County of Fairfax, Chapter 62 (Fire Protection), to bring County Ordinances in line with the 1993 Edition of the Virginia Statewide Fire Prevention Code adopted by the Virginia Board of Housing and Community Development. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

11.A-1 - REVISIONS TO CHAPTER NINE OF THE PERSONNEL REGULATIONS REGARDING THE REDUCTION IN FORCE PROCEDURE AND THE COUNTY'S "REVOLVING DOOR" POLICY (Tape 3)

Following discussion with input by staff, Supervisor Trapnell moved that the Board concur in the recommendation of staff and approve the Personnel Regulations regarding the reduction in force procedure and the County's "revolving door" policy. This motion was seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Alexander being absent.

12.A-2 - APPROVAL OF APPLICATION FOR SECTION 108 LOAN FUNDS FOR THE RECONSTRUCTION OF WASHINGTON PLAZA (HUNTER MILL DISTRICT)
(Tape 3)

On motion of Supervisor Dix, seconded by Chairman Davis, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the application for \$500,000 in loan funds guaranteed under Section 108 of the Housing and Community Development Act of 1974, as amended, to provide funds to the

Fairfax County Redevelopment and Housing Authority (FCRHA) for the reconstruction of Washington Plaza.

13. **A-3 - SUBMISSION OF THE FISCAL YEAR (FY) 1994 (PROGRAM YEAR THREE) HOME PROGRAM DESCRIPTION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND ALLOCATION OF FUNDS** (Tape 3)

On motion of Supervisor Trapnell, seconded by Chairman Davis, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the submission of the Fiscal Year (FY) 1994 (Program Year Three) HOME Program Description to the United States Department of Housing and Urban Development (HUD) and the allocation of funds.

14. **A-4 - APPOINTMENT OF SUPERVISOR DISTRICT TASK FORCES FOR 1994 AREA PLANS REVIEW PROCESS AND COMPRESSING THE ANNUAL PLAN REVIEW (APR) TIME FRAME** (Tape 3)

Following discussion with input by Lynda R. Stanley, Division Director, Planning Division, Office of Comprehensive Planning (OCP), Supervisor Dix, moved that the Board concur in the recommendation of staff that:

- Each Board Member designate and/or appoint a Supervisor District Task Force or similar community review group to review and make recommendations on the Plan Amendment nominations received as part of the 1994 Area Plans Review. The Task Force chairperson and member appointments to be announced at the Board Meeting scheduled for March 21, 1994; and
- The Annual Plan Review (APR) schedule be revised as recommended so that the APR process can be concluded in November 1994.

This motion was seconded by Supervisor Bulova.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the motion be amended to include allowing the Chairman the flexibility of appointing District Task Force Members, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

15.A-5 - CORRECTION TO THE TERMS OF THE FAIRFAX COUNTY WETLANDS BOARD MEMBERS TO CONFORM WITH SECTION 28.2-1303 OF THE CODE OF VIRGINIA (Tape 3)

(BACs)

(R)On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Resolution to correct the Fairfax County Wetlands Board Appointment and Expiration Date Schedule to be consistent with Section 28.2-1303 (Appointment, terms, compensation, etcetera, of local wetlands boards; jurisdiction of County wetlands board over wetlands in town.) of the Code of Virginia.

16.A-6 - AUTHORIZATION TO TRANSFER \$5,000 COLLECTED AS A CIVIL PENALTY ON BEHALF OF THE FAIRFAX COUNTY WETLANDS BOARD TO THE FAIRFAX COUNTY PARK AUTHORITY TO FUND A WETLANDS MANAGEMENT PROJECT (Tape 3)

On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the transfer of \$5,000 from account DE 29200N to the Fairfax County Park Authority to fund the construction of a water control structure to maintain and/or restore wetlands at Huntley Meadows Park.

17.A-7 - DESIGNATION OF PLANS EXAMINERS STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM (Tape 3)

On motion of Supervisor Frey, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and designated the following individuals, identified with their registration numbers, as Plans Examiners:

■Assadullah Ayoubi (113);

■Basant K. Sood (115); and

■Edward E. Wagaman (114).

18.A-8 - ADDITION OF PORTION OF FAIRFAX COUNTY PARKWAY, ROUTE 7100 SOUTH OF WEST OX ROAD, INTO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY SYSTEM (SULLY DISTRICT) (Tape 3)

(R)On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Resolution requesting the Virginia Department of Transportation (VDOT) to accept the new roadway portion (Route 7100 south of West Ox Road) into the State Secondary System as outlined in the Memorandum to the Board.

19. **A-9 - ADDITION OF PORTION OF FAIRFAX COUNTY PARKWAY, ROUTE 7100 NORTH OF ROUTE 50, INTO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY SYSTEM (SULLY DISTRICT)**
(Tape 3)

(R)On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Resolution requesting the Virginia Department of Transportation (VDOT) to accept the new roadway portion (Route 7100 north of Route 50) into the State Secondary System as outlined in the Memorandum to the Board.

20. **A-10 - ADDITION OF PORTION OF FAIRFAX COUNTY PARKWAY, ROUTE 7100 NORTH OF WEST OX ROAD, INTO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY SYSTEM (HUNTER MILL DISTRICT)** (Tape 3)

(R)On motion of Supervisor Dix, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Resolution requesting the Virginia Department of Transportation (VDOT) to accept the new roadway portion (Route 7100 north of West Ox Road) into the State Secondary System as outlined in the Memorandum to the Board.

21. **A-11 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - DIRECTOR OF EQUITY PROGRAMS AND LICENSED PRACTICAL NURSE** (Tape 3)

Following discussion Supervisor Trapnell moved that the Board concur in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans necessary to establish two new classes, Director of Equity Programs at grade S-31 (\$51,625 - \$76,101) and Licensed Practical Nurse at grade S-14 (\$23,274 - \$36,023). This motion was seconded by Supervisor Bulova.

Chairman Davis commented that the Commission for Women and the Office for Women could oversee some of the EEO-related issues.

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

22. **A-12 - FAIRFAX COUNTY DEPARTMENT OF RECREATION AND COMMUNITY SERVICES GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION GRANT** (Tape 3)

On motion of Supervisor Dix, seconded by Chairman Davis, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the Department of Recreation and Community Services' grant application in the amount of \$75,000 to the Virginia Department of Criminal Justice Services. This level of

funding provides \$44,520 for two exempt-limited term certified therapeutic recreation specialists, \$21,792 for operating expenses, and \$8,688 for capital equipment.

23. **A-13 - AUTHORIZATION FOR THE DEPARTMENT OF HUMAN DEVELOPMENT TO SUBMIT RENEWAL GRANT APPLICATION FOR THE TRANSITIONAL HOUSING PROGRAM TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)** (Tape 3)

On motion of Supervisor Hanley, seconded by Chairman Davis and **CARRIED** by a recorded vote of eight, Supervisor Frey voting "NAY," Supervisor Alexander being absent, the Board concurred in the recommendation of staff and authorized the Department of Human Development to submit an application for the renewal of Transitional Housing Grant Award Three to the United States Department of Housing and Urban Development (HUD) for funding to continue essential services to Transitional Housing clients.

CM:cm

24. **I-1 - CONTRACT AWARD - FAIRFAX COUNTY PARKWAY, OX ROAD TO HOES ROAD/POHICK ROAD (BRADDOCK AND SPRINGFIELD DISTRICTS)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 7, 1994 requesting authorization for staff to award a contract (including Alternate One) to:

■ Branch Highways, Incorporated in the amount of \$17,954,681 for the construction of the Fairfax County Parkway, Ox Road to Hoes Road/Pohick Road, Project 064146, 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.

25. **I-2 - ENGINEERING CONTRACT AWARD TO CH2M HILL FOR THE EXPANSION OF THE LOWER POTOMAC POLLUTION CONTROL PLANT (LPPCP) BEYOND 54 MILLION GALLONS PER DAY (MGD) (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 7, 1994 requesting authorization for staff to award a contract to CH2M Hill in the amount of \$30,710,347 for the expansion of the Lower Potomac Pollution Control Plant (LPPCP) Beyond 54 Million Gallons Per Day (MPD), Project N00321, in Subfund 524, Sewer Bond Extension and Improvements.

Following a brief discussion, with input from John W. di Zerega, Director, Department of Public Works, staff was directed administratively to proceed as proposed.

26.I-3 - CONTRACT AWARD - EXHIBIT DESIGN SERVICES FOR NEW INTERPRETIVE EXHIBITS AT THE GREEN SPRING GARDENS PARK HORTICULTURAL CENTER (MASON DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 7, 1994 requesting authorization for staff to award a contract to Creative Dimension Group, Incorporated/Martell Design of Falmouth, Virginia in the amount of \$30,000 for professional design services for the installation of interior interpretive exhibits at the Green Spring Gardens Park Horticultural Center as part of Project 004690, Green Spring Gardens Park, in Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

27.I-4 - ENGINEERING CONTRACT AWARD TO POST, BUCKLEY, SCHUH, AND JERNIGAN FOR SOLID WASTE ENGINEERING SERVICES (COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 7, 1994 requesting authorization for staff to award a contract to Post, Buckley, Schuh, and Jernigan in the amount of \$800,000 per year for a period not to exceed two years for consulting services for the County's Solid Waste Disposal System.

The staff was directed administratively to proceed as proposed.

28.I-5 - CONTRACT AWARD - I-95 LANDFILL AREA 3 LINER (ASH LANDFILL) PHASE I CONSTRUCTION (MOUNT VERNON DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 7, 1994 requesting authorization for staff to award a contract to Ground Improvement Techniques, Incorporated in the amount of \$8,479,283.04 for the construction of Area Three Lined Landfill Phase I Construction, Project 186435, in Subfund 186, I-95 Refuse Disposal Construction.

Following a brief discussion, with input from John W. di Zerega, Director, Department of Public Works, staff was directed administratively to proceed as proposed.

29.I-6 - CONTRACT AWARD - ARCHITECTURAL AND ENGINEERING SERVICES FOR DESIGN OF PHASE II OF THE STANDARD RESTROOM DESIGN AT GREENBRIAR PARK (SULLY DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 7, 1994 requesting authorization for staff to award a contract to United Design Engineers, P.C. of Washington, D.C. in the amount of \$34,090 for architectural and Engineering Services for the Design of Phase II of the Standard Restroom Design at Greenbriar Park in Project 004391, Greenbriar Park, in Subfund 451, Park Authority Bond Construction.

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

30.I-7 - NOTIFICATION OF AWARD FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR EMERGENCY SHELTER GRANT PROGRAM ENTITLEMENT ALLOCATION (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 7, 1994 requesting authorization for the County Executive to sign the CHAS Certification Statement to be submitted to the United States Department of Housing and Urban Development (HUD) with the Emergency Shelter Grant Program (ESGP).

The staff was directed administratively to proceed as proposed.

31.I-8 - SALE OF B2/B3 BONDS (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated March 7, 1994 announcing the sale of Lease Revenue bonds for the purchase of the Government Center properties (Building B2 and B3, and parcel B1) was successfully completed on Wednesday, March 2, 1994. The bonds were sold at a true interest cost of 5.89 percent.

There was a brief discussion regarding this item, with input from William J. Leidinger, County Executive. Mr. Leidinger also commended the efforts of James P. McDonald, Deputy County Executive for Management and Budget; Edward L. Long, Jr, Director, Office of Management and Budget (OMB); and other staff members from OMB involved in this project.

BOARD MATTERS

32.STATUS OF EMPLOYEES UPWARD MOBILITY AND RETENTION IN FAIRFAX COUNTY GOVERNMENT TASK FORCE (Tape 4)

(BACs)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to provide Board Members with information regarding a preliminary report from the Employees Upward Mobility and Retention in Fairfax County Government Task Force and what needs to be done to bring it to closure. Without objection, it was so ordered.

33. FORMAL NAME DESIGNATIONS FOR BUILDINGS B2 AND B3 (Tape 4)

Supervisor Davis moved that the Board consider a resolution to name the Human Services Building, B3, after the former Centreville, now Hunter Mill, District Supervisor Martha V. Pennino, and the B2 Building after John F. "Jack" Herrity, former Chairman of the Board of Supervisors. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Davis asked unanimous consent that the Board direct staff to schedule a private fund-raiser in April, 1994, to commemorate the designation of these buildings. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

34. PRESERVATION OF HISTORICAL BURIAL SITES IN SMALL CEMETERIES
(Tape 4)

Supervisor Dix informed the Board that he had received correspondence from a constituent regarding the preservation of burial places in small cemeteries during construction and excavation activities.

Supervisor Dix stated that one subject being considered by staff and the Engineers and Surveyors Institute (ESI) is the production of a video on this subject that can be utilized as part of the instructional process of designated plans examiners.

Supervisor Dix moved that the Board support this particular effort of ESI. This motion was jointly seconded by Supervisor Hanley, Supervisor Bulova, and Supervisor McConnell.

Following discussion, Supervisor McConnell stated that there were a number of small burial sites in the Springfield and Sully Districts, respectively, and she asked to amend the motion to direct staff to provide Board Members with information concerning these sites, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Alexander being absent.

35. CONGRATULATIONS TO AREA HIGH SCHOOL BASKETBALL TEAMS
(Tape 4)

Supervisor Dix congratulated those high schools in Fairfax County who participated in the Regional Finals Basketball Tournament on Saturday, March 5, 1994, including the Woodson High School Girls Basketball Team who won the Regional Championship, and the Fairfax High School Girls Basketball Team who were runners-up.

Supervisor Dix announced that the Hunter Mill District is again well represented for the third year in a row; the South Lakes High School boys won the Regional Championship. He congratulated Hayfield High School, runners-up in the finals. Both teams will participate in the State Tournament which begins today.

Supervisor Dix acknowledged and congratulated the schools, the players, the coaches, the principals, the parents and everyone involved with the Tournament and extended an invitation to Board Members to attend the game tonight at Robinson Secondary School beginning at 8:00 p.m.

PMH:pmh

36. HONORS WON BY WALT WHITMAN MIDDLE SCHOOL GIRLS' CHORAL GROUP
(Tape 5)

Supervisor Hyland stated that a group of girls from the Mount Vernon area will be performing before the American Choral Directors' Association convention in Knoxville, Tennessee, this week. He said that they were chosen last Spring, by blind audition, out of 70 other school, university, college, church and community choirs to perform at this convention.

Supervisor Hyland noted that the blind audition was one in which an unidentifiable tape was judged on the quality of voice and difficulty of material. The judges had no idea that the group they chose were Eighth Grade girls singing adult level music from various cultures and in different languages.

Therefore, Supervisor Hyland moved that the Board direct staff to invite the Walt Whitman Middle School Girls' Choir, their Choral Director, Susan Manola-Madderom, and principal, Eugene Jordan, to appear before the Board to be recognized for their exceptional efforts. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

37. AFTER THE STORMS: NEED FOR IMMEDIATE CLEAN-UP OF SAND, SALT AND CHEMICALS ON FAIRFAX COUNTY GOVERNMENT PROPERTY (Tape 5)

Supervisor Hyland pointed out that the Board had received a copy of the letter that Northern Virginia Soil and Water Conservation District's Chairman, A. Dewey Bond, wrote to the Virginia Department of Transportation (VDOT) Resident Engineer, explaining the district's concern with the enormous amount of sand, salt and chemicals that were needed during the many snow and ice storms experienced this winter. He said that the rain washes the sand, salt and chemicals into the storm drains that will carry it to the many creeks and rivers that eventually flow to the Potomac and Occoquan Rivers and out to the Chesapeake Bay.

Supervisor Hyland said that these materials cause significant degradation to water quality and water clarity, adding chemicals and sediments to the wetlands, floodplains and river bottoms.

Therefore, Supervisor Hyland moved that the Board direct the staff to coordinate a work plan with the Sheriff, the Park Authority, the Schools and the Fire and Rescue Department to immediately remove sand, salt and chemicals from all County property and report to the Board with the results of this effort. This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Supervisor Hyland asked unanimous consent that the Board request VDOT to, if possible, stockpile one and a half to two years supply of material to treat the roadways. Without objection, it was so ordered.

38. BRADDOCK DISTRICT COUNCIL BUDGET MEETING (Tape 5)

Supervisor Bulova announced that the Braddock District Council, in coordination with her office, will be holding a town meeting on the budget. The meeting is scheduled to be held at the Chapel Square Center at 7:30 p.m.

Supervisor Bulova said that William J. Leidinger, County Executive, will be making a presentation and she invited Board Members to attend, particularly Chairman Davis.

39. REZONING APPLICATION RZ 93-Y-040 (Tape 5)

Supervisor Frey stated that Richard C. Walsh is a veterinarian who has filed a rezoning request with Fairfax County in hopes of constructing a veterinary hospital in the northeast quadrant of Route 28 and New Braddock Road. In conjunction with the rezoning request, the applicant has proposed the vacation of a small portion of Old Centreville Road. The Office of Comprehensive Planning (OCP) has suggested that this area be included in the Rezoning Application and, therefore, a Board motion is required to evidence concurrence. This portion of Old Centreville Road is no longer necessary to serve traffic due to the improvements made at the New Braddock Road/Route 28 interchange.

Supervisor Frey moved that the Board concur with the inclusion in Rezoning Application RZ 93-Y-040 of a portion of Old Centreville Road approximately 62 feet in length and 15 feet in width. He added that this motion is not an endorsement or approval of the application, but will simply allow the inclusion in the rezoning of a small portion of roadway which will be vacated. This motion was seconded by Supervisor Hyland and carried by vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

40. CERTIFICATES OF APPRECIATION PRESENTED TO AREA VETERINARIANS
(Tape 5)

Supervisor Frey announced that 31 Certificates of Appreciation have been presented to area veterinarians for their continuing service to the Fairfax County Animal Shelter and the many animals in need of medical attention.

On behalf of the Board, Supervisor Frey expressed his appreciation to all of the veterinarians who participate on an ongoing basis to assist the County.

41. FEDERAL TRANSIT ACT (FTA) (Tape 5)

(R)Supervisor Frey stated a condition has been added to the Federal Transit Act (FTA) of 1964 requiring transit authorities to utilize the private sector to the maximum extent feasible in the provision of transit service. He said that in 1984 the Act was upgraded and a policy was adopted requiring transit authorities to consult the private sector and to fairly consider the competitive bidding of private services.

Supervisor Frey said that the FTA has announced plans to eliminate the Current Private Sector Guidance contained in FTA Circular 7005.1 and the elimination of the Office of Private Sector Initiatives.

Therefore, Supervisor Frey moved adoption of the Resolution:

- Expressing to the FTA the Board's opposition to the proposed elimination of the guideline and the Office of Private Sector Initiatives; and
- Requesting the Washington Area Metropolitan Area Transit Authority (WMATA) Board not eliminate or change in any way its private sector policy.

This motion was seconded by Supervisor Berger.

Following discussion, the question was called on the motion which carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

42. APPOINTMENTS TO THE COMMUNITY ACTION ADVISORY BOARD, TREE COMMISSION AND THE TRANSPORTATION ADVISORY COMMISSION
(Tape 5)

(APPTS)

Supervisor Berger moved the following appointments:

- Mr. Marc Morano as the Dranesville District Representative to the Community Action Advisory Board;
- Mr. Brian Tubbs as the Dranesville District Representative to the Tree Commission; and

- Mr. Ivan Somers as the Dranesville District Representative to the Transportation Advisory Commission.

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

NV:nv

43. **ABSENCE OF LEE DISTRICT SUPERVISOR JOSEPH ALEXANDER** (Tape 6)

Chairman Davis announced that he had received a communication from Lee District Supervisor Alexander stating that he would be unable to attend the morning session of the Board Meeting because he was hosting the Legislative Conference of the American Public Transit Association in the District of Columbia.

44. **DEFERRAL OF SPRINGFIELD DISTRICT SUPERVISOR ELAINE MCCONNELL'S BOARD MATTERS** (Tape 6)

Supervisor McConnell asked unanimous consent that her Board Matters be presented at the conclusion of the Board Matters agenda item. Without objection, it was so ordered.

45. **WAIVER OF SUBDIVISION WAIVER FILING FEES FOR PROPERTY ON GARLAND DRIVE** (Tape 6)

Supervisor Trapnell reminded the Board that on June 28, 1993 the Board agreed to settle the case of Hawa versus the Board of Supervisors on the recommendation of the County Attorney. She explained that Mr. David Hawa owns four contiguous vacant lots on Garland Drive in Mason District, known as Tax Map Numbers 61-2((27)) parcels 15, 16, 17, and 18. Mr. Hawa had applied to vacate a portion of a floodplain easement which was later determined not to be subject to flooding. As part of the settlement of the lawsuit, Mr. Hawa agreed to consolidate three of his four lots into one large lot, thereby reducing potential future lot development from four lots to two.

Supervisor Trapnell stated that a plat requires approval to show the consolidation of the three lots into one. Even though the number of lots is to be reduced, the consolidation plat must be processed in the same manner as a plat which would subdivide a larger lot into smaller lots. Supervisor Trapnell stated that Mr. Hawa will be requesting certain subdivision waivers and that because the number of lots will be reduced, staff at the Department of Environmental Management (DEM) has indicated that the proposed consolidation appears to satisfy the criteria for the waivers.

Because the submission and approval of a consolidation plat is in accordance with the settlement to which the Board has already agreed, Supervisor Trapnell moved that the Board direct staff, as part of the settlement agreed to by the County, to waive the filing fees associated with the Subdivision Waiver Request for Lots 15, 16, and 17 on Garland Drive. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

46. **CONCURRENT PROCESSING OF THE FINAL DEVELOPMENT PLAN AND SITE PLAN FOR THE JUVENILE DETENTION CENTER** (Tape 6)

Supervisor Hanley moved concurrent processing of the Final Development Plan and the Site Plan for the Juvenile Detention Center. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

47. **PROVISION OF SAND BARRELS ON HAZARDOUS ROADS** (Tape 6)

Supervisor Hanley stated that the Virginia Department of Transportation (VDOT) formerly provided barrels of sand next to hazardous roadways in bad weather. She asked unanimous consent that the Board direct staff to request that VDOT resume that prior practice to provide these sand barrels next to particularly hazardous road areas. Without objection, it was so ordered.

48. **TOWING ORDINANCE** (Tape 6)

In reference to the Towing Ordinance adopted by the Board on January 10, 1994, Supervisor Hanley stated that she had received some requests from neighborhood groups regarding the appropriate signage. Accordingly, she asked unanimous consent that the Board direct staff to circulate to Board Members a sample of the appropriate language for the signs. Without objection, it was so ordered.

49. **VIRGINIA INDIGENT HEALTH CARE TRUST FUND, HOUSE BILL NUMBER HB 638** (Tape 6)

Supervisor Hanley called the Board's attention to House Bill Number HB 638 in the Virginia General Assembly regarding health care for the uninsured. Accordingly, Supervisor Hanley moved that the Board direct staff to review this Bill to determine if this affords the County an opportunity to provide insurance to the uninsured. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

There was a brief discussion concerning health care.

50. **RECYCLING AT COUNTY FACILITIES** (Tape 6)

Supervisor Hanley asked unanimous consent that the Board direct staff to report on recycling at County facilities. She particularly cited glass and newspaper recycling. Following discussion, without objection, the request was so ordered.

(NOTE: Later in the meeting, there was additional action on this item. See Clerk's Summary Item CL#54.)

51. **SUPERVISOR MCCONNELL'S YOGURT** (Tape 6)

For comic relief, Chairman Davis presented to Supervisor McConnell the "petrified" frozen yogurt

which she had left in the refrigerator last week.

52.UPDATE ON SCHOOL BOOKS SENT TO SHILOH MIDDLE SCHOOL IN DALLAS COUNTY, ALABAMA (Tape 6)

Supervisor McConnell stated that at the Board Meeting on February 7, 1994, she had called the Board's attention to the plight of the Shiloh Middle School in Dallas County, Alabama and that they had requested excess school materials from Fairfax County. She reported that the school books and other material were delivered to Shiloh Middle School on February 22, 1994 and that the principal and all the teachers wanted to express their appreciation to Fairfax County for its generosity and to the National Private Trucking Council for its assistance.

Supervisor McConnell also expressed her appreciation to all the citizens who called to offer their assistance. She reported that a Virginia Clearinghouse Network has been established with the effort of a few private citizens and the National Private Trucking Council.

53.COUNTY CONTRACT NUMBER IFB40019214 RELATING TO OFFSET PRINTING, DUPLICATION, AND BINDERY SERVICES (Tape 6)

Supervisor McConnell stated that one of her constituents had contacted her about a problem with County Contract Number IFB40019214 relating to Offset Printing, Duplication, and Bindery Services. She noted that paragraph 32.1 of the Request for Bid clearly states that no brokers would be allowed to bid on any of the three types of services covered by the Contract. She stated that there is some question about whether one of the three parties that was selected in each of the three categories is, indeed, a broker. She said that staff insists that they have carefully reviewed the qualifications of each of the three winners, one for each of three categories.

As a solution to the possible contract problem, Supervisor McConnell moved that the Board direct staff to amend the contract to:

- Include the fourth place bidders in each of the categories under the terms of the contract to allow them to bid on various County printing jobs during the duration of the contract.

Following input from William J. Leidinger, County Executive, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct the County Executive to review this matter and report to the Board. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

54.RECYCLING AT COUNTY FACILITIES (Tape 6)

(NOTE: Earlier in the meeting, the Board discussed this item. See Clerk's Summary Item CL#50.)

Chairman Davis called the Board's attention to Supervisor Hanley's earlier Board Matter regarding recycling at County facilities. Supervisor Hanley moved that the Board direct staff to report how the County implements the recycling mandate at its own facilities. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

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

At 11:55 a.m., Supervisor Dix moved that the Board recess for lunch and go into Executive Session at 2:00 p.m. 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:

- Thomas versus County of Fairfax, Ivins versus County of Fairfax, Belk versus County of Fairfax, Baker versus County of Fairfax, and Beadle versus County of Fairfax;
- Faircenter Limited Partnership versus Board of Supervisors of Fairfax County, At Law Number 120639; and
- Park West/Fairview Associates versus Board of Supervisors of Fairfax County, et al., At Law Number 120717.

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

SBE:sbe

At 3:40 p.m., the Board reconvened in the Board Auditorium with all Board Members present with the exception of Supervisor Alexander, and with Chairman Davis presiding.

ACTIONS FROM EXECUTIVE SESSION

56. **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 Hyland and carried by a vote of nine, Supervisor Alexander being absent.

57. SETTLEMENT OF PARK WEST/FAIRVIEW ASSOCIATES VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, ET AL., AT LAW NUMBER 120717
(Tape 7)

Supervisor Hanley moved that the Board authorize settlement of Park West/Fairview Associates versus Board of Supervisors of Fairfax County, et al., At Law Number 120717, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

58. SETTLEMENT OF FAIRCENTER LIMITED PARTNERSHIP VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW NUMBER 120639
(Tape 7)

Supervisor Frey moved that the Board authorize settlement of Faircenter Limited Partnership versus Board of Supervisors of Fairfax County, At Law Number 120639, 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 nine, Supervisor Alexander being absent.

59. ACQUISITION OF PROPERTY LOCATED AT 12038 LEE HIGHWAY FOR THE FUTURE CONSTRUCTION OF THE FAIRFAX CENTER FIRE STATION FACILITY (Tape 7)

Supervisor Frey stated that the Board of Supervisors was considering an offer to sell made by the owners of a certain property located at 12038 Lee Highway, for the future construction of the Fairfax Center Fire Station Facility.

Accordingly, Supervisor Frey moved that the Board of Supervisors accept said offer and direct the County Attorney to amend the certificate, as requested by the property owner, to acquire the property in its entirety. The property is located in the Sully District, known as Tax Map Number 56-1 ((1)) 38, and owned by James L. Snyder and Yvonne E. Snyder. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

60. SALARY OF THE COUNTY ATTORNEY (Tape 7)

Supervisor Trapnell moved an increase in the salary of the County Attorney, David P. Bobzien, effective today, to pay grade L-9-7, and a scheduled increase in his salary, effective January 1, 1995, to pay grade L-9-10. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

AR:ar

61.3:30 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL) (COUNTYWIDE) (Tapes 8-9)

(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 February 18 and February 25, 1994.

Following the testimony of Melissa Klein (Speaker Six), Supervisor Hyland asked unanimous consent that the Board direct staff to examine the feasibility of authorizing the sale of County dog licenses at individual veterinary clinics. Without objection, it was so ordered.

WELCOME TO BOY SCOUT TROOP 1966

Chairman Davis recognized the presence of members and leaders of Boy Scout Troop 1966 from Laurel Ridge Elementary School and warmly welcomed them to the Board Auditorium.

Following the public hearing and discussion, with input from Barbara A. Snow, Director, Department of Animal Control, and Jill L. Rowe, Assistant County Attorney, Supervisor Bulova moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl) as contained in the Memorandum to the Board dated March 7, 1994. This motion was seconded by Supervisor Trapnell.

Supervisor Hyland asked to amend the motion by directing staff to review the current laws with regard to the disposal of dog feces in residential trash pick-ups, and this was accepted.

Following additional discussion, the question was called on the motion, as amended, which carried by a vote of nine, Supervisor Alexander being absent.

62.3:30 P.M. - PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE), ARTICLE 6, UTILITY TAX TO EXEMPT RELIGIOUS ORGANIZATIONS FROM UTILITY TAXATION (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 February 18 and February 25, 1994.

Following the public hearing, Supervisor Hyland moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), Article 6, Utility Tax, to exempt religious organizations from consumer utility taxes (Alternative Number One on Page 88 of the Memorandum to the Board dated March 7, 1994.) This motion was seconded by Supervisor McConnell.

Supervisor Trapnell asked to amend the motion by directing that the parsonages and related buildings be assessed at the residential rate for utility taxes, and this was accepted.

Supervisor McConnell disclosed, for the record, that her privately owned school would fall under these amendments; however, it has been determined by the County Attorney that she is eligible to vote on this issue.

Following discussion, with input from Edward L. Long, Jr., Director, Office of Management and Budget, and Michael H. Long, Assistant County Attorney, the question was called on the motion, as amended, which carried by a vote of nine, Supervisor Alexander being absent.

63. **3:30 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 8, (SECURITY ALARM SYSTEMS) SECTION 8-3-7, INSPECTION OF ALARM SYSTEMS, AND SECTION 8-3-9, PENALTIES FOR SUBSEQUENT VIOLATIONS** (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 February 18 and February 25, 1994.

Following the public hearing, Supervisor Bulova moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 8, (Security Alarm Systems) Section 8-3-7, Inspection of Alarm Systems, and Section 8-3-9, Penalties for Subsequent Violations. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

64. **3:30 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX CREATING A NEW CHAPTER 36, (HOTELS AND OTHER LODGING FACILITIES) SECTIONS 36-1-1 THROUGH 36-1-4** (No Tape)

(NOTE: This public hearing has been deferred to an unspecified future time at the request of the Police Department.)

65. **4:00 P.M. - PH ON REZONING APPLICATION RZ 93-P-011 (CHARLES C. COCHRAN) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. Thomas Rust reaffirmed the validity of the affidavit for the record.

Mr. Rust 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, Robby Robinson, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-P-011 be amended from the R-1 District to the R-3 District subject to executed proffers dated February 9, 1994. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Berger and Supervisor Frey being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved waiver of the minimum district size for cluster development. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger and Supervisor Frey being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved waiver of the requirement for a minimum of one acre open space for cluster development. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Berger and Supervisor Frey being out of the room, Supervisor Alexander being absent.

66. **4:00 P.M. - PH ON REZONING APPLICATION RZ 93-V-014 AND SPECIAL EXCEPTION APPLICATION SE 93-V-028 (EXXON CORPORATION) (MOUNT VERNON DISTRICT)** (Tape 9)

Supervisor Hyland moved to defer the public hearing on Rezoning Application RZ 93-V-014 and Special Exception Application SE 93-V-028 until **March 21, 1994 at 4:00 p.m.** This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

67. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-M-049 (MARLO FURNITURE, INCORPORATED) (MASON DISTRICT)** (Tape 9)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Trapnell moved approval of Special Exception Application SE 93-M-049 for a waiver of certain sign regulations, subject to the development conditions dated February 3, 1994. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of six, Chairman Davis abstaining, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

ADDITIONAL BOARD MATTER

68. **RESCHEDULING OF PUBLIC HEARINGS TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN** (Tape 9)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to reschedule the public hearings to receive citizen comment on issues of concern. These hearings will now be held every fourth Board Meeting (once every two months) effective immediately. Without objection, it was so ordered.

69. **BOARD ADJOURNMENT** (Tape 9)

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