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The meeting was called to order at 9:50 a.m. with all Members being present, and with Chairman Davis presiding.

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

2. **CERTIFICATES OF RECOGNITION PRESENTED TO THE "RESTON SHARKS" OF THE RESTON YOUTH BASKETBALL LEAGUE FOR WINNING THE VIRGINIA PARKS AND RECREATION SOCIETY STATE BASKETBALL TOURNAMENT** (Tape 1)

Supervisor Dix moved approval of the Certificates of Recognition presented to Members of the "Reston Sharks" of the Reston Youth Basketball League for winning the Virginia Parks and Recreation Society State Basketball Tournament. This motion was seconded by Supervisor Trapnell and carried by unanimous vote.

3. **PROCLAMATION DESIGNATING THE WEEK OF MAY 1 THROUGH MAY 7, 1994 AS "NATIONAL CORRECTIONAL OFFICERS' WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor McConnell moved approval of the Proclamation presented to Carl R. Peed, Sheriff, designating the week of May 1 through May 7, 1994 as "**National Correctional Officers' Week**" in Fairfax County. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

4. **RESOLUTION DESIGNATING THE WEEK OF APRIL 24 THROUGH APRIL 30, 1994 AS "CRIME VICTIMS' RIGHTS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor McConnell moved approval of the Resolution presented to Joyce Williams, Director, Victim Witness Unit, designating the week of April 24 through April 30, 1994 as "**Crime Victims' Rights Week**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to schedule a meeting with the Victim Witness Assistance Unit. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

5. **PRESENTATION OF CERTIFICATE OF RECOGNITION TO MOSCOW INTERN** (Tape 1)

Supervisor Bulova announced the presence in the Board Auditorium of Dr. Sergei Y. Kashkin, an intern from the Moscow State Academy of Law working in the Fairfax Corner in Moscow Internship Project.

Supervisor Bulova moved approval of the Certificate of Recognition to Dr. Kashkin upon his successful completion of the Fairfax Corner in Moscow Internship Program in Fairfax County, Virginia. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Dix being out of the room.

6. **10:00 A.M. - BRIEFING BY DELEGATE JAMES H. DILLARD, II, ON HIS TRIP TO JIADING, CHINA, AND POSSIBLE SISTER CITY RELATIONSHIP WITH FAIRFAX COUNTY** (Tape 1)

Following the briefing by Delegate James H. Dillard, II, on his trip to Jiading, China, and possible Sister City relationship with Fairfax County, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct Supervisor Bulova, Supervisor Hyland, and Supervisor Trapnell to work out details to formally draft an agreement for a Sister City relationship with Jaiding, China. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

7. **10:15 A.M. - BOARD ADOPTION OF THE PROPOSED FISCAL YEAR (FY) 1995 FISCAL PLAN (BUDGET)** (Tape 2)

(SARs)

(FPRs)

- (O) Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the playground list as contained in the list of Adjustments made by the Board on April 18, 1994, be amended to include Orange Hunt Elementary School. Without objection, it was so ordered

Supervisor Davis moved approval of:

- Fiscal Year (FY) 1995 Resolution Adopting Tax Rates for FY 1995, as contained in Attachment I of the Memorandum to the Board, which includes a real estate tax of \$1.16 per \$100 of assessed value.

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

Supervisor Davis moved approval of:

- FY 1995 Appropriation Resolution for County Agencies, as contained in Attachment Two of the Memorandum to the Board.

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

Supervisor Davis moved approval of:

- FY 1995 Fiscal Planning Resolution for School Board Agencies, as contained in Attachment Three of the Memorandum to the Board.

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

Supervisor Davis moved approval of:

- FY 1995 Fiscal Planning Resolution, as contained in Attachment Four of the Memorandum to the Board.

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

There was a brief discussion with input from Edward L. Long, Jr., Director, Office of Management and Budget.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

8. **10:15 A.M. - BOARD MARKUP ON THE FAIRFAX COUNTY ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS 1995-1999**
(No Tape)

(NOTE: On April 18, 1994, the Board deferred markup of the Capital Improvement Program (CIP) until May 9, 1994 at 10:00 a.m.)

SBE:sbe

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

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

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

- (R) Adopted the request that certain streets listed in the Memorandum to the Board dated April 25, 1994 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Dominion Station	Providence	Quaint Lane, Route 3226
Armfield Farm, Section 2	Sully	Beech Down Drive, Route 7581 Brockmeyer Court Rosetree Court Windmoore Court

ADMIN 2 - RENAMING THE WESTERN PORTION OF PINE OAKS WAY IN SHADETREE ESTATES SUBDIVISION (SULLY DISTRICT)

Approved an official street name change from Pine Oaks Way in the Official Street Names and Property Numbering Atlas, to Old Pine Way, from its intersection with Mary Etta Lane to the end of the street in the Shadetree Estates subdivision on Tax Map Reference 036-3.

ADMIN 3 - OFFICIAL STREET NAME FOR AN ALLEY LOCATED ON TAX MAP REFERENCE 083-4-02-36, LOTS 17-32 AND 093-2-08-37, LOTS 17-32, NEW ALEXANDRIA SUBDIVISION (MOUNT VERNON DISTRICT)

Approved an official street name to be added to the Official Street Names and Property Numbering Atlas, for a dedicated but unnamed alley in the New Alexandria subdivision as Wood Haven Road. This item will name that portion of the alley from its intersection with Old Towne Road to the end of the alley from its intersection with Old Towne Road to the end of the alley at its intersection with I Street, on Tax Map References 083-4 and 093-2.

ADMIN 4 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **June 6, 1994 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions). The proposed amendments bring Chapter 61 into alignment with changes in State law, eliminate the Housing and Hygiene

Division of the Board of Building Code Appeals, and simplify Code language.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF WINDSOR ESTATES STORM DRAINAGE (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 16, 1994 at 4:00 p.m.** on the acquisition of land rights necessary for Project M00077 (AC0213) - Windsor Estates Storm Drainage Improvements.

BOARD MATTER

10. **REPORT ON JOHNSON CONTROLS WORLD SERVICE, INCORPORATED (JCWS)** (Tape 3)

Following a query from Supervisor Hyland regarding the contract at the West Ox Garage with Johnson Controls World Service, Incorporated (JCWS), William J. Leidinger, County Executive, stated that he planned to distribute a copy of the weekly report to the Board today, continue his discussions with JCWS, and report to the Board at its next meeting.

11. **A-1 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE APPOINTMENT OF MEMBERS TO THE FAIRFAX COUNTY SCHOOL BOARD (BRADDOCK, MOUNT VERNON, PROVIDENCE, SPRINGFIELD AND COUNTYWIDE)** (Tape 3)

- (A) On motion of Supervisor Hyland, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Authorized the advertisement of a public hearing to consider the appointment of Members to the Fairfax County School Board on **June 6, 1994 at 4:30 p.m.** to receive views of the citizens on the appointment of School Board Members; and
- Adopted the expansion of the School Board by adding one At-Large Representative effective July 1, 1994.

(NOTE: School Board appointments will be made at the Board of Supervisors' meeting scheduled for June 27, 1994. By law, School Board appointments must be made by June 30, 1994. The vacancies under consideration for appointment have been created by the expiring terms of representatives from Braddock, Mount Vernon, Providence, Springfield Districts and the addition of one At-Large position.)

12. **A-2 - SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM: PROPOSED PROGRAM DOCUMENT AND ADVISORY COMMISSION**

CHARTER/BY-LAWS (Tape 3)

(BACS)

Supervisor McConnell, moved that the Board concur in the recommendation of staff and approve the:

- Program Document for the Small and Minority Business Enterprise Program; and
- Proposed Charter and By-Laws for the Program's Advisory Commission.

This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Dix stated that on April 21, 1994, the Water Authority adopted a small business enterprise policy and accordingly he asked unanimous consent that the Board direct staff to incorporate this policy. Without objection, it was so ordered.

Supervisor Hanley called the Board's attention to, Article X of the proposed Charter and By-Laws for the Programs Advisory Commission under Attendance and Participation, which states:

- "Any Commissioner without good cause acceptable to a majority of the other Commissioners, who does not attend a reasonable number of Commission Meetings . . ."

and asked to amend the motion to direct staff to change this Article to read:

- "Any Commissioner without good cause acceptable to a majority of the other Commissioners, who does not attend three consecutive Commission Meetings . . .,"

and this was accepted.

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

13. **A-3 - FAIRFAX COUNTY'S COMMITMENT TO MAKE LOCAL PAYMENTS IN SUPPORT OF THE FISCAL YEAR (FY) 1995 METRORAIL CONSTRUCTION PROGRAM (COUNTYWIDE)** (Tape 3)

On motion of Supervisor Alexander, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and took the following actions:

- Approved making the County's commitment called for in the Fifth

Interim Capital Contributions Agreement (ICCA-V) to make local payments of \$19,150,590 in support of the Fiscal Year (FY) 1995 Metrorail Construction Program. This commitment would be backed by \$19,150,590 of State bond proceeds; and

- Authorized the County Executive to execute and transmit to the Washington Metropolitan Area Transit Authority (WMATA) Fairfax County's letter of commitment for the FY 1995 Metrorail Construction Budget.

14. **A-4 - WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) BOARD BUDGET COMMITTEE'S RECOMMENDED FISCAL YEAR (FY) 1995 BUDGET (COUNTYWIDE)** (Tape 3)

Supervisor Alexander moved that the Board concur in the recommendation of staff and take the following actions:

- Endorse the Washington Metropolitan Area Transit Authority (WMATA) Fiscal Year (FY) 1995 Operating Budget as recommended by the WMATA Board Budget Committee. This endorsement by the Board includes the following:
 - Arlington Annex - Support for continued operation of the Arlington Annex. This results in savings of \$336,000 to Fairfax County in FY 1995;
 - Organizational Efficiencies - Support for the Committee's recommendation to save \$4.3 million and achieve a reduction of 89 positions through reorganization;
- Request WMATA provide monthly or quarterly reports, including ridership and cost information, regarding the regional paratransit service, which will be implemented shortly in response to the Americans with Disabilities Act (ADA);
- Request WMATA provide a report of actual usage prior to the FY 1995 fourth quarter billing and that the fourth quarter billing be adjusted accordingly, provided that the amount billed to a jurisdiction not exceed the amount in the approved FY 1995 budget; and
- Authorize the County Executive to transmit the proposed letter conveying these actions (contained in the Memorandum to the Board).

This motion was seconded by Supervisor Hanley.

Following discussion, Supervisor Dix moved to amend the motion to authorize Fairfax County's share of the Metro Operating Subsidy for Fiscal Year (FY) 1995 to be commensurate with the percentage authorized by the District of Columbia. This motion was seconded by Supervisor McConnell.

Chairman Davis suggested that the Board condition Fairfax County's payment on the District of Columbia's addressing this issue and fulfilling its obligation and if it is not fulfilled to direct staff to return this issue to the Board for further consideration, and this was accepted as part of the main motion.

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

15. **A-5 - REQUEST TO AUTHORIZE ADVERTISEMENT OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 116 (WETLANDS ZONING ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA** (Tape 3)

- (A) On motion of Supervisor Berger, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the advertisement of a public hearing to be held before the Planning Commission on June 2, 1994; and before the Board of Supervisors on **June 27, 1994 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 116 (Wetlands Zoning Ordinance) to make revisions to conform with Title 28.2, Chapter 13, Article 2, of the Code of Virginia, as amended.

AR:ar

16. **A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94050 FOR THE OFFICE OF THE SHERIFF TO PURCHASE OFFICE AUTOMATION EQUIPMENT** (Tape 4)

- (SAR) On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 94050 in the amount of \$55,815 for the Office of the Sheriff to purchase office automation equipment which will be fully reimbursed by the Virginia State Compensation Board.

17. **A-7 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY TO THE VIRGINIA DEPARTMENT OF HEALTH FOR CONTINUATION OF A GRANT FOR VIRGINIA SEXUAL ASSAULT CRISIS CENTER SERVICES** (Tape 4)

On motion of Supervisor Hanley, seconded by Supervisor Trapnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the

Fairfax-Falls Church Community Services Board (CSB) application for \$33,640 of grant funding from the Virginia Department of Health for continuation of sexual assault counseling services with the Fairfax Victim Assistance Network (VAN).

18. **A-8 - AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE FRANCONIA-SPRINGFIELD VIRGINIA RAILWAY EXPRESS STATION PROJECT AGREEMENT (LEE DISTRICT)** (Tape 4)

On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute an amendment to the Franconia-Springfield Virginia Railway Express (VRE) Station Project Agreement which is in substantial accordance with Attachment I of the Memorandum to the Board.

19. **A-9 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO PROVIDE DAY TREATMENT SERVICES IN CONJUNCTION WITH THE METROPOLITAN AREA TREATMENT ENHANCEMENT SYSTEM PROGRAM OF THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG)** (Tape 4)

On motion of Supervisor Hanley, seconded by Supervisor Trapnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to provide intensive day treatment services in conjunction with the Metropolitan Washington Council of Governments (COG).

20. **A-10 - AUTHORIZATION FOR THE HEALTH DEPARTMENT TO APPLY TO THE NORTHERN VIRGINIA PLANNING DISTRICT COMMISSION FOR COMPREHENSIVE AIDS RESOURCES EMERGENCY ACT FUNDS** (Tape 4)

On motion of Supervisor Hanley, seconded by Supervisor Berger, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the submission of two grant applications to the Northern Virginia Planning District Commission (NVPDC) for federal Comprehensive AIDS Resources Emergency (CARE) Act funds in the amount of \$34,488 (\$12,710 in Title I funds and \$21,778 in Title II funds).

21. **I-1 - EVALUATION OF THE INVESTMENT IN THE STATE NON-ARBITRAGE PROGRAM** (Tape 4)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board defer consideration of this item until **May 9, 1994**. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

22. **I-2 - CONTRACT AWARD - COURTNEY AVENUE TRUNK SEWER REHABILITATION REPLACEMENT (MASON DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for staff to award a contract to William B. Hopke Company, Incorporated in the amount of \$315,000 for the rehabilitation/replacement of Courtney Avenue Trunk Sewer, in Project X00905, replacement and Transmission, in subfund 524, Sewer Bond Extension and Improvement.

The staff was directed administratively to proceed as proposed.

23. **I-3 - RESPONSES TO QUESTIONS FROM THE MARCH 7, 1994 PRESENTATION TO THE BOARD'S ENVIRONMENTAL SUBCOMMITTEE IN REGARDS TO FAIRFAX COUNTY'S ABILITY TO COMPLY WITH THE 1990 CLEAN AIR ACT AMENDMENTS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 presenting responses to questions from the March 7, 1994 presentation to the Board's Environmental Subcommittee in regards to Fairfax County's ability to comply with the 1990 Clean Air Act Amendments.

24. **I-4 - GROUNDS MAINTENANCE AND LANDSCAPING SERVICE FOR COUNTY GOVERNMENTAL FACILITIES** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 11, 1994 requesting authorization for staff to:

- Contract for landscaping and grounds maintenance service for the remaining County Governmental facilities; and
- Continue to use the work release program at the Public Safety Complex and other County facilities, as appropriate.

Following a query from Supervisor Hanley, with input from Edward L. Long, Jr., Director, Office of Management and Budget, the staff was directed administratively to proceed as proposed.

25. **I-5 - REPORT ON U.S. ROUTE 58 "TALKING HIGHWAY" PROJECT AND THE POTENTIAL FOR REPLICATION IN FAIRFAX COUNTY** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for:

- The Office of Comprehensive Planning's (OCP) Heritage Resources Branch (HRB) to continue to monitor the development

of the Route 58 project - an innovative program being implemented in southern Virginia called a "Talking Highway." This is a Traveler's Information System (TIS) being planned for use along the U.S. Highway 58 from Cumberland Gap to Virginia Beach; and

- Staff to communicate information to the Board on this and other cultural and ecotourism information programs underway in Virginia and the United States.

(NOTE: Should the Board decide to pursue this or other (TIS), HRB staff will be able to serve on the project team to provide information on the heritage resources of the County.)

Supervisor Hyland moved that the Board direct staff to actively pursue this project, with the current staff of the HRB and the Economic Development Authority (EDA), rather than waiting for the results of the experience in other parts of the State. This motion was seconded by Supervisor Berger.

Following discussion, Supervisor Hyland clarified that his motion does not advocate spending any money at this time, but rather directs staff to take another look at the economic analysis, involve the EDA, and return to the Board with its recommendations.

Supervisor Bulova noted that, although it may not be possible to fund the bigger projects at this time, perhaps the two recommendations outlined on Page 55 of the Memorandum to the Board dated April 25, 1994, could be pursued at a much lower cost.

After further discussion, with input from the HRB staff, the question was called on the motion which carried by unanimous vote.

26. **I-6 - CHESAPEAKE BAY FOUNDATION - PATTERNS OF COMMUNITY: THE FUTURE PLAN PROJECT** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 announcing that a briefing for citizens, developers, Planning Commissioners and local elected officials has been scheduled for May 10, 1994 to go over initial findings of the "Patterns of Community: The Future Plan Project" and to learn if they are realistic, politically feasible and marketable.

Following discussion, Supervisor Frey noted that the entire Board has been invited to the scheduled briefing on May 10, 1994.

27. **I-7 - NATIONAL AND COMMUNITY SERVICE TRUST ACT** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 presenting the staff review and cations regarding the National

and Community Service Trust Act.

28. **I-8 - IMPLEMENTATION OF THE METROPOLITAN AREA HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 presenting the status on the Implementation of the Metropolitan Area Housing Opportunities for Persons with AIDS Program.

29. **I-9 - CHAS CERTIFICATION - SECTION 202 SUPPORTIVE HOUSING APPLICATION BY THE FAIRFAX HOUSING AND COMMUNITY DEVELOPMENT CORPORATION (BRADDOCK DISTRICT)** (No Tape)

The Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for staff to sign the CHAS certification for inclusion with the application to the U.S. Department of Housing and Urban Development (HUD) for funding under the Supportive Housing and Elderly Program (Section 202) has been **withdrawn**.

30. **I-10 - SECTION 213 REVIEW FOR APPLICATION FOR SECTION 8 RENTAL ASSISTANCE FOR HOMELESS PERSONS WITH DISABILITIES AND THEIR FAMILIES** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for staff to sign and send a letter containing the County's Section 213 review comments to the appropriate persons at the U.S. Department of Housing and Urban Development (HUD) for Section Eight rental vouchers for homeless persons with disabilities and their families.

The staff was directed administratively to proceed as proposed.

31. **I-11 - CHAS CERTIFICATION - SECTION 811 SUPPORTIVE HOUSING APPLICATION BY THE SOCIAL CENTER FOR PSYCHIATRIC REHABILITATION (SPRINGFIELD AND LEE DISTRICTS)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for staff to sign the CHAS certification for inclusion with the application to the U.S. Department of Housing and Urban Development (HUD) for funding under the Supportive Housing for Persons with Disabilities Program (Section 811).

The staff was directed administratively to proceed as proposed.

32. **I-12 - CHAS CERTIFICATION - SECTION 811 SUPPORTIVE HOUSING APPLICATION BY PATHWAY HOMES, INCORPORATED, AND CHRISTIAN RELIEF SERVICES, INCORPORATED (HUNTER MILL DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for staff to sign the CHAS certification for inclusion with the application to the U.S. Department of Housing and Urban Development (HUD) for funding under the Supportive Housing for Persons with Disabilities Program (Section 811).

Supervisor Hanley asked unanimous consent that the Board direct staff to provide information regarding the Arlington Boulevard site in Fairfax City. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

33. **I-13 - CHAS CERTIFICATION - SECTION 811 SUPPORTIVE HOUSING APPLICATION BY HARTWOOD FOUNDATION, INCORPORATED (BRADDOCK DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for staff to sign the CHAS certification for inclusion with the application to the U.S. Department of Housing and Urban Development (HUD) for funding under the Supportive Housing for Persons with Disabilities Program (Section 811).

The staff was directed administratively to proceed as proposed.

34. **I-14 - CONTRACT AWARD - CYRANDALL VALLEY SANITARY SEWER EXTENSION AND IMPROVEMENTS (PROVIDENCE DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for staff to award a contract to CBJ Construction Company, Incorporated in the amount of \$106,244 for construction of the Cyrandall Valley Sanitary Sewer Extension and Improvements, in Project X00823, Extension Projects Fiscal Year (FY) 1993, in Subfund 524, Sewer Bond Extension and Improvement.

The staff was directed administratively to proceed as proposed.

35. **I-15 - DETERMINATION OF DISTURBED LAND AREA RELATED TO ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION OF RESIDENTIAL ADDITIONS AND ACCESSORY STRUCTURES** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated April 25, 1994 requesting authorization for staff to:

- Continue to evaluate homeowner projects under its present "10 foot" method; and

- As an alternate method begin to accept engineer-certified plats.

Following a brief discussion, with input from Irving Birmingham, Director, Department of Environmental Management (DEM), the staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

36. **CHAIRMAN DAVIS' TRIP TO ENGLAND** (Tape 4)

Chairman Davis briefed the Board on his recent trip, along with representatives of the Economic Development Authority (EDA), to England. He called particular attention to meetings with the London Chamber of Commerce and the hosting of a dinner with Former Prime Minister Margaret Thatcher as a special guest.

37. **AUTHORIZATION TO ADD TWO ADDITIONAL POSITIONS TO THE FAIRFAX COUNTY OVERSIGHT COMMITTEE ON DRINKING AND DRIVING** (Tape 4)

(BACs)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board authorize the addition of two positions to the Fairfax County Oversight Committee on Drinking and Driving, one Representative from the Fairfax County Juvenile and Domestic Relations District Court and one Representative from the Fairfax County Magistrate System. This motion was seconded by Supervisor Dix and carried by unanimous vote.

38. **APPOINTMENTS TO THE FAIRFAX COUNTY OVERSIGHT COMMITTEE ON DRINKING AND DRIVING** (Tape 4)

(APPTs)

Supervisor Davis moved the appointment of two additional Representatives to the Fairfax County Oversight Committee on Drinking and Driving as follows:

- Judge Kathleen MacKay as a Representative from the Fairfax County Juvenile and Domestic Relations District Court; and
- Chief Magistrate Karen Decker as a Representative from the Fairfax County Magistrate System.

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

39. **REPRESENTATION ON THE DULLES AIRPORT REGIONAL ECONOMIC STUDY COMMISSION** (Tape 4)

Supervisor Davis noted that House Joint Resolution HJR 176, which passed the 1994 General Assembly, established a Dulles Airport Regional Economic Study Commission.

He added that this Commission is to include a representative of Fairfax County to be appointed by the Governor upon the recommendation of the Board of Supervisors.

Accordingly, Supervisor Davis moved that the Board recommend Sully District Supervisor Michael R. Frey for the Governor's consideration as the County's representative on the Dulles Airport Regional Economic Study Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

40. **APPOINTMENT TO THE NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD** (Tape 4)

(APPT)

Supervisor Davis moved the appointment of Mr. Robert P. Rogers, Jr. to the Northern Virginia Community College Board to replace Mr. Thomas Ahart, who recently resigned. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

41. **LETTER OF CONDOLENCE TO FAMILY OF FORMER PRESIDENT RICHARD M. NIXON** (Tape 4)

Supervisor Davis asked unanimous consent that the Board authorize him to send a letter of condolence, on behalf of the entire Board, to the family of Former President Richard M. Nixon. Without objection, it was so ordered.

In lieu of President Clinton's declaration of Wednesday, April 27, 1994, as a National Day of Mourning in honor of President Nixon, Supervisor Davis announced that Fairfax County will be open for business as usual on Wednesday; however, all County employees who wish to observe this special day will be allowed to take annual leave.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

42. **PROCLAMATION DESIGNATING APRIL 27, 1994, AS "BUILDING COMMUNITY WITH SENIORS DAY" IN FAIRFAX COUNTY** (Tape 4)

Supervisor Dix announced that the National Council on Aging (NCOA) is holding its 44th annual conference and exposition, "Building Community: A Challenge for an Aging Society," in Washington, D.C., April 27 through May 1, 1994. NCOA has chosen to recognize Reston's housing opportunities for senior citizens of varied incomes and stages of independence and has planned site visits to Cameron Glen Care Center, Reston-Herndon Senior Center, Lake Anne Fellowship House, and Tall Oaks at Reston.

Therefore, Supervisor Dix moved approval of the Proclamation designating April 27, 1994, as "**Building Community With Seniors Day**" in Fairfax County in honor of the aging citizens of the community and the dedicated professionals and volunteers who work to provide high quality programs and services to them. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

43. **TANGIBLE PERSONAL PROPERTY FOR HOMEOWNERS' ASSOCIATIONS**
(Tape 4)

Supervisor Dix called the Board's attention to an initiative from Fairfax County before the 1994 General Assembly regarding tangible personal property for homeowners' associations and asked unanimous consent that the Board direct staff to schedule this matter for Board review and action as expeditiously as possible. Without objection, it was so ordered.

PMH:pmh

44. **APPOINTMENT TO THE COMMISSION ON AGING** (Tape 5)

(APPT)

Supervisor Alexander moved the reappointment of Ms. Dorothea Morris as the Lee District Representative to the Commission on Aging. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

45. **APPOINTMENT TO THE LIBRARY BOARD** (Tape 5)

(APPT)

Supervisor Alexander moved the reappointment of Mr. Mark Sickles as the Lee District Representative to the Library Board. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

46. **RELOCATION PACKAGE PREPARED FOR THE RESIDENTS OF THE OAK GROVE MOBILE HOME PARK IN THE HYBLA VALLEY AREA OF LEE DISTRICT** (Tape 5)

Supervisor Alexander presented a copy of the relocation package that has been prepared for the residents of the Oak Grove Mobile Home Park in the Hybla Valley area of Lee District. This package provides assistance to these citizens who will be displaced from their homes due to Wal-Mart's plans for a store at this site.

Supervisor Alexander said that County staff, Coastal American Corporation (owner of the Oak Grove Mobile Home Park), Wal-Mart Stores, Incorporated, and his staff have worked on this package for several months. The package addresses the unique circumstances and requests for help expressed by Oak Grove residents through communication with his office, County staff, Coastal American, and Wal-Mart. United Community Ministries (UCM) will administer the relocation package.

Supervisor Alexander expressed his appreciation to the following individuals:

- Patti Schlener, Department of Housing and Community Development, who has been working on all aspects of this issue

since last summer;

- Maureen Schreiner, Administrative Assistant, Supervisor Alexander's Office;
- Chairman Thomas Davis;
- Constituents from the Oak Grove community for their patience during a very long period of extreme anxiety and frustration;
- Sharon Kelso, UCM for her support, assistance, and expert advice; and
- Coastal American and Wal-Mart for working with everyone to provide much-needed assistance to the tenants of Oak Grove.

Supervisor Hyland asked unanimous consent that the Board direct the Fairfax County Redevelopment and Housing Authority (FCRHA) to provide a response to the Board regarding the utilization of North Hill Site (portion of the Woodley Nightingale redevelopment) for possible addition of mobile home sites. Without objection, it was so ordered.

47. **REQUEST FOR CERTIFICATE OF APPRECIATION FOR MRS. ROSE EICHELBERGER** (Tape 5)

Supervisor Alexander asked unanimous consent that the Board direct staff to invite Mrs. Rose Eichelberger to appear before the Board at its meeting scheduled for May 9, 1994 to be recognized for her years of service as the Stoneybrooke Park Manager. Without objection, it was so ordered.

48. **REQUEST FOR CERTIFICATE OF APPRECIATION FOR MR. CLEM GAILLIOT, OWNER OF THE HILLTOP SAND AND GRAVEL COMPANY** (Tape 5)

Supervisor Alexander asked unanimous consent that the Board direct staff to invite Mr. Clem Gailliot, owner of the Hilltop Sand and Gravel Company to appear before the Board at its meeting scheduled for May 9, 1994 to be recognized for his company's years of generosity. Without objection, it was so ordered.

49. **WAIVER OF FEES FOR 21-DAY PERMITS FOR THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB** (Tape 5)

Supervisor Alexander moved waiver of the application fees for 21-day permits for the Springfield-Franconia Host Lions Club. He added that the Lions Club holds flea markets in the Springfield area and these are their primary source of funds for community service projects. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

50. **EXPEDITED PUBLIC HEARING FOR THE VETERANS OF FOREIGN WARS (VFW) SPRINGFIELD POST 7327** (Tape 5)

Supervisor Alexander moved that the Board direct staff to expedite the public hearing to be held before the Planning Commission and the Board of Supervisors for the Veterans of Foreign Wars (VFW) Springfield Post 7327. This motion was seconded by Supervisor McConnell.

Supervisor Alexander said that the applicant understands that this neither provides or protects them from the responsibility of any plan modifications as a result of Board review.

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

51. **APPRECIATION EXPRESSED TO CHAIRMAN THOMAS DAVIS** (Tape 5)

Supervisor Alexander expressed his appreciation to Chairman Thomas Davis for keeping him informed about the budget process while he was out of the area on County business.

52. **CONCURRENT PROCESSING OF SITE PLAN AND ENGINEERING DOCUMENTS WITH PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-S-027** (Tape 5)

Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept and process the Site Plan and other engineering documents for Tax Map Reference 44-3((7))D, D1, E, E1 concurrently with the processing of Proffered Condition Amendment Application PCA 84-S-027. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Dix being out of the room.

53. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) SUBMITS PLAN REVIEW NOMINATION TO UPDATE CONSERVATION AREAS, REDEVELOPMENT AREAS, REHABILITATION DISTRICTS AND COMMUNITY IMPROVEMENT NEIGHBORHOODS - PLAN SHOULD INCLUDE ORDWAY ROAD AREA** (Tape 5)

Supervisor Frey stated that the Department of Housing and Community Development (HCD) submitted a Plan Review Nomination to update the Plan text and maps covering Conservation Areas, Redevelopment Areas, Rehabilitation Districts and Community Improvement Neighborhoods. This nomination has been identified as PC-94-210. The Ordway Road Conservation Area, proposed for Area III, BR5, Stone Bridge Planning Sector, is not mentioned in the nomination.

Supervisor Frey expressed the opinion that it is important to include reference to the

Ordway Road Conservation Area proposal in the Plan. Therefore, he moved that the Board direct staff to allow an amendment to the HCD's Plan Review Submission to include appropriate language to reference the Ordway Road Conservation Area proposal.

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

54. **APPOINTMENT TO THE FAIRFAX COUNTY HUMAN SERVICES COUNCIL**
(Tape 5)

(APPT)

Supervisor Frey moved the appointment of Mr. S. Christopher Suprun, Jr., as the Class B Sully District Representative to the Fairfax County Human Services Council to fill the unexpired term of Ms. Elaine T. Stottlemeyer. This motion was seconded by Supervisor Hanley and carried by a vote of eight, Supervisor Dix and Chairman Davis being out of the room.

55. **NATIONAL BIKE TO WORK DAY - TUESDAY, MAY 17, 1994** (Tape 5)

Supervisor Frey announced that Tuesday, May 17, 1994 is National Bike To Work Day. For more information, contact Tod Connors at (703) 324-1921 or (703) 246-4810. He added that riding to work and filling out a raffle ticket in Room 110 of the Herrity Building makes one eligible to win a bicycle donated by City Bikes of Georgetown.

56. **CONCURRENT PROCESSING OF THE PRELIMINARY AND SUBDIVISION PLAN FOR FREEDOM PARK** (Tape 5)

Supervisor Hanley moved that the Board direct staff to concurrently process the Preliminary and Subdivision Plan for Freedom Park, lots 1 through 10, Tax Map Reference 39-1((1))39. She added that this should not be interpreted in any way as a prejudice toward approval of these plans, but merely as a move for concurrent processing. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Chairman Davis being out of the room.

57. **CONCURRENT PROCESSING OF THE PRELIMINARY AND SUBDIVISION PLAN FOR ASHGROVE PLANTATION** (Tape 5)

Supervisor Hanley moved that the Board direct staff to concurrently process the Preliminary and Subdivision Plans for Tax Map Reference 39-1((30))15 so that these lots can be developed within Section Four and Five of Ashgrove Plantation. She added that this should not be interpreted in any way as a prejudice toward approval of these plans, but merely as a move for concurrent processing. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

58. **CONCURRENT PROCESSING OF THE SITE PLAN WITH SPECIAL EXCEPTION APPLICATION SE 94-P-012** (Tape 5)

Supervisor Hanley moved that the Board direct staff to concurrently process the Site Plan with Special Exception Application SE 94-P-012. She added that this should not be interpreted in any way as a prejudice toward the outcome of the case, but merely as a move for concurrent processing. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix and Chairman Davis being out of the room.

59. **PLANS FOR REHABILITATION OF THE MOUNT - AN HISTORIC PROPERTY LOCATED IN THE PROVIDENCE DISTRICT** (Tape 5)

Supervisor Hanley reminded Board Members that the Mount is an historic property located in the Providence District. She said that plans for rehabilitation of the Mount have been approved by the Architectural Review Board (ARB). However, other approvals are still needed.

Therefore, Supervisor Hanley moved that the Board direct staff to do what it can to get this project through to completion. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

60. **CONCURRENT PROCESSING OF THE SITE PLAN IN CONNECTION WITH SPECIAL EXCEPTION APPLICATION SE 93-P-031 (RIVER TOWERS BUILDING NUMBER THREE JOINT VENTURE)** (Tape 5)

Supervisor Hanley moved that the Board:

- Approve concurrent processing for the property which is the subject of Special Exception Application SE 93-P-031 (River Towers Building Number Three Joint Venture); and
- Direct the Department of Environmental Management (DEM) to accept and review a Site Plan submission pertaining to this property.

Supervisor Hanley added that this should not be interpreted in any way as a prejudice toward the approval of this case, but merely as a move for concurrent processing.

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

61. **HUMAN NEEDS ASSESSMENT** (Tape 5)

Supervisor Hanley stated that during the budget process the Human Services Council emphasized the importance of having a single comprehensive Human Needs Assessment on which to base an accurate assessment of the existing needs of the community and a basis for the evaluation of the effectiveness of human services redesign. She said that

this was to be a joint effort by Fairfax County, Fairfax City, and the City of Falls Church.

Supervisor Hanley noted the importance of doing the survey accurately. She said that there is a vacant position in the Research and Analysis Branch of the Office of Research and Statistics (ORS). She expressed the opinion that it is important to hire an individual with survey/research skills to provide support for the Human Services Needs Assessment. Therefore, Supervisor Hanley moved that the Board direct the County Executive to ensure that there is an individual in ORS with that experience. This motion was seconded by Supervisor Bulova.

Following discussion, Chairman Davis relinquished the Chair to Acting-Chairman Alexander and asked that the motion be amended to direct staff to report if there is a reluctance to fill this position, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

Acting-Chairman Alexander returned the gavel to Chairman Davis.

62. **"POOPER SCOOPER" LAW** (Tape 5)

Supervisor Hanley questioned how information about the "Pooper Scooper" law is being published. She asked unanimous consent that the Board direct staff to publish an information sheet for distribution as well as to include information on Channel 16.

Following discussion, Supervisor Dix asked that the request be amended to include the information in a newsletter to homeowners associations, and this was accepted.

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

63. **HOUSING SUBCOMMITTEE MEETING TO BE SCHEDULED TO OBTAIN RECOMMENDATIONS REGARDING THE HOUSING TRUST FUND** (Tape 5)

Supervisor Hanley asked unanimous consent that the Board schedule a Housing Subcommittee meeting to obtain recommendations regarding the Housing Trust Fund. Without objection, it was so ordered.

64. **PUBLIC USE OF GOVERNMENT CENTER FACILITIES AND GROUNDS AT THE GOVERNMENT CENTER** (Tape 5)

Supervisor Hanley noted that regulations for public use of facilities and grounds at the Government Center had been issued. She expressed appreciation to staff that civic associations are on the list to be allowed to use the Government Center free of charge.

65. **REQUEST TO DETERMINE HOW THE SCHOOL DIVISION PLANS TO**

IMPLEMENT A NEW LAW CONCERNING 19-YEAR OLD PUBLIC SCHOOL STUDENTS AND PROOF OF CITIZENSHIP (Tape 5)

In light of the General Assembly's actions concerning 19-year old public school students and proof of citizenship, Supervisor Hanley asked unanimous consent that the Board request the School Division to inform the Board as to how it plans to implement this new law. Without objection, it was so ordered.

66. **FAIRFAX COUNTY RECEIVES A CHECK FROM STAR ENTERPRISE IN THE AMOUNT OF \$269,082.24** (Tape 5)

Supervisor Hanley announced that on behalf of Fairfax County, she had received a check from Star Enterprise in the amount of \$269,082.24 for the installation of water mains in Mantua.

67. **FAIR CAMPAIGN PRACTICES COMMISSION** (Tape 5)

Supervisor Hanley asked unanimous consent that the Board send letters to the political parties inviting them, in accordance with State law, to move forward in establishing a Fair Campaign Practices Commission and appoint two members to serve on the Commission. Without objection, it was so ordered.

68. **WAIVER OF FEES FOR PARKWOOD BAPTIST CHURCH** (Tape 5)

Supervisor Bulova stated that in December 1990, the Parkwood Baptist Church was granted approval by the Board of Zoning Appeals (BZA) to add three trailers to be used as modular classrooms for a period of five years. The trailers were intended to be a temporary use as the church evaluated whether program expansion would eventually warrant a major capital expansion.

Supervisor Bulova explained that after four years and the expenditure of thousands of dollars, the church continues to valiantly try to meet all the requirements of the State and County in order to install the temporary classrooms. The BZA has granted the church additional time to commence use, but the development conditions were very specific about the use expiring in December 1995. Therefore, Parkwood has had to file for another amendment to their Special Use Permit to extend the time for the use.

Supervisor Bulova moved that the Board direct staff of the Office of Comprehensive Planning (OCP) to waive all fees associated with review of Special Permit Amendment Application SPA 84-A-042-3. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor McConnell being out of the room.

69. **REQUEST FOR CERTIFICATE OF APPRECIATION FOR MAJOR RONALD P. MINER, COMMANDER, OPERATIONS SUPPORT BUREAU, POLICE**

DEPARTMENT (Tape 5)

Supervisor Bulova announced that Major Ronald P. Miner, Commander, Operations Support Bureau, Police Department, was retiring on May 13, 1994. She asked unanimous consent that the Board direct staff to invite Major Miner to appear before the Board at its meeting scheduled for May 9, 1994 to receive a Certificate of Appreciation for years of service. Without objection, it was so ordered.

NV:nv

70. **REQUEST FOR CERTIFICATION OF RECOGNITION OF BREN MAR PARK ELEMENTARY SCHOOL** (Tape 6)

Supervisor Trapnell said that recently the Bren Mar Park Elementary School was recognized as a Level II Certified School by the Computer Learning Foundation. The Computer Learning Foundation currently sponsors three levels of certification. To reach the first level, as Bren Mar did in 1992-1993, required that all teachers try out three new pieces of software in the classroom.

Supervisor Trapnell pointed out that to achieve the Level II distinction, every teacher in the school learned three new software programs and implemented a lesson plan combining computer technology with a core academic subject. Level III addresses the forming of student teacher technology clubs.

Therefore, Supervisor Trapnell moved that the Board direct staff to invite the following individuals from the Bren Mar Park Elementary School to appear before the Board at the meeting scheduled for May 16, 1994 to be recognized for this important achievement:

- Craig Rowland, Principal;
- Amber Williams, Teacher;
- Kay Perret, Instructional Assistant; and
- Sherry Johansen, Parent-Teacher Association (PTA).

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

71. **REQUEST FOR CERTIFICATES OF RECOGNITION FOR VOLUNTARY ACTION CENTER AWARD WINNERS** (Tape 6)

Supervisor Trapnell announced that the Voluntary Action Center Awards for outstanding volunteers were presented last week. She stated that her nominee, Kim Cook, won an individual award and the Jeb Stuart High School Honor Society won as a group. Accordingly, she moved that the Board direct staff to invite these award winners to appear before the Board at the meeting scheduled for May 9, 1994 to be recognized for this achievement. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Alexander, Supervisor Frey, and Supervisor McConnell being out of the room.

72. **CANDIDATES FOR ELECTION TO THE GOVERNING BOARD OF THE MCLEAN COMMUNITY CENTER** (Tape 6)

(BACs)

Supervisor Berger announced the following candidates for election to the Governing Board of the McLean Community Center:

- Adult candidates:
 - Howard E. Ball;
 - Dorothy S. Hassan;
 - Lisa Farringer Parker;
 - Cheryl Bell Patten;
 - Nathalie B. Sullivan; and
 - Elizabeth S. White.
- Youth Candidates:
 - Matthew Kennedy; and
 - Tara Murphy.

Supervisor Berger stated that the election will be held on Saturday, May 21, 1994 from 9:00 a.m. to 5:00 p.m. at Lewinsville Park, 1659 Chain Bridge Road.

73. **OUT-OF-TURN PLAN AMENDMENT FOR PROPERTY LOCATED AT TAX MAP NUMBER 6-4((1))60B** (Tape 6)

Supervisor Berger moved that the Board direct staff of the Office of Comprehensive Planning (OCP) to prepare an Out-of-Turn Plan Amendment for property located at Tax Map Number 6-4((1))60B with the intent of considering increasing the permitted Floor Area Ratio (FAR) in the plan language from .25 to .30. He further moved that the Board schedule a public hearing on such Plan Amendment for this summer. This motion was seconded by Chairman Davis.

Supervisor Berger stated that the subject property is located at the intersection of Seneca Road and Georgetown Pike.

The question was called on the motion which carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

74. **FOSTER CARE MONTH** (Tape 6)

Supervisor McConnell referred to a Proclamation declaring May as "Foster Care Month," copies of which she had distributed to the Board, and moved that the Board schedule the presentation of this proclamation to the Fairfax County Foster Care Association and the Department of Human Development Court Supervised Care for the meeting scheduled for May 16, 1994. She further moved that the Board allow Richard Atchison, President, Foster Care Association, to describe to the Board the work of the Association. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Frey being out of the room.

75. **MEMORIAL REQUESTED FOR ADOPT-A-FAMILY SPONSOR** (Tape 6)

Supervisor Hyland stated that he has been informed that Hala Yafi, an active and enthusiastic sponsor of the Adopt-A-Family Program was killed in an automobile accident on the eve of a gift delivery to one of her "adopted" families. In addition to initiating storewide participation to adopt families at both Nordstrom and the Pottery Barn, Hala recruited her co-workers on numerous occasions to feed and help the homeless.

Supervisor Hyland said that the Department of Community Action, as a memorial to this young lady, has proposed naming a garden in her honor during the month of May.

Supervisor Hyland moved that the Board direct staff to dedicate and name this proposed garden the Hala Yafi Memorial Garden in honor of this lady. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Frey being out of the room.

76. **MASON NECK GYPSY MOTHS** (Tape 6)

Supervisor Hyland said that on February 28, 1994, the Board requested assistance from Senator Joseph Gartlan to intervene on behalf of the Board to meet with the Secretary of Natural Resources to have Mason Neck State Park put in their Gypsy Moth Suppression Program for 1994. Along with the aide of the Senator, Fairfax County's Department of Extension and Continuing Education's Gypsy Moth staff met with State Park staff and as a result, 335 acres of prime forest will be included in the 1994 State Gypsy Moth Program for Mason Neck State Park, bordering the residential area of the Park.

Supervisor Hyland moved that the Board direct staff to prepare a letter for the Chairman's signature to Senator Joseph Gartlan and to the Gypsy Moth staff recognizing them for a job well done. This motion was seconded by Chairman Davis and carried by unanimous vote.

77. **I-95 INCINERATOR ASH UTILIZATION PROJECT** (Tape 6)

Supervisor Hyland pointed out that a number of years ago the Board directed staff to review methods of using the ash that is created from the burning of the County's municipal waste. As a result, the Board received a memorandum from the County Executive providing more information on the I-95 Incinerator Ash Utilization Project.

Supervisor Hyland said that Ogden Martin, owner/operator of the facility, has proposed a pilot project which will demonstrate that ash can be treated as a product to be used in construction materials and thereby negating the need to use the precious space at the landfill. The Virginia Center for Innovative Technologies has agreed to participate along with the Virginia Military Institute and Old Dominion University. He commended all parties involved for attempting to develop an innovative plan for disposal of the ash.

78. **EARTH DAY-ARBOR CELEBRATION** (Tape 6)

Supervisor Hyland said that on Saturday, April 16, 1994 the Board of Supervisors, along with Fairfax ReLeaf, a not-for-profit tree replanting and preservation organization, and Ogden Martin Systems, Incorporated, sponsored an important environmental event.

Following a brief description of events on April 16, 1994, Supervisor Hyland moved that the Board direct staff to place a copy of his written Board Matter, as distributed to the Board and staff, into the Personnel File of each of the staff members who participated and made this an outstanding event. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

79. **DRAFT BILL REGARDING THE LORTON CORRECTIONAL COMPLEX**
(Tape 6)

Supervisor Hyland stated that United States Congressman James P. Moran, Jr. (D-8), has proposed a Bill to transfer control of the Lorton Correctional Complex to the Federal Bureau of Prisons. He moved to refer this Bill (copies of which were distributed to the Board) to the Legislative Subcommittee to develop a position on this legislation once it is introduced. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

80. **VIRGINIA RAIL EXPRESS (VRE) LORTON STATION** (Tape 6)

Supervisor Hyland reminded the Board that on April 13, 1994 the Board authorized the County Executive to enter into a contract to locate the Lorton Virginia Rail Express (VRE) Station on land owned by the Richmond, Fredericksburg, and Potomac (RF&P) Corporation. The contract calls for the station to be opened in early November, 1994. To locate the station on this property a Plan Amendment and Proffered Condition Amendment (PCA) Application must be approved by the Board.

Accordingly, Supervisor Hyland moved that the Board authorize an Out-of-Turn Plan Amendment to show the Lorton VRE Station on the RF&P Lorton Town Center site. He further moved that the Board direct staff to expedite the processing of the Out-of-Turn Plan Amendment and PCA Application PCA 76-L-019 and that the Board direct staff of the Department of Environmental Management (DEM) to process the Site Plans for the Station and its access road simultaneously with the PCA Application. It should be noted that these actions in no way prejudice the final decision of the Plan Amendment or PCA Application or any actions that DEM might take on the Site Plan. He further moved that the Board direct staff to schedule a public hearing to be held before the Board on July 25, 1994 regarding the transfer of property between the County and RF&P. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

81. **SOLID WASTE MANAGEMENT PLAN AMENDMENT** (Tape 6)

Supervisor Hyland moved that pursuant to the request of the Citizens Advisory Committee on Solid Waste Disposal Matters (CAC), the Board direct staff to proceed with a study of and an amendment to the Solid Waste Management Plan. This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Dix asked unanimous consent that this item be deferred until later in the meeting. Without objection, it was so ordered.

(Note: Later in the meeting, there was further discussion regarding this item. See Clerk's Summary Item CL#100.)

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

At 12:25 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:

- Mark McWilliams versus Board of Supervisors of Fairfax County, Virginia, et al., Civil Action Number 93-1284-A;
- United States of America versus County of Fairfax, Virginia, et al., Civil Action Number 78-862-A; and
- Protest of County of Fairfax Term Contract IFB 20029012.

The second to this motion was inaudible.

Following a query to David P. Bobzien, County Attorney, Supervisor Hanley asked to amend the motion to include discussion of the contract involving Johnson Controls, and

this was accepted.

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

CM:cm

At 3:50 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Hanley and Supervisor McConnell, and with Chairman Davis presiding.

ACTION FROM EXECUTIVE SESSION

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

(*NOTE: Later in the meeting, Supervisor Hanley and Supervisor McConnell asked unanimous consent to be recorded as voting "AYE" on the Certification by Board Members motion. See Clerk's Summary Item CL#85.*)

SBE:sbe

84. **3:30 P.M. - PH ON REZONING APPLICATION RZ 93-L-031 (STEPHAN A. BANNISTER, TRUSTEE) (LEE DISTRICT)** (Tape 8)

Mr. William C. Thomas Jr. reaffirmed the validity of the affidavits for the record.

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

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

Acting-Chairman Alexander relinquished the Chair to Acting-Chairman Hyland and moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-L-031 be amended from the R-3 District to the R-8 District subject to the executed proffers dated March 4, 1994. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Alexander moved waiver of the minimum district size, pursuant to Section 9-610 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Alexander moved modification of the transitional screening and barrier, subject to Paragraph Three, Section 13-304, in favor of that shown on the plat. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

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

ADDITIONAL ACTION FROM EXECUTIVE SESSION

85. **REQUEST TO RECORD VOTE** (Tape 8)

Supervisor Hanley and Supervisor McConnell asked unanimous consent to be recorded as voting "AYE" on the motion regarding Certification by Board Members. Without objection, it was so ordered.

86. **3:30 P.M. - PH ON REZONING APPLICATION RZ 93-V-028 (BANK OF ALEXANDRIA) (MOUNT VERNON DISTRICT)** (Tape 8)

Mr. Robert A Lawrence reaffirmed the validity of the affidavits 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.

Supervisor Hyland disclosed the following campaign contributions which he had received:

- In the amounts of \$250 and \$50 from Curry Development, Incorporated.

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

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

Supervisor Hyland moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-V-028 be amended from the R-1 and C-5

Districts to the C-5 District subject to the executed proffers dated April 8, 1994.

Supervisor Hyland further moved:

- Modification of transitional screening along the north of the property adjacent to the woods of Fairfax Apartments as shown the General Development Plan (GDP);
- Modification of transitional screening and waiver of barrier requirements along Route 1; and
- Waiver of the service drive requirement along Route 1.

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

87. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 91-Y-010-2 AND PCA 81-S-058-5 (CENTRE RIDGE DEVELOPMENT, LIMITED PARTNERSHIP) (SULLY DISTRICT)** (Tape 8)

Mr. David S. Houston reaffirmed the validity of the affidavits for the record.

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

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

Supervisor Dix disclosed the following campaign contribution which he had received:

- In the amount of \$500 to The Friends of Bob Dix from Mr. Curtis M. Coward of McGuire, Woods, Battle and Boothe.

Supervisor Frey disclosed the following campaign contribution which he had received:

- In the amount of \$200 from Mr. Lee Fifer of McGuire, Woods, Battle and Boothe.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 91-Y-010-2 subject to the proffers dated March 15, 1994. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 81-S-058-5 subject to the proffers dated March 15, 1994. This motion was

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

Supervisor Frey further moved approval of:

- Reaffirmation of a waiver of the service drive requirement along Route 28; and
- Reaffirmation of a modification of screening and waiver of the barrier requirements along the periphery of Land Bays 10 and 11B in favor of that depicted on the Final Development Plan and as required by the proposed development conditions.

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

Supervisor Frey asked unanimous consent that the Board direct staff to request the Virginia Department of Transportation (VDOT) to install the traffic light as soon as possible. Without objection, it was so ordered.

AM:am

88. **3:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT S94-IV-S1 (MOUNT VERNON DISTRICT)** (Tape 9)

Supervisor Hyland moved to defer the public hearing on Out-of-Turn Plan Amendment S94-IV-S1 until **May 9, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Berger, Supervisor Dix, and Chairman Davis being out of the room.

89. **3:30 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE SOUTH VAN DORN STREET/I-95 INTERCHANGE (LEE DISTRICT)** (Tape 9)

(R) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 8 and April 15, 1994.

Following the public hearing, Supervisor Alexander moved adoption of the Resolution authorizing the acquisition of interests in real property necessary for construction of the South Van Dorn Street/I-95 Interchange, Project 064103. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Berger, Supervisor Dix, and Chairman Davis being out of the room.

90. **3:30 P.M. - PH AND ADOPTION OF A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX I (FAIRFAX COUNTY SPECIAL SERVICE DISTRICT FOR THE CONTROL OF GYPSY MOTH INFESTATIONS)** (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 March 18, March 25, and April 1, 1994.

Following the public hearing, Supervisor Trapnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix I (Fairfax County Special Service District for the Control of Gypsy Moth Infestations) to bring the County Ordinance in line with revised Commonwealth of Virginia Gypsy Moth Suppression Program Guidelines. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Frey, and Chairman Davis being out of the room.

91. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 84-L-020-5, PCA 86-L-033-2 AND PCA 85-L-101-3 (KINGSTOWNE, LIMITED PARTNERSHIP) (LEE DISTRICT)** (Tape 9)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavits 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, which included testimony by one speaker, Kevin Guinaw, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved approval of the following Proffered Condition Amendment Applications:

- PCA C-449-9;
- PCA 84-L-020-5;
- PCA 85-L-101-3; and
- PCA 86-L-033-2;

subject to the proffers dated April 25, 1994.

This motion was seconded by Supervisor Hyland and carried by a vote of seven,

Supervisor Berger, Supervisor Dix, and Chairman Davis being out of the room.

Supervisor Alexander moved that the Board affirm the "features shown" determination by the Director of the Office of Comprehensive Planning pursuant to Section 15.1-456 of the Code of Virginia for dedication of approximately five acres of Kingstowne, Section 19 for development of up to 108 units of affordable housing as being in accord with the recommendations of the County's Comprehensive Plan. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Berger, Supervisor Dix, and Chairman Davis being out of the room.

Supervisor Alexander moved that the Board authorize acquisition of approximately five acres of Kingstowne, Section 19 by the Fairfax County Redevelopment and Housing Authority (FCRHA), Tax Map 91-3((1)) pt. 63A as being in compliance with Section 36-19.2 of the Code of Virginia as amended. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Berger, Supervisor Dix, and Chairman Davis being out of the room.

92. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-D-045 (BELL ATLANTIC MOBILE SYSTEMS, INCORPORATED) (DRANESVILLE DISTRICT)** (Tape 9)

Mr. Frank W. Stearns reaffirmed the validity of the affidavits for the record.

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

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

Supervisor Trapnell moved approval of Special Exception Amendment Application SEA 80-D-045 subject to the development conditions dated March 3, 1994. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Berger, Supervisor Hanley, and Chairman Davis being out of the room.

93. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 74-2-035-2 (FAIRFAX COURT, LIMITED PARTNERSHIP) (SULLY DISTRICT)** (Tape 9)

Supervisor Frey moved to defer indefinitely the public hearing on Proffered Condition Amendment Application PCA 74-2-035-2. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Berger, Supervisor Hanley, and Chairman Davis being out of the room.

94. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-D-045 (BELL ATLANTIC MOBILE SYSTEMS, INCORPORATED) (DRANESVILLE DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#92.)

95. **4:00 P.M. - PH ON PROPOSED ACQUISITION BY FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF ACREAGE IN ISLAND CREEK SUFFICIENT TO CONSTRUCT UP TO 52 UNITS OF MULTIFAMILY AFFORDABLE HOUSING (LEE DISTRICT)** (Tape 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 April 8 and April 15, 1994.

Following the public hearing, Supervisor Alexander moved that the Board affirm the "feature shown" determination by the Planning Commission, pursuant to Section 15.1-456 of the Code of Virginia, that the proposed 52 units of multifamily affordable housing in the Island Creek development are in accord with the County's Comprehensive Plan. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Dix, Supervisor Hanley, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Alexander moved that the Board authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to acquire, by dedication, sufficient acreage to construct up to 52 units of multifamily housing in the Island Creek development as being in compliance with Section 36-19.2 of the Code of Virginia. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Dix, Supervisor Hanley, and Chairman Davis being out of the room.

96. **4:00 P.M. - PH ON PROPOSED ACQUISITION OF LAND FOR DEVELOPMENT OF ONE MULTIFAMILY BUILDING (12 UNITS) BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) IN SOUTH MEADOWS (LEE DISTRICT)** (Tape 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 April 8 and April 15, 1994.

Following the public hearing, which included testimony by one speaker, Supervisor Alexander moved that the Board:

- Make a commitment to work with the citizens of Hybla Valley community when and if the Fairfax County Redevelopment and

Housing Authority (FCRHA) moves to develop at the time the developer moves ahead with this project; and

- Affirm the "feature shown" determination by the Planning Commission, pursuant to Section 15.1-456 of the Code of Virginia, that the proposed 12 units of multifamily affordable housing in South Meadows is in accord with the County's Comprehensive Plan.

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

Supervisor Alexander moved that the Board authorize the FCRHA to acquire, by dedication, sufficient land in South Meadows for construction of one multifamily garden apartment building (12 units) as being in compliance with Section 36-19.2 of the Code of Virginia. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Hanley and Chairman Davis being out of the room.

97. **4:00 P.M. - PH TO CONSIDER THE ADOPTION OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 6 (WEAPONS) RELATING TO THE DISCHARGE OF FIREARMS (COUNTYWIDE)** (Tapes 9-10)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 8 and April 15, 1994.

Following the public hearing, which included testimony by two speakers, Supervisor Berger moved adoption of the proposed amendments (including the additional amendments distributed to Board members) to the Code of the County of Fairfax, Chapter 6 (Weapons) relating to the prohibition of the discharge of guns in certain areas. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

Following discussion, with input from Michael H. Long, Assistant County Attorney, Supervisor Hanley moved that the Board authorize the advertisement of a public hearing to be held before the Board of Supervisors on proposed amendments to the Code of the County of Fairfax, Chapter 6 (Weapons) to delete the section on handwritten page two of the Memorandum to the Board dated April 25, 1994 in Section 6-1-2.1, "a parcel may include contiguous areas which constitute at least one acre." This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of seven, Supervisor Berger and Supervisor Dix voting "NAY," Chairman Davis being out of the room.

Following further discussion, Supervisor Hanley moved that the Board direct staff to review the issue of carrying loaded rifles and shotguns in motor vehicles on public

highways. This motion was seconded by Supervisor Hyland.

Supervisor Trapnell asked to amend the motion to exclude motor homes from the motor vehicle provision, and this was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of five, Supervisor Berger, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell voting "NAY."

98. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-Y-041 (LAGUNA AND GUZMAN, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

Mr. Juan Laguna reaffirmed the validity of the affidavits for the record.

Mr. Laguna 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, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Application SE 93-Y-041 subject to the development conditions dated February 23, 1994. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor McConnell and Chairman Davis being out of the room.

Supervisor Frey moved waiver of the open space requirement, pursuant to Section 9-612 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor McConnell and Chairman Davis being out of the room.

Supervisor Frey moved waiver of the interior and peripheral parking lot landscaping requirements, pursuant to Sections 13-201 and 13-202 of the Zoning Ordinance. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor McConnell and Chairman Davis being out of the room.

99. **4:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT S93-III-UP2 FOR LAND UNIT B OF THE RESTON-HERNDON SUBURBAN CENTER INCLUDING THE WOODLAND PARK AREA (HUNTER MILL DISTRICT)** (Tape 10)

Supervisor Frey moved to defer the public hearing on Out-of-Turn Plan Amendment S93-III-UP2 until **June 6, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Dix, Supervisor Trapnell, and Chairman Davis being out of the room.

ADDITIONAL BOARD MATTER100. **AMENDMENT TO SOLID WASTE MANAGEMENT PLAN** (Tape 10)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#81.)

Supervisor Hyland called the Board's attention to the issue of an amendment to the Solid Waste Management Plan, the decision for which was deferred earlier in the meeting. Discussion ensued with input from John W. di Zerega, Director, Department of Public Works, and Dorothy Spencer, Chairperson, Citizens Advisory Committee on Solid Waste Disposal Matters (CAC).

Following discussion, Supervisor McConnell moved that the Board direct staff to return this item as a Consideration Item at the Board meeting scheduled for May 9, 1994. This motion was seconded by Chairman Davis.

Supervisor Dix asked to amend the motion to direct staff to include information on the impact of flow control legislation currently being considered by Congress, and this was accepted.

Following discussion, with input from Patrick Keough, Chairman, Business Recycling Task Force (BRTF), Chairman Davis restated the motion to direct staff to return this item as a Consideration Item and to include the recommendations of the:

- Staff;
- CAC; and
- BRTF;

and to address the issue of flow control legislation.

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

101. **BOARD ADJOURNMENT** (Tape 10)

At 6:05 p.m., the Board adjourned.