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The meeting was called to order at 9:40 a.m. with all Members being present, with the exception of Supervisor Alexander and Supervisor Hyland, 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 Hyland arrived at 11:40 a.m.

Supervisor Alexander was absent from the entire meeting.

2. PRESENTATION ON THE SALVATION ARMY'S ADULT REHABILITATION CENTER (ARC) PROGRAM (Tape 1)

Ms. Ann McMath made a brief presentation on the Salvation Army's Adult Rehabilitation Center (ARC) Program in Alexandria, Virginia.

3. CERTIFICATE OF RECOGNITION PRESENTED TO BREN MAR PARK ELEMENTARY SCHOOL (Tape 1)

Supervisor Trapnell moved approval of the Certificate of Recognition presented to Bren Mar Park Elementary School which has been recognized as a Level II Certified School by the Computer Learning Foundation. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor McConnell being out of the room, Supervisor Hyland not yet having arrived, Supervisor Alexander being absent.

4. PROCLAMATION DESIGNATING THE MONTH OF MAY AS "FOSTER CARE MONTH" IN FAIRFAX COUNTY (Tape 1)

Supervisor McConnell moved approval of the Proclamation presented to Mr. Richard M. Atchison, President, Fairfax County Foster Care Association, designating the month of May as "**Foster Care Month**" in Fairfax County. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Hyland not yet having arrived, Supervisor Alexander being absent.

5. PROCLAMATION DESIGNATING THE WEEK OF MAY 15 THROUGH MAY 21, 1994 AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY (Tape 1)

Supervisor McConnell moved approval of the Proclamation presented to John W. di Zerega, Director, Department of Public Works (DPW) designating the week of May 15 through May 21, 1994 as "**Public Works Week**" in Fairfax County, and urging all citizens to acquaint themselves with the problems involved in providing Public Works and to recognize the contributions that Public Works employees make to County citizens' daily health, safety and comfort. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Hyland not yet having arrived, Supervisor Alexander being absent.

6. PROCLAMATION DESIGNATING THE MONTH OF MAY, 1994 AS "ASIAN AND PACIFIC AMERICANS HERITAGE MONTH" IN FAIRFAX COUNTY (Tape 1)

Supervisor McConnell moved approval of the Proclamation designating the month of May, 1994, as "**Asian and Pacific Americans Heritage Month**" in Fairfax County. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hyland not yet having arrived, Supervisor Alexander being absent.

7. ABSENCE OF LEE DISTRICT SUPERVISOR JOSEPH ALEXANDER (Tape 1)

Chairman Davis informed the Board that Supervisor Alexander is representing the County at the American Public Transit Association Conference in Richmond, Virginia and would be absent from today's meeting.

8. ABSENCE OF MOUNT VERNON DISTRICT SUPERVISOR GERALD HYLAND
(Tape 1)

Chairman Davis announced that Supervisor Hyland would be absent from the morning portion of the meeting, but that he would be present later in the day.

9. FUNERAL SERVICES FOR MR. LEWIS B. PULLER, JR. (Tape 1)

Chairman Davis announced that funeral services for Mr. Lewis B. Puller, Jr. would take place this afternoon.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to prepare an appropriate presentation to Delegate Puller and her family on their loss. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was a brief discussion regarding this issue. See Clerk's Summary Item CL#65.)

10. ORDERS OF THE DAY (Tape 1)

Supervisor Dix asked unanimous consent that the Board change the Orders of the Day to hear Rezoning Application RZ 93-H-041 as the first 4:00 p.m. public hearing. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board change the Orders of the Day to hear the Virginia Department of Transportation (VDOT) public hearings as the last 4:00 p.m. public hearings. Without objection, it was so ordered.

11. 10:00 A.M. - PRESENTATION BY DELEGATE JAMES SCOTT ON HOUSE BILL 622 - AFFORDABLE DWELLING UNITS (Tape 1)

There was a presentation by James Scott on House Bill 622 - Affordable Dwelling Units.

12. INFORMATION TECHNOLOGY (Tapes 1-2)

Supervisor Bulova briefed the Board on the meeting held by the Board's Government Reorganization Subcommittee on Tuesday, May 10, 1994. She stated that the Subcommittee reviewed how the County handles information technology and the way the computer systems operate and interact. She stated that advice from the private sector was actively sought in the review and recommendations process and now the County is entering the implementation phase. She stated that staff is recommending the creation of a Department of Information Technology (DIT) and that the head of DIT work closely with the Board, the County Executive, and agency heads in keeping abreast of new technology.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Berger asked a series of questions (copies of which are available from the Clerk) about the DIT proposal. Further discussion ensued with input from Mr. Leidinger and Dr. Edward H. Bersoff, Chairman, Information Technology Advisory Group (ITAG). (Copies of Dr. Bersoff's testimony are available from the Clerk.)

Chairman Davis announced that the DIT reorganization implementation plan is scheduled for Board action on June 6, 1994.

Following further discussion, with input from Mr. Leidinger, Supervisor Berger asked unanimous consent that the Board direct staff to determine any additional initial costs associated with keeping the information technology functions in-house. Without objection, it was so ordered.

13.10:15 A.M. - PRESENTATION OF REPORT BY THE TASK FORCE ON MINORITY UPWARD MOBILITY AND RETENTION IN FAIRFAX COUNTY GOVERNMENT (Tapes 2-3)

(BACs)

Following a presentation by Joan DuBois, Chairman, Task Force on Minority Upward Mobility and Retention in Fairfax County Government, Supervisor Dix expressed his appreciation to the Task Force and moved that the recommendations be forwarded to staff for evaluation and recommendations to the Board for implementation. This motion was seconded by Supervisor Trapnell.

Following discussion, with input from Peter Schroth, Director, Office of Personnel, LaGretta Butler, Director, Office of Equity Programs, and Members of the Task Force, Chairman Davis relinquished the Chair to Acting-Chairman Bulova and amended the motion to direct staff to address each recommendation made by the Task Force and this was accepted. The question was called on the motion, as amended, which carried by a vote of six, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Hyland not yet having arrived, Supervisor Alexander being absent.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

14.10:30 A.M. - BOARD MARKUP AND DECISION ON THE ADVERTISED CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS 1995-1999 (Tape 3)

(NOTE: The public hearing on this item was held on April 11, 12 and 13, 1994. Board markup was scheduled for April 18, 1994. On April 18, 1994, the Board deferred its markup until April 25, 1994. On April 25, 1994, the Board deferred its markup until May 9, 1994. The public hearing was deferred until June 6, 1994. On May 9, 1994, the Board deferred its mark-up until May 16, 1994.)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved to defer Board markup of the advertised Capital Improvement Program (CIP) for Fiscal Years (FY) 1995-1999 until **June 6, 1994 at 10:15 a.m.** This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Bulova asked unanimous consent that the Board direct staff to draft a letter to be sent to Parent Teacher Associations' (PTA) Presidents and to the schools to further explain the bond situation. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was further discussion regarding this item. See Clerk's Summary Items CL#47 and CL#98.)

15.10:30 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS (Tape 3)

(BACs)

(APPTS)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent to defer At-Large appointments to Citizen Boards, Authorities, Commissions and Advisory Groups (BACs) until June 6, 1994, when a full Board is present. He stated that each Supervisor could make his/her District appointments during Board Matter time. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

AM:am

16. ADMINISTRATIVE ITEMS (Tape 4)

Supervisor Hyland moved approval of the Administrative Items. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL DISTRICT)

(R)Adopted the request that certain streets listed in the Memorandum to the Board dated May 16, 1994 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Woodland Park III, IIA and IIB	Hunter Mill	Sunrise Valley Drive Route 5320 (4 Lanes) Fox Mill Road Route 665 (Additional 2 Lanes) Fox Mill Road Route 665 (4 Lanes) Wood Oak Drive (4 Lanes)

ADMIN 2 - RENAMING DEVILLE ESTATE DRIVE IN DEVILLE ESTATES SUBDIVISION (HUNTER MILL DISTRICT)

Approved an official street name change from Deville Estate Drive in the Official Street Names and Property Numbering Atlas, to Deville Estates Drive, from its intersection with Stuart Mill Road to the end of the street in the Deville Estates subdivision on Tax Map Reference 027-3.

ADMIN 3 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING SKETCH PLANS, RECREATIONAL EQUIPMENT, SANITARY SEWER STANDARDS AND AS-BUILT PLAN DIMENSIONS

(A)Authorized the advertisement of a public hearing to be held before the Planning Commission on June 16, 1994 and before the Board of Supervisors on **June 27, 1994 at 3:30 p.m.** on proposed amendments to the Public Facilities Manual (PFM) regarding Sketch Plans, recreational equipment, sanitary sewer standards and As-Built Plan dimensions.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER CHANGES TO ELECTION PRECINCTS, INCLUDING CHANGES TO POLLING PLACES AND PRECINCTS, TO AMEND THE FAIRFAX COUNTY CODE RELATING TO ELECTION DISTRICTS OF THE BOARD OF SUPERVISORS (LEE, MASON, SPRINGFIELD, AND SULLY DISTRICTS), AND LOCATING SEVEN (7) ABSENTEE VOTING SATELLITES AND ESTABLISHING DAYS AND HOURS OF OPERATION

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **June 6, 1994 at 4:30 p.m.** regarding the following precinct changes:

- Relocating the polling places in election precincts located within Mason, Springfield and Sully Districts;
- Consolidating two precincts with relatively small numbers of registered voters into a single precinct in the Lee District;
- Consolidating two precincts with relatively small numbers of registered voters into a single precinct in the Mason District; and
- Creating new precincts to accommodate new voters in the Springfield and Sully Districts.

ADMIN 5 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 91-B-014, THE SALVATION ARMY (BRADDOCK DISTRICT)

(AT)Approved the request for six months of additional time to establish the use for Special Exception Application SE 91-B-014 until October 28, 1994 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

17.A-1 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94051 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC DIVISION, DRIVING WHILE INTOXICATED (DWI) ENFORCEMENT PROGRAM (Tape 4)

(SAR)On motion of Supervisor McConnell, seconded by Supervisor Dix, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 94051 in the amount of \$40,000 from the Virginia Department of Motor Vehicles to conduct a Driving While Intoxicated (DWI) Enforcement Program emphasizing the detection and apprehension of intoxicated drivers.

18.A-2 - AUTHORIZATION FOR THE FAIRFAX COUNTY GENERAL DISTRICT COURT TO APPLY TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR STATE FUNDS TO EXPAND THE PRETRIAL SERVICES DIVISION OF THE GENERAL DISTRICT COURT (Tape 4)

On motion of Supervisor McConnell, seconded by Supervisor Dix, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the grant application for \$120,000 to expand services of the General District Court's Pretrial Service Program.

(NOTE: Later in the meeting, additional action was taken on this item. See Clerk's Summary Item CL#31.)

19.A-3 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94052 FOR THE FIRE AND RESCUE DEPARTMENT TWO-FOR-LIFE EMERGENCY MEDICAL SERVICES GRANT (Tape 4)

(SAR)On motion of Supervisor McConnell, seconded by Supervisor Dix, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 94052 in the amount of \$318,662 for the period of March 29, 1994 through March 28, 1995 to fund emergency medical services supplies, equipment and training.

20. **A-4 - APPROVAL FOR THE FIRE AND RESCUE DEPARTMENT TO SUBMIT AN EMERGENCY MEDICAL SERVICES RECRUITMENT AND RETENTION MINI-GRANT (RRMG) APPLICATION** (Tape 4)

On motion of Supervisor McConnell, seconded by Supervisor Trapnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the Fire and Rescue Department's submission of a Recruitment and Retention Mini-Grant (RRMG) grant application in the amount of \$1,500.

21. **A-5 - APPROVAL FOR THE FIRE AND RESCUE DEPARTMENT TO SUBMIT A DEPARTMENT OF MOTOR VEHICLES GRANT APPLICATION** (Tape 4)

On motion of Supervisor McConnell, seconded by Supervisor Trapnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the Fire and Rescue Department's submission of a grant in the amount of \$9,924 to the Department of Motor Vehicles for funding to initiate an educational injury prevention program.

22. **A-6 - REVISIONS TO CHAPTERS 4, 9, AND 10 OF THE PERSONNEL REGULATIONS REGARDING MASTER DEPUTY SHERIFF, CIVIL LEAVE, TRANSFERRED LEAVE, LEAVE FOR INCLEMENT WEATHER, AND SEVERANCE PAY** (Tape 4)

On motion of Supervisor Trapnell, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 4, 9, and 10 of the Personnel regulations.

23. **A-7 - APPROVAL OF THE FAIRFAX COUNTY DEPARTMENT OF COMMUNITY ACTION'S APPLICATION FOR VIRGINIA AMERICORPS GRANT FUNDS FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND THE VIRGINIA OFFICE OF VOLUNTEERISM** (Tape 4)

On motion of Supervisor Hyland, 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 Community Action's application for Virginia AmeriCorps Grant funds in the amount of \$250,000, with a local match of \$28,430, which will be available from the Community Service Block Grant (CSBG) funds for Fiscal Year (FY) 1995.

24. **I-1 - FAIRFAX COUNTY PARKWAY/FRANCONIA-SPRINGFIELD PARKWAY STATUS REPORT (COUNTYWIDE)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 16, 1994 presenting the Fairfax County Parkway/Franconia-Springfield Parkway Status Report.

25.I-2 - STATUS REPORT ON HIGHWAY PROJECTS IN THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SIX YEAR IMPROVEMENT PROGRAMS (COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 16, 1994 presenting the Status Report on Highway Projects in the Virginia Department of Transportation (VDOT) Six-Year Programs.

26.I-3 - SUPERVISOR DISTRICT APPOINTMENTS TO THE TRANSPORTATION SAFETY COMMISSION (Tape 4)

(BACs)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board next consider an Information Item contained in the Memorandum to the Board dated May 16, 1994 requesting authorization for the Transportation Safety Commission to:

- Identify current Board appointees by Supervisor District; and
- Submit an Action Item for Board authorization to enlarge the Commission Membership.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

27.I-4 - CONTRACT AWARD - ANNUAL CONTRACT FOR STRUCTURAL ENGINEERING SERVICES (COUNTYWIDE) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 16, 1994 requesting authorization for staff to award a contract to Wilbur Smith Associates in the amount of \$100,000 for structural engineering services on County projects which are being designed by County staff and/or when these services are not part of a design contract with an outside consulting firm.

The staff was directed administratively to proceed as proposed.

28.I-5 - CONTRACT AWARD - COMPLETION OF AWT MAINTENANCE BUILDING (T), BUILDINGS AND GROUNDS STORAGE BUILDING (U) (MOUNT VERNON DISTRICT) (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 16, 1994 requesting authorization for staff to award a contract to

Golden Construction, Incorporated in the amount of \$582,581 for the construction of the AWT Maintenance Building, Project N00320, Lower Potomac Pollution Control Plant Expansion Beyond 36 Million Gallons a Day (MGD), in Subfund 575, Sewer Bond Construction.

The staff was directed administratively to proceed as proposed.

29. **I-6 - FEASIBILITY OF PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 43 (FOOD AND FOOD SERVICE ESTABLISHMENTS)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 16, 1994 requesting authorization for staff to **not** proceed with further consideration of the proposed amendments to the Code of the County of Fairfax, Chapter 43 (Food and Food Service Establishments) regarding the exclusion of certain non-profit organizations from providing Certified Food Service Managers at seasonal snack bars.

The staff was directed administratively to proceed as proposed.

30. **I-7 - BOARD OF SUPERVISORS PUBLIC HEARINGS ON AREA PLAN REVIEW (APR) NOMINATIONS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 16, 1994 requesting authorization for staff to schedule public hearings for the 1994 Area Plan Review (APR) process as follows:

- Monday, October 31, 1994 at 7:30 p.m.;
- Tuesday, November 1, 1994 at 7:30 p.m.; and
- Carryover, if needed, on Wednesday,
November 2, 1994 at 7:30 p.m.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to schedule public hearings on APR Nominations on **November 21, 1994 at 4:30 p.m.** Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

31. FURTHER DISCUSSION AND ACTION REGARDING ACTION ITEM A-2 - AUTHORIZATION FOR THE FAIRFAX COUNTY GENERAL DISTRICT COURT TO APPLY TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR STATE FUNDS TO EXPAND THE PRETRIAL SERVICES DIVISION OF THE GENERAL DISTRICT COURT (Tape 4)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#18.)

Supervisor Hanley referred to Action Item A-2 - Authorization for the Fairfax County General District Court to Apply to the Virginia Department of Criminal Justice Services for State Funds to Expand the Pretrial Services Division of the General District Court and asked unanimous consent that the Board direct staff to review the "Final Report of the Subcommittee on Intermediate Sanctions" and provide a Status Report on June 6, 1994. Without objection, it was so ordered.

Supervisor Hanley referred to handwritten page 20 of the Grant which indicated that two of the procedures would begin in November '95 and be completed in June '95 and she asked unanimous consent that the Board direct staff to provide an explanation of how the procedures will end before they begin. Without objection, it was so ordered.

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BOARD MATTERS

32. FAIRFAX COUNTY POSITION ON UNIFORM HIGH OCCUPANCY VEHICLE (HOV) REQUIREMENTS ON I-66 (Tape 5)

Chairman Davis said that Congressman Frank Wolf (R-10) recently forwarded a copy of his letter to Governor George Allen regarding traffic congestion in Northern Virginia. Of particular interest are the suggestions Congressman Wolf had for relieving the apparent confusion and frustration for commuters traveling on I-66. Congressman Wolf suggests lowering the carpool requirements on I-66 inside the Capital Beltway to High Occupancy Vehicle-2 (HOV-2) which would be uniform with the current HOV-2 requirements outside the beltway. Making the HOV requirements uniform on I-66 would encourage spouses to commute together, reduce single occupancy vehicles, and increase safety since commuters would no longer have to cross three lanes of traffic to exit on I-495.

Chairman Davis concurred with Congressman Wolf's suggested interim HOV measures to lessen confusion on I-66. For one, the number of signs could be reduced and simplified. Secondly, the morning bottleneck at the left exit from I-66 onto I-495 could be reduced by extending the current HOV requirement to the next exit, Route 7, allowing the two-occupant vehicles bound for Tysons Corner to bypass the beltway.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct staff to draft a letter to Governor Allen for the Chairman's signature stating Fairfax County's formal position on the uniform HOV requirements on I-66. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova and

Supervisor Hanley being out of the room, Supervisor Alexander being absent.

33. **ADOPTION OF RESOLUTION ENTITLED "NORTHERN VIRGINIA CITIES AND COUNTIES IN SUPPORT OF RAIL TRANSIT PLANNING IN NORTHERN VIRGINIA"** (Tape 5)

(R)Supervisor Davis informed the Board of a news article he read regarding Disney in Northern Virginia. The article referred readers to the Transportation Planning Board members.

Supervisor Davis stated his belief that such information confuses the issue of what the matter before the Transportation Planning Board really is.

Supervisor Davis distributed to Board Members a Resolution from a meeting he attended with individuals working on transportation issues in Northern Virginia regarding Fairfax County's continued support to the Virginia Department of Transportation (VDOT) and the Virginia Department of Rail and Public Transit (VDRPT).

Supervisor Davis moved adoption of the Resolution entitled "Northern Virginia Cities and Counties in Support of Rail Transit Planning in Northern Virginia." This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

34. **SIMULTANEOUS PROCESSING OF PRELIMINARY AND SITE PLANS FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-C-060-3 (RICHMOND AMERICAN HOMES OF VIRGINIA, INCORPORATED)** (Tape 5)

Supervisor Dix informed the Board of a Planning Commission public hearing on Proffered Condition Amendment Application PCA 87-C-060-3 held on May 5, 1994. Decision was deferred pending resolution of an issue which was brought to the attention of staff and the Planning Commission shortly before the hearing. The applicant has worked diligently to resolve this matter to the satisfaction of all parties, and the Planning Commission is scheduled to make a recommendation on this application on May 19, 1994.

Supervisor Dix moved that a date certain be scheduled for this application to be heard by the Board. Supervisor Dix further moved that the Board authorize the Department of Environmental Management (DEM) to simultaneously process the preliminary plans and Site Plans for this property. Supervisor Dix stated that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the application in any way. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

35. **SCHEDULING OF A PRESENTATION TO ED RYAN AND NANCY POOLE** (Tape 5)

Supervisor Dix informed the Board that Ed Ryan, Principal of Madison High School for the past eight years, and Nancy Poole, Principal of Wolf Trap Elementary School for the past 12

years, are both retiring at the end of this school year.

Supervisor Dix moved that the Board direct staff to invite both Mr. Ryan and Mrs. Poole to the June 6, 1994 Board meeting to be honored for their many years of dedicated service in the Fairfax County Public Schools. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

36. **RESTON FESTIVAL AND VIVA! VIENNA! TOWN FESTIVAL** (Tape 5)

Supervisor Dix extended an invitation to all Board Members and citizens to attend the Reston Festival, to be held on Saturday, May 21, 1994 from 10:00 a.m. until 10:00 p.m. (rain or shine) at Brown's Chapel and Baron Cameron Park.

Supervisor Dix asked unanimous consent that the Board proclaim May 21, 1994 as "Reston Festival Day." Without objection, it was so ordered.

Supervisor Dix also extended an invitation to all Board Members and citizens to attend the Viva! Vienna! '94 Festival, to be held Memorial Day weekend -- Friday, May 27, 1994 until Sunday, May 29, 1994.

Supervisor Dix asked unanimous consent that the Board proclaim May 28, 1994 as "Viva! Vienna! Day." Without objection, it was so ordered.

Chairman Davis relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board direct staff to provide a space on the signature lines for Supervisor Dix to sign the Proclamations. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

37. **GREATER RESTON CHAMBER OF COMMERCE ANNUAL GOLF TOURNAMENT**
(Tape 5)

Supervisor Dix announced that on June 13, 1994 the Greater Reston Chamber of Commerce will be holding its eighth annual Golf Tournament and has designated the Reston Teen Center as the beneficiary of funds derived from the tournament.

38. **RESOLUTION PASSED BY THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC)** (Tape 5)

Supervisor Dix called the Board's attention to a Resolution passed at a meeting of the Northern Virginia Transportation Commission on May 5, 1994. He stated that he was troubled by a portion of the item 1(d) regarding local governments agreeing not to substitute private or local bus operators for any additional Metrobus routes for implementation prior to July 1, 1995.

Supervisor Dix stated his objection to the Commission's attempt to direct policy for the County and

moved that the Board direct staff to have the Commission delete this particular item from the final version of the Resolution. This motion was seconded by Supervisor Frey.

Following a lengthy discussion, Chairman Davis amended the motion to direct staff to add the caveat "without discussion with local jurisdictions."

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

PMH:pmh

39. **AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO BE HELD BEFORE THE BOARD OF SUPERVISORS REGARDING THE ACQUISITION OF A CERTAIN DEDICATION AND EASEMENTS REQUIRED ACROSS PROPERTIES OWNED BY THE HERITAGE FOREST HOMEOWNERS ASSOCIATION** (Tape 6)

Supervisor Frey moved that the Board authorize staff to advertise a public hearing to be held before the Board of Supervisors on **June 27, 1994 at 4:00 p.m.** on the acquisition of a certain dedication and easements required across properties owned by the Heritage Forest Homeowners Association for the realignment of Federation Drive. The properties are designated as Tax Map Numbers 065-2-09-0000-A3 and B3, located adjacent to the intersection of Old Centreville Road (Route 657) and Federation Court. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

40. **REAFFIRMATION OF THE BOARD'S DECISION TO MAINTAIN BIRCH POND DRIVE AND MILAN LANE CONNECTION FOR EMERGENCY USE ONLY** (Tape 6)

(R)Supervisor Frey moved that the Board adopt the Resolution:

- Reaffirming the Board's previous decision to maintain Birch Pond Drive and Milan Lane connection for emergency use only; and
- Directing the Office of Transportation to work with the Virginia Department of Transportation (VDOT) to ensure that any necessary improvements for the safe operation of the service drive/Middle Ridge/Route 50 intersection are designed and constructed as part of the Fairfax County Route 50/Fairfax County Parkway Interchange project.

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

41. **SECOND ANNUAL COMMUNITY OF FAITH METHODIST CHURCH FUN FAIR RAISES FUNDS FOR THE PAUL THATCHER MEMORIAL PLAYGROUND** (Tape 6)

Supervisor Frey distributed to each Board Member a "button" with his/her name on it. He explained that he had attended the Second Annual Community of Faith Methodist Church Fun Fair in the Franklin Farm Community. The Fair is intended to raise funds for the Paul Thatcher Memorial Playground. He noted that Paul Thatcher died approximately three years ago of cancer. The playground is to be located adjacent to the Church. He added that the Beginning Bridges Preschool made the buttons for Board Members and he noted that no two buttons are alike.

42. **RESOLUTION REQUESTING SENATOR CHARLES ROBB'S SUPPORT FOR UNFUNDED FEDERAL MANDATES LEGISLATION, S.993** (Tape 6)

(R)Chairman Davis said that the Virginia Association of Counties (VACo) has requested each Board of Supervisors in Virginia to adopt a Resolution encouraging Senator Charles Robb to support legislation currently before the Senate, Bill S. 993, concerning unfunded Federal mandates.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board adopt the model Resolution recommended by VACo calling upon Senator Robb to join as a co-sponsor of S. 993. This motion was seconded by Vice-Chairman McConnell and carried by a vote of eight, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

43. **CRIME AT YOUTH CENTER I AT LORTON** (Tape 6)

Supervisor Davis stated that he had received a letter from Sheriff Carl Peed regarding Youth Center I at Lorton. Because this Center is located on County property and leased to the District of Columbia (D.C.), Fairfax County maintains exclusive criminal jurisdiction. State and County taxpayers pay to investigate, prosecute and incarcerate offenders charged with crimes in Youth Center I. In a little more than two years Fairfax has responded to 86 crimes on this complex, including two murders and 24 felony assaults.

Supervisor Davis said that although the Sheriff believes the County should respond to life threatening situations such as fire, riots and escapes, he believes the county should relinquish all crime related responsibilities to the D.C. or federal government.

Therefore, Supervisor Davis asked unanimous consent that the Board refer this issue to the Legislative Subcommittee to determine the actions necessary for D.C. to take responsibility for all crimes committed by prisoners in Youth Center I. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

44. **EXPANSION OF THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD); EXPEDITED PROCESSING AND WAIVER OF THE MINIMUM STANDARDS FOR PARKING SPACES AND WAIVER OF THE FEES** (Tape 6)

Supervisor Bulova stated that student parking on residential streets around Annandale High School continues to be a serious problem. She added that enforcement of parking violations by the Mason District Police has been vigorous, and while they are to be commended for their efforts, expansion of the Annandale Residential Permit Parking District (RPPD) is the best solution.

Supervisor Bulova said that she has forwarded petitions for the expansion of the RPPD to the Office of Transportation. These petitions request relief on Davian Drive, Eric Street, Medford Drive and Mayfield Drive. In order to proceed with the request, the Office of Transportation needs Board approval of the waiver of the minimum parking space standard.

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

- Waive the minimum number of parking spaces;
- Waive the fees; and
- Proceed as expeditiously as possible.

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

45. PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 93-B-057 (BURKE AUTO CARE, INCORPORATED) SCHEDULED FOR JULY 18, 1994 (Tape 6)

Supervisor Bulova stated that a public hearing on Special Exception Application SE 93-B-057 (Burke Auto Care, Incorporated) has been deferred a number of times and is now scheduled to be heard by the Planning Commission on July 13, 1994.

Therefore, Supervisor Bulova moved that the Board direct staff to schedule a public hearing to be held before the Board of Supervisors on Special Exception Application SE 93-B-057 on July 18, 1994. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

46. **APPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS (CAC), FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB), TRANSPORTATION ADVISORY COMMISSION AND THE FAIRFAX COUNTY WATER AUTHORITY** (Tape 6)

(APPTS)

Supervisor Bulova moved the reappointments of:

- **Mr. James O. Evans**, as the Braddock District
(Principal) Representative to the Citizens
Advisory Committee on Solid Waste and Disposal
Matters (CAC);
- **Mr. Steve Morgan**, as the Braddock District (Alternate) Representative to the CAC;
- **Mr. Raymond F. Burmester** as the Braddock District Representative to the Fairfax-Falls
Church Community Services Board (CSB);
- **Mr. Don Emerson** as the Braddock District Representative to the Transportation Advisory
Commission (TAC); and
- **Mr. Paul Andino** as the Braddock District Representative to the Fairfax County Water
Authority.

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

47. **DRAFT LETTER TO PARENT/TEACHER ASSOCIATIONS' (PTA) PRESIDENTS AND SCHOOLS REGARDING BONDS** (Tape 6)

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

Supervisor Bulova announced that staff has reviewed and modified her letter explaining the bond situation. She distributed the letter to Board Members and suggested that the letter be sent as a "Board Communication" rather than individual persons sending letters.

(NOTE: Later in the meeting, there was additional discussion regarding this issue. See Clerk's Summary Item CL#98.)

48. APPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS (CAC) AND THE TRANSPORTATION ADVISORY COMMISSION (TAC) (Tape 6)

(APPTS)

Supervisor Hanley moved the appointment of:

- Mr. Walter Sisson, as the Providence District (Principal) Representative to the Citizen Advisory Committee on Solid Waste and Disposal Matters (CAC);
and

The reappointment of:

- Mr. Mansfield I. Smith, as the Providence District (Alternate) Representative to the CAC.

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

Supervisor Hanley moved the reappointment of Mr. Franklin L. Spielberg as the Providence District Representative to the Transportation Advisory Commission (TAC). This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

49. CONCURRENT PROCESSING OF SITE/SUBDIVISION PLANS AND ANY OTHER NECESSARY DOCUMENTS THAT WILL BE FILED IN CONJUNCTION WITH THE REZONING APPLICATION FILED BY J.A. LOVELESS, III, INCORPORATED (Tape 6)

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept for concurrent processing Site/Subdivision Plans and any other necessary documents that will be filed in conjunction with the rezoning application filed by J.A. Loveless Homes III, Incorporated on property located in Tysons Corner (Kidwell property). This motion, the second to which was inaudible, **CARRIED** by a recorded vote of seven, Supervisor McConnell and Chairman Davis abstaining, Supervisor Alexander being absent.

50. DRAFT AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - HUMAN SERVICES CLASSES (Tape 6)

Supervisor Hanley moved that the Board implement the draft amendments to the County's Classification and Compensation Plans - Human Services Classes. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being absent.

51. SCHOOL AGE CHILD CARE (SACC) (Tape 6)

Supervisor Hanley asked unanimous consent that the Board refer the issue of the opening of the School Age Child Care (SACC) Centers in coordination with the opening of schools in September. Without objection, it was so ordered.

NV:nv

**52. SISTER COUNTY RELATIONSHIP WITH JIADING, SHANGHAI, CHINA
(Tape 7)**

Supervisor Trapnell reminded the Board that several people have been working with the representatives of the Government of Jiading, Shanghai, China in establishing a sister county relationship with them. She moved that the Board direct the Chairman to send a letter to the Jiading government inviting them to conclude arrangements to establish a sister county relationship. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

**53. RETIREMENT OF RAY WATSON, PRINCIPAL OF ANNANDALE HIGH SCHOOL
(Tape 7)**

Supervisor Trapnell announced the retirement of Ray Watson, Principal of Annandale High School, and asked unanimous consent that the Board direct staff to invite him to appear before the Board on June 6, 1994 to be recognized. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

54. MASON DISTRICT APPOINTMENTS TO THE TRANSPORTATION ADVISORY COMMISSION (TAC) AND THE CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS (CAC) (Tape 7)

(APPTS)

Supervisor Trapnell moved the following reappointments/appointment:

- Mr. Jack Rust as the Mason District Representative to the Transportation Advisory Commission (TAC);
- Mr. Thomas Donnelly as the Mason District (Alternate) Representative to the Citizens Advisory Committee for Solid Waste and Disposal Matters (CAC);
and
- Mr. William E.B. Benson as the Mason District (Principal) Representative to the CAC.

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

55. DISAPPEARANCE OF MR. HARVEY OLEM, HERNDON RESIDENT AND BUSINESSMAN (Tape 7)

Supervisor Berger announced the disappearance of Mr. Harvey Olem, a Herndon resident and businessman, whose plane was lost May 7, 1994 over a remote region of Bolivia. Mr. Olem had been conducting environmental consulting for the World Bank. A Canadian citizen and three Bolivians are also missing. The World Bank and the Bolivian government are continuing the search mission.

Supervisor Berger moved that the Board pray for the safe and speedy return of Mr. Olem and his colleagues and for the well being of his wife, their two young children, and the rest of his family. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

56. DRANESVILLE DISTRICT APPOINTMENTS TO THE TRANSPORTATION ADVISORY COMMISSION (TAC) AND CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS (CAC) (Tape 7)

(APPTS)

Supervisor Berger moved the following reappointments:

- Dr. Ivan Somers as the Dranesville District Representative to the Transportation Advisory Commission (TAC); and
- Mr. Gary Baise as the Dranesville District (Principal) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters (CAC).

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

57. MCLEAN DAYS CELEBRATION ON SATURDAY, MAY 21, 1994 (Tape 7)

Supervisor Berger invited the public and Members of the Board to attend the annual McLean Days celebration scheduled for Saturday, May 21, 1994 from noon until 5:00 p.m. at Lewinsville Park.

58. PROPOSED PERSONNEL REGULATION TO RESTRICT COUNTY EMPLOYEES AND FACILITIES FROM EITHER PROMOTING OR BEING USED TO PROMOTE ANY CRIMINAL ACTIVITY (Tape 7)

Supervisor McConnell stated, as already reported in the media, that she was proposing a Personnel Regulation which would restrict County employees and facilities from either promoting or being used to promote any criminal activity. She stated that while the media reported that the Washington Blade was the reason for this proposal, this issues goes far beyond the Blade.

Supervisor McConnell stated her belief that the Board has a responsibility to ensure that the County

can never be held liable for any criminal actions which may result from County involvement with activities which may promote the violation of a Virginia criminal statute. Supervisor McConnell read the proposed personnel regulation as follows:

- "No County Employee or public official shall during duty hours display, distribute, or store any material which either advises, promotes, encourages, solicits, or entices anyone to violate any criminal law of the Commonwealth of Virginia or either advises, promotes, encourages, solicits, or entices anyone to perform any activity that is a threat to the public health and safety of the community, nor shall any County-owned, leased, or rented facility be used in a similar manner by any person."

Accordingly, Supervisor McConnell moved that the Board direct the County Attorney to:

- Research the legality of the proposed Personnel Regulation and report his findings to the Board; and
- Report any possible liability the Board could incur without this type of regulation.

Supervisor McConnell noted that she had forwarded a copy of this proposed regulation to the State Attorney General for an opinion. The motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland asked unanimous consent that the Board direct the County Attorney to determine whether the proposed regulation, if adopted, would prohibit a library employee from permitting the Washington Blade to be distributed or kept in the libraries. Without objection, it was so ordered.

Following input from David P. Bobzien, County Attorney, Supervisor Hyland asked unanimous consent that the Board direct the County Attorney to determine:

- What other publications in the libraries would be affected by this proposal;
- How this proposal can be enforced; and
- How to inform employees as to what they could or could not store in the libraries.

Without objection, it was so ordered.

A brief discussion continued on this issue.

59. EDITORIAL IN THE FAIRFAX JOURNAL REGARDING SPRINGFIELD DISTRICT SUPERVISOR ELAINE MCCONNELL (Tape 7)

Supervisor McConnell called the Board's attention to the editorial entitled "Legal Sophistry" in the May 16, 1994 issue of the Fairfax Journal and expressed her outrage at it. She refuted the

statements made regarding her efforts concerning transportation issues.

60. **FRIENDS OF TREES AWARDS** (Tape 7)

Supervisor Hyland stated that recently the Fairfax County Tree Commission presented awards to outstanding residents in recognition of their long and continuing work with site restoration, tree planting, and saving trees projects.

Supervisor Hyland moved that the Board direct staff to invite the following persons to appear before the Board to be recognized for their outstanding work in tree planting and preservation:

- Mr. Jim Frazier, outgoing and first president of Fairfax Releaf;
- Ms. Mickie Sullivan for her efforts to reforest newly acquired County property located next to the Pohick Creek in Lorton;
- Representatives from Herndon High School "Students Against Global Abuse" for establishing recycling programs and adopt-a-tree project which saved more than 3,000 20 year old trees this past year alone; and
- Mr. Thomas Hostetter for overseeing landscaping improvements at the Hayfield View Townhouse Community.

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

61. **EXPEDITED PROCESSING AND WAIVER OF FEES FOR THE MOUNT VERNON COMMUNITY COALITION'S FLAG DAY FESTIVAL** (Tape 7)

Supervisor Hyland stated that the Mount Vernon Community Coalition will sponsor its third annual community-wide patriotic event, a Flag Day Festival on June 11, 1994. He added that this is a non-profit Coalition whose mission is to promote community pride and unity.

Accordingly, Supervisor Hyland moved that the Board direct staff to waive the fees associated with the permits required by the Fire and Rescue Department and the Department of Environmental Management (DEM). This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

62. **ELIMINATION OF COUNTY BILLING FOR TAXES UNDER \$15** (Tape 7)

Supervisor Hyland stated the Virginia General Assembly passed an amendment to the Code of Virginia effective July 1, 1994 which will permit localities to eliminate tax bills of under \$15. Accordingly, he asked unanimous consent that the Board direct staff to:

- Study the amendment;

■ Consider instituting an amendment of the Code of the County of Fairfax to institute the permitted \$15 minimum limit for tax billing; and

■ Study the revenue impact of exempting these non-billed small amounts from the records;

and to report its findings to the Board. Without objection, it was so ordered.

63. **EXPEDITED PROCESSING FOR SPECIAL EXCEPTION APPLICATION FILED BY MARCO PEREZ (MEXIPER, INCORPORATED)** (Tape 7)

Supervisor Hyland stated that he had received a plea for help from Mr. Marco Perez and his landlord in assisting them with a Special Exception Application which is required for a food production and processing establishment to do business in an I-4 District. The proposed business address is 7409-G Lockport Place in Lorton. He explained that Mr. Perez and the manager for the Maywood Building Corporation were unaware that a Special Exception Application is necessary for each unit in an industrial park. They operated under the misconception that because there were other permitted food and eating establishments in the industrial park, all they needed was a building permit to build out the space for Mr. Perez's tortilla shell manufacturing business.

Accordingly, Supervisor Hyland moved that the Board direct staff to immediately address and expedite this Special Exception Application and to include concurrent processing of the Site Plan as necessary. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

64. **REZONING APPLICATION RZ 93-V-007** (Tape 7)

Supervisor Hyland stated that the public hearing for Rezoning Application RZ 93-V-007 is scheduled for the afternoon session and that because he would be attending Mr. Lewis Puller's funeral, he would be unable to be present at the public hearing. Chairman Davis stated that Supervisor Hyland is the official Board representative at this funeral and assured Supervisor Hyland that the Board would handle this case as appropriate on the agenda.

65. DEATH OF PULITZER PRIZE-WINNING AUTHOR AND VIETNAM WAR VETERAN LEWIS B. PULLER, JR., AND DONATION OF HIS ORGANS (Tape 7)

(NOTE: Earlier in the meeting, the death of Mr. Lewis B. Puller, Jr. was announced. See Clerk's Summary Item CL#9.)

Supervisor Hyland noted last week's death of Pulitzer Prize-winning author and Vietnam War veteran Lewis B. Puller, Jr. Supervisor Hyland reported that in Mr. Puller's death, there was life because he had donated his organs. Supervisor Hyland recounted some of Mr. Puller's achievements and stated that he left his mark on the Nation.

Supervisor Hyland asked unanimous consent that the Board communicate its thoughts, prayers, and feelings with Delegate Linda T. "Toddy" Puller, widow of Mr. Puller, and the rest of the family, and remember them in prayers. Without objection, it was so ordered.

66. APPOINTMENTS TO THE DEVELOPMENT POLICY COMMITTEE OF THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (COG)

(Tape 7)

(APPTS)

Chairman Davis stated that a new seat has been created on the Board of the Metropolitan Washington Council of Governments (COG). He stated that there is now a Development Policy Committee that reports to the Board and that Supervisor Berger is currently a principal member. Chairman Davis asked unanimous consent that the Board designate Supervisor Berger and Supervisor Dix as principal members and Supervisor Alexander as the alternate member to the Development Policy Committee of COG. Without objection, it was so ordered.

67. APPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS (CAC) AND THE TRANSPORTATION ADVISORY COMMISSION (TAC) (Tape 7)

(APPTS)

Supervisor Dix moved the following reappointments:

■ Mr. Mark Hubal as the Hunter Mill District (Principal) Representative on the Citizens Advisory Committee on Solid Waste and Disposal Matters (CAC);

■ Ms. Valerie Scott-King as the Hunter Mill District (Alternate) Representative on the CAC;
and

■ Mr. John Hunter as the Hunter Mill District Representative on the Transportation Advisory Commission (TAC).

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

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

At 1:25 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:

- Walter A. Palmer versus Edwin A. Owens, At Law Number 123814;
- Tycoma Incorporated NV versus Fairfax County, Virginia, At Law Number 123877;
- Summit 66 Corporation versus Board of Supervisors of Fairfax County, Virginia, At Law Number 124084;
- J.C. Penney Properties, Incorporated, et al versus Board of Supervisors et al, At Law Number 123866 and J.C. Penney Company Incorporated et al versus Board of Supervisors et al, At Law Number 111399;
- Real property located at 1502 Beulah Road (Hunter Mill District) formerly owned by Arthur and Carol Cohen; and
- Contract for Vehicle Maintenance Operations; West Ox Maintenance Facility (RFP 40004220).

Supervisor Hanley asked to amend the motion to add discussion of negotiations on settlement with Star Enterprise, and this was accepted.

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

AM:am

At 4:40 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Alexander and Supervisor Hyland, and with Chairman Davis presiding.

ACTIONS FROM EXECUTIVE SESSION**69. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 8)

Supervisor Bulova moved that the Board of Supervisors certify that, to the best of their knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed, or considered by the Board during the Executive Session. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Alexander being absent.

70. TYCOMA, INCORPORATED NV, VERSUS FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 123877 (Tape 8)

Supervisor Dix moved that the Board authorize settlement of Tycoma, Incorporated, NV versus Fairfax County, Virginia, At Law Number 123877, 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 eight, Supervisor Hyland being out of the room, Supervisor Alexander being absent.

71. ACQUISITION OF REAL PROPERTY LOCATED AT 1502 BEULAH ROAD (Tape 8)

Supervisor Dix moved that the Board of Supervisors authorize staff to complete the acquisition of real property located at 1502 Beulah Road 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 eight, Supervisor Hyland being out of the room, Supervisor Alexander being absent.

72. CONTINUING EDUCATION PROJECT (Tape 8)

Supervisor Dix moved that the Board authorize the Chairman of the Board to sign an agreement on behalf of the County for assistance to a continuing education project to be located in Northern Virginia in accordance with the terms and conditions outlined in Executive Session, and to authorize the County Attorney to make minor, nonsubstantive changes in the agreement as necessary prior to it being signed. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of five, Supervisor Berger voting "NAY," Supervisor Frey, Supervisor Hyland, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

73. BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA VERSUS SHIRLEY M. HUNTER, TRUSTEE, ET AL., AT LAW NUMBER 114415 (Tape 8)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board authorize settlement of Board of Supervisors of Fairfax County, Virginia versus Shirley M. Hunter, Trustee, et al., At Law Number 1144115, according to the terms and conditions

outlined by the County Attorney in Executive Session. This motion was seconded by Vice-Chairman McConnell and carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Alexander being absent.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

74. **BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA VERSUS LORTON EDWARDS LIMITED LIABILITY COMPANY, AT LAW NUMBER 130207** (Tape 8)

Supervisor McConnell moved that the Board enter into an order to dismiss the Board of Supervisors of Fairfax County, Virginia versus Lorton Edwards Limited Liability Company, At Law Number 130207, without prejudice, on the terms as discussed in Executive Session. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Alexander being absent.

75. **WALTER PALMER VERSUS EDWIN A. OWENS, AT LAW NUMBER 123814** (Tape 8)

Supervisor Frey moved that the Board authorize the filing of a declaratory judgment action in Walter Palmer versus Edwin A. Owens, At Law Number 123814. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hyland being out of the room, Supervisor Alexander being absent.

76. **J.C. PENNEY PROPERTIES, INCORPORATED, ET AL. VERSUS BOARD OF SUPERVISORS, ET AL., AT LAW NUMBER 123866 AND J.C. PENNEY COMPANY, INCORPORATED, ET AL. VERSUS BOARD OF SUPERVISORS, ET AL., AT LAW NUMBER 111399** (Tape 8)

Supervisor Dix moved that the Board authorize settlement of:

- J.C. Penney Properties, Incorporated, et al. versus Board of Supervisors, et al., At Law Number 123866; and
- J.C. Penney Company, Incorporated, et al. versus Board of Supervisors, et al., At Law Number 111399, according to the terms and conditions outlined by the County Attorney in Executive Session.

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

77. **SUMMIT 66 CORPORATION VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA AT LAW NUMBER 124084** (Tape 8)

Supervisor Hanley moved that the Board authorize settlement of Summit 66 Corporation versus Board of Supervisors of Fairfax County, Virginia, At Law Number 124084, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Hyland being

out of the room, Supervisor Alexander being absent.

SBE:sbe

78. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-V-007 (FIRST PROPERTIES ASSOCIATES, INCORPORATED AND SANGER STREET L.L.C.) (MOUNT VERNON DISTRICT)** (Tape 9)

Ms. Elizabeth Baker reaffirmed the validity of the affidavits for the record.

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

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

- In the amount of \$1,325 from Stephen Gageby to the Davis Campaign.

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

On behalf of Supervisor Hyland, Supervisor Bulova moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-V-007 be amended from the R-1 District to the PDH-16 District subject to the executed proffers dated April 19, 1994 and the development conditions dated May 13, 1994. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of five, Chairman Davis abstaining, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

Supervisor Bulova moved waiver of the:

- Barrier requirements along the western boundary of the site; and
- Transitional screening and barrier requirements along the northern boundary and modify the transitional screening and barrier requirements along the southern southeastern boundary in favor of the landscaping shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP) subject to the executed proffers.

This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of five, Chairman Davis abstaining, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

Supervisor Bulova moved waiver of the 600-foot limitation on the maximum length of private streets for residential developments in favor of the CDP/FDP and subject to the executed proffers. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded

vote of five, Chairman Davis abstaining, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor Alexander being absent

Supervisor Bulova noted, for the record, that the proposed contribution to the Lorton Area Road Fund proffered in this application was estimated by the applicant and has not been endorsed by staff or the Planning Commission and should not be construed as setting a precedent for future rezoning applications within the Lorton Area.

79.3:30 P.M. - PH ON REZONING APPLICATION RZ 94-L-004 (CURTIS D. AND NINA G. CORNETT) (LEE DISTRICT) (Tape 9)

Ms. Nina G. Cornett reaffirmed the validity of the affidavits for the record.

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

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

On behalf of Supervisor Alexander, Supervisor Bulova moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-L-004 be amended from the R-3 and HC Districts to the R-12 and HC Districts subject to the executed proffers dated May 8, 1994. This motion, the second to which was inaudible, carried by a vote of six, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

Supervisor Bulova moved waiver of the minimum district size pursuant to Section 9-610 of the Zoning Ordinance. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

Supervisor Bulova moved waiver of the transitional screening and barrier requirements in favor of existing landscaping and fencing pursuant to Paragraph 3 of Section 13-304. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Dix, Supervisor Hanley, and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

80.3:30 P.M. - PH ON REZONING APPLICATION RZ 93-Y-044 (YORK LIMITED PARTNERSHIP) (SULLY DISTRICT) AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-P-090-2 (FAIR LAKES PROMENADE L.P.) (PROVIDENCE DISTRICT) (Tape 9)

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

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

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

■ Robert S. Rausch contributed to the Davis Campaign.

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

Supervisor Frey moved:

■ Approval of Proffered Condition Amendment Application PCA 86-P-090-2;

■ That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-Y-044 be amended from the R-1 and WS Districts to the PDC and WS Districts subject to the:

▪ Executed proffers dated May 11, 1994; and

■ Approval of the following Conceptual Development Plan Condition: "If a quick service food store is provided in conjunction with the service station on the north side of Fair Lakes Parkway the type of items which may be sold in the quick service food store shall be limited to the pre-packaged items which are normally sold from vending machines including coffee and similar hot beverages, cakes, pies, soft drinks, juices, dairy products, pre-packaged sandwiches, snack food items such as potato chips, pretzels, etcetera cookies, assorted gum, cigarettes and tobacco and similar items. No groceries other than as above shall be permitted. Food preparation and the use of microwave ovens shall not be allowed. No alcoholic beverages shall be allowed to be sold. The marketing of video tapes or video machines shall not be allowed on the premises. These restrictions, however shall not limit the sale of automobile related products under the definition of service station."

This motion was jointly seconded by Supervisor Berger and Supervisor McConnell and **CARRIED** by a recorded vote of five, Chairman Davis abstaining, Supervisor Dix, Supervisor Hyland,

and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved waiver of the minimum 75-foot setback requirement from I-66. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of five, Chairman Davis abstaining, Supervisor, Dix, Supervisor Hyland, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved to modify the transitional screening and waive the barrier requirement as reflected on the Conceptual Development Plan/Final Development Plan (CDP/FDP) and as amended by the approval of the FDP conditions. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of five, Chairman Davis abstaining, Supervisor Dix, Supervisor Hyland, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

81.3:30 P.M. - DEFERRAL OF PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 92-L-027 - EXXON CORPORATION (LEE DISTRICT) (Tape 9)

On behalf of Supervisor Alexander, Supervisor Bulova moved to defer the public hearing on Special Exception Amendment Application SEA 92-L-027 until **June 6, 1994 at 4:00 p.m.** This motion, the second to which was inaudible, carried by a vote of six, Supervisor Dix, Supervisor Hyland, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

82.3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S93-III-BR1 FOR THE AREA LOCATED SOUTH OF ROUTE 50 GENERALLY BETWEEN THE FAIRFAX COUNTY PARKWAY, MONUMENT DRIVE AND A VIRGINIA POWER EASEMENT (SULLY 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 29 and May 6, 1994.

Following the public hearing, which included testimony by six speakers, Supervisor Frey moved to defer Board decision on Out-of-Turn Amendment S93-III-BR1 until **June 6, 1994 at 4:30 p.m.** and stated that the record would remain open until this time. This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Dix, Supervisor Hyland, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

83.ORDERS OF THE DAY (Tape 9)

Chairman Davis announced that the Orders of the Day would be changed to proceed with the scheduled public hearing on Rezoning Application RZ 93-H-041.

84.4:00 P.M. - PH ON REZONING APPLICATION RZ 93-H-041 (MANUEL SERRA, TRUSTEE) (HUNTER MILL DISTRICT) (Tape 9)

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavits for the record.

Mr. Calabrese 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 Frey disclosed the following campaign contribution which he had received:

- Mr. Carson Lee Fifer, Jr. of McGuire, Woods, Battle and Boothe to the Frey for Supervisor Campaign.

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

- Mr. Carson Lee Fifer, Jr. of McGuire, Woods, Battle and Boothe to the Davis Campaign.

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

On behalf of Supervisor Dix, Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 34-H-041 be amended from the R-1 District to the R-3 District subject to the executed proffers dated May 9, 1994. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

85.4:00 P.M. - PH ON REZONING APPLICATION RZ 93-L-023 (B. MARK FRIED, TRUSTEE FOR FRONTIER JOINT VENTURE LIMITED PARTNERSHIP) (LEE DISTRICT) (Tape 9)

On behalf of Supervisor Alexander, Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 93-L-023 until **June 6, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

86.4:00 P.M. - PROPOSED ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR CONSTRUCTION OF WINDSOR ESTATES STORM DRAINAGE PROJECT (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 29 and May 6, 1994.

On behalf of Supervisor Alexander, Supervisor Hanley moved to defer the public hearing on the proposed acquisition of certain easements necessary for construction of Windsor Estates Storm Drainage Project until **June 6, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

87. ORDERS OF THE DAY (Tape 9)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board proceed with the public hearing to Receive Citizen Comment on Issues of Concern and then return to the regular schedule. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

88. 4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN
(Tapes 9-10)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1994.

Citizens of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Citizens must call the Chairman's Office (703-324-2321) to register to speak and provide their names, addresses, phone numbers, and topics they wish to address.

The public hearing was held and included testimony by the following speakers:

- Ms. Danitza Fonseca, regarding Oak Grove Trailer Park;
- Mr. Tim Berkoff, regarding issues concerning the Oak Grove and Woodley Nightingale Trailer Parks; and
- Mr. Jack McNutt, regarding Oak Grove Trailer Park.

Following testimony from Danitza Fonseca (Speaker One), Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to:

- Investigate the problems at the Oak Grove Trailer Park and report its findings at Board meeting scheduled for June 6, 1994; and
- Provide a video tape of this public hearing to Ms. Fonseca.

Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Following testimony of Tim Berkoff (Speaker Two), Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to

schedule a meeting with:

- Chairman Davis;
- Supervisor Alexander; and
- Representatives of the residents of the Oak Grove Trailer Park,

to investigate the problems at the Trailer Park. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley asked unanimous consent that the Board direct staff to determine:

- If there is any additional advice or assistance that can be provided to the residents of the Trailer Park by the County; and
- The requirements for mortgages on these types of properties.

Without objection, it was so ordered.

(NOTE: Later in the meeting, the public hearing on this item was continued. See Clerk's Summary Item CL#94.)

ADDITIONAL BOARD MATTER

89. WELCOME TO KATHARINE D. ICHTER, CHIEF, HIGHWAY OPERATIONS DIVISION, OFFICE OF TRANSPORTATION AND HER SON BRIAN (Tape 10)

Chairman Davis announced the presence in the Board Auditorium of Katharine D. Ichter, Chief, Highway Operations Division, Office of Transportation and her son, Brian, and he warmly welcomed them.

90.4:00 P.M - JOINT PUBLIC HEARING ON THE PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SIX YEAR SECONDARY ROAD IMPROVEMENT PROGRAM (COUNTYWIDE) AND JOINT PUBLIC HEARING ON THE PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY ROAD IMPROVEMENT BUDGET FOR FISCAL YEAR (FY) 1995 (COUNTYWIDE) (Tape 10)

(Verbatim)

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 29 and May 6, 1994.

Following the testimony of Michael Paulson (Speaker One), Supervisory Hanley asked unanimous consent that the Board direct staff to request the Virginia Department of Transportation (VDOT) to include the intersection of Shreve Road, Pinecastle Road and Buckelew Drive in its intersection improvements. Without objection, it was so ordered.

Following discussion, Supervisor Hanley moved approval of the draft Six Year Secondary Road Improvement Program summarized in Attachments I and II, and provided in full detail in Attachment III as outlined in the Memorandum to the Board dated May 16, 1994 with the following amendments:

- That staff include in the Intersection Improvement Fund a sum of \$200,000 for the improvement of Pinecastle Road, Buckelew Drive, and Shreve Road; and
- That staff request the State to review the issue of having a fund to address the physical improvements for the cut-through barriers, with special emphasis on the gate at Briary Lane and Route 236.

This motion was seconded by Supervisor Bulova.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked to amend the motion to include directing staff to request the Virginia Department of Transportation (VDOT) to review areas of the Sleepy Hollow Manor Subdivision, specifically a three-way stop sign at Valley Lane at Villa Lane and Carolyn Drive, and this was accepted.

Supervisor Hanley stated that the Jermantown Road Project in the status report indicated that construction advertisement was for June of 1994. It also stated that construction advertisement was delayed because of right-of-way delays.

Following input from Shiva K. Pant, Director, Office of Transportation, Supervisor Hanley amended the motion to direct staff to review the delay of the Jermantown Road Project to reconstruct to four lanes between Chain Bridge Road (Route 123) and the bridge over I-66, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of six, Supervisor Dix, Supervisor Hyland, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

91.4:00 P.M. - PH ON REZONING APPLICATION RZ 93-H-041 (MANUEL SERRA, TRUSTEE) (HUNTER MILL DISTRICT) (No Tape)

(Note: Earlier in the meeting, action on Rezoning Application RZ-93-H-041 was taken. See Clerk's Summary Item CL#84.)

92.4:00 P.M. - PH ON REZONING APPLICATION RZ 93-L-023 (B. MARK FRIED, TRUSTEE FOR FRONTIER JOINT VENTURE LIMITED PARTNERSHIP) (LEE DISTRICT) (No Tape)

(Note: Earlier in the meeting, action was taken to defer this item. See Clerk's Summary item CL#85.)

93. 4:00 P.M. - PROPOSED ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR CONSTRUCTION OF WINDSOR ESTATES STORM DRAINAGE PROJECT (LEE DISTRICT) (No Tape)

(Note: Earlier in the meeting, action was taken to defer this item. See Clerk's Summary item CL#86.)

94. CONTINUATION OF THE PUBLIC HEARING TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN (Tape 10)

(Note: Earlier in the meeting, the Board heard testimony from several speakers. See Clerk's Summary item CL#88.)

The public hearing was held and included testimony by the following speaker:

■Ms. Joyce Dix, regarding the Justice System and Jails.

95.4:30 P.M. - PH TO RECEIVE COMMENT FROM FAIRFAX COUNTY BUSINESSES ON ISSUES OF CONCERN (Tape 10)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 29 and May 6, 1994.

Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear business comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), or comments regarding individuals. Each business speaker may have up

to three minutes and a maximum of 10 speakers will be heard. Businesses must call the Chairman's Office (703-324-2321) to register to speak and provide their names, addresses, phone numbers and topics they wish to address.

The public hearing was held and there were no speakers; however, testimony was submitted for the record.

ADDITIONAL BOARD MATTERS

96. SCHEDULING OF A PUBLIC HEARING ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-M-023-2 (PLAZA AT LANDMARK) (Tape 10)

Supervisor Trapnell moved that the Board direct staff to schedule a public hearing for Special Exception Amendment Application SEA 86-M-023-2 (Plaza At Landmark) for **July 25, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

97. SCHEDULING OF A PUBLIC HEARING ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 79-P-108 (Tape 10)

Supervisor Hanley moved that the Board direct staff to schedule a public hearing for Special Exception Amendment Application SEA 79-P-108 prior to the Board's August recess. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

98. LETTER TO PARENT/TEACHER ASSOCIATION (PTA) PRESIDENTS REGARDING THE BOND ISSUE (Tape 10)

(Note: Earlier in the meeting, this item was discussed. See Clerk's Summary Items CL#14 and CL#47.)

Supervisor Bulova moved that the Board direct Chairman Davis to send the revised letter regarding bonds to the Parent/Teacher Association (PTA) in Fairfax County, with the change noting that none of the projects deferred were school projects. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Dix and Supervisor Hyland being out of the room, Supervisor Alexander being absent.

99. BOARD ADJOURNMENT (Tape 10)

At 6:20 p.m., the Board adjourned.