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

Supervisor McConnell arrived at 10:15 a.m.

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 RECIPIENTS OF THE FRIENDS OF TREES AWARDS (Tape 1)

Supervisor Hyland moved approval of the Certificates of Recognition presented to the following recipients of the Friends of Trees Awards:

- James Frazier;
- Thomas Hostetter;
- Mickie Sullivan; and
- Students Against Global Abuse (SAGA), Herndon High School, Gary Gepford, Sponsor.

This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor McConnell not yet having arrived.

3. CERTIFICATE OF RECOGNITION PRESENTED TO RAY WATSON, PRINCIPAL OF ANNANDALE HIGH SCHOOL (Tape 1)

Supervisor Trapnell moved approval of the Certificate of Recognition presented to Ray Watson, Principal of Annandale High School, upon his retirement. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander being out of the room, Supervisor McConnell not yet having arrived.

Supervisor Frey asked unanimous consent that the Board direct staff to send Mr. Watson a copy of the videotape of this meeting. Without objection, it was so ordered.

4. CERTIFICATE OF RECOGNITION PRESENTED TO ED RYAN, PRINCIPAL OF MADISON HIGH SCHOOL (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Ed Ryan, Principal of Madison High School, upon his retirement. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell not yet having arrived.

Supervisor Dix recognized the presence of two members of the School Board, Louis J. Zone, Hunter Mill District Representative, and Gary Reese, Sully District Representative, and welcomed them to the Board Meeting.

5. CERTIFICATE OF RECOGNITION PRESENTED TO NANCY POOLE, PRINCIPAL OF WOLF TRAP ELEMENTARY SCHOOL (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Nancy Poole, Principal of Wolf Trap Elementary School, upon her retirement. This motion was jointly seconded by Supervisor Bulova and Supervisor Hyland and carried by a vote of nine, Supervisor McConnell not yet having arrived.

6. CERTIFICATE OF RECOGNITION PRESENTED TO CARLEEN PAYNE, TEACHER AT CENTRE RIDGE ELEMENTARY SCHOOL (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Carleen Payne, Teacher at Centre Ridge Elementary School, for being selected as Virginia Reading Teacher of the Year. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell not yet having arrived.

7. 10:00 A.M. - PRESENTATION OF LORD AND LADY FAIRFAX (Tape 1)

Chairman Davis announced that the Fairfax Fair still needed over 200 volunteers to run the Fairfax Fair at the Government Center this weekend and that over 1400 volunteers produce this event. Each volunteer receives a volunteer t-shirt, a slice of pizza, and a soda. Chairman Davis also stated that it only takes one three hour commitment to make a difference at the Fair. Individuals who are interested in helping may call 703-324-FAIR to volunteer.

Chairman Davis presented Certificates of Recognition to the following Lord and Lady Fairfax Honorees:

At-Large Nominees

■Mary Gormley; and
Kenton Pattie.

Springfield District Nominees

■Linda Hossenlopp; and
Gregory C. Evans.

Braddock District Nominees

■Suzanne Harsel; and
Charles A. Fegan.

Dranesville District Nominees

■Sandra Leake Crippen; and
Richard F. Downer.

Hunter Mill District Nominees

■Vera Hannigan; and
John Hannigan.

Lee District Nominees

■Francine Jupiter; and
William Schurtz.

Mason District Nominees

■Irma Ortiz; and
William B. Bailey.

Sully District Nominees

■Leye J. Chrzanowski; and
Dan Funkhouser.

Providence District Nominees

■Roberta W. Wulf; and
Henry S. Wulf.

Mount Vernon District Nominees

- Louise L. Meade; and
Thomas W. Chadwick.

Supervisor Hyland challenged each Board Member to pledge 20 volunteers each by the end of the day to support the Fairfax Fair and to help recruit the 200 more volunteers that the Fair needs.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide each Board Member with a copy of the photograph taken in the Board Auditorium of the Lords and Ladies of Fairfax with the Board Members. Without objection, it was so ordered.

8.10:15 A.M. - PRESENTATION OF THE 1993 A. HEATH ONTHANK MEMORIAL AWARDS (Tapes 1-2)

Philip Rosenthal, Chairman, Onthank Award Selection Committee and Lewis Johnson, Chairman, Civil Service Commission, presented the 1993 A. Heath Onthank Memorial Awards, given annually for accomplishments which advance and improve public service to County citizens.

Mr. Rosenthal introduced Kathy Hill, Hunter Mill District Representative and Don Kanen, Dranesville District Representative, A. Onthank Award Selection Committee.

The following General County and School Board employees received the Award:

- Michael R. Ayala, Administrative Assistant, Edison High School;
- Lieutenant Ross E. Christian, Fire and Rescue Department;
- Kevin L. Feik, Master Technician, Fire and Rescue Department;
- Jane A. Harvey, Education Secretary II, McLean High School;
- Eduardo Latorre, Custodian, Annandale High School;
- Linnea T. Nichols, Systems Programming Branch Manager, Cooperative Computer Center;
- Major Alvin S. Thompson, Technical Service Bureau, Police Department;
- Doris (Davey) Zellmer, Director, Community Care Unit, Mount Vernon Center for Community Mental Health; and
- Ramon Zerpa-Hersh, School Security Officer, School Office of Security Services.

9. RECESS (Tape 2)

At 10:50 a.m., the Board recessed briefly.

AR:ar

At 11:05 a.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor McConnell, and with Chairman Davis presiding.

10. PRESENTATION OF A CHECK FROM THE NORTHERN VIRGINIA CHAPTER OF THE ORGANIZATION OF CHINESE AMERICANS (Tape 3)

On behalf of the Northern Virginia Chapter of the Organization of Chinese Americans, Mr. Jim Cho presented a check in the amount of \$3,530 to benefit the Medical Care for Children Partnership which is run by the Department of Community Action. This program is for children in the County who do not receive and cannot get access to necessary medical care.

11.10:30 A.M. - BOARD MARKUP AND DECISION ON THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS (FY) 1995-1999 (Tapes 3-4)

(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. On May 9, 1994 the Board deferred its markup until May 16, 1994 and on May 16, 1994 the Board deferred its markup until June 6, 1994.)

Following input from Carl R. Peed, Sheriff; Gary Reese, Sully District Representative, School Board, and Chairman of the School Board's Committee on Capital Improvements; and Roger W. Webb, Director of Administration, Logistical, and and Operations Services School System, Supervisor Dix moved adoption of the Fairfax County Capital Improvement Program (CIP) for Fiscal Years (FY) 1995-1999 as adjusted in Option Four presented by the County Executive, which would:

- Release the bid for the Adult Detention Center in October of 1994 with construction to commence in March of 1995;
- Adjust the School Bond Sales from \$126.7 million to \$111.7 million over the years 1995-1996;
- Authorize a School Bond Referendum in 1995 in the amount of \$150 million, and target sales of \$40 million in 1997 and \$55.85 million in 1998, which will be revisited on an annual basis;
- Add the following to the cash flow for 1995:
 - \$50,000 for the Licensed Home for Adults;
 - \$50,000 for the Dual Diagnosis Facility; and
- Add \$500,000 for Lake Fairfax Park to cover critical infrastructure rehabilitation needed to keep the park open.

This motion was seconded by Supervisor Berger.

Following a lengthy discussion, with input from James A. Heberlein, Acting-Director of the Park Authority, Supervisor Dix amended his motion to add \$160,000 for Lake Fairfax Park, instead of \$500,000, with a notation that the remainder of the funds needed for this rehabilitation would be reprogrammed from Design Funds earmarked for Lake Fairfax, and this was accepted.

Supervisor Hyland noted his intent, as the CIP is considered by the Board on an annual basis, to address the serious problem of Neighborhood Improvement Programs throughout the older sections of the County.

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

12. APPOINTMENT OF FINANCIAL AND PROGRAMS AUDITOR TO THE BOARD OF SUPERVISORS (Tape 4)

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board:

- Appoint Mr. James J. Hogan to the position of Financial and Programs Auditor to the Board of Supervisors at the grade of S-36, Step 7 (annual salary of \$89,561) as of July 1, 1994; and
- Authorize the establishment of the positions of Auditor II at grade S-23 (salary range \$35,000-55,000), and Secretary III at grade 15 (salary range \$23,000-35,000) to support the Financial and Programs Auditor.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

At this time, Chairman Davis introduced Mr. Hogan to Board Members and all others present in the auditorium.

13. PRIVATIZATION ISSUE AT THE WEST OX MAINTENANCE FACILITY
(Tapes 4-5)

Following a briefing and update by William J. Leidinger, County Executive, on the privatization issue at the West Ox Maintenance Facility, Supervisor Berger moved that the Board direct staff to cease and desist from taking any action against Johnson Controls at the present time. This motion died due to lack of a second.

Supervisor McConnell moved that the Board refer this matter to Mr. James T. Hogan, the new Financial and Programs Auditor, for review of the situation with regard to the West Ox Facility and report his findings as expeditiously as possible. This motion was seconded by Supervisor Berger.

Following a lengthy discussion, with input from Fred K. Kramer, Director, Department of General Services; James D. Gorby, Director, Equipment Management Transportation Agency (EMTA); Ray E. Willis, Deputy Director of Support Services, EMTA; and Chip Taggart, Vice-President with David M. Griffith and Associates (Management Consultants), Supervisor Hyland moved a substitute motion that the Board:

- Refer this matter to the County Attorney to determine if there are adequate grounds to sustain termination of the contract with Johnson Controls for cause;
- If so, advise the Board of his opinion in Executive Session; and
- Return this matter for final action by the Board later in the meeting.

This motion was seconded by Supervisor Bulova.

Following further discussion, with additional input from Mr. Leidinger, Mr. Kramer, and Larry N. Wellman, Director, Purchasing and Supply Management Agency, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved a substitute to the substitute motion that the Board direct the new Financial and Programs Auditor to work with David M. Griffith and Associates, in the preparation of a definitive report which addresses the following issues:

- Whether Johnson Controls is capable of achieving the performance standards;
- Whether the contract should be terminated;
- Whether liquidated damages should be assessed; and
- The legal ramifications.

Supervisor Davis added that his motion includes a request for this report to be returned to the Board for action at its meeting on June 27, 1994.

This motion was seconded by Supervisor Berger.

Supervisor Davis clarified that adequate staff would be provided to Mr. Hogan as expeditiously as possible.

With a notation that many parents in the County are frustrated and angry with the present bus situation, Supervisor Bulova reemphasized the need for this matter to be settled at the Board Meeting on June 27, 1994.

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

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

14. DEPARTURE OF SPRINGFIELD DISTRICT SUPERVISOR ELAINE MCCONNELL
(Tape 5)

Supervisor McConnell announced that she must leave today's Board Meeting due to a death in her family, and that she would be receiving copies of the testimony on the public hearing scheduled for 7:00 p.m. this evening on the Draft Tysons Corner Urban Center Plan (S93-CW-2CP) for her review prior to the Board's action.

Supervisor Hanley stated that the Board would hold the public hearing only (as scheduled) this evening, but that it was her intent to defer the mark-up on the Draft Tysons Corner Urban Center Plan until June 27, 1994.

15. DEFERRAL OF 4:00 P.M. PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR CONSTRUCTION OF WINDSOR ESTATES STORM DRAINAGE (LEE DISTRICT) (Tape 5)

Supervisor Alexander moved to defer indefinitely the public hearing on the Acquisition of Certain Easements Necessary for Construction of Windsor Estates Storm Drainage (Lee District). This motion was seconded by Supervisor Hyland and carried by unanimous vote.

16. RECESS/EXECUTIVE SESSION (Tape 5)

At 1:55 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in Virginia Code Section 2.1-344 and listed in the Agenda for this meeting, as well as:

■C&A Carbone, Incorporated, versus Town of Clarkstown, New York, United States Supreme Court Number 92-1402; and

■Proposed Zoning Ordinance Amendment reference occupancy of a dwelling unit.

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

PMH:pmh

17. At 3:40 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Davis presiding.

ACTIONS FROM EXECUTIVE SESSION

18. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION (Tape 6)

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 Frey and carried by a vote of nine, Supervisor McConnell being out of the room.

19. OX HILL BATTLEFIELD (Tape 6)

Supervisor Frey moved that the County Executive or the Deputy County Executive for Planning and Development be authorized to sign a contract to acquire parcel five located at 4140 West Ox Road in accordance with the recommendation of County staff in Executive Session. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

20. FLOW CONTROL MOTION (Tape 6)

Because the recent United States Supreme Court decision in C&A Carbone, Incorporated versus Town of Clarkstown places in question the County's authority, through the use of its flow control ordinance, to ensure that its trash processing facilities receive enough solid waste to operate cost-effectively, Supervisor Hyland moved that Board:

- Direct the County Executive, on behalf of the Board of Supervisors, to use all appropriate available means to make the Congressional delegation aware of the importance of solid waste flow control to Fairfax County and to urge it to introduce or to support national legislation permitting local flow control ordinances to be enacted or maintained;
- Staff utilize certain spot markets to procure solid waste deliveries to the I-95 Energy/Resource Recovery Facility in an attempt to assure that the county's waste delivery commitments are met. These markets may include additional mixed municipal solid waste, potential incineration of sewage sludge from the Lower Potomac Pollution Control Plant, and other opportunities that may arise provided the facility permit conditions are not jeopardized by their combustion;

and

- Staff continue to analyze the affect of the Supreme Court decision, pending legislation and the overall flow control situation, and to keep the Board apprised of any new information and the status of the above-noted efforts.

This motion was seconded by Supervisor Hanley.

Following discussion, Chairman Davis announced that the Board would vote seriatimly on each issue.

The question was called on the first bullet, which **CARRIED** by a recorded vote of eight, Supervisor Berger voting "NAY," Supervisor McConnell being out of the room.

The question was called on the second and the third bullets, which carried by a vote of nine, Supervisor McConnell being out of the room.

(NOTE: Later in the meeting, there was additional Action from Executive Session. See Clerk's Summary Item CL#76.)

AM:am

21. ADMINISTRATIVE ITEMS (Tape 7)

Supervisor Alexander moved approval of the Administrative Items. The second to the motion was inaudible.

Supervisor Frey asked that the motion be amended to pull and consider separately Administrative Item - Admin 7 - Authorization to Advertise Proposed Amendments to the Code of the County of Fairfax, Chapter 82, (Motor Vehicles and Traffic) to Issue Free Vehicle Licenses (Decals) to Members of Volunteer Fire Departments, and this was accepted.

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

(NOTE: Later in the meeting, action was taken on Administrative Item - Admin 7. See Clerk's Summary Item CL#22.)

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

(R)Adopted the request that certain streets listed in the Memorandum to the Board dated June 6, 1994 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Paul Street Development	Mason	Paul Street Route 1844

Berryland Farm, Section 3	Providence	Oakton Mills Drive Route 6474
Crosen Property	Sully	Richland Lane Route 5359 Crosen Court Castlevine Court Route 6301
Pleasant Forest	Sully	Smithfield Place Smithfield Court Pebblebrook Drive Pebblebrook Trace Rockbridge Place

ADMIN 2 - RENAMING SAINT ANDREWS STREET IN WESTBRIAR COUNTRY CLUB ESTATES SUBDIVISION (HUNTER MILL DISTRICT)

Approved an official street name from Saint Andrews Street in the Official Street Names and Property Numbering Atlas, to Saint Andrews Drive, from its intersection with Maple Avenue in the Westbriar County Club Estates subdivision on Tax Map Reference 039-1.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED ORDINANCE TO APPROVE THE JOINT EXERCISE OF POWERS AGREEMENT FOR THE FAIRFAX AREA DISABILITY SERVICES BOARD

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **June 27, 1994 at 4:30 p.m.** on a proposed ordinance to approve joint exercise of powers agreement for the Fairfax Area Disability Services Board.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE MODIFICATION OF CERTAIN EASEMENTS AND THE ACQUISITION OF ADDITIONAL EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE ROUTE 123 AT LORTON SANITARY SEWER EXTENSION AND IMPROVEMENT PROJECT (MOUNT VERNON DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **June 27, 1994 at 4:30 p.m.** on the modification of:

- Certain sanitary sewer easements;
- Acquisition of additional sanitary sewer easements; and
- Acquisition of a storm drainage easement necessary for the construction of Project X00819 (P00001) - Route 123 at Lorton Sanitary Sewer Extension and Improvement Project.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, (MOTOR VEHICLES AND TRAFFIC), ADOPTION OF STATE LAW

(A)Authorized the advertisement of a public hearing to be held 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 82 (Motor Vehicles and Traffic) to adopt actions of the 1994 General Assembly.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, (MOTOR VEHICLES AND TRAFFIC) TO ENACT A UNIFORM ORDINANCE THAT PROVIDES FOR CROSS-JURISDICTIONAL ENFORCEMENT OF MOTOR VEHICLE LICENSING REQUIREMENTS OF THE JURISDICTIONS WHICH ENTERED INTO THE REGIONAL COMPACT

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **June 27, 1994 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to enact a uniform Ordinance to enforce the Northern Virginia Motor Vehicle License requirements.

ADMIN 7 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, (MOTOR VEHICLES AND TRAFFIC) TO ISSUE FREE VEHICLE LICENSES (DECALS) TO MEMBERS OF VOLUNTEER FIRE DEPARTMENTS

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#22.)

22. ADMIN 7 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, (MOTOR VEHICLES AND TRAFFIC) TO ISSUE FREE VEHICLE LICENSES (DECALS) TO MEMBERS OF VOLUNTEER FIRE DEPARTMENTS (Tape 7)

(A) Following discussion, with input from James P. McDonald, Deputy County Executive for Management and Budget; Kevin Greenleaf, Director, Personal Property, State Income and License Division, Office of Assessments; and Susan Planchon, Director, Office of Finance; Supervisor Hanley moved authorization of the advertisement of a public hearing to be held before the Board on **June 27, 1994 at 4:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) to permit issuance of one free vehicle license (decal) for vehicles owned by active members of volunteer fire departments, auxiliary police officers and certain other persons eligible under the Code of Virginia. This motion was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of seven, Supervisor Berger and Supervisor Frey voting "NAY," Supervisor McConnell being out of the room.

23. A-1 - APPROVAL OF REORGANIZATION OF FAIRFAX COUNTY INFORMATION TECHNOLOGY FUNCTIONS (Tape 7)

Chairman Davis relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that this item be deferred until later in the meeting. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#60.)

24. A-2 - STATE NON-ARBITRAGE INVESTMENT POOL (Tape 7)

On motion of the Board, seconded by Supervisor Alexander, and **CARRIED** by a recorded vote of seven, Supervisor Frey and Supervisor Hanley voting "NAY," Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved the investment of approximately \$25 million, or all available proceeds from the 1994A General Obligation Bond sale in the State Non-Arbitrage Program.

25. A-3 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - PAY GRADE ADJUSTMENTS - FISCAL YEAR (FY) 1995 REGRADE STUDY (Tape 7)

On motion of Supervisor Trapnell, seconded by Chairman Davis, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans to adjust pay grade assignments as outlined in the Memorandum to the Board dated June 6, 1994. The effective date of this action will be October 1, 1994.

26. A-4 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING MINOR ADJUSTMENT OF LOT LINES (Tape 7)

(R)

(A) On motion of Supervisor Frey, seconded by Supervisor Dix, and carried by a vote of nine, Supervisor McConnell being out of the room, 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 29, 1994 and before the Board of Supervisors on **August 8, 1994 at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to revise regulations pertaining to the minor adjustment of lot lines for certain lots, which although legally established, are not in conformance with current zoning district requirements.

27.A-5 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING OCCUPANCY OF A DWELLING UNIT (Tape 7)

(R)

(A) On motion of Supervisor Bulova, seconded by Chairman Davis, and carried by a vote of nine, Supervisor McConnell being out of the room, 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 29, 1994 and before the Board of Supervisors on **August 8, 1994 at 4:00 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to provide for shared housing for two single parents and their dependent children. The proposed amendment will allow a dwelling unit to be occupied by a family group of two unrelated adults with their dependent children up to a total of six children.

Chairman Davis relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board direct staff to send copies of the proposed Ordinance to the Federation of Citizens Associations, the District Councils and AHOME. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

28.A-6 - APPOINTMENT OF MEMBERS TO THE NORTHERN VIRGINIA MANPOWER CONSORTIUM PRIVATE INDUSTRY COUNCIL (PIC) (Tape 7)

(BACs)

(APPTs)

On motion of Supervisor Frey, seconded by Chairman Davis, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and confirmed the following appointments to the Northern Virginia Manpower Consortium Private Industry Council (PIC):

■ Mr. Harry Alton Lee

Gestalt Systems, Incorporated
Small Business Representative
Term to expire: June 30, 1995;

■ Ms. Phyllis Eller-Moffett

Telesec Staffing Services
Large Business Representative
Term to expire: June 30, 1995;

■ Ms. Edith Smith

Advisory Social Services Board
Springfield District Representative
Term to expire: June 30, 1995; and

■ Ms. Helene Luce

Mendelson, Ishee and Luce, P.C.
Other Business Representative
Term to expire: June 30, 1995.

29.A-7 - AUTHORIZATION TO ESTABLISH 1.5 FEDERALLY FUNDED POSITIONS IN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
(Tape 7)

On motion of Supervisor Dix, seconded by Chairman Davis, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved action by the Fairfax County Redevelopment and Housing Authority (FCRHA) to establish one Section Eight position and convert one half-time position to full-time (1.5 SYE) at an annual cost of \$46,510 to provide evening and weekend facility coverage and lease enforcement, and convert one half-time position to full-time to assist in administering new allocations of housing assistance.

Supervisor Hanley asked unanimous consent that the Board direct staff to provide further information on the amount of money in the Section Eight program reserve surplus fund. Without objection, it was so ordered.

30.A-8 - THE OFFICE OF HUMAN RIGHTS REQUEST TO CONVERT ONE GRANT EXEMPT-LIMITED TERM CLERK I POSITION TO A FULL-TIME GRANT MERIT POSITION (Tape 7)

Following discussion with input from staff, Supervisor Hanley moved that the Board concur in the recommendation of staff and authorize the conversion of one grant exempt-limited term Clerk I position to grant merit status. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

31. A-9 - NORTHERN VIRGINIA TRANSPORTATION COMMISSION'S (NVTC) STRATEGIC PROCESS FOR ACHIEVING EFFECTIVE BUS SERVICE IN NORTHERN VIRGINIA AND AID ALLOCATION FORMULA FOR FISCAL YEAR (FY) 1995 (COUNTYWIDE) (Tape 7)

On motion of Supervisor Bulova, seconded by Supervisor Alexander, the Board concurred in the recommendation of staff and approved the following actions:

- Acceptance of the proposed "Strategic Process for Achieving Effective Bus Service in Northern Virginia" (outlined in Attachment One of the Memorandum to the Board) as a reasonable first step in developing cost-effective options for provision of bus service in the Northern Virginia region; and
- Endorsement of the continuation of the Northern Virginia Transportation Commission's (NVTC) current Aid Allocation Formula for Fiscal Year (FY) 1995 with the following additions:
 - If federal Congestion Mitigation and Air Quality (CMAQ) or Regional Surface Transportation Program (STP) monies are provided to a local jurisdiction through NVTC's state aid contract, those proceeds would not be allocated by NVTC's formula but instead would be provided directly to the local jurisdiction. The local share of such eligible transit projects would still be incorporated into the formula for purposes of determining the jurisdiction's share of NVTC's total aid; and
 - NVTC's policy for allocating state bond proceeds for the Washington Metropolitan Area Transit Authority (WMATA) received by NVTC on behalf of its member jurisdictions is to use the formula shares in effect in the fiscal year in which the funds are authorized.

Supervisor Dix asked to amend the motion to add Item "d" on typewritten Page 45 of the Board Package:

- Each member jurisdiction of NVTC should agree not to substitute private or local bus operators for any additional Metrobus routes for implementation prior to July 1, 1995 without prior discussion with member jurisdictions.

This was accepted.

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

32.A-10 - AUTHORIZATION TO AMEND A CERTIFICATE RELATIVE TO THE CONSTRUCTION OF THE ANNANDALE CENTER DRIVE IMPROVEMENTS PROJECT (MASON DISTRICT) (Tape 7)

(R)On motion of the Board, seconded by Chairman Davis, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the deletion of the Virginia Electric and Power Company easement relative to the Annandale Center Drive Improvements, Project I00189.

33.A-11 - AUTHORIZATION TO ESTABLISH A MASTER EQUIPMENT LEASE-PURCHASE PROGRAM AND TO ISSUE AN INVITATION FOR BIDS (IFB) FOR FINANCING OF EQUIPMENT UNDER A MASTER EQUIPMENT LEASE-PURCHASE AGREEMENT (Tape 7)

On motion of Supervisor Frey, seconded by Chairman Davis, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and authorized the County Executive to:

- Establish a Master Equipment Lease-Purchase Program as a mechanism for managing and controlling the financing of capital equipment (but not real property) through lease-purchase agreements;
- Issue an Invitation for Bids (IFB) to provide lease-purchase financing for future acquisition of eligible equipment under the form of a Master Lease-Purchase Agreement; and
- Execute a Master Lease Agreement with the successful bidder(s).

34.A-12 - AUTHORIZATION TO EXECUTE A COOPERATION AGREEMENT BY AND AMONG THE COUNTY OF FAIRFAX, THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA), AND THE TOWN OF VIENNA (HUNTER MILL DISTRICT) (Tape 7)

On motion of Supervisor Dix, seconded by Supervisor Hanley, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and authorized the execution of a cooperation agreement by and among the County of Fairfax, the Fairfax County Redevelopment and Housing Authority (FCRHA), and the Town of Vienna.

35.A-13 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT RYAN WHITE COMPREHENSIVE AIDS RESOURCE EMERGENCY ACT FUNDING FROM THE NORTHERN VIRGINIA PLANNING DISTRICT COMMISSION (Tape 7)

On motion of Supervisor Hanley, seconded by Chairman Davis, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and authorized the Fairfax-Falls Church Community Services Board (CSB) to accept \$155,847 in Title I and Title II CARE Act funds, which will be used to continue regional HIV services provided by the CSB from May 1, 1994 through March 31, 1995.

36.A-14 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 94053 TOTTALLING \$128,584 FOR THE PRIOR YEAR (PY)1994 JOB TRAINING PARTNERSHIP ACT, TITLE II-B, SUMMER YOUTH EMPLOYMENT PROGRAM (Tape 7)

(SAR)On motion of the Board, seconded by Supervisor Trapnell, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and approved the Supplemental Appropriation Resolution (SAR) AS 94053 totalling \$128,584 for the Department of Human Development to appropriate additional Federal funds for the Job Training Partnership Act (JTPA) Title II-B Summer Youth Employment Program.

37.A-15 - PROPOSED CHARTER FOR THE COUNTYWIDE NON-MOTORIZED TRANSPORTATION (TRAILS) COMMITTEE (Tape 7)

(BACs)

Following discussion Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt the Charter for the Countywide Non-motorized Transportation (Trails) Committee which establishes the specific duties and responsibilities of this group. This motion was seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor McConnell being out of the room,

Supervisor Bulova noted that not everyone on the committee was in favor of the name which was chosen and the group would be open for suggestions for a new committee name.

38. **A-16 - RELOCATION OF THE SOIL SCIENCE OFFICE AND THE GYPSY MOTH SUPPRESSION PROGRAM** (Tape 7)

Following discussion with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, the Board moved to concur in the recommendation of staff and approved relocating the Soil Science Office and the Gypsy Moth Suppression Program from the Department of Extension and Continuing Education to the Department of Environmental Management (DEM). This motion, the second to which to which was inaudible, **CARRIED** by a recorded vote of seven, Supervisor Alexander and Supervisor Hyland voting "NAY," Supervisor McConnell being out of the room.

39. **A-17 - RESOLUTION TO REQUEST REIMBURSEMENT FOR THE BOYS PROBATION HOUSE PROJECT** (Tape 7)

(R)On motion of Supervisor Berger, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor McConnell being out of the room, the Board concurred in the recommendation of staff and adopted a Resolution stating the Board's commitment to request 50 percent of the construction costs and appropriate personnel and operating costs of the Juvenile Court's Boys Probation House when completed.

40. **A-18 - ALLOCATION PUBLIC HEARING FOR THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SIX-YEAR IMPROVEMENT PROGRAM FOR FISCAL YEARS (FY) 1995 THROUGH 2000 (COUNTYWIDE)** (Tape 7)

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, the Board moved to concur in the recommendation of staff regarding the Tentative Allocation for Fiscal Years (FY) 1995-2000 and:

- Approve the letter to Secretary Martinez (contained in the Memorandum to the Board dated June 6, 1994) emphasizing the Board's concerns and recommendations regarding the proposed allocations; and
- Reaffirm the Board's previous recommendations of March 21, 1994 (contained in the Memorandum to the Board dated June 6, 1994), as presented to the Commonwealth Transportation Board (CTB) at the April 22, 1994 public hearing.

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor McConnell being out of the room.

41. **C-1 - REQUEST FOR COUNTY PAYMENT OF THE LORTON VOLUNTEER FIRE DEPARTMENT'S SEWER AVAILABILITY FEE** (Tape 7)

The Board next considered an Item contained in the Memorandum to the Board dated June 6, 1994 requesting consideration of County payment of the Lorton Volunteer Fire Department's sewer availability fee for a recently constructed addition to its facility.

Following discussion, Supervisor Frey moved to include in the request for sewer availability fees the Springfield and Centreville Volunteer Fire Departments as well as the Lorton Volunteer Fire Department. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

42. **C-2 - NATIONAL ASSOCIATION OF COUNTIES' (NACO) ANNUAL CONFERENCE** (Tape 7)

The Board next considered an Item contained in the Memorandum to the Board dated June 6, 1994 regarding the National Association of Counties' (NACo) Annual Conference.

Following discussion, Chairman Davis relinquished the Chair to Acting-Chairman Bulova and moved that the Board designate Supervisor Hyland to represent the Board of Supervisors at the NACo Conference. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

43. **I-1 - THE "BEST OPERATED AND MAINTAINED DAM IN THE MUNICIPAL AND INDUSTRIAL - EARTH CATEGORY" FOR 1993, AWARDED TO FAIRFAX COUNTY, DEPARTMENT OF PUBLIC WORKS, MAINTENANCE AND CONSTRUCTION DIVISION (BRADDOCK DISTRICT)** (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 announcing that the Virginia Dam Awards Committee has selected Lake Barton, PL-566 Dam Site Two, as the Best Operated and Maintained Dam in the Municipal and Industrial - Earth Category for the 1993 competition.

44. **I-2 - STAFF SUMMARIES OF APRIL 1994 TRANSPORTATION ADVISORY COMMISSION MEETINGS (COUNTYWIDE)** (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 presenting the Staff Summaries of April, 1994 Transportation Advisory Commission meetings.

45.**I-3 - HEALTH INSURANCE SUBSIDY FOR EMPLOYEES DISPLACED BY REDUCTION IN FORCE RELATED TO FISCAL YEAR (FY) 1995 BUDGET**
(Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to provide continuation of health insurance benefits to displaced employees as contained in the Memorandum to the Board dated June 6, 1994.

Chairman Davis relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Board defer this item until June 27, 1994. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

46. **I-4 - UPCOMING HERITAGE RESOURCES BRANCH ARCHAEOLOGICAL RESEARCH PROJECTS** (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to proceed with five major archaeological field research projects for Fiscal Year (FY) 1995.

The staff was directed administratively to proceed as proposed.

47.**I-5 - CITIZENS' DISPOSAL FACILITIES FEE STRUCTURE REVISIONS (COUNTYWIDE)** (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to proceed with the Citizens' Disposal Facilities Fee Structure Revisions as contained in the Memorandum to the Board dated June 6, 1994.

The staff was directed administratively to proceed as proposed.

48.**I-6 - PERMISSIVE LEGISLATION APPROVED BY THE 1994 GENERAL ASSEMBLY GRANTING AUTHORITY TO LOCAL JURISDICTIONS TO CREATE A SEPARATE CLASSIFICATION OF PERSONAL PROPERTY FOR HOMEOWNER ASSOCIATIONS** (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to coordinate with the Office of Management and Budget to ensure that the rate for the separate classification of personal property for homeowner associations is reflected in the Fiscal Year (FY) 1996 Advertised Budget Plan.

The staff was directed administratively to proceed as proposed.

49.**I-7 - AWARD OF CONTRACT - EMPLOYMENT/DEVELOPMENTAL DAY SERVICES FOR INDIVIDUALS WITH MENTAL RETARDATION AND/OR MENTAL ILLNESS** (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to finalize negotiations and award contracts totaling \$7,105,303 to:

- Central Fairfax Services, Incorporated;
- Community Systems, Incorporated;
- Fairfax Opportunities Unlimited;
- Industrial Concepts of Northern Virginia, Incorporated;
- Job Discovery, Incorporated;
- Saint John's Community Services;
- SAC Enterprises; and
- Social Center for Psychiatric Rehabilitation,

to provide employment or developmental day services for individuals with mental retardation and/or mental illness on a cooperative procurement basis for the Community Services Boards of Fairfax-Falls Church, Arlington, and Alexandria.

The staff was directed administratively to proceed as proposed.

50.I-8 - AWARD OF CONTRACT - PUBLIC EDUCATION PROGRAM FOR THE COUNTY PERSONAL PROPERTY TAX/DECAL PROGRAM (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to finalize negotiations and award a contract to Ryan-McGuinn, Incorporated for a public education/awareness program to inform County residents of the change of due dates for the personal property tax decal payment process.

Chairman Davis suggested that staff consider the idea of pooling the advertising resources with other jurisdictions in order to provide more ad coverage.

The staff was directed administratively to proceed as proposed.

51.I-9 - AWARD OF CONTRACT - QUALITY CONTROL SUPPORT SERVICES FOR DATABASE DEVELOPMENT AND APPLICATION DEVELOPMENT FOR GEOGRAPHIC INFORMATION SYSTEMS (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to finalize negotiations and award a contract to Engineering Systems, Incorporated for Geographic Information Systems (GIS) Quality Control Support.

The staff was directed administratively to proceed as proposed.

52.I-10 - ARCHITECTURAL CONTRACT AWARD TO VITETTA GROUP FOR THE PUBLIC SAFETY CENTER FEASIBILITY STUDY (PUBLIC SAFETY CENTER/PROVIDENCE DISTRICT) (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to:

- Finalize negotiations and award a contract to Vitetta Group in the amount of \$214,175 for a master plan study for the Fairfax County Court System, Public Safety Center Feasibility Study, Project 001040, within Subfund 461, General County Construction; and
- Reallocate funds as outlined in the Memorandum to the Board dated June 6, 1994.

The staff was directed administratively to proceed as proposed.

53.I-11 - ADDENDUM NUMBER ONE TO THE ANNUAL GEOTECHNICAL ENGINEERING SERVICES WITH WOODARD-CLYDE CONSULTANTS (COUNTYWIDE) (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to award a contract addendum to Woodward-Clyde Consultants in the amount of \$100,000 for geotechnical engineering services for calendar year 1994.

The staff was directed administratively to proceed as proposed.

54.I-12 - AWARD OF CONTRACT - CONSTRUCTION OF 51 UNITS AT RAGAN OAKS (SULLY DISTRICT) (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to award a contract to Paradigm Construction Company in the amount of \$3,057,000 for the construction of 51 garden-style apartments at Ragan Oaks.

The staff was directed administratively to proceed as proposed.

55.I-13 - APPROVAL OF CONTRACT AMENDMENT FOR LIFE CYCLE TECHNOLOGY, INCORPORATED, FOR EXPERT ASSISTANCE IN COMPUTER SYSTEMS PLANNING AND APPLICATION DEVELOPMENT OF A CORPORATE LAND SYSTEM FOR THE PLANNING AND DEVELOPMENT AGENCIES (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to finalize negotiations and execute a contract amendment to Life Cycle Technology, Incorporated, to reflect an increase not to exceed \$1,900,000 for expert assistance in computer systems planning and application development of a Corporate Land System for the Planning and Development agencies.

Supervisor Dix asked unanimous consent that the Board direct staff to provide further information concerning the 20 percent increase in the cost of this item. Without objection, it was so ordered.

56.I-14 - REVIEW OF THE POSSIBLE EXTENSION OF PUBLIC SEWER TO THE JERMANTOWN ROAD - OAKTON ROAD AREA (PROVIDENCE DISTRICT) (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to:

- Continue to review Plan Amendment nominations and implications for the future extension of sewer to the Jermantown Road and Oakton area; and
- Report to the Board with a final recommendation after the completion of the Plan Review process.

Following discussion, Supervisor Hanley asked unanimous consent that the Board defer this item to allow the County Attorney time to review and report on the options regarding the opening of the watershed. Without objection, it was so ordered.

(NOTE: This item has been deferred for consideration by the Board until June 27, 1994.)

57.I-15 - FAIRFAX COUNTY CHANNEL 16 WINS CABLEACE AWARD (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 announcing that Fairfax County's Government Channel 16 won a first place award for the best educational cable television series in a nationwide competition.

58.I-16 - REPORT ON OAK GROVE MOBILE HOME PARK (LEE DISTRICT) (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 presenting a report on Oak Grove Mobile Home Park.

59.I-17 - CONTRACT AWARD - EMERGENCY HOUSING SHELTERS (Tape 7)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 6, 1994 requesting authorization for staff to finalize negotiations and award contracts as follows:

<u>Shelter Site</u>	<u>Contract Operator</u>	<u>FY 1995 Amount</u>
Eleanor Kennedy Shelter	Route One Corridor Housing, Incorporated	\$574,457
Mondloch House	Route One Corridor Housing, Incorporated	\$598,991
Embry Rucker Shelter	Reston Interfaith Incorporated	\$699,600
Shelter House	Shelter House Incorporated	\$396,468
Bailey's Crossroads Shelter	Volunteers of America Chesapeake, Incorporated	\$695,805

The staff was directed administratively to proceed as proposed.

60.A-1 - APPROVAL OF REORGANIZATION OF FAIRFAX COUNTY INFORMATION TECHNOLOGY FUNCTIONS (Tapes 7-8)

Supervisor Berger moved that the Board:

- Establish a Task Force with representatives from the Information Technology Advisory Group (ITAG), Privatization Oversight Committee, Board of Supervisors, and County Administration;
- Identify several leading onsite facility management firms and provide each company with budget, staffing, hardware and software information from the Office of Research and Statistics (ORS) and Cooperative Computer Center (CCC); and

- Invite each company at no cost to the County to analyze the data provided and within 90 days make a presentation to the Task Force of their findings, recommendations and cost estimates.

This motion died for lack of a second.

Following discussion, Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the consolidation of those County staff agencies currently responsible for information technology to:

- Create a Department of Information Technology (IT) [comprising CCC, ORS, Division of Communications of the Department of General Services, Automated Systems Training Center of the Department of Human Development, and Functional Integration Team (FIT) of the Office of Management and Budget]; and
- Establish the position of Chief Information Officer to head this department.

The question was called on the motion which was seconded by Supervisor Alexander and **CARRIED** by a recorded vote of eight, Supervisor Berger voting "NAY," Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER

61. GATE ON FULLERTON ROAD (Tape 8)

Supervisor Alexander reminded Board Members that the Board approved advertising a Board's Own Motion Proffer Condition Amendment Application to allow the Fullerton Gate that connects to Rolling Road to remain open on a permanent basis.

Supervisor Alexander said that since that action, seven civic associations formed the Fullerton Gate Coalition and have been meeting with representatives from his office and Supervisor McConnell's office, representatives of the Virginia Department of Transportation (VDOT), and the Fairfax County Office of Transportation. The Coalition represents the Saratoga Community Association, Saratoga Townhouse Community Association, Newington Community Association, Medford Leas Homeowners Association, Springfield Oaks Homeowners Association, Terra Grande Community Association, and the South Run Creek Coalition. The public hearing before the Planning Commission was scheduled for June 1, 1994, however due to difficulty in getting the proper signatures, the Planning Commission hearing has been rescheduled for July 21, 1994.

Supervisor Alexander said that since the Board action, a letter has been received from Young Ho Chang, Resident Engineer from the Northern Virginia Division of VDOT and a recommendation from the Fullerton Gate Coalition.

In order for the Fullerton Gate to be open for traffic, Supervisor Alexander moved that:

- The intersection of Rolling Road and Fullerton Road must be planned and designed in

accordance with the Preliminary Plan that has been developed by VDOT's Northern Virginia office. This includes realignment, permanent signalization, and the proper turn lanes;

- Access to the Fullerton Industrial Park from Rolling Road must be limited to trucks under five tons;
- All project planning, design, and construction costs for the project should be funded with a combination of private and public funds. Any public funds should not be reallocated from higher priority transportation projects;
- If the Board approves the Proffer Condition Amendment Application, and the funding is not available at this time from private or public sources, then Fullerton Road must remain closed until the intersection is improved to VDOT standards;
- The improvements to the intersection of Fullerton Road and Rolling Road must be added to the Fairfax County VDOT Six Year Plan;
- The Board proceed with the Planning Commission public hearing on July 21, 1994 and the Board of Supervisors public hearing on July 25, 1994; and
- In accordance with the request of Mr. Young Ho Chang the Board will set the date of Monday, July 18, 1994 for the closing of the Fullerton Gate, pending the funding of a permanent solution.

This motion was seconded by Supervisor Hyland.

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

SBE:sbe

62.3:30 P.M. - PH ON REZONING APPLICATION RZ 93-D-039 (DAVID L. AND HELEN T. BOOTH) AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 77-D-053-2 (BOARD OF SUPERVISORS' OWN MOTION) (DRANESVILLE DISTRICT) (Tape 9)

Mr. W. McCauley Arnold reaffirmed the validity of the affidavits for the record.

Mr. Arnold 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 Berger moved:

- Approval of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-D-039 be amended from the R-1 District to the R-2 District subject to the executed proffers dated June 6, 1994;
- Waiver of the minimum district size requirement for cluster subdivisions for the applicant property; and
- Waiver of the one acre open space requirement for cluster subdivision as it applies to the application property.

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

Supervisor Berger moved approval of Proffered Condition Amendment Application PCA 77-D-053-2 subject to the executed proffers dated April 27, 1994. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell and Chairman Davis being out of the room.

**63.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS
PCA 91-Y-010-2 AND PCA 81-S-058-5 (CENTRE RIDGE DEVELOPMENT L.P.)
(SULLY DISTRICT) (Tape 9)**

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 91-Y-010-2 subject to the proffers dated April 29, 1994; the Planning Commission having previously approved Final Development Plan Amendment Application FDPA 91-Y-010-2 on March 21, 1994. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, 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 April 29, 1994; the Planning Commission having previously approved Final Development Plan Amendment Application FDPA 81-S-058-3 on March 21, 1994. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Frey moved reaffirmation of the:

- Waiver of the service drive requirement along Route 28; and
- Modification of screening and waiver of the barrier requirements along the periphery of land bays 10 and 11B in favor of that shown 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 seven, Supervisor Berger, Supervisor McConnell, and Chairman Davis being out of the room.

**64.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION
PCA 84-M-004-2 (KARFAD ASSOCIATES) (MASON DISTRICT)** (Tape 9)

(NOTE: The Planning Commission deferred its public hearing on this application until June 30, 1994.)

Supervisor Trapnell moved to defer the public hearing on Proffered Condition Amendment Application PCA 84-M-004-2 until **July 18, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

**65.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-011 (THE FOUR
SEASONS TENNIS CLUB OF MERRIFIELD LIMITED PARTNERSHIP)
(PROVIDENCE DISTRICT)** (Tape 9)

Mr. John Edwards Harrison reaffirmed the validity of the affidavit for the record.

Mr. Harrison 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, David Hunter, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Special Exception Application SE 94-P-011 subject to the revised development conditions dated June 2, 1994. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Hanley moved approval of a waiver of the peripheral parking lot landscaping requirement and the loading space requirement. This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

66.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-005 (LA CHOZA GRILL, INCORPORATED) (PROVIDENCE DISTRICT) (Tape 9)

Mr. W. McCauley Arnold reaffirmed the validity of the affidavit for the record.

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

Supervisor Hanley moved approval of Special Exception Application SE 94-P-005 subject to the development conditions dated May 11, 1994. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

67.3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 92-L-005 (EXXON CORPORATION) (LEE DISTRICT) (Tape 9)

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Regina Murray, 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 Bulova and moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Bulova, and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Alexander moved approval of Special Exception Amendment Application SEA 92-L-005 subject to the development conditions dated May 26, 1994. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Acting-Chairman Bulova returned the gavel to Acting-Chairman Alexander.

68.3:30 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENT OF THE FAIRHAVEN CONSERVATION PLAN (MOUNT VERNON DISTRICT) (Tape 9)

Supervisor Hanley moved to defer the public hearing on the proposed amendment to the Fairhaven Conservation Plan until **June 27, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

CM:cm

69.4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-S-027-04 (FIRST CENTRUM CORPORATION) (SPRINGFIELD DISTRICT) (Tape 10)

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin 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, Supervisor Frey moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 84-S-027-04 subject to the proffers dated May 18, 1994. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Berger, Supervisor McConnell, and Chairman Davis being out of the room.

70. ORDERS OF THE DAY (Tape 10)

Acting-Chairman Alexander relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Orders of the Day be changed to proceed next with the 4:00 p.m. public hearings without any scheduled speakers. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Acting-Chairman Alexander.

71. 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 10)

Ms. Barbara Fried reaffirmed the validity of the affidavit for the record.

Ms. Fried 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, Acting-Chairman Alexander relinquished the Chair to Acting-Chairman Bulova and moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Alexander moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-L-023 be amended from the C-3, R-1 and Highway Corridor Districts to the C-6 and Highway Corridor Districts subject to the revised proffers dated May 30, 1994. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Alexander moved modification of the transitional screening requirement for the northern and southern property line. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Alexander moved waiver of the barrier requirement for the eastern property line. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Alexander further moved waiver of any frontage improvements to Elder Avenue provided the applicant deposits the cost of full frontage improvements, curb and gutter only, in escrow with the Virginia Department of Transportation (VDOT) subject to an escrow agreement with the County and VDOT. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Hanley, Supervisor McConnell, and Chairman Davis being out of the room.

72. 4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 92-L-027 (EXXON CORPORATION) (LEE DISTRICT) (Tape 10)

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mr. Martin 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, Supervisor Alexander moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Hanley, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

Supervisor Alexander moved approval of Special Exception Amendment Application SEA 92-L-027 subject to the development conditions dated April 26, 1994 and contained in Appendix One of the Staff Report. This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Hanley, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

73.4:00 P.M. - PUBLIC HEARING ON OUT-OF-TURN PLAN AMENDMENT FOR LAND UNIT B OF THE RESTON-HERNDON SUBURBAN CENTER (S93-III-UP2) (HUNTER MILL DISTRICT) (Tape 10)

Supervisor Dix moved to defer the public hearing on Out-of-Turn Plan Amendment S93-III-UP2 until **June 27, 1994 at 4:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Hanley, Supervisor McConnell, Supervisor Trapnell, and Chairman Davis being out of the room.

74.4:00 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING HOME OCCUPATIONS (Tapes 10-11)

(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 May 20 and May 27, 1994.

Following the public hearing, which included testimony by 15 speakers, Supervisor Dix moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding provisions for home occupations to become **effective at 12:01 a.m. June 7, 1994**, as recommended by the Planning Commission which is Option One with the reinstatement of the items regarding signage and customer compliance.

Supervisor Dix further moved that the recommendation to consider creating a brochure which outlines the rules and regulations regarding home occupations be pursued by staff. This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Frey amended the motion to direct staff to report to the Board within a year of adoption of the Ordinance with information regarding how the provisions are working, and this was accepted.

Following further discussion, the question was called on the motion, as amended, which carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Dix expressed his appreciation to staff for a job well done.

NV:nv

75. APPOINTMENTS TO THE TRANSPORTATION ADVISORY COMMISSION, WATER AUTHORITY, AND CITIZENS ADVISORY COMMITTEE ON SOLID WASTE AND DISPOSAL MATTERS (Tape 11)

(APPTs)

Supervisor Alexander moved the reappointments of:

- Mr. Robert Heittman as the Lee District Representative to the Transportation Advisory Commission;
- Mr. Fred Morin as the Lee District Representative to the Fairfax County Water Authority;
- Ms. Sue Patterson as the Lee District (Principal) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters; and
- Mr. Tom Grieg as the Lee District (Alternate) Representative to the Citizens Advisory Committee on Solid Waste and Disposal Matters.

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

ADDITIONAL ACTION FROM EXECUTIVE SESSION

(NOTE: Earlier in the meeting, there were other Actions from Executive Session. See Clerk Summary Items CL#18, CL#19, and CL#20.)

76. APPOINTMENT OF JAMES A. HEBERLEIN AS THE DIRECTOR OF THE FAIRFAX COUNTY PARK AUTHORITY (Tape 11)

Supervisor Frey moved that the Board affirm the appointment of Mr. James A. Heberlein as the Director of the Fairfax County Park Authority at a level of Grade S-36, Step L (Longevity). This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Berger and Supervisor McConnell being out of the room.

CM:cm

77. 4:00 P.M. - PUBLIC HEARING ON OUT-OF-TURN PLAN AMENDMENT FOR LAND UNIT B OF THE RESTON-HERNDON SUBURBAN CENTER (S93-III-UP2) (HUNTER MILL DISTRICT) (No Tape)

(NOTE: Earlier in the meeting, action was taken to defer this public hearing. See Clerk's Summary Item CL#73.)

78.4:00 P.M. - PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS) (Tape 11)

(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 May 20 and May 27, 1994.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 61 (Building Provisions) as shown in the Staff Report dated March 24, 1994, to align Chapter 61 with the Code of Virginia and the Virginia Uniform Statewide Building Code to become **effective on July 1, 1994.** This motion was seconded by Chairman Davis and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Trapnell, and Supervisor McConnell being out of the room.

79.4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 92-L-027 (EXXON CORPORATION) (LEE DISTRICT) (No Tape)

(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#72.)

80.4:00 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 on this item. See Clerk's Summary Item CL#71.)

81.4:00 P.M. - PUBLIC HEARING ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF WINDSOR ESTATES STORM DRAINAGE (LEE DISTRICT) (No Tape)

(NOTE: Earlier in the meeting action, was taken to defer this public hearing indefinitely. See Clerk's Summary Item CL#15.)

82.4:30 P.M. - PUBLIC HEARING TO CONSIDER CHANGES TO ELECTION PRECINCTS, INCLUDING CHANGES TO POLLING PLACES AND PRECINCTS, TO AMEND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS) 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 (Tape 11)

(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 May 20 and May 27, 1994.

Following the public hearing, Supervisor Alexander moved approval of the proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections), Article 2, except for the creation of a new precinct out of Franklin and Kinross precincts in Sully District (there being no polling place at the present time) and with the exception of Willston and Walnut Hill. This motion was seconded by Chairman Davis.

Patricia W. Drain, Electoral Board Secretary, noted that the original staff recommendation was to create a new precinct out of Franklin and Kinross which was advertised pending confirmation, but use was denied and the request was withdrawn.

Ms. Drain also noted that the naming of the new precinct located at the Green Trails Elementary School site was originally suggested to be named the "Centreville Site," but that school will be named the "Centreville School" and there is currently a precinct with that name.

Supervisor Alexander clarified that the motion is to adopt staff recommendation with the exception of Walnut Hill One and Willston, and with the understanding that Supervisor Frey will rename the new precinct "Green Trails Precinct."

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

83.4:30 P.M. - BOARD DECISION ON 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 11)

(NOTE: The public hearing was held on this item on May 16, 1994 and Board decision deferred until June 6, 1994.)

Supervisor Frey moved approval of Out-of-Turn Plan Amendment S93-III-BR1 as recommended by the Planning Commission with the following three amendments:

■ Add the following sentence to the end of the second paragraph on page three (handwritten page 34):

- "Also, provision should be made for the public street connection extending eastward from North Lake Drive along the southern boundary of Sub-unit E1 to the extension of Fields Brigade Road.";

■ Add Parcel 12 to the last sentence of the second paragraph on page four (handwritten page 35); and

■ Add the following sentence to the end of the third paragraph on page four (handwritten page 35):

- "However, in order to ensure that existing recreational facilities in adjacent communities are protected, new development should generally be made to provide recreational facilities concurrent with that development."

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

84.4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON THE APPOINTMENTS OF MEMBERS TO THE FAIRFAX COUNTY SCHOOL BOARD (BRADDOCK, MOUNT VERNON, PROVIDENCE, AND SPRINGFIELD DISTRICTS, AND COUNTYWIDE) (Tapes 11- 13)

(BACs)

(NOTE: State law requires the Board to conduct this public hearing to receive the views of citizens on the appointment of School Board Members at least seven days prior to an appointment. The terms of the members will expire after June 30, 1994 and the terms for the new appointees will begin on July 1, 1994. Appointments are scheduled for Board action on June 27, 1994. **No person whose name has not been considered at the public hearing may be appointed.**)

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 May 20 and May 27, 1994.

The public hearing on the proposed School Board appointments was held and included testimony regarding the following individuals:

- Mount Vernon District:
- Ms. Kristen J. Amundson; and
 - Ms. Deborah J. Fountain.

(NOTE: Later in the meeting, the public hearing was continued. See Clerk's Summary Item CL#93.)

85. CERTIFICATES OF RECOGNITION PRESENTED TO PARTICIPANTS OF THE "PROBLEM SOLVERS" PROGRAM FROM GLASGOW MIDDLE SCHOOL, THOMAS JEFFERSON HIGH SCHOOL FOR SCIENCE AND TECHNOLOGY AND BELVEDERE ELEMENTARY SCHOOL (Tape 11)

Supervisor Trapnell moved approval of the Certificates of Recognition presented to participants of the "Problem Solvers" Program from Glasgow Middle School, Thomas Jefferson High School for Science and Technology and Belvedere Elementary School. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hanley, and Supervisor McConnell being out of the room.

NV:nv

86. ORDERS OF THE DAY (Tape 12)

Chairman Davis relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that the Orders of the Day be changed to proceed next with Supervisor Hyland's Board Matters because of his impending departure from the meeting. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

87. RECOGNITION FOR THOSE WHO FOUGHT FOR D-DAY (Tape 12)

Supervisor Hyland referred to his written Board Matters which he had distributed to the Board and noted that earlier in the day Chairman Davis had covered his matter regarding recognition of D-Day.

"TOUGHEST FIREFIGHTER ALIVE" COMES FROM MOUNT VERNON DISTRICT
(Tape 12)

Supervisor Hyland said that he recently learned that Allison Henss, a firefighter assigned to the Mount Vernon station traveled (at her own expense) to Perth, Western Australia to compete in the World Firefighters Games. This biennial event brings together thousands of professional, volunteer and retired firefighters from all parts of the world to compete in athletic events designed specifically around typical firefighting tasks.

Supervisor Hyland stated that Firefighter Henss competed in several events, the most significant being the "Toughest Firefighter Alive" competition. He said that she won the Gold Medal, with an overall time of 14 minutes and 10 seconds, finishing first among all of the women who competed in this event. He added that she won a gold medal in Javelin, a silver medal

in the 12K Cross Country Run and silver medal in wrestling.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to invite Firefighter Allison Henss to appear before the Board to be officially recognized for her outstanding accomplishments. Without objection, it was so ordered.

88. **FUNDRAISER LUNCHEON TO BENEFIT LEUKEMIA CAUSE** (Tape 12)

Chairman Davis noted that on Friday, June 3, 1994, Supervisor Berger and Supervisor Frey participated in an arm wrestling match at a benefit for leukemia research. He added that Supervisor Berger won the match.

89. **"EASTERN CROSSING"** (Tape 12)

Supervisor Hyland referred to his written Board Matter regarding Occoquan River crossing alternatives that will help alleviate traffic congestion which originates in central Prince William County and has a central Fairfax County destination. He stated that he would defer this item until the next meeting because of the absence of Supervisor McConnell.

There was a brief discussion regarding this item.

90. **GUNSTON PLAZA** (Tape 12)

Supervisor Hyland said that Gunston Plaza is located on Route One in Lorton and is requesting expedited and concurrent public hearings for Special Exception Applications and a Proffer Condition Amendment Application.

Supervisor Hyland stated that a large retail chain and anchor for the Gunston Plaza has recently closed its doors. An eight screen movie theater would like to move into the site as well as a commercial recreation restaurant (Sportland America).

Supervisor Hyland further explained that a separate pad site at Gunston Plaza housed a real estate office which also closed its doors. The McDonald's Corporation would like to move to that pad site. However, they require razing the building and construction of its own building with a drive-through window which will require a Special Exception.

Supervisor Hyland said that the Lorton community has verbally expressed its support for these uses and supports the owners' requests for expedited public hearings for these proposed uses.

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

- Expedite the public hearings and concurrently process the Proffer Condition Amendment Application and Special Exception Applications for the fast food restaurant, the eight screen movie theater and the commercial recreation restaurant;
- Schedule a public hearing to be held before the Board of Supervisors on August 8, 1994; and
- Expedite service for the Site Plans Review Process for these applications.

Chairman Davis noted that this motion was without prejudice regarding these applications.

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

91. **RESOLUTION REGARDING POTOMAC BEND BOULEVARD** (Tape 12)

(R) Supervisor Hyland moved that the Board adopt a resolution, copies of which were distributed to the Board, regarding a request to the Virginia Department of Transportation (VDOT) to accept Potomac Bend Boulevard (access to the Lorton Commuter Rail Station) into the State Secondary Highway System for Maintenance. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

92. **DEPARTURE OF MOUNT VERNON DISTRICT SUPERVISOR GERALD HYLAND**
(Tape 12)

Supervisor Hyland announced that he would be leaving the meeting to be with his wife who is in the hospital.

CM:cm

93. **CONTINUATION OF THE 4:30 P.M. - PH TO RECEIVE CITIZEN COMMENT ON THE APPOINTMENTS OF MEMBERS TO THE FAIRFAX COUNTY SCHOOL BOARD (BRADDOCK, MOUNT VERNON, PROVIDENCE, AND SPRINGFIELD DISTRICTS, AND COUNTYWIDE)** (Tapes 12- 13)

(NOTE: Earlier in the meeting, there was additional testimony presented. See Clerk's Summary Item CL#84.)

The public hearing on the proposed School Board appointments continued with testimony presented regarding the following individuals:

- Braddock District: ■ Ms. Emily Snyder.
- Providence District: ■ Ms. Letty Fleetwood.
- Springfield District: ■ Dr. Gary Jones.
- Countywide: ■ Mr. Rafael L. Franchi; and
- Ms. Elita Rosillo-Christiansen.

A total of 22 individuals presented testimony regarding the proposed appointments.

It was the consensus of the Board to hold the record open on the public hearing to receive written testimony only until the Board's decision on the appointments scheduled for June 27, 1994. It was noted that any comments submitted regarding individuals to be considered for the School Board vacancies are limited to those names proposed at the public hearing.

94. BOARD RECESS (Tape 13)

At 8:30 p.m., the Board recessed briefly and reconvened in the Board Auditorium at 8:45 p.m. with all Members present except Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell, and with Chairman Davis presiding.

95. PRESENCE OF FORMER SUPERVISORS AND FORMER PLANNING COMMISSIONERS (Tape 13)

Chairman Davis recognized the presence in the Board Auditorium of three former Board Members from the Dranesville District, Ms. Nancy Falck, Ms. Lilla Richards, and Mr. Rufus Phillips; and also the presence of three former Dranesville District Planning Commissioners, Mr. Stephen J. Hubbard, Mr. George Lilly, and Mr. Philip Zangagna, Jr., as well as former At-Large Planning Commissioner Ms. Maya Huber; and warmly welcomed them.

96. 7:00 P.M. - PUBLIC HEARING ON THE DRAFT TYSONS CORNER URBAN CENTER PLAN (S93-CW-2CP) (PROVIDENCE, HUNTER MILL AND DRANESVILLE DISTRICTS) (Tapes 13-17)

Following discussion prior to the public hearing, Supervisor Hanley moved to separate the Site Q Balls Hill Sector, on page 230 of the Area II Plan, from the study and from the designation in the Tysons area and to defer the public hearing indefinitely. This motion was seconded by Supervisor Bulova.

Following further discussion, the question was called on the motion which **FAILED** by a recorded vote of four, Supervisor Bulova, Supervisor Hanley, and Chairman Davis voting "AYE," Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell being out of the room.

Following the public hearing, which included testimony by 35 speakers, Supervisor Hanley moved to defer Board Mark-up on the Tysons Plan S93-CW-2CP until **June 27, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Davis being out of the room.

NV:nv

97.**BOARD MATTER ORDER** (Tape 18)

In an effort to simplify procedures because there were only six remaining Board Members, Acting-Chairman Frey announced that the Board would proceed with Board Matters from left to right around the dais and that only Matters that could not be deferred until the next meeting would be presented.

98.**SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 93-H-045**
(Tape 18)

Supervisor Dix stated that on June 2, 1994 the Planning Commission held a public hearing on Rezoning Application RZ 93-H-045 (Crimson Partners) and that decision was deferred until June 23, 1994 pending clarification of some development plan issues. Supervisor Dix moved that the Board direct staff to schedule the public hearing before the Board on **July 25, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Davis being out of the room.

99.**SCHEDULING OF PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-C-026 TOLL BROTHERS AT CRIPPEN CORNER** (Tape 18)

Supervisor Dix stated that the Planning Commission public hearing for Proffered Condition Amendment Application PCA 91-C-026 is scheduled for June 30, 1994. He said that the application has been deferred from earlier public hearing dates to resolve several issues particularly related to stormwater detention and site layout. He added that the applicant has been cooperating with staff to resolve all outstanding issues.

Accordingly, Supervisor Dix moved that the Board direct staff to schedule the public hearing before the Board on **July 25, 1994 at 4:00 p.m.** This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Davis being out of the room.

100. EXECUTION OF RESTRICTIVE COVENANTS FOR PET FARM PARK AND FARM MARKET PORTIONS OF CRIPPEN CORNER PROPERTY (Tape 18)

Supervisor Dix reminded the Board that in July of 1992 the Board took action regarding a Rezoning Application for Crippen Corner. Supervisor Dix moved that the Board authorize the County Executive to execute the restrictive covenants for the Pet Farm Park and the Farm Market portions of the property drafted in furtherance of and required by the proffers in the Crippen Corner Rezoning Application RZ 91-C-026. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Davis being out of the room.

101. METRO BUSES (Tape 18)

Supervisor Dix stated that he had read an article in the May 20, 1994 issue of the Washington Business Journal regarding the District of Columbia's (D.C.) decision not to fund their obligation to the bus purchase for Metrobus. He expressed his concern that this is a substantial reduction of their share, from \$13.7 million to \$1.8 million.

Accordingly, Supervisor Dix asked unanimous consent that the Board direct the Board's Metro representatives to review this issue and report to the Board with additional information. Without objection, it was so ordered.

102. SCHEDULING OF PUBLIC HEARING FOR SPECIAL EXCEPTION APPLICATION SE 94-M-024 (Tape 18)

Supervisor Trapnell moved that the Board direct staff to schedule the public hearing for Special Exception Application SE 94-M-024 before the Board on October 10, 1994 at 3:30 p.m. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Davis being out of the room.

103. EXPEDITIOUS AND SIMULTANEOUS PROCESSING OF THE SITE PLAN AND SPECIAL EXCEPTION AMENDMENT APPLICATION FOR SHELTER HOUSE (Tape 18)

Supervisor Trapnell referred to her written Board Matter which stated that the Fairfax County Office of Human Services is the owner of record of a 10-unit condominium building in Phase IV of the Hollybrook II Condominiums at Route 7 and Patrick Henry Drive. On August 6, 1984, the Board approved Special Exception Application SE 94-M-010 to permit the condominium conversion for Hollybrook II. Development Condition number seven included a provision that 10 units be made available for emergency use as pursuant to the agreement between the applicants, Fairfax County, and Shelter House. Based upon this condition, the Board authorized the purchase and renovation of the 10 units on February 11, 1985. Fairfax County currently leases these units to Shelter House, Incorporated, a private, non-profit community organization which provides emergency housing to homeless families in the Bailey's Crossroads area.

Supervisor Trapnell stated that Shelter House is proposing to file a Special Exception Amendment

(SEA) Application to permit the construction of approximately 2500 additional square feet to the existing building. Because this facility is a public use operated under the specific terms of an agreement between Fairfax County Department of Human Development and Shelter House, a Special Exception is required only because the original SE for a condominium conversion was conditioned to an SE plat that would not permit the expansion; consequently, an SEA must be sought.

Therefore, Supervisor Trapnell moved that the Board concur in the filing of a SEA to permit expansion of the existing Shelter House facility on County-owned property, in order to proceed in the processing of the application. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Davis being out of the room.

Supervisor Trapnell further moved that both the SEA and the Site Plan be expedited and processed simultaneously, and that all filing fees be waived. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Davis being out of the room.

104. **OUT-OF-TURN PLAN AMENDMENT FOR WORLDGATE ASSOCIATES LIMITED PARTNERSHIP** (Tape 18)

Supervisor Berger stated that the Worldgate Associates Limited Partnership desires the flexibility to construct retail uses south of Worldgate Drive on the eastern portion of the property. To accomplish this objective, Worldgate Associates Limited Partnership has filed a nomination to the Fairfax County Comprehensive Plan as part of the Annual Plan Review Process (APR). However, the timing of a Proffered Condition Amendment and Final Development Plan Amendment to permit a retail option on this portion of Worldgate may precede the adoption of a revised Comprehensive Plan.

Therefore, Supervisor Berger moved that the Board direct staff to remove PC-94-151 from the Annual Plan Review (APR) and process the nomination on an Out-of-Turn basis. He further moved that the Board direct:

- Staff to expeditiously process those applications referred to as Proffered Condition Amendment Application PCA 86-D-039-9 and Final Development Plan Amendment Application FDPA 86-D-093-7; and
- The Director of the Department of Environmental Management (DEM) to accept for simultaneous and concurrent processing Subdivision and Site Plans in conjunction with those applications.

This motion was seconded by Acting-Chairman Frey and **CARRIED** by a recorded vote of four, Supervisor Bulova and Supervisor Hanley voting "NAY," Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Davis being out of the room.

PMH:pmh

105. **DEFERRAL OF APPLICATION 456-B-94-4 HEARING FOR BELL ATLANTIC**

MOBILE (Tape 18)

Supervisor Bulova stated that Bell Atlantic Mobile has applied for a 456 hearing (456-B-94-4) to locate a 150 foot monopole in the Ravensworth Industrial Park. The community of Ravensworth Farms, which is adjacent to the Industrial Park, has raised some concerns about that location. In response to those concerns, representatives from Bell Atlantic have asked to defer the 456 hearing while they work with the Park Authority to try to find an alternate site in Wakefield Park.

Therefore, Supervisor Bulova moved that the Board direct the Planning Commission to defer its public hearing for Application 456-B94-4 until Wednesday, October 12, 1994. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell and Chairman Davis being out of the room.

106. REQUEST FOR EXPEDITED REVIEW OF WAKEFIELD OAKS PRELIMINARY AND SUBDIVISION PLANS (PLAN NUMBER 7815) (Tape 18)

Supervisor Bulova stated that for several years the owner of an infill parcel on Holborn Avenue has been planning to subdivide his property into eight lots. She added that the plan has been through several evolutions, but none has been satisfactory.

Supervisor Bulova stated that with the ownership of the property having now changed hands, a new plan has been submitted which is superior. She said that this plan is well laid out and keeps more of the site wooded.

Accordingly, Supervisor Bulova moved that the Board direct the staff of the Department of Environmental Management (DEM) to expedite the review of the Preliminary and Subdivision Plans for Wakefield Oaks. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell and Chairman Davis being out of the room.

107. APPOINTMENT TO THE COMMISSION FOR WOMEN (Tape 18)

(APPT)

Supervisor Bulova moved the appointment of Ms. Theresa "Terry" D. Wambaugh as the Braddock District Representative to the Commission for Women to fill the unexpired term of Ms. Kelly R. Gryting. This motion was seconded by Supervisor Hanley and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell and Chairman Davis being out of the room.

108. THIRD PARTY FINANCING FOR NOISE WALLS AT FAIRFAX STATION(Tape 18)

On behalf of Supervisor McConnell, Supervisor Bulova moved that the Board direct staff to forward a check in the amount of \$102,000 to Virginia Department of Transportation (VDOT) for the purpose of providing Noise Barrier "B" on the southern side of the Fairfax County Parkway between the Clara Barton Bridge and extending past the Swim and Tennis Club. She stated that there is no financial commitment on the County's part other than staff time for processing the payment to VDOT, for the provision of the noise wall. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell and Chairman Davis being out of the room.

109. REQUEST TO SCHEDULE A PUBLIC HEARING FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-P-078-7 AND REZONING APPLICATION RZ 94-P-005 (INOVA HEALTH SYSTEMS) (Tape 18)

Supervisor Hanley moved that the Board direct staff to schedule a public hearing for Special Exception Amendment Application SEA 80-P-078-7 and Rezoning Application RZ 94-P-005 on behalf of INOVA Health Systems for **July 25, 1994 at 4:00 p.m.** This motion was seconded by Acting-Chairman Frey and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell and Chairman Davis being out of the room.

110. CONCURRENT PROCESSING FOR SPECIAL PERMIT APPLICATION SP 94-P-018
(Tape 18)

Supervisor Hanley moved that the Board allow the applicant for Special Permit Application SP-94-P-018 to concurrently process their building permits along with their pending zoning application understanding that there is no indication or representation by the County that the Special Permit would be approved. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell and Chairman Davis being out of the room.

111. WHITTIER SCHOOL (Tape 18)

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

- Review the letter that she has received from the Mayor of the City of Falls Church expressing concern about the condition of Whittier School and its windows and doors not being secure; and
- Ensure that the school is secure.

Without objection, it was so ordered.

112. LEASE FOR ANTENNAS ON THE LEWINSVILLE WATER TANK (Tape 18)

Supervisor Hanley stated that she had received a letter from the Mayor of the City of Falls Church regarding the lease from American Personnel Communications to lease space for antennas on the City of Falls Church's Lewinsville Water Tank and she asked unanimous consent that the Board direct staff to review this issue. Without objection, it was so ordered.

113. HIGH SCHOOLS WIN STATE CHAMPIONSHIPS (Tape 18)

Acting-Chairman Frey announced that:

- Centreville High School had won the State Championship for Girls Track;
- Langley High School had won the State Championship for Boys Tennis; and
- Robinson Secondary School had won the State Championship for Girls Soccer.

Acting-Chairman Frey relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that Board direct staff to invite the teams to appear before the Board to be recognized for their accomplishments at the Board meeting scheduled for June 27, 1994. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Acting-Chairman Frey.

114. BOARD ADJOURNMENT (Tape 18)

At 12:45 a.m., June 7, 1994, the Board adjourned.