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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 Alexander, and with Chairman Davis presiding.

Supervisor Alexander arrived at 9:50 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. CERTIFICATE OF RECOGNITION TO DR. DIANA M. SCHMELZER, PRINCIPAL AT SOUTH LAKES HIGH SCHOOL (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Dr. Diana M. Schmelzer, Principal at South Lakes High School, upon her retirement. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander not yet having arrived.

3. CERTIFICATE OF RECOGNITION TO MR. CLIFFORD E. GASKINS UPON HIS RETIREMENT AS MANAGER OF MAIL SERVICES AND PUBLICATIONS BRANCH, DIVISION OF COMMUNICATIONS (Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Clifford E. Gaskins for 21 years of dedicated service upon his retirement as Manager of Mail Services and Publications Branch, Division of Communications. This motion was seconded by Supervisor Hanley and carried by unanimous vote.

4. CERTIFICATE OF RECOGNITION TO SPRINGFIELD MALL FOR SPONSORING THE FREE SUMMER MOVIE PROGRAM FOR KIDS AND SENIORS (Tape 1)

Supervisor Alexander moved approval of the Certificate of Recognition presented to Springfield Mall for sponsoring the Free Summer Movie Program for Kids and Seniors. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Dix being out of the room.

5. PRESENTATION OF THE NATIONAL ASSOCIATION OF COUNTIES ACHIEVEMENT AWARDS (Tape 1)

Awards were presented to the following agencies for receiving the National Association of Counties Achievement Awards:

■ Offices of Finance, Assessments, Public Affairs, and Cable Programming for the Tax Evaders Program. The recipients will be:

- Susan S. Planchon, Director, Office of Finance;
- Kevin C. Greenleaf, Acting Supervisor, Office of Assessments;
- Jean V. White, Director, Office of Public Affairs;
- Gail C. Eskew, Chief, Cable Programming Division, Department of Consumer Affairs; and
- George Callahan, Cable Programming Division, Department of Consumer Affairs.

■ Fire and Rescue Department and the Department of Public Works, for the Fire Station Design Manual. The recipients will be:

- Glenn A. Gaines, Chief, Fire and Rescue Department;
- Mark S. Wheatley, Chief Deputy, Fire and Rescue Department;
- Laurie Shertzer, Management Analyst II, Resource Management Section, Fire and Rescue Department;

- Ellen Vanhully-Bronson, Project Manager, Project Management Division, Department of Public Works; and
 - Katayoon Fhaya, Project Manager, Project Management Division, Department of Public Works.
- Department of Public Works for the Commercial Recycling Program. The recipient will be:
- Jerry A. Hubbard, Acting Director, Solid Waste Collection and Recycling Division, Department of Public Works.
- Department of Public Works, Office of Waste Management, for the Sewer System 25 Year Financial Plan. The recipient will be:
- Jimmie D. Jenkins, Director, System Engineering and Monitoring Division, Department of Public Works.
- Office of the County Executive for the Procurement Process Redesign "Quick Hits." The recipients will be:
- Nancy Schmidt, Budget Analyst IV, Office of Management and Budget;
 - Sharon Hill-Wilson, Chief, Procedures and Control Division, Office of Finance;
 - Jeffrey Bates, Assistant to the Director, Department of General Services;
 - Richard Moriarty, Chief, Administration, Purchasing and Supply Management Agency, Department of General Services;
 - Dean A. Tistadt, Director, Office of Supply Operations, Department of General Services, School Division; and
 - William O. Howland, Jr., Assistant to the County Executive.

■Office of the County Executive for the Personnel Process Redesign "Quick Hits." The recipients will be:

- Nancy Schmidt, Budget Analyst IV, Office of Management and Budget;
- Sara Simmons, Planner II, Zoning Administration Division, Office of Comprehensive Planning;
- Robert J. Doyle, Director, Department of Extension and Continuing Education;
- Robert E. Williams, Captain, Personnel Division, Police Department;
- Susan Woodruff, Supervisor, Employees Relation Division, Office of Personnel;
- Karen Diviney, Assistant Supervisor, Employee Benefits Division, Office of Personnel; and
- William O. Howland, Jr., Assistant to the County Executive.

■Circuit Court for the Differentiated Case Tracking Program. The recipients will be:

- Chief Judge F. Bruce Bach, Circuit and Records Court;
- Mark Zaffarano, Director, Judicial Operations, Circuit and Records Court; and
- Suzanne Weaver, Case Tracking Program, Circuit and Records Court.

■Office of Public Affairs for Water Emergency Public Information. The recipients will be:

- Jean V. White, Director, Office of Public Affairs;
- Marion M. Meany, Chief, Publications Branch, Office of Public Affairs;
- Maureen Bryant, Public Information Officer, Office of Public Affairs;
- Pamela R. Weiger, Deputy Director, Special Projects Branch, Office of Public Affairs;
- Regina Thomas, Secretary I, Office of Public Affairs;

- Beth Coyner, Secretary III, Office of Public Affairs; and
 - Thanya Canelas, Office of Public Affairs.
- Office of Personnel for the Applicant Notification System. The recipients will be:
- Peter Schroth, Director, Office of Personnel;
 - Charles Hargrove, Office of Personnel;
 - Rita Kayn, Office of Personnel; and
 - Carolyn Babbitt, Office of Public Affairs.
- Offices of Assessments and Finance for the SMILES Campaign. The recipients will be:
- Kevin C. Greenlief, Acting Supervisor, Office of Assessments; and
 - Susan S. Planchon, Director, Office of Finance.
- Police Department for the Community Liaison Unit. The recipients will be:
- Michael W. Young, Chief of Police;
 - John V. Rob, Lieutenant Colonel, Deputy Chief of Police, Administration;
 - Major Richard J. Rappoport, Police Department;
 - Lieutenant Williams, Police Department; and
 - Second Lieutenant Portee, Police Department.
- Department of Human Development for the Neighborhood Based Family Resource Centers. The recipient will be:
- Suzanne C. Manzo, Director, Department of Human Development.
- Department of Environmental Management for the Computer Aided Design and Drafting Standards. The recipient will be:
- Don Croll, Engineer, Special Projects Branch, Design Review Division, Department of Environmental Management.

■ Department of Recreation and Community Services for the Teen Therapeutic Recreation Curriculum Component. The recipients will be:

- Patricia Franckewitz, Supervisor, Therapeutic Recreation Services, Department of Recreation and Community Services.

6. PRESENCE OF BOY SCOUT TROOP 889 (Tape 1)

Supervisor Bulova introduced Boy Scout Troop 889 and warmly welcomed them to the Board Auditorium.

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7. ADMINISTRATIVE ITEMS (Tape 2)

Supervisor Frey moved approval of the Administrative Items with the exception of Administrative Item 3 - Additional Time to Commence Construction for Special Exception Application SE 90-Y-043, Aubrey Limited Partnership. He further moved to defer Administrative Item 3 until later in the meeting. This motion was seconded by Supervisor McConnell.

Supervisor Hanley called the Board's attention to Administrative Item 9 - Authorization to Advertise the FY 1994 Carryover Review to Amend the Appropriation Level in the Fiscal Year (FY) 1995 Revised Budget Plan and asked unanimous consent that the Board direct staff to provide:

- An analysis of funding recurring positions from one-time expenses; and
- A summary of the number of these positions being authorized in the Carryover.

Without objection, it was so ordered.

(NOTE: Later in the meeting, Supervisor Hanley clarified this request. See bottom of this page.)

Supervisor Hyland asked unanimous consent that the Board direct staff to add a Consideration Item at Carryover in the sum of \$500,000 to fund additional police officers to attack the high crime areas in the Route One corridor.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked to amend the request by expanding it to include high crime areas in the entire County, and this was accepted. Without objection, the request, as amended, was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Discussion ensued, with input from William J. Leidinger, County Executive.

With regard to a 4-H Camp in Front Royal, Supervisor McConnell asked unanimous consent that the Board direct staff to review the funding of annual \$50,000 increments to the Camp, to pay off a balance of \$200,000. She noted that many years ago the Board promised to pay \$500,000 to this facility, but to date only \$300,000 has been paid. Without objection, it was so ordered.

Noting that he had received a letter from the Center of Multicultural Human Services requesting aid, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to provide as a Consideration Item at Carryover the sum of \$140,000 for the Center as a Contributory Agency and/or the sum of \$65,000 to alleviate the Center's cash flow problem. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Hanley asked unanimous consent that the Board direct staff to provide as a Consideration Item at Carryover the sum of \$53,127 as requested by the Legal Services of Northern Virginia. Without objection, it was so ordered.

Supervisor Hanley clarified her earlier request regarding an analysis of positions to include all non-General Fund position additions. Without objection, it was so ordered.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to provide as a Consideration Item at Carryover the sum of \$25,000 for Mediation Services as requested by Delegate James H. Dillard, II (R-41). Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Trapnell asked unanimous consent that the Board direct staff to provide as a Consideration Item at Carryover the sum of \$25,000 for Vietnamese Senior Program Mental Health Services. Without objection, it was so ordered.

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

Supervisor Hanley asked unanimous consent to be recorded as abstaining on Administrative Item 2 - Additional Time to Commence Construction for Special Exception Application SE 91-V-027, Lester L. Stribling. Without objection, it was so ordered.

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, DRANESVILLE, HUNTER MILL, PROVIDENCE AND SPRINGFIELD DISTRICTS)

(R)Adopted the request that certain streets listed in the Memorandum to the Board dated August 8, 1994 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
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Berrywood Berrywood Court	Braddock	Groveswood Way, Route 7750
Great Falls Forest	Dranesville Great Falls Way	Brockman Court
Brockman Lane, Route 603 and Additional Right- of-Way for Cul-de-Sac		
Faust Manor Route 6249	Hunter Mill	Wind Haven Way,
Edgemore, Section 1 Strathaven Place Edgelea Road, Route 783 (Additional Right- of-Way Only)	Providence	Lochmore Lane

Middleford, Section 1 Springfield Middleford Drive
Elenore Hinton Thorncliff Lane,
Property Route 7516
Arundel Place
Seabrook Lane,
Route 6291

Middleford, Section 2 Springfield Thorncliff Lane,
Route 7516

ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 91-V-027, LESTER L. STRIBLING (MOUNT VERNON DISTRICT)

(AT) Approved the request for 12 months of additional time to establish the use for Special Exception Application SE 91-V-027 until July 27, 1995 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 90-Y-043, AUBREY LIMITED PARTNERSHIP (SULLY DISTRICT)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#107.)

ADMIN 4 - AUTHORIZATION TO POST NOTICE AND ADVERTISE A PUBLIC HEARING ON THE ABANDONMENT OF A PORTION OF GREEN SPRING ROAD (ROUTE 797) (MASON DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 12, 1994 at 3:00 p.m.** to consider the abandonment of a portion of Green Spring Road (Route 797).

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE VACATION OF A PORTION OF MOSBY LANE) (SULLY DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 12, 1994 at 3:00 p.m.** to consider the vacation of a portion of Mosby Lane.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE FAIRHAVEN PUBLIC IMPROVEMENTS PHASE V PROJECT (MOUNT VERNON DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 12, 1994 at 3:00 p.m.** to consider the acquisition of certain land rights necessary for the construction of the Fairhaven Public Improvements Phase V Project.

ADMIN 7 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTION OF BASIC CABLE RATES FOR TIME WARNER CABLE OF RESTON (TWCR) PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION (FCC) RATE REGULATIONS EFFECTIVE SEPTEMBER 1, 1993 (HUNTER MILL DISTRICT)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 26, 1994 at 4:00 p.m.** to consider adoption of basic cable rates for Time Warner Cable of Reston (TWCR) pursuant to Federal Communications Commission (FCC) rate regulations effective September 1, 1993.

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTION OF BASIC CABLE RATES FOR MEDIA GENERAL CABLE OF FAIRFAX, INCORPORATED (MGC) PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION (FCC) RATE REGULATIONS EFFECTIVE SEPTEMBER 1, 1993 (COUNTYWIDE)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 26, 1994 at 4:00 p.m.** to consider adoption of basic cable rates for Media General Cable of Fairfax (MGC) pursuant to Federal Communications Commission (FCC) rate regulations effective September 1, 1993.

ADMIN 9 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE FISCAL YEAR (FY) 1994 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 1995 REVISED BUDGET PLAN

(NOTE: Earlier in the meeting, the Board discussed this item. See pages 6, 7 and 8.)

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **September 12, 1994 at 10:00 a.m.** on the Fiscal Year (FY) 1994 Carryover Review to amend the appropriation level in the FY 1995 Revised Budget Plan.

BOARD MATTER

8. RECOGNITION OF BOY SCOUT SHAWN MILLER FROM TROOP 158 (Tape 2)

Supervisor Frey recognized the presence of Boy Scout Shawn Miller, Troop 158, Franklin Intermediate School, and warmly welcomed him to the Board Auditorium.

9.A-1 - FISCAL YEAR (FY) 1994 APPROPRIATION ADJUSTMENT (Tape 2)

(SAR)

(FPR)Supervisor Bulova moved that the Board concur in the recommendation of staff and:

- Authorize processing of payment vouchers for items previously approved and appropriated in Fiscal Year (FY) 1994 for the interim period from July 1 until the Board approves the FY 1994 Carryover Review, which is scheduled for action on September 12, 1994;
- Approve Supplemental Appropriation Resolution (SAR) AS 94054 for three General Fund agencies and three Other Funds requiring additional appropriations for FY 1994; and
- Approve Fiscal Planning Resolution (FPR) AS 94903 for the amendment of the FY 1994 Fiscal Plan Transfers from the General Fund to Subfund 176, Elderly Housing Program, and Subfund 468, Public Works Construction.

This motion was seconded by Chairman Davis and carried by unanimous vote.

Supervisor Hanley noted, for the record, that the Board has consistently taken the position that the Comprehensive Youth Services Act was a good idea yet insufficiently funded.

Following discussion, Supervisor Hyland stated that the Board instituted the Close Management Initiatives program whereby each department was encouraged to provide savings in their budgets with the incentive that they could spend a certain portion of the savings. Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to prepare for the Board a list of each of the agencies and how they did in this respect. Without objection, it was so ordered.

10.A-2 - APPROVAL OF THE ESTABLISHMENT OF ONE ADDITIONAL ASSISTANT COMMONWEALTH'S ATTORNEY II POSITION AND THE RECEIPT OF ASSOCIATED COMPENSATION FROM THE COMMONWEALTH FOR THE OFFICE OF THE COMMONWEALTH'S ATTORNEY (Tape 2)

On motion of Supervisor Hyland, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the establishment of one additional Assistant Commonwealth's Attorney II regular merit position in the Office of the Commonwealth's Attorney.

11.A-3 - FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC SAFETY SECTION, SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) 95021 FOR A BICYCLE SAFETY PATROL PROGRAM (Tape 2)

(SAR)On motion of Supervisor McConnell, seconded by Supervisor Dix, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 95021 in the amount of \$20,000 for a demonstration project for implementation of a Bicycle Safety Patrol Program. This is a federally funded project with funds made available to local law enforcement agencies through the National Highway Traffic Safety Administration (NHTSA). The County match will be provided through in-kind services to be performed by existing staff which will more than satisfy the required match of funds.

12.A-4 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) 95022 FOR THE FIRE AND RESCUE DEPARTMENT, DEPARTMENT OF MOTOR VEHICLES GRANT FOR THE CHILD SAFETY SEAT PROGRAM (Tape 2)

(SAR)On motion of Supervisor McConnell, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 95022 in the amount of \$1,500 from the Department of Motor Vehicles (DMV) to purchase five collapsible child safety seats for the transportation of pediatric patients by the Fire and Rescue Department's Advanced Life Support (ALS) Medic Units.

13.A-5 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) 95023 FOR THE PROGRAM YEAR (PY) 1994 ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE (EDWAA) PROGRAM IN THE DEPARTMENT OF HUMAN DEVELOPMENT (Tape 2)

(SAR)On motion of Supervisor Alexander, seconded by Supervisor Trapnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 95023 totalling \$450,000, for the period July 1, 1994 through June 30, 1995, for the Program Year (PY) 1994 Economic Dislocation and Worker Adjustment Assistance (EDWAA) Program. This grant award is administered by the Department of Human Development (DHD) on behalf of the Northern Virginia Manpower Consortium (NVMC). There is no local cash match requirement for this award.

14.A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) 95024 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT THE ALLOCATION OF ADDITIONAL STATE FUNDS (Tape 2)

(SAR)On motion of Supervisor Hanley, the second to which was inaudible, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Supplemental Appropriation Resolution (SAR) AS 95024 for the Fairfax-Falls Church Community Services Board (CSB) to accept additional State funds in the amount \$86,400. These funds will be used to increase a merit-regular Substance Abuse Counselor II and a merit-regular Substance Abuse Counselor I (2/1.0 SYE) to full-time (2/2.0 SYE), and to

increase exempt-limited term Psychiatrist hours in Alcohol and Drug Services. In addition, a merit-regular Mental Health Therapist II position will be established in the Woodburn Mental Health Center.

15.A-7 - SUBMISSION OF LOCAL APPLICATION FOR SIXTH YEAR PARTICIPATION IN THE PART H PROGRAM FOR INFANTS AND TODDLERS WITH DISABILITIES GRANT (Tape 2)

On motion of Supervisor McConnell, seconded by Supervisor Hanley, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a request to submit a continuation grant application in the amount of \$266,475 from the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to provide support for the Fairfax-Falls Church Interagency Coordinating Council to implement mandated services.

16.A-8 - OFFICE FOR CHILDREN APPLICATION FOR A GRANT FROM THE BELL ATLANTIC RESOURCE DEVELOPMENT FUND FOR THE EMPLOYER CHILD CARE COUNCIL QUALITY CHILD CARE INITIATIVE (Tape 2)

On motion of Supervisor Hanley, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a request for submission of a grant application by the Office for Children (OFC) in the amount of \$20,000 from the Bell Atlantic Resource Development Fund as part of the Employer Child Care Council (ECCC) Quality Child Care Initiative. This grant, for the period September 1, 1994 through December 31, 1995, will provide a coordinated system of support to 10 local child care centers seeking to meet standards of quality child care.

17.A-9 - AGREEMENTS FOR THE INSPECTION AND BONDING OF THE CHAPEL STATION DEVELOPMENT PROJECT IN THE TOWN OF CLIFTON (Tape 2)

On motion of Supervisor McConnell, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Director of the Department of Environmental Management (DEM) to:

- Execute an agreement with the Town of Clifton to inspect, monitor, and process fees for the Chapel Station project; and
- Execute an agreement with the developer of the Chapel Station project specifying bonding requirements for the project.

18.A-10 - ADOPTION OF FINAL COMMUNITY IMPROVEMENT PROGRAM ASSESSMENT OF GROVETON, PHASE VI (LEE DISTRICT) (Tape 2)

(R)On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the adoption of the Resolutions establishing the final amount to be assessed against each landowner in the Groveton, Phase VI Community Improvement Program project.

19.A-11 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PERMISSION FOR OUTDOOR STORAGE IN ASSOCIATION WITH A WAREHOUSING ESTABLISHMENT IN THE SULLY HISTORIC OVERLAY DISTRICT (Tape 2)

(R)

(A)On motion of Supervisor Frey, seconded by Supervisor McConnell, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the advertisement of a public hearing to be held before the Planning Commission on October 13, 1994, and before the Board of Supervisors on **October 31, 1994 at 3:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding permission for outdoor storage in association with a warehousing establishment in the Sully Historic Overlay District.

20.A-12 - PROPOSED RESTRICTIVE PARKING ON THE WEST SIDE OF OLD NUTLEY STREET (PROVIDENCE DISTRICT) (Tape 2)

(R)On motion of Supervisor Hanley, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Adopted the Resolution restricting parking on the west side of Old Nutley Street from Topaz Street to Swanee Lane; and
- Directed staff to secure the necessary permits from the Virginia Department of Transportation (VDOT) for the installation of "No Parking" signs, and subsequently install the signs.

21.A-13 - ABANDONMENT AND DISCONTINUANCE OF MAINTENANCE ON TWO REALIGNED PORTIONS OF GUNSTON COVE ROAD (MOUNT VERNON DISTRICT) (Tape 2)

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

- Adopted a Resolution abandoning an old portion of Gunston Cove Road; and

- Directed staff to request the Virginia Department of Transportation (VDOT) to discontinue maintenance on the remaining old portion of the road.

22.A-14 - ENDORSEMENT OF WESTERN REGIONAL PARK-AND-RIDE SITES AS RECOMMENDED BY THE TECHNICAL COMMITTEE FOR THE DULLES TOLL ROAD CORRIDOR STUDY (DRANESVILLE DISTRICT) (Tape 2)

(R) Supervisor Berger moved that the Board concur in the recommendation of staff and adopt the Resolution endorsing the two sites for the Western Regional Park-and-Ride facility as follows:

- Site 1 - Generally known as the Kay/CIT site and located north of the Dulles Toll and Access Road, just east of the Fairfax/Loudoun County line in Fairfax County. This site is planned for 350 to 500 surface parking spaces, with expansion to the maximum contingent upon future rail service implemented in the Corridor. The site is adjacent to the Center for Innovative Technology (CIT) and is located primarily on property proffered from the Dulles Greens Subdivision, proffers dated April 12, 1993, Rezoning Application RZ 89-D-060, owned by the Alan I. Kay Companies; and

- Site 5-A East - Located in Loudoun County at the northwest corner of the Washington Dulles International Airport, north of Route 606 and the planned extension of the Dulles Toll Road. This site is planned for 750 surface parking spaces.

This motion was seconded by Supervisor McConnell.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Hanley asked to amend the motion by stating that the Board would have the understanding that this is not committing the County to payment of the operating costs of these facilities, and this was accepted.

Chairman Davis stated for the record that this was the understanding and that the Board would require a separate vote and separate consideration for operating costs once those numbers are presented to the Board.

Supervisor Hanley asked unanimous consent the Board direct staff to provide information as to what the surplus tolls are funding. Without objection, it was so ordered.

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

23.A-15 - AMENDED PARKING REDUCTION FOR RESTON TOWN CENTER URBAN CORE - PHASE I (HUNTER MILL DISTRICT) (Tape 2)

Supervisor Dix moved to defer action on this item until **September 12, 1994**. This motion was seconded by Chairman Davis and carried by unanimous vote.

24.A-16 - DELINQUENT REAL ESTATE; PERSONAL PROPERTY; BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSE (BPOL) TAX LISTS FOR 1993 AND 1992 (Tape 2)

On motion of Supervisor Bulova, seconded by Chairman Davis, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Authorized the publication of the lists of delinquent real estate, personal property, and business, professional, and occupational license (BPOL) taxes as outlined in the Memorandum to the Board dated August 8, 1994; and
- Directed the Director of Finance to continue collection of 1992 taxes for an additional period of two years on subjects other than real estate.

25.A-17 - PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE FOR BOARD MEETINGS (Tape 2)

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

- Accept the proposed amendments to the Rules of Procedures for Board Meetings; and
- Agree to vote on these Rules at the September 12, 1994, Board Meeting as outlined in the Memorandum to the Board dated August 8, 1994.

Following discussion, with input from William O. Howland, Jr, Assistant to the County Executive, Supervisor Hyland moved a substitute motion that the Board defer this item pending a review by the Procedures Subcommittee, with the exception of the Emergency Meeting provision, as identified as Item 1.3 on page 69 of the Memorandum to the Board dated August 8, 1994. This motion was seconded by Supervisor McConnell.

Following discussion, the question was called on the substitute motion which carried by unanimous vote.

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

26.A-18 - COMPLETION OF A POPULATION DIRECTORY AND THE ESTABLISHMENT OF A HEALTH ADVISORY PANEL TO STUDY POTENTIAL HEALTH EFFECTS OF THE PETROLEUM SPILL IN THE STOCKBRIDGE AND MANTUA COMMUNITIES (Tape 2)

Supervisor Hanley moved that the Board concur in the recommendation of staff and approve the establishment of a Population Directory and a Health Advisory Panel to study the potential health effects of the Star Enterprise petroleum spill in the Stockbridge and Mantua Communities. The cost of these projects in Fiscal Year (FY) 1995 is approximately \$355,000, which will be fully reimbursed by Star Enterprise in accordance with binding agreements dated March 11, 1994 and July 27, 1994; therefore, there is no net impact on the General Fund. This motion was seconded by Chairman Davis.

Following discussion, with input from Dennis A. Hill, Director, Division of Environmental Health, Health Department, the question was called on the motion which carried by unanimous vote.

27.A-19 - AUTHORIZATION FOR THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT ON COST SHARING FOR THE MIDWAY PLACE STORM DRAINAGE PROJECT (MOUNT VERNON DISTRICT) (Tape 2)

On motion of Supervisor Hyland, seconded by Supervisor Berger, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive or the Deputy County Executive for Planning and Development to sign an agreement for cost sharing between the County and Richmond, Fredericksburg and Potomac (RF&P) Properties for construction of that portion of the Midway Place Storm Drainage Project (X00005) which traverses the RF&P property where the Lorton, Virginia Rail Express (VRE) Station is being constructed.

28.A-20 - BOARD APPROVAL OF FISCAL YEAR (FY) 1996 BUDGET GUIDELINES
(Tape 2)

(R)Supervisor Dix moved that the Board concur in the recommendation of staff and adopt the Resolution containing the Fiscal Year (FY) 1996 Budget Guidelines as outlined in the Memorandum to the Board dated August 8, 1994. The increase in the County's direct General Fund expenditures would be targeted at 5.0 percent and the increase in the Combined General Fund transfer to the School Operating/Construction Funds would be targeted at an increase of 5.0 percent. This motion was seconded by Supervisor Berger.

Following discussion, with input from William J. Leidinger, County Executive, the question was called on the motion which carried by unanimous vote.

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29.C-1 - STAFF REVIEW AND COMMENT ON THE TASK FORCE REPORT ON MINORITY UPWARD MOBILITY AND RETENTION (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 presenting the Task Force Report on Minority Upward Mobility and Retention.

Following discussion, Supervisor Hanley asked unanimous consent that the Board:

- Defer consideration of this item until **September 12, 1994**; and
- Direct staff to provide a copy of the Annual Affirmative Action Report to each Board Member.

Without objection, it was so ordered.

30.C-2 - BOARD OF SUPERVISORS' PUBLIC HEARING SCHEDULE FOR 1994 AREA PLANS REVIEW (APR) PLAN AMENDMENT NOMINATIONS (COUNTYWIDE)
(Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 presenting the public hearing schedule for 1994 Area Plans Review (APR) Amendment Nominations (Countywide).

Following discussion, Supervisor Frey moved that the Board approve the public hearing schedule as recommended by staff. This motion was seconded by Supervisor Hanley.

Supervisor Hyland asked to amend the motion to include consideration that the Mount Vernon nominations are kept to the same schedule as outlined, if possible, and this was accepted.

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

31.C-3 - CITIZENS ADVISORY COMMITTEE (CAC) ON SOLID WASTE AND DISPOSAL MATTERS CHARTER RENEWAL (COUNTYWIDE) (Tape 3)

(BACs)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting the Board's consideration of charter renewal for the Citizens Advisory Committee (CAC) on Solid Waste and Disposal Matters.

Following discussion, with input from John W. di Zerega, Director, Department of Public Works (DPW), and Joyce M. Doughty, Director, Solid Waste Disposal and Resource Recovery Division, DPW, Supervisor McConnell asked unanimous consent that the Board defer consideration of this matter until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#46).

32.I-1 - STAFF SUMMARIES OF MAY AND JUNE, 1994 TRANSPORTATION ADVISORY COMMISSION (TAC) MEETINGS (COUNTYWIDE) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 presenting the staff summaries of the May and June, 1994 Transportation Advisory Commission (TAC) meetings.

33.I-2 - TRANSPORTATION ENHANCEMENT PROGRAM (COUNTYWIDE) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 outlining the status of the Transportation Enhancement Program (Countywide).

Supervisor Hanley asked unanimous consent that the Board direct staff to provide, as an Information Item on September 12, 1994, the results of the County's recent testimony before the Commonwealth Transportation Board (CTB) on the allocation process for secondary, interstate, and primary roads. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to review the results of multiple and/or singular applications which were submitted from other jurisdictions. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to review whether there was any other jurisdiction in the Commonwealth which asked for more than the entire state allocation. Without objection, it was so ordered.

34.I-3 - COUNTY HOLIDAY SCHEDULE -- CALENDAR YEAR 1995 (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 presenting the proposed County Holiday Schedule for Calendar Year 1995.

The staff was directed administratively to proceed as proposed.

35.I-4 - CONTINUATION OF PROFESSIONAL SERVICES WITH VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (VPI) FOR THE HUMAN SERVICES REDESIGN (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 outlining the continuation of professional and training services with Virginia Polytechnic Institute and State University (VPI) for the Human Services Redesign in the amount of approximately \$300,000.

The staff was directed administratively to proceed as proposed.

36.I-5 - AWARD OF CONTRACT - CONSTRUCTION OF 47 UNITS AT OLD MILL GARDENS (LEE DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8,

1994 requesting authorization for staff to award a contract to SIGAL Corporation in the amount of \$2,963,000 for the construction of 47 garden-style apartments, manager's office and related site improvements at Old Mill Gardens, Project Number VA1942, Subfund 152, Public Housing Projects Under Development.

The staff was directed administratively to proceed as proposed.

37.I-6 - TECHNICAL CHANGES TO THE FRANCONIA-SPRINGFIELD VIRGINIA RAILWAY EXPRESS (VRE) STATION PROJECT AGREEMENT (LEE DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 presenting the Technical Changes to the Franconia-Springfield Virginia Railway Express (VRE) Station Project Agreement (Lee District).

38.I-7 - APPROVAL OF THE CONTRACT AMENDMENT FOR HARRY WEESE AND ASSOCIATES FOR PHASE II OF THE DESIGN OF THE HERNDON MONROE PARK AND RIDE FACILITY (HUNTER MILL DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting authorization for staff to amend a contract to Harry Weese and Associates in the amount of \$1,497,684 for Phase II of the design of the Herndon Monroe Park and Ride Facility, Project 90A007, Subfund 471, County Bond Construction.

The staff was directed administratively to proceed as proposed.

39.I-8 - CONTRACT AWARD - BROOKLAND ESTATES SANITARY SEWER PUMPING STATION ABANDONMENT AND GRAVITY OUTFALL (LEE DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting authorization for staff to award a contract to R. L. Rider and Company in the amount of \$93,296 for the construction of Brookland Estates Sanitary Sewer Pumping Station Abandonment and Gravity Outfall, Project X00905, Replacement and Transmission, Subfund 524, Sewer Bond Extension and Improvement.

The staff was directed administratively to proceed as proposed.

40.I-9 - APPROVAL OF CONTRACT ADDENDUM WITH CAMP, DRESSER AND MCKEE FOR THE OPERATION OF THE KINGSTOWNE ENVIRONMENTAL MONITORING PROGRAM (LEE DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting authorization for staff to award a contract addendum to Camp, Dresser and McKee in the amount of \$87,601 for the period of August 1, 1994 through July 31, 1995 for the collection and analysis of sediment and water quality data on Dogue Creek upstream from Huntley Meadows Park, Project L00034, Kingstowne Environmental Monitoring Program, Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

41.I-10 - AWARD OF CONTRACTS DURING BOARD OF SUPERVISORS' RECESS
(Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting authorization for the County Executive or the appropriate Deputy County Executive to award miscellaneous construction and consultant contracts and extensions while the Board is in recess.

Following discussion, with input from William J. Leidinger, County Executive, and David P. Bobzien, County Attorney, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the words, "...polling the Board," as shown in the Memorandum to the Board, be changed to "...discuss with the Board Member in whose District the project is located or the Chairman of the Board of Supervisors if the contract is over by 10 percent..." Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct the County Executive, in the review of each contract, to ensure that the appropriate Business, Professional and Operating License (BPOL) is in hand prior to each contract award. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

The staff was directed administratively to proceed as proposed.

42.I-11 - CONTRACT AWARD - CONSTRUCTION OF RESTROOM FACILITY AT BRADDOCK PARK (SPRINGFIELD DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting authorization for staff to:

- Award a contract to Erlich Group General Contractors, Incorporated in the amount of \$287,254 for construction of a restroom building and related work at Braddock Park as part of

Project 009409, Braddock Park, Subfund 461, County Construction and Project 475488, Restroom/Concessions Buildings, Subfund 451, Park Authority Bond Construction; and

- Relocate funds in the amount of \$126,244 from Project 004534, Park Contingency to Project 475488.

The staff was directed administratively to proceed as proposed.

43.I-12 - CONTRACT AWARDS - OPEN-END GEOTECHNICAL SERVICES (COUNTYWIDE) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting authorization for staff to award a contract for Open-End Geotechnical Services to Law Engineering, Incorporated; Dames and Moore, Incorporated; Woodward-Clyde; and CTI Consultants, Incorporated for a period of two years, with option of extension for two one-year periods, in an amount not to exceed \$30,000. The contract will be charged against individual projects as needed. The services required from the consulting firms are: to conduct soil exploration by sampling, testing and performing engineering analysis and construction recommendations in conjunction with the proposed development projects in various parks in the County.

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

44.I-13 - CONTRACT AWARDS - OPEN-END SURVEY SERVICES (COUNTYWIDE) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting authorization for staff to award a contract for Open-End Survey Services to Bengston, Debell and Elkins, Limited; Rinker Detwiller and Associates; Wilber Smith Associates; and William H. Gordon Associates, Incorporated for a period of two years, with option of extension for two one-year periods, in an amount not to exceed \$30,000. The contract will be charged against individual projects as needed. The services required from the consulting firms are: topography, boundary and construction surveys to used for, but not limited to, Master Plan designs and layouts, storm water studies and design, road, structure and utility stake-outs, monumentation stake-outs, encroachment problems and other engineering/survey related projects in conjunction with the proposed development projects in various parks in the County.

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

45.I-14 - TYSONS CORNER POND C (PROVIDENCE DISTRICT) (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 presenting the results of staff review of all that would be necessary to transfer ownership and maintenance of the pond known as Pond C in Tysons Corner to the County and requesting authorization for staff, including the Department of Public Works, the

Department of Environmental Management, and the Office of the County Attorney, to continue working with the developer to prepare acceptable designs and appropriate agreements.

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

46.C-3 - CITIZENS ADVISORY COMMITTEE (CAC) ON SOLID WASTE AND DISPOSAL MATTERS CHARTER RENEWAL (COUNTYWIDE) (Tape 3)

(BACs)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#31).

The Board next considered an Item contained in the Memorandum to the Board dated August 8, 1994 requesting the Board's consideration of Charter renewal for the Citizens Advisory Committee (CAC) on Solid Waste and Disposal Matters.

Supervisor McConnell moved that the Board approve the renewal of the Charter for the CAC on Solid Waste and Disposal Matters, with the proposed changes as shown in Attachment B of the Memorandum to the Board. This motion was seconded by Chairman Davis and carried by unanimous vote.

AM:am

47.11:20 A.M. - PRESENTATION OF REPORT ON ECONOMIC DEVELOPMENT AUTHORITY'S (EDA) RESULTS ON THE RECOMMENDATIONS OF THE SMALL AND DISADVANTAGED BUSINESS COMMISSION (Tape 4)

(BACs)

Following the presentation of the report on the Economic Development Authority's (EDA) Results on the Recommendations of the Small and Disadvantaged Business Commission, by Patricia M. Woolsey, Chairman, EDA, Supervisor Hyland asked unanimous consent that the Board direct the EDA to send a letter to the larger employers in Fairfax County indicating that the Small Business Directory is available upon request. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct the EDA to provide a breakdown of the number of women-owned businesses for all of the Supervisor Districts in Fairfax County. Without objection, it was so ordered.

Supervisor McConnell asked unanimous consent that the Board direct the EDA to provide the breakdown of the number of women-owned businesses for the Supervisor Districts in chart form. Without objection, it was so ordered.

Supervisor Hyland asked unanimous consent that the Board direct staff to provide information on the County's efforts with regard to a partnering opportunity. Without objection, it was so ordered.

Following further discussion, with input from William J. Leidinger, County Executive, Supervisor Hyland asked unanimous consent that the Board direct the EDA to:

- Provide a fact sheet explaining the partnering opportunity and how it works; and
- Make the fact sheet available to small businesses.

Without objection, it was so ordered.

ADDITIONAL BOARD MATTERS

AR:ar

48. REGIONAL ADVERTISING OF THE NEW COMMON PERSONAL PROPERTY TAX DUE DATE OF OCTOBER 5 (Tape 5)

Chairman Davis noted that his office has been participating in ongoing meetings involving Fairfax County staff and the financial officers and staff of neighboring jurisdictions, who have been working on cooperative efforts to streamline tax administration programs throughout the Northern Virginia region. Among the "NOVA Group's" more noteworthy efforts has been to coordinate establishing a common due date of October 5 for personal property taxes that will become a reality throughout Northern Virginia this Fall.

Chairman Davis referred to the Board's recent approval of funding \$225,000 for advertising to inform Fairfax County citizens of the changes in the personal property tax and auto decal due dates. Meanwhile, the "NOVA Group" has prepared a proposed advertising budget that requests each jurisdiction to contribute a very modest amount based on population (one cent per capita) to buy cooperative ads in the Washington Post and perhaps some other media outlets underscoring the important point that for the first time all citizens living in Northern Virginia will observe the same personal property tax due date of October 5.

Chairman Davis stated that a separate portion of this advertising program will concentrate on the four jurisdictions (Fairfax and Arlington Counties, and the cities of Fairfax and Falls Church) that will initiate regional enforcement of their respective decals that will bear a common color and be issued on the same date of October 5.

Accordingly, by investing a very modest portion amounting to about five percent of its total advertising funds in the regional ads, Fairfax County can buy more exposure for the County for its money and will promote a common message benefitting all citizens residing in Northern Virginia.

Therefore, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct staff to redirect \$14,300 of the previously approved advertising funds to the regional advertising program, provided that other jurisdictions contribute their corresponding proportional share based upon population. This motion was seconded by Supervisor Dix.

Following discussion, and a notation by Supervisor Davis that the expenditure of these funds is in no way directed towards advertisement in any one newspaper, the question was called on the motion which carried by a vote of nine, Supervisor Berger being out of the room.

49. **PRELIMINARY AUDIT PLAN FOR THE FINANCIAL AND PROGRAMS AUDITOR TO THE BOARD OF SUPERVISORS** (Tape 5)

Supervisor Davis called the Board's attention to the "Preliminary Audit Plan for the Financial and Programs Auditor to the Board of Supervisors" which has been distributed to Board Members. This list has been prepared by James J. Hogan, Auditor to the Board, following input from Board Members and the Audit Committee, as well as his own study and observation. This list does not purport to suggest an order in which the projects will be done as Mr. Hogan needs to complete the staffing of his office and has requested an opportunity to look at the projects in more detail to refine his estimate of resources and time needed to undertake each project.

Supervisor Davis stated that, by approving this list, the Board will give Mr. Hogan some clear direction to the course of his work. Emergencies and changes in circumstances may arise that may require the work plan to be modified at a later time. This, of course, will be an orderly way for the Auditor to carry on the work of his office and still maintain flexibility to address the most pressing needs and issues that may arise.

Following extensive discussion, with input from Mr. Hogan, Supervisor Davis withdrew his Board Matter.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

(NOTE: Later in the meeting, there was additional discussion on this matter. See Clerk's Summary Items CL#57 and CL#95.)

50. **PRESENTATION OF NORTHERN VIRGINIA PLANNING DISTRICT COMMISSION'S (NVPDC) SHOWCASE OF FAIRFAX COUNTY** (Tape 5)

Supervisor Bulova presented to the Board, for appropriate display, a plaque which was recently presented to the Board of Supervisors by the Northern Virginia Planning District Commission (NVPDC) in appreciation of the County's hosting the Second Annual Northern Virginia Regional Jurisdictional Showcase held June 11, 1994.

Supervisor Hanley congratulated Hunter Mill District Supervisor Dix on his election as the new President of the Virginia Association of Planning District Commissions (VAPDC).

51. CONCURRENT AND EXPEDITED REVIEW FOR HOLY SPIRIT CHURCH ADDITION (Tape 5)

Supervisor Bulova noted that the Holy Spirit Church, located on Braddock Road, is planning a small 1200 square foot kitchen addition and two handicapped accessible bathrooms. In order to add the kitchen, it will be necessary to amend the Special Use Permit. The church is filing an amendment for the use which will be heard by the Planning Commission and the Board of Supervisors. Holy Spirit Church will also be requesting a Site Plan Waiver and would like to move forward with these improvements as quickly as possible.

Therefore, Supervisor Bulova moved that the Board direct the staffs of the Office of Comprehensive Planning (OCP) and the Department of Environmental Management (DEM) to process the amendment and Site Plan Waiver concurrently and expeditiously. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being out of the room.

52. CONCURRENT AND EXPEDITED REVIEW FOR SOUTHEAST RECYCLING (Tape 5)

Supervisor Bulova stated that Southeast Recycling has identified a site for its operations next to the Southern Railroad tracks in the Braddock District. They plan to utilize space recently vacated by a chemical products facility.

With a notation that they are anxious to move into their new site and begin operations, Supervisor Bulova moved that the Board direct the staff of the Department of Environmental Management (DEM) to process the Site Plan, building permit, and Site Plan Waiver concurrently and expeditiously. This motion was seconded by Supervisor Berger and carried by unanimous vote.

53. REQUEST FOR SCHOOL STREET STUDY AREA (AREA II, FAIRFAX PLANNING AREA, GEORGE MASON COMMUNITY PLANNING SECTOR (Tape 5)

Supervisor Bulova stated that during the Planning Horizons exercise, the area on the east side of Route 123 between School Street and University Drive was planned with a residential option of 8-12 dwelling units per acre and designated as a proposed assisted housing site with 72 units. Since then, Supervisor Bulova has been working with the City of Fairfax to consider this site which is adjacent to the City in the larger context of areas within the City including the Eleven Oaks School site.

As part of this effort, Supervisor Bulova noted that the City of Fairfax is now showing a new road that would run parallel to Chain Bridge Road connecting University Drive near City Hall to the Pohick Drive entrance to George Mason University in the County. Redevelopment options are now being considered for this larger area and are ready to move beyond the concept stage. It was hoped that this area could be included in the 1994 Area Plan Review

(APR), but that did not prove possible. Due to the uniqueness of this situation, Supervisor Bulova stated that she is prepared to make an exception to her Out-Of-Turn Plan Amendment policy.

Therefore, Supervisor Bulova moved that the Board designate School Street as a Special Area and:

- Direct the Office of Comprehensive Planning (OCP) to review this area and prepare an Out-Of-Turn Plan Amendment to consider a mix of residential and non-residential uses for this area. OCP should coordinate this review with the City of Fairfax, George Mason University (GMU) and the Department of Housing and Community Development (HCD) to ensure that any Plan changes proposed are consistent with and supportive of planning objectives for the larger area; and
- Direct the Office of Transportation to review the proposed realignment of University Drive for possible incorporation into the adopted Countywide Transportation Plan.

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

54. IMPROVED KINGS PARK CUT-THROUGH TRAFFIC DEVICES (Tape 5)

Supervisors Bulova recalled that the Kings Park community was the first neighborhood to formally seek relief from cut-through traffic in Fairfax County. In fact, that community served as the guinea pig for the Commonwealth's cut-through policy passed in 1989. For the first time, speed humps, nubs and medians were used within a residential community to slow traffic down and cause motorists to drive more considerately. Supervisor Bulova added that the community has been delighted with the reduction in speed and volume which resulted from the installation of these devices.

Supervisor Bulova noted that when the humps, nubs and medians were first installed, they were considered temporary and experimental. They consist of crude asphalt curbing, painted a very bright yellow and extending into the street and, while they are effective, they have deteriorated since being installed five years ago and are very unsightly.

Supervisor Bulova stated that the Kings Park community would like very much to have the nubs made permanent and more attractive by replacing the asphalt with concrete and perhaps leaving space in the center for landscaping. The Virginia Department of Transportation (VDOT) has designed a number of options for replacing the nubs and the community has settled on the least expensive of the plans.

Now that VDOT has identified funding in its Fiscal Year (FY) 1995 budget for installation of permanent cut-through devices, Supervisor Bulova moved that the Board approve the submission of a request for funding of Kings Park Nub Enhancement Alternative Number Three (\$33,996) by VDOT over the next two years so that Kings Park may serve as an attractive as well as a successful demonstration. This motion was seconded by Supervisor Alexander.

Following discussion, Supervisor Hanley moved a substitute motion that the Board defer this matter until it has been determined how much money has been allocated in this account and what other costs are to be withdrawn from it. This motion was seconded by Supervisor Hyland.

Following additional discussion, Supervisor Bulova asked unanimous consent that the Board defer this matter until later in the day following consultation with staff. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken by the Board on this matter. See Clerk's Summary Item CL#129.)

55. RECEIPT OF COPIES OF BOARD AGENDAS BY UTILITY COMPANIES (Tape 5)

Supervisor Bulova suggested that, as a matter of routine, utility companies be included on the mailing lists for distribution of the Board's Agenda the week prior to each Board Meeting.

Following discussion, Supervisor Bulova noted that this matter would be handled by her own office staff.

PMH:pmh

56. INABILITY TO ATTEND SUBCOMMITTEE MEETINGS (Tape 6)

Supervisor Dix stated for the record that the inability to attend a Subcommittee meeting does not necessarily reflect on one's lack of interest in what the deliberations are going on at those meetings.

57. AUDITOR TO THE BOARD TO MEET WITH BOARD MEMBERS (Tape 6)

(NOTE: Earlier in the meeting, there was a discussion regarding the Auditor to the Board. See Clerk's Summary Item CL#49.)

Supervisor Dix suggested that Mr. Hogan, Auditor to the Board, as a part of his work program for the next five weeks, visit with each Board Member to get their individual feedback.

Chairman Davis pointed out that Mr. Hogan was "thrown" into a very difficult situation and has not had time to meet with Board Members on an individual basis.

(NOTE: Later in the meeting, there was additional discussion regarding the Auditor to the Board. See Clerk's Summary Item CL#95).

58. SCHEDULING OF THE PUBLIC HEARING TO BE HELD BEFORE THE BOARD OF SUPERVISORS ON REZONING APPLICATION RZ 94-H-019 (WINCHESTER HOMES) (HUNTER MILL DISTRICT) (Tape 6)

Supervisor Dix stated that the Planning Commission public hearing for Rezoning Application RZ 94-H-019 was recently deferred from September 7, 1994 to November 16, 1994 to allow time to resolve issues regarding the Development Plan and the Proffers.

Therefore, Supervisor Dix moved that the Board direct staff to schedule the public hearing to be held before the Board of Supervisors on December 5, 1994. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

59. REQUEST FOR SIMULTANEOUS PROCESSING OF THE SITE PLAN AND A PARKING TABULATION/STUDY, AND ANY OTHER APPROVALS WHICH MAY BE REQUIRED FOR FLORIS UNITED METHODIST CHURCH (Tape 6)

Supervisor Dix said that the Floris United Methodist Church has a Special Permit Amendment Application (SPA 88-C-057) currently scheduled for public hearing by the Board of Zoning Appeals (BZA) on September 13, 1994. He said that the application is to amend the church's existing Special Permit to provide additional parking and to add a child care center.

Because of certain contractual obligations relating to the child care center, Supervisor Dix moved that the Board direct the Department of Environmental Management (DEM) to simultaneously process the Site Plan and a parking tabulation/study, and any other approvals which may be required. Supervisor Dix said that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of the Special Permit Amendment Application in any way. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor McConnell being out of the room.

60. REQUEST FOR SIMULTANEOUS PROCESSING OF THE SITE PLAN FOR REZONING APPLICATION RZ 94-H-036 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-C-108 (Tape 6)

Supervisor Dix said that Rezoning Application RZ 94-H-036 has been submitted to consolidate a .50 acre parcel with an adjacent townhouse development which was the subject of the approval of Rezoning Application RZ 85-C-108. This adjacent development has an approved Preliminary Site Plan.

Supervisor Dix stated that these applications are currently being reviewed by staff and have a scheduled Planning Commission public hearing date of December 1, 1994. Supervisor Dix moved that the Board direct the Department of Environmental Management (DEM) to simultaneously process the Site Plan for this property. He said that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances,

regulations or adopted standards, and it does not prejudice the consideration of the Rezoning and Proffered Condition Amendment Applications in any way. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being out of the room.

61. OUT-OF-TURN PLAN AMENDMENT RELATED TO AREA PLAN REVIEW (APR) NOMINATION 94-III-8UP (Tape 6)

Supervisor Dix said that as part of the Area Plan Review (APR) Process, a Plan Amendment nomination has been submitted for an eight-acre parcel located at 12328 Lawyers Road to amend the Plan for residential use at one to two dwelling units per acre to residential use at two to three dwelling units per acre (Nomination 94-III-8UP). Recently, the owners of three properties adjacent to this parcel have requested to be included in the APR process for consideration of a similar Plan Amendment. However, the deadlines for submitting or expanding a nomination have passed.

Supervisor Dix said that the Virginia Department of Transportation (VDOT) has also suggested the possible consolidation of all of these parcels as a means of providing additional flexibility for access to the properties from Lawyers Road. Lawyers Road in this location is currently being widened to a four-lane, median divided road with limited median crossovers.

Supervisor Dix said that he has been advised by staff from the Office of Comprehensive Planning (OCP) that in order to expand Plan Nomination 94-III-8UP to include the three adjacent parcels, the Board needs to authorize an Out-of-Turn Plan Amendment to expand the nomination. He added that the expanded nomination should be scheduled for public hearing before the Planning Commission on September 22, 1994, along with the other Hunter Mill District APR nominations.

Supervisor Dix moved that the Board authorize the expansion of Plan Amendment Nomination 94-III-8UP to include Tax Map Parcels 25-4((1))5, 6, and 7 for consideration of residential use at two to three dwelling units per acre. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being out of the room.

62. REQUEST FOR BUILDING PERMIT FEE WAIVER FOR THE TOWN OF VIENNA, POLICE DEPARTMENT (Tape 6)

Supervisor Dix said that the Town of Vienna's Police Department recently occupied a new headquarters facility. Currently the Vienna Community is organizing an effort to construct a building to house the motorcycle and bicycle equipment utilized by the Department's motorcycle and bicycle squads. The building will be on the same parcel as the headquarters facility. This project has involved volunteer contributions by local architects, engineers, electricians, construction company owners and others within the community.

Supervisor Dix said that over the years, there has been a very cooperative working relationship between the County and the Town of Vienna. As part of the County's assistance with this worthwhile community project, Supervisor Dix moved that the Board authorize the waiver of any fees associated with the required permits for construction of this additional structure.

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

63. EXPEDITIOUS AND MODIFIED PROCESSING FOR RESTON TOWN CENTER DEVELOPMENT PROJECT (Tape 6)

Supervisor Dix said that the Planning Commission recently approved a Reston Town Center Development Plan for a 300,000 square foot retail project (the Spectrum) to be constructed along Reston Parkway. Reston Land Corporation and Lerner Enterprises are poised to submit and commence expeditious processing of Site Plans for this retail center and also for some significant road improvements associated with this development.

Supervisor Dix stated that these road improvements include the widening of the section of Reston Parkway between Baron Cameron Avenue and Lake Newport Road from two lanes to four lanes and the construction of a new road to be known as Fountain Drive which will provide another connection between Baron Cameron Avenue and New Dominion Parkway.

Because the Reston Land Corporation and Lerner Enterprises are prepared to submit and commence the expeditious processing of the Site Plans for all three of the developments (the Spectrum retail project, Reston Parkway and Fountain Drive), Supervisor Dix said that the applicants have requested modified processing of these plans. It is the intention of Reston Land Corporation to begin construction of the road improvement projects as soon as possible and to complete these improvements prior to the opening of the retail center.

Supervisor Dix said that he has discussed these Site Plans with the County Executive's Office and with the Department of Environmental Management (DEM), and has been advised that staff is prepared to expeditiously process these three important projects. There is, however, one technical matter which requires Board attention. A project which requests modified processing must, normally, exceed \$25 million in costs -- \$20 million in improvements and at least \$5 million in land costs. DEM typically requires that each building exceed \$20 million.

Supervisor Dix stated that in the case of these three coordinated and combined projects, the total cost will be approximately \$35 to \$38 million, well exceeding the \$25 million requirement. The retail center (land value and construction costs) will be approximately \$33 - 35 million. The Reston Parkway and Fountain Drive Road improvements are estimated at \$2 - \$3 million. Because Lerner Enterprises will be developing virtually the entire retail project simultaneously, and Reston Land Corporation will be completing the road improvements concurrently, Supervisor Dix said that the applicants have fulfilled the necessary requirements for modified processing.

Therefore, Supervisor Dix moved that the Board direct DEM to process the Site Plans for the Reston Parkway widening, Fountain Drive and the Spectrum retail project under its modified processing procedure. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being out of the room.

64. REQUEST FOR CERTIFICATE OF APPRECIATION FOR LILA CARNEVALE,

OFFICE OF PERSONNEL (Tape 6)

Supervisor Alexander announced that Lila Carnevale, Office of Personnel has retired. He said that she was first employed by the County in 1963 and was doing personnel work for the County before the Office of Personnel was established.

Supervisor Alexander said that she has done a number of things over and beyond what is asked of a County employee involved in personnel. Therefore, Supervisor Alexander moved that the Board direct staff to invite Ms. Carnevale to appear before the Board to be recognized for her years of service. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

65. **EXPEDITIOUS AND SIMULTANEOUS PROCESSING OF THE SPECIAL EXCEPTION APPLICATION AND SITE PLAN AND/OR SITE PLAN WAIVER CONCURRENTLY WITH THE SPECIAL EXCEPTION APPLICATION FOR A SERVICE STATION AT 5520 FRANCONIA ROAD** (Tape 6)

Supervisor Alexander said that there is a situation in the Lee District involving a service station located at 5520 Franconia Road, Tax Map Reference 81-4((1))70. The owner closed the service station in 1990 to perform a clean-up of soil and groundwater petroleum contamination on the property. The remediation work has been completed. However, due to the complexity of this process, the service station use was discontinued for more than two years, which resulted in the station no longer having valid zoning approval. To reinstate the use, Special Exception Application approval and a Site Plan are required.

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

- Expedite the processing of the Special Exception Application; and
- Simultaneously process the Site Plan or Site Plan Waiver concurrently with the Special Exception Application.

Supervisor Alexander said that this should not be interpreted in any way as a prejudice toward the outcome of the case. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

66. FULL NOISE WALLS FOR I-95 SOUTH FROM ROUTE 644 TO NEWINGTON

(Tape 6)

Supervisor Alexander said that at the time I-95 south from Route 644 to Newington was widened to extend express lanes, the foliage on the right side of the road was taken. He added that the County and the Virginia Department of Transportation (VDOT) worked out a Cooperative Agreement in which the County invested over \$200,000 for a fence and plantings and VDOT put in a berm. He said that it kept the noise and the sight of the traffic jams from the people in the area.

Supervisor Alexander said that he has been notified that VDOT is going to expedite putting in another lane in this area which means they will remove everything that the County has put in place. Therefore, Supervisor Alexander moved that the Board request VDOT to indicate that the County has a considerable investment in this area and it is a matter of importance that the full noise wall be constructed in accordance with all the requirements. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor McConnell being out of the room.

67. CLEAN-UP OF GRAFFITI (Tape 6)

Supervisor Alexander distributed to Board Members an article regarding graffiti. He asked Anthony H. Griffin, Deputy County Executive for Planning and Development, to present to the Board a report on graffiti.

Following discussion, Supervisor Hanley asked unanimous consent that the Board direct staff to obtain input from Neighborhood Watch programs on graffiti. Without objection, it was so ordered.

68. REQUEST HAZARDOUS WASTE DROP-OFF POINTS FOR HOUSEHOLDERS

(Tape 6)

Supervisor Hyland said that he has been receiving requests from residents of the Mount Vernon Districts to find a way for householders to drop off their hazardous waste materials in a more centrally convenient location.

Supervisor Hyland said that it was found that a permanent hazardous waste site was too costly to maintain, and that residents would be more inclined to dispose of their hazardous materials if there were a more centrally located drop off point which was available to them at least twice a year.

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

- Determine the relative cost of reinstating a hazardous waste drop off point at the fire station at Sherwood Hall Lane and also at the West Ox Road facility, preferably in the spring and fall; and
- Report with a Consideration Item on September 12, 1994.

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

69. RECOGNITION OF YOUTH WHO CARE COUNCIL IN BROSAR VILLAGE/HUNTING CREEK NEIGHBORHOOD (Tape 6)

Supervisor Hyland said that Brosar Village/Hunting Creek is a very crime conscious neighborhood in Gum Springs. Their Neighborhood Watch participation extends beyond the average as it includes a cadre of teens who have been taught to watch and report to designated adults if they see any inappropriate activities in their neighborhood during the day.

Known as the "Neighborhood Watch Youth Who Care Council" (NWyWCC), these very responsible young people watch the community during the day, attend Neighborhood Watch meetings monthly at the Mount Vernon District Police Station and report suspicious activities to the community manager, Margaret Baker and/or other designated adult members of the community.

Therefore, Supervisor Hyland moved that the Board direct staff to invite the following individuals to appear before the Board to receive their justly deserved recognition:

■ Coordinators: Shawaum Hughes and Tyesha Burton;

■ Secretary: Linda Stivers;

■ Members: Linda Castilloveitia;

Tamika Maddox;

Ebony Maddox;

Steve Spero;

Joshua Lantz;

Lavonya Byrd;

Shazonda McMillan; and

■ Organizer and

Trainer: Margaret Baker, Community Manager.

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

70. MOUNT VERNON COUNCIL RESOLUTION PROPOSES METHOD TO MEET SCHOOL DEBT FUNDING (Tape 6)

Supervisor Hyland distributed to Board Members a letter and resolution from the Mount Vernon Council of Citizens Associations which expresses concern with the actions taken by the School Board as a result of the limitations imposed by the Board of Supervisors concerning the sale of new bonds.

Supervisor Hyland said that the Council proposes that the County take advantage of an existing method that would require the Commonwealth of Virginia, upon the Board of Supervisors' request, to transmit the School Districts' share of State Sales Tax Revenue and Standards of Quality Funding to the governing body of any jurisdiction in which the cost of school debt service exceeds one-fourth of the total jurisdictional General Obligation debt service with the restriction that such funds can only be used for school debt, construction and operating costs. He added that this would require legislative action.

Supervisor Hyland asked unanimous consent that the Board refer this matter to the Legislative Subcommittee and the staff of the Office of Management and Budget (OMB) for review and inclusion in Fairfax County's 1995 Legislative Package. Without objection, it was so ordered.

71. CONCURRENT PROCESSING FOR SILVERBROOK LIMITED PARTNERSHIP AND YPS BURKE GENERAL PARTNERSHIP (Tape 6)

Supervisor Hyland said that the Silverbrook Consortium Limited Partnership and YPS Burke General Partnership which are pursuing the completion of a development known as Gunston Corner which is located at Lorton Road and Silverbrook Road realigned. To facilitate the completion of the development process, the applicants have requested concurrent processing for Site Plans, Subdivision Plans for two rezoning applications which have recently been filed.

Therefore, Supervisor Hyland moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept for concurrent and simultaneous processing subdivisions and/or Site Plans prepared in conjunction with those rezoning applications filed by Silverbrook Consortium Limited Partnership and YPS Burke General Partnership. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

72. PERSONAL PROPERTY TAXES (Tape 6)

Supervisor Hyland said that recently a constituent brought to his attention a situation whereby she transferred (1992 tax year) an automobile to her grandson. He immediately took the vehicle to California where he stored it as he was transferred overseas as a member of the military. The grandson is a legal resident of the State of Virginia and for the tax years 1992 - 1994 it has been the position of Fairfax County that that automobile is subject to personal property tax.

Supervisor Hyland asked unanimous consent that the Board direct the County Attorney to prepare an Opinion to determine whether the imposition of personal property tax (as outlined above) is or is not correct. Without objection, it was so ordered.

73. APPOINTMENT TO THE ADVISORY SOCIAL SERVICES BOARD (Tape 6)

(APPT)

Supervisor Berger moved the appointment of Mr. Arthur J. Kerns, Jr. as the Dranesville District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

74. APPOINTMENT TO THE HUMAN SERVICES COUNCIL (Tape 6)

(APPT)

Supervisor Berger moved the appointment of Mr. Sidney Bostian as the Dranesville District Representative to the Human Services Council to fill the unexpired term of Mr. Harrison Wehner. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

75. APPOINTMENT TO THE SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION (Tape 6)

Supervisor Berger moved the appointment of Ms. Patricia De L. Marvil as the At-Large Representative to the Small and Minority Business Enterprise Program Advisory Commission.

Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent that this appointment be deferred to later in the meeting when a full Board would be present. Without objection, it was so ordered.

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

(Note: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#106.)

76. UNFUNDED FEDERAL MANDATES (Tape 6)

Supervisor Berger referred to unfunded federal mandates and said that in financial terms, the Conference of Mayors estimates the costs to cities along are \$6.5 billion annually with the Clean Water Act accounting for \$3.6 billion.

Supervisor Berger said that recently, jurisdictions in the country have begun calculating their costs. Columbus, Ohio reports 2000 federal and state mandates costs that city of 600,000 a total of \$1.6 billion or \$650.00 per year per household.

Supervisor Berger said that it vital to determine what the figures are for Fairfax County. He said that this will allow the citizens and the Board to weigh and consider what actions are necessary to relieve excessive burdens which prevent the Board from taking up more fully local priorities.

Supervisor Berger moved that the Board direct staff to:

- Start preparing these figures; and
- Report on a time frame to accomplish this task.

This motion was seconded by Supervisor Hyland.

Following discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board direct staff to, at this time, provide existing information on this issue. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

Supervisor Dix asked unanimous consent that the Board direct staff to circulate the most recent version of Kemp Bill regarding the federal governments responsibility as it relates to unfunded mandates. Without objection, it was so ordered.

77. SCENIC EASEMENTS ALONG THE POTOMAC RIVER (Tape 6)

Supervisor Berger stated that at the last Board meeting, the Board directed staff to come up with a way to "flag" conservation and scenic easements on the Potomac River held by the Northern Virginia Regional Park Authority.

Supervisor Berger said that easements are also held in the County by the Virginia Outdoors Foundation and the National Park Service as well.

Supervisor Berger asked unanimous consent that the Board direct staff to include these easements in his motion of July 25, 1994. Without objection, it was so ordered.

78. OUT-OF-TURN PLAN AMENDMENT - GEORGETOWN PIKE AND SENECA ROAD
(Tape 6)

Supervisor Berger said that on April 11, he requested the staff to evaluate alternative alignments of Georgetown Pike and Seneca Road and the Board authorized an Out-of-Turn Plan Amendment to amend the transportation plan in this area. That Plan Amendment (S94-CW-T2) is currently scheduled for public hearing by the Planning Commission on September 8, 1994 and by the Board on September 26, 1994.

Supervisor Berger said that, since this action, a number of citizen meetings and extensive discussions have occurred regarding this subject. The staff has also initiated a more detailed examination of this area in conjunction with the Virginia Department of

Transportation (VDOT) to identify appropriate solutions to the problem. However, it appears at this time that there is neither sufficient information available nor consensus among the community to amend the Plan.

Supervisor Berger moved that the Out-of-Turn Plan Amendment S94-CW-T2 scheduled for public hearing on September 26, 1994 be deferred indefinitely. When the staff and VDOT have completed a more detailed review, and the citizens have further examined this matter, the public hearing can be rescheduled. This motion was seconded by Supervisor Hyland.

Following discussion, the question was called on the motion which carried by a vote of six, Supervisor Alexander, Supervisor Dix, Supervisor Frey, and Chairman Davis being out of the room.

79. CUT-THROUGH TRAFFIC - SENECA ROAD AREA OF DRANESVILLE DISTRICT
(Tape 6)

Supervisor Berger said that constituents in the Seneca Road area of Dranesville District are becoming increasingly concerned with the lack of cooperation from Loudoun County Government relative to the Letter of Agreement between the two counties which prevents cut through traffic between the counties which would be a deliberate attempt to circumvent the roadways provided by the Virginia Department of Transportation (VDOT).

Supervisor Berger said that a road is being built that would connect the parcels of land in Fairfax County in the Cascades Development with those in Loudoun County. Therefore, he asked unanimous consent that the Board direct the County Executive and County Attorney to renew their efforts to use every means at their disposal to resolve this pending breaking of the Agreement. Without objection, it was so ordered.

80. WAIVER OF THE 600-FOOT MAXIMUM LENGTH FOR A PRIVATE STREET CONCERNING REZONING APPLICATION RZ 93-D-030 - UNIWEST-BALLS HILL ROAD (Tape 6)

Supervisor Berger said that it has been brought to his attention that when the Board approved Rezoning Application RZ 93-D-030 on April 11, 1994, it failed to make a standard motion to waive the 600-foot maximum length of a private street as provided for in the Zoning Ordinance.

Since the Conceptual Development Plan/Final Development Plan (CDP/FDP) approved in conjunction with the approval of Rezoning Application RZ 93-D-030 clearly represented a proposed development program of 38 single family detached dwelling units to be served by private streets having a maximum length of 750+ feet, Supervisor Berger moved that the Board correct this oversight and direct the Director of the Department of Environmental Management (DEM) to approve the waiver of the 600-foot maximum length for a private street as provided for in the Zoning Ordinance. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Barbara A. Byron, Director, Zoning Evaluation Division,

Office of Comprehensive Planning and David P. Bobzien, County Attorney, Supervisor Berger asked unanimous consent that the Board defer action on this issue until later in the meeting to allow staff time to obtain the affidavits listing. Without objection, it was so ordered.

(NOTE: Later in the meeting action, was taken on this issue. See Clerk's Summary Item CL#105.)

81. BELTWAY IMPROVEMENTS (Tape 6)

Supervisor Berger stated that earlier today, the Board's Transportation Subcommittee received a presentation by Mr. Richard C. Lockwood, State Transportation Planning Engineer with the Virginia Department of Transportation (VDOT), on the proposed Beltway widening project and its current status. He added that the County has on several previous instances, expressed its priority on the provision of High Occupancy Vehicles (HOV) lanes on the segment of the Beltway between Shirley Highway and the Dulles Toll Road. However, the timing of improvements to this segment has been delayed due to the requirement that VDOT conduct detailed studies on the entire Capital Beltway in coordination with the State of Maryland.

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

- Prepare a letter to Secretary Martinez for the Chairman's signature on this matter and specifically emphasize the following:
 - Reaffirm the need to expedite improvements to the Beltway segment between Shirley Highway and the Dulles Toll Road; and
 - Seek assurances from Secretary Martinez that funding currently included in the approved Six-Year Program for this project will be retained in its entirety pending expeditious completion of the necessary studies.

This motion was seconded by Chairman Davis.

Following discussion, Supervisor Berger amended the motion to support funding for design and preliminary engineering for the "tip," and this was accepted.

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

NV:nv

82. **FEE WAIVER FOR MOUNT OLIVE BAPTIST CHURCH** (Tape 7)

Supervisor Frey stated that the Mount Olive Baptist Church is considering expanding its parking lot and there are outstanding issues to resolve. Supervisor Frey moved that the Board direct staff to:

- Waive the Department of Environmental Management (DEM) application submission fees; and
- Work with the Church to resolve water quality and storm water issues.

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

83. **CENTREVILLE PRESBYTERIAN CHURCH (FORMERLY CENTREVILLE UNITED METHODIST CHURCH) SITE AT THE INTERSECTION OF I-66 AND ROUTE 28**
(Tape 7)

Supervisor Frey referred to his written Board Matter, as circulated to the Board, regarding a parcel of land in the southwest quadrant of the planned interchange of I-66 and Route 28 which was the former site of the Centreville United Methodist Church. He stated that the County entered into a lease agreement with the Centreville Presbyterian Church to permit temporary use of the church facility, which is in the dedicated road right-of-way. Because of the pending commencement of the adjacent multi-family development, the existing access to the church parcel from the abandoned Old Braddock Road must be relocated.

Noting that there is a public interest to be served by the utilization of the existing church facility until such time as it is necessary to remove it for the improvement of the I-66/Route 28 interchange; and public necessity, convenience, general welfare, and good zoning practices require such actions, therefore, Supervisor Frey moved that the Board initiate a Board's Own Motion Proffered Condition Amendment Application for the property formerly described as Tax Map Number 54-4((1)) part 3A to permit the temporary utilization of the property as a church, and that the processing of this application be expedited. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being out of the room.

Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to:

- Grant concurrent processing for the Site Plan, and
- Waive all fees associated with the Special Permit and Site Plan processing.

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

Supervisor Frey moved that the Board recommend that the Board of Zoning Appeals (BZA) grant an Out-of-Turn public hearing for the Special Permit Application of the Centreville Presbyterian Church. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being out of the room.

Supervisor Frey noted for the record that although the Board has no objection to the church putting in the necessary improvements on this property at its own expense, this action does not affect the terms of the existing lease, and that the Church remains responsible for obtaining any and all necessary permits.

84. SIMULTANEOUS PROCESSING FOR SITE PLANS AND SPECIAL EXCEPTION FOR DULLES INTERNATIONAL AUTO PARK (Tape 7)

Supervisor Frey stated that there is a pending Special Exception Application for Dulles International Auto Park in the area of Willard Road. To allow for preliminary road work, landscaping, and berms, Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept for simultaneous processing the Site Plans while the Special Exception Application is pending. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

85. SCENIC BY-WAY DESIGNATION FOR UNION MILL ROAD (Tape 7)

Supervisor Frey stated that the Little Rocky Run community is working with State Delegate James K. (Jay) O'Brien, Jr. (R-40) to establish Union Mill Road as a "Scenic By-Way." Accordingly, Supervisor Frey asked unanimous consent that the Board direct staff to:

- Review this matter;
- Determine what must be done to proceed; and
- Report its finding to the Board and the Little Rocky Run community.

Without objection, it was so ordered.

86. HAPPY BIRTHDAY TO DEPUTY COUNTY ATTORNEY, GEORGE A. SYMANSKI (Tape 7)

Supervisor Frey announced that George A. Symanski, Deputy County Attorney, is turning 50 years old on Wednesday, August 10, 1994. Supervisor Frey asked unanimous consent that the Board direct the County Attorney to convey the Board's "Best Wishes for 50 More" to Mr. Symanski. Without objection, it was so ordered.

87. POLICE USE OF CELLULAR TELEPHONES (Tape 7)

Supervisor Hanley stated that she was contacted by a constituent regarding the police use of cellular

telephones. He noted that the Virginia State Police have a cellular telephone number that cellular telephone users may call if they come across a situation requiring police attention. Accordingly, Supervisor Hanley asked unanimous consent that the Board direct staff to:

- Examine the possibility of establishing a citizen cellular telephone number for the Fairfax County Police Department,
- Report to the Board what that would involve; and
- Report to the Board whether the County currently has such a number.

Without objection, it was so ordered.

88. REZONING APPLICATION FOR J.A. LOVELESS HOMES IV, CORPORATION

(Tape 7)

Supervisor Hanley stated that J.A. Loveless Homes IV, Incorporated, has recently submitted a Rezoning Application on property identified as Tax Map Number 48-1-((1))-29, 30, 31, 32, 33, and 34a. The application is a proposal for PDH-4 zoning which will result in 27 single-family detached dwellings within the Comprehensive Plan recommended density range. She stated that the applicant has requested concurrent processing of Site Plans, Subdivision Plans, and any drawings which may be necessary to submit to the Department of Environmental Management (DEM).

Therefore, Supervisor Hanley moved that the Board direct the Director of DEM to accept Site Plans, Subdivision Plans, and any other necessary drawings for concurrent processing with this zoning request. She stated that this motion does not relieve the applicant from complying with the provision of any applicable ordinance, regulations, or adopted standards, and does not prejudice the consideration of a Rezoning Application in any way. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being out of the room.

89. SCHEDULING OF PUBLIC HEARING FOR TYSONS PROMENADE LIMITED PARTNERSHIP/MCDONALD'S CORPORATION (Tape 7)

Supervisor Hanley moved that the Board direct staff to schedule a public hearing to be held before the Board for Rezoning Application RZ 94-P-015 and Special Exception Application SE 94-P-020 on behalf of Tysons Promenade Limited Partnership/McDonald's Corporation on **December 5, 1994**. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being out of the room.

90. SCHEDULING OF PUBLIC HEARING FOR SPECIAL EXCEPTION APPLICATION SE 94-P-035 (Tape 7)

Supervisor Hanley moved that the Board direct staff to schedule a public hearing to be held before the Board for Special Exception Application SE 94-P-035 on October 31, 1994. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being out of the room.

91. PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-M-004-2, KARFAD ASSOCIATES, IN THE BAILEYS CROSSROADS AREA (Tape 7)

Supervisor Trapnell reminded the Board that on July 18, 1994 the Board held a public hearing on an application in the Baileys Crossroads CBC, Proffered Condition Amendment Application PCA 84-M-004-02, Karfad Associates, to amend the proffers approved with the original rezoning in 1984 to permit the applicant more flexibility to develop the site known as Skyline Entree Plaza with retail and other commercial uses.

Supervisor Trapnell stated that the applicant has committed to certain public improvements for the greater good of the Baileys Crossroads CBC and in furtherance of the Revitalization Efforts in the area. In conjunction with the approval of the PCA application on July 18, 1994, the applicant agreed to contribute \$10,000 toward the installation of a traffic light on Columbia Pike. Although the commitment was not contained in the proffer statement, the Board, in conjunction with the motion to approve the PCA, accepted the applicant's agreement to contribute toward the signal. Supervisor Trapnell stated that since the approval of the application, the applicant had called to her attention that there is concern over the location of the signal support poles and the control box support base and also when the \$10,000 contribution should be made. In an effort to resolve these location issues, the applicant has incurred some unanticipated engineering costs.

To clarify the motion concerning the \$10,000 contribution, Supervisor Trapnell moved that the \$10,000, less expenses incurred by the applicant, Karfad Associates, relating to the determination of the proper location of the signal poles and control boxes, be made payable to the Virginia Department of Transportation (VDOT) permittee responsible for the installation of the signal at Columbia Pike/Moray Lane and the entrance to Skyline Entree Plaza, at such time as the signal is fully operational as determined by VDOT.

In addition to the traffic signal, Karfad Associates also proffered certain public improvements as part of the Baileys Crossroads Revitalization Efforts. These improvements include contributions toward the cost of removal of a chain link fence and completion of sidewalk improvements along the north side of the Route 7 exit ramp for Columbia Pike. In addition, the applicant has agreed to record an easement for the construction of a bus shelter along the Columbia Pike frontage of his property and has agreed to maintain the shelter and empty the trash once the shelter has been built.

Therefore, in order to continue the Revitalization Efforts in the Baileys Crossroads CBC, Supervisor Trapnell further moved that the Board direct the Director of the Department of Public Works (DPW) to initiate removal of the fence and construction of the sidewalk improvements along the north side of the Route 7 exit ramp to Columbia Pike.

Supervisor Trapnell further moved that the Board direct the Director of DPW to initiate the installation of the bus shelter along the applicant's Columbia Pike frontage which the applicant has agreed to maintain upon installation.

This motion was seconded by Supervisor Berger.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which **CARRIED** by a recorded vote of five, Supervisor Dix voting "NAY," Supervisor Hanley and Chairman Davis abstaining, Supervisor Alexander and Supervisor McConnell being out of the room.

92. CONCURRENT PROCESSING FOR VARIANCE APPLICATION AND SITE PLAN FOR SAUL HOLDINGS LIMITED PARTNERSHIP AS PART OF RENOVATION OF SEVEN CORNERS SHIPPING CENTER (Tape 7)

Supervisor Trapnell stated that Saul Holdings Limited Partnership is now in the process of working with her and the community on renovating the Seven Corners Shopping Center. To facilitate the renovation of the shopping center and to provide an opportunity to retain many of the smaller tenants on site, an addition to the outlying retail building located on Route 7 is necessary. This addition requires variance relief from the Board of Zoning Appeals (BZA) because the existing building is located within the required 40-foot setback from Route 7. The addition would be located at the opposite end of the building. Supervisor Trapnell noted that the applicant has assured her that the addition would be used only for the relocation of the smaller tenants who want to stay at Seven Corners and would not contain any additional drive-through uses.

To expedite the construction of the addition so that existing tenants can be relocated with the least inconvenience to their businesses, Supervisor Trapnell moved that the Board direct staff to permit concurrent processing of the Variance Application and the Site Plan for that portion of the Seven Corners Property containing the addition. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Alexander and Supervisor McConnell being out of the room.

Following discussion, Supervisor Trapnell noted that the bus stop issues have been resolved.

93. WAIVER OF FEES ASSOCIATED WITH BAILEY'S DAY, 1995
(Tape 7)

Supervisor Trapnell announced that her office, along with the residents and businesses in Mason District, is preparing to sponsor Bailey's Day 1995. She stated that this community festival of music, food, and arts and crafts celebrates the rich ethnic and cultural diversity of the Bailey's area. Next year's event will take place Saturday, May 6, 1995 at Mason District

Park. Monies raised through Bailey's Day are applied to the Bailey's Revitalization Effort.

In the spirit of the event, Supervisor Trapnell moved that the Board direct staff to waive all fees associated with holding Bailey's Day, including the Park Authority's 15 percent vendor fee. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being out of the room.

94. **RECYCLING OF STAFF REPORTS** (Tape 7)

Supervisor McConnell stated that at the Board's last meeting on July 25, 1994, several public hearings were deferred and the Board discarded the lengthy staff reports into the recycling containers. To reduce the waste and save paper, she asked unanimous consent that the Board direct staff:

- Provide rubber bands to the Board to bind the leftover staff reports;
- Gather the reports left by the Board at the end of the meeting; and
- Redistribute these reports to the Board at the appropriate meeting.

Following discussion, the request was so ordered.

95. **PRELIMINARY AUDIT PLAN FOR THE FINANCIAL AND PROGRAMS AUDITOR TO THE BOARD OF SUPERVISORS** (Tape 7)

(NOTE: Earlier in the meeting, this item was discussed and deferred. See Clerk's Summary Items CL#49 and CL#57.)

Chairman Davis revisited the issue of the work assignments for the Financial and Programs Auditor and discussion ensued.

Supervisor Bulova noted that she had circulated to the Board her memorandum to Chairman Davis regarding her request and specifics regarding the Department of Environmental Management (DEM).

Supervisor Frey asked unanimous consent that the Board refer the issue of developing a formal process for reviewing the work plan of the Financial and Programs Auditor to the Procedures Subcommittee. Without objection, it was so ordered.

DEDICATIONS OF HERRITY BUILDING AND PENNINO BUILDING

Chairman Davis announced that the dedications of the Herrity and Pennino Buildings, respectively, will be held on **Monday, September 12, 1994 at 5:30 p.m.** between the two buildings and invited the public and all Members of the Board to attend.

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

direct the Auditor to review the issues of:

- Space allocation/leases; and
- Setting up a hotline.

This motion was seconded by Vice-Chairman McConnell and carried by unanimous vote.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

96.**DEATH OF MR. EMBRY RUCKER** (Tape 7)

Supervisor Dix acknowledged the death of Mr. Embry Rucker, a distinguished citizen of the Reston community. He noted that Mr. Rucker's service on Friday, August 5, 1994 was attended by many hundreds of Fairfax County residents and several members of the Board. Supervisor Dix and other members of the Board expressed their appreciation of Mr. Rucker's contributions to Fairfax County.

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

At 1:35 p.m., Supervisor Dix moved that the Board recess and go into Executive Session for discussion or consideration of matters enumerated in Virginia Code Section 2.1-344 and listed in the Agenda as well as for discussion of actual and probable litigation and other specific legal matters requiring the provision of legal counsel, as well as:

- Versar, Incorporated versus Board of Supervisors of Fairfax County, et al, At Law Number 124522;
- Nicholas E. Mpras, et al, versus Community Living Alternatives, et al, At Law Number 123573;
- Request for Authorization to Seek a Subpoena for Documents Necessary for the Human Rights Commission Investigation;
- Status of Cases Employing Outside Counsel;
- Termination of Contract RQ40004220, Johnson Controls World Services, Incorporated;
- Discussion Concerning a Prospective Business Interested in Locating its Facilities in the Community, Pursuant to Virginia Code Section 2.1-344(A)(5); and
- Fairfax County Redevelopment and Housing Authority (FCRHA).

Supervisor Bulova asked to amend the motion to include discussion of the personnel issues regarding Dr. G.V.V. Rao, and this was accepted.

Supervisor Hyland asked to amend the motion to include discussion of the Board of Zoning Appeals (BZA) decision regarding the Proffitt case, and this was accepted.

This motion, as amended, the second to which was inaudible, carried by unanimous vote.

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

98. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION (Tape 8)

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

99. VERSAR, INCORPORATED VERSUS THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, ET AL., AT LAW NUMBER 124522 (Tape 8)

Supervisor Alexander moved that the Board authorize the settlement of Versar, Incorporated versus The Board of Supervisors of Fairfax County, et al., At Law Number 124522, as recommended by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by unanimous vote.

100. THE BOARD OF SUPERVISORS AUTHORIZE THE FILING OF A SUBPOENA FOR DOCUMENTS NECESSARY FOR THE HUMAN RIGHTS COMMISSION TO COMPLETE ITS INVESTIGATION OF A COMPLAINT OF A VIOLATION (Tape 8)

Supervisor Hanley moved that the Board authorize the filing of a subpoena for documents necessary for the Human Rights Commission to complete its investigation of a complaint of a violation, as recommended by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by unanimous vote.

101. LANHAM FORD, INCORPORATED VERSUS THE COUNTY OF FAIRFAX (Tape 8)

Supervisor Hyland moved that the Board authorize the settlement of Lanham Ford, Incorporated versus the County of Fairfax, At Law Number 125891, as recommended by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by unanimous vote.

102. **APPOINTMENT OF DR. DANIEL P. BOYLE, DVM, AS DIRECTOR OF THE DEPARTMENT OF ANIMAL CONTROL** (Tape 8)

Supervisor Hyland moved that the Board appoint Dr. Daniel P. Boyle, DVM, as Director of the Department of Animal Control at an annual salary of \$77,632 effective September 5, 1994 in the County's exempt service. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

103. **AUTHORIZATION OF SETTLEMENT OF SI LE THIEN VERSUS HERNDON EUGENE GRAY, AT LAW NUMBER 124976** (Tape 8)

Supervisor Trapnell moved that the Board authorize the settlement of Si Le Thien versus Herndon Eugene Gray, At Law Number 124976, as recommended by the County Attorney in Executive Session. This motion was seconded by Chairman Davis and carried by unanimous vote.

104. **BOARD RECESS** (Tape 8)

At 3:45 p.m., the Board of Supervisors recessed briefly.

AM:am

At 3:55 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Alexander and Chairman Davis, and with Vice-Chairman McConnell presiding.

ADDITIONAL BOARD MATTERS

105. **WAIVER OF THE 600-FOOT MAXIMUM LENGTH FOR A PRIVATE STREET CONCERNING REZONING APPLICATION RZ 93-D-030 - UNIWEST-BALLS HILL ROAD** (Tape 9)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#80.)

Supervisor Berger moved that the Board direct the Director of the Department of Environmental Management (DEM) to approve the waiver of the 600-foot maximum length for a private street as provided for in the Zoning Ordinance. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

106. APPOINTMENT TO SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION (Tape 9)

(APPT)

Supervisor Berger moved the appointment of Ms. Patricia De L. Marvil as an At-Large Representative to the Small and Minority Business Enterprise Program Advisory Commission. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

107. ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 90-Y-043, AUBREY LIMITED PARTNERSHIP (SULLY DISTRICT) (Tape 9)

(NOTE: Earlier in the meeting, there was discussion on this item. See Clerk's Summary Item CL#7.)

Supervisor Frey called the Board's attention to Administrative Item - Admin 3 - Additional Time to Commence Construction for Special Exception Application SE 90-Y-043, Aubrey Limited Partnership (Sully District). He said that the situation is one in which the applicant in Rezoning Application RZ 80-C-112 and its successors in interest have failed to comply with a proffer accepted by the Board in that application regarding dedication of the right-of-way for Lawyers Road Extended. In particular, the rezoning applicant and its successors have failed to provide substantially equivalent access to Computer Sciences Corporation (CSC) for its adjacent property which will lose one of its entrances as a result of the construction of Lawyers Road Extended. A 1966 Deed of Easement required the provision of such substantially equivalent access long before the approval of RZ 80-C-112. He added that the Board has filed suit against the parties which were supposed to provide this replacement access to CSC and dedicate the right-of-way for Lawyers Road Extended.

Supervisor Frey stated that this additional time request is within the Board's discretion to grant or deny. The property which is the subject of this request was rezoned (Rezoning Application RZ 80-C-112) and the responsible parties have failed for an extended period of time to comply with the proffer relating to the dedication of the right-of-way for Lawyers Road Extended.

Therefore, Supervisor Frey moved that the Board defer its consideration of the additional time request until **November 21, 1994** in order that the owner of the property can resolve this problem relating to the dedication of the right-of-way for Lawyers Road Extended. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

108. ORDERS OF THE DAY (Tape 9)

Vice-Chairman McConnell announced that the Orders of the Day would be changed in order to proceed at this time with the 3:30 p.m. public hearing on Proffered Condition Amendment Application PCA 91-C-026 (Toll Brothers, Incorporated) and the 4:00 p.m. public hearing on Rezoning Application RZ 93-Y-038 (Centex Real Estate Corporation).

109. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-C-026 (TOLL BROTHERS, INCORPORATED) (HUNTER MILL 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.

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

- In the amount of \$200 from Jack and Sandy Crippen.

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

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA 91-C-026 subject to:

- The executed proffers for Parcel A dated July 25, 1994; and
- The executed proffers for Parcel B dated July 5, 1994 and the Conceptual Development Plan Amendment (CDPA) development conditions dated August 8, 1994 to read as follows:
 - "Waivers or modifications of storm water management and/or Best Management Practices (BMP) requirements may be approved as determined by the Department of Environmental Management (DEM) in accordance with applicable code provisions."

Supervisor Dix moved to reaffirm the following:

- A modification of the open space requirement on Parcel B to permit the open space to be used as grazing land for zoological park animals until the park ceases to operate, pursuant to paragraph eight of Section 16-401 of the Zoning Ordinance;
- A waiver for paved parking for Phases I and II of the Reston Farm Market, pursuant to paragraph seven of Section 16-401 of the Zoning Ordinance;
- A waiver of the service drive requirement on Route 7;
- A waiver of the minimum length of private streets; and

- A waiver of the interparcel access requirement for Bishops Gate Drive.

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

110.4:00 P.M. - PH ON REZONING APPLICATION RZ 93-Y-038 (CENTEX REAL ESTATE CORPORATION) (SULLY 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.

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

- In the amount of \$200 from the Franklin Bus Company.

Following the public hearing, which included testimony by two speakers, Leslie Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 93-Y-038 be amended from R-1 and Highway Corridor and Water Supply Protection Overlay Districts to the R-8 and Highway Corridor and Water Supply Protection Overlay Districts subject to the proffers dated July 28, 1994. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

Supervisor Frey moved waiver of the transitional screening and barrier requirements along the northern property boundary. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

Supervisor Frey moved waiver of the 600-foot limitation on the length of private streets in residential developments. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Chairman Davis being out of the room.

111.3:30 P.M. - PH ON REZONING APPLICATION RZ 94-V-010 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-V-012-2 (INOVA HEALTH SYSTEM HOSPITALS) (MOUNT VERNON DISTRICT) (Tapes 9-10)

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

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

Supervisor McConnell disclosed the following:

- That she is a member of the INOVA Board.

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

Supervisor Hyland moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-V-010 be amended from the R-3 District to the C-3 District subject to execution of the proffers dated August 2, 1994;
- Approval of Special Exception Amendment Application SEA 82-V-012-2 subject to the proposed development conditions dated July 27, 1994; and
- Modification of transitional screening and barrier requirements along Holland Road, subject to revised development conditions.

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

112.3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING STREET LIGHTS (Tape 10)

Supervisor Bulova moved to defer the public hearing on proposed amendments to the Public Facilities Manual (PFM), Street Lights, until **October 10, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

113.3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-V-030 (DBS GENERAL PARTNERSHIP) (MOUNT VERNON DISTRICT) (Tape 10)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 93-V-030 until **September 12, 1994 at 3:00 P.M.** This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

114.3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING STREET LIGHTS (No Tape)

(NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item CL#112.)

115.3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING MINOR ADJUSTMENT OF LOT LINES (Tape 10)

(O)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 22 and July 29, 1994.

Following the public hearing, Supervisor Alexander moved adoption of the proposed amendment 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 with an effective date of **August 9, 1994 at 12:01 a.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hanley, and Chairman Davis being out of the room.

116.3:30 P.M. - PH ON THE PROPOSED ABANDONMENT AND VACATION OF A PORTION OF WOBURN COURT (ROUTE 5002) (DRANESVILLE DISTRICT) (Tape 10)

(O)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 22 and July 29, 1994.

Following the public hearing, Supervisor Berger moved adoption of an Ordinance vacating a portion of Woburn Court (Route 5002). This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Chairman Davis being out of the room.

CM:cm

117.3:30 P.M. - PH ON THE PROPOSED VACATION OF A PORTION OF SPICEWOOD DRIVE (MASON DISTRICT) (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 July 22 and July 29, 1994.

Following the public hearing, Supervisor Trapnell moved adoption of an Ordinance vacating a portion of Spicewood Drive. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Chairman Davis being out of the room.

118.3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-C-026 (TOLL BROTHERS, INCORPORATED) (HUNTER MILL DISTRICT) (No Tape)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#109.)

119.4:00 P.M. - PH ON REZONING APPLICATION RZ 93-Y-038) CENTEX REAL ESTATE CORPORATION) (SULLY DISTRICT) (No Tape)

(Note: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#110.)

120.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-L-021 (V.F.W. POST 7327) (LEE DISTRICT) (Tape 11)

Mr. Donald Smith reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Alexander moved approval of Special Exception Application SE 94-L-021 subject to the development conditions dated July 27, 1994. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

Supervisor Alexander moved modification of the transitional screening requirements along the eastern property boundary. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

121.4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 93-P-031 (RIVER TOWERS BUILDING NUMBER THREE JOINT VENTURE) (PROVIDENCE DISTRICT) (Tape 11)

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

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

Following the public hearing, Cathy Chianese, 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 93-P-031 subject to the development conditions dated June 15, 1994. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger and Chairman Davis being out of the room.

Supervisor Hanley moved modification of the interior and peripheral parking lot landscaping requirements, pursuant to paragraph six of Section 13-201 of the Zoning Ordinance, to that shown on the Special Exception plat. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Berger and Chairman Davis being out of the room.

122.4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING OCCUPANCY OF A DWELLING UNIT (Tape 11)

Supervisor Alexander moved to defer the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding occupancy of a dwelling unit until **December 5, 1994 at 3:30 p.m.** This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Hanley, and Chairman Davis being out of the room.

123.4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN DEDICATIONS AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE COURTLAND PARK, PHASE II NEIGHBORHOOD IMPROVEMENTS PROJECT (MASON DISTRICT) (Tape 11)

(R)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of July 22 and July 29, 1994.

Following the public hearing, Supervisor Trapnell moved adoption of the Resolution authorizing the acquisition of certain land rights necessary to implement the Courtland Park, Phase II Neighborhood Improvements Project - C00083. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Berger, Supervisor Bulova, and Supervisor Hanley being out of the Room.

124. **4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF WINDSOR ESTATES STORM DRAINAGE (LEE DISTRICT)** (Tape 11)

Supervisor Alexander moved to defer the public hearing on the acquisition of certain easements necessary for the construction of Windsor Estates Storm Drainage until **September 12, 1994 at 3:00 p.m.** This motion, the second to which was inaudible carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Hanley, and Supervisor Trapnell being out of the room.

125. **4:30 P.M. - PH ON REZONING APPLICATION RZ 93-V-014 AND SPECIAL EXCEPTION APPLICATION SE 93-V-028 (EXXON CORPORATION) (MOUNT VERNON DISTRICT)** (Tape 11)

Mr. Frank Stearns reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Hanley and Supervisor Trapnell being out of the room.

Supervisor Hyland moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-V-014 be amended from the C-8, R-2, Highway Corridor and Historic Overlay Districts to the C-8, Highway Corridor and Historic Overlay Districts subject to the revised proffers dated July 11, 1994;
- Approval of Special Exception Application SE 93-V-028 subject to the development conditions dated July 11, 1994;
- Waiver of the lot size and lot width requirements;
- Waiver of the transitional screening and barrier requirements along the eastern and western property line, subject to the development conditions dated July 11, 1994; and

- Waiver of the service drive requirement.

This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Hanley and Supervisor Trapnell being out of the room.

126.4:30 P.M. - PH TO CONSIDER THE ADOPTION OF AN ORDINANCE APPROVING A JOINT AGREEMENT WITH THE CITIES OF FALLS CHURCH AND FAIRFAX TO REGULATE CABLE TELEVISION RATES (COUNTYWIDE)
(Tape 11)

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 July 22 and July 29, 1994.

Following the public hearing, Supervisor Alexander moved adoption of an Ordinance approving a joint agreement with the Cities of Falls Church and Fairfax to regulate cable television rates. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Hanley and Supervisor Trapnell being out of the room.

127.4:30 P.M. - PH ON REZONING APPLICATION RZ 93-H-045 (CRIMSON PARTNERS) (HUNTER MILL DISTRICT) (Tape 11)

Mr. Carson Lee Fifer, Jr. reaffirmed the validity of the affidavits for the record.

Supervisor Dix disclosed the following contribution which he had received:

- In the amount of \$230 from a shareholder of Dashco, Incorporated, to the Friends of Bob Dix.

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

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

Supervisor Dix moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-H-045 be amended from the R-1 District to the PDH-8 District subject to the revised proffers dated July 15, 1994 and the development conditions dated August 5, 1994; and

- Waiver of the barrier requirement along Fox Mill Road pursuant to paragraph 13 of Section 13-304 of the Zoning Ordinance and subject to the proffers; and modification of the maximum length limitation for private streets as shown on the Conceptual Development Plan/Final Development Plan and further subject to the proffers.

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

128.4:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S94-CW-T1 TO CONSIDER REVISING THE COMPREHENSIVE PLAN TO PERMIT PERMANENT ACCESS BETWEEN FULLERTON ROAD AND ROLLING ROAD (LEE AND SPRINGFIELD DISTRICTS) (Tape 11)

Supervisor Alexander moved to defer the public hearing on Out-of-Turn Plan Amendment S94-CW-T1 until **October 10, 1994 at 3:00 p.m.** This motion was seconded by Vice-Chairman McConnell and carried by a vote of seven, Supervisor Hanley, Supervisor Trapnell, and Chairman Davis being out of the room.

129. CUT-THROUGH TRAFFIC MEASURES IN KINGS PARK (Tape 11)

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

Supervisor Bulova moved that the Board direct staff to report on September 12, 1994, with a plan for funding installation of permanent cut-through measures in the Kings Park community. This plan could be a combination of State and County funds, including Carryover funds and could start as early as September, 1994. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Trapnell being out of the room.

130. BOARD ADJOURNMENT (Tape 11)

At 5:30 p.m., the Board adjourned.