

**CM:cm**

The meeting was called to order at 9:40 a.m. with all Members being present, with the exception of Supervisor Alexander and Supervisor Berger, and with Chairman Davis presiding.

Supervisor Berger arrived at 9:50 a.m.

Supervisor Alexander was absent from the entire meeting.

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

2. **CERTIFICATES OF RECOGNITION TO MEMBERS OF THE BROSAR VILLAGE/HUNTING CREEK "NEIGHBORHOOD WATCH YOUTH WHO CARE COUNCIL"** (Tape 1)

Supervisor Hyland moved approval of the Certificates of Recognition presented to Members of the Brosar Village/Hunting Creek "Neighborhood Watch Youth Who Care Council" for making their neighborhood a safe Fairfax County community. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

3. **PROCLAMATION DESIGNATING SEPTEMBER 15, 1994 THROUGH OCTOBER 15, 1994 AS HISPANIC HERITAGE MONTH IN FAIRFAX COUNTY** (Tape 1)

Supervisor McConnell moved approval of the Proclamation presented to:

- Marta Wyatt, Hispanic Committee of Virginia;
- Johnny Simancas, Hispanos Unidos;
- Francisco Millet, Coalition of Hispanic Agencies and Professionals;
- Anna Worthman and Antonio Monroig, Servicios Hispanos;
- Adriana Hill, Northern Virginia Family Services;
- Luis O. Lopez, Task Force on Minority Upward Mobility and Retention; and

- LaGretta L. Butler, Office of Equity Programs,

designating September 15, 1994 through October 15, 1994 as "**Hispanic Heritage Month**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

4. **CERTIFICATE OF RECOGNITION TO WILLIAM F. ENDERLE UPON HIS RETIREMENT AS DIRECTOR OF THE OFFICE OF CONSTRUCTION MANAGEMENT FOR THE CATHOLIC DIOCESE OF ARLINGTON** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to William F. Enderle upon his retirement as Director of the Office of Construction Management for the Catholic Diocese of Arlington. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

5. **PROCLAMATION DESIGNATING THE WEEK OF OCTOBER 16-22, 1994 AS NATIONAL CHARACTER COUNTS WEEK IN FAIRFAX COUNTY** (Tape 1)

Supervisor Dix moved approval of the Proclamation presented to Charles A. Veatch designating the week of October 16-22, 1994 as "**National Character Counts Week**" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix announced that on October 19, 1994, Governor George Allen will present a "Character Counts" Proclamation on behalf of the Commonwealth of Virginia at the Government Center.

6. **PROCLAMATION DESIGNATING THE WEEK OF OCTOBER 2-8, 1994 AS MENTAL ILLNESS AWARENESS WEEK IN FAIRFAX COUNTY** (Tape 1)

Supervisor McConnell moved approval of the Proclamation presented to Jim Stratoudakis, Fairfax-Falls Church Community Services Board, designating the week of October 2-8, 1994 as "**Mental Illness Awareness Week**" in Fairfax County. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

**BOARD MATTERS**7. **RESOLUTION TO REQUEST REIMBURSEMENT OF FUNDS FOR CONSTRUCTION AND RENOVATION OF THE FAIRFAX COUNTY ADULT DETENTION CENTER** (Tape 1)

- (R) Chairman Davis circulated to the Board copies of a Resolution requesting reimbursement of funds for the cost of the construction of the expansion and renovation of the Fairfax County Adult Detention Center from the Commonwealth of Virginia. Following discussion, with input from James A. Vickery, Chief Deputy Sheriff, Office of the Sheriff, Supervisor Hanley moved adoption of the Resolution. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

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

Chairman Davis read into the record a letter that he had received from Lee District Supervisor Joseph Alexander stating that he would be absent from today's Board Meeting because he is out of town representing Fairfax County at an annual Metro meeting.

9. **10:00 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS (BACS)** (Tapes 1-2)

(BACs)

(APPTS)

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

(NOTE: The appointment of the Providence District Representative to the A. Heath Onthank Memorial Award Selection Committee was deferred.)

**ADVISORY SOCIAL SERVICES BOARD**

Supervisor Trapnell moved the appointment of Ms. Joan Sacarob as the Mason District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland moved the reappointment of Ms. Elizabeth McManus as the Mount Vernon District Representative to the Advisory Social Services Board. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD**

(NOTE: The appointment of the At-Large Representative to the Alcohol Safety Action

Program Local Policy Board was deferred.)

**CONFIRMATIONS:**

Supervisor Dix moved that the Board confirm the following appointments to the Alcohol Safety Action Program Local Policy Board:

- Dr. Joan Volpe as the Fairfax-Falls Church Community Services Board Representative; and
- Dr. Dan Broadhead as the Mothers Against Drunk Driving Representative.

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

**ATHLETIC COUNCIL**

[NOTE: The appointments of the Braddock District (Alternate), Springfield District (Principal), Springfield District (Alternate), and the Lee District (Alternate) Representatives to the Athletic Council were deferred.]

**CHAS COORDINATING COMMITTEE**

Supervisor Hyland moved the appointment of Ms. Maureen McGuire-Kuletz as the Mount Vernon District Representative to the CHAS Coordinating Committee. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointment of the Springfield District Representative to the CHAS Coordinating Committee was deferred.)

**CHILD CARE ADVISORY COUNCIL**

Supervisor Bulova moved the reappointment of Ms. Janet M. Reimer as the Braddock District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Dix moved the appointment of Ms. Leslie A. Braunstein as the Hunter Mill District Representative to the Child Care Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Berger moved the reappointment of Ms. Malinda J. Sutcliffe as the Dranesville District Representative to the Child Care Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor McConnell moved the reappointment of Ms. Joanne McCoy as the Springfield District Representative to the Child Care Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Trapnell moved the reappointment of Ms. Jane Snyder as the Mason District Representative to the Child Care Advisory Council. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

#### **CIVIL SERVICE COMMISSION**

Supervisor McConnell moved the appointment of Mr. Kenneth Feng as the At-Large Representative to the Civil Service Commission. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

#### **COMMISSION FOR WOMEN**

Supervisor Bulova moved the reappointment of Ms. Theresa D. Wambaugh as the Braddock District Representative to the Commission for Women. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointments of the At-Large, Dranesville District, and the Hunter Mill District Representatives to the Commission for Women were deferred.)

#### **COMMISSION ON AGING**

(NOTE: The appointment of the Springfield District Representative to the Commission on Aging was deferred.)

#### **COMMUNITY ACTION ADVISORY BOARD**

(NOTE: The appointment of the Lee District Representative to the Community Action Advisory Board was deferred.)

#### **COMMUNITY CORRECTIONS RESOURCES BOARD**

(NOTE: The appointment of the At-Large Representative to the Community Corrections Resources Board was deferred.)

#### **COMMUNITY IMPROVEMENT COMMITTEE**

(NOTE: The appointments of the Braddock, Dranesville, and the Springfield District Representatives to the Community Improvement Committee were deferred.)

#### **CRIMINAL JUSTICE ADVISORY BOARD**

Supervisor McConnell moved the appointment of Mr. Tony Amador as the Springfield District Representative to the Criminal Justice Advisory Board. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

#### **DISABILITIES SERVICES BOARD**

Supervisor Dix moved the appointment of Ms. Pamela Burns as the At-Large (Business Community) Representative to the Disabilities Services Board. This motion was seconded by Supervisor Hanley and carried by a vote of nine, Supervisor Alexander being absent.

#### **ECONOMIC DEVELOPMENT AUTHORITY**

(NOTE: The appointment of the At-Large Representative to the Economic Development Authority was deferred.)

#### **ENGINEERING STANDARDS REVIEW COMMITTEE**

(NOTE: The appointment of the At-Large Representative to the Engineering Standards Review Committee was deferred.)

#### **FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE**

(NOTE: The appointment of the Sully District Representative to the Fairfax County Airports Advisory Committee was deferred.)

#### **FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD**

(NOTE: The appointments of the Mount Vernon and the At-Large Representatives to the Fairfax/Falls Church Community Services Board were deferred.)

#### **HEALTH SYSTEMS AGENCY BOARD**

[NOTE: The appointment of the At-Large (Consumer) Representative to the Health Systems Agency Board was deferred.]

#### **HUMAN RIGHTS COMMISSION**

Chairman Davis moved the reappointment of Mr. Anthony J. Weaver as an At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Chairman Davis moved the reappointment of Ms. Alice Bagwill as an At-Large

Representative to the Human Rights Commission. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

Chairman Davis moved the reappointment of Mr. Victor Dunbar as an At-Large Representative to the Human Rights Commission. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.



**HUMAN SERVICES COUNCIL**

(NOTE: The appointments of the Hunter Mill and the Springfield District Representatives to the Human Services Council were deferred.)

**PROJECT SELECTION COMMITTEE**

Supervisor Bulova moved the reappointment of Ms. Linda Collins as the Braddock District Representative to the Project Selection Committee. The second to this motion was inaudible.

Supervisor Hyland moved the reappointment of Mr. Paul Krizek as the Mount Vernon District Representative to the Project Selection Committee. The second to this motion was inaudible.

Supervisor Hyland moved the reappointment of Ms. Violet Taylor as the Mount Vernon (Fairhaven Conservation Area) Representative to the Project Selection Committee. The second to this motion was inaudible.

Supervisor Hyland moved the reappointment of Ms. Sandra Hartley as the Mount Vernon (Chapel Acres Conservation Area) Representative to the Project Selection Committee. The second to this motion was inaudible.

Supervisor McConnell moved the reappointment of Mr. James Mott as the Springfield District (Lincoln/Lewis/Vannoy) Representative to the Project Selection Committee. The second to this motion was inaudible.

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

(NOTE: The appointment of the Springfield District Representative to the Project Selection Committee was deferred.)

Supervisor Frey asked unanimous consent that the Board direct staff to add a Sully District Representative for the newly created Ordway Road Conservation Area to the next appointment list. Without objection, it was so ordered.

**SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION**

Chairman Davis moved the appointment of Ms. Jeannemarie A. Devolites 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 nine, Supervisor Alexander being absent.

(NOTE: The appointments of the two remaining At-Large Representatives to the Small and Minority Business Enterprise Program Advisory Commission were deferred.)

#### **TENANT LANDLORD COMMISSION**

Chairman Davis moved the appointment of Mr. James T. Parmelee as the At-Large (Tenant Member) Representative to the Tenant Landlord Commission. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

#### **TRANSPORTATION ADVISORY COMMISSION**

Chairman Davis moved the appointment of Mr. Kim Petersen as the At-Large Representative to the Transportation Advisory Commission. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: Later in the meeting, action was taken to defer the appointment of the At-Large Representative to the Transportation Advisory Commission and to appoint Mr. Petersen to the Transportation Safety Commission. See below.)

#### **TRANSPORTATION SAFETY COMMISSION**

Following discussion, Chairman Davis moved the appointment of Mr. Kim Petersen to fill the unexpired term of Mr. Richard Boyd as the At-Large Representative to the Transportation Safety Commission instead of the Transportation Advisory Commission. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being absent.

(NOTE: The appointment of another At-Large Representative to the Transportation Safety Commission was deferred.)

#### **DEFERRAL OF APPOINTMENT TO THE TRANSPORTATION ADVISORY COMMISSION**

Chairman Davis moved to defer the appointment of the At-Large Representative to the Transportation Advisory Commission. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being absent.

#### **TREE COMMISSION**

Supervisor Dix moved the reappointment of Mr. John Nelson as the Hunter Mill District Representative to the Tree Commission. This motion was seconded by Chairman Davis.

Supervisor Berger moved the reappointment of Mr. Brian Tubbs as the Dranesville District Representative to the Tree Commission. This motion was seconded by Chairman Davis.

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

(NOTE: The appointment of the Lee District Representative to the Tree Commission was deferred.)

**AD-HOCS**

**CITIZENS ADVISORY COMMITTEE ON SOLID WASTE**

[NOTE: The appointments of the Braddock District (Alternate), the Sully District (Alternate), and the Springfield District (Alternate) Representatives to the Citizens Advisory Committee on Solid Waste were deferred.]

**CONFIRMATIONS:**

Supervisor Dix moved that the Board confirm the following appointments to the Citizens Advisory Committee on Solid Waste:

- Ms. Valerie Scott King as the Sierra Club Representative;
- Mr. Roger Diedrich as the Federation of Citizens Associations, Incorporated, Representative; and
- Ms. Judith Prochko as the Fairfax Area League of Women Voters Representative.

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

**EMPLOYER CHILD CARE COUNCIL**

**CONFIRMATIONS:**

Supervisor Hanley moved that the Board confirm the following appointments to the Employer Child Care Council:

- Ms. Jane Snyder as the Child Care Advisory Council Representative;
- Ms. Maureen McLaughlin as the Medical Services Representative;
- Ms. Wendy Nelson as the IBM Representative;

- Ms. Robin Thurman as the Public Relations Representative;  
and

- Ms. Theresa Westfall as the Financial Services Representative.

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

### **UPPER HOLMES RUN ENVIRONMENTAL MONITORING ADVISORY COMMITTEE**

[NOTE: The appointments of the two Mason and the two Providence District (Holmes Run Woods Crossing Conservation Area and Holmes Run Acres Conservation Area) Representatives to the Upper Holmes Run Environmental Monitoring Advisory Committee were deferred.]

### **REFERRAL OF FINANCIAL DISCLOSURE ISSUE TO THE BOARD PROCEDURES SUBCOMMITTEE** (Tape 2)

Following a brief discussion, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board refer the financial disclosure issue related to Boards, Authorities, Commissions, and Advisory Groups (BACs) to the Procedures Subcommittee for its review. Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

**AM:am**

#### 10. **ADMINISTRATIVE ITEMS** (Tape 3)

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

Supervisor Dix called the Board's attention to Admin 5 - Proposed Business, Professional and Occupations License Tax Revisions and announced that a workshop is scheduled for **October 11, 1994 at 10:00 a.m.** at which time the Business Tax Study Group and staff will be available to review recommendations.

#### **ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (LEE AND SULLY DISTRICTS)**

- (R) Adopted the request that certain streets listed in the Memorandum to the Board dated September 26, 1994 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Franconia Park, Phase II	Lee	Cloud Drive, Route 4110
Hampton Forest, Section 11	Sully	Heatherford Place Heatherford Court
Pleasant Hill, Section 4B	Sully	Surrey House Way, Route 8550 Point Circle Point Court

**ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR A PROPOSED PROHIBITION OF THROUGH TRUCK TRAFFIC ON DOUGLAS AVENUE (ROUTE 1711), BRICE STREET (ROUTE 1710) AND LIBERTY AVENUE (ROUTE 1710) (PROVIDENCE DISTRICT)**

- (A) Directed staff to post notice of the intent to prohibit through truck traffic on Douglas Avenue (Route 1711), Brice Street (Route 1710) and Liberty Avenue (Route 1710) and authorized the advertisement of a public hearing to be held before the Board of Supervisors on **October 31, 1994 at 3:30 p.m.**

**ADMIN 3 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 104 (EROSION AND SEDIMENTATION CONTROL)**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 5, 1994 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 104 (Erosion and Sedimentation Control) to align the local ordinance with amendments to the State Erosion and Sediment (E&S) Control Law.

**ADMIN 4 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING SANITARY SEWER STANDARDS**

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **December 12, 1994 at 3:30 p.m.** on proposed amendments to the Public Facilities Manual (PFM) regarding sanitary sewer standards.

**ADMIN 5 - PROPOSED BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE TAX (BPOL) TAX REVISIONS: REPORT OF THE BUSINESS TAX STUDY GROUP**

- (A) Authorized the advertisement of a public hearing to be held before the Board of

Supervisors on November 21, 1994 at 3:00 p.m. on proposed amendments to the Code

of the County of Fairfax, Chapter 4 (Taxation and Finance) regarding proposed Business, Professional and Occupational License Tax (BPOL) tax revisions.

11. **A-1 - PARKING REDUCTION FOR ANNANDALE UNITED METHODIST CHURCH/CHILD CARE CENTER (MASON DISTRICT)** (Tape 3)

On motion of Supervisor Trapnell, seconded by Supervisor McConnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and approved a 38.1 percent reduction of the required on-site parking to accommodate Annandale United Methodist Church/Child Care Center pursuant to Paragraph 4, Section 11-102 of the Zoning Ordinance subject to the conditions outlined in the Memorandum to the Board dated September 26, 1994.

12. **A-2 - RESOLUTION FOR A SERIOUS OR HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM (SHOCAP)** (Tape 3)

- (R) Following discussion Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt a Resolution authorizing the establishment of the multiagency Serious or Habitual Offender Comprehensive Action Program (SHOCAP) to assist in protecting the community from violent crime by recidivist juvenile offenders and ensure a comprehensive coordinated service delivery to serious or habitual juvenile offenders. This motion was seconded by Supervisor Hanley.

Following discussion with input from staff, Supervisor Dix moved to amend the motion to include:

- Drunk While Intoxicated (DWI) habitual offenders as part of the work program; and
- Representation of the Oversight Committee on Drinking and Driving on the SHOCAP Committee.

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

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

13. **A-3 - AUTHORIZATION TO PAY FISCAL YEAR (FY 1995) SECOND QUARTER WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) BILLING (COUNTYWIDE)** (Tape 3)

- (R) Following discussion, Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing payment of the Fiscal Year (FY) 1995 second quarter transit operating and capital billing in the net amount of



\$11,920,755 to the Washington Metropolitan Area Transit Authority (WMATA). This motion was seconded by Supervisor Hyland.

Supervisor Dix asked unanimous consent that the Board request WMATA to notify Fairfax County if there appears to be a failure of any jurisdiction to fulfill its obligation. Without objection, it was so ordered.

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

14. **A-4 - DESIGNATION OF PLANS EXAMINERS STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM** (Tape 3)

On motion of Supervisor Berger, seconded by Supervisor Bulova, and carried by a vote of nine, the Board concurred in the recommendation of staff and:

- Designated the following individuals, identified with their registration numbers, as Plans Examiners:
  - Nicholas A. Antonopoulos (124);
  - John Patrick Harty (126);
  - Robert L. Hewitt (127);
  - Michael W. Keffer; and
  - Donald T. Lacquement (123).
- Reinstated Active Status of the following individual as a Designated Plans Examiner:
  - William E. Nell (15) effective September 26, 1994.

15. **A-5 - AMENDMENT TO THE INDEMNIFICATION OF OFFICERS AND EMPLOYEES RESOLUTION** (Tape 3)

- (R) Following discussion, Supervisor Trapnell moved that the Board concur in the recommendation of staff and adopt the Indemnification of Officers and Employees Resolution and Appendix. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being absent.

Following discussion, with input from staff, Supervisor Hyland asked unanimous consent that the Board direct staff to review this issue with a view towards streamlining the process. Without objection, it was so ordered.



16. **A-6 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95029 FOR ACCEPTANCE OF RENEWAL GRANT FOR THE DEPARTMENT OF HUMAN DEVELOPMENT TRANSITIONAL HOUSING PROGRAM - GRANT AWARD THREE** (Tape 3)

(SAR) Following discussion with input by Verdina L. Haywood, Deputy County Executive for Human Services and Suzanne Manzo, Director, Department of Human Development, Supervisor Hanley moved that the Board concur in the recommendation of staff and adopt the Supplemental Appropriation Resolution (SAR) AS 95029 totalling \$1,300,802 which includes \$569,803 in Federal funds and \$730,999 in required local cash match for the first three years of the renewal grant for Transitional Housing Program Grant Award Three. This grant award will provide continued funding for 36 housing units, essential services to Transitional Housing clients, and 15 existing merit grant-status positions. This motion was seconded by Supervisor Trapnell.

Supervisor Dix moved to amend the motion to refer this matter to the Audit Committee to determine if there is a better way to utilize local government resources. This motion was seconded by Supervisor Frey.

Following discussion, Supervisor Dix withdrew his amendment to the motion.

Supervisor Hanley moved to call the question which **CARRIED** by a recorded vote of six, Supervisor Berger, Supervisor Dix, and Supervisor Frey voting "NAY," Supervisor Alexander being absent.

Supervisor Dix moved that the Board refer the Transitional Housing Program to the Audit Committee for:

- Review; and
- Determination of cost effectiveness.

This motion was seconded by Supervisor Frey and carried by a vote of nine.

17. **A-7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95030 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT ADDITIONAL FUNDING FROM THE VIRGINIA DEPARTMENT OF CORRECTIONS PROBATION AND PAROLE OFFICE** (Tape 3)

(SAR) On motion of Supervisor Hanley, seconded by Supervisor Trapnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Supplemental Appropriation Resolution (SAR) AS 95030 for \$45,000 in funds from the Virginia Department of Corrections Probation and Parole Office. These funds will be used to pay the salary and fringe benefits for a merit-grant Substance Abuse Counselor II position which is being increased from 1/.625 SYE to

full-time 1/1.0 SYE.

18. **A-8 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PRC DISTRICT PROVISIONS** (Tape 3)

(A)

(R) On motion of Supervisor Dix, seconded by Supervisor Frey, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 9, 1994 and before the Board of Supervisors on **December 5, 1994 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding PRC District provisions.

19. **A-9 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING HISTORIC OVERLAY DISTRICTS** (Tape 3)

(A)

(R) On motion of Supervisor Hanley, seconded by Supervisor Hyland, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on November 9, 1994 and before the Board of Supervisors on **December 5, 1994 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding historic overlay districts.

(NOTE: Later in the meeting, further action was taken on this item. See Clerk's Summary Item CL#88.)

20. **A-10 - AMENDED PARKING REDUCTION FOR RESTON TOWN CENTER URBAN CORE - PHASE I (HUNTER MILL DISTRICT)** (Tape 3)

Supervisor Dix moved to defer Action Item A-10 - Amended Parking Reduction for Reston Town Center Urban Core - Phase I until **October 10, 1994**. This motion was seconded by Chairman Davis and carried by a vote of nine, Supervisor Alexander being absent.

21. **C-1 - PROPOSED CHANGE IN SCOPE OF JUVENILE DETENTION CENTER EXPANSION PROJECT** (Tapes 3-4)

Following discussion, the Board moved approval of the staff recommendation regarding Board of Supervisors' authorization for a change in scope of the Juvenile Detention Center expansion to increase the expansion from 99 beds to 121 beds, and to include an

electronic access control/security system in the project. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being absent.

22. **C-2 - 1994 VIRGINIA MUNICIPAL LEAGUE ANNUAL CONFERENCE**  
(Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 regarding the designation of a voting and alternate delegate to represent the County at the Virginia Municipal League (VML) Annual Conference.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked unanimous consent that the Board designate:

- Supervisor Dix as the voting delegate; and
- Supervisor Hanley as the alternate delegate.

Without objection, it was so ordered.

Vice-Chairman McConnell returned the gavel to Chairman Davis.

23. **C-3 - APPLICATION OF WASHINGTON GAS LIGHT COMPANY, VIRGINIA DIVISION, FOR A GENERAL INCREASE IN ITS RATES AND TO REVISE ITS TARIFFS, STATE CORPORATION COMMISSION (SCC) CASE NUMBER PUE940031** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 regarding the filing of testimony with the State Corporation Commission (SCC) on the application of Washington Gas Light Company for a general increase in its rates and to revise its tariffs.

Supervisor Bulova moved approval of the proposed testimony to be filed with the SCC on the application of Washington Gas Light Company for a general increase in its rates and to revise its tariffs. This motion was seconded by Chairman Davis and **CARRIED** by a recorded vote of seven, Supervisor Berger and Supervisor Frey voting "NAY," Supervisor Alexander being absent.

Supervisor Dix suggested that this testimony be forwarded to the applicants.

24. **C-4 - PERSONAL PROPERTY TAXES ON AIRCRAFT AND FLIGHT SIMULATORS** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 regarding the adoption of a lower personal property tax rate for aircraft and flight simulators.

Following discussion, with input from Kevin C. Greenlief, Acting-Supervisor, Office of Assessments, Supervisor Dix moved that the Board:



- Endorse the establishment of the rate under the enabling legislation permitted by the Commonwealth of Virginia for this type of use at \$0.01; and
- Direct the County Executive to incorporate the personal property tax rate into the Fiscal Year (FY) 1996 budget.

This motion, the second to which was inaudible, **CARRIED** by a recorded vote of seven, Supervisor Frey and Supervisor Hyland voting "NAY," Supervisor Alexander being absent.

**AR:ar**

25. **I-1 - ELECTRICAL POWER EMERGENCY PUBLIC INFORMATION PLAN**  
(Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 requesting authorization for staff to continue to coordinate with the electric utility companies regarding the Electrical Power Emergency Public Information Plan.

Following discussion, Supervisor Hanley asked unanimous consent that the Board direct staff to ensure that information regarding the specific need to notify the police and fire units in the event of rolling blackouts, as outlined in the Metropolitan Area Council of Governments (COG) procedures, is included in the Fairfax County Power Emergency Public Information Plan. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

26. **I-2 - STAFF SUMMARIES OF JULY AND AUGUST, 1994 TRANSPORTATION ADVISORY COMMISSION MEETINGS (COUNTYWIDE)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 presenting the Staff Summaries of July and August, 1994 Transportation Advisory Commission Meetings.

27. **I-3 - CHAS CERTIFICATION FOR FUNDING UNDER THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 requesting authorization for staff to sign the letter and the CHAS Certification Statement and forward them to the Northern Virginia Planning District Commissions. In addition, the Department of Housing and Community Development (HCD) will receive the allocation of the Housing Opportunities for Persons with Aids (HOPWA) funds for the provision of rental assistance to low-income residents of Fairfax



County, Fairfax City, and the City of Falls Church who are living with HIV/AIDS.

The staff was directed administratively to proceed as proposed.

28. **I-4 - AWARD OF CONTRACT - BOYS PROBATION HOME (SULLY DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 requesting authorization for staff to award a contract to Sumter Construction Corporation in the amount of \$1,567,000 for construction of Project 89A006, Boys Probation Home, in Subfund 471, County Bond Construction.

The staff was directed administratively to proceed as proposed.

29. **I-5 - CONTRACT AWARD - CONSTRUCTION OF A RESTROOM BUILDING, ACCESSIBLE TRAILS, TRAIL LIGHTING AND PARKING LOT LIGHTING AT GREENBRIAR PARK (SULLY DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 requesting authorization for staff to award a contract to Harry Braswell, Incorporated in the amount of \$419,687 for construction of a restroom building, accessible trails, trail lighting and parking lot lighting at Greenbriar Park as part of Project 004391, Greenbriar Park, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

30. **I-6 - AWARD OF CONTRACT - ANNANDALE CENTER DRIVE ROAD IMPROVEMENTS (MASON DISTRICT)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 requesting authorization for staff to award a contract to Cube Construction Corporation in the amount of \$153,765 for construction on Project 00189, Annandale Center Drive Road Improvement, in Subfund 468, Public Works Construction.

The staff was directed administratively to proceed as proposed.

31. **I-7 - AWARD OF CONTRACT - DIFFICULT RUN FORCE MAIN REPLACEMENT AND PUMPING STATION IMPROVEMENTS (DRANESVILLE AND HUNTER MILL DISTRICTS)** (Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 requesting authorization for staff to award a contract to Corman Construction, Incorporated, in the amount of \$4,145,895 for construction of Project M00319, Difficult Run Force Main Replacement and Pumping Station Improvements, in Subfund 524, Sewer Bond Extension and Improvement.

The staff was directed administratively to proceed as proposed.

32. **I-8 - ENGINEERING CONTRACT ADDENDUM NUMBER TWO AWARD TO GREELEY AND HANSEN ENGINEERS FOR ENGINEERING SERVICES DURING CONSTRUCTION OF THE DIFFICULT RUN FORCE MAIN REPLACEMENT PROJECT (HUNTER MILL AND PROVIDENCE DISTRICTS)**  
(Tape 5)

The Board next considered an Item contained in the Memorandum to the Board dated September 26, 1994 requesting authorization for staff to award contract addendum Number Two to Greeley and Hansen Engineers in the amount of \$110,480 for additional engineering services for Project M00319, Difficult Run Force Main Replacement, in Subfund 524, Sewer Bond Extension and Improvement.

The staff was directed administratively to proceed as proposed.

### **ADDITIONAL BOARD MATTERS**

33. **LEGISLATION CONCERNING LORTON PRISON** (Tape 5)

Chairman Davis said that he was pleased to share with Board Members and the public a copy of a letter received from Senator Charles S. Robb (D-Va) reporting on the amendment Senator Robb attached to the 1994 Crime Bill that will require Congressional hearings to be held before the District of Columbia can take any action to expand the prison facility at Lorton. This provision will assure that those affected by the prison, especially Fairfax County, have an opportunity to express their views and concerns before any action is taken.

Chairman Davis expressed his appreciation to Senator Robb for his efforts on this issue.

34. **NATIONAL COOPERATIVE ADMINISTRATIVE SUPPORT (CASU) OUTSTANDING ACHIEVEMENT AWARD FOR 1993 PRESENTED TO FRED K. KRAMER, DIRECTOR, DEPARTMENT OF GENERAL SERVICES, AND FAIRFAX COUNTY** (Tape 5)

Chairman Davis stated that he was pleased to share with all those present the news that Fred K. Kramer, Director, Department of General Services, recently received a special award for implementing a photocopying program for Fairfax County which has resulted in significant savings for taxpayers. Chairman Davis publicly expressed his appreciation to William J. Leidinger, County Executive, as well as Mr. Kramer and his staff for working closely with the Chairman's Office in promoting cooperative administrative programs between the County and the Federal Government that will benefit all concerned. The photocopying program is a specific example of this cooperation that produced a first-year savings estimated in excess of \$600,000.

With a notation that Fairfax County is enrolled in the National Cooperative Administrative Support Program of the Federal Government - otherwise known as the

"CASU" program, Chairman Davis noted that the County can develop many additional benefits through this program in the years ahead. For example, County staff is presently looking into a pilot program to establish telecommuting centers for Federal employees living in Fairfax County, a concept that can be expanded to include County and State employees as well as persons working in the private sector.

Chairman Davis complimented Mr. Kramer for the recognition earned through this award issued by the National CASU Board of Directors, which is comprised of senior officials of departments of the Federal Government.

35. **CLEAN AIR ACT** (Tape 5)

Chairman Davis called the Board's attention to the Clean Air Act implementation and the controversies that are still going on between the Environmental Protection Agency (EPA) and the Commonwealth of Virginia. Chairman Davis complimented Supervisor Dix for his leadership in getting the message out that the idea of these test-only facilities in Northern Virginia is something which is not going to work.

With an acknowledgement of the rough times ahead before this issue is resolved and the possibility that the Commonwealth of Virginia may have to sue the EPA, Chairman Davis stated that it is in the best interest of Fairfax County and Northern Virginia citizens to join in such a suit.

Accordingly, Chairman Davis relinquished the Chair to Vice-Chairman McConnell and moved that the Board direct the County Attorney to begin preliminary preparations necessary for joining the Commonwealth of Virginia should such a suit against the EPA become necessary. This motion was seconded by Vice-Chairman McConnell.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

36. **ADDITIONAL BOARD MEETING SCHEDULED FOR TUESDAY, NOVEMBER 22, 1994** (Tape 5)

Supervisor Dix called the Board's attention to a recent memorandum from William J. Leidinger, County Executive, referencing the backup in land-use cases to be heard by the Board. In order to deal with these land-use cases and in order to give sufficient time for advertisements, Supervisor Dix moved that the Board schedule an additional Board Meeting to be held on Monday, November 28, 1994. The second to this motion was inaudible.

Following a suggestion from Supervisor Hyland to meet on a Tuesday, Supervisor Dix amended his motion to schedule an additional Board Meeting on **Tuesday, November**

22, 1994, and this was accepted.

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

37. **CUSTOMER SERVICE** (Tape 5)

Supervisor Dix asked unanimous consent that the Board direct the County Executive to examine the feasibility of establishing a customer service program which will enable County citizens to call in and record a message over the weekend for follow-up by staff during business hours. Without objection, it was so ordered.

38. **LEGISLATIVE COMMITTEE MEETING SCHEDULED** (Tape 5)

Supervisor Dix announced that a meeting of the Legislative Committee is scheduled for October 14, 1994, and that the proposed Tree Legislation will be on the agenda.

39. **CONFIRMATION THAT SUPERVISOR DIX IS THE LEGISLATIVE CONTACT BETWEEN FAIRFAX COUNTY AND THE VIRGINIA ASSOCIATION OF COUNTIES (VACo)** (Tape 5)

Supervisor Dix confirmed that he is the legislative contact between Fairfax County and the Virginia Association of Counties (VACo).

40. **APPRECIATION TO STAFF FOR EFFORTS RELATING TO THE HUNTERS WOODS SHOPPING CENTER IN RESTON** (Tape 5)

Supervisor Dix expressed his appreciation to the staff of the Office of Transportation FASTRAN, the Commission on Aging, and the Police Department for their efforts relating to the challenges in Reston involving the Hunters Woods Shopping Center and the Fellowship House located there.

**PMH:pmh**

41. **RECOGNITION FOR DARRELL WINSLOW** (Tape 6)

Supervisor Hyland said that in early August, after more than 28 years, Darrell Winslow retired from the Northern Virginia Regional Park Authority. He was the visionary who developed the national blueprint on how to work inclusively with many local governments who are committed to meeting the public's diverse recreational wishes.

Supervisor Hyland moved that the Board direct staff to invite Mr. Winslow to appear before the Board at its next meeting to be appropriately recognized for his contributions to the Northern Virginia area. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being absent.

42. **FAIRFAX COUNTY CHAMBER OF COMMERCE OFFERS "SECOND CHANCE COMPUTERS" TO HELP SCHOOLS** (Tape 6)

Supervisor Hyland said that the Fairfax County Chamber of Commerce has initiated a new program to help increase the number of computers in Fairfax County Public Schools.

The program "Second Chance Computers" will support technology initiatives planned by the School Board.

Supervisor Hyland congratulated the Fairfax County Chamber of Commerce for its creative and meaningful role in helping the school children of Fairfax County.

Businesses interested in participating in this program should contact Ms. Jean Miller at 703-246-4542 or if a company has equipment available it should contact Ms. Lorraine Lavet at the Chamber of Commerce at 703-749-0400.

43. **FAIRFAX COUNTY PARK AUTHORITY STAFF AT THE LORTON COMMUTER RAIL STATION** (Tape 6)

Supervisor Hyland said that the opening date of the Virginia Rail Express Station in Lorton is fast approaching and everything must be on track to meet the deadline. The area was found to have an archaeological site and bulldozers were ready to begin digging.

Thus, the County needed to do an archaeological survey fast. The Park Authority came to the rescue.

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

- Appropriately recognize Mr. Ray Rodriguez for his outstanding work as the liaison on this project by placing a letter in his personnel file; and
- Place letters in the personnel files of all the staff who worked on this ad hoc project.

Without objection, it was so ordered.

44. **LIQUID PRODUCT PIPELINE SAFETY** (Tape 6)

Supervisor Hyland distributed to Board Members two letters concerning pipeline safety.

Supervisor Hyland said that one letter concerns a recent explosion that occurred in Culpeper, Virginia and the other involves oversight of pipeline safety responsibilities including the type and frequency of inspections conducted, the number of inspectors and supervisors, and who has this responsibility.

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

- Determine when the last derating evaluation was conducted;
- Report to the Board identifying what, if any, action needs to be taken;





- Determine the following information relating to oversight of liquid product pipeline safety:
  - Who inspects these pipelines;
  - What is the frequency of inspections;
  - What type of inspections occur on all Fairfax County pipelines; and
  - The number of inspectors and supervisors assigned to these pipelines.

Supervisor Dix noted that these actions have already been taken.

Following discussion, with input from William J. Leidinger, County Executive, the request was amended to request an update on these requests. Without objection, it was so ordered.

45. **HELP STOP GRAFFITI** (Tape 6)

Supervisor Hyland said that the Board has been briefed on the escalating problem with graffiti and staff has been working with the Virginia Department of Transportation (VDOT) to control this problem.

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

- Review the Newington Forest Community Association's and South Run Creek Coalition's suggestions, to determine:
  - If legislation is required;
  - How these suggestions can be implemented;  
and
- Report its findings to the Board not later than October 31, 1994.

Without objection, it was so ordered.

46. **NOXIOUS WEEDS** (Tape 6)

Supervisor Hyland said that he received a letter from Michael S. Rolband, a member of the Citizens Advisory Committee to the Chesapeake Bay Commission. He said that Mr. Rolband is requesting that the following weed be added to the Fairfax County Chesapeake Bay Ordinance, noxious weed list:

- Polygonum perfoliatum (Mile-a-Minute-Vine).

This weed is a non-native species and is causing Fairfax County stream valleys to become clogged.

Because the County's Chesapeake Bay Ordinance is a Commonwealth of Virginia approved Ordinance, Supervisor Hyland asked unanimous consent that the Board direct the County Attorney to review this minor addition and report to the Board with a recommendation. Without objection, it was so ordered.

47. **ANNOUNCING 17TH ANNUAL MOUNT VERNON CROP WALK AND PROCLAMATION REQUEST** (Tape 6)

Supervisor Hyland announced that the United Community Ministries (UCM) will be sponsoring the 17th Annual Mount Vernon CROP Walk. Beginning at 1:30 p.m. on October 16, 1994, the walk will start from Plymouth Haven Baptist Church, located at 8523 Fort Hunt Road in Alexandria. The Walk promotes hunger education and raises money for the hungry in 70 countries around the world.

In support of the Walk and its objectives, Supervisor Hyland asked unanimous consent that the Board proclaim the month of October as Fairfax County Hunger Awareness Month and that all citizens support local CROP Walks for the hungry along with other efforts to help solve this problem.

Chairman Davis relinquished the Chair to Vice-Chairman McConnell and asked that the request be amended to direct staff to prepare the Proclamation for the Chairman's signature as well as the local Board Member's signature, and this was accepted.

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

Vice-Chairman McConnell returned the gavel to Chairman Davis.

48. **AFFORDABLE HOUSING OPPORTUNITY MEANS EVERYONE'S (AHOME) REQUEST TO ENSURE PRESERVATION OF AFFORDABLE HOUSING STOCK** (Tape 6)

Supervisor Hyland said that Affordable Housing Opportunity Means Everyone (AHOME) Organization had expressed concern about the adequacy of housing for people of limited income and specifically about efforts to ensure preservation of the existing supply of affordable housing.

Supervisor Hyland moved that the Board establish a task force to develop a strategy to ensure preservation of older garden apartment and federally subsidized housing units and that said task force consist of representatives of the private sector, including owners; financial institutions; non-profit housing corporations; the Fairfax County Chamber of

Commerce as well as local Chambers; and citizens. This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Dix asked unanimous consent that the Board refer this issue to the Housing Subcommittee. Without objection, it was so ordered.

49. **DEPARTMENT OF RECREATION REC-PAC PROGRAM** (Tape 6)

Supervisor Hyland said that Mount Vernon District constituents have contacted him to request continuing support for the Rec-PAC Program operated this past summer. The Program's accessibility and cost made it possible for them to maintain their employment and for their child to participate in supervised, enjoyable and safe recreational activities.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Department of Recreation to do all they can to make the Rec-Pac Program available to Fairfax County families again next year. Without objection, it was so ordered.

50. **TAX MORATORIUM ON NEW CARS** (Tape 6)

Supervisor Hyland said that a Mount Vernon District resident has suggested that the County declare a one-year moratorium on personal property taxes for new automobiles. He reasons that the new car sales would rise, increasing sales tax revenues, and that those who would not otherwise consider buying new cars might do so if they were not faced with the prospect of immediate large tax bills.

Therefore, Supervisor Hyland moved that the Board direct the County Attorney to determine if the County has the authority to exempt new automobiles from the first year of personal property taxes, and if, that is the case, to refer to staff for assessment of revenue impact. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger being out of the room, Supervisor Alexander being absent.

51. **SEGREGATED READING IN PUBLIC LIBRARIES** (Tape 6)

Supervisor Hyland said that many citizens have voiced their deep concerns over the Library Board's vote last week to discuss whether some material should be accessible to adults only.

Supervisor Hyland moved that the Board express to the Library Board its sense that any action which dictates what books can or cannot be read trespasses on the rights of parents to supervise the education of their children and is a serious infraction by government of parental responsibilities. This motion was seconded by Chairman Davis.

Following discussion, Supervisor Dix asked to amend the motion to:

- Request a briefing from the Library Board on the current purchasing and display procedures for materials within the libraries; and

- Request a discussion regarding whether it is appropriate to include any kind of disclaimer at those libraries as it relates to potentially provocative material,

and this was accepted.

Following discussion, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Berger voting "NAY," Supervisor McConnell abstaining, Supervisor Alexander being absent.

52. **REQUEST FOR REVIEW OF ARTICLE REGARDING THE OPENING OF A GROUP HOME IN A COMMUNITY** (Tape 6)

Supervisor Bulova said that she had read an article in U.S. News and World Report which included an interesting discussion regarding neighbors in a Berkeley, California neighborhood who were fighting the opening of a project for the homeless in their community. She said that it included some interesting comments and ideas on court cases that have been won and federal regulations regarding the citing of group homes and other facilities.

Supervisor Bulova asked unanimous consent that the Board direct the County Attorney to review and comment on this article. Without objection, it was so ordered.

53. **VIOLENCE AND CRIME** (Tape 6)

Supervisor Trapnell stated that violence and crime are rated by the public as its primary concern. She said that the media has tremendous influence on everyone's life and that violence is depicted as an almost accepted behavior.

Supervisor Trapnell moved that the Board direct staff to prepare a Proclamation, for presentation at its next meeting, designating the week of October 10, 1994 as "Turn Off the Violence Week." This motion was seconded by Supervisor Hanley and carried by a vote of seven, Supervisor Dix and Chairman Davis being out of the room, Supervisor Alexander being absent.

54. **COUNTY SHOWMOBILE** (Tape 6)

Supervisor Trapnell said that a building permit is now required to use the County Showmobile. She asked unanimous consent that the Board direct staff to provide an explanation of the new policy as it has caused great concern and some consternation to the groups using it. Without objection, it was so ordered.

55. **THROUGH TRUCK TRAFFIC ON HUMMER ROAD** (Tape 6)

Supervisor Trapnell stated that her office has recently received several telephone calls regarding through truck traffic on Hummer Road in Annandale. Accordingly, she moved that the Board direct staff to study the possible restriction of through truck traffic on Hummer Road. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

NV:nv

56. **NO BOARD MATTERS FOR DRANESVILLE DISTRICT SUPERVISOR BERGER** (Tape 7)

Supervisor Berger stated that he had no Board Matters to present today.

57. **PRIVATIZATION POLICY** (Tape 7)

(P) Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova and referred to a statement by the Economic Advisory Commission distributed to Board Members regarding privatization. She moved that the Board reaffirm its privatization Policy which was originally adopted on April 6, 1992:

- "It is the policy of the Board of Supervisors to privatize, where cost effective and to the maximum extent possible, any new functions and the functions presently performed internally by the County, and to establish an environment where public-private partnerships are encouraged, thereby fostering the pragmatic, cost-efficient provision of services to the consumers of Fairfax County."

This motion was seconded by Supervisor Dix.

Following discussion, Supervisor Hyland asked to amend the motion to affirm the privatization statement subject to the Board's previously adopted guidelines regarding a 10 percent savings, but this was **NOT** accepted. Following further discussion, with input from William J. Leidinger, County Executive, Supervisor Hyland moved to amend the motion to make it subject to the Policy guidance that the Board has previously adopted in connection with privatization of any function of the County. This motion was seconded by Supervisor Hanley.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

With the understanding that it is the sense of the Board that reaffirmation of the commitment to privatization would not change any existing policies concerning privatization, specifically the 10 percent savings issue, Supervisor Hyland withdrew his

amendment.

Following further discussion, Chairman Davis ruled that two motions would be voted seriatimly. The question was called on the motion by Supervisor McConnell to reaffirm the Board's commitment to privatization which carried by a vote of nine, Supervisor Alexander being absent.

Supervisor Hyland then moved reaffirmation of previously adopted policies in connection with privatization which established, at a minimum, a 10 percent savings for any privatization effort which was presented to the Board. This motion was seconded by Supervisor Hanley and **FAILED** by a recorded vote of five, Supervisor Bulova, Supervisor Hanley, Supervisor Hyland, and Chairman Davis voting "AYE," Supervisor Alexander being absent.

58. **REQUEST TO NORTHERN VIRGINIA ELECTRIC COOPERATIVE (NOVEC)  
TO CHANGE FEE SCHEDULE FOR CLIFTON COMMUNITY HALL**  
(Tape 7)

- (R) Supervisor McConnell stated that it has come to her attention that the Northern Virginia Electric Cooperative (NOVEC) is billing the Town of Clifton for the County-constructed Community Hall at the demand rate schedule in lieu of the consumption rate schedule. Although this rate is appropriate under the rates negotiated by the County, because of the Community Hall's infrequent use and because the demand rate is based on peak demand and not solely on the amount of electricity used, the electric bills for this facility have been extraordinarily high. If the bills were based upon consumption alone, they would be approximately 20-25 percent of the current amount.

Therefore, Supervisor McConnell moved adoption of the following Resolution:

**WHEREAS**, Fairfax County constructed a Community Hall for the Town of Clifton in conjunction with construction of the Clifton Fire Station; and

**WHEREAS**, Fairfax County leases said Community Hall to the Town of Clifton for the purposes of providing a meeting facility available equally to all residents of Fairfax County as well as to the citizens residing in the Town of Clifton; and

**WHEREAS**, the Town of Clifton charges County residents the same fees for use of said Community Hall regardless of whether or not they are residents of that Town; and

**WHEREAS**, this facility is principally used on evenings and weekends for community activities which enhance the quality of life and provide for a sense of community interest for those residents living in and around the Town of Clifton; and



**WHEREAS**, the Town of Clifton is responsible for all maintenance and utility charges for said meeting hall; and

**WHEREAS**, the Northern Virginia Electric Cooperative has placed the Community Hall on a commercial demand metering electric rate; and

**WHEREAS**, County staff and the Mayor of Clifton have appealed to the Northern Virginia Electric Cooperative for a rate change without success; and

**WHEREAS**, the current rate is three to four times what the cost would be if the charges were based on consumption alone;

**NOW, THEREFORE BE IT RESOLVED** that the Fairfax County Board of Supervisors requests the Board of Directors of the Northern Virginia Electric Cooperative give consideration to placing the Community Hall on a flat rate schedule in order that the payment of the electric bill not be a financial hardship on the Town and residents of Clifton.

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

59. **WAIVER OF PLAT RESUBMISSION FEE FOR PROPERTY LINE REALIGNMENT** (Tape 7)

Supervisor McConnell stated that recently Bill Foster, a constituent, stopped by her office regarding a realignment of property lines. He and two other neighbors are making minor changes to their existing property lines. She noted that the County approved the Plat of Consolidation and Subdivision in December 1993. However, the neighbor who initially handled the paperwork became ill and moved out of town. The rest of the paperwork was never completed.

In July, 1994, Mr. Foster became aware that the final paperwork had not been completed and he hired an attorney to draw up an instrument for recording. Because of the length of time from the initial consolidation and Subdivision Plat approval and the instrument for recording, the Plat must be resubmitted to the County along with a \$150 resubmittal fee.

Due to the circumstances in this case, and the fact that the Plat has already been approved once, Supervisor McConnell moved that the Board direct staff to waive the \$150 resubmittal fee. This motion was seconded by Supervisor Berger.

Following discussion, with input from David P. Bobzien, County Attorney, Chairman Davis relinquished the Chair to Acting-Chairman Bulova and asked unanimous consent

that the Board direct staff to develop objective criteria for determining fee waivers. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

The question was called on the motion which **FAILED** by a recorded vote of eight, Supervisor McConnell voting "AYE," Supervisor Alexander being absent.

60. **EXPEDITED PROCESSING OF PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-W-043 BY THE VAN METRE COMPANY FOR THE CROSSPOINTE COMMUNITY** (Tape 7)

Supervisor McConnell stated that Proffered Condition Amendment Application PCA 86-W-043 has been filed by the Van Metre Company to delete a portion of trail in the Crosspointe community. The segment of trail in question is adjacent to an existing sidewalk and within easy walking distance of a parallel trail. Both the Crosspointe Homeowners Association and County staff are in favor of this PCA. Since this is the final issue remaining on this section of Crosspointe and is delaying Van Metre's bond release, Supervisor McConnell moved that the Board direct staff to expedite processing of Proffered Condition Amendment Application PCA 86-W-043. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

61. **FEE WAIVER FOR POLICE COVERAGE FOR CLIFTON DAY** (Tape 7)

Supervisor McConnell announced that Clifton Day is scheduled for Sunday, October 9, 1994. This popular event draws thousands of people and police officers are necessary for traffic control. Because Clifton Day is largely sponsored by several non-profit organizations and the cost of police coverage is quite steep, Supervisor McConnell moved that the Board direct staff to waive these fees and provide the necessary police coverage. This motion was seconded by Chairman Davis and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

62. **AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING USE OF TRINITY PLACE IN CENTREVILLE** (Tape 7)

- (A) Supervisor Frey explained that there is a multifamily development under construction in his district next to the Newgate Shopping Center. A road, approximately 500 feet long, has been constructed in the middle of this multifamily development which stubs into the back of the shopping center. This road, known as Trinity Place, has been dedicated to public use, but has not yet been accepted into the State highway system for maintenance. The road does not provide access to the shopping center or to any other properties except the multifamily development which is under construction.

Supervisor Frey stated that the developer of the multifamily project would like permission from the Board to control access to this roadway until such time as the roadway may be needed to provide access to other properties. The developer would be responsible for the maintenance and upkeep of the area of the roadway until that time. Supervisor Frey noted that he had been advised by the County Attorney that the Board must hold a public hearing to allow the use of its property in this instance.



Therefore, to allow the Board to fully evaluate this request, Supervisor Frey moved that the Board direct staff to advertise a public hearing before the Board concerning the possible use of Trinity Place on an interim basis by the owners of Tax Map Numbers 54-4 ((1)) parcels 3C and 3D, subject to the terms and conditions which will ensure the prompt availability of the road at such time as it may be needed to provide access to other properties. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

63. **WAIVER OF ONE-YEAR TIME LIMITATION FOR A REHEARING ON REZONING APPLICATION FOR TAX MAP NUMBER 65-1 ((1)) PARCELS 43, 44 AND PART OF 12, COBLE/LASKEY TRACT** (Tape 7)

Supervisor Frey stated that there are two applications, Rezoning Application RZ 88-Y-043 and Proffered Condition Amendment Application PCA 88-S-109, that were filed by David Hunter. Rezoning Application RZ 88-Y-043 is for property located on Tax Map Number 65-1 ((1)) Parcels 43, 44, and part of 12, and is known as the Coble/Laskey Tract. Proffered Condition Amendment Application PCA 88-S-109 is for property located on Tax Map Number 65-1 ((1)) 9a and is known as St. Timothy's. These properties are immediately adjacent to each other. One property had been subject to a previously filed rezoning, but the applicant desires to initiate a new rezoning application and consolidate the properties prior to the expiration of the one-year time limitation for a rehearing of these applications.

Citing the resolution of many outstanding issues, Supervisor Frey moved to waive the one-year time limitation on the rehearing of a Rezoning Application on the Cable/Laskey Tract and a Proffered Condition Amendment Application on the St. Timothy parcel, pursuant to Section 18-211 of the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance). This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

64. **CONCURRENT PROCESSING FOR PRELIMINARY PLANS, SITE PLANS, AND SUBDIVISION PLANS WITH PROFFERED CONDITION AMENDMENTS/FINAL DEVELOPMENT PLAN AMENDMENTS FOR CEDAR LAKES** (Tape 7)

Supervisor Frey stated the Tate Terrace Realty Investors, Incorporated has filed Proffered Condition Amendment/Final Development Plan Amendment (PCA/FDPA) applications for Cedar Lakes. These applications are a proposal to modify the approved development plan for multiple family units to provide a mixture of dwelling unit types. The applicant has requested concurrent processing of Preliminary Plans, Site Plans, and Subdivision Plans.

Therefore, Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept Preliminary Plans, Site Plans, and

Subdivision Plans for concurrent processing with these PCA/FDPA applications. He

noted that this motion does not prejudice the consideration of these applications in any way. This motion was seconded by Chairman Davis and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

65. **MORE PARKING AT THE VIENNA METRORAIL STATION** (Tape 7)

Supervisor Hanley called the Board's attention to a news release regarding more parking at the Vienna Metrorail Station. She commended the efforts of everyone who worked on this issue, including Leonard Wolfenstein, Office of Transportation.

66. **PROVIDENCE DISTRICT COUNCIL RESOLUTION REGARDING CITIZEN TIME AT MEETINGS OF THE BOARD OF SUPERVISORS** (Tape 7)

Supervisor Hanley called the Board's attention to a resolution from the Providence District Council regarding "Citizen Time" at meetings of the Board.

(NOTE: Later in the meeting, there was discussion of this issue. See Clerk's Summary Item CL#68.)

67. **FUNDING FOR KURDISH HUMAN RIGHTS WATCH (KHRW)** (Tape 7)

Supervisor Hanley reminded the Board that at its September 12, 1994 meeting, staff was directed to research some type of funding for the Kurdish Human Rights Watch, Incorporated (KHRW) and return to the Board with a response at today's meeting. She asked unanimous consent that the Board direct staff to:

- Ensure that they are working with this organization; and
- Respond to the Board at its meeting scheduled for October 10, 1994.

Without objection, it was so ordered.

68. **ADDITIONAL DISCUSSION REGARDING CITIZEN TIME** (Tape 7)

(NOTE: Earlier in the meeting, this issue was raised. See Clerk's Summary Item CL#66.)

Supervisor Bulova called the Board's attention to the Providence District Council's resolution regarding "Citizen Time" and asked unanimous consent that the Board refer this resolution to the Procedures Subcommittee for its review and recommendation regarding changing the procedure for signing up speakers for Citizen Time. Without objection, it was so ordered.

69. **SCHEDULING OF PUBLIC HEARING TO BE HELD BEFORE THE BOARD FOR REZONING APPLICATION RZ 94-P-044 FOR J.A. LOVELESS HOMES**  
(Tape 7)

Supervisor Hanley stated that J.A. Loveless Homes has filed a Rezoning Application RZ 94-P-044 on approximately seven acres on Chain Bridge Road. The Planning Commission is scheduled to hold its public hearing on December 8, 1994. Because the applicant is interested in completing this process before the end of the year, Supervisor Hanley asked unanimous consent that the Board direct staff to schedule the public hearing before the Board on December 12, 1994. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional discussion of this item. See Clerk's Summary Item CL#73.)

70. **OFFICE OF ASSESSMENTS USE OF NATIONAL AUTOMOBILE DEALERS ASSOCIATION GUIDE FOR ESTABLISHING PERSONAL PROPERTY TAX VALUE FOR AUTOMOBILES** (Tape 7)

Supervisor Hanley reminded the Board that County residents have criticized the Office of Assessment's use of the National Automobile Dealers Association (NADA) Guide in establishing the personal property tax value for automobiles. She noted that in some cases cars that were one year older had actually increased in value, which is unusual in cars.

Therefore, Supervisor Hanley moved that the Board direct the staff of the Office of Assessments to:

- Analyze the issues that caused that situation; and
- Advise the Board as to whether an adjustment in the County's approach toward valuing personal property for tax purposes might be recommended.

This motion was seconded by Supervisor Hyland.

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

71. **SYNCHRONIZATION OF TRAFFIC LIGHTS AND PREEMPTION FOR EMERGENCY VEHICLES** (Tape 7)

Supervisor Hanley stated that a constituent had called her to request that with the Virginia Department of Transportation's (VDOT) synchronization of traffic lights program underway, whether this would be a time to review preemption for emergency vehicles. Accordingly, Supervisor Hanley asked unanimous consent that the Board direct staff to:



- Review this issue; and
- Report its findings to the Board.

Without objection, it was so ordered.

72. **LETTER TO VIRGINIA GENERAL ASSEMBLY'S JOINT MONEY COMMITTEES REGARDING DEBT CAPACITY ISSUES** (Tape 7)

Supervisor Hanley called the Board's attention to a legislative item that she circulated to the Board regarding a letter to the Virginia General Assembly under the Chairman's signature concerning debt capacity issues. Accordingly, she moved that the Board direct staff to submit this testimony. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

73. **SCHEDULING OF PUBLIC HEARING TO BE HELD BEFORE THE BOARD FOR REZONING APPLICATION RZ 94-P-044 FOR J.A. LOVELESS HOMES** (Tape 7)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#69.)

Supervisor Dix raised the issue of the scheduling of Rezoning Application RZ 94-P-044 and stated that in a memorandum the Board received last week, the Board was asked not to ask staff to schedule cases in that manner based on the current workload in the Office of Comprehensive Planning (OCP). He expressed his concern that the scheduling of this particular case would preempt other cases already in the system. Following discussion, Supervisor Hanley amended her request to direct staff to schedule a public hearing before the Board on Rezoning Application RZ 94-P-044 on December 12, 1994 only if it does not preempt any other district's cases. Without objection, the amended request was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to furnish her with another copy of the above-referenced memorandum. Without objection, it was so ordered.

74. **REQUEST FOR RECOGNITION OF GROUPS RESPONSIBLE FOR SUCCESSFUL IMPLEMENTATION OF THE OAK GROVE MOBILE HOME PARK RELOCATION PLAN** (Tape 7)

Chairman Davis relinquished the Chair to Acting-Chairman Bulova and, on behalf of Supervisor Alexander, asked unanimous consent that the Board direct staff to invite representatives from United Community Ministries, WAL\*MART, the Fairfax County Department of Housing and Community Development (HCD), and Coastal American to

appear before the Board on October 31, 1994 to be recognized for outstanding contributions to the successful implementation of the Oak Grove Mobile Home Park relocation plan. Without objection, it was so ordered.

Acting-Chairman Bulova returned the gavel to Chairman Davis.

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

At 1:45 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:

- Parking Commercial Vehicles in Residential Districts;
- Graf versus Badila, et al., Docket Number 94-2160;
- Temporary Construction Easements; and
- Slides Proposed to be Shown During Citizen Comment Time.

Supervisor Frey asked to amend the motion to add discussion on the Fairfax County Parkway/Route 50 interchange and the temporary injunction, and this was accepted.

This motion, as amended, the second to which was inaudible, carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

**CM:cm**

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

**ACTIONS FROM EXECUTIVE SESSION**

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

77. **LAWYERS ROAD EXTENDED** (Tape 8)

Supervisor Frey moved that the Board authorize staff to expend funds from the Lawyers Road Extended Project, Subfund 463, not to exceed \$4,000, to fix the slopes of the rear yards of three properties immediately adjacent to the Lawyers Road Extended Project. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

78. **DELEGATION OF AUTHORITY TO FILE SUIT** (Tape 8)

- (R) Supervisor Trapnell moved that the Board adopt the Resolution regarding the delegation of authority to file suit, as outlined by the County Attorney in Executive Session and included in the legal package as "Legal 1(a)." This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being absent.

**SBE:sbe**

79. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-012 (EXXON CORPORATION) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. Frank W. 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, which included testimony by three speakers, Mary Ann Godfrey, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Hanley moved approval of Special Exception Application SE 94-P-012 subject to the development conditions dated August 16, 1994. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Bulova and Chairman Davis being out of the room, Supervisor Alexander being absent.

Supervisor Hanley moved:

- Modifications of the transitional screening along the south and west and waiver of the transitional screening and barrier along the north, subject to development conditions dated August 16, 1994; and
- Waiver of the service drive along Lee Highway subject to the development conditions dated August 16, 1994.

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

80. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-H-009 (EXXON CORPORATION) (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.

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

Supervisor Dix moved:

- Approval of Special Exception Application SE 94-H-009 subject to the development conditions as modified by the Planning Commission and dated August 15, 1994; and
- Modification of the transitional screening and barrier requirements along the southern property boundary to that shown on the Special Exception Plat.

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

81. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-P-003 (BATAL BUILDERS, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 9)

Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

Mr. Sanders 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 three speakers, Regina Murray, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Hanley moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-P-003 be amended

from the R-1 District to the PDH-2 District subject to the revised proffers dated August 18, 1994. This motion was seconded by Supervisor Berger and carried by a vote of eight, Chairman Davis being out of the room, Supervisor Alexander being absent.

82. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-H-009 (POTOMAC LAND MANAGEMENT, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 9)

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

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

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

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

Supervisor Dix moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-H-009 be amended from the R-1 District to the R-3 District subject to the revised proffers dated September 23, 1994. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved waiver of the barrier requirement along the northeastern boundary in favor of the landscaping shown on the Generalized Development Plan (GDP), and pursuant to Paragraph 13 of Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

Supervisor Dix moved that the Board authorize the Department of Environmental Management (DEM) to concurrently review and process the Preliminary and Final Subdivision Plans for this property. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of seven, Chairman Davis abstaining, Supervisor Hanley being out of the room, Supervisor Alexander being absent.

83. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION  
PCA 82-P-069-7 (TILGHMAN LIMITED PARTNERSHIP) (SULLY DISTRICT)**  
(Tapes 9-10)

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

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

Supervisor Dix disclosed that within the last year he has had an attorney/client relationship with Hunton and Williams.

Chairman Davis disclosed that he had received several contributions from Hunton and Williams and that he would be abstaining from voting on this item.

Following the public hearing, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation

Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Following discussion, Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 82-P-069-7 subject to the revised development conditions dated September 7, 1994. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of five, Supervisor Bulova voting "NAY," Chairman Davis abstaining, Supervisor Dix and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved waiver of the 200-foot setback requirement between residential units and Interstate 66. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of five, Supervisor Bulova voting "NAY," Chairman Davis abstaining, Supervisor Dix and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

Supervisor Frey moved that the Board direct the Department of Environmental Management (DEM) to process the Preliminary and Site Plans simultaneously for Land Bay 4D in Fair Lakes. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of five, Supervisor Bulova voting "NAY," Chairman Davis abstaining, Supervisor Dix and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

84. **ORDERS OF THE DAY** (Tape 10)

Vice-Chairman McConnell announced that the Board would now proceed with the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Recycling Facilities followed by the Public Hearing to Receive Citizen Comment on Issues of Concern.

85. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING RECYCLING FACILITIES** (Tape 10)

(O) (NOTE: On September 12, 1994 the Board deferred the public hearing on this item until September 24, 1994.)

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 August 26 and September 2, 1994.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding recycling facilities to become effective at **12:01 a.m. on September 27, 1994** with the following revision:

- Delete "and processed" from the definition of Recycling Center.



This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Frey and Supervisor Hanley being out of the room, Supervisor Alexander being absent.

86. **4:00 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN**  
(Tape 10)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 9 and September 16, 1994.

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

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

- Karen Jo Gounaud;
- Susan Wold;
- Dawn Jones;
- Tom Carnhan;
- Dr. Ronald Bashian;
- Vernon Sones;
- Dan Garcia;
- Valerie Eastwood;
- The Reverend Jim Nelson; and
- The Reverend Darlene Garner.

87. **4:00 P.M. - PH TO CONSIDER ADOPTION OF BASIC CABLE SERVICE, EQUIPMENT, AND INSTALLATION RATES FOR WARNER CABLE COMMUNICATIONS OF RESTON (WCCR) PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION (FCC) RATE REGULATIONS EFFECTIVE SEPTEMBER 1, 1993 (HUNTER MILL DISTRICT)** (Tapes 10-11)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of September 9 and September 16, 1994.

Following the public hearing, which included testimony by two speakers, Supervisor Dix moved:

- Approval of the findings and recommendations of Donelan, Cleary, Wood, and Maser, P.C. in their report on Warner Cable Communications of Reston (WCCR), and authorized the Cable Administrator to take those actions necessary to carry out the recommendations as outlined in the Memorandum to the Board with one modification to Item Five to read:
  - ". . . order Warner Cable Communications of Reston to work with staff regarding parameters of the refunds to subscribers . . ." and
- Adoption of the emergency Ordinance that was provided to Board Members regarding this matter.

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

88. **4:00 P.M. - PH TO CONSIDER ADOPTION OF BASIC CABLE SERVICE, EQUIPMENT, AND INSTALLATION RATES FOR MEDIA GENERAL CABLE OF FAIRFAX, INCORPORATED (MGC) PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION (FCC) RATE REGULATIONS EFFECTIVE SEPTEMBER 1, 1993 (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 September 9 and September 16, 1994.

Supervisor Bulova moved that the Board:

- Hold the public hearing on Media General Cable;

- Hold the record open for additional comments; and
- Defer decision until there is a full Board.

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

Following the presentation of the findings and recommendations of Donelan, Cleary, Wood, and Maser, P.C. in their report on Media General Cable of Fairfax, Incorporated, (MGC), and the presentation by Mr. Dennis R. Bolster, Supervisor Hanley asked unanimous consent that the Board direct staff to distribute copies of the charts used by Mr. Bolster in his presentation. Without objection, it was so ordered.

#### **Additional Board Matters:**

##### **Departure of Hunter Mill District Supervisor Robert B. Dix, Jr., from Board Meeting**

Supervisor Dix announced that he would be leaving the Board Meeting to attend his child's Back-To-School Night, but that he would be receiving copies of the speakers' testimony.

##### **Authorization to Advertise a Revision to the Zoning Ordinance Regarding Enlargement of the Architectural Review Board (ARB)**

- (A) (NOTE: Earlier in the meeting, action was taken on Action Item A-9. See Clerk's Summary Item CL#19.)

Vice-Chairman McConnell relinquished the Chair to Acting-Chairman Bulova, and, on behalf of Chairman Davis, moved that as part of Action Item A-9 - Authorization to Advertise Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Regarding Historic Overlay Districts and the enlargement of the Architectural Review Board (ARB), the Board direct staff to advertise the consideration of a change which would increase the membership of the ARB from nine to 10 persons. This motion was seconded by Supervisor Trapnell.

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

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

Following the public hearing regarding Media General Cable of Fairfax, Incorporated, which included testimony by 11 speakers, Supervisor Hanley moved to:

- Defer Board decision until **October 10, 1994 at 10:00 a.m.**; and
- Hold the record open for written testimony only.

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

89. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING RECYCLING FACILITIES** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this Item. See Clerk's Summary Item CL#85.)

90. **4:00 P.M. - PH TO RECEIVE CITIZEN COMMENT ON ISSUES OF CONCERN** (No Tape)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#86.)

91. **4:00 P.M. - PH TO RECEIVE COMMENT FROM FAIRFAX COUNTY BUSINESSES ON ISSUES OF CONCERN** (No Tape)

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 September 9 and September 16, 1994.

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

There were no speakers for this public hearing.

92. **BOARD ADJOURNMENT** (Tape 12)

At 7:10 p.m., the Board adjourned.

