

**AR:ar**

The meeting was called to order at 9:10 a.m. with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell 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. ABSENCE OF SPRINGFIELD DISTRICT SUPERVISOR ELAINE MCCONNELL DUE TO THE DEATH OF HER MOTHER** (Tape 1)

Supervisor Dix announced that Springfield District Supervisor Elaine McConnell would be absent from today's meeting due to the death of her mother this past weekend.

Following a moment of silence in sympathy for Supervisor McConnell and her family, Supervisor Dix asked unanimous consent that the Board direct the County Executive to forward an expression of the Board's condolences to arrive in time for the funeral tomorrow. Without objection, it was so ordered.

**3. PRESENTATION BY THE UNITED STATES ARMY COLOR GUARD AND SINGING OF THE NATIONAL ANTHEM IN HONOR OF "BLACK HISTORY MONTH"**  
(Tape 1)

Chairman Hanley expressed her appreciation to the United States Army Color Guard for its presentation of the colors, and to Mrs. Ruth Stokes, an employee of the Office of the County Executive, for her rendition of the Star Spangled Banner in honor of "**Black History Month.**"

(NOTE: Later in the meeting, a proclamation was presented designating February 1995 as "**Black History Month.**" See Clerk's Summary Item CL#8).

4. **DEATH OF COLONEL RED STEVENS** (Tape 1)

Supervisor Hyland announced the recent death of Colonel Red Stevens, a resident of the Mount Vernon District, who has been active as a volunteer working with youth for the past 20 years, in particular with the Fort Hunt Youth Association. Supervisor Hyland expressed the sympathy of the residents of Mount Vernon District and all of Fairfax County to his wife and family.

5. **CONGRATULATIONS TO CHAIRMAN KATHERINE K. HANLEY** (Tape 1)

On behalf of himself and the entire Board, Supervisor Frey congratulated Chairman Hanley on her recent election and wished her well in her new endeavor.

6. **9:00 A.M. - PRESENTATION BY THE SCHOOL BOARD ON ITS FISCAL YEAR (FY) 1996 BUDGET** (Tapes 1-2)

Following a presentation on the School Board's Fiscal Year (FY) 1996 Budget by Gary L. Jones, Chairman, Fairfax County School Board, a question and answer period ensued.

Following discussion, Supervisor Bulova asked unanimous consent that the Board direct staff to establish a group and schedule regular meetings of the County and School Division's fiscal staffs to review and work jointly on fiscal items with a view towards better integration of the process. Without objection, it was so ordered.

Following further discussion, Supervisor Dix expressed his appreciation to Dr. Jones, the other School Board Members, and the School Budget Committee for their work on this budget and its presentation.

Chairman Hanley invited School Board Members and staff to attend the upcoming County budget workshops which will be scheduled by Supervisor Frey, Chairman of the Board's Budget Subcommittee.

7. **DEFERRAL OF PRESENTATION OF CERTIFICATE OF RECOGNITION TO RICK WORMELI WHO HAS BEEN SELECTED AS A "NATIONAL BOARD CERTIFIED TEACHER" BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS** (Tape 2)

Supervisor Berger announced that Rick Wormeli, who has been selected as "National Board Certified Teacher" by the National Board for Professional Teaching Standards, had to return

to class this morning due to the lateness of the hour, and that presentation of his Certificate of Recognition will be rescheduled at a later date.

8. PROCLAMATION DESIGNATING THE MONTH OF FEBRUARY, 1995 AS "BLACK HISTORY MONTH" IN FAIRFAX COUNTY (Tape 2)

(NOTE: Earlier in the meeting, a presentation was made in honor of "Black History Month." See Clerk's Summary Item CL#3.)

Supervisor Dix moved approval of the Proclamation presented to LaGretta L. Butler, Director, Office of Equity Programs, designating the month of February, 1995 as "**Black History Month**" in Fairfax County. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Frey being out of the room, Supervisor McConnell being absent.

9. RESOLUTION COMMENDING THE 75TH ANNIVERSARY OF THE LEAGUE OF WOMEN VOTERS (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of the presentation of the Resolution, presented to Connie M. Houston, President of the League of Women Voters, commending the 75th anniversary of the League of Women Voters. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

Ms. Houston presented Chairman Hanley with a framed, signed, and numbered original print by McLean League Member and artist Deborah Morrison commemorating the 75th anniversary of the League.

10. PROCLAMATION DESIGNATING FEBRUARY 13, 1995, AS "WENDY PILETTE LAM DAY" IN FAIRFAX COUNTY (Tape 2)

Supervisor Dix moved approval of the Proclamation presented to Wendy Pilette Lam, reporter with the Connection Newspapers, recognizing her professional, thorough, and thoughtful reporting and designating February 13, 1995, as "**Wendy Pilette Lam Day**" in Fairfax County. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor McConnell being absent.

11. RECOGNITION OF FORMER DRANESVILLE DISTRICT SUPERVISOR LILLA RICHARDS (Tape 2)

Chairman Hanley recognized the presence of former Dranesville District Supervisor Lilla Richards in the Board Auditorium and warmly welcomed her.

**12. 10:00 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 2)

Supervisor Dix, Chairman, Board's Legislative Subcommittee, briefly outlined Legislative Report Number Two and moved adoption of the report, to include the two tax exemption requests (as outlined in a memorandum from Michael Long, Assistant to the County Attorney, to Robert B. Dix, Jr., Chairman, Legislative Subcommittee regarding Board's action on January 23, 1995) for Bethany House of Northern Virginia, Senate Bill 643, and Woodley Recreation Association, House Bill 1753. This motion was seconded by Supervisor Frey.

Following a reference to 1995 Legislative Report Number 2A dated February 13, 1995, by Michael H. Long, Assistant County Attorney, Supervisor Dix referred to House Bill 1920 and amended his motion to include language in the Bill which reads, "Before this procedure is done, a physician must certify that this person is incapable of taking care of themselves for that period," and this was accepted.

With reference to House Bill 1802, Supervisor Hyland asked to amend the motion by directing staff to prepare a letter today, for the Chairman's signature, to Senator Robert L. Calhoun (R) outlining in detail the problems that the proposed waste haulers' bill would present for Fairfax County, and this was accepted.

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

(NOTE: Later in the meeting, this issue was revisited. See Clerk's Summary Item CL#95).

**AM:am**

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

Supervisor Hyland moved approval of the Administrative Items. This motion was seconded by Supervisor Bulova.

Supervisor Frey asked that the motion be amended to pull and consider separately Administrative Item Admin 2 - Additional Time to Commence Construction for Special Exception Application SE 90-Y-043, Aubrey Limited Partnership and Administrative Item Admin 9 - Review of a Site Plan revision for McLaren Square Shopping Center, and this was accepted.

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

**ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (BRADDOCK, DRANESVILLE, LEE, MASON AND SULLY DISTRICTS)**

(R)Approved the request that certain streets listed in the Memorandum to the Board dated February 13, 1995 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Waples Mobile Homes Estates	Braddock	Lee Highway, Route 29 and 211, Service Drive
Brynmawr Heights	Dranesville	Bryns Place, Route 3936
Park Royal	Dranesville	Park Royal Drive Park Royal Court Walker Road, Route 681, Additional right-of-way only
Springfield Mall (Frontier Drive Extended)	Lee	Frontier Drive, Extended Route 2677, 4 lanes Frontier Drive, Existing Route 2677, Additional right-of-way only
Annandale Mews	Mason	Annandale Court
Willoughby's Ridge	Sully	Pickwick Road, Route 1021

**ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 90-Y-043, AUBREY LIMITED PARTNERSHIP (SULLY DISTRICT)**

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#14.)

**ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 89-C-027-3, BAHMAN AND ROSHANAK BATMANGHELIDJ (HUNTER MILL DISTRICT)**

(AT)Approved the request for 12 months of additional time to commence construction for Special Exception Amendment Application SEA 89-C-027-3 until **January 27, 1996** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-L-139, MOUNT VERNON**

**KNIGHTS OF COLUMBUS CLUB, INCORPORATED (LEE DISTRICT)**

(AT)Approved the request for six months of additional time to commence construction for Special Exception Amendment Application SEA 80-L-139 until **July 13, 1995** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 5 - AUTHORIZATION TO ADVERTISE A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) REGARDING A REVISION TO THE SUPPLEMENTAL RETIREMENT SYSTEM ORDINANCE TO CLARIFY THE APPLICATION PROCESS FOR SERVICE-CONNECTED DISABILITY RETIREES**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 13, 1995 at 3:30 p.m.** on proposed revisions to the Code of the County of Fairfax, Chapter 3 (County Employees), Supplemental Retirement System Ordinance to clarify the eligibility process for service connected disability retirees and permit eligible members to apply for a normal retirement without requiring them to return to service.

**ADMIN 6 - ADVERTISEMENT OF A PUBLIC HEARING TO SET ESTIMATED ASSESSMENTS IN THE MOUNT ZEPHYR, PHASE II COMMUNITY (MOUNT VERNON DISTRICT)**

(A)Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 13, 1995 at 4:00 p.m.** on a Resolution setting assessments for the Mount Zephyr, Phase II Community.

**ADMIN 7 - AUTHORIZATION OF A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON PLEASANT VALLEY ROAD (ROUTE 609) (SULLY DISTRICT)**

(A)Authorized the posting and advertisement of a public hearing to be held before the Board of Supervisors on **March 13, 1995 at 4:00 p.m.** to consider restricting through truck traffic on a portion of Pleasant Valley Road between Lee-Jackson Memorial Highway (Route 50) and Lee Highway (Route 29).

**ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) FOR THE EXPANSION OF THE ROBINSON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) (BRADDOCK DISTRICT)**

(A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 13, 1995 at 4:00 p.m.** on proposed revisions to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A [Residential Permit Parking District (RPPD)], Appendix G for the expansion of the Robinson RPPD (District 17).

**ADMIN 9 - REVIEW OF A SITE PLAN REVISION FOR MCLEAREN SQUARE SHOPPING CENTER, PLAN NUMBER 7698-SP-01-B, TAX MAP NUMBER 025-3-01-0015C (SULLY DISTRICT)**

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#15.)

14. **ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 90-Y-043, AUBREY LIMITED PARTNERSHIP (SULLY DISTRICT)** (Tape 3)

(AT) Supervisor Frey moved approval of the request for additional time to commence construction for Special Exception Application SE 90-Y-043, Aubrey Limited Partnership with the agreement of February 10, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

15. **ADMIN 9 - REVIEW OF A SITE PLAN REVISION FOR MCLEAREN SQUARE SHOPPING CENTER, PLAN NUMBER 7698-SP-01-B, TAX MAP NUMBER 025-3-01-0015C (SULLY DISTRICT)** (Tape 3)

Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to approve the Site Plan revision for McLearen Square Shopping Center, Site Plan Revision number 7698-SP-01-B as required by paragraph seven of the proffers approved in Rezoning Application RZ 80-C-112 with the agreement of February 10, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

16. **A-1 - ADOPTION OF A REGIONAL WATER SUPPLY EMERGENCY PLAN** (Tape 3)

On motion of Supervisor Dix, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the Metropolitan Water Supply Emergency Plan which will be forwarded to the Metropolitan Washington Council of Governments (COG).

17. **A-2 - PROPOSED RESTRUCTURE OF THE FAIRFAX COUNTY PARK AUTHORITY (COUNTYWIDE)** (Tape 3)



On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the proposed restructure of the Fairfax County Park Authority.

**18.A-3 - ENDORSEMENT OF CONSULTANT'S PROPOSED FAIRFAX COUNTY COMPENSATION PHILOSOPHY** (Tape 3)

Supervisor Alexander moved to defer the endorsement of the consultant's proposed Fairfax County Compensation philosophy until **March 13, 1995**.

Supervisor Dix asked to amend the motion to direct staff to return to the Board with the following information:

- Page one under Statement of Philosophy, bullet number four, Reward individuals for demonstrated performance - indicate how individuals are to be rewarded;
- Page one under Competitive Market Position, at the end of the paragraph, or a job series to the competitive level as deemed necessary to attract and retain talent - indicate as deemed necessary by whom;
- Page two under Salary Data Sources, paragraph two, Private sector organizations - define what types of companies are included;
- Page two under Compensation Program Components - define a work week;
- Page two under Job Ranking - clarify whether this should be Job Evaluation;
- Page three, where there is Starting Salary, Salary Growth and Reward Programs - add a fourth category entitled Affordability Issues; and
- Explain what criteria is used for determining which jobs in Fairfax County are made available inside the workforce and which jobs are made available outside the workforce;

and this was accepted.

Supervisor Frey asked to amend the motion to include:

- On handwritten page one County Base Pay Program - factor in the potential for bonuses in both the private sector and federal government, since Fairfax County does not pay bonuses;

and this was accepted.

Following discussion, with input by Peter J. Schroth, Director, Office of Personnel, the question was called on the motion, as amended, which carried by a vote of eight, Supervisor McConnell being absent.

19. **A-4 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - INFORMATION TECHNOLOGY EDUCATOR SERIES** (Tape 3)

On motion of Supervisor Trapnell, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans necessary to establish the following classes:

<u>Class Title</u>	<u>Grade</u>	<u>Salary Range</u>
Information Technology Educator I	S-18	\$28,505 - \$44,123
Information Technology Educator II	S-21	\$32,818 - \$50,796
Information Technology Educator III	S-23	\$35,992 - \$55,706
Information Technology Educator IV	S-26	\$41,489 - \$64,217

20. **A-5 - FAIRFAX COUNTY ROAD MAINTENANCE AND IMPROVEMENT PROGRAM (FCRMIP): APPROVAL OF THE ANNUAL FCRMIP STATUS REPORT (COUNTYWIDE)** (Tape 3)

On motion of Supervisor Alexander, seconded by Supervisor Dix, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the Annual Fairfax County Road Maintenance and Improvement Program (FCRMIP) Status Report.

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21. **A-6 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING SUBMISSION REQUIREMENTS FOR VARIANCE APPLICATIONS** (Tape 4)

(R)

(A) On motion of Supervisor Hyland, seconded by Supervisor Frey, and carried by a vote of eight, Supervisor McConnell 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 April 6, 1995 and before the Board of Supervisors on **May 22, 1995 at 3:30 p.m.** on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding submission requirements for Variance Applications to allow the Zoning Administrator to modify or waive information required for a Plat.

**22.A-7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95051 FOR COMMUNITY AND RECREATION SERVICES' 1995 RESPITE RESOURCE PROJECT GRANT FROM THE VIRGINIA INSTITUTE FOR DEVELOPMENTAL DISABILITIES** (Tape 4)

(SAR)On motion of Supervisor Alexander, seconded by Supervisor Bulova, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and adopted the Supplemental Appropriation Resolution (SAR) AS 95051 in the amount of \$14,981 for the Respite Resource Project Grant from the Virginia Institute for Developmental Disabilities.

**23.A-8 - APPLICATION FOR UNITED STATES FIRE ADMINISTRATION (USFA) AND NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA) GRANT** (Tape 4)

On motion of Supervisor Dix, seconded by Supervisor Alexander, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the Fire and Rescue Department's submission of a grant in the amount of \$3,000 to the United States Fire Administration (USFA) and the National Highway Traffic Safety Administration (NHTSA). This grant will provide "Train the Trainer" educational materials, training sessions and public information brochures in foreign languages.

**24.A-9 - ENDORSEMENT OF THE VIRGINIA DEPARTMENT OF FORESTRY GRANT PROJECTS IDENTIFIED FOR REVITALIZATION AREAS (BRADDOCK, LEE, MASON, AND MOUNT VERNON DISTRICTS)** (Tape 4)

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

- Endorse the Virginia Department of Forestry grant projects to plant trees on public lands;
- Authorize the County Executive to sign the Letter Agreement (contained in the Memorandum to the Board) with each community; and
- Endorse the recommended funding necessary to implement the grants.

This motion was seconded by Supervisor Hyland.

Supervisor Bulova clarified, for the record, that the Annandale Revitalization Area is also in the Braddock District and asked unanimous consent that the Board direct staff to reflect that in the item heading. Without objection, it was so ordered.

Following discussion, with input from John W. di Zerega, Director, Department of Public Works, Supervisor Dix moved a substitute motion to defer this item until the Third Quarter Budget Review. This motion was seconded by Supervisor Frey.

Following further discussion, with input from William J. Leidinger, County Executive, the question was called on the motion which **FAILED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, and Supervisor Frey voting "AYE," Supervisor McConnell being absent.

The question was then called on the main motion, which **CARRIED** by a recorded vote of six, Supervisor Dix and Supervisor Frey voting "NAY," Supervisor McConnell being absent.

25. **A-10 - DONATION OF FAIRFAX RELEAF FOR DEVELOPMENT OF AN ANALYSIS OF THE BENEFITS OF THE FAIRFAX COUNTY URBAN FOREST** (Tape 4)

Supervisor Hyland moved that the Board concur in the recommendation of staff and donate \$2,500 to Fairfax ReLeaf for development of an analysis of the benefits of the Fairfax County urban forest. This motion was seconded by Supervisor Alexander.

Following discussion, with input from Fred K. Kramer, Director, Department of General Services, the question was called on the motion which **CARRIED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, and Supervisor Frey voting "NAY," Supervisor McConnell being absent.

26. **A-11 - AUTHORIZATION TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE MORRIS GLEN DEVELOPMENT AND TO REALLOCATE FUNDS WITHIN SUBFUND 183, HOME AND SUBFUND 182, HOUSING TRUST FUND (LEE DISTRICT)** (Tape 4)

On motion of Supervisor Alexander, seconded by Supervisor Trapnell, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and authorized the execution of a construction contract for the development of the Morris Glen development and the reallocation of funds within Subfund 183, HOME and Subfund 182, Housing Trust Fund.

27. **A-12 - DEPARTMENT OF FAMILY SERVICES APPLICATION FOR GRANT FUNDS FROM THE VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES** (Tape 4)

On motion of Supervisor Dix, seconded by Supervisor Trapnell, and carried by a vote of eight, Supervisor McConnell being absent, the Board concurred in the recommendation of staff and approved the submission of the application to the Virginia Board for People with Disabilities for Federal Developmental Disabilities Grant funding.

28. **A-13 - PARKING REDUCTION FOR SPRING HILL FOOD SERVICE L.C. (PROVIDENCE DISTRICT)** (Tape 4)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board concur in the recommendation of staff and:

- Approve a 13.4 percent (or 52 spaces) parking reduction for a proposed micro-brewery and restaurant in the Spring Hill Business Center; and
- Approve an ultimate 21.9 percent (or 85 spaces) parking reduction should parking spaces be lost to proposed widening of Spring Hill Road (Route 684),

pursuant to Paragraph Four, Section 11-102 of the Fairfax County Zoning Ordinance subject to the conditions outlined in the Memorandum to the Board. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

29. **A-14 - PARKING REDUCTION FOR SEVEN CORNERS SHOPPING CENTER (MASON DISTRICT)** (Tape 4)

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

- Approve a 20.5 percent parking reduction for Phase I of the redevelopment and expansion of Seven Corners Shopping Center; and
- Approve an ultimate 18.7 percent parking reduction for the Phase II redevelopment and expansion of the same site,

pursuant to Paragraph Four, Section 11-102 of the Fairfax County Zoning Ordinance subject to the conditions outlined in the Memorandum to the Board. This motion was seconded by Supervisor Berger.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development; Shiva K. Pant, Director, Office of Transportation; and David P. Bobzien, County Attorney; the question was called on the motion, which carried by a vote of eight, Supervisor McConnell being absent.

30.**I-1 - TARGET HOTLINE** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 presenting a status report on the Target Hotline.

31.**I-2 - REQUEST FOR ASSESSMENT OF REVENUE IMPACT OF MORATORIUM ON NEW CAR PERSONAL PROPERTY TAX** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 presenting the report on the request for assessment of the revenue impact of a moratorium on new car personal property tax.

Following discussion, Supervisor Hyland asked unanimous consent that the Board direct staff to report to the Board with information regarding the long term revenue impact of the County devising a program encouraging individuals with older vehicles to replace them with newer ones in return for relief on their personal property taxes for the first year they own the vehicle. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the information requested by Supervisor Hyland be circulated to all Board Members. Without objection, it was so ordered.

32.**I-3 - ASSESSMENT ADJUSTMENTS FOR VEHICLES WITH HIGH MILEAGE** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 presenting the report on assessment adjustments for vehicles with high mileage.

Supervisor Dix moved that the Board direct staff to appeal this item. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor McConnell being absent.

33.**I-4 - PARKING VIOLATION FINES PAYABLE AT GOVERNMENT SATELLITE OFFICES** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 presenting the procedures so that parking violation fines may be paid at the branch offices of the Department of Tax Administration.

34.**I-5 - ESTABLISHMENT OF TWO NON-COUNTY FUNDED NETWORK SUPPORT POSITIONS IN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for staff to proceed with the establishment and filling of two non-County funded network support positions in the Department of Housing and Community Development.

Following discussion, with input from Mary Egan, Deputy Director, Department of Housing and Community Development, Supervisor Frey asked unanimous consent that this item be deferred until **February 27, 1995**, to allow staff time to provide Board Members with more information regarding the Section Eight Program. Without objection, it was so ordered.

35.**I-6 - USE OF MASTERCARD/VISA CREDIT CARDS** (Tapes 4-5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 announcing that MasterCard and VISA will no longer allow service fees to be passed on to Fairfax County customers. Based on the Code of the County of Fairfax, Chapter 4 (Taxation and Finance), the Department of Tax Administration is required to pass on the credit card service fee of 2.11 percent to the user in the payment of taxes. The credit card policy change means that Fairfax County will no longer be able to accept these credit cards for tax payments.

Following discussion, with input from staff, Supervisor Hyland asked unanimous consent that the Board direct staff to request a formal interpretation of the Truth In Lending Law from the Federal Reserve. Without objection, it was so ordered.

Following further discussion, Supervisor Bulova moved that the Board go on record in support of Senate Joint Resolution (SJR) 241. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Dix being out of the room, Supervisor McConnell being absent.

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that the Board direct staff to report to the Board at the February 27, 1995, Board Meeting with information regarding what position the County should take on the federal legislation as well. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

36.**I-7 - VIENNA AIR QUALITY SUMMARY REPORT** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for staff to terminate the Vienna Special Study Monitoring Project.

Following a brief discussion, Chairman Hanley relinquished the Chair to Acting-Chairman

Alexander and asked unanimous consent that the Board direct staff to send this report to the Town of Vienna. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

**37.I-8 - THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) AUTHORIZES EXECUTION OF AN EXCHANGE AGREEMENT IN REGARD TO A DEDICATED PARCEL OF LAND AT ISLAND CREEK (LEE DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 announcing that the Fairfax County Redevelopment and Housing Authority (FCRHA) has authorized the execution of an exchange agreement in regard to a dedicated parcel of land at Island Creek.

**38.I-9 - AWARD OF CONTRACT FOR CLINICAL LABORATORY SERVICES FOR VARIOUS COUNTY AGENCIES** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for staff to complete negotiations and proceed to award a contract to National Health Laboratories in an amount not to exceed \$305,000 for clinical laboratory services for various County agencies.

The staff was directed administratively to proceed as proposed.

**39.I-10 - ADOPT-A-CAUSE UPDATE** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for the Steering Committee to continue with its current plans for Adopt-A-Cause.

The staff was directed administratively to proceed as proposed.

**40.I-11 - AUTHORIZATION TO ENTER INTO A CONTRACT FOR RENOVATION OF WEST FORD II TOWNHOUSES (MOUNT VERNON DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for staff to award a contract to H and H Contractors, Incorporated in the amount of \$517,200 for the renovation of West Ford II Townhouses, Project VA-19-32, under the Department of Housing and Urban Development (HUD) Comprehensive Grant Program (CGP).

Following a query from Supervisor Frey, staff was directed administratively to proceed as proposed.

**41.I-12 - CONTRACT AMENDMENT FOR ARCHITECTURAL SERVICES AND**



**AWARD OF A CONSTRUCTION CONTRACT FOR THE RENOVATION AND EXPANSION OF THE GUM SPRINGS COMMUNITY CENTER (MOUNT VERNON DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to:

- Award a contract to Chamberlain Construction Corporation in the amount of \$2,555,000 for the renovation and expansion of the Gum Springs Community Center, Project 013944; and
- Execute a contract amendment for architectural services with Stanmyre and Noel, Architects in the amount of \$128,432 which results in a revised total contract amount of \$259,559.

The staff was directed administratively to proceed as proposed.

**42.I-13 - CONTRACT AWARD - ANNUAL CONTRACT FOR TRAFFIC SIGNAL DESIGN SERVICES (COUNTYWIDE)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for staff to award a contract to Federic R. Harris, Incorporated in the amount of \$100,000 for traffic signal design services on County projects which are being designed by County staff and/or when these services are not part of a design contract with an outside consulting firm.

The staff was directed administratively to proceed as proposed.

**43.I-14 - AWARD OF CONTRACT - NEW ALEXANDRIA PHASE III EAST WATERSHED STORM DRAINAGE IMPROVEMENTS (MOUNT VERNON DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for staff to award a contract to Martins Construction Corporation in the amount of \$426,568.50 for the construction of storm drainage improvements in the Phase III East Watershed section of Project X00056, New Alexandria Drainage, in Subfund 470, Storm Drainage Bond Construction.

The staff was directed administratively to proceed as proposed.

44. **I-15 - ENGINEERING CONTRACT AWARD TO GREENHORNE AND O'MARA, INCORPORATED, FOR THE ENGINEERING ANALYSIS AND DESIGN OF REGIONAL POND H-13 (SULLY DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 13, 1995 requesting authorization for staff to award a contract to Greenhorne and O'Mara, Incorporated in the amount of \$73,373.45 for implementation of an extended dry regional stormwater management pond located in the Sully District.

The staff was directed administratively to proceed as proposed.

45. **BOARD RECESS** (Tape 5)

At 12:15 p.m. the Board recessed briefly and at 12:20 p.m., reconvened in the Board Auditorium with all Members present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

**BOARD MATTERS**

46. **BOARD'S OWN MOTION REGARDING PROFFERED CONDITION AMENDMENT PCA 81-P-116** (Tape 5)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board initiate a "Board's Own Motion" Proffered Condition Amendment (PCA) to Rezoning Application RZ 81-P-116 to amend the proffers as they apply to the provision of acoustical barriers. This PCA shall be processed at such time as the homeowners association presents evidence to the County that the parking lot repairs have been completed.

Supervisor Hanley further moved that any escrow funds remaining in the default accounts after the parking lot paving repair has been completed and paid for be used by the homeowners association as partial or full payment to the County of the nominal fees associated with the application of the PCA. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

47. **HORSESHOE DRIVE NEIGHBORHOOD LAND CONSOLIDATION** (Tape 5)

Supervisor Hanley stated that during consideration of the Horseshoe Drive Neighborhood land consolidation just about everything that could go wrong went wrong. Some of the landowners lost their property to the lending bank, some of those banks were absorbed by the Resolution Trust Company (RTC) and some of the land was sold to people who did not realize that it was covered by proffers in a previous rezoning.

Supervisor Hanley stated that those owners have now filed for a Proffered Condition Amendment (PCA) Application to remove part of the road that was proffered for their land. However, in the interest of time, Supervisor Hanley moved concurrent processing of the Site Plans and the PCA. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards and does not prejudice the

consideration of the PCA. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

48. **RESCHEDULING OF THE PUBLIC HEARING ON THE CONSOLIDATED PLAN**  
(Tape 5)

Supervisor Hanley reminded the Board Members of Board action on January 23, 1995 at which time the Board approved a public hearing on the Consolidated Plan to be held on March 13, 1995, at 7:30 p.m. The Consolidated Plan Review Committee requested the Board to reschedule the public hearing to March 27, 1995 at 7:30 p.m. to give the public additional time to review and comment on the recommendations of the Consolidated Plan Review Committee.

Therefore, Supervisor Hanley moved that the Board direct staff to reschedule the public hearing date for the Consolidated Plan for **March 27, 1995 at 7:30 p.m.** This motion was seconded by Vice-Chairman Dix and carried by a vote of eight, Supervisor McConnell being absent.

49. **PROCLAMATION OF THE MONTH OF MARCH AS "WOMEN'S HISTORY MONTH"** (Tape 5)

Supervisor Hanley stated that in recognition of the contributions and gains made by women nationally, the month of March is traditionally celebrated as "Women's History Month."

At the request of the Office of Equity Programs and the Commission for Women, Supervisor Hanley asked unanimous consent that the Board request a Proclamation for "Women's History Month," to be presented at the February 27, 1995, Board of Supervisors meeting. Without objection, it was so ordered.

50. **BELTWAY HIGH OCCUPANCY VEHICLE (HOV) LANE STUDY** (Tapes 5-6)

Supervisor Hanley called the Board's attention to a list of participants involved with the Beltway High Occupancy Vehicle (HOV) Lane Study. A list of people participating in the study was presented to the Board Members by staff. Supervisor Hanley asked unanimous consent that a representative from the McLean Citizens Association be added to the list.

Following discussion, Supervisor Berger asked unanimous consent that representatives from the Herndon Citizens Association and the Great Falls Citizens Association also be added to the group.

Following further discussion Supervisor Hanley moved to restore representation by the McLean Citizens Association (MCA) to the HOV Beltway Traffic Study. This motion was seconded by Vice-Chairman Dix.

Supervisor Berger moved to amend the motion to add representatives from the Herndon Citizens Association and the Great Falls Citizens Association to the group. This motion was seconded by Vice-Chairman Dix.

Following further discussion, the question was called on the amendment which carried by a vote of eight, Supervisor McConnell being absent.

The question was then called on the main motion, as amended, which carried by a vote of eight, Supervisor McConnell being absent.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

**PMH:pmh**

**51. PUBLIC HEARING FOR A SPECIAL EXCEPTION APPLICATION FILED BY TACO BELL (Tape 7)**

Supervisor Bulova stated that Taco Bell has a Special Exception Application to locate one of their restaurants on Burke Centre Parkway in Burke Centre. This request is scheduled to be heard by the Planning Commission on March 1, 1995.

Therefore, Supervisor Bulova moved that the Board direct staff to schedule a public hearing to be held before the Board on **March 27, 1995 at 4:00 p.m.** This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor McConnell being absent.

**52. SPECIAL SIGNAGE FOR "POLICE DISTRICT STATIONS" (Tape 7)**

Supervisor Bulova said that she was recently contacted by a constituent about the difficulty of locating District Police Stations. He pointed out that citizens are often advised to "go to their local Police Station for assistance." The constituent said that having easily identifiable signs such as the ones that say "HOSPITAL" would be very helpful to citizens. This is particularly needed in emergency situations. It would also be helpful in instances where a driver may not be convinced that the person signalling him to pull over is actually a police officer. The driver could then make his/her way to a district station. These signs could be located at major intersections and exits.

Therefore, Supervisor Bulova moved that the Board direct staff to look into the feasibility and cost of installing this type of sign. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell being absent.

53. **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROVIDES EXCELLENT SERVICE DURING RECENT SNOW STORM** (Tape 7)

Supervisor Bulova said that during the recent snow storm Braddock District received excellent snow removal service by the Virginia Department of Transportation (VDOT). She noted that the streets were cleared expeditiously and she moved that the Board thank VDOT for its excellent service. 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 absent.

54. **JOINT BOARD OF SUPERVISORS/PLANNING COMMISSION/PARK AUTHORITY TASK FORCE ON MONOPOLES** (Tape 7)

(BACs)

Supervisor Bulova noted that Board Members had received a memorandum from Peter F. Murphy, Jr., Chairman, Planning Commission regarding the Task Force on Monopoles requesting that the Board designate Board Members to be Representatives on the Task Force.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board designate the following Board Members as Representatives to the Task Force:

- Braddock District Supervisor Sharon Bulova;
- Dranesville District Supervisor Ernest Berger; and
- Springfield District Supervisor Elaine McConnell .

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

Vice-Chairman Dix returned the gavel to Chairman Hanley.

55. **APPOINTMENT TO THE BURGUNDY COMMUNITY CENTER OPERATING COMMITTEE** (Tape 7)

Supervisor Alexander moved the following appointments to the Burgundy Community Center Operating Committee per the rules and resolutions of the Burgundy Community Center:

- Ms. Frances A. Wilkerson; and
- Ms. Betty L. Pierce.

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

56. **REQUEST FOR WAIVER OF FEES FOR THE SPRINGFIELD-FRANCONIA HOST LIONS CLUB** (Tape 7)

Supervisor Alexander moved that the Board waive the application fees for the 21-day permits for the Springfield-Franconia Host Lions Club. The Lions Club holds flea markets in the Springfield area and these are their primary source of funds for community service projects. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

57. **REVIEW OF THE MONTGOMERY COUNTY CODE REGARDING SOLICITATIONS AND SALES OF PUBLIC ROADS** (Tape 7)

Supervisor Alexander noted that David P. Bobzien, County Attorney, provided Board Members with a memorandum regarding the review of the Montgomery County Code concerning solicitations and sales of public roads. Following a query from Supervisor Alexander, Mr. Bobzien said that he would respond further to this issue in Executive Session.

58. **ADDITIONAL FUNDING FOR THE SPRINGFIELD-FRANCONIA METRO CENTER AND THE FAIRFAX COUNTY PARKWAY** (Tape 7)

Supervisor Dix stated that he represented Fairfax County at an event commencing the signing of the necessary documents to forward the funds associated with the Commonwealth of Virginia's most recent bond issuance related to the regional projects in Northern Virginia. He said that he was in receipt of a check that represents additional funding for projects to include the Springfield-Franconia Metro Center and the Fairfax County Parkway in the amount of \$20 million. He expressed his appreciation to all those involved in this project.

59. **APPOINTMENT TO THE FAIRFAX COUNTY COMMISSION ON ORGAN AND TISSUE TRANSPLANTATION** (Tape 7)

(APPT)

Supervisor Dix moved the appointment of Mr. William Proctor as an At-Large Representative to the Fairfax County Commission on Organ and Tissue and Transplantation Committee. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

60. **SCHOOL BOARD MEMBER APPRECIATION WEEK** (Tape 7)

Supervisor Dix announced that the week of February 12 through February 18, 1995 is School Board Member Appreciation Week.

Accordingly, Supervisor Dix moved that the Board endorse and acknowledge School Board Member Appreciation Week. This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Dix amended the motion that the Board direct the Chairman of the Board of Supervisors to communicate the Board's action on this issue, and this was accepted.

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

**61.ACCEPTANCE OF THE REPORT BY THE STADIUM SITE SELECTION TASK FORCE** (Tape 7)

(BACs)

Supervisor Dix distributed to Board Members the Report by the Stadium Site Selection Task Force. He commended the work of those individuals who worked on this Task Force.

Following discussion, Supervisor Dix moved that the Board accept the Report by the Stadium Site Selection Task Force identifying three sites to be forwarded as the primary sites in Fairfax County for final consideration should Major League Baseball select Northern Virginia for an expansion franchise. This motion was seconded by Supervisor Frey.

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

**62.RESOLUTION SUPPORTING THE EFFORTS TO OBTAIN A MAJOR LEAGUE BASEBALL FRANCHISE FOR NORTHERN VIRGINIA** (Tape 7)

(R)Supervisor Dix moved adoption of the Resolution supporting the efforts to obtain a Major League Baseball franchise for Northern Virginia. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell being absent.

**63.UNITED STATES GEOLOGICAL SURVEY** (Tape 7)

Supervisor Dix moved that the Board:

- Send a letter to Congressman Thomas M. Davis, III, thanking him for his support in dealing with the issues related to the United States Geological Survey headquartered in Reston, Virginia; and
- Direct the County Executive to distribute similar letters to the other members of the Virginia delegation both in the United States House of Representatives and the United States Senate.

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

64. **REQUEST FOR CONCURRENT PROCESSING OF SITE PLANS, BUILDING PLANS AND OTHER PLANS IN CONJUNCTION WITH THE SPECIAL EXCEPTION APPLICATION FILED BY STARBUCKS COFFEE COMPANY** (Tape 7)

Supervisor Trapnell said that Starbucks Coffee Company plans to locate a new store in the Pinecrest Plaza Shopping Center. The store will be located within the existing building and few modifications will be required to the existing improvements. The use of the premises is classified as a fast food restaurant and due to the location and size of the proposed use, a Special Exception is required. Starbucks Coffee Company has requested concurrent processing.

Supervisor Trapnell moved that the Board direct the Director of the Department of Environmental Management (DEM) to accept for concurrent processing Site Plans, Building Plans and other plans as may be necessary in conjunction with the Special Exception Application filed by Starbucks Coffee Company for the parcel located in the Pinecrest Plaza Shopping Center.

This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor McConnell being absent.

**NV:nv**

65. **EIGHTH ANNUAL TOWN MEETING ATTRACTS RECORD PARTICIPATION** (Tape 8)

Supervisor Hyland reported that this year's Annual Town Meeting held at Mount Vernon High School was attended by a record 350 people from the Mount Vernon vicinity and he thanked the panelists and guests.

Supervisor Hyland noted that the major area of concern arising out of this year's town meeting was the perceived excess of publicly assisted and low income housing in the Mount Vernon District and adjacent Lee District and the future location of such housing. He stated that it is becoming increasingly difficult to serve the needs of low income persons located in the Route One Corridor. He asked unanimous consent that the Board direct staff to add this item to the agenda when the Board meets with the Redevelopment and Housing Authority (RHA). Without objection, it was so ordered.

66. **MOUNT VERNON VANPOOLER DESERVES RECOGNITION** (Tape 8)

Supervisor Hyland announced that Lew Pratsch, a resident of Mount Vernon, was honored by regional transportation officials for nearly 18 years (or 100,000 miles) of vanpooling during his daily commute from his home in Belle Haven to his office at the Department of Energy in Washington, D.C.



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

- Prepare a Certificate of Recognition signed by the Chairman and himself; and
- Send it to Mr. Pratsch for his successful 100,000 miles of vanpooling.

Without objection, it was so ordered.

67. **HELP REQUESTED TO KEEP OUR TALENTED YOUTH ON THEIR TOES BY SUPPORTING THE VIRGINIA BALLET COMPANY** (Tape 8)

Supervisor Hyland stated that Barbara Watts, Director of the Virginia Ballet Company, wrote to him concerning the Ballet Company's mission to provide ballet training of the highest quality and performances of artistic merit which would be of cultural value to the Northern Virginia Community. Most of the ballet performers are in elementary, middle, and high school.

Supervisor Hyland noted that 12 dancers from Virginia Ballet have been issued a formal state invitation to dance in Novgorod, Russia next spring in that city's 1000th festival. Ms. Watts writes that there will be many fund-raising activities to help with the cost of this once-in-a-lifetime experience. With cost estimates per dancer and two members of staff at \$1,500 per person, this small non-profit ballet company needs to raise approximately \$21,000 to represent Fairfax County, Northern Virginia, the Commonwealth of Virginia, and the United States. Supervisor Hyland encouraged anyone interested to send tax-exempt contributions to:

The Virginia Ballet Company and School, Incorporated  
8001 Forbes Place  
Springfield, Virginia 22151

To obtain further information, persons may call (703) 321-8009 in Springfield.

68. **REQUEST BOARD RECOGNITION FOR PARTICIPANTS OF ADOPT-A-FAMILY PROGRAM** (Tape 8)

Supervisor Hyland stated that the "Adopt-A-Family" program, sponsored by the County's Department of Community Action (DCA), provides new clothes, toys, food, and seasonal decorations to low-income families in Fairfax County. He noted that during last year's holiday season, many corporations, businesses and individuals and various county agencies sponsored needy families.

Therefore, Supervisor Hyland moved that the Board direct staff to invite all the participants in the 1994 Adopt-A-Family program to appear before the Board to receive due recognition for their generous efforts on behalf of others. This motion was seconded by Supervisor Trapnell and carried by a vote of seven, Supervisor Dix being out of the room, Supervisor McConnell being absent.

**69. SPECIAL ACKNOWLEDGMENT TO POLICE LIEUTENANT RICHARD WEEKS FOR A JOB WELL DONE** (Tape 8)

Supervisor Hyland stated that he had received a copy of a letter from Ms. Nancy Thomas to Captain LoMonaco, Station Commander, Mount Vernon District Police Station, congratulating him and his officers, specifically Lieutenant Thomas Weeks, for a job well done.

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

- Prepare a letter on behalf of the Board commending Lieutenant Richard Weeks for the outstanding effort he has put into his community relations with the residents of Audubon Trailer Park; and
- Include this letter in Lieutenant Weeks' Personnel File.

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

**70. REQUESTED REVIEW OF COMBAT AUTO THEFT PROGRAM** (Tape 8)

Supervisor Hyland stated that Margaret S. Cooper of Alexandria recently inquired about a program called Combat Auto Theft which is currently in effect in Alexandria and the District.

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

- Report whether Fairfax County is considering such a program; and if so, its status; and
- If not, review this matter and return to the Board with recommendations.

Without objection, it was so ordered.

Supervisor Berger noted that he had raised the same issue last year.

71. REQUEST TO HAVE THE MAXIMUM SECURITY FACILITY CLOSED AT THE DISTRICT OF COLUMBIA (D.C.) DEPARTMENT OF CORRECTIONS IN LORTON, VIRGINIA (Tape 8)

Supervisor Hyland related the details of a disturbance at the District of Columbia's (D.C.) Department of Corrections' maximum security facility located in Lorton that occurred on Sunday, February 5, 1995, at approximately 1:00 a.m. Six correctional officers were injured and maximum security inmates were released from their cells. Fortunately, no inmate escaped.

The siren was not sounded and telephone notification to the community was not made for more than seven hours after the incident. Fairfax County was not notified for at least one hour after the incident began.

Supervisor Hyland noted that the locking mechanisms on cell doors were not functioning, a fact known to corrections officials for several weeks. In addition, public statements from the Director of D.C.'s Department of Corrections indicate her lack of confidence in both internal and external security at the prison facilities because of inadequate staffing and inadequate resources.

Supervisor Hyland also remarked that the most recent report of a drug kingpin operating a substantial drug trafficking operation for the past four years out of the Lorton facilities attests to how bad the situation is.

Therefore, Supervisor Hyland moved that the Board direct the County Executive to immediately contact the:

- Mayor of D.C.;
- Council for D.C.;
- Federal Bureau of Prisons;
- Congressmen Moran, Wolf, Davis, and Murphy;
- Speaker (of the United States House of Representatives) Gingrich; and
- United States Senators Robb and Warner;

to take the following immediate action:

- Take steps to federalize this prison and establish order in this facility;

- Transfer all inmates from the maximum security facility to other prisons, absent a demonstration that the locking mechanism on all cells have been corrected and that the condition of the physical plan is adequate to insure maximum security in the maximum facility; and
- Stop sending additional prisoners to this prison and begin the process of closing down the facility.

Supervisor Hyland further moved that the Board direct staff to provide a status report on this subject at the meeting scheduled for February 27, 1995.

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

**72. ESTABLISHMENT OF A LOWER POTOMAC (1) LAND USE CITIZENS ADVISORY COMMITTEE FOR THE DISTRICT OF COLUMBIA (D.C.) DEPARTMENT OF CORRECTIONS' PROPERTY LOCATED IN LORTON, VIRGINIA** (Tape 8)

(BACs)

Supervisor Hyland stated that the United States Congress and the House of Representatives, under the sponsorship of Representatives Moran, Davis, and Wolf, recently introduced legislation, H.R. 461, that, if passed, would begin the process of moving the District of Columbia's (D.C.) Department of Corrections from Fairfax County. Should this Bill become law, this would leave 3,009 acres of land in Fairfax County open to many land use options, including but not limited to being subjected to various federal, state, and local laws that may or may not be in the best interest of Fairfax County.

Supervisor Hyland referred to a copy of H.R. 461 and a letter he distributed at his recent Town Meeting, copies of which were distributed to the Board, and stated that the Bill establishes an 11-member Commission, with five members appointed by the Board, which would develop an Implementation Plan for closing D.C.'s Lorton Correctional Complex. The Commission would present its recommendations to Congress for its review and action.

Supervisor Hyland moved that the Board direct staff to establish a Lower Potomac (1) Land Use Citizens Advisory Committee, facilitated by the Office of Comprehensive Planning (OCP) and Office of Transportation, which will study, plan as one unit, and make recommendations for restoring, preserving, and reusing this site to create a "gateway" concept for Fairfax County. The Committee will be comprised of:

- Planning Commissioners from the Mount Vernon, Lee, and Springfield Districts;

- Residents who live in close proximity to the prison including residents from the Mount Vernon, Lee, and Springfield Districts; and
- Three Representatives from Prince William County.

This committee would review the current Comprehensive Plan, transportation plans, current zoning, and other pertinent regulations, and then make land use recommendations to the Board for consideration. This would be transmitted ultimately to the Congressional Commission and be submitted for public hearing and incorporation into the Comprehensive Plan and other pertinent documents for implementation. Supervisor Hyland noted that he would be working with Supervisor Alexander and Supervisor McConnell regarding the appropriate composition of persons from their Districts on this Committee.

This motion was seconded by Supervisor Berger.

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked to amend the motion to add an At-Large Representative, and this was accepted.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

Supervisor Bulova asked to amend the motion to include representation from the Federation of Citizen Associations and the League of Women Voters, and this was accepted.

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

73. **GRAFFITI** (Tape 8)

Supervisor Hyland reminded the Board that on July 25, 1995 he had raised the issue of graffiti on public and private lands. He asked unanimous consent that the Board direct staff to:

- Report its findings on the Virginia Department of Transportation (VDOT) program;
- Make recommendations, including legislative actions, to determine how to involve offenders in removing graffiti from public and private property; and
- Report to the Board by March 13, 1995.

Without objection, it was so ordered.

Following discussion, Supervisor Hyland reiterated that the issue he was pursuing was the clean-up effort to be required of offenders.

74. **CONCURRENT PROCESSING FOR BUILDING AND SITE PLANS FOR GUNSTON ELEMENTARY SCHOOL** (Tape 8)

Supervisor Hyland stated that he had received a request from the School Division staff requesting concurrent processing for the renovation project which will soon commence at the Gunston Elementary School. Accordingly, he moved that the Board direct the Director of the Department of Environmental Management (DEM) to concurrently process the Building and Site Plans, respectively. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Trapnell being out of the room, Supervisor McConnell being absent.

75. **SIMULTANEOUS PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 94-D-053 AND PRELIMINARY PLAN, LAING HOMES** (Tape 8)

Supervisor Berger stated that Laing homes has filed Special Exception Application SE 94-D-053 to permit an R-1 Cluster on approximately 23 acres at the northeast quadrant of Sugarland Road and the planned Fairfax County Parkway. He moved that the Board direct staff to simultaneously process Special Exception Application SE 94-D-053 with the Preliminary Plan for the subject property. Following a clarification, this motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Trapnell being out of the room, Supervisor McConnell being absent.

76. **TRANSPORTATION ADVISORY COMMITTEE (TAC) RECOMMENDATIONS** (Tape 8)

(BACs)

(R)Supervisor Berger moved adoption of the Resolution, copies of which were distributed to the Board, directing staff to:

■Review the Transportation Advisory Commission (TAC) recommendations; and

■Report with recommendations regarding implementation of these transportation improvements, including recommendations for appropriations to be included in the Fiscal Year (FY) 1996 Budget.

This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Frey suggested that the Board direct staff to present any budget recommendations at a meeting of the Budget Committee.

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

77. **APPOINTMENT TO HUMAN SERVICES COUNCIL** (Tape 8)

(APPT)

Supervisor Berger moved the appointment of Ms. Mary Fischer to fill the unexpired term of Mr. Sidney Bostian as a Dranesville District Representative on the Human Services Council. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

**78. WAIVER REQUEST FOR SHARED PARKING APPLICATION FEE PAID BY THE MCLEAN BIBLE CHURCH** (Tape 8)

Supervisor Berger reminded the Board that in April, 1994 it had approved shared parking between the McLean Bible Church and Cooper Middle School. The Church was required to pay \$900 to the Department of Environmental Management (DEM) for a Parking Study and is now requesting a waiver of the fee. Supervisor Berger moved that the Board direct staff to waive the fee for Shared Parking Application SPA 73-D-151-3 paid by the McLean Bible Church and refund the payment to the applicant.

Following a query to David P. Bobzien, County Attorney, the motion was withdrawn because it is specifically prohibited by statute.

**79. DEPARTMENT OF RECREATION AND COMMUNITY SERVICE'S "CLASSIC AMERICAN TOURS"** (Tape 8)

Supervisor Berger stated that constituents from his District called his attention to a letter and brochure produced by the Department of Recreation and Community Services which advertised vacation trips, "Classic American Tours." Supervisor Berger asked unanimous consent that the Board direct staff to answer the following questions:

- Did the Board authorize this activity, and if so, when?
- Was this competitively bid with the co-sponsoring firm?
- How much is being spent to promote this activity? and
- Does the staff believe that this is an activity in which the County government should be involved?

Following discussion, without objection, the request was so ordered.

**80. NATIONAL GIRL SCOUTS WEEK, MARCH 12-18, 1995** (Tape 8)

Supervisor Frey noted that the week of March 12-18 is National Girl Scouts Week and asked unanimous consent that the Board direct staff to prepare a Proclamation for presentation to a representative of the Girl Scouts at the Board meeting scheduled for February 27, 1995. Without objection, it was so ordered.

**81. RECOGNITION OF STUDENTS WHO HAVE BEEN SELECTED AS "PEOPLE TO**

**PEOPLE" STUDENT AMBASSADORS** (Tape 8)

Supervisor Frey said that it has come to his attention that nine Fairfax County seventh grade students have been selected to participate in the People to People Student Ambassador Program. They will represent the United States on a three-week tour to Australia this summer.

Supervisor Frey said that these young people are from Rocky Run Middle School, Ormond Stone Intermediate, Sidney Lanier Middle School and Robinson Secondary School. Since most of the students are residents of the Sully District, several have contacted Supervisor Frey and requested support for their trip.

Supervisor Frey asked unanimous consent that the Board:

- Direct staff to invite the students to appear before the Board prior to their trip and make a brief presentation describing the People to People Program; and
- Present the students with Fairfax County mementos for them to present to the Australian Parliament and others throughout their travels.

Without objection, it was so ordered.

**82. CONCURRENT FILING OF LAND USE APPLICATIONS BY CHANTILLY 50-28 ASSOCIATES AND PROPOSED ABANDONMENT OF A PORTION OF PENROSE PLACE** (Tape 8)

Supervisor Frey said that Chantilly 50-28 Associates, L.P., is preparing to submit a Rezoning Application on approximately 75 acres in the southwest quadrant of the intersection of Route 50 and Route 28 (Tax Map Reference 34-3((1))7A, 17, 19, 26, 27, 28, and 33). This property was the subject of a Plan amendment adopted in December 1994.

Supervisor Frey said that as part of this rezoning, a portion of Penrose Place right-of-way is proposed to be abandoned and utilized for development. Penrose Place is a prescriptive right-of-way and will require Fairfax County and the Virginia Department of Transportation (VDOT) action to abandon. To include this to-be-abandoned roadway in the Rezoning Application, authorization from the Board is required.

Therefore, Supervisor Frey moved that the Board:



- Concur in the filing of the Rezoning, Special Exception and Special Permit Applications by Chantilly 50-28 Associates, L.P., so that those applications may include approximately 1000 linear feet of right-of-way of Penrose Place (Route 911) more specifically that portion of Penrose Place immediately north of and adjacent to Tax Map Reference 34-3((1))33; and
- Authorize staff to review and analyze the proposed abandonment of Penrose Place and to schedule it for Board action concurrent with the Board action on the zoning applications.

Supervisor Frey noted that this action in no way prejudices any action required by the Board on the Rezoning, Special Exception Applications and/or abandonment. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell being absent.

**83. ORDWAY ROAD CONSERVATION AREA SANITARY SEWER** (Tape 8)

Supervisor Frey said that at the January 23, 1995 Board of Supervisors meeting, the Board approved expansion of the sewer service area to include the Ordway Road Conservation Area in Sully District.

Supervisor Frey stated that now that the technicalities have been taken care of, the County needs to quickly move to the next stage of the process. Therefore, Supervisor Frey moved that funding, final design, and actual construction of the Ordway Road Conservation Area Sanitary Sewer be given priority and that every effort be made to move this long-awaited improvement through the system as quickly as possible. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

**84. REQUEST TO SURVEY LEE HIGH VILLAGE FOR POSSIBLE ELIGIBILITY FOR CONSERVATION AREA** (Tape 8)

Supervisor Frey stated that Lee High Village, a residential community of approximately 81 single-family homes located south of Route 29, west of Shirley Gate Road, and north of Braddock Road; has a documented history of inadequate and failing septic systems. Based on the most recent Health Department survey, in 1987, 35 percent of the existing homes were experiencing some problem with their existing sewage disposal systems. The majority of the systems are approximately 35 years old or older and have far exceeded their life expectancy.

To preserve this stock of affordable housing and to eliminate existing and potential health hazards associated with failing septic systems, Supervisor Frey moved that the Board direct the Fairfax County Redevelopment and Housing Authority to survey the existing

conditions in Lee High Village to determine if the area may be eligible for conservation in accordance with Title 36 of the *Code of Virginia*, as amended. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

**85. REQUEST FOR EXPEDITIOUS ACTION REQUIRED TO PROVIDE PUBLIC SEWER TO MRS. MILDRED C. MICHELS LOCATED AT 12908 OXON ROAD**  
(Tape 8)

Supervisor Frey said that Mrs. Mildred Michels petitioned the County for sanitary sewer service. Following normal procedure, the Health Department evaluated the existing septic system and erroneously determined that it was functioning satisfactorily. While it was true that the technical operation of the tank and distribution box was properly functioning on the day of the inspection, consideration was not given to the history of malfunctions when it rained and when the system was more heavily used, such as with visitors in the house.

Supervisor Frey said that, at his request, the Health Department reviewed the situation and determined that Mrs. Michels does qualify for E&I funds to connect to public sewer which, in fact, runs in front of her residence.

Due to the severity of the problem being experienced by Mrs. Michels and the fact that a sewer line is available for immediate connection, Supervisor Frey moved that the Board direct staff to expedite the necessary paperwork and actions required to provide public sewer to Mrs. Mildred C. Michels located at 12908 Oxon Road. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Dix being out of the room, Supervisor McConnell being absent.

**86. EXPANSION OF AIR SERVICE BETWEEN WASHINGTON DULLES INTERNATIONAL AIRPORT AND CANADA** (Tape 8)

(R)Supervisor Frey, on behalf on Supervisor McConnell presented a proposed Resolution from the Economic Development Authority (EDA) regarding expansion of air service between Washington Dulles International Airport and Canada. He stated that the EDA endorsed the Resolution and has requested that the Board endorse it and forward a copy to the County's Congressional Delegation.

Accordingly, Supervisor Frey moved:

- Adoption of the Resolution; and
- That the Board direct staff to forward a copy of the Resolution to the County's Congressional Delegation.

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

**87. REQUEST FOR ECONOMIC IMPACT STATEMENT AS PART OF REVIEW OF CHANGES TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112**

**(ZONING ORDINANCE) REGARDING RETAIL USES IN INDUSTRIAL DISTRICTS** (Tape 8)

On behalf of Supervisor McConnell, Supervisor Frey stated that the Board will be reviewing changes to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Retail Uses in Industrial Districts. This issue could have a real impact on the businesses in the County's Industrial Districts.

Therefore, Supervisor Frey moved that the Board direct staff to prepare an Economic Impact Statement (EIS) on the options which will be coming before the Board. Specifically, this statement should address the potential revenue loss to the County if the amendments force some businesses to close. As well, it should address the total number of businesses which would be affected by changes to the Code. He cited a letter from the Fairfax County Chamber of Commerce requesting the EIS.

Following discussion, with input from James P. Zook, Director, Office of Comprehensive Planning (OCP), and William O. Howland, Jr., Assistant to the County Executive, Supervisor Frey withdrew the pending motion and moved that the Board refer the letter from the Chamber of Commerce to staff for a response. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor McConnell being absent.

**88. RECESS/EXECUTIVE SESSION** (Tape 8)

At 1:50 p.m., Supervisor Trapnell 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:

- Fairfax County Code Sections 3-5-1 through 3-8-14, County Civil Service Commission;
- Increase in By-Right Floor Area Ratio (FAR) for Certain Public Uses;
- Bid Evaluation for Adult Detention Center Expansion/Renovation;
- Computer Sciences Corporation versus Board of Supervisors of Fairfax County, et al., In Chancery Number 131653;
- J.D. Fowler, et al., versus William J. Leidinger, et al., In Chancery Number 131530;
- Legal Requirements for Conducting Special Elections;

- Termination of Contract RQ40004220, Johnson Controls World Services, Incorporated (JCWS);
- Patricia Henty versus Carl Peed, et al., In Chancery Number 138126; and
- Solicitations and Sales on Public Roads.

This motion was seconded by Supervisor Berger.

David P. Bobzien, County Attorney, clarified that the first item is the Senior Executive Service Retirement System. The question was called on the motion, as clarified, which carried by a vote of eight, Supervisor McConnell being absent.

At 4:35 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

#### **ACTIONS FROM EXECUTIVE SESSION**

#### **89. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 9)

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 eight, Supervisor McConnell being absent.

#### **90. SETTLEMENT OF COURTYARD BY MARRIOTT, L.P. VERSUS THE BOARD OF SUPERVISORS, AT LAW NUMBER 128944, AND HOST RESTAURANTS, INCORPORATED VERSUS THE BOARD OF SUPERVISORS, AT LAW NUMBER 128946** (Tape 9)

Supervisor Berger moved that the Board authorize the settlements of Courtyard by Marriott, L.P. versus the Board of Supervisors of Fairfax County, Virginia, et al., At Law Number 128944, and Host Restaurants, Incorporated, et al., versus the Board of Supervisors of Fairfax County, Virginia, et al., At Law Number 128946, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell being absent.

91. **RESOLICITATION OF COMPETITIVE BIDS FOR THE EXPANSION/RENOVATION OF THE ADULT DETENTION CENTER (ADC)** (Tape 9)

(R)Supervisor Berger moved adoption of the following Resolution:

**WHEREAS** on December 20, 1994 the County received eight competitive bids for the expansion and renovation of the Adult Detention Center (ADC);

**WHEREAS** certain issues have arisen regarding the intent and application of the Construction Safety Resolution in connection with the analysis of such bids;

**NOW, THEREFORE, BE IT RESOLVED** that Staff is directed to return to the Board of Supervisors on February 27, 1995 with a revised Safety Construction Resolution which modifies the existing Resolution only to the extent necessary to clarify its intent;

**BE IT FURTHER RESOLVED** that if such revised Construction Safety Resolution is adopted, the Director of the Department of Public Works will be directed to resolicit competitive bids for the expansion/renovation of the Adult Detention Center.

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

92. **AUTHORIZATION FOR THE COUNTY ATTORNEY TO FILE A PETITION WITH THE FAIRFAX COUNTY CIRCUIT COURT FOR A SPECIAL ELECTION TO FILL THE VACANCY ON THE BOARD FROM THE PROVIDENCE DISTRICT** (Tape 9)

Supervisor Alexander stated that with Chairman Hanley's election as Chairman, there exists a vacancy on the Board from the Providence District. Accordingly, he moved that the Board authorize the County Attorney to file a petition with the Fairfax County Circuit Court asking for a special election on March 28, 1995 to fill that vacancy. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

(NOTE: Later in the meeting, there was further discussion of this issue. See Clerk's Summary Item CL#94).

93. **USE OF SURPLUS LETTER OF CREDIT PROCEEDS FROM MANCHESTER LAKES PHASES I AND IIIA TO COMPLETE WORK IN PHASES II AND IIIB** (Tape 9)

Supervisor Alexander moved that the Board authorize the Department of Public Works (DPW) to proceed to use the surplus letter of credit proceeds from Manchester Lakes Phases I and IIIA to complete work in Phases II and IIIB. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor McConnell being absent.

94. **SPECIAL ELECTION FOR PROVIDENCE DISTRICT SUPERVISOR** (Tape 9)

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

Supervisor Dix called the Board's attention to its earlier action regarding petitioning the Circuit Court for a Special Election to fill the vacancy on the Board from the Providence District. He asked unanimous consent that the Board direct the County Attorney to notify the Chairmen of the appropriate political Parties, respectively, of the date of the Special Election. Following discussion, with input from David P. Bobzien, County Attorney, without objection, the request was so ordered.

**ADDITIONAL BOARD MATTERS**

95. **LETTER TO STATE SENATOR CALHOUN REGARDING THE WASTE HAULERS' BILL, HOUSE BILL 1802** (Tape 9)

(NOTE: Earlier in the meeting, this issue was discussed. See Clerk's Summary Item CL#12).

Supervisor Hyland stated that he had received a copy of the memorandum from the County Executive regarding House Bill 1802. He reiterated his earlier request that the Board direct staff to fax this correspondence to Senator Robert L. Calhoun (R).

**AM:am**

96. **WELCOME TO BOY SCOUT TROOP 1966** (Tape 10)

Supervisor Bulova announced the presence of Boy Scout Troop 1966 from the Kings Park West Civic Association, accompanied by Bill Rucker, and she warmly welcomed them to the Board Auditorium.

**97.3:30 P.M. - DEFERRAL OF PH ON REZONING APPLICATION RZ 94-H-043 (STANLEY MARTIN COMPANIES, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 10)

(NOTE: The Planning Commission will hold its public hearing on this Rezoning Application on February 23, 1995. Therefore, the public hearing before the Board will be deferred.)

Supervisor Dix moved to defer the public hearing on Rezoning Application RZ 94-H-043 until **February 27, 1995 at 4:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander and Supervisor Berger being out of the room, Supervisor McConnell being absent.

**98.3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 93-Y-006 (JAN C. LEE) (SULLY DISTRICT)** (Tape 10)

Mr. Ahmad M. Mohamadi reaffirmed the validity of the affidavit for the record.

Mr. Mohamadi 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, Julie Schilling, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 93-Y-006 subject to the revised development conditions dated February 13, 1995 and designated as corrected copy. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger and Supervisor Dix being out of the room, Supervisor McConnell being absent.

Supervisor Frey moved modification of the transitional screening requirements and waiver of the barrier requirements along the eastern lot line of the property in favor of those shown on the Special Exception Plat and as qualified by the development conditions. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger and Supervisor Dix being out of the room, Supervisor McConnell being absent.

**99.3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING STREETS, STORM DRAINAGE, AND SANITARY SEWER (COUNTYWIDE)** (Tape 10)

(O)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of January 27 and February 3, 1995.

Following the public hearing, Supervisor Alexander moved adoption of the proposed amendments to the Public Facilities Manual (PFM) regarding streets, storm drainage, and sanitary sewer. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Berger and Supervisor Dix being out of the room, Supervisor McConnell being absent.

**100.3:30 P.M. - DEFERRAL OF PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING NOTIFICATION REQUIREMENTS** (Tape 10)

Supervisor Frey moved to defer the public hearing on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding notification requirements until **March 27, 1995 at 4:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger and Supervisor Dix being out of the room, Supervisor McConnell being absent.

**101.3:30 P.M. - DEFERRAL OF BOARD DECISION ON THE INTERIM USE OF COUNTY-OWNED PROPERTY KNOWN AS TRINITY PLACE BY POST APARTMENT HOMES, L.P. (SULLY DISTRICT)** (Tape 10)

(NOTE: The public hearing on this application was held on January 9, 1995 and Board decision deferred until February 13, 1995.)

Supervisor Frey moved to defer Board decision on the interim use of County-owned property know as Trinity Place until **February 27, 1995 at 4:00 p.m.** This motion was seconded by Supervisor Alexander and carried by a vote of six, Supervisor Berger and Supervisor Dix being out of the room, Supervisor McConnell being absent.

**102.3:30 P.M. - DEFERRAL OF PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112, (ZONING ORDINANCE) REGARDING DENSITY/INTENSITY CREDIT** (Tape 10)

(NOTE: The Planning Commission will hold its public hearing on this application on February 23, 1995.)

Supervisor Frey moved to defer the public hearing on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding density/intensity credit until **February 27, 1995 at 4:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger and Supervisor Dix being out of the room, Supervisor McConnell being absent.

**103.3:30 P.M. - BOARD DECISION ON THE INTERIM USE OF COUNTY-OWNED PROPERTY KNOWN AS TRINITY PLACE BY POST APARTMENT HOMES, L.P. (SULLY DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, this Board decision was deferred. See Clerk's Summary Item CL#101).



104. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 24 (BINGO GAMES AND RAFFLES)** (Tape 10)

(O)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of January 27 and February 3, 1995.

Following the public hearing, which included testimony by three speakers, Supervisor Alexander moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 24 (Bingo Games and Raffles) regarding changes to the State Code provisions on bingo games and raffles which were passed during the Virginia General Assembly's 1994 session, to include the following addition:

■ Under Section 24-1-7, include the words lease or mortgage payments on the property.

This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor McConnell being absent.

SBE:sbe

105. **4:00 P.M. - PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON OLD YATES FORD ROAD (ROUTE 612) AND HENDERSON ROAD (ROUTE 643) (SPRINGFIELD DISTRICT)** (Tape 11)

(Verbatim)

(R)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of January 27 and February 3, 1995.

Following the public hearing, which included testimony by seven speakers, Supervisor Frey, on behalf of Supervisor McConnell, moved adoption of the Resolution requesting the Virginia Department of Transportation (VDOT) to prohibit through truck traffic on portions of Old Yates Ford Road and Henderson Road. This motion was seconded jointly by Supervisor Bulova and Chairman Hanley and carried by a vote of six, Supervisor Hyland and Supervisor Trapnell being out of the room, Supervisor McConnell being absent.

106. **4:00 P.M. - PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON POPLAR TREE ROAD (ROUTE 4831) (SULLY DISTRICT)** (Tape 11)

(Verbatim)

(R)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of January 27 and February 3, 1995.

Following the public hearing, which included testimony by three speakers, Supervisor Frey moved adoption of the Resolution requesting the Virginia Department of Transportation (VDOT) to implement the prohibition of through truck traffic on Poplar Tree Road. This motion was

seconded by Chairman Hanley and carried by a vote of six, Supervisor Dix and Supervisor Hyland being out of the room, Supervisor McConnell being absent.

107. **4:00 P.M. - PH ON THE LEASING OF COUNTY-OWNED PROPERTY LOCATED AT THE CHANTILLY FIRE STATION, 14005 VERNON STREET, CHANTILLY (SULLY DISTRICT)** (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 January 27 and February 3, 1995.

Following the public hearing, Supervisor Frey moved that the Board authorize the County Executive to execute a lease with American Personal Communications (APC) for the purpose of installing a cellular communications base station on property located at the Chantilly Fire Station, 14005 Vernon Street, Chantilly [Tax Map Reference 34-4((6))61]. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Dix and Supervisor Berger being out of the room, Supervisor McConnell being absent.

108. **4:00 P.M. - PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON MONTGOMERY STREET (ROUTE 2671) (MASON DISTRICT)** (Tape 11)

(Verbatim)

(R)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of January 27 and February 3, 1995.

Following the public hearing, which included testimony by one speaker, Supervisor Trapnell moved adoption of the Resolution requesting the Virginia Department of Transportation (VDOT) to implement the prohibition of through truck traffic on Montgomery Street. This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Berger being out of the room, Supervisor McConnell being absent.

109. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-027 (SPRINGHILL FOOD SERVICE L.C.) (PROVIDENCE DISTRICT)** (Tape 11)

Ms. Mary Jane Kuehn reaffirmed the validity of the affidavit for the record.

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

Supervisor Berger disclosed the following contribution which he had received:

- In excess of \$200 from Mr. Jeff Price to the Committee to Elect Berger.

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

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of Special Exception Application SE 94-P-027 subject to the revised development conditions dated January 18, 1995. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Frey being out of the room, Supervisor McConnell being absent.

Supervisor Hanley moved approval of the following waivers:

- The open space waiver;
- The interior parking lot landscaping waiver;
- The peripheral parking lot landscaping waiver; and
- Waiver of the transitional screening and barrier requirements along the south boundary.

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

Supervisor Hanley moved that the Board direct the Director of the Department of Environmental Management (DEM) to approve a modification or waiver of the tree cover requirement, should a Site Plan be required. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey being out of the room, Supervisor McConnell being absent.

110. **4:30 P.M. - DEFERRAL OF PH ON REZONING APPLICATION RZ 94-P-030 (COLD STREAM DEVELOPMENT, LIMITED) (PROVIDENCE DISTRICT)** (Tape 11)

(NOTE: The Planning Commission will hold its public hearing on this application on March 9, 1995.)

Supervisor Hanley moved to defer the public hearing on Rezoning Application RZ 94-P-030 until **March 13, 1995 at 3:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey being out of the room, Supervisor McConnell being absent

Vice-Chairman Dix returned the gavel to Chairman Hanley.

111. **4:30 P.M. - PH ON AGRICULTURAL AND FORESTAL DISTRICT RENEWAL AR 85-V-002 (MARTIN B. JARVIS, SR. AND VIVIAN I. JARVIS) (MOUNT VERNON)**

**DISTRICT** (Tape 11)

(O)Mr. Martin B. Jarvis affirmed the validity of the affidavit for the record.

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

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

Supervisor Hyland moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115, appendix F-19 (Local Agricultural and Forestal Districts Ordinance), to renew the Jarvis Local Agricultural and Forestal District (AR 85-V-002) subject to the revised Ordinance provisions dated December 21, 1994 as contained in Appendix One of the Staff Report. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor McConnell being absent.

**112.4:30 P.M. - DEFERRAL OF PH ON SPECIAL EXCEPTION APPLICATION SE 94-Y-046 (KINDER CARE LEARNING CENTERS, INCORPORATED) (SULLY DISTRICT)** (Tapes 11-12)

Supervisor Frey moved to defer indefinitely Special Exception Application SE 94-Y-046, Kinder Care Learning Centers, Incorporated. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being absent.

**113.4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-015 (ABRAHAM J. KANG) (PROVIDENCE DISTRICT)** (Tape 12)

Mr. Mark Mittereder reaffirmed the validity of the affidavit for the record.

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

Supervisor Berger disclosed the following contributions which he had received:

- In excess of \$200 from Mr. George P. and Ms. Angela D. Shafran to the Committee to Elect Berger; and
- A contribution from Mr. John D. Shafran to the Committee to Elect Berger.

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

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of Special Exception Application SE 94-P-015 subject to the revised development conditions dated January 18, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Hanley moved a waiver of the transitional screening and barrier requirements, pursuant to paragraph five of Section 13-304 of the Zoning Ordinance. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

Supervisor Hanley moved waiver of the service drive requirement along Route 29. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell being absent.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

**114.4:30 P.M. - PH ON THE SALE OF COUNTY-OWNED PROPERTY LOCATED AT 6811 ELM STREET, MCLEAN (DRANESVILLE DISTRICT)** (Tape 12)

(R)A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of January 27 and February 3, 1995.

Following the public hearing, Supervisor Berger moved adoption of the Resolution authorizing the sale of County-owned property located at 6811 Elm Street, McLean [Tax Map Reference 30-2((10))(4)0005B], to Mr. Joseph Blue. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell being absent.

**115.4:30 P.M. - BOARD DECISION ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING OCCUPANCY OF A DWELLING UNIT** (Tape 12)

(O)(NOTE: The public hearing on this application was held on December 5, 1994 and Board decision deferred until January 9, 1995. The Board decision was again deferred until February 13, 1995.)

Because of Supervisor McConnell's absence, Supervisor Frey moved to defer Board Decision on proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding occupancy of a dwelling unit until **March 13, 1995**.

The motion died for lack of a second.

Following discussion, Supervisor Hyland moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding occupancy of a dwelling unit to become effective on **February 14, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Berger.

Supervisor Dix asked to amend the motion to direct staff to report in two years, after two years of operation, with an analysis indicating the successes and/or challenges and difficulties of the Ordinance for Board consideration at that time, and this was accepted.

The question was called on the motion, as amended, which **CARRIED** by a recorded vote of six, Supervisor Frey and Supervisor Trapnell voting "NAY," Supervisor McConnell being absent.

Supervisor Bulova moved that the Board direct staff to:

- Review the County's authority, policies, and ordinances relating to over-crowding, and how many persons may safely occupy a dwelling unit; and
- Report with recommendations for improved enforcement and/or ways to address this issue.

The motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor McConnell being absent.

### **ADDITIONAL BOARD MATTER**

#### **116. REQUEST FOR CONCURRENT PROCESSING FOR SITE PLAN AND PARKING STUDY FOR VILLAGES AT WEST FALLS CHURCH** (Tape 12)

Supervisor Berger stated that the Villages at West Falls Church is a 250-unit project adjacent to the Falls Church Metro Station and that the developer plans to provide immediate access from the project to the Station. The applicant filed a Parking Reduction Plan on February 14, 1994, and it has not yet been presented to the Board. The developer is under a constraint to submit the Site Plan to the Department of Environmental Management (DEM).

Therefore, Supervisor Berger moved that the Board direct the Director of DEM to accept Site Plan 6690SP02 for processing concurrently with the pending Parking Study. This action does not prejudice or assume the approval of the Site Plan. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell being absent.

#### **117. BOARD ADJOURNMENT** (Tape 12)

At 7:00 p.m., the Board adjourned.