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The meeting was called to order at 9:40 a.m. with all Members being present, and with Chairman Hanley presiding.

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

2. **PERFORMANCE BY FAIRFAX COUNTY EMPLOYEES GOSPEL CHOIR IN HONOR OF BLACK HISTORY MONTH** (Tape 1)

The Fairfax County Employees Gospel Choir performed a song in honor of Black History Month.

3. **PROCLAMATION DESIGNATING THE WEEK OF MARCH 12 THROUGH MARCH 18, 1995 AS "NATIONAL GIRL SCOUTS WEEK" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Frey moved approval of the Proclamation presented to Vickie Egler, Troop Leader; Sarah Egler and Jenny Carver, Junior Scouts; and Sara Zenor and Phyllis Spiece, Senior Scouts; designating the week of March 12 through March 18, 1995 as "**National Girl Scouts Week**" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE FAIRFAX CORNER IN MOSCOW INTERNSHIP PROGRAM** (Tape 1)

Supervisor Bulova moved approval of the Certificate of Recognition presented to members of the Fairfax Corner in Moscow Internship Program. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO GERTRUDE L. WRIGHT UPON HER RETIREMENT FROM THE COMMISSION ON AGING** (Tape 1)

Supervisor Hyland moved approval of the Certificate of Recognition presented to Gertrude L. Wright upon her retirement from the Commission on Aging. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

6. **PROCLAMATION DESIGNATING THE MONTH OF MARCH, 1995 AS "WOMEN'S HISTORY MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of the Proclamation presented to Emily McCoy, Chair, Commission for Women, designating the month of March, 1995 as "**Women's History Month**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Hanley recognized the presence of Leslie Byrne, former Congresswoman from Virginia's 11th District, and Jean Packard, former Chairman of the Board of Supervisors, and welcomed them to the Board Auditorium.

7. **PROCLAMATION DESIGNATING FEBRUARY 27, 1995 AS "ART APPRECIATION DAY" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Hanley moved approval of the Proclamation presented to John Stenbit, Chairman of the Arts Council of Fairfax County, designating February 27, 1995 as "**Art Appreciation Day**" in Fairfax County. This motion was seconded by Vice-Chairman Dix and carried by a vote of eight, Supervisor McConnell being out of the room.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO THE SPONSORS OF THE DEPARTMENT OF COMMUNITY ACTION'S "ADOPT-A-FAMILY" PROGRAM** (Tapes 1-2)

Supervisor Hyland moved approval of the Certificate of Recognition presented to the Sponsors of the Department of Community Action's "Adopt-A-Family" Program. This motion, the second to which was inaudible, carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room.

9. **10:15 A.M. - VIDEOTAPE PRESENTATION OF AN INTRODUCTORY SEGMENT OF THE HISTORY CHANNEL** (Tape 2)

Chairman Hanley announced that the videotape presentation of an introductory segment of the History channel would be deferred until the meeting scheduled for **March 13, 1995**.

10. **10:00 A.M. - PRESENTATION OF THE DON SMITH EMPLOYEES ADVISORY COUNCIL AWARDS** (Tape 2)

John Burdette, Chairman, Employees Advisory Council (EAC) presented the Don Smith Certificates of Merit for recognition to:

- Gerald Carpenter, Office of Comprehensive Planning;
- Bernadette Costello, Department of Public Works;
- John Dockstader, Mount Vernon Center for Community Mental Health;
- Barry W. Dunlap, Equipment Management Transportation Agency (EMTA);
- John Fowler, Police Department;
- Leila Gordon, Reston Community Center;
- John C. Harris, Jr., Department of Fire and Rescue;
- Ruth Hershner, Area Agency on Aging;
- Carol Hoffman, Park Authority;
- Karen E. Margensey, Human Rights Commission;
- Marvis Marshall, Purchasing and Supply Management Agency;
- Robert J. Pratt, Park Authority;
- Patricia B. Silvey, Police Department;
- Virginia W. Stanton, Office of Road Program Management, Department of Public Works;
- Judith Stevenson, Office for Children; and
- Mary Jane Thornton, Mount Vernon High School.

Mr. Burdette presented the Don Smith EAC Awards to:

- Leon Winston, Navy Elementary School; and
- Ray DeFreese, Real Estate Division, Department of Tax Administration.

BOARD MATTER**11. LEE DISTRICT SUPERVISOR ALEXANDER ANNOUNCES HIS RETIREMENT AT THE END OF THE YEAR (Tape 2)**

Lee District Supervisor Joseph Alexander announced he would be retiring from the Board at the end of this term and thus, will not be seeking reelection. Following a standing ovation, Board Members paid tribute to Supervisor Alexander's accomplishments as Lee District Supervisor for 32 years.

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12. COUNTY EXECUTIVE'S PRESENTATION ON THE RECOMMENDED FISCAL YEAR (FY) 1996 BUDGET (Tapes 3-4)

William J. Leidinger, County Executive presented his recommended Fiscal Year (FY) 1996 Budget.

Following discussion, Supervisor Dix asked unanimous consent that the Board direct staff to provide the Board with information regarding the following:

- How the "Most Pressing Needs" listed under the Capital Improvement Program (CIP) on page 14 of the revised copy of the Presentation, were developed and by whom;
- If there is a "Small Schools Policy" to deal with schools with an enrollment level of less than 300 students, how it will be implemented by the School Division and its budget implications;
- The status of "Take-Home Vehicles" for the School Division, the County government, the Park Authority, the Redevelopment and Housing Authority, the Water Authority and any other agencies in the County that have access to such vehicles, including the following:
 - Who has the vehicle;
 - Year, make, and model of vehicle;
 - Date vehicle was acquired;
 - Acquisition cost of the vehicle and what it replaced when it was acquired; and
 - The operation and maintenance cost of the vehicle over the past 12 months.

- An update on the School Division's health and flexible benefits fund, including:
 - The status and amount of reserve funds since FY 1991;
 - The history of employee contribution increases or decreases since FY 1991; and
 - Similar comparative data on the General County.

Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board continue its Policy whereby any budget question that is submitted in writing by a Board Member is answered with copies distributed to all Members of the Board. Without objection, it was so ordered.

Chairman Hanley called the Board's attention to a memorandum distributed to Board Members that she had received from Mr. Gary Jones, Chairman of the School Board, regarding the staffing reserves. Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that issues addressed in the memorandum by Mr. Jones be added to the impending answers to budget questions in addition to information on the impact of the State budget on Fairfax County's budget. Without objection, it was so ordered.

Supervisor Hanley asked unanimous consent that the Board direct staff to circulate the street light list. Without objection, it was so ordered.

Following discussion, Supervisor Hanley asked unanimous consent that the Board direct staff to provide more specific information on the impact of the State budget as well as the impact of federal legislation. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

Following further discussion, Supervisor Berger asked unanimous consent that the Board direct staff to provide the Board with the following information regarding the 500 positions which were eliminated from the School Division:

- Names and social security numbers of the employees involved;
- What the jobs were that were eliminated; and
- Current location of the 500 people.

Following discussion, with input from Mr. Leidinger, Supervisor Berger amended his request to direct staff to request the School Board to report with:

- The number of positions eliminated;
- Whether those positions were filled or unfilled; and
- Whether there was an actual Reduction-in-Force (RIF) and, if so, whether other positions were found for the incumbents.

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

(NOTE: Later in the meeting, this request was clarified. See Page 7.)

Supervisor Berger asked unanimous consent that the Board direct staff to provide the following information:

- How much of the \$5.7 million listed on the CIP under "Most Pressing Needs" on page 14 of the revised copy of the Presentation, will go toward renovating the Lee and Mount Vernon Recreation Centers.

Without objection, it was so ordered.

Following further discussion, with input from William J. Leidinger, County Executive, and Edward L. Long, Jr., Director, Office of Management and Budget, Supervisor Hyland asked unanimous consent that the Board direct staff to provide the Board with:

- An analysis of the School Division's request for Bond Referendums in FY 1995 and FY 1997; and
- Recommendations as to how the Board should address the County's unmet capital requirements versus the School Division's unmet capital requirements and report with suggestions regarding prioritization.

Without objection, it was so ordered.

Following further discussion, Supervisor Frey asked unanimous consent that the Board direct staff to provide Board Members with information regarding the impact of the CIP on the General Fund. Without objection, it was so ordered.

Supervisor Frey announced that the Budget Subcommittee Workshops are open to the public and are scheduled for Monday, April 3 and Monday, April 10, 1995, at 10:00 a.m. and Friday, April 21, 1995 at 10:00 a.m.

Supervisor Bulova asked unanimous consent that due to a scheduling conflict the Budget Subcommittee meetings scheduled for April 21 be scheduled for 2:00 p.m. Without objection, it was so ordered.

The schedule for the Budget Subcommittee meetings are listed below for clarification:

Monday, April 3, 1995 at 10:00 a.m.;
Monday, April 10, 1995 at 10:00 a.m.; and
Friday, April 21, 1995 at 2:00 p.m.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that:

- The Board direct staff to provide Board Members with answers to budget questions asked at today's meeting by Monday, April 3, 1995; and
- Any Board Members with questions that they would like to submit in writing to the County Executive do so by that same date with copies to other Members of the Board.

Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

Following further discussion, Supervisor Berger clarified his earlier request for information regarding the School Division's reduction in staff. The information requested is as follows:

- Names and titles of the 500 employees whose jobs were eliminated; and
- If those employees are still on the payroll, in what capacity they currently serve by job title.

Supervisor Alexander asked unanimous consent that the Board direct staff to provide budget recommendations which could eliminate the need to advertise a tax increase. Without objection, it was so ordered.

13. **11:00 A.M. - REPORT ON GENERAL ASSEMBLY ACTIVITIES** (Tape 4)

Supervisor Dix, Chairman, Board's Legislative Subcommittee, briefly outlined Legislative Report Number Three and expressed his appreciation to staff for their efforts on behalf of the Board.

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14. **11:15 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 4)

(APPTS)

(BACs)

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Supervisor McConnell moved the reappointment of Mr. Philip Rosenthal as the Springfield District Representative to the A. Heath Onthank Memorial Award Selection Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

(NOTE: The appointments of the At-Large and the Providence District Representatives to the A. Heath Onthank Memorial Award Selection Committee were deferred.)

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Chairman Hanley moved the appointment of Mr. James Carey as the At-Large (Lending Institution) Representative to the Affordable Dwelling Unit Advisory Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Trapnell moved the appointment of Mr. Thomas Hyland as the At-Large (Citizen) Representative to the Affordable Dwelling Unit Advisory Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

ALCOHOL SAFETY ACTION PROGRAM (ASAP)**CONFIRMATION:**

Supervisor Dix moved that the Board confirm the following appointment to the Alcohol Safety Action Program (ASAP) Board:

- Ms. Kay Garvey as the Mothers Against Drunk Driving (MADD) Representative.

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

ATHLETIC COUNCIL

Supervisor Berger moved the following reappointments to the Athletic Council:

- Ms. Doris Leadbetter as the Dranesville District (Principal) Representative; and
- Mr. Chad Mitchell as the Dranesville District (Alternate) Representative.

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

Supervisor Dix moved the following reappointments to the Athletic Council:

- Mr. Harold Leff as the Hunter Mill District (Principal) Representative; and
- Mr. William G. Bouie as the Hunter Mill District (Alternate) Representative.

This motion was seconded by Chairman Hanley.

Supervisor Hyland moved the reappointment of Ms. Barbara F. O'Brien as the Mount Vernon District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Alexander.

Supervisor Frey moved the reappointment of Mr. Karl E. Spinnenweber as the Sully District (Principal) Representative to the Athletic Council. This motion was seconded by Supervisor Alexander.

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

[NOTE: The appointments of the Mount Vernon District (Alternate) and the Springfield District (Alternate) Representatives to the Athletic Council were deferred.]

BOARD OF BUILDING CODE APPEALS

[NOTE: The appointment of the At-Large (Engineer/Alternate) Representative to the Board of Building Code Appeals was deferred.]

(NOTE: Later in the meeting, action was taken to reappoint a member to the Board of Building Code Appeals. See Clerk's Summary Page#14.)

CHAS COORDINATING COMMITTEE

Supervisor McConnell moved the appointment of Mr. William B. Hurd, Jr. as the Springfield District Representative to the CHAS Coordinating Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

COMMUNITY ACTION ADVISORY BOARD

CONFIRMATIONS:

Supervisor Hyland moved that the Board confirm the following appointments to the Community Action Advisory Board:

- Ms. Rita Moore as the Head Start Policy Council Representative;
- Ms. Jo Ann Feder as the League of Women Voters Representative; and
- Dr. Flo Graham as the George Mason University Representative.

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

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

COMMUNITY CORRECTIONS RESOURCES BOARD

Supervisor Dix moved the appointment of Ms. Faith Kauders as the At-Large Representative to the Community Corrections Resources Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (Formerly the Project Selection Committee)

CONFIRMATION:

Supervisor McConnell moved that the Board confirm the following appointment to the Community Development Advisory Committee:

- Mr. Christopher Riddick as the Town of Herndon Representative.

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

Supervisor Hyland moved the appointment of Ms. Mary T. Collyer as the Mount Vernon District (Gunston-Wiley Community) Representative to the Community Development Advisory Committee. This motion was seconded by Supervisor Berger and carried by unanimous vote.

[NOTE: The appointment of the Sully District (Ordway Road Conservation Area) Representative to the Community Development Advisory Committee was deferred.]

COMMUNITY IMPROVEMENT COMMITTEE

Supervisor Dix moved the appointment of Ms. Martha Garvie as the At-Large Representative to the Community Improvement Committee. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Berger moved the reappointment of Mr. Michael J. Dennis as the Dranesville District Representative to the Community Improvement Committee. This motion was seconded by Supervisor Alexander.

Supervisor McConnell moved the appointment of Mr. John N. Pannullo as the Springfield District Representative to the Community Improvement Committee. This motion was seconded by Supervisor Hyland.

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

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

ENGINEERING STANDARDS REVIEW COMMITTEE

CONFIRMATION:

Supervisor Hyland moved that the Board confirm the following appointment to the Engineering Standards Review Committee:

- Mr. Dana K. Eddy as the Associated Builders and Contractors Representative.

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

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

Supervisor Dix moved the appointment of Mr. Andrew Procko as the At-Large Representative to the Environmental Quality Advisory Council.

Following discussion, Supervisor Bulova moved to defer the appointment of the At-Large Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Trapnell and **CARRIED** by a recorded vote of eight, Supervisor Dix voting "NAY."

FAIRFAX AREA DISABILITY SERVICES BOARD

(NOTE: The appointment of the Springfield District Representative to the Fairfax Area Disability Services Board was deferred.)

HUMAN SERVICES COUNCIL

(NOTE: The appointment of the Springfield District Representative to the Human Services Council was deferred.)

JUVENILE COURT CITIZEN ADVISORY COUNCIL

Supervisor Dix moved the appointment of Ms. Annie Belle Calhoun as the At-Large Representative to the Juvenile Court Citizen Advisory Council.

Following a brief discussion, Supervisor Bulova moved to defer the appointment of the At-Large Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Dix voting “NAY.”

Supervisor Hyland moved the appointment of Mr. Thomas E. Gallahue as the Mount Vernon District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

(NOTE: The appointments of the At-Large and the Providence District Representatives to the Juvenile Court Citizen Advisory Council were deferred.)

MECHANICAL ADVISORY AND LICENSING BOARD

Supervisor Trapnell moved the reappointment of Mr. Victor T. Fahringer as the At-Large (Manufacturer and/or Distributor) Representative to the Mechanical Advisory and Licensing Board. This motion was seconded by Supervisor Alexander.

Supervisor Dix moved the appointment of Mr. G. Neil Midkiff as the At-Large (Resident) Representative to the Mechanical Advisory and Licensing Board. This motion was seconded by Supervisor Hyland.

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

NORTHERN VIRGINIA PRIVATE INDUSTRY COUNCIL**CONFIRMATIONS:**

Supervisor Hyland moved that the Board confirm the following appointments to the Northern Virginia Private Industry Council:

- Mr. Daniel Stabile as the Falls Church Private Sector Representative; and
- Ms. Deborah Mottzman as the Educational Representative.

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

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**CONFIRMATIONS:**

Supervisor Dix moved that the Board confirm the following appointments to the Oversight Committee on Drinking and Driving:

- Mr. Frank Wilson as the Mothers Against Drunk Driving (MADD) Representative;
- Ms. Rachelle Bennett as the Northern Virginia Association of Realtors Representative;
- Mr. Todd Sanders as the Commonwealth's Attorney Representative;
- Ms. Marge-Toni Gersic as the Community Services Board Representative;
- Judge Jonathan C. Thacher as the General District Court Representative;
- Lieutenant R. Scott Bailey as the Sheriff's Office Alternate Representative; and
- Lieutenant Colonel David Franklin as the Police Department Representative.

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

SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMISSION

(NOTE: The appointment of the At-Large Representative to the Small and Minority Business Enterprise Program Advisory Commission was deferred.)

AD-HOCS**CITIZENS ADVISORY COMMITTEE ON SOLID WASTE**

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

EMPLOYER CHILD CARE COUNCIL**CONFIRMATION:**

Supervisor Hyland moved that the Board confirm the following appointment to the Employer Child Care Council:

- Ms. Denise Feldman as the Hospitality Representative.

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

UPPER HOLMES RUN ENVIRONMENTAL MONITORING ADVISORY COMMITTEE

[NOTE: The appointments of the Mason and the Providence District (Raymondale Civic Association/Alternate) Representatives to the Upper Holmes Run Environmental Monitoring Advisory Committee were deferred.]

ADDITIONAL APPOINTMENTS**BOARD OF BUILDING CODE APPEALS**

Supervisor McConnell moved the reappointment of Mr. D. Anthony Beale as the At-Large (Engineer/Alternate) Representative to the Board of Building Code Appeals. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

URBAN PARTNERSHIP

Chairman Hanley moved the appointments of Mr. Robert P. Rogers, Jr. and Ms. Kathryn MacLane as Business Community Representatives to the Urban Partnership. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

DULLES RAIL POLICY COMMITTEE

Chairman Hanley informed the Board that she currently represents the Northern Virginia Transportation Commission (NVTC) on the Dulles Rail Policy Committee and Supervisor Dix is the current Board of Supervisors Representative.

Chairman Hanley moved that the Board reverse these appointments so that Supervisor Dix will be the NVTC Representative to the Dulles Rail Policy Committee and she will be the Board of Supervisors Representative. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

FAIRFAX COUNTY PARK AUTHORITY

Supervisor Dix moved the appointment of Ms. Linda Douglas to fill the unexpired term of Mr. Daniel Benson as the Hunter Mill District Representative to the Fairfax County Park Authority. This motion was seconded by Supervisor Frey and carried by unanimous vote.

AM:am

15. **ADMINISTRATIVE ITEMS** (Tape 5)

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

Supervisor Frey called the Board's attention to Administrative Item 4 - Authorization to Advertise a Public Hearing Regarding the Dedication of a Portion of County-Owned Property Located on I-66/Parkway Interchange For the Franconia-Springfield Parkway to the Virginia Department of Transportation for Road Improvements (Sully District) and asked that the motion be amended to correct the title from Franconia-Springfield Parkway to the Fairfax County Parkway, and this was accepted.

Supervisor Dix called the Board's attention to Administrative Item 14 - Fairfax County Police Department Grant Application to the Office of Community Oriented Policing Services, U.S. Department of Justice, For the Accelerated Hiring, Education and Deployment Program (COPS AHEAD) and asked that the motion be amended to consider this item separately, and this was accepted.

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

ADMIN 1 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 89-M-051, STAR ENTERPRISE (MASON DISTRICT)

- (AT) Approved the request for 24 months of additional time to commence construction for Special Exception Application SE 89-M-051 until January 28, 1997 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 2 - FEASIBILITY OF A "TALKING HIGHWAY" PROJECT FOR THE MOUNT VERNON AREA

Approved of the staff recommendation not to pursue the project regarding the technical and economic feasibility of establishing a Travelers Information System (TIS), or "Talking Highway" to serve the Interstate 95 and US Route 1 corridor in the Mount Vernon area of the County.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF THE LONG GAMBLE PUMP STATION TO THE UPPER OCCOQUAN SEWAGE AUTHORITY (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 27, 1995 at 4:00 p.m.** regarding the conveyance of County-owned property, a portion of Tax Map Number 65-3((1))37B, to the Upper Occoquan Sewage Authority (UOSA).

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE DEDICATION OF A PORTION OF COUNTY-OWNED PROPERTY LOCATED ON I-66/PARKWAY INTERCHANGE FOR THE FAIRFAX COUNTY PARKWAY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR ROAD IMPROVEMENTS (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 27 1995 at 3:30 p.m.** regarding the dedication of County-owned property, a portion of Tax Map Number 56-1((1))2, to the Virginia Department of Transportation (VDOT).

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE DEDICATION OF COUNTY-OWNED PROPERTY LOCATED ON OX ROAD/ROUTE 123 TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR ROAD IMPROVEMENTS (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 27, 1995 at 3:30 p.m.** regarding the dedication of County-owned property, a portion of Tax Map Number 87-1((3))A, to the Virginia Department of Transportation (VDOT).

ADMIN 6 - AUTHORIZATION OF A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON BRADDOCK ROAD (ROUTE 620) (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **March 27, 1995 at 4:00 p.m.** to consider restricting through truck traffic on a portion of Braddock Road between Columbia Pike (Route 244) and Lincolnia Road (Route 613).

ADMIN 7 - SUBMISSION OF FISCAL YEAR (FY) 1996 STATE GRANT APPLICATION FOR MARKETING PROGRAM OF RIDESHARING AND TRANSIT SERVICES BY THE OFFICE OF TRANSPORTATION TO THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (ALL DISTRICTS)

- (R) Adopted the Resolution authorizing the submittal of a grant application in the amount of \$236,886 to the Virginia Department of Rail and Public Transportation (VDRPT) for the marketing and promotion of ridesharing and transit services during Fiscal Year (FY) 1996.

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95052 FOR CONTINUATION OF THE VIRGINIA PRIMARY CARE GRANT AWARDED TO THE AFFORDABLE HEALTH CARE PROGRAM

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 95052 in the amount of \$180,000. The grant award will continue to fund five percent of program capacity or an anticipated 1,400 treatment visits with related ancillary clinical services at the two County primary care health centers.

ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95053 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT \$15,000 FROM VIRGINIA DEPARTMENT OF CORRECTIONS DISTRICT NUMBER 29 PROBATION AND PAROLE OFFICE

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 950523 for the Fairfax-Falls Church Community Services Board to accept funds in the amount of \$15,000 from the Virginia Department of Corrections District Number 29 Probation and Parole Office.

ADMIN 10 - AUTHORIZATION FOR JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT SERVICES SUBMISSION OF VIOLENCE REDUCTION PROGRAM GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Authorized the Juvenile and Domestic Relations District Court Services to submit a grant application totaling \$61,384 to the Virginia Department of Criminal Justice Services. This grant will expand and enhance existing Court services by establishing a program of violence reduction services.

ADMIN 11 - AUTHORIZATION FOR JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT SERVICES SUBMISSION OF THE DETENTION RELEASE AND SERVICES PROGRAM GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Authorized the Juvenile and Domestic Relations District Court Services to submit a grant application totaling \$69,081 to the Virginia Department of Criminal Justice Services.

This grant will allow the court to continue the Detention Release and Service Program.

ADMIN 12 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95050, FOR THE FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC DIVISION, FOR A TOTAL INFORMATION NETWORK CRASH INVESTIGATION SYSTEM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 95050 in the amount of \$25,000 to fund a Total Information Network Crash Investigation System.

ADMIN 13 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95049 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT, TRAFFIC DIVISION, YOUTH IMPAIRED DRIVING PROGRAM

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 95049 in the amount of \$19,730, to fund a Youth Impaired Driving Program.

ADMIN 14 - FAIRFAX COUNTY POLICE DEPARTMENT GRANT APPLICATION TO THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, U. S. DEPARTMENT OF JUSTICE, FOR THE ACCELERATED HIRING, EDUCATION AND DEPLOYMENT PROGRAM (COPS AHEAD)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Items CL#16 and CL#98.)

ADMIN 15 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, SPRINGFIELD AND SULLY DISTRICTS)

(R) Approved the request that certain streets listed in the Memorandum to the Board dated February 27, 1995 be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Evonshire II	Dranesville	Chadwell Court Springvale Road, (Route 674) Additional right-of-way only
Timberlake Estates South Section 4	Dranesville	Kimberly Place Landy Lane Georgetown Pike, Route 193 Additional right-of-way only
Sycamore Ridge Section 3	Hunter Mill	Iron Forge Road

Sycamore Ridge Section 5	Hunter Mill	Iron Forge Road Weather Vane Way Weathered Oak Court
Burke Lake Estates Section 2	Springfield	Knolls Pond Lane Woodvale Pond Drive Homar Pond Drive, Route 8660
Second Addition to Hampton Forest	Sully	Hamlet Hill Way, Route 8487 Hamlet Hill Court

16. **ADMIN 14 - FAIRFAX COUNTY POLICE DEPARTMENT GRANT APPLICATION TO THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, U. S. DEPARTMENT OF JUSTICE, FOR THE ACCELERATED HIRING, EDUCATION AND DEPLOYMENT PROGRAM (COPS AHEAD)**
(Tape 5)

Following discussion, with input by William J. Leidinger, County Executive; William J. Heffron, Director, Planning and Research Bureau, Police Department; and Robert M. Ross, Assistant County Attorney, Supervisor Hyland moved approval of the Fairfax County Police Department's application to the Office of Community Oriented Policing Services in the amount of \$1,875,000 to enable the hiring of 25 additional law enforcement officers to support and expand community policing throughout the County. This motion was seconded by Supervisor Alexander.

Supervisor Dix moved a substitute motion that the Board:

- Direct staff to review the grant request figures and provide to the Board today a report of what could be funded in staffing levels if general fund dollars were used in the operation without participation of this grant, using the same formula that was used in the Fiscal Year (FY) 1995 budget preparation to authorize 56 new police positions; and
- Defer this item until later today.

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

(NOTE: Later in the meeting, additional action was taken on this item. See Clerk's Summary Item CL#98.)

17. **A-1 - PROPOSED COUNTY COMMENTS TO THE FEDERAL COMMUNICATIONS COMMISSION (FCC) ON TELEPHONE COMPANY/CABLE TELEVISION CROSS-OWNERSHIP RULES** (Tape 5)

On motion of Supervisor Alexander, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed comments to be filed with the Federal Communications Commission (FCC) on the Telephone Company/Cable Television Cross-Ownership Rules.

18. **A-2 - ADOPTION OF FINAL COMMUNITY IMPROVEMENT PROGRAM ASSESSMENTS FOR THE MOUNT ZEPHYR, PHASE I COMMUNITY (MOUNT VERNON DISTRICT)** (Tape 5)

- (Rs) On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the Resolutions establishing the final assessments for Mount Zephyr, Phase I Community Improvement Program Project.

19. **A-3 - STREET NAME CHANGE FOR OAKTON ESTATES DRIVE (PROVIDENCE DISTRICT)** (Tape 5)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board concur in the recommendation of staff and approve a street name change in the Official Street Names and Property Numbering Atlas from Oakton Estates Drive to Copper Court. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

20. **A-4 - DESIGNATION OF PLANS EXAMINERS STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM** (Tape 5)

On motion of Supervisor Alexander, seconded by Supervisor Frey, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Designated the following individuals, identified with their registration numbers, as Plans Examiners:
 - John P. Storms (130);
 - Bharat Bhargava (131);
 - Lawrence E. Ireland (132); and
 - Bhoopendra Prakash (133).

- Designate inactive status for the following individuals electing not to pursue the continuing education requirements of the Designated Plans Examiner Program:
 - Anthony Gaffey (23);
 - Paul Huston (101);
 - Charles Kilpatrick (35);
 - Timothy Kopro (38);
 - Bruce Nassimbeni (72);
 - Jeff Parobek (83); and
 - Steve Schulte (46).

- Reinstatement of the following individuals as Designated Plans Examiners:
 - Fred Ameen (95) - effective upon completion of Fairfax Course IV (March 21, 1995) and 24 hours of peer review service; and
 - Rashad Siraj (44) - effective upon completion of Fairfax Course IV (March 21, 1995) and 24 hours of peer review service.

21. **A-5 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING FLOOR AREA RATIO (FAR) FOR PUBLIC USES IN THE R-A THROUGH R-4 DISTRICTS** (Tape 5)

(R)

(A) Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on March 22, 1995 and before the Board of Supervisors on **April 17, 1995 at 4:00 p.m.** on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning) regarding Floor Area Ratio (FAR) for public uses in the R-A through R-4 Districts. This motion was seconded by Supervisor Alexander.

Supervisor Hyland asked to amend the motion to correct a typographical error so that the proposed FAR for public uses in the R-2 District is 0.25, and this was accepted.

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

22. **A-6 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING EATING ESTABLISHMENTS IN OFFICE DISTRICTS** (Tape 5)

(R)

(A) On motion of Supervisor McConnell, seconded by Supervisor Frey, and carried by unanimous vote, 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 May 10, 1995 and before the Board of Supervisors on **June 26, 1995 at 3:30 p.m.** on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding eating establishments in office districts.

23. **A-7 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING VETERINARY HOSPITALS** (Tape 5)

(R)

(A) On motion of Supervisor McConnell, seconded by Supervisor Frey, and carried by unanimous vote, 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 May 10, 1995 and before the Board of Supervisors on **June 5, 1995 at 3:30 p.m.** on the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding veterinary hospitals.

24. **A-8 - STAFF RESPONSE TO DISABILITY BOARD'S REPORT** (Tape 5)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent to defer the approval of the report of the Fairfax Area Disability Services Board. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#33.)

25. **I-1 - FAIRFAX COUNTY'S COMMENTS REGARDING WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY'S (WMATA) PROPOSED FISCAL YEAR (FY) 1996 METRORAIL CONSTRUCTION BUDGET (COUNTYWIDE)** (Tape 5)

Following discussion, with input by Shiva K. Pant, Director, Office of Transportation, the Board next considered an Information Item contained in the Memorandum to the Board dated February 27, 1995 requesting authorization for staff to transmit the letter included

in Attachment II of the Memorandum to the Board to the Washington Metropolitan Area Transit Authority's (WMATA) General Manager in response to his request for comment on the proposed Fiscal Year (FY) 1996 Rail Capital Program Budget.

The staff was directed administratively to proceed as proposed.

26. **I-2 - REDIRECTION OF FUNDING APPROPRIATED TO UNITED COMMUNITY MINISTRIES, INCORPORATED (UCM)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 27, 1995 requesting authorization for staff to redirect funding appropriated by the Board for the United Community Ministries (UCM) Youth Program to UCM personnel costs associated with the education coordinator positions at the BEL Center.

The staff was directed administratively to proceed as proposed.

27. **I-3 - AWARD OF CONTRACT - KINGSTOWNE FIRE STATION (LEE DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 27, 1995 requesting authorization for staff to:

- Award a contract to V.F. Pavone Construction Company in the amount of \$2,720,900 for construction of Project 009077, Kingstowne Fire Station, in Subfund 476, Public Safety Construction; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

28. **I-4 - AWARD OF CONTRACT FOR MANAGEMENT AND MAINTENANCE SERVICES FOR CEDAR RIDGE APARTMENTS IN RESTON (HUNTER MILL DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 27, 1995 requesting authorization for staff to award a contract to Quantum Property Management Corporation in an amount not to exceed \$75,075 for a one-year period to provide management and maintenance services for Cedar Ridge Apartments in Reston, contingent upon acquisition of subject property by the anticipated closing date.

The staff was directed administratively to proceed as proposed.

29. **I-5 - AWARD OF CONTRACT - COMPREHENSIVE SECURITY AUDITS, PLANS AND TRAINING** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 27, 1995 requesting authorization for staff to award a contract to Public Safety Management Associates in the amount of \$60,075 for comprehensive security audits, plans and training.

Supervisor Dix asked unanimous consent that the Board direct staff to determine if Public Safety Management Associates had been a County business, would they have been required to pay Business, Professional, and Occupational tax (BPOL). Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board direct staff to determine if Safety Management Associates is a Virginia firm, whether they have to pay BPOL tax in their jurisdiction. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

30. **I-6 - CONTRACT AWARD - CONSTRUCTION OF INTERIOR INTERPRETIVE EXHIBITS IN THE HORTICULTURE CENTER AT GREEN SPRING GARDENS PARK (MASON DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 27, 1995 requesting authorization for staff to:

- Award a contract to Kearney and Associates in the amount of \$116,983 for construction of interior interpretive exhibits in the Horticulture Center at Green Spring Gardens Park as part of Project 004690, Green Spring Gardens, Subfund 451, Park Authority Bond Construction; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

31. **I-7 - CONTRACT AWARD - CONSTRUCTION OF A REC CENTER WEIGHT ROOM AND RELATED WORK AT WAKEFIELD PARK (BRADDOCK DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 27, 1995 requesting authorization for staff to:

- Award a contract to Golden Construction, Incorporated, in the amount of \$47,138 for construction of a rec center weight room, and related work at Wakefield Park as part of Project 004596, Wakefield Park, Subfund 950, Park Authority Capital Improvement Trust Fund; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

32. **I-8 - CONTRACT AWARD - CONSTRUCTION OF TWO CUL-DE-SACS, TWO PARKING AREAS AND LIGHTING AT GREEN SPRING GARDENS PARK (MASON DISTRICT)** (Tape 5)

The Board next considered an Information Item contained in the Memorandum to the Board dated February 27, 1995 requesting authorization for staff to award a contract to District Paving Corporation in the amount of \$338,800 for construction of two cul-de-sacs, two parking areas, and lighting at Green Spring Gardens Park as part of Project 004690, Green Spring Gardens, Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

33. **A-8 - STAFF RESPONSE TO DISABILITY BOARD'S REPORT** (Tape 5)

(NOTE: Earlier in the meeting, there was discussion regarding this item. See Clerk's Summary Item CL#24.)

Following discussion, with input by Martha Glennan, Chairman, Fairfax Area Disability Services Board, Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the staff response to the report of the Fairfax Area Disability Services Board as outlined in the Memorandum to the Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

ADDITIONAL BOARD MATTERS

34. **LETTER FROM BILL CRAMER, CHAIRMAN, CONSOLIDATED PLAN REVIEW COMMITTEE** (Tape 5)

Chairman Hanley noted that she had received a letter from Bill Cramer, Chairman, Consolidated Plan Review Committee regarding funding for AHOME, which she distributed to all Board Members.

35. **LETTER FROM GARY L. JONES, CHAIRMAN, FAIRFAX COUNTY SCHOOL BOARD** (Tape 5)

Chairman Hanley noted that she had received a letter from Gary L. Jones, Chairman, Fairfax County School Board, regarding budget issues which she distributed to all Board Members.

36. **EARTH DAY - ARBOR DAY** (Tape 5)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board officially recognize Earth Day - Arbor Day. Without objection, it was so ordered.

37. **PROCLAMATION FOR NATIONAL KIDNEY FOUNDATION MONTH** (Tape 5)

Supervisor Hanley asked unanimous consent that the Board:

- Proclaim March as National Kidney Month; and
- Direct staff to prepare a Proclamation to be presented at the Board meeting scheduled for March 13, 1995.

Without objection, it was so ordered.

38. **LETTER FROM VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (Tape 5)

Supervisor Hanley stated that she had received a letter from the Virginia Department of Transportation (VDOT) regarding the process for changing the revision of subdivision street requirements.

Supervisor Hanley asked unanimous consent that the Board direct staff to review this letter and report with an explanation of the proposal. Without objection, it was so ordered.

39. **FEASIBILITY OF PROVIDING THE FAIRFAX COUNTY INFORMATION NETWORK BULLETIN BOARD SYSTEM DATA IN OTHER LANGUAGES** (Tape 5)

Supervisor Hanley stated that the Fairfax County Government Information Network computer Bulletin Board System is designed to provide citizens, business groups, government organizations and all other interested parties who have access to a computer and modem with an electronic medium for obtaining information about County Government.

Supervisor Hanley noted that the categories of information available include purchasing, personnel, public safety, assessments, and the Board of Supervisors. Currently this information is provided in English only. This information is of considerable value to County residents who may speak languages other than English. These residents are currently unable to enjoy the advantages of access to this information by way of a high-speed, convenient medium.

Supervisor Hanley moved that the Board direct staff to study the feasibility of providing users of the Fairfax County Information Network Bulletin Board System with the choice to receive information in a number of languages in addition to English, including but not limited to Spanish, Vietnamese, and Korean. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

40. **GRANT APPLICATION BY TYSONS TRANSPORTATION ASSOCIATION, INCORPORATED, (TYTRAN) TO THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (VDRPT)** (Tape 5)

Supervisor Hanley stated that Tysons Transportation Association, Incorporated, (TYTRAN) is planning to apply for a grant from the Virginia Department of Rail and Public Transportation (VDRPT) to survey and develop public transportation recommendations in the greater Tysons area. Staff is reviewing the draft grant application which is due on March 3, 1995.

Supervisor Hanley moved:

- When the Transportation staff is satisfied that their comments have been addressed and incorporated in the grant application, that the Board authorize staff to send a letter to VDRPT indicating Board endorsement of the grant application; and
- That the Board direct staff to provide it with a copy of the final grant application.

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

41. **YOUTH VIOLENCE AND GANG ACTIVITY** (Tape 5)

(BACs)

Supervisor Hanley stated that, while incidents of youth violence may not be considered at a crisis in Fairfax County, recent increases in gang activity and youth violence require immediate attention. There is growing concern for youth and the overall increase of juvenile crime in the County.

Supervisor Hanley noted that several assumptions are already clear: it contributes to the increase of violence in the adult community; it affects the quality of life of every citizen; it costs the taxpayers in monetary and human resources; and that conflict resolution programs for youth are effective. Fairfax County has many public and private programs

and activities directed at reducing youth violence. Communities currently involved include schools, criminal justice, the human service agencies, religious, business, and neighborhood and civic associations.

In order to focus the attention of the larger Fairfax community on reducing youth violence and to promote coordination between the various efforts, Supervisor Hanley moved that the Board establish a "Community Initiative to Reduce Youth Violence." This task force will be composed of representatives from the community to include youth and families, schools, civic and service groups, law enforcement, business, the media, and religious groups. The goals of the Initiative shall include the following:

- Determine the effect of youth violence in Fairfax County;
- Conduct a community audit to determine what is being done on the issue of youth violence; and
- Develop recommendations that utilize a common agenda for reducing youth violence in Fairfax County.

Supervisor Hanley stated that at the next Board meeting she will propose a specific membership structure, but she hopes that Board Members will have suggestions about groups that should be involved. There would be a representative from each Supervisor district. This motion was seconded by Supervisor Dix.

Supervisor McConnell asked to amend the motion that the Board direct staff to search the Board records from the past two years concerning the previous approval of this task force, and this was accepted.

Supervisor Bulova asked to amend the motion to include on the task force the coordinators for the Community Coalition, and this was accepted.

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

Vice-Chairman Dix returned the gavel to Chairman Hanley.

PMH:pmh

42. **CONCERN REGARDING THE PROPOSED RESTRICTION OF THE USE OF THE DULLES AIRPORT ACCESS ROAD (DAAR) TO AIRPORT USERS ONLY**
(Tape 6)

Supervisor Dix stated that the Aviation Subcommittee of the United States House of Representatives is currently dealing with H.R. 775, a bill to dissolve the Congressional Board of Review for the Metropolitan Washington Airports Authority (MWAA).

Supervisor Dix noted that there are indications that language has or may soon be included in the bill to limit traffic on the Dulles Airport Access Road (DAAR) to airport users only. He said that such a provision would have an adverse impact on various forms of transportation in the Dulles Corridor.

Supervisor Dix said that legislation passed the recently concluded 1995 session of the Virginia General Assembly (H.B. 1728) which authorizes bonds for the construction of a fourth lane on the Dulles Toll Road and is awaiting the Governor's signature. Construction on that fourth lane could begin within the next 12 months. The fourth lane was recommended by a special citizen advisory task force appointed by the Virginia Commonwealth Transportation Board (CTB).

Supervisor Dix said that a component of the recommendation included a requirement that the DAAR be made available for use by high occupancy vehicles (HOV) including car pools during the construction period. That period is projected to be approximately two years.

Supervisor Dix moved that the Board authorize correspondence to be sent to the Chairman of the Aviation Subcommittee as well as to all members of the Virginia delegation to the United States House of Representatives and United States Senate, expressing the Board's concern about any language being added to H.R. 775 which would restrict use of the DAAR to airport users only. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander being out of the room.

43. **REQUEST FOR STATUS REPORT ON THE FAIRFAX COUNTY GOVERNMENT CHILD CARE CENTER** (Tape 6)

Supervisor Dix asked unanimous consent that the Board direct staff to provide a status report on the Fairfax County Government Child Care Center including whether there is a waiting list for access to the facility. Without objection, it was so ordered.

44. **BELTWAY HIGH OCCUPANCY VEHICLE (HOV) TASK FORCE** (Tape 6)

(BACs)

Supervisor Dix asked unanimous consent that the Board include representation from the Hunter Mill District Council on the Beltway High Occupancy Vehicle (HOV) Task Force. Without objection, it was so ordered.

45. **MAJOR LEAGUE BASEBALL** (Tape 6)

Supervisor Dix stated that the Major League Baseball Expansion Committee is scheduled to meet in Florida on March 7 and March 8, 1995 and complete their work. It is expected that they will make a recommendation to all 28 major league owners to add two teams to the major leagues for play beginning in 1997 or 1998. There is a possibility that the Expansion Committee will also recommend that two teams be added for play beginning in 1999 or the year 2000. The collective owners are expected to make a decision on the Committee recommendations by March 9, 1995.

Supervisor Dix acknowledged the participation of Virginia Baseball Club, Incorporated, and Mr. William Collins, III, Chairman and Chief Executive Officer (CEO). On behalf of the Board, Supervisor Dix expressed his appreciation for their continued efforts in participating in the process for site selection by making a presentation to the task force and in the pursuit of recent legislation which enhances Northern Virginia's chances for being selected as a location for major league baseball in 1997 or 1998 which recently passed the General Assembly.

As a follow-up to the Resolution adopted by the Board on February 13, 1995, in support of major league baseball in Fairfax County, Supervisor Dix moved that the Board acknowledge these efforts and wish Mr. Collins and Virginia Baseball Club, Incorporated, good luck and best wishes in their efforts to bring a major league baseball franchise to Northern Virginia. He added that it is the hope of the Board that the Major League Baseball owners also recognize such efforts during their deliberations in March. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Alexander being out of the room.

46. **MARCH AS MENTAL RETARDATION AWARENESS MONTH** (Tape 6)

Supervisor Bulova said that throughout the United States, March is celebrated as Mental Retardation Awareness Month. In Fairfax County, The Arc of Northern Virginia, in conjunction with People First, the Fairfax-Falls Church Community Services Board and self advocates from Central Fairfax Services, educate the public about the abilities and needs of people with mental retardation and their families throughout the month of March.

Therefore, Supervisor Bulova moved that the Board proclaim March as Mental Retardation Awareness Month and direct staff to invite Arc and the other groups to appear before the Board on March 13, 1995 to receive the Proclamation. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor Alexander being out of the room.

47. **REQUEST FOR INFORMATION AT THE PERSONNEL SUBCOMMITTEE MEETING** (Tape 6)

Supervisor Bulova said that she has received a copy of a letter dated February 6, 1995 from Peter J. Schroth, Director, Office of Personnel, to Robert Carter and Kim Pittman from the AFSCME Council 30 and Local 1924, in response to their letter of December 9, 1994 listing high priority issues for the members of AFSCME Local 1924. She noted that this issue is scheduled to come before the Personnel Subcommittee.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide cost estimates for the items requested. Without objection, it was so ordered.

48. **VINSON HALL - SPECIAL EXCEPTION AMENDMENT APPLICATION
SEA 80-D-045-2** (Tape 6)

Supervisor Berger said that American Communications has a Special Exception Amendment Application pending to co-locate telecommunication facilities on the roof of the Vinson Hall elderly housing structure. This application has a favorable recommendation from the Planning Commission and staff.

To allow co-location to occur at the earliest possible date, Supervisor Berger moved that the Board direct staff to:

- Schedule the public hearing before the Board on March 27, 1995; and
- Simultaneously process any necessary Site Plan or Site Plan Waiver requests.

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

49. **REQUEST FOR SIGN VARIANCE AT SAM'S SUNOCO IN MCLEAN** (Tape 6)

Supervisor Berger stated that Sam's Sunoco in McLean is undergoing renovations that are significantly improving the appearance of the station which is located in the Central Business District (CBD).

Supervisor Berger said that the final work to be completed, and the most important in terms of visibility for customers are the canopy and the station signage. He added that the request for a sign variance and canopy has been submitted to staff for review.

Therefore, Supervisor Berger moved that the Board direct staff to expedite the review and final approval of the sign variance. This motion was seconded by Supervisor Trapnell.

Following input from David P. Bobzien, County Attorney, Supervisor Berger restated the motion for purposes of clarification:

- That the Board direct staff to expedite the review of this application.

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

50. **PROCEDURES SUBCOMMITTEE MEETING** (Tape 6)

Supervisor Berger asked that a Procedures Subcommittee meeting be scheduled for March 6, 1995 at 9:00 a.m. regarding a staff response to issues raised by the Board.

Following discussion, with input from William O. Howland, Jr., Assistant to the County Executive, it was determined that the meeting could not be scheduled at this time.

51. **HIGH OCCUPANCY VEHICLE (HOV) BELTWAY BRIEFING** (Tape 6)

Supervisor Berger said that the Virginia Department of Transportation (VDOT) was prepared to appear before the Transportation Subcommittee on March 6, 1995 at 10:30 a.m. to brief the Board on the High Occupancy Vehicle (HOV) project for the Beltway.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board direct staff to schedule a briefing before the Board on this issue. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

52. **DRANESVILLE DISTRICT RESIDENT JACK MOSER WINS THE MOBIL MASTERS MILE** (Tape 6)

Supervisor Berger announced that Dranesville District resident Jack Moser won the Mobil Masters Mile on Saturday, February 25, 1995 and he asked unanimous consent that the Board direct staff to invite Mr. Moser to appear before the Board to be recognized for his accomplishment. Without objection, it was so ordered.

NV:nv

53. **FLOW CONTROL OF SOLID WASTE** (Tape 7)

Supervisor Hyland referred to his written Board Matters, one of which highlighted the issue of flow control laws that allow local governments to designate facilities to which solid waste generated within each jurisdiction must be taken. However, on May 26, 1994 a decision by the United States Supreme Court overruled that authority. Since that decision, Congress has been working to draft appropriate legislation that would grandfather existing facilities which would protect the contract made among the local legislators, the owners of the facility, and the bond holders.

Supervisor Hyland stated that he had received a follow-up communication on this subject from the National Association of Counties (NACo), copies of which were distributed to the Board, stating that hearings on the flow control issue could be held very soon. Therefore, he moved that the Board direct staff to write a letter under the Chairman's signature to Senator John Chafee, and other federal legislators, expressing support for flow control legislation providing it would uphold the waste materials contracts made prior to the United States Supreme Court decision on May 16, 1994. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of seven, Supervisor Berger voting "NAY," Supervisor Alexander being out of the room.

54. **RETIRED FIRE ENGINE REQUESTED BY HISTORIC MOUNT VERNON**
(Tape 7)

Supervisor Hyland noted that he had recently received a letter from Jim Rees, Resident Director of the historic Mount Vernon estate, which indicated that the Fairfax County Fire and Rescue Department will soon receive eight new fire engines to replace obsolete ones and that the Mount Vernon Ladies' Association is requesting consideration of a donation of one of the old ones. According to Mr. Rees' letter, copies of which were distributed to the Board, when a similar event occurred 10 years ago, the County contributed one of its "retiring" engines to the Association. The Association is once again requesting a "retired" fire engine for use at Mount Vernon, which maintains a fully trained crew to answer calls 24 hours a day, 365 days a year.

Accordingly, Supervisor Hyland asked unanimous consent that the Board:

- Refer this request to staff; and
- Direct staff to report with a recommendation as to the possibility of donating one fire engine to the Mount Vernon Ladies' Association upon the County's receipt of new firefighting apparatus.

Without objection, it was so ordered.

55. **METROPOLITAN WASHINGTON AIRPORTS AUTHORITY**
CONGRESSIONAL BOARD OF REVIEW AND NATIONAL'S PERIMETER
RULE (Tape 7)

Supervisor Hyland referred to his written Board Matter concerning National Airport's Perimeter Rule and briefly outlined the issue. Recently the United States Senate introduced legislation S.288 which, in part, seeks to eliminate the Perimeter Rule at National Airport. If the Perimeter Rule is eliminated it could have serious consequences to the current equitable number of flights at Washington-Dulles International Airport and National Airport, lead to the expansion of National Airport, and weaken the presence of Washington-Dulles International Airport in the region. He also stated the concerns of the Washington Airports Task Force.

Therefore, Supervisor Hyland moved that the Board direct staff to prepare a letter for the Chairman's signature to the Virginia senators and members of the House of Representatives stating the Board's support for:

- Maintaining the Perimeter Rule at National Airport; and
- Finding a resolution to the airports' constitutional issues relating to the Congressional Review Board.

This motion was seconded by Supervisor Dix.

Following discussion, which highlighted the urgency of action on this issue, the question was called on the motion which carried by a vote of eight, Supervisor Berger being out of the room.

56. **ROUTE 123 ROAD WIDENING** (Tape 7)

Supervisor Hyland called the Board's attention to his written Board Matter concerning the widening of Route 123 from Burke Lake Road south to the Prince William County line. He stated that Route 123 is a vital circumferential route for both counties. It is in both the Comprehensive Plan and the Commonwealths Sub-Regional Plan. The Northern Virginia Transportation Coordinating Council, comprised of elected officials, approved the allocation of federal dollars from the Regional Surface Transportation Fund. Included in that is \$4.7 million for Route 123 improvements for both Prince William and Fairfax Counties. Supervisor Hyland stated that the Virginia Department of Transportation (VDOT) preallocation public hearing is scheduled for March for interstate and primary roads and the County needs to seek additional funding for the Route 123 project at that time.

Following discussion, Supervisor Hyland moved that the Board request:

- Chairman Hanley;
- Supervisor Berger, Chairman, Board's Transportation Committee,
- Supervisor McConnell; and
- Representatives from Prince William County, who have been working with Supervisor McConnell,

to meet with the federal and state transportation committees to request full funding to complete the widening of Route 123 in Fairfax County. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

57. **MASON NECK OVERLAY DISTRICT TASK FORCE** (Tape 7)

Supervisor Hyland stated that at the February 13, 1995 Mason Neck Overlay District Task Force meeting, they adopted in principle the concept of establishing an historic overlay district for the following areas:

- Beginning at the Southern terminus of Old Colchester Road (the Occoquan River) and terminating at the northern end of Old Colchester Road (intersecting with Route One); and
- Along Gunston Road beginning at Indian Springs Farm and terminating at Gunston Hall.

Accordingly, Supervisor Hyland moved that the Board direct staff to prepare all appropriate and required material to draft a document for public comment so that an Historic Overlay District for Mason Neck can be considered. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room.

58. **WAIVER REQUEST FOR DEDICATION FOR FUTURE WIDENING FOR PUBLIC STREET PURPOSES FOR LOTS IN THE WELLINGTON SUBDIVISION** (Tape 7)

Supervisor Hyland called the Board's attention to a letter from Ms. Helen B. Druva who owns certain lots, 39D and 5, in the Wellington Subdivision, Kent and Southdown Roads. She is requesting a waiver for the dedication for future widening for public street purposes for these lots until such time as the road may be widened at which time she would give the requisite dedication.

Accordingly, Supervisor Hyland moved that the Board direct the County Executive to expeditiously review and approve Ms. Druva's request with the understanding that there would be an agreement that at such future time when road widening occurs, the dedication would be given. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room.

59. **CONCURRENT PROCESSING FOR GUNSTON ELEMENTARY SCHOOL SITE PLAN AND BUILDING PERMIT WITH PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE)**(Tape 7)

Supervisor Hyland called the Board's attention to a request he had received regarding the renovation project at Gunston Elementary School. Accordingly, he moved that the Board direct the Director of the Department of Environmental Management (DEM) to process concurrently the Site Plan and/or Building Permit for the School with the public hearing for the proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Floor Area Ratio (FAR) for public uses in the R-A through R-4 Districts. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room.

PMH:pmh

60. **REQUEST FOR STAFF RESPONSE REGARDING THE CHILD CARE CENTER FOR THE FRANCONIA-SPRINGFIELD METRO STATION** (Tape 8)

Supervisor Alexander referred to a previous Board Matter regarding a child care center for the Franconia-Springfield Metro Station. He asked unanimous consent that the Board direct staff to respond as expeditiously as possible. Without objection, it was so ordered.

NV:nv

61. **REQUEST TO REVIEW CONSOLIDATION OF COUNTY AND SCHOOLS ADMINISTRATION FUNCTIONS** (Tape 9)

Supervisor Trapnell stated that the Board is currently considering the School Board budget for Fiscal Year (FY) 1996. The Board is searching for ways to conduct business more efficiently to give taxpayers the most value for their money.

Accordingly, Supervisor Trapnell moved that the Board direct the County Executive to:

- Work with the Superintendent of Schools to develop a plan to present to the Board within six months to address a consolidation of the personnel and payroll functions of the General County and School Division; and
- Report the reasons why this cannot be done if it justifiably cannot be accomplished.

This motion was seconded by Supervisor Bulova. Following discussion, the question was called on the motion which carried by unanimous vote.

62. **EXPRESSION OF APPRECIATION TO STAFF** (Tape 9)

Supervisor Trapnell said that Ron Martinson, formerly of Chairman Davis' Office, asked that she convey his appreciation to all the staff with whom he has worked. He appreciated their kindness and help which they extended to him while working on various projects and he especially appreciated their professionalism.

63. **ENFORCEMENT OF BUMPER LAW** (Tape 9)

Supervisor McConnell stated that she had been contacted by a constituent regarding the seeming lack of enforcement of the "bumper law" in the County. The concern is over vehicles whose suspension and bumpers have been raised in strict violation of Sections 46.2-1-63 and 46.2-1064 of the *Code of Virginia* which states that no motor vehicle may drive on public roads to "expose the gas tank" or to increase the bumper height to exceed 31 inches from the ground dependent on the vehicle's gross weight rating.

Accordingly, Supervisor McConnell moved that the Board direct staff to review this matter to increase enforcement. This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Bulova asked to amend the motion to direct staff to determine the apparent "loophole" in the law, and this was accepted. The question was called on the motion, as amended, which carried by unanimous vote.

64. **REQUEST FROM EASTWOOD PROPERTIES TO EXPEDITE AND CONCURRENTLY PROCESS PRELIMINARY PLAN, SITE PLAN AND PROFILES FOR A PROPERTY** (Tape 9)

Supervisor McConnell called the Board's attention to a letter from Dick Labbe of Eastwood Properties in which he requested expedited and concurrent processing of a Preliminary Plan, Site Plan and the profiles for a property located at Tax Map Number 94-2-01-11B. The property is currently owned by Mrs. Ruby Otis and will be sold to Mr. Labbe subject to final Site Plan approval. Because Mrs. Otis faces mounting medical bills, the sale of the property would assist her financially.

Therefore, Supervisor McConnell moved that the Board direct staff to concurrently process the Preliminary Plan, Site Plan and profiles for the subject property. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

65. **INTENT TO DEFER BOARD DECISION ON THE INTERIM USE OF COUNTY-OWNED PROPERTY KNOWN AS TRINITY PLACE BY POST APARTMENT HOMES, LIMITED PARTNERSHIP (SULLY DISTRICT)** (Tape 9)

Supervisor Frey moved to defer Board Decision until **March 13, 1995 at 4:30 p.m.** on the Interim Use of County-Owned Property Known as Trinity Place by Post Apartment Homes, Limited Partnership. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

(NOTE: Later in the meeting, at the appropriate time, the Board took formal action on this deferral. See Clerk's Summary Item CL#97.)

66. **FEE WAIVER FOR REVIEW OF WAIVER OF SERVICE DRIVE REQUIREMENT FOR BATAL BUILDERS** (Tape 9)

Chairman Hanley reminded the Board that on September 26, 1994 the Board approved Rezoning Application RZ 93-P-003 in the name of Batal Builders to rezone approximately 15.22 acres at the intersection of Arlington Boulevard and Prosperity Avenue. During the staff review of the application, staff of the Office of Transportation considered and subsequently supported a request by the applicant for a waiver of the service drive requirement along the Arlington Boulevard frontage of the site. However, inadvertently, a formal motion to waive the requirement was not made as part of the formal approval of the application by the Board. Consequently the waiver request is being addressed for a second time during the Subdivision Plat Review and requires a \$500 filing fee to review.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board direct the Director of the Department of Environmental Management (DEM) to waive the filing fee associated with the request to waive the service drive requirement along the

Arlington Boulevard frontage of the site. Following input from David P. Bobzien, County Attorney, indicating the Board's authority to waive the fee in this particular case because of the error, the motion was seconded by Supervisor Bulova. The question was called on the motion which carried by unanimous vote.

67. **EXPEDITIOUS AND CONCURRENT PROCESSING OF THE SITE PLAN WITH SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-P-022, SUNRISE RETIREMENT HOMES** (Tape 9)

Supervisor Hanley stated that Sunrise Retirement Homes and Communities will be filing a Special Exception Amendment Application for an elderly housing facility on Hunter Mill Road in Providence District. The Application seeks to reconfigure the layout of buildings, parking, and other site amenities previously approved by the Board.

Because this is not a change in use and because Sunrise Homes has a long waiting list of elderly citizens wishing to live in such facilities, Supervisor Hanley moved that the Board direct the staff to:

- Process the amendments to the Special Exception Amendment Application SEA 87-P-022 as expeditiously as possible; and
- Approve concurrent processing of the Site Plan with the SEA; and
- Authorize Department of Environmental Management (DEM) staff to accept the Site Plan for processing as expeditiously as possible.

The applicant understands that the motion does not relieve the applicant from complying with the provisions of any applicable ordinance, regulations, or adopted standards, and it does not prejudice the consideration of the SEA Application in any way.

Following a query to David P. Bobzien, County Attorney, the motion was seconded by Supervisor Bulova and carried by unanimous vote.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

68. **RECESS/EXECUTIVE SESSION** (Tape 9)

At 1:55 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:

- Erroneous Tax Assessment Litigation;
- Rockwell International Corporation versus Board of Supervisors, At Law Number 132183;

- Wendy Diane Geesey versus Clifton Parker, At Law Number 130145;
- Norfolk Southern Operating Access Agreement;
- Patricia Henty versus Carl Peed, et al., In Chancery Number 138126;
- Solicitations and Sales on Public Roads;
- McLean Hamlet Citizens Association versus Board of Supervisors, In Chancery Number 137177;
- Sully Asset Corporation, et al., versus Board of Supervisor, et al., At Law Number 128997; and
- Andrea Moss versus Fairfax County, Virginia, et al., Civil Action Number 94-1052-A.

This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Hyland being out of the room.

At 4:30 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

69. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 10)

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

70. **AUTHORIZATION OF THE FILING OF A LAWSUIT INTERPLEADER OF THE COMPETING CLAIMS OF P.M. PALUMBO, JR.; PALUMBO PROPERTIES, INCORPORATED; AND HUNTLEY, NYCE AND ASSOCIATES** (Tape 10)

Supervisor Frey moved that the Board authorize the:

- Filing of a lawsuit requiring interpleader of the competing claims by P.M. Palumbo, Jr.; Palumbo Properties, Incorporated; and

- Huntley, Nyce, and Associates; and
Staff to pay the disputed funds into the Court.

This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of seven, Supervisor McConnell and Chairman Hanley abstaining.

71. **AUTHORIZATION OF SETTLEMENTS OF SULLY ASSET CORPORATION, ET AL., VERSUS THE BOARD OF SUPERVISORS, AT LAW NUMBER 128997**
(Tape 10)

Supervisor Frey moved that the Board authorize the settlements of Sully Asset Corporation, et al., versus the Board of Supervisors of Fairfax County, Virginia, At Law Number 128997, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Dix and carried by unanimous vote.

72. **AUTHORIZATION OF SETTLEMENT OF ROCKWELL INTERNATIONAL CORPORATION VERSUS BOARD OF SUPERVISORS, AT LAW NUMBER 132183** (Tape 10)

Supervisor Frey moved that the Board authorize the settlement of Rockwell International Corporation versus Board of Supervisors, At Law Number 132183, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Dix and carried by unanimous vote.

73. **DENIAL OF CLAIM OF SCOT E. MARION** (Tape 10)

Supervisor Alexander moved that the Board deny the claim of Scot E. Marion as recommended by the County Attorney in Executive Session. This motion was seconded by Supervisor Berger and carried by unanimous vote.

74. **REVISED CONSTRUCTION SAFETY RESOLUTION REGARDING THE ADULT DETENTION CENTER** (Tape 10)

- (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 ("the Project");

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

WHEREAS, that staff was directed to return to the Board with a revised Construction Safety Resolution which modifies the existing Resolution only to the extent necessary to clarify its intent;

NOW, THEREFORE BE IT RESOLVED that such revised Construction Safety Resolution is adopted, the Notice of Rejection of all bids issued on February 15, 1995, by the Director of the Department of Public Works is hereby ratified and he is directed to resolicit competitive bids for the Project.

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

75. **PROPOSED NORFOLK SOUTHERN OPERATING ACCESS AGREEMENT FOR VIRGINIA RAIL EXPRESS (VRE)** (Tape 10)

Supervisor Frey moved that the Board direct that its representatives to the Northern Virginia Transportation Commission (NVTC):

- Take no action on the proposed Norfolk Southern Operating Access Agreement for the operation of Virginia Railway Express (VRE) at the Commission's March 2, 1995 meeting; and
- Take no further action on the proposed agreement until such time as the Board has had an opportunity to review and comment on the final version of the Norfolk Southern Operating Access Agreement, as proposed by Norfolk Southern Railway, and the letter to NVTC and the Potomac and Rappahannock Transportation Commission (PRTC) from the Secretary of Transportation for the Commonwealth of Virginia regarding Virginia's financial commitment and participation to such project as embodied in the Norfolk Southern Operating Access Agreement.

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

(NOTE: Later in the meeting, there was further discussion of this Agreement. See Clerk's Summary Item CL#100.)

76. **3:30 P.M. - ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY (COUNTYWIDE)** (Tape 10)

Chairman Hanley relinquished the Chair to Acting-Chairman McConnell.

At 4:35 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority was called to order by Vice-Chairman McConnell in accordance with Article III, Section 1 of the Bylaws.

Supervisor Alexander moved that the Board appoint the following officers to the Fairfax County Solid Waste Authority:

OFFICERS

Katherine K. Hanley Chairman, Fairfax County Board of Supervisors	Chairman
Robert B. Dix, Jr. Vice-Chairman, Fairfax County Board of Supervisors	Vice-Chairman
Nancy Vehrs Clerk to the Fairfax County Board of Supervisors	Secretary
Susan S. Planchon Director, Office of Finance	Treasurer
David P. Bobzien County Attorney	Attorney
William J. Leidinger, County Executive	Executive Director
John W. di Zerega Director, Department of Public Works	Authority Representative

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

Former Vice-Chairman McConnell relinquished the Chair to Chairman Hanley.

Supervisor Bulova moved approval of the minutes for the Fairfax County Solid Waste Authority from its meetings of:

- January 23, 1995;
- October 10, 1994; and
- January 24, 1994.

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

Supervisor Alexander moved approval of the financial report for the Authority as contained in the Memorandum to the Board dated February 27, 1995. This motion was seconded by Supervisor Trapnell and carried by unanimous vote.

Following discussion, with input from John W. di Zerega, Director, Department of Public Works, Supervisor Alexander moved approval of the Letter of Credit issued by Mitsubishi Bank for the Series 1988B Energy/Resource Recovery Bonds. This motion was seconded by Supervisor Trapnell and carried by unanimous vote.

At 4:40 p.m., the Annual Meeting of the Fairfax County Solid Waste Authority adjourned.

SBE:sbe

77. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-L-029 AND SPECIAL EXCEPTION APPLICATION SE 94-L-033 (JAMES M. KLINE) (LEE DISTRICT)**
(Tape 11)

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

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

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

Supervisor Alexander moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-L-029 be amended from the I-5 District to the C-8 District subject to the revised proffers dated February 16, 1995 and illustrating in Exhibit A the option for the southernmost shared entrance. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Bulova, Supervisor McConnell, and Supervisor Trapnell being out of the room.

Supervisor Alexander moved approval of Special Exception Application SE 94-L-033 subject to the revised development conditions dated February 9, 1995, with the following modifications:

- Condition Three - revise date of the Proffers to February 16, 1995;
- Condition Four - increase the maximum number of employees from 50 to 60. This will not change the number of parking spaces on this site or the amount of open space; and

- Condition Six - change last sentence to read as follows:
 - "That said contribution shall be provided upon request by the Virginia Department of Transportation (VDOT) when the traffic signal is approved at the entrance shown on Exhibit A of the Proffers in Rezoning Application RZ 94-L-029 dated February 16, 1995."

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

78. **3:30 P.M. - DEFERRAL OF PH ON REZONING APPLICATION RZ 94-P-015 AND SPECIAL EXCEPTION APPLICATION SE 94-P-020 (TYSONS PROMENADE LIMITED PARTNERSHIP AND MCDONALD'S CORPORATION) (PROVIDENCE DISTRICT)** (Tape 11)

(NOTE: The Planning Commission deferred its decision on Rezoning Application RZ 94-P-015 and Special Exception Application SE 94-P-020 until March 2, 1995.)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved to defer the public hearing on Rezoning Application RZ 94-P-015 and Special Exception Application SE 94-P-020 until **March 13, 1995 at 4:30 p.m.** This motion was seconded by Vice-Chairman Dix and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor McConnell, and Supervisor Trapnell being out of the room

Vice-Chairman Dix returned the gavel to Chairman Hanley.

79. **3:30 P.M. - DEFERRAL OF PH ON REZONING APPLICATION RZ 93-H-043 (WOLF TRAP CREEK, LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 11)

(NOTE: The Planning Commission deferred its public hearing on Rezoning Application RZ 94-H-043 until March 30, 1995.)

Supervisor Dix moved to defer the public hearing on Rezoning Application RZ 93-H-043 until **April 17, 1995 at 3:30 p.m.** This motion was seconded by Supervisor Berger and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor McConnell, and Supervisor Trapnell being out of the room.

80. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 93-M-021 AND PCA 93-M-003 (CURRY DEVELOPMENT INCORPORATED) (MASON DISTRICT)** (Tape 11)

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

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

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

Supervisor Trapnell clarified, for the record, that instead of a \$10,000 Proffer to set up a J.E.B. Stuart High School Foundation, the applicant will allocate \$2500 to each of the following school Parent-Teacher Associations (PTA):

- J.E.B Stuart High School;
- Glasgow Intermediate;
- Glen Forest Elementary; and
- Bailey's Elementary;

and the \$700 per unit contribution will still be made for improvements to Spring Lake Park in the amount of \$30,000.

Supervisor Trapnell moved approval of Proffered Condition Amendment Applications PCA 93-M-021 and PCA 93-M-003 subject to the proffers dated February 23, 1995 as modified. This motion was seconded by Vice-Chairman Dix and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Trapnell moved reaffirmation of the waiver of the minimum district size for PCA 93-M-021 and PCA 93-M-003. This motion was seconded by Supervisor Berger and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor McConnell, and Chairman Hanley being out of the room.

81. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-S-109-2 AND REZONING APPLICATION RZ 94-Y-055 (DAVID L. HUNTER) (SULLY DISTRICT)** (Tape 11)

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

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

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

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 88-S-109-2 subject to the proffers dated February 24, 1995. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Dix and Supervisor McConnell being out of the room.

Supervisor Frey further moved reaffirmation of the waiver of the 600 foot maximum private street length. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

Supervisor Frey moved reaffirmation of the waiver of the service drive requirement along Route 28. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

Supervisor Frey moved reaffirmation of the:

- Modification of the transitional screening requirements along the western, southern, and a portion of the eastern boundaries;
- Modification of the barrier requirements along the western boundary; and
- Waiver of the barrier requirements along the southern and a portion of the eastern boundaries.

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-Y-055 be amended from the R-1 and Water Supply Protection Overlay Districts to the PDH-3 and Water Supply Protection District subject to the revised proffers dated February 14, 1995 and subject to the proposed development conditions dated February 23, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

Supervisor Frey moved waiver of the transitional screening on the subject property between the single family detached and townhouse units. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

Supervisor Frey moved wavier of the modification of the transitional screening on the townhouse portion of the western boundary. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

Supervisor Frey moved waiver of the service drive requirement along Route 28. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER

82. **PRESENCE OF THOMAS RUST, MAYOR OF THE TOWN OF HERNDON, IN THE BOARD AUDITORIUM** (Tape 11)

Chairman Hanley recognized the presence of Thomas Rust, Mayor, Town of Herndon, and warmly welcomed him to the Board Auditorium.

AR:ar

83. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-M-024 (BARTMARC L.C./CROSSROADS LIMITED PARTNERSHIP) (MASON DISTRICT)** (Tape 12)

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

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

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

Supervisor Trapnell moved approval of Special Exception Application SE 94-M-024 subject to the development conditions dated February 9, 1995. This motion was seconded by Supervisor Berger and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

84. **3:30 P.M. - BOARD DECISION ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 79-P-108 (ILIFF NURSING HOME, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 12)

(NOTE: On November 22, 1994, the public hearing was held and Board decision deferred until December 12, 1994. Decision was again deferred until January 23, 1995 and then until February 27, 1995.)

Chairman Hanley relinquished the Chair to Acting-Chairman Frey and moved to defer the Board decision on Special Exception Amendment Application SEA 79-P-108 until **March 13, 1995 at 4:30 p.m.** This motion was seconded by Acting-Chairman Frey and carried by a vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

Acting-Chairman Frey returned the gavel to Chairman Hanley.

85. **4:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-S-097-02 (BOARD OF SUPERVISORS' OWN MOTION) (SULLY DISTRICT)** (Tape 12)

Mr. William M. Robson reaffirmed the validity of the affidavit for the record.

Mr. Robson 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, Susan Langdon, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 86-S-097-02 subject to the proffers dated February 1, 1995. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova and Supervisor McConnell being out of the room.

Supervisor Frey moved:

- Modification of the transitional screening requirements;
- Waiver of the barrier requirements;
- Modification of the interior and peripheral parking lot landscape requirements; and
- Waiver of the service drive requirement.

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

Supervisor Frey asked unanimous consent that the Board direct staff to immediately inform the Board of Zoning Appeals (BZA) of the Board's approval of this application in order that this information may be included with the applicant's Special Permit Application scheduled to be heard by the BZA on February 28, 1995. Without objection, it was so ordered.

86. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-M-047 (SAUL HOLDINGS, LIMITED PARTNERSHIP) (MASON DISTRICT)** (Tape 12)

Mr. David S. Houston reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Trapnell moved:

- Approval of Special Exception Application SE 94-M-047 subject to the development conditions dated February 21, 1995;
- Waiver of the minimum open space requirements as may result from the dedication of right-of-way along Route 7;
- Waiver of the transitional screening and barrier requirements along the south side of Route 50;
- Modification of the transitional screening and barrier requirements along the northern boundary of Parcel 29A;
- Modification of the transitional screening and barrier requirements along the eastern boundary;
- Modification of the peripheral parking lot landscaping along Route 50 and the portion of Route 7 adjacent to the existing drive-in bank;
- Waiver of the service drive requirement along Route 7;
- Modification of the trail requirement along Route 50 to permit the existing four foot wide sidewalk to remain; and
- To recommend to the County Executive that funding for construction of the Route 7 frontage improvements as depicted on Virginia Department of Transportation (VDOT) Project 0007-029-117-PE-101 be waived in favor of the improvements depicted on the Special Exception Plat.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova and Supervisor Frey being out of the room.

87. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-L-059 (HECOX, INCORPORATED) (LEE DISTRICT)** (Tape 12)

Mr. Bruce Hecox reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Alexander moved approval of Special Exception Application SE 94-L-059 subject to the development conditions dated February 22, 1995, as amended by the Planning Commission. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Berger, Supervisor Bulova, and Supervisor Frey being out of the room.

Supervisor Alexander moved modification of the transitional screening and waiver of the barrier requirements along the northern property line, subject to the proposed development conditions. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Berger, Supervisor Bulova, and Supervisor Frey being out of the room.

88. **4:00 P.M. - DEFERRAL OF PH ON REZONING APPLICATION RZ 94-H-043 (STANLEY MARTIN COMPANIES, INCORPORATED) (HUNTER MILL DISTRICT)** (Tape 12)

Supervisor Dix moved to defer the public hearing on Rezoning Application RZ 94-H-043 until **March 27, 1995 at 4:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Berger, Supervisor Bulova, and Supervisor Frey being out of the room.

89. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING DENSITY/INTENSITY CREDIT** (Tape 12)

- (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 February 10 and February 21, 1995.

Following the public hearing, Supervisor Alexander moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding density/intensity credit **to become effective on February 28, 1995 at 12:01 a.m.** This motion was seconded by Chairman Hanley and carried by a vote of five, Supervisor Berger, Supervisor Bulova, Supervisor Dix, and Supervisor Frey being

out of the room.

90. **4:30 P.M. - PH ON REZONING APPLICATION RZ 94-Y-052 (COLLINS INTERNATIONAL SERVICE COMPANY) (SULLY DISTRICT)** (Tape 12)

Mr. William F. Roeder, Jr. reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-Y-052 be amended from the I-3, I-4, Airport Noise Impact Overlay District, Highway Corridor and Water Supply Protection Overlay Districts to the I-4, Airport Noise Impact Overlay District, Highway Corridor and Water Supply Protection Overlay Districts subject to the revised proffers dated January 25, 1995. This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Frey and Supervisor Trapnell being out of the room.

91. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-C-108 AND REZONING APPLICATION RZ 94-H-036 (JERAR NISHANIAN AND CYCLE ENTERPRISES) (HUNTER MILL DISTRICT)** (Tape 12)

Mr. Jerar Nishanian reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Dix moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-H-036 be amended from the R-1, Highway Corridor and Water Supply Protection Overlay Districts to the R-8, Highway Corridor and Water Supply Protection Overlay Districts subject to the executed proffers dated November 22, 1994. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Alexander and Supervisor Trapnell being out of the room.

Supervisor Dix moved waiver of the minimum district size requirements for Rezoning Application RZ 94-H-036. This motion was seconded by Supervisor Hyland and carried

by a vote of seven, Supervisor Alexander and Supervisor Trapnell being out of the room.

Supervisor Dix moved approval of Proffered Condition Amendment Application PCA 85-C-108 subject to the proffers dated November 22, 1994. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Alexander and Supervisor Trapnell being out of the room.

Supervisor Dix moved waiver of the minimum district size requirements for Proffered Condition Amendment Application PCA 85-C-108. This motion was seconded by Supervisor McConnell and carried by a vote of seven, Supervisor Alexander and Supervisor Trapnell being out of the room.

92. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-Y-064 (GTE GOVERNMENT SYSTEMS CORPORATION) (SULLY DISTRICT)** (Tape 12)

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

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

Following the public hearing, 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 Application SE 94-Y-064 subject to the development conditions dated February 21, 1995. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor McConnell and Supervisor Trapnell being out of the room.

93. **4:30 P.M. - DEFERRAL OF PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-II-1FC, ON PENDER DRIVE IN FAIRFAX CENTER LAND UNIT K (PROVIDENCE DISTRICT)** (Tape 12)

(NOTE: The Planning Commission deferred its decision on Area Plans Review (APR) Item 94-II-1FC until March 1, 1995.)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved to defer the public hearing on APR Item 94-II-1FC until **March 27, 1995 at 4:00 p.m.** This motion was seconded by Vice-Chairman Dix and carried by a vote of eight, Supervisor Trapnell being out of the room.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

94. **4:30 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-II-4FC, AT 11338 LEE JACKSON HIGHWAY; 11219, 11245, 11249 WAPLES MILL ROAD IN FAIRFAX CENTER LAND UNIT K (PROVIDENCE DISTRICT)**
(Tapes 12-13)

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 February 10 and February 21, 1995.

Following the public hearing, which included testimony by one speaker, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of Annual Plans Review (APR) Item 94-II-4FC as recommended by the Planning Commission and shown on pages 22 and 23 of the report entitled, "Fairfax Center, Land Unit K Evaluation of Residential Potential." This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

95. **4:30 P.M. - PH ON THE VACATION OF PORTIONS OF POTOMAC AVENUE (ROUTE 1501) AND OLDE TOWNE ROAD (ROUTE 1502) (MOUNT VERNON DISTRICT)** (Tape 13)

- (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 February 10 and February 21, 1995.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved adoption of the proposed Ordinance vacating portions of Potomac Avenue and Old Towne Road. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

96. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-P-016 (TATE TERRACE REALTY INVESTORS, INCORPORATED) (SULLY DISTRICT)** (Tape 13)

Mr. Martin D. Walsh reaffirmed the validity of the affidavit for the record.

Supervisor Berger disclosed the following contribution which he had received:

- In excess of \$200 from Mr. Dwight C. Schar to the Committee to Elect Berger.

Mr. Walsh 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, Denise James, Senior, Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 87-P-016 subject to the proffers dated January 11, 1995. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Frey moved:

- Waiver of the 600-foot limitation on the length of private streets;
- Waiver of the 200-foot square foot privacy yard requirement for the Mews Design Townhouse Units;

- Waiver of the privacy fencing requirement for those single family detached units that may be developed as zero lot line units;

- Modification of the Public Facilities Manual (PFM) to permit a stormwater management wet pond, as shown on the PCA/Final Development Plan Amendment (FDPA); and

- Modification of the screening and barrier requirements between units to that shown on the FDPA pursuant to paragraph one of Section 13-304.

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

97. **5:00 P.M. - BOARD DECISION ON THE INTERIM USE OF COUNTY-OWNED PROPERTY KNOWN AS TRINITY PLACE BY POST APARTMENT HOMES, LIMITED PARTNERSHIP (SULLY DISTRICT)** (Tape 13)

(NOTE: The Board held a public hearing on this issue on January 9, 1995, and deferred its decision until February 27, 1995.)

Supervisor Frey moved to defer the Board decision on the use of County-owned property known as Trinity Place, located between Tax Map Number 54-4((1)) parcels 3C and 3D, by Post Apartment Homes, Limited Partnership, until **March 13, 1995 at 4:30 p.m.** This motion was seconded by Chairman Hanley and carried by unanimous vote.

98. **ADMIN 14 - FAIRFAX COUNTY POLICE DEPARTMENT GRANT APPLICATION TO THE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, UNITED STATES DEPARTMENT OF JUSTICE, FOR THE ACCELERATED HIRING, EDUCATION AND DEPLOYMENT PROGRAM (COPS AHEAD)** (Tape 13)

(NOTE: Earlier in the meeting, there was discussion and action regarding this item. See Clerk's Summary Item CL#16.)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the Fairfax County Police Department's submission of a grant application in the amount of \$1,875,000 to enable the hiring of 25 additional law enforcement officers to support and expand community policing throughout the County. The COPS AHEAD Program is a federally-funded initiative, with money made available to local law enforcement agencies through the Office of Community Oriented Policing Services of the United States Department of Justice. This motion was seconded by Chairman Hanley.

Following discussion, with input from William J. Heffron, Director, Planning and Research Bureau, Police Department, and Len Wales, Assistant Director, Office of Management and Budget, the question was called on the motion which **CARRIED** by a recorded vote of seven, Supervisor Berger and Supervisor Dix voting "NAY."

Supervisor Berger and Supervisor Dix both noted, for the record, that their vote against this grant application is due to a belief that the County would be better served by utilization of its own dollars without having the requirements of this program attached to the funding for police officers.

99. **5:00 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 13)

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 February 10 and February 21, 1995.

Citizens and businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters, or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Citizens must call the Office of the Clerk to the Board (703-324-3151) to register to speak and provide their names, addresses, phone numbers, and topics they wish to address.

Following the testimony of Colonel Fred Zedeck (Speaker Number One) regarding the road conditions on Lackawanna Drive, and input from David P. Bobzien, County Attorney, there was Board discussion regarding this issue.

Following the testimony of Mr. Dave Lewis (Speaker Number Two) regarding a location in Fairfax County for radio controlled model aircraft operations, Supervisor Hyland moved that the Board direct the County Executive to meet with the Park Authority and the Department of Recreation in an effort to determine an appropriate location for this activity. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

The public hearing continued with additional testimony from:

- Mr. John Fee regarding appreciation of County employees; and
- Mr. Neal McBride regarding Lorton Prison.

100. **RECESS/EXECUTIVE SESSION** (Tape 13)

At 7:15 p. m., Supervisor Trapnell moved that the Board recess and go into Executive Session for further discussion and consideration of the Norfolk Southern Operating Access Agreement. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room.

At 7:50 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

101. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 13)

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

102. **BOARD ADJOURNMENT** (Tape 13)

At 7:50 p.m., the Board adjourned.