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The meeting was called to order at 9:45 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; Catherine A. Chianese, 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.

BOARD MATTERS

2. **RETURN OF FIRE AND RESCUE DEPARTMENT'S URBAN SEARCH AND RESCUE TEAM** (Tape 1)

Chairman Hanley referred to a memorandum from William J. Leidinger, County Executive, dated May 1, 1995, and asked Glenn A. Gaines, Chief, Fire and Rescue Department, to provide the Board with an update on the Urban Search and Rescue Team's return.

Chief Gaines announced that the team, which has been assisting in Oklahoma City, is scheduled to return at approximately 3:40 p.m. today at Andrews Air Force Base, Maryland, and will be greeted by friends and family at Andrews before being transported to the Fire and Rescue Academy on West Ox Road for a brief reception.

The 56-member team was activated by the Federal Emergency Management Agency (FEMA) on April 23, 1995, and have spent the past week assisting with the rescue efforts at the Alfred P. Murrah Federal Building. FEMA officially demobilized the team at 8:00 a.m. on Sunday, April 30, 1995 when the group completed its final 12-hour shift.

Chairman Hanley stated that the schedule of today's meeting would be adjusted accordingly in order to allow all Board Members to attend the 6:00 p.m. reception at the Academy for the Urban Search and Rescue Team.

3. **COLLECTION OF ALUMINUM CANS TO BENEFIT THE INJURED CHILDREN IN OKLAHOMA CITY** (Tape 1)

Supervisor Hyland stated that, beginning today, all proceeds raised through the Washington Metropolitan Area Aluminum Cans for Burned Children's recycling program will be donated to benefit the children who were burned or injured in the Oklahoma City bombing.

Supervisor Hyland noted that the Fairfax County firefighters are attempting to raise \$50,000 in one month, by collecting aluminum cans, to benefit the children and that Ben Ettleman, Chief Executive Officer and owner of Davis Industries, Incorporated, a metal recycler and metal processor industry located in Lorton, is making a pledge to match up to 50 percent of the proceeds of the firefighters' goal (not to exceed a \$25,000 contribution) to help raise funds for the Oklahoma City Children's Hospital. Mr. Ettleman's challenge is to all persons and businesses in Northern Virginia.

Accordingly, Supervisor Hyland moved that the Board direct the Office of Public Affairs to prepare a press release inviting all persons, especially the business community of Northern Virginia, to meet the challenge of Mr. Ettleman and Davis Industries. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

4. **CERTIFICATES OF RECOGNITION PRESENTED TO DETECTIVE MICHAEL KERNS, FAIRFAX COUNTY POLICE DEPARTMENT AND HSIN YEN OF INTELISYS, INCORPORATED** (Tape 1)

Chairman Hanley presented Certificates of Recognition to Detective Michael Kerns, Fairfax County Police Department and Hsin Yen of InteliSys, Incorporated for their outstanding efforts in the apprehension of individuals involved in the theft of services for Media General Cable.

Noting the presence of outgoing Chief of Police, Michael W. Young, in the auditorium, Chairman Hanley expressed the Board's appreciation for his services and wished him well in his retirement.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO CHUCK MOESER FOR WINNING THE "SPRINT MASTERS MILE" TRACK AND FIELD MEET** (Tape 1)

Supervisor Berger moved approval of the Certificate of Recognition presented to the Chuck Moeser for winning the "Spring Masters Mile" track and field meet. This motion was seconded by Supervisor Dix and carried by unanimous vote.

6. **PROCLAMATION DESIGNATING THE MONTH OF MAY 1995 AS "ASIAN-PACIFIC AMERICAN HERITAGE MONTH" IN FAIRFAX COUNTY**
(Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of the Proclamation presented to Allison U. Dichoso, Office of Equity Programs designating the month of May 1995 as "**Asian-Pacific American Heritage Month**" in Fairfax County. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MARY CARTER FOR BEING SELECTED AS FAIRFAX COUNTY PUBLIC SCHOOLS "PRINCIPAL OF THE YEAR"** (Tape 1)

Chairman Hanley and Supervisor Connolly presented a Certificate of Recognition to Mary Carter for being selected as Fairfax County Public Schools "Principal of the Year."

8. **PROCLAMATION DESIGNATING THE MONTH OF MAY 1995 AS "OLDER AMERICANS MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of the Proclamation presented to Margaret Zitzmann, Chairman of the Commission on Aging, designating the month of May 1995 as "**Older Americans Month**" in Fairfax County. This motion was jointly seconded by Supervisor Hyland and Supervisor McConnell and carried by unanimous vote.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

9. **10:00 A.M. - PRESENTATION OF THE FAIRFAX AREA COMMISSION ON AGING'S (COA) OUTSTANDING SERVICE AWARDS** (Tape 1)

On behalf of the Fairfax Area Commission on Aging (COA), Margaret Zitzmann, Chairman, and Ruth Beacom, Vice-Chairman, presented awards for outstanding service to elders. The recipients in the two award categories are:

Annual Louis B. Wagner Award

- Margaret Zitzmann.

Outstanding Service Awards

- Fred Bisson; and
- Faye Braden.

10. **10:15 A.M. - PRESENTATION BY THE BUSINESS ADVISORY COMMITTEE FOR RECYCLING AND SOLID WASTE (B.A.C.) OF THE 1994 SUMMARY AND 1995 MISSION AND GOALS OF THE COMMITTEE** (Tape 1)

Thomas Hyland, Chairman, Business Advisory Committee for Recycling and Solid Waste (B.A.C.); Patrick Keough, Past Chairman, B.A.C.; and Martha G. Vick, Vice-Chairman, B.A.C., presented the 1994 Summary and 1995 Mission and Goals of the Committee.

AM:am

11. **10:30 A.M. - BOARD ADOPTION OF THE PROPOSED FISCAL YEAR (FY) 1996 FISCAL PLAN (BUDGET)** (Tape 2)

(SARs)

(FPRs)

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(BACs)

Following discussion, with input from Edward L. Long, Jr., Director, Office of Management and Budget (OMB), Supervisor Hyland asked unanimous consent that the Board refer to the Personnel Committee the issue of the current P Plan Scale and the possibility of including employees working behind the desk in the police substations. Without objection, it was so ordered.

Supervisor Dix moved that the Board:

- Direct the County Executive to prepare an analysis and breakdown of expenditures which currently reside in the General County budget and which primarily if exclusively support the programs and activities of the Fairfax County School Division. Examples include but are not limited to:
 - Debt service commitments for School Division related Capital Projects;
 - Clinic Room aides;
 - School crossing guards;
 - Police Department deployment of School Resource Officers; and
 - Others.

Supervisor Dix further moved that the analysis should include:

- An identification of expenditures which currently reside in the School Division budget and which primarily, if not exclusively, support the programs and activities of the Fairfax County General Government Agencies;
- Actual per pupil spending amount;
- Comparison of per pupil spending and what is included in this calculation; and
- Cumulative analysis of per pupil spending which identifies comparative differences and similarities to be completed by June 1, 1995.

This motion was seconded by Supervisor Trapnell.

Supervisor McConnell asked to amend the motion to include the cost of indirect services such as police substituting for crossing guards, and this was accepted.

Supervisor Hyland asked to amend the motion to request that the School System give the Board projections for several years, and this was accepted.

Following additional discussion among Board Members, the question was called on the motion, as amended, which carried by unanimous vote.

Supervisor Frey moved approval of:

- Fiscal Year (FY) 1996 Resolution Adopting Tax Rates for FY 1996, as contained in Attachment I of the Memorandum to the Board, which includes a real estate tax of \$1.16 per \$100 of assessed value.

This motion was seconded by Supervisor Connolly and carried by unanimous vote, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE."

Supervisor Frey moved approval of:

- FY 1996 Appropriation Resolution for County Agencies, as contained in Attachment Two of the Memorandum to the Board.

This amendment was seconded by Supervisor Connolly.

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and moved to amend the motion to direct staff to contact the State of Virginia and inquire whether the State would accept money from the Governing Body for a matching grant for the School System. This motion was seconded by Supervisor Bulova.

The question was called on the amendment to the motion which **CARRIED** by a recorded vote of nine, Supervisor Berger voting "NAY."

Supervisor Dix asked to amend the motion to direct the County Executive to provide the Board with the line item reductions in the proposed project expenditures listed in the Budget Document in Subfund 150 prior to the next FY, and this was accepted.

Supervisor Hyland asked to amend the motion that the Board approve the Fairhaven Public Improvement Project Phase Six as either being Massey Court and Byrd Lane or Bangor Drive or any combination thereof constructed for the approved dollar amount of up to \$675,000, and this was accepted.

Supervisor Frey called the question on the motion, as amended, which carried by unanimous vote, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell and Chairman Hanley voting "AYE."

Supervisor Frey moved approval of:

- FY 1996 Fiscal Planning Resolution for School Board Agencies, as contained in Attachment Three of the Memorandum to the Board.

This motion was seconded by Supervisor Bulova and carried by unanimous vote, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE."

Supervisor Frey moved approval of:

- FY 1996 Fiscal Planning Resolution, as contained in Attachment Four of the Memorandum to the Board.

This motion was seconded by Supervisor Connolly and carried by unanimous vote, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE."

Supervisor Frey moved that the Board authorize the Chairman to send a letter to the Fairfax County Redevelopment and Housing Authority (FCRHA) asking them to spend \$170,000 from Subfund 108 on Stonegate. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Frey moved that the Board:

- Approve an increase in the reimbursement rate for auto mileage allowance from \$0.24 to \$0.26/mile; and
- Direct this cost to be absorbed by the various agencies.

This motion was seconded by Supervisor Trapnell and **CARRIED** by a recorded vote of nine, Supervisor Berger voting "NAY."

Supervisor Frey moved adoption of the Resolution increasing the compensation for Water Authority members from \$3,750 to \$6,000 per year. This motion was seconded by Supervisor Trapnell.

Supervisor Dix moved a substitute motion that the Board adopt a Resolution that would increase the compensation from \$3,750 to \$5,000 per year. This motion was seconded by Supervisor Trapnell.

Following further discussion, the question was called on the substitute motion which carried by unanimous vote, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE."

12. **10:30 A.M. - BOARD MARKUP AND ADOPTION OF THE FAIRFAX COUNTY CAPITAL IMPROVEMENT PROGRAM (CIP)** (Tapes 2-3)

(NOTE: The public hearing on this item was held on April 17, 18 and 19, 1995.)

Supervisor Frey moved adoption of the Fiscal Year (FY) 1996-2000 Capital Improvement Program (CIP) including the adjustments to the FY 1996 and FY 1997 available bond cashflow amount of \$42 million as reflected in Attachment I of the document distributed to Board Members entitled "Board Motions - Fiscal Year (FY) 1996 Adopted Budget Plan." This motion was seconded by Supervisor Dix.

Supervisor Hyland asked to amend the motion to include in the CIP Plan a Lorton Senior Center, and this was accepted.

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

Supervisor Dix moved that the Board:

- Direct the County Executive to develop a plan to join with the School Division to conduct a Fairfax County Public School utilization analysis;

- Authorize the Chairman to contact the School Board Chairman to encourage the implementation over the next 12 months of a comprehensive County-wide school boundary study; and
- Establish a magisterial district citizen advisory task force which would serve in an advisory capacity to the School Board member.

This motion died for lack of a second.

Supervisor Dix moved that the Board authorize the Chairman to send correspondence to the School Board Chairman, requesting that a statement which clarifies that the projects included in the referendum are part of a five year CIP be included in any advocacy material which is produced in support of the fall, 1995 School Board referendum. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

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

Supervisor Alexander moved approval of the Administrative Items.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and called the Board's attention to Administrative Item 12 - Authorization to Advertise a Public Hearing to Consider Amending Code of the County of Fairfax, Chapter 7 and asked to amend the motion to consider this item separately, and this was accepted.

Supervisor Dix called the Board's attention to Administrative Item Eight - Authorization to Advertise Proposed Revisions to the Code of the County of Fairfax, Chapter 3, The Police Officers, Supplemental and Uniformed Retirement Systems Ordinances and asked to amend the motion to consider this item separately, 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.

ADMIN 1 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 91-V-043, SOLITE CORPORATION (MOUNT VERNON DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 91-V-043-4 until **November 23, 1997** pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE APPOINTMENTS OF MEMBERS TO THE FAIRFAX COUNTY SCHOOL BOARD (DRANESVILLE, HUNTER MILL, LEE, MASON, SULLY AND COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to consider the appointment of Members to the Fairfax County School Board on **June 5, 1995 at 4:30 p.m.** to receive views of the citizens on the appointment of School Board Members.

(NOTE: School Board appointments will be made at the Board of Supervisors' meeting scheduled for June 26, 1995. By law, School Board appointments must be made by June 30, 1995. The vacancies under consideration for appointment have been created by the expiring terms of representatives from Dranesville, Hunter Mill, Lee, Mason, and Sully Districts and two At-Large positions.)

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) TO EXPAND THE OAKTON RPPD (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 22, 1995 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A Residential Permit Parking Districts (RPPD), Appendix G to include Brightlea Drive from Crossbow Court to Oleander Avenue into the existing Oakton RPPD, District 19.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED CODE AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) ARTICLE 5A, RESIDENTIAL PERMIT PARKING DISTRICTS (RPPD) (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **May 22, 1995 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A Residential Permit Parking Districts (RPPD), Section 82-5A-4 (Establishment of Districts), and Section 82-5A-6 (Processing) to change the criteria and process for establishing or expanding RPPD Districts.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO PROHIBIT THROUGH TRUCK TRAFFIC ON GORDONS ROAD (ROUTE 1129) AND CHESTNUT STREET (ROUTE 1750) (PROVIDENCE DISTRICT)

- (A) Authorized the posting of a notice and advertisement of a public hearing to be held before the Board of Supervisors on **May 22, 1995 at 4:30 p.m.** to consider requesting the

Virginia Department of Transportation (VDOT) to prohibit through truck traffic on portions of Gordons Road from Chestnut Street to Shreve Road and Chestnut Street from Leesburg Pike to Gordons Road.

ADMIN 6 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING PARTIAL AND FINAL BOND RELEASE AND SIGHT DISTANCE REQUIREMENTS (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on June 8, 1995 and before the Board of Supervisors on **June 26, 1995 at 4:00 p.m.** on proposed amendments to the Public Facilities Manual (PFM).

ADMIN 7 - AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON THE PROPOSED 1995 PUBLIC FACILITIES MANUAL (PFM) (COUNTYWIDE)

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission on June 1, 1995 and before the Board of Supervisors on **June 26, 1995 at 4:00 p.m.** on the proposed 1995 Public Facilities Manual (PFM).

ADMIN 8 - AUTHORIZATION TO ADVERTISE PROPOSED REVISIONS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) THE POLICE OFFICERS, SUPPLEMENTAL AND UNIFORMED RETIREMENT SYSTEMS ORDINANCES TO GRANT A THREE PERCENT INCREASE IN RETIREMENT BENEFITS

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

ADMIN 9 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE USE OF URBAN REHABILITATION FUNDS

Authorized the County Executive to enter into an agreement for the use of \$750,000 in loan funds reserved for Fairfax County through the Virginia Housing Partnership Fund Urban Rehabilitation Program.

ADMIN 10 - FAIRFAX COUNTY COMMUNITY AND RECREATION SERVICES' GRANT APPLICATION TO THE U.S. DEPARTMENT OF AGRICULTURE FOR THE SUMMER LUNCH PROGRAM FOR CHILDREN

Approved the Community and Recreation Services' grant application in the amount of \$77,554 for the 1995 U.S. Department of Agriculture's Summer Lunch Program for Children.

ADMIN 11 - AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY TO THE CENTER FOR SUBSTANCE ABUSE PREVENTION FOR A DEMONSTRATION GRANT TO FUND SCHOOL PYRAMID STUDENT ASSISTANCE PROGRAMS

Authorized the Fairfax-Falls Church Community Services Board (CSB) to apply to the Center for Substance Abuse Prevention (CSAP) for a demonstration grant in the amount of \$501,299. This grant would fund nine merit grant positions (9.0 SYE) for the provision of School Pyramid Student Assistance Prevention Programs.

ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) RELATING TO ELECTION PRECINCTS (SULLY DISTRICT) AND ESTABLISHING ABSENTEE VOTING SATELLITES (COUNTYWIDE)

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

ADMIN 13 - APPROVAL OF AMENDMENT TO THE SECTION 108 LOAN FOR THE RECONSTRUCTION OF WASHINGTON PLAZA (HUNTER MILL DISTRICT)

Approved the amendment to the Section 108 loan for reconstruction of Washington Plaza which would allow the County to receive up to an additional \$80,000 in loan funds guaranteed under the Section 108 of the Housing and Community Development Act of 1974, as amended, to provide funds to the Fairfax County Redevelopment and Housing Authority (FCRHA).

ADMIN 14 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS95056 FOR THE FIRE AND RESCUE DEPARTMENT TO COVER FULLY REIMBURSABLE EXPENSES ASSOCIATED WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ACTIVATION TO PROVIDE EMERGENCY DISASTER ASSISTANCE IN THE OKLAHOMA BUILDING EXPLOSION AFTERMATH

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 95056 in the amount of \$475,000. This authorization will provide spending authority for the Department's Federal Emergency Management Agency (FEMA) team's response to the Oklahoma building disaster.

14. **ADMIN 8 - AUTHORIZATION TO ADVERTISE PROPOSED REVISIONS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES) THE POLICE OFFICERS, SUPPLEMENTAL AND UNIFORMED RETIREMENT SYSTEMS ORDINANCES TO GRANT A THREE PERCENT INCREASE IN RETIREMENT BENEFITS** (Tape 3)

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item CL#13.)

Following discussion, Supervisor Trapnell asked unanimous consent to change the public hearing date from June 5 to June 26, 1995. Without objection, it was so ordered.

Following discussion, with input from Peter J. Schroth, Director, Office of Personnel, the Board moved to authorize the advertisement of a public hearing to be held before the Board of Supervisors on **June 26, 1995 at 3:30 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees) to grant a three percent increase in retirement benefits to all current and future employees and retirees, excluding service-connected disability retirees. This motion, the second to which was inaudible, **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

15. **ADMIN 12 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (CENTRAL ABSENTEE VOTER ELECTION DISTRICT) RELATING TO ELECTION PRECINCTS (SULLY DISTRICT) AND ESTABLISHING ABSENTEE VOTING SATELLITES (COUNTYWIDE)** (Tape 3)

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item CL#13.)

- (A) Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved to authorize the advertisement of a public hearing to be held before the Board of Supervisors on **May 22, 1995 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 7 (Central Absentee Voter Election District) to consider:
- Creating a new precinct to accommodate voters in the Sully District; and
 - Establishing seven absentee voting satellites including re-establishing a satellite location at the West Springfield Governmental Center (Springfield District).

This motion was seconded by Supervisor Connolly.

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

Vice-Chairman Dix returned the gavel to Chairman Hanley.

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16. **A-1 - WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) PROPOSED FARE INCREASE FOR FISCAL YEAR (FY) 1996 (COUNTYWIDE)** (Tape 4)

Following discussion, with input from Andrew J. Szakos, Chief, Transit Operations Division, Office of Transportation, Supervisor Alexander moved that the Board concur with the recommendation of staff and endorse the Metrobus and Metrorail fare policies outlined in the Memorandum to the Board as related to the Washington Metropolitan Area Transit Authority (WMATA) Public Hearing Docket B95-4. This motion was seconded by Supervisor Berger and **CARRIED** by a recorded vote of eight, Supervisor Dix and Supervisor McConnell voting "NAY."

Following further discussion, Supervisor Connolly asked unanimous consent that the Board direct staff to provide the Board with information requested by Supervisor Hyland regarding the impact of fare increases on ridership. Without objection, it was so ordered.

17. **A-2 - STREET NAME CHANGE FOR BELLEAU WOODS DRIVE AND BELLEAU WOODS COURT (LEE DISTRICT)** (Tape 4)

On motion of Supervisor Alexander, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved an official street name change from Belleau Woods Drive and Belleau Woods Court, in the Official Street Names and Property Numbering Atlas, to Glenwood Mews Drive and Glenwood Mews Court, respectively, from their intersections with Belleau Woods Lane to the end of each road as shown on Tax Map Reference 091-4.

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

On motion of Supervisor Hyland, seconded by Supervisor Alexander, and carried by unanimous vote, the Board concurred in the recommendation of staff and reinstated the following individual, identified with his registration number, as a Designated Plans Examiner:

- Harbans Matharoo (84) effective May 1, 1995.

19. **A-4 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - PAY GRADE ADJUSTMENTS - FISCAL YEAR (FY) 96 REGRADE STUDY** (Tape 4)

On motion of Supervisor Trapnell, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed amendments to the County's Classification and Compensation Plans adjusting the pay grade assignments for four classes and expanding pay grade T-04 on the T Pay Plan from one to six steps with an effective date of July 8, 1995.

20. **A-5 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - GENERAL BUILDING MAINTENANCE WORKER SERIES** (Tape 4)

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

<u>CLASS TITLE</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
General Building Maintenance Worker I	S-13-2	\$23,796-\$35,079
General Building Maintenance Worker II	S-15-2	\$26,121-\$38,505

and to abolish the following classes:

<u>CLASS TITLE</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Electric Motor Maintenance Worker I	S-12-2	\$22,667-\$33,414
Electric Motor Maintenance Worker II	S-15-2	\$26,121-\$38,505

21. **A-6 - PROPOSED FEDERAL CAPITAL IMPROVEMENTS PROGRAM FOR FISCAL YEARS (FY) 1996-2000** (Tape 4)

Supervisor Alexander moved approval of staff recommendation authorizing staff to submit comments to the National Capital Planning Commission (NCPC) regarding the proposed Federal Capital Improvements Program (CIP) with the following amendments: That the Board direct staff to send a letter, as soon as possible, to Congress indicating that the Board believes this is an abrogation to an agreement and expressing the Board's desire to meet with the Department of the Army (DA) to determine why they are not going through with the commitment they made to the County. This motion was seconded by Supervisor Connolly.

Following discussion, Supervisor Alexander restated his amendment as follows: to have the Board direct the County Executive along with the Chairman of the Board to immediately send a letter to the entire Congressional Delegation and the Department of Defense (DOD) expressing the Board's displeasure with their actions and to determine what is transpiring.

The question was called on the amendment, which **CARRIED** by a recorded vote of eight, Supervisor Bulova abstaining, Supervisor Dix being out of the room.

Supervisor Alexander called the Board's attention to the top of Page 68 of the Memorandum to the Board, General Service Administration (GSA) Projects, and moved to amend the comments to send a letter to GSA indicating that Fairfax County, in

accordance with the new master plan for that area, desires to continue to work with them on a joint development of that property, not for warehouse but for multi-family and a mixed use as shown in the new plan. This motion, the second to which was inaudible, carried by unanimous vote.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board direct staff to provide the Board with an update on the status of the budget process regarding the Smithsonian Institute Annex. Without objection, it was so ordered.

Following discussion, with input from David Marshall, Office of Comprehensive Planning (OCP), the question was called on the main motion, as amended, which carried by unanimous vote.

Supervisor Frey moved that the Board direct staff to send a letter to the entire Congressional Delegation supporting the full \$4 million for funding the design of the Smithsonian Air and Space Annex. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

22. **A-7 - FAIRFAX COUNTY'S COMMITMENT TO MAKE LOCAL PAYMENTS SUPPORTING THE FISCAL YEAR (FY) 1996 METRORAIL CONSTRUCTION PROGRAM (COUNTYWIDE)** (Tape 4)

Supervisor Alexander moved that the Board concur in the recommendation of staff and approve the County's commitment called for in the Fifth Interim Capital Contributions Agreement (ICCA-V) to make local payments of \$18,066,590 in support of the Fiscal Year (FY) 1996 Metrorail Construction Program. The second to the motion was inaudible.

Supervisor Dix asked to amend the motion to have Supervisor Alexander provide Board Members with information regarding confirmations at the Board Meeting scheduled for May 22, 1995 before any dollars are appropriated, and this was accepted.

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

23. **A-8 - NOTIFICATION BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF THE FINANCING PLAN FOR THE TAVENNER LANE APARTMENTS AND ITS REQUEST FOR AN ALLOCATION FROM THE HOUSING TRUST FUND OF \$450,000; AND AUTHORIZATION TO ENTER INTO A CONTRACT FOR CONSTRUCTION WITH THE LOWEST BIDDER (LEE DISTRICT)** (Tape 4)

Following discussion, Supervisor Alexander asked unanimous consent that the Board defer this item until later in the meeting. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#74.)

24. **C-1 - POLICY CHANGE FOR IMPLEMENTATION OF GUNSTON-WILEY SANITARY SEWER PUMP AND HAUL PROJECT (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated May 1, 1995 regarding authorization to change the Board of Supervisors' Sanitary Sewer Policy solely for implementation of the Gunston/Wiley Pump and Haul Project.

Following discussion, Supervisor Hyland moved approval of staff recommendations. This motion was seconded by Supervisor Dix.

Following further discussion, with input from John W. di Zerega, Director, Department of Public Works, the question was called on the motion which carried by unanimous vote.

25. **I-1 - SPECIAL SIGNAGE FOR "POLICE DISTRICT STATIONS"** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 1, 1995 requesting authorization for staff to proceed with the described criteria for sign placement that would guide citizens to district police stations in both routine and emergency situations and will initiate actions to have the Virginia Department of Transportation (VDOT) supply and install the recommended signs.

The staff was directed administratively to proceed as proposed.

26. **I-2 - FAIRFAX COUNTY EXCEPTIONAL DESIGN AWARDS REPORT COSTS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 1, 1995 presenting the staff response to the question raised about the cost of producing the Exceptional Design Awards Report.

27. **I-3 - CHAS CERTIFICATIONS FOR YOUTHBUILD APPLICATIONS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 1, 1995 requesting authorization for staff to sign the CHAS certifications for inclusion with the applications to the U.S. Department of Housing and Urban Development (HUD).

The staff was directed administratively to proceed as proposed.

28. **I-4 - SECTION 213 REVIEWS FOR APPLICATIONS FOR SECTION 8 RENTAL CERTIFICATES AND VOUCHERS UNDER THE FAIR SHARE ALLOCATION AND THE FAMILY UNIFICATION PROGRAMS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 1, 1995 requesting authorization for staff to sign the Section 213 Review letters to be sent to the U.S. Department of Housing and Urban Development (HUD) for consideration with the Section Eight funding applications.

The staff was directed administratively to proceed as proposed.

29. **I-5 - AWARD OF CONTRACT - ROUTE 123 AT LORTON SANITARY SEWER EXTENSION AND IMPROVEMENT (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 1, 1995 requesting authorization for staff to:

- Award a contract to R.L. Rider and Company in the amount of \$1,171,06 for the construction of Route 123 at Lorton Sanitary Sewer Extension and Improvement, Project X00819, Extension Projects FY89, Subfund 524, Sewer Bond Extension and Improvement; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

30. **I-6 - AWARD OF CONTRACT - COURTLAND PARK PHASE II NEIGHBORHOOD IMPROVEMENT (MASON DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 1, 1995 requesting authorization for staff to:

- Award a contract to A and W Contracting Corporation in the amount of \$1,275,107.75 for the construction of Project C00083, Courtland Park Phase II Neighborhood Improvements, in Subfund 488, Neighborhood Improvement Program; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

31. **I-7 - APPROVAL OF AN AGREEMENT WITH VIRGINIA POWER TO ALLOW FOR CONSTRUCTION OF THE DIFFICULT RUN FORCE MAIN REPLACEMENT PROJECT (HUNTER MILL DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated May 1, 1995 requesting authorization for staff to approve the Agreement with Virginia Power to allow for implementation of the Difficult Run Force Main Replacement Project within the boundaries of the Northern Virginia Regional Park Authority (NVRPA) property.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

32. **ADULT ABUSE PREVENTION MONTH** (Tape 4)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board declare the Month of May, 1995, as "**Adult Abuse Prevention Month**" in Fairfax County and called upon citizens to be aware of the needs of older and incapacitated younger adults. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

33. **NATIONAL HISTORIC PRESERVATION WEEK** (Tape 4)

Supervisor Hanley called the Board's attention to the Fairfax County History Commission's request to designate the week of May 14-20, 1995 as "**National Historic Preservation Week**" in Fairfax County and moved adoption of the Proclamation distributed to Board Members. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

34. **NATIONAL SAFE BOATING WEEK** (Tape 4)

Supervisor Hanley informed the Board that National Safe Boating Week, sponsored by the National Safe Boating Councils, Incorporated, is an annual event that emphasizes safe boating among recreational boaters in the United States (U.S.). To support safe recreational boating in concert with the national campaign, the Northern Virginia Squadron of the U.S. Power Squadrons has requested recognition of this occasion.

Therefore, Supervisor Hanley moved approval of a Proclamation proclaiming the week of May 20-26, 1995 as "**Safe Boating Week**" in Fairfax County. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

35. **PARALYMPIC TRIALS WEEK** (Tape 4)

Supervisor Hanley informed the Board that the Wheelchair Athletics of the United States of America (U.S.A.) will be holding one of two preliminary qualifiers sponsored by Xerox, for the 1996 Paralympic Team here in Fairfax County at George Mason University (GMU) from July 5-10, 1995.

Supervisor Hanley therefore moved:

- Approval of a Proclamation recognizing this occasion by proclaiming the week of July 5-10, 1995 as "**Paralympic Trials Week in Fairfax County**" and urged all citizens to support these athletes as they compete to qualify for the Paralympic games that will be held in Atlanta in 1996; and
- That the Board direct the Office of Public Affairs to publicize this event.

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

(NOTE: Later in the meeting, the Board took further action regarding the Paralympic Trials. See Clerk's Summary Item CL#60.)

36. **CERTIFICATE OF RECOGNITION FOR MS. JOYCE TOBIAS, FOUNDER OF THE PARENT'S ASSOCIATION TO NEUTRALIZE DRUG AND ALCOHOL ABUSE (PANDAA)** (Tape 4)

Supervisor Hanley stated that she attended a tribute to Ms. Joyce Tobias, founder of the Parent's Association to Neutralize Drug and Alcohol Abuse (PANDAA), which was founded in 1980, who has also served as executive director, newsletter editor, and on the Board of Directors since its founding.

Therefore, Supervisor Hanley moved that the Board direct staff to prepare a Certificate of Recognition to be presented to Ms. Tobias at the May 22, 1995 Board meeting to honor all that she has done. This motion was seconded by Vice-Chairman Dix and carried by unanimous vote.

37. **APPOINTMENT OF THE AMERICAN HEART ASSOCIATION REPRESENTATIVE TO THE COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION** (Tape 4)

(APPT)

(BACs)

Supervisor Hanley informed the Board that the American Heart Association recommends Ms. Jane Roberts as its Representative on the Commission on Organ and Tissue Donation

and Transplantation and moved that the Board confirm Ms. Roberts' appointment to that commission. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

38. **CREATION OF AN INFORMATION TECHNOLOGY SUBCOMMITTEE**
(Tape 4)

(APPT)
(BACs)

As a follow-up to the budget public hearings' recommendations, and because of the County's substantial investment in Information Technology initiatives designed to provide for more efficient and effective delivery of government services, Supervisor Hanley moved the creation of an Information Technology Subcommittee of the Board, in accordance with the recommendation of the Information Technology Advisory Group (ITAG), with herself as Chairman and Supervisor Dix as Vice-Chairman. She stated that the Information Technology initiative was supported by the Fairfax County Chamber of Commerce in its testimony before the Board. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

39. **INTENT TO ESTABLISH A REVENUE COMMISSION** (Tape 4)

(BACs)

Supervisor Hanley noted her intent, at the May 22, 1995, Board Meeting, to present a proposal to the Board to establish a Commission to review revenues to Fairfax County in response to the Fairfax County Chamber of Commerce's request in its testimony during the budget public hearings and solicited input from Board Members regarding this issue.

40. **CARRYING CONCEALED WEAPONS** (Tape 4)

Supervisor Hanley reminded Board Members of the 1995 Session of the General Assembly which passed legislation that allows almost anyone to acquire a permit to carry a concealed weapon, effective July 1 of this year. As a result, a dramatic increase in the number of individuals carrying concealed weapons in Fairfax County is expected. As currently written, this legislation prevents or does not allow local governments to bar the carrying of such weapons in public buildings, including the Government Center, mental health facilities, and satellite governmental centers, some of which house police stations.

Therefore, Supervisor Hanley moved that the Board refer this issue to the Legislative Subcommittee and County staff, in conjunction with the Fairfax County Delegation to the General Assembly, to seek changes to the Code of Virginia which would give the County the authority to regulate the carrying of concealed weapons in County-owned buildings and facilities. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

41. **IMPLEMENTING A PROGRAM FOR MONITORING THE CARDIAC STRESS OF FIREFIGHTERS THAT IS IN COMPLIANCE WITH THE STANDARDS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)**
(Tape 4)

Supervisor Hanley moved that the Board direct the County Executive and the Fire Chief to immediately implement a program for monitoring the cardiac stress of firefighters that is in compliance with the standards of the Occupational Safety and Health Administration (OSHA), as adopted by the Commonwealth of Virginia. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

42. **EXPEDITED PROCESSING OF PROFFERED CONDITION AMENDMENT APPLICATION PCA 93-L-031, QUAKER/VAN DORN LIMITED PARTNERSHIP** (Tape 4)

Supervisor Alexander moved that the Board authorize expedited processing of Proffered Condition Amendment Application PCA 93-L-031, Quaker/Van Dorn Limited Partnership. This PCA requests a minor change on the Generalized Development Plan (GDP) for this project, which is already underway, to allow for four garage units in this 20 lot subdivision which was inadvertently restricted in the original GDP. Sixteen units are presently designed as garage units. This change will allow for all of the units to be designed with garages. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

PMH:pmh

43. **PROPOSALS TO REVITALIZE, REDEVELOP, AND ENHANCE RETAIL BUSINESSES, OFFICES, AND RESIDENTIAL AREAS IN THE ANNANDALE AND BAILEY'S CROSSROADS AREAS** (Tape 5)

Supervisor Trapnell stated that she has been approached by property owners, developers and citizens in the Annandale and Bailey's Crossroads areas with proposals to revitalize, redevelop, and enhance retail businesses, offices and residential areas. She said that it is difficult to put these proposals in an appropriate context because there are no market-based urban design plans to guide the ultimate vision of these revitalization areas.

Revitalization is a priority of the Board, and each revitalization area, to be viable, will need to have an urban design plan to guide both public and private activities as some structures are improved and others developed or redeveloped. Such plans have been or are being prepared for Route One, McLean, and Springfield to guide their revitalization.

Therefore, Supervisor Trapnell moved that the Board request through the Department of Housing and Community Development (HCD):

- That the Office of Comprehensive Planning (OCP) prepare urban design plans for the revitalization and redevelopment of the

Central Business Districts (CBD) of Annandale and Bailey's Crossroads for these areas to move forward with well-guided revitalization activities;

- That the Fairfax County Economic Development Authority (EDA) prepare market studies for Annandale and Bailey's Crossroads to be used as a basis for these urban design plans; and
- Staff be assigned from each agency prior to the June 5, 1995 Board meeting to prepare the plans and studies and to develop a schedule and outline of task.

This motion was seconded by Supervisor Alexander.

Following discussion, with input from William J. Leidinger, County Executive, Supervisor Trapnell amended the motion to refer the issue to staff for review and comment.

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

44. **BAILEY'S DAY - SATURDAY, MAY 6, 1995** (Tape 5)

Supervisor Trapnell invited all Board Members and the public to attend the Sixth Bailey's Day on Saturday, May 6, 1995 from 10:00 a.m. until 4:00 p.m. at Mason District Park.

45. **COMMENDATION TO THE DUNN LORING HISTORIC OVERLAY TASK FORCE, OFFICE OF COMPREHENSIVE PLANNING (OCP) STAFF** (Tape 5)

Supervisor Connolly commended the Dunn Loring Historic Overlay Task Force for their continuing efforts to preserve the historic character of their neighborhood.

Supervisor Connolly noted that this group has been meeting with Bruce Kriviskey, Heritage Resources Branch, Office of Comprehensive Planning (OCP), who gave an excellent presentation on the history of Dunn Loring and the historic overlay processes. He expressed his appreciation to Wayne D. Pumphrey, Assistant Director, OCP; Liz David and Bruce Kriviskey, Heritage Resources Branch, OCP, for their valuable contributions to this effort.

46. **ACCESS AMERICA HOSTS THE KICKOFF OF THE NATIONAL ELECTRONIC OPEN MEETING** (Tape 5)

Supervisor Connolly announced that Access America, located in Merrifield, has been chosen by the White House to host a kickoff this morning for the National Electronic Open Meeting. This computer forum will be open to the public for two weeks, utilizing not just E-mail, but toll-free modem connections and hundreds of public access sites across the nation. Discussions will range the breadth of federal government. Access America is a division of Fairfax Cable Access Corporation.

47. **APPOINTMENT TO THE TREE COMMISSION** (Tape 5)

(APPT)

Supervisor Connolly moved the appointment of Ms. Virginia Darr as the Providence District Representative to the Tree Commission. This motion was seconded by Chairman Hanley and carried by unanimous vote.

48. **APPOINTMENT TO THE FAIRFAX AREA COMMISSION ON AGING**
(Tape 5)

(APPT)

Supervisor Connolly moved the appointment of Mr. Morris L. Myers as the Providence District Representative to the Fairfax Area Commission on Aging. This motion was seconded by Supervisor Dix and carried by unanimous vote.

49. **APPOINTMENT TO THE COMMUNITY ACTION ADVISORY BOARD**
(Tape 5)

(APPT)

Supervisor Connolly moved the appointment of Ms Airi Roulette as the Providence District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Trapnell and carried by unanimous vote.

50. **DRAINAGE PROBLEMS IN THE MEADOW HALL DEVELOPMENT** (Tape 5)

Supervisor Dix said that his office has been working with staff since the Fall of 1993 to resolve drainage problems several property owners have been experiencing in their backyards in Section Two of the Meadow Hall development. The project was bonded by Hooker Homes, and Hooker Homes is in bankruptcy.

Supervisor Dix stated that an agreement is currently being negotiated with Hooker Homes regarding use of conservation deposits to correct the drainage problems. Hooker Homes recently paid the firm of Dewberry and Davis to prepare the plans to add an underground storm sewer system designed to alleviate the surface drainage problem. In addition, they prepared record plats depicting the easements required for the installation and maintenance of the storm sewer system by the County. The understanding with the property owners is that they would be required to provide the necessary easements for this work to be done. He added that there is a \$150 submission fee required for each of the easement plats, and three plats have been prepared.

Because this is essentially a developer default project which will be constructed by the County, Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to accept the three plats, which are required by the County to be approved and recorded in order for this project to be constructed without requiring the fee. This motion was seconded by Supervisor Berger and carried by unanimous vote.

51. **PUBLIC HEARING SCHEDULED FOR SPECIAL EXCEPTION APPLICATION SE 95-H-013 (EXXON CORPORATION)** (Tape 5)

Supervisor Dix stated that Exxon Corporation has submitted a Special Exception Application (SE 95-H-013) to renovate the Exxon Service Station at the Fox Mill Shopping Center. This application is scheduled for public hearing by the Planning Commission on June 29, 1995.

Therefore, Supervisor Dix moved that the Board direct staff to schedule a public hearing to be held before the Board on **July 31, 1995 at 4:00 p.m.** regarding Special Exception Application SE 95-H-013. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

52. **RESTON FESTIVAL WEEK 95 AND VIVA VIENNA FESTIVAL** (Tape 5)

Supervisor Dix announced that Reston Festival Week will be held the week of May 13 through Sunday May 21, 1995. A number of activities are planned throughout the community providing something of interest for everyone.

Supervisor Dix announced that VIVA Vienna 1995 will begin on Saturday, May 27, 1995 at 5:00 p.m. and run through Sunday May 28, 1995. VIVA Vienna will feature a number of lively amusements including live music and entertainment, carnival rides for adults and children and lots of good food.

53. **PUBLIC SCHOOL FACILITIES** (Tape 5)

Supervisor Dix moved that the Board direct the County Executive and the School System staff to develop a plan to examine the current facility utilization of the public schools to determine whether there are measures that can be taken to gain better utilization without having to expend Capital or General funds to meet some of the growing challenges, both of over-crowding and under-enrollment. This motion was seconded by Supervisor Trapnell and carried by unanimous vote.

54. **REQUEST FOR INFORMATION REGARDING THE BOARD'S AUTHORITY TO AUTHORIZE A PUBLIC REFERENDUM** (Tape 5)

Supervisor Dix pointed out that there has been a lot of discussion recently related to the availability of resources in Fairfax County to meet the needs and expectations of the citizens of Fairfax County.

Supervisor Dix noted that there is increasingly intense pressure brought to bear by some who want the legislative body, in the form of the Board, to pursue expansion of various authorities granted to Fairfax County by the General Assembly, or to increase levies associated with existing authorities. The most common discussion point seems to be the current Fairfax County real estate tax rate.

Supervisor Dix said that the rhetoric associated with the discussion over this matter is mixed. He said that it may be appropriate to establish a process by which all eligible citizens have the opportunity to express their view about a potential increase in the real estate tax rate to fund school system requests or to meet other funding requests.

Therefore, Supervisor Dix moved that the Board direct the County Attorney to provide information to the Board as to the Board's authority to authorize a public referendum on this matter, and if so what are the requirements and timelines associated with such a process, if the Board were to determine they wanted to pursue such an exercise. This motion was seconded by Supervisor Trapnell.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Dix asked to amend the motion to refer this issue to staff for review and comment, and this was accepted. The question was called on the motion, as amended, which carried by unanimous vote.

55. **SCHEDULING OF THE PUBLIC HEARING FOR OUT-OF-TURN PLAN AMENDMENT S94-CW-T4** (Tape 5)

Supervisor Bulova said that Out-of-Turn Plan Amendment S94-CW-T4 was scheduled for public hearing today. However, the public hearing was deferred because the Planning Commission has not yet heard this amendment. The Planning Commission has now scheduled to hold its public hearing later this month.

Therefore, Supervisor Bulova moved that the Board direct staff to schedule a public hearing to be held before the Board on Out-of-Turn Plan Amendment S94-CW-T4 on **June 26, 1995 at 3:30 p.m.** This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Trapnell being out of the room.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#106.)

56. **OUT-OF-TURN PLAN AMENDMENT FOR LITTLE RIVER GLEN** (Tape 5)

Supervisor Bulova said that the Fairfax County Redevelopment and Housing Authority (FCRHA) currently operates the Little River Glen independent living senior housing development on a seven acre site at the intersection of Olley Lane and Little River Turnpike.

Supervisor Bulova stated that in March of 1992, the FCRHA purchased the adjacent 14 acres of land to provide an opportunity for expansion of Little River Glen consistent with the Plan recommendations for development.

Supervisor Bulova explained that in March of 1994, she established an Ad Hoc Task Force to help plan the development of Little River Glen II. The Task Force voted to

approve the proposed development concept for Little River Glen II as 90 units of independent living, a 60-bed adult care residence, a 120-bed nursing home and an adult daycare center to be phased in over time. She said that staff has informed her that a Plan Amendment, a Rezoning and Special Exception Application will be required to implement this development plan.

Therefore, Supervisor Bulova moved that the Board:

- Authorize consideration of an Out-of-Turn Plan Amendment to consider the development of the Little River Glen II proposal at Olley Lane and Little River Turnpike; and
- Direct staff to schedule public hearings for this Plan Amendment in September 1995.

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

57. **ADOPT-A-CAUSE** (Tape 5)

Supervisor Bulova noted that Adopt-A-Cause is a Countywide initiative to foster supportive partnerships between non-profit and for-profit businesses in Fairfax County. A kick-off event was held in October of 1993, during which non-profits had an opportunity to showcase their organizations for members of businesses in attendance.

Supervisor Bulova said that current efforts are focused on bringing the Adopt-A-Cause message to the business community, instead of holding another event for non-profits. Integral to that direction is the creation of a master data bank of non-profit organizations and needs which can be displayed in a user friendly fashion as business events. Kevin Chinoy of American Management Systems (AMS) has generously arranged for the use of a computer and has, along with employees at AMS, designed an interactive program for potential adopters to peruse. Ruth Meier, of the Volunteer Center of Fairfax, and Joan Ozdogan, United Way, have worked with Kevin and his team to create a master data bank. She said that the system is scheduled to be operational in time for the Fairfax County Fair next month and to be in use at the County's Innovations this fall.

Supervisor Bulova added that during Steering Committee discussions, members identified the need for a method to help non-profit organizations and their causes which are fiscally and organizationally responsible and therefore, good prospects for partnerships. The development of operational benchmarks is one way to help businesses understand non-profit operations and a method to aid non-profits in presenting their programs in terms businesses understand. The benchmark could also be used by County staff and the Board to help evaluate non-profits seeking County assistance.

Supervisor Bulova said that Kevin Chinoy of AMS, will be leaving the Adopt-A-Cause Steering Committee effective June 1, 1995 to go to graduate school in New England. In order to express her appreciation to him, and AMS for their extremely valuable

contributions in the Human Services arena, and everyone on the current Steering Committee for their impressive efforts, Supervisor Bulova moved that the Board direct staff to invite them to appear before the Board to be thanked and recognized at the May 22, 1995 Board meeting. This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

58. **FUNDING FOR SIMPLE STREETLIGHT UPGRADES** (Tape 5)

Supervisor Bulova said that she had recently received a request in the Braddock District to replace the existing mercury vapor streetlight with high pressure sodium light. She said that when she requested this from the Department of Public Works, she was told that there is no money available for streetlight upgrades. She said that there are a number of request for simple upgrades, which cost approximately \$170 each. Apparently none of these requests can be accommodated because there is no subfund for this minor type of upgrade.

Supervisor Bulova said that funds were appropriated to install street lights in the Fiscal Year (FY) 1995 Budget for those areas which had pending, approved street lights applications. She said that in the Braddock District, a street was on the list for street lights with \$9000 in funding approved. The residents on that street have changed their minds about wanting street lights and have now declined to have them installed. She said that this amount of money is too small to complete any of the next projects on the list.

Therefore, Supervisor Bulova moved that the Board direct staff to create a subfund especially earmarked to take care of simple existing streetlight upgrade requests throughout the County, and fund it with the leftover funds. This motion was seconded by Supervisor Connolly.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and moved a substitute motion to direct staff to report with the number of individuals requesting upgrades. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Dix being out of the room.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

NV:nv

59. **REINSTATEMENT OF MEMBERS OF COUNTY BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS) REGARDING FINANCIAL DISCLOSURE STATEMENTS** (Tape 6)

(BACs)

Supervisor Berger moved to reinstate the following members of County Boards, Authorities, Commissions, and Advisory Groups (BACs) following resolution of outstanding financial disclosure statements:

- Mr. Jose Santaballa as the Dranesville District Representative to the Fairfax County Commission on Organ and Tissue Donation and Transplantation;
- Mr. Les Zidel as a Dranesville District Representative to the Dulles Corridor Task Force;
- Mr. Robert K. Ackerman as the Dranesville Business District Representative to the Fairfax County Airports Advisory Committee; and
- Mr. Robert W. Spunar as the Dranesville District Representative to the CHAS Coordinating Committee.

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

60. **RECOGNITION OF XEROX AND GEORGE MASON UNIVERSITY (GMU) FOR THEIR ROLES IN HOSTING THE PARALYMPIC TRIALS** (Tape 6)

(NOTE: Earlier in the meeting, the Paralympics was discussed. See Clerk's Summary Item CL#35.)

In conjunction with Chairman Hanley's earlier Board Matter regarding the Paralympic Trials, Supervisor Berger asked unanimous consent that the Board direct staff to invite representatives from Xerox Corporation and George Mason University (GMU), respectively, to appear before the Board to be recognized for their sponsorship and efforts regarding hosting the Trials following the conclusion of that event. Without objection, it was so ordered.

61. **INTENT TO DEFER PUBLIC HEARING FOR PROPOSED OUT-OF-TURN PLAN AMENDMENT S94-III-UP2** (Tape 6)

Supervisor Berger moved deferral of the public hearing for proposed Out-Of-Turn Plan Amendment S94-III-UP2 scheduled at 3:30 p.m. today. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

(NOTE: Later in the meeting, this hearing was formally deferred. See Clerk's Summary Item CL#79.)

62. **REQUEST FOR EXPEDITIOUS PROCESSING FOR SPECIAL PERMIT APPLICATIONS SP 95-Y-024 AND SP 95-Y-025** (Tape 6)

Supervisor Frey stated that two Special Permit Applications have been filed with the Office of Comprehensive Planning (OCP) requesting a modification of minimum yard

requirements because of an error in building location. These applications have been filed on two residential lots and the building location error is a result of locating homes based on the wrong Subdivision Plat. The two homeowners have been trying to correct the problem for several years.

Accordingly, Supervisor Frey moved that the Board direct the OCP to:

- Expediently process Special Permit Applications SP 95-Y-024 and SP 95-Y-025; and
- Request the Board of Zoning Appeals (BZA) to schedule a public hearing as soon as possible.

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

63. **WAIVER OF POLICE DEPARTMENT FEES FOR CENTREVILLE DAY AT BRADDOCK PARK** (Tape 6)

Supervisor Frey announced that the Centreville Community Foundation (CCF), a non-profit community service organization, is sponsoring Centreville's second annual Centreville Day Fourth of July Celebration at Braddock Park. Last year's event was celebrated by over 10,000 people and the CCF is expecting to entertain even more people this year.

Supervisor Frey moved that since the CCF is responsible for many community-wide events throughout the Centreville area, and relies on volunteers for all their activities, that the Board waive the Police Department fees for security and traffic control for that day. The CCF will provide the officers with food and drinks. This motion was seconded by Supervisor Hyland.

Following a brief discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which carried by unanimous vote.

64. **PUBLIC HEARING ON SENIOR ISSUES IN THE SULLY DISTRICT SCHEDULED FOR JUNE 12, 1995** (Tape 6)

Supervisor Frey announced that on June 12, 1995 from 1:30-3:30 p.m. in the Conference Room of the Sully District Office, Christopher Suprun, Sully District Representative to the Commission on Aging, and staff from the Area Agency on Aging will be holding an informational meeting and public hearing to discuss senior issues in the western part of Fairfax County.

65. **APPOINTMENT TO THE TOWING ADVISORY BOARD** (Tape 6)

(APPT)

Supervisor McConnell moved the appointment of Ms. Patricia A. Moore to fill the unexpired term of Mr. Michael Thompson as an At-Large Representative to the Towing Advisory Board. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

66. **SIMULTANEOUS SITE PLAN PROCESSING AND CONCURRENT PROCESSING OF THE PRELIMINARY AND FINAL SITE PLANS ASSOCIATED WITH REZONING APPLICATION RZ 94-S-027, RICHMOND AMERICAN HOMES OF VIRGINIA** (Tape 6)

Supervisor McConnell stated that she had been contacted by Richmond American Homes of Virginia regarding their Rezoning Application RZ 94-S-027. She noted that several deferrals of the application provided additional time for the concerns of the area citizens to be addressed. The Planning Commission is scheduled to make a decision on the case on May 10, 1995.

Supervisor McConnell moved simultaneous Site Plan processing and concurrent processing of the Preliminary and final Site Plans in conjunction with this Rezoning Application. This motion was seconded by Supervisor Berger and carried by unanimous vote.

67. **REQUEST TO REPROGRAM HOME FUNDS** (Tape 6)

Supervisor Hyland stated that Christian Relief Services, in conjunction with Christian Relief Services of Virginia (CRSVA), applied on April 7, 1995 for United States (US) Department of Housing and Urban Development (HUD) dollars in response to the SuperNOFA and hopes to purchase 10 properties currently under HUD \$1 lease in their Homes for the Homeless transitional housing program.

These properties would create housing stock to permanently support units for the transitional housing program. If awarded, HUD will provide 50 percent in acquisition funds and a 50 percent match is required. CRSVA's total request to purchase 10 properties was \$985,678. HUD will pay \$492,839 and the State will provide \$340,839. Christian Relief would like to complete the match by reprogramming the \$152,000 in their HOME funds. These funds were awarded to CRSVA in 1994 for a Home Ownership Opportunity Program to purchase and resell HUD foreclosed properties for first-time low-income home buyers. However, the funds have not been used because they did not provide for any operating expenses and CRSVA lacks the staff resources to implement the program without further financial support.

In light of the immediate need for the matching funds request for the 1995 HUD SuperNOFA, Supervisor Hyland moved that the Board approve the request of the CRSVA and reprogram the \$152,000 in HOME funds for use in funding the transitional housing project. He stipulated that the reprogramming would be contingent upon

CRSVA's being awarded the grant which will be announced by the end of the year. In the meantime, CRSVA will pursue alternative funding sources to provide homeownership opportunities for low-income buyers in the County. If the grant is not funded by HUD, CRSVA will retain the funds to use for its original purpose. This motion was seconded by Supervisor Alexander.

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

68. **CONSISTENT TREATMENT OF SUNDAY AUTO SALES AND VEHICLE PREPARATION** (Tape 6)

Supervisor Hyland reported that in the course of working with representatives of a car dealership in the Mount Vernon District, he learned of an inequity in the treatment of Sunday automobile sales. Some dealerships could sell and conduct vehicle preparation on Sundays; others could not. He stated that he was told that in the case of the one dealership, the limitation was due to the fact that staff had proposed a condition limiting Sunday hours. Meanwhile, another dealership further south on Route One was selling and conducting vehicle preparation on Sundays.

Supervisor Hyland stated that staff had informed him that the Board could choose whether or not to impose the condition and could advise others to seek amendments if the Sunday limitation was considered undesirable. Supervisor Hyland expressed his view of the unfairness and inconsistency of the restrictions. He stated his belief that it is in the best interest of the County to permit automotive sales on Sunday both from the standpoint of revenue enhancement as well as encouraging drivers of old vehicles to buy new ones and remove "clunkers" from the road.

Accordingly, Supervisor Hyland asked unanimous consent that the Board direct staff to review this matter for their recommendation regarding what can be done to permit all car dealers in Fairfax County the right to sell and conduct vehicle delivery preparation at their facilities on Sunday without having to apply to amend their Special Exception Applications. Without objection, it was so ordered.

69. **INTENDED DEFERRALS OF PUBLIC HEARINGS** (Tape 6)

Supervisor Connolly announced his intent to defer the following public hearings (PH) scheduled later in the day:

- 4:00 p.m. PH on Rezoning Application RZ 94-P-030 (Cold Stream Development, Limited) in Providence District;
- 4:00 p.m. PH on Rezoning Application RZ 94-P-015 (Tysons Promenade Limited Partnership and McDonald's Corporation) in Providence District; and

- 4:00 p.m. PH on Special Exception Application SE 94-P-020 (Tysons Promenade Limited Partnership and McDonald's Corporation) in Providence District.

Supervisor Alexander announced his intent to defer the following:

- 4:30 p.m. PH on Proffered Condition Amendment Application PCA C-448-12 (Kindercare Learning Centers, Incorporated) in Lee District.

Supervisor Connolly announced his intent to defer the following:

- 5:00 p.m. PH on Proposed Out-of-Turn Plan Amendment S94-II-F1 for the area generally bounded by Jermantown Road, I-66, Waples Mill Road, and Tattersall and Oak Marr Parks in Providence District.

(NOTE: Later in the meeting, the Board formally deferred the aforementioned public hearings. See Clerk Summary Items CL#88, CL#89, CL#97 and CL#107.)

70. **RECESS/EXECUTIVE SESSION** (Tape 6)

At 1:35 p.m., Supervisor Connolly 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:

- Board of Supervisors, et al., versus American Association of Cosmetology Schools, Law Number 139525; and
- John F. Swart, Jr. and Lewis Leigh, Jr., Co-Executors of the Estate of Charles L. Dunn, Sr., versus Board of Supervisors of Fairfax County, Virginia, Consolidated At Law Numbers 128982, 128983, 128984, and 137320.

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

AM:am

At 3:25 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, with the exception of Supervisor Bulova, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION71. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 7)

Supervisor Frey 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 Dix and carried by a vote of nine, *Supervisor Bulova* being out of the room.

(*NOTE: Later in the meeting, Supervisor Bulova asked unanimous consent to be recorded as voting "AYE" on the Certification by Board Members motion. See Clerk's Summary Item CL#82.)

72. **JOHN F. SWART, JR. AND LEWIS LEIGH, JR. VERSUS BOARD OF SUPERVISORS** (Tape 7)

Supervisor Berger moved that the Board reject the proposed settlement offer and authorize the final counter-offer recommended by the County Attorney in the case of John F. Swart, Jr. and Lewis Leigh, Jr. versus Board of Supervisors, Consolidated At Law Numbers 128982, 128983, 128984 and 137320. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Bulova being out of the room.

73. **AUTHORIZATION FOR SETTLEMENT OF BOARD OF SUPERVISORS, ET AL, VERSUS AMERICAN ASSOCIATION OF COSMETOLOGY SCHOOLS, AT LAW NUMBER 139525** (Tape 7)

Supervisor Connolly moved that the Board authorize the settlement of Board of Supervisors, et al. versus American Association of Cosmetology Schools, At Law Number 139525, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova being out of the room.

(NOTE: Later in the meeting, there was an additional Executive Session and subsequent Actions from Executive Session. See Clerk's Summary Items CL#103 and CL#104.)

74. **A-8 - NOTIFICATION BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF THE FINANCING PLAN FOR THE TAVENNER LANE APARTMENTS AND ITS REQUEST FOR AN ALLOCATION FROM THE HOUSING TRUST FUND OF \$450,000; AND AUTHORIZATION TO ENTER INTO A CONTRACT FOR CONSTRUCTION WITH THE LOWEST BIDDER (LEE DISTRICT)** (Tape 7)

(NOTE: Earlier in the meeting, this item was deferred until later in the meeting. See

Clerk's Summary Item CL#23.)

Supervisor Alexander moved that the Board concur in the recommendation of staff and authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to award a contract to Aztec Construction Company for the construction of the Tavenner Lane Apartments. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Bulova being out of the room.

75. **PROCLAMATION DESIGNATING THE WEEK OF MAY 21 THROUGH MAY 27, 1995 AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (Tape 7)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved to designate the week of May 21-27, 1995 as "**Public Works Week**" in Fairfax County and invite the appropriate staff to appear before the Board for recognition. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova being out of the room.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

AR:ar

76. **3:30 P.M. - DEFERRAL OF PH ON SPECIAL EXCEPTION APPLICATION SE 95-L-001 (THE FISCHER GROUP) (LEE DISTRICT)** (Tape 8)

Supervisor Alexander moved to defer the public hearing on Special Exception Application SE 95-L-001 until **June 26, 1995 at 4:00 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova being out of the room.

77. **3:30 P.M. - DEFERRAL OF PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-L-059-2 (BSI, INCORPORATED, T/A BROWNE ACADEMY) (LEE DISTRICT)** (Tape 8)

Supervisor Alexander moved to defer indefinitely the public hearing on Special Exception Amendment Application SEA 85-L-059-2. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Bulova being out of the room.

78. **3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-L-058 (GUENTER G. PFEIL) (LEE DISTRICT)** (Tape 8)

Mr. Guenter G. Pfeil reaffirmed the validity of the affidavit for the record.

Mr. Pfeil 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, Phyllis Wilson, Staff Coordinator, Zoning Evaluation

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

Supervisor Alexander moved approval of Special Exception Amendment Application SEA 82-L-058 subject to the development conditions dated March 2, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova being out of the room.

Supervisor Alexander moved waiver of the transitional screening and barrier requirements, subject to the Special Exception Plat. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Bulova being out of the room.

79. **3:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S94-III-UP2, AREA BOUNDED BY THE WORLDGATE DRIVE, MONROE STREET AND THE DULLES AIRPORT ACCESS ROAD (DRANESVILLE DISTRICT)** (Tape 8)

Supervisor Berger moved to defer the public hearing on Out-of-Turn Plan Amendment S94-III-UP2 until **May 22, 1995 at 5:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Bulova being out of the room.

80. **3:30 P.M. - PH ON THE SALE OF COUNTY-OWNED PROPERTY LOCATED AT 3521 MONCURE AVENUE (MASON DISTRICT)** (Tape 8)

- (R) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 14 and April 21, 1995.

Following the public hearing, Supervisor Trapnell moved adoption of the Resolution authorizing the sale of the property located at 3521 Moncure Avenue, Tax Map Number 61-2 ((19)) 5A to Senanan E. Dernovesk and Khosrow Tajvidi. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander, Supervisor Berger, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Bulova and Supervisor Dix being out of the room.

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

At 3:40 p.m., the Board recessed briefly and at 4:00 p.m., reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Alexander, and with Chairman Hanley presiding.

82. **REQUEST TO RECORD VOTE** (Tape 8)

Supervisor Bulova asked unanimous consent to be recorded as voting "AYE" on the Certification by Board Members Regarding Items Discussed in Executive Session.

Without objection, it was so ordered.

83. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING NOTIFICATION REQUIREMENTS** (Tape 8)

- (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 April 14 and April 21, 1995.

Following the public hearing, Supervisor Berger moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding notification requirements to become effective at **12:01 a.m. on July 1, 1995.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander being out of the room.

84. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-L-034 (NAZIR BHAGAT) (LEE DISTRICT)** (No Tape)

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

SBE:sbe

85. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-M-031 (COLD STREAM DEVELOPMENT, LIMITED) (MASON DISTRICT)** (Tape 9)

Mr. Sterling W. Montague, Jr. reaffirmed the validity of the affidavit for the record.

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

Following discussion, Supervisor Trapnell moved to defer decision on Rezoning Application RZ 94-M-031 until later in the meeting. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

(NOTE: Later in the meeting, action was taken to establish a new public hearing date for Rezoning Application RZ 94-M-031. See Clerk's Summary Item CL#98.)

86. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-L-034 (NAZIR BHAGAT) (LEE DISTRICT)** (Tape 9)

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

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

Supervisor McConnell disclosed the following campaign contribution that she had received:

- In excess of \$100 from William Smith.

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 that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-L-034 be amended from the R-1 and Natural Resources Districts to the PDH-8 and Natural Resources Districts subject to the proffers dated May 1, 1995; the Planning Commission having previously approved Final Development Plan Application FDP 94-L-034. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hyland, Supervisor Trapnell, and Chairman Hanley being out of the room.

Supervisor Alexander moved waiver of the 600-foot maximum private street length. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Hyland, Supervisor Trapnell, and Chairman Hanley being out of the room.

87. **ORDERS OF THE DAY - WELCOMING FAIRFAX COUNTY'S FIREFIGHTERS BACK FROM OKLAHOMA CITY** (Tape 9)

(NOTE: Earlier in the meeting, the return of the firefighters was announced. See Clerk's Summary Item CL#2.)

Chairman Hanley announced a change in the afternoon agenda. She stated that the Board would recess the meeting to welcome the County's firefighters returning from Oklahoma City when they arrived at the West Ox Facilities for a reception in their honor. The Board would continue with its scheduled agenda upon its return.

88. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-P-030 (COLD STREAM DEVELOPMENT, LIMITED) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 94-P-030 until **May 22, 1995 at 4:30 p.m.** This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hyland, and Supervisor Trapnell being out of the room.

89. **4:00 P.M. - 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 9)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 94-P-015 and Special Exception Application SE 94-P-020 until **July 17, 1995 at 3:30 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hyland, and Supervisor Trapnell being out of the room.

90. **4:00 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION DPA 89-C-025 (RESTON LAND CORPORATION) (HUNTER MILL DISTRICT)** (Tape 9)

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.

Supervisor Dix disclosed the following campaign contribution that he had received:

- In excess of \$200 from James C. Cleveland, Reston Land Corporation.

Following the public hearing, Cathy Chianese, Assistant to the County Executive (formerly Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning), presented the staff and Planning Commission recommendations.

Supervisor Dix moved approval of Development Plan Amendment Application DPA 89-C-025 subject to the development conditions. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Alexander, Supervisor Frey, Supervisor Hyland, and Supervisor Trapnell being out of the room.

91. **4:00 P.M. - PH ON THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO THE FAIRFAX COUNTY PARK AUTHORITY (SULLY AND HUNTER MILL DISTRICTS)** (Tape 9)

- (R) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 14 and April 21, 1995.

Following the public hearing, which included testimony by two speakers, Supervisor Dix moved adoption of the Resolution authorizing the conveyance to the Fairfax County Park Authority of 12 parcels of County-owned property totaling approximately 18.8 acres of land located at Tax Map Number 56-3 ((1)) 8, 9, 10, 11, 12; Tax Map Number 46-3 ((5)) 5; Tax Map Number 35-1 ((1)) 8A, 9A, 11A, 12A, 13A and Tax Map Number 39-1 ((35))A. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Alexander, Supervisor McConnell, and Supervisor Trapnell being out of the room.

92. **4:30 P.M. - JOINT PH ON PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY ROAD IMPROVEMENT BUDGET FOR FISCAL YEAR 1996 (COUNTYWIDE)** (No Tape)

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

93. **4:30 P.M. - PH ON REZONING APPLICATION RZ 94-V-002 (ALLAN H. GASNER, TRUSTEE) (MOUNT VERNON DISTRICT)** (Tapes 9-10)

Mr. Stephen V. Fox reaffirmed the validity of the affidavit for the record.

Mr. Fox 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 four speakers, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor McConnell and Supervisor Trapnell being out of the room.

Supervisor Hyland moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-V-002 be amended from the R-1 District to the PDH-2 District subject to the proffers dated April 28, 1995; the Planning Commission having previously approved Final Development Plan Amendment FDP 94-V-002. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell and Supervisor Trapnell being out of the room.

94. **BOARD RECESS** (Tape 10)

At 5:10 p.m., the Board recessed to welcome the County firefighters returning from Oklahoma City, and at 6:30 p.m. reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Berger, and with Chairman Hanley presiding.

95. **4:30 P.M. - JOINT PH ON PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY ROAD IMPROVEMENT BUDGET FOR FISCAL YEAR 1996 (COUNTYWIDE)** (Tape 10)

- (R) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of April 14 and April 21, 1995.

Following the public hearing, Supervisor Frey moved approval of the draft Fiscal Year (FY) 1996 Secondary Road Improvement Budget shown as Attachment I and summarized in Attachment II of the Memorandum to the Board with the following amendment:

- That the \$2 million shown for the Fairfax County Parkway between Route 123 and Braddock Road (Project #45), be reallocated to the Braddock Road and the Centreville Road projects (#16 and #17). The Board has previously requested that Virginia Department of Transportation (VDOT) completely fund this segment of the Parkway using Federal funds, since the project is \$5 million under the projected cost, and secondary road funds are very limited and needs are great.

The Braddock Road project from the Parkway to Clifton Road (#16) and the Centreville Road project at its intersection with Route 50 (#17) are the next priority projects for constructions. The \$2 million would provide sufficient funding for the Braddock Road project to go to construction (\$250,000) and would provide full funding for the right-of-way for the Centreville Road project (\$1,750,000).

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

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved adoption of the Resolution to allocate the subject \$50,000 and matching Fairfax County funds from Subfund 447 towards the adjustment of utilities for the Stringfellow Road project between I-66 and Route 29. Any additional funds needed for this Fairfax County project would

come from Fairfax Center Area funds (Subfund 447). This motion was seconded by Supervisor McConnell and carried by unanimous vote, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hanley, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Vice-Chairman Dix voting "AYE."

Vice-Chairman Dix returned the gavel to Chairman Hanley.

96. **4:30 P.M. - PH ON REZONING APPLICATION RZ 94-V-002 (ALLAN H. GASNER, TRUSTEE) (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#93.)

97. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA C-448-12, PCA 86-L-033-3 AND PCA 84-L-020-6 (KINDER CARE LEARNING CENTERS, INCORPORATED) (LEE DISTRICT)** (Tape 10)

Supervisor Alexander moved to defer of the public hearing on Proffered Condition Amendment Applications PCA C-448-12, PCA 86-L-033-3 and PCA 84-L-020-6 until **May 22, 1995 at 5:00 p.m.** This motion was seconded by Supervisor Bulova and carried by unanimous vote.

98. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-M-031 (COLD STREAM DEVELOPMENT, LIMITED) (MASON DISTRICT)** (Tape 10)

(NOTE: Earlier in the meeting, this public hearing was held. See Clerk's Summary Item CL#85.)

Supervisor Trapnell moved to re-establish a new public hearing date on Rezoning Application RZ 94-M-031 to be held before the Board on **June 26, 1995 at 5:00 p.m.** This motion was seconded by Supervisor Hyland and carried by unanimous vote.

99. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-Y-046 (KINDER CARE LEARNING CENTERS, INCORPORATED) (SULLY DISTRICT)** (Tape 10)

Mr. Frederick R. Taylor reaffirmed the validity of the affidavit for the record.

Mr. Taylor 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-046 subject to the revised development conditions dated April 22, 1995. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

100. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-V-106 (OURISMAN DODGE, INCORPORATED) (MOUNT VERNON DISTRICT)** (Tape 10)

Mr. E. Andrew Keeney reaffirmed the validity of the affidavit for the record.

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

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

Following discussion, Supervisor Hyland moved:

- Approval of Special Exception Amendment Application SEA 87-V-106 subject to the revised development conditions dated May 1, 1995;
- Waiver of the service drive requirement along Richmond Highway;
- The addition of the following language to Condition 17:
 - "If the cost of the aforementioned road improvements exceeds \$50,000, the applicant, at his sole discretion, shall have no obligation to construction such aforementioned improvements. However, if the aforementioned road improvements are not constructed as shown on Attachment I, SEA 87-V-106 shall become null and void"; and
- The addition of the following in the final paragraph of the Conditions:
 - Change 30 months to 36 months.

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

101. **4:30 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S94-II-M1, NORTHWEST OF HAYCOCK ROAD BETWEEN THE WEST FALLS CHURCH METRO STATION AND GEORGE MASON HIGH SCHOOL (DRANESVILLE DISTRICT)** (Tapes 10-12)

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 April 14 and April 21, 1995.

Following the public hearing, which included testimony by 10 speakers and discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development and Fred R. Selden, Chief, Policy and Plan Development Branch, Office of Comprehensive Planning (OCP), Supervisor Berger moved approval of Out-of-Turn Plan Amendment S94-II-M1 as recommended by the Planning Commission with the modification identified as "Modification to Planning Commission Recommendation" dated May 1, 1995, as circulated to the Board. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

102. **RECESS/EXECUTIVE SESSION** (Tape 11)

At 8:20 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion or consideration of personnel matters pursuant Virginia Code Section 2.1-344 (A)(1). This motion was seconded by Supervisor Bulova and carried by unanimous vote.

NV:nv

At 11:35 p.m. the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor Frey, and with Chairman Hanley presiding.

ADDITIONAL ACTIONS FROM EXECUTIVE SESSION

103. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 12)

Supervisor Bulova moved that the Board 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 Connolly and carried by a vote of nine, Supervisor Frey being out of the room.

104. **APPOINTMENT OF M. DOUGLAS SCOTT AS CHIEF OF POLICE** (Tape 12)

Supervisor Alexander moved the appointment of M. Douglas Scott as Chief of Police at an annual salary of \$93,841 (S38-6) in Exempt Service effective Saturday, May 6, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

Following a brief statement by incoming Chief Scott, there was Board discussion.

105. **BOARD RECESS** (Tape 12)

At 11:40 p.m., the Board recessed briefly and at 11:45 p.m. reconvened in the Board Auditorium with all Members being present, with exception of Supervisor Berger, Supervisor Dix, Supervisor Frey, and Supervisor Trapnell, and with Chairman Hanley presiding.

106. **4:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT S94-CW-T4 TO ADD THE PROPOSED REALIGNMENT OF UNIVERSITY DRIVE** (Tape 12)

Supervisor Bulova moved to defer the public hearing on Out-of-Turn Plan Amendment S94-CW-T4 until **June 26, 1995 at 3:30 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Frey, and Supervisor Trapnell being out of the room.

107. **5:00 P.M. - DEFERRAL OF PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S94-II-F1 FOR THE AREA GENERALLY BOUNDED BY JERMANTOWN ROAD, I-66, WAPLES MILL ROAD AND TATTERSALL AND OAK MARR PARKS (PROVIDENCE DISTRICT) AND PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 94-II-4F, IN THE VICINITY OF JERMANTOWN ROAD AND I-66 (PROVIDENCE DISTRICT)** (Tape 12)

Supervisor Connolly moved to defer the public hearing on Out-of-Turn Plan Amendment S94-II-F1 and proposed Area Plans Review (APR) Item 94-II-4F until **June 5, 1995 at 4:00 p.m.** This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Frey, and Supervisor Trapnell being out of the room.

(NOTE: On April 20, 1995 the Planning Commission denied APR Item 94-II-4F. Because only APR items that are favorably acted upon by the Planning Commission are sent forward to the Board for action, a public hearing will not be held on this item.)

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

At 11:45 p.m., the Board adjourned.