

SBE:sbe

The meeting was called to order at 9:35 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 MATTER

2. **BASEBALL RESULTS** (Tape 1)

Supervisor Dix, assistant coach for his son's baseball team, the Triple A Giants, announced that the team finished its season as League Champions and Tournament Runners-up. He congratulated the Triple A Yankees who were the Tournament Champions and League Runners-up.

3. **CERTIFICATES OF RECOGNITION TO THE PARTICIPANTS OF THE EARTH DAY/ARBOR DAY PLANNING COMMITTEE** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of the Certificates of Recognition presented to:

- David Anglin, Fairfax County Department of Environmental Management (DEM);
- R. Terry Brittain, Superintendent of Buildings and Grounds, Northern Virginia Community College (NVCC);
- Rosemary Bryne, Clean Fairfax County, Incorporated;
- Leslie Callarouso, Ogden Martin Systems, Incorporated;
- Romain Duchez and the NVCC French Alliance Club;
- Ann Marie Jordan, Fairfax Releaf, Incorporated;
- Michael Knapp, Fairfax County Urban Forestry Branch, DEM;
- Edward Mainland, President, Fairfax Releaf, Incorporated;
- Mary Morse and Phi Theta Kappa and NVCC Honor Society;
- Ron Rubin, International Society of Arboriculture;
- Patty Schnell, Ogden Martin Systems, Incorporated;
- Dr. Richard Ernst, President, NVCC; and

- Bill Coulter, NVCC, Annandale Campus, Police;

to recognize the dedication and hard work of the Earth Day/Arbor Day Planning Committee, Ogden Martin Systems of Fairfax, Incorporated and NVCC-Annandale Campus. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being out of the room.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

4. **CERTIFICATES OF RECOGNITION TO THE TREE PRESERVATION TASK FORCE** (Tape 1)

(BACs)

Supervisor Dix moved approval of the Certificates of Recognition presented to the members of the Tree Preservation Task Force for their outstanding contributions. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

5. **CERTIFICATES OF RECOGNITION TO THE FAIRFAX COUNTY COMMUNITY DIVERSION PROGRAM'S COMMUNITY CORRECTIONS RESOURCES BOARD** (Tape 1)

(BACs)

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved approval of the Certificates of Recognition presented to:

- Benjamin Winn, Chairman; ■ Marion Moon, Vice Chairperson;
- Arthur Gabler; ■ Dennis Braddock;
- David Winter; ■ WilliaFisher;
- Lisa Pellegrin; ■ Charles Price;
- Richard Patrick; and ■ Brenda Rodriquez;

to recognize the Fairfax County Community Diversion Program's Community Corrections Resources Board for dedicated service to the community. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Connolly being out of the room.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

ADDITIONAL BOARD MATTERS

6. **RECOGNITION OF SHERIFF CARL R. PEED** (Tape 1)

Chairman Hanley recognized the presence of Sheriff Carl R. Peed in the Board Auditorium and warmly welcomed him.

7. **RESIGNATION OF SUPERVISOR ALEXANDER FROM THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA), THE VIRGINIA RAILWAY EXPRESS (VRE) OPERATING BOARD, AND NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) AND APPOINTMENT OF SUPERVISOR HYLAND** (Tape 1)

(APPT)

Supervisor Alexander announced that he will be joining the staff of De Leuw, Cather and Company as Vice President, focusing on transit development, effective July 1, 1995. De Leuw, Cather and Company is a worldwide engineering and planning firm, specializing in transit and other fields of transportation.

To eliminate potential conflicts of interest, Supervisor Alexander announced his resignation from his positions on the Washington Metropolitan Area Transit Authority (WMATA), the Virginia Railway Express (VRE) Operating Board and the Northern Virginia Transportation Commission (NVTC) effective immediately. He will continue to serve on the Board of Supervisors until the completion of his term, December 31, 1995.

Supervisor Alexander moved the appointment of Supervisor Hyland to fill his unexpired term as the voting member on the WMATA, NVTC, and the VRE Operating Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Alexander moved that the Board direct staff to send a letter to Congressman Frank Wolf and his committee expressing appreciation for approving the \$200 million for Metro for this coming year. This motion was seconded by Supervisor Dix and carried by unanimous vote.

CM:cm

8. **10:00 A.M. - BOARD DECISION ON THE APPOINTMENT OF REPRESENTATIVES FROM THE DRANESVILLE, HUNTER MILL, LEE, MASON AND SULLY DISTRICTS, AND TWO AT-LARGE REPRESENTATIVES TO THE FAIRFAX COUNTY SCHOOL BOARD** (Tape 2)

(APPT)

(BACs)

(NOTE: State law requires the Board to conduct this public hearing to receive the views of citizens on the appointment of School Board Members at least seven days prior to an appointment. The public hearing was held on June 5, 1995. No person whose name was not considered at the public hearing may be appointed.)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing has been duly advertised in that Newspaper in the issues of

May 19 and May 26, 1995.

Chairman Hanley moved the appointment of Mr. Ilryong Moon as the At-Large (Minority) Representative to the School Board. This motion was seconded by Supervisor Connolly.

Supervisor Dix moved a substitute motion to reappoint Mr. Ralph Miles as the At-Large (Minority) Representative to the School Board. This motion was seconded by Supervisor Frey.

Following a show-of-hands vote for Mr. Moon, which **FAILED** by a vote of five-five, the question was called on the substitute motion to reappoint Mr. Miles, which also **FAILED** by a show-of-hands vote of five-five.

Chairman Hanley moved the appointment of Ms. Ernestine Heastie as the At-Large Representative to the School Board. This motion was seconded by Supervisor Connolly.

Supervisor Dix moved a substitute motion to appoint Mr. Ralph Miles as the At-Large Representative to the School Board. This motion was seconded by Supervisor Frey.

Following discussion, Chairman Hanley moved to nominate the following individuals as At-Large Representatives to the School Board:

- Ms. Ernestine Heastie; and
- Mr. Ilryong Moon.

This motion was seconded by Supervisor Bulova.

Supervisor Dix moved the appointment of Mr. Ralph Miles as an At-Large Representatives to the School Board. The second to this motion was inaudible.

Following further discussion, with input from David P. Bobzien, County Attorney, Supervisor Trapnell moved a substitute motion to appoint Mr. Moon and reappoint Mr. Miles as At-Large Representatives to the School Board. This motion was seconded by Supervisor Berger and **FAILED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell voting "AYE."

Following further discussion, Chairman Hanley moved the appointment of Mr. Ilryong Moon as the At-Large Representative to the School Board. This motion was seconded by Supervisor Bulova.

Supervisor Dix moved the reappointment of Mr. Ralph Miles. The second to this motion was inaudible.

The question was called on the motion to appoint Mr. Ilryong Moon as the At-Large

Representative to the School Board which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

Supervisor Berger moved the appointment of Mr. Thomas Land as the Dranesville District Representative to the School Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Dix moved the reappointment of Mr. Louis J. Zone as the Hunter Mill District Representative to the School Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Mr. Anthony T. Lane as the Lee District Representative to the School Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Trapnell moved the reappointment of Ms. Ruth Turner as the Mason District Representative to the School Board. This motion was seconded by Supervisor Berger and carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Gary Reese as the Sully District Representative to the School Board. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the appointment of the At-Large (Minority) Representative to the School Board be deferred until later in the day. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, there was further action regarding this item. See Clerk's Summary Items CL#10, CL#45, and CL#94.)

9. **10:15 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 2)

(BACs)
(APPTs)

AIRPORTS ADVISORY COMMITTEE

Supervisor Dix moved the appointment of Ms. Barbara Banks to fill the unexpired term of Mr. George Aste as the Hunter Mill District Representative to the Airports Advisory Committee. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: The appointment of the At-Large Representative to the Airports Advisory Committee was deferred until later in the meeting. See Clerk's Summary Item CL#93.)

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD

(NOTE: The appointment of the At-Large Representative to the Alcohol Safety Action Program Local Policy Board was deferred.)

ARCHITECTURAL REVIEW BOARD

Chairman Hanley moved the appointment of Mr. John Burns as the At-Large (Architect) Representative to the Architectural Review Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

ATHLETIC COUNCIL

[NOTE: The appointment of the Springfield District (Alternate) Representative to the Athletic Council was deferred.]

BOARD OF BUILDING CODE APPEALS

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

CHILD CARE ADVISORY COUNCIL

Supervisor McConnell moved the reinstatement of Ms. Joanne McCoy as the Springfield District Representative to the Child Care Advisory Council. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being out of the room.

COMMISSION ON AGING

(NOTE: The appointment of the At-Large Representative to the Commission on Aging was deferred.)

COMMUNITY ACTION ADVISORY BOARD

Supervisor Frey moved the reappointment of Ms. Bethany Hall-Long as the Sully District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being out of the room.

CONFIRMATION:

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

- Mr. Norman St. Louis as the American Association of Retired Persons Representative.

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

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

COMMUNITY DEVELOPMENT ADVISORY BOARD

Supervisor Frey moved the reappointment of Ms. Deanna Bray as the Sully District Representative to the Community Development Advisory Board. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor Alexander being out of the room.

(NOTE: The appointment of the Lee District Representative to the Community Development Advisory Board was deferred until later in the meeting. See page eight.)

COMMUNITY IMPROVEMENT COMMITTEE

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

CONSUMER PROTECTION COMMISSION

Supervisor Trapnell moved the appointment of Mr. Sam Rothman as an At-Large (Resident of Fairfax County) Representative to the Consumer Protection Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Thomas Chadwick as an At-Large (Resident of Fairfax County) Representative to the Consumer Protection Commission. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Alexander moved the reappointment of Mr. Lawrence Fowler as an At-Large (Resident of Fairfax County) Representative to the Consumer Protection Commission. This motion was seconded by Chairman Hanley and carried by unanimous vote.

ADDITIONAL APPOINTMENT TO THE COMMUNITY DEVELOPMENT ADVISORY BOARD

Supervisor Alexander moved the reappointment of Ms. Linda Wameldorf to fill the unexpired term of Mr. John Bennett as the Lee District Representative to the Community Development Advisory Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

ECONOMIC DEVELOPMENT AUTHORITY

Supervisor Bulova moved the reappointment of Mr. Harry Doyle as an At-Large (Citizen) Representative to the Economic Development Authority. This motion was seconded by Supervisor Hyland.

Supervisor Dix moved the reappointment of Mr. George Newstrom as an At-Large (Citizen) Representative to the Economic Development Authority. The second to this motion was inaudible.

Supervisor Dix moved the appointment of Mr. Dan Bannister as an At-Large (Citizen) Representative to the Economic Development Authority. The motion died for lack of a second.

The question was called on the motion to reappoint Mr. Doyle, which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

The question was called on the motion to reappoint Mr. Newstrom, which carried by unanimous vote.

ELECTRICAL ADVISORY AND LICENSING BOARD

Supervisor Dix moved the reappointment of Mr. John Buhl as an At-Large (Class B Electrical Contractor) Representative to the Electrical Advisory and Licensing Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Frey informed the Board of changes being made to the Electrical Advisory and Licensing Board because of changes in the State Code and asked unanimous consent that the Board direct staff to review the issue to determine how the changes will affect this board. Without objection, it was so ordered.

Chairman Hanley moved the reappointment of Mr. Justin Carlock as an At-Large (Tradesman) Representative to the Electrical Advisory and Licensing Board. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

[NOTE: The appointments of an At-Large (Professional Engineer) and an At-Large (Tradesman) Representative to the Electrical Advisory and Licensing Board were deferred.]

ENVIRONMENTAL QUALITY ADVISORY COUNCIL

CONFIRMATION:

Supervisor Dix moved that the Board confirm the following appointment to the Environmental Quality Advisory Council:

- Ms. Lauren Taggart as the Student Representative.

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

(NOTE: The appointment of the Springfield District Representative to the Environmental Quality Advisory Council was deferred.)

EROSION AND SEDIMENT CONTROL REVIEW BOARD

Supervisor Trapnell moved the appointment of Ms. Carol Laiken as an At-Large (Citizen/Resident/Alternate) Representative to the Erosion and Sediment Control Review Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

FAIRFAX AREA DISABILITY SERVICES BOARD

Supervisor Connolly moved the appointment of Mr. Don Colodny as the Providence District Representative to the Fairfax Area Disability Services Board. This motion was seconded by Chairman Hanley and carried by unanimous vote.

Supervisor Trapnell moved the appointment of Mr. Nathaniel I. Hogan to fill the unexpired term of Ms. Pamela Burns as the At-Large (Business Community) Representative to the Fairfax Area Disability Services Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Ms. Burns to appear before the Board to receive recognition for her years of service to Fairfax County. Without objection, it was so ordered.

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

FAIRFAX/FALLS CHURCH COMMUNITY SERVICES BOARD

(NOTE: The appointment of the At-Large Representative to the Fairfax/Falls Church Community Services Board was deferred.)

HISTORY COMMISSION

Supervisor Connolly moved the appointment of Mr. Francis R. Bray, Jr. as an At-Large (Citizen) Representative to the History Commission. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

HUMAN SERVICES COUNCIL

Chairman Hanley moved the appointment of Mr. Kevin H. Bell as the At-Large Representative to the Human Services Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Bulova moved the reappointment of Ms. Ester Eisenhower as the Braddock District Representative to the Human Services Council. This motion was seconded by Supervisor Alexander and carried by unanimous vote.

Supervisor Berger moved the reappointment of Ms. Mary Fischer as the Dranesville District Representative to the Human Services Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Frey moved the appointment of Mr. Robert E. Hope as the Sully District Representative to the Human Services Council. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being out of the room.

Supervisor Connolly moved the appointment of Mr. James Pickford to fill the unexpired term of Mr. Kevin Bell as the Providence District Representative to the Human Services Council. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

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

JUVENILE COURT CITIZEN ADVISORY COUNCIL

Supervisor Connolly moved the appointment of Ms. Elinor Light as the Providence District Representative to the Juvenile Court Citizen Advisory Council. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Dix being out of the room.

LIBRARY BOARD

Chairman Hanley moved the reappointment of Ms. Joyce Andrews as the At-Large Representative to the Library Board. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of eight, Supervisor Berger voting "NAY," Supervisor Dix being out of the room.

LOWER POTOMAC LAND USE COMMITTEE FOR THE DISTRICT OF COLUMBIA (D.C.) PROPERTY LOCATED IN LORTON, VIRGINIA

Supervisor Hyland asked unanimous consent that appointments to the Lower Potomac Land Use Committee for the District of Columbia (D.C.) Property Located in Lorton, Virginia be deferred. Without objection, it was so ordered.

Supervisor Connolly announced that he had received a call from the Federation of Citizens Associations nominating Mr. Glenn Stroup as their Representative.

Following discussion, Chairman Hanley asked unanimous that the Board direct staff to provide a list showing all of the confirmations needed for this Committee. Without objection, it was so ordered.

(NOTE: The appointments of the At-Large, Mount Vernon, and Springfield District Representatives to the Lower Potomac Land Use Committee for the D.C. Property Located in Lorton, Virginia were deferred.)

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

Supervisor Dix moved the appointment of Mr. Tim Walsh as the At-Large Representative to the Oversight Committee on Drinking and Driving. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD

Following discussion, Chairman Hanley asked unanimous consent that the Board direct staff to review the Code requirements for this advisory board to determine what action is required on behalf of the Board or the landowners. Without objection, it was so ordered.

[NOTE: The appointments of the two At-Large (Resident/Owner) Representatives to the Route 28 Highway Transportation District Advisory Board were deferred.]

TREE COMMISSION

Supervisor Frey moved the reappointment of Mr. Richard Rein as the Sully District Representative to the Tree Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

(NOTE: The appointment of the Dranesville District Representative to the Tree

Commission was deferred.)

VOLUNTEER FIRE COMMISSION

CONFIRMATIONS:

Supervisor Dix moved that the Board confirm the following appointments to the Volunteer Fire Commission:

- Mr. Robert Flores as the Zone Four Representative;
- Mr. J. Patrick Rooney as the Volunteer Firemen's Association Representative;
- Mr. Gerald Strider as the At-Large Representative; and
- Mr. Eric Cramer as the Zone Three Representative.

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

AD-HOCS

CITIZENS ADVISORY COMMITTEE ON SOLID WASTE

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

COMMUNITY INITIATIVE TO REDUCE YOUTH VIOLENCE

Supervisor Bulova moved the appointment of Ms. Barbara Coates as the Braddock District Representative to the Community Initiative to Reduce Youth Violence. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Alexander moved the appointment of Mr. Robert Heittman as the Lee District Representative to the Community Initiative to Reduce Youth Violence. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Trapnell moved the appointment of Ms. Carol A. Mooney as the Mason District Representative to the Community Initiative to Reduce Youth Violence. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Frey moved the appointment of Mr. Jeff Hoffecker as the Sully District Representative to the Community Initiative to Reduce Youth Violence. This motion was seconded by Chairman Hanley and carried by unanimous vote.

CONFIRMATIONS:

Chairman Hanley moved that the Board confirm the following appointments to the Community Initiative to Reduce Youth Violence:

- Mr. Paul Sadler as a Religious Community Representative; and
- Mr. David Roberts as a Religious Community Representative.

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

Supervisor Dix moved that the Board confirm the following appointment to the Community Initiative to Reduce Youth Violence:

- Mr. Michael Guthrie as the Northern Virginia Fellowship of Christian Athletes Representative.

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

(NOTE: The appointments of the Dranesville and the Springfield District Representatives to the Community Initiative to Reduce Youth Violence were deferred.)

DULLES CORRIDOR TASK FORCE

(NOTE: The appointment of the Dranesville District Representative to the Dulles Corridor Task Force was deferred.)

TASK FORCE ON COUNTY REVENUES AND EXPENDITURES

Supervisor Bulova moved the appointment of Mr. R. Warren Eisenhower as the Braddock District Representative to the Task Force on County Revenues and Expenditures. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Berger moved the appointment of Mr. Robert Spunar as the Dranesville District Representative to the Task Force on County Revenues and Expenditures. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Alexander moved the appointment of Mr. John Lynch as the Lee District Representative to the Task Force on County Revenues and Expenditures. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland moved the appointment of Mr. Fred Suffa as the Mount Vernon District Representative to the Task Force on County Revenues and Expenditures. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the appointment of Mr. Al Akers as the Springfield District Representative to the Task Force on County Revenues and Expenditures. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

CONFIRMATIONS:

Chairman Hanley moved that the Board confirm the following appointments to the Task Force on County Revenues and Expenditures:

- Ms. Patricia M. Woolsey as the Economic Development Authority Representative;
- Ms. Sally Ormsby as the Federation of Citizens Associations Representative;
- Ms. Marlene Blum as the Fairfax County Alliance for Human Services Representative; and
- Ms. Anne Kanter as the League of Women Voters Representative.

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

Supervisor Dix moved that the Board confirm the following School Board Representatives to the Task Force on County Revenues and Expenditures:

- Mr. Louis Zone; and
- Mr. Gary Reese.

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

(NOTE: The appointments of the Mason and the Sully District Representatives to the Task Force on County Revenues and Expenditures were deferred.)

UPPER HOLMES RUN ENVIRONMENTAL MONITORING ADVISORY COMMITTEE

[NOTE: The appointments of the Providence District (Raymondale Civic Association/Principal and Alternate) the Holmes Run Woods Crossing Civic Association, the Holmes Run Acres Civic Association, and the Pine Spring Civic Association Representatives to the Upper Holmes Run Environmental Monitoring Advisory Committee were deferred.]

(NOTE: Later in the meeting, further action was taken regarding this Committee. See Clerk's Summary Item CL#55.)

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

Supervisor Alexander moved the appointment of Mr. Santiago Sanchez to fill the unexpired term of Mr. M. Jesus Reyes as the Lee District Representative on the Small and Minority Business Enterprise Program Advisory Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

10. **BOARD DECISION ON THE APPOINTMENT OF THE AT-LARGE (MINORITY) REPRESENTATIVE TO THE FAIRFAX COUNTY SCHOOL BOARD** (Tape 2)

(NOTE: Earlier in the meeting, this appointment was deferred. See Clerk's Summary Item CL#8.)

Chairman Hanley moved the appointment of Ms. Ernestine Heastie as the At-Large (Minority) Representative to the School Board. This motion was seconded by Supervisor Connolly.

Supervisor Dix moved the reappointment of Mr. Ralph Miles as the At-Large (Minority) Representative to the School Board. This motion was seconded by Supervisor Frey.

Following discussion, Supervisor Hyland moved to defer the appointment of the At-Large (Minority) Representative to the School Board until later in the day pending a legal opinion from staff. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

(NOTE: Later in the meeting, the Board discussed this issue. See Clerk's Summary Items CL#45 and CL#94.)

11. **RECOGNITION OF THE CLERK OF THE COURT AND SCHOOL BOARD MEMBERS** (Tape 2)

Chairman Hanley recognized the presence of John T. Frey, Clerk of the Court, and Ms. Emily Snyder and Mr. Stuart Mendelson of the School Board and warmly welcomed them to the Board Auditorium.

12. **BOARD RECESS** (Tape 2)

At 10:55 a.m., the Board recessed briefly and at 11:05 a.m., reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

13. **ADMINISTRATIVE ITEMS** (Tape 2)

Supervisor Trapnell moved approval of the Administrative Items. This motion was

seconded by Supervisor Dix.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and called the Board's attention to Administrative Item Six - Revised Agreement Between the School Board and the Board of Supervisors Governing After-Hour Use of School Facilities and asked unanimous consent that this item be deferred until later in the meeting. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

Supervisor Alexander called the Board's attention to Administrative Item Four - Authorization to Advertise a Public Hearing on the Acquisition of Certain Dedications and Easements Necessary for the Construction of County Road Bond Project - Hayfield Road Improvements, Segments I and II (Lee District) and asked unanimous consent that the Board authorize the advertisement of a public hearing to be held before the Board regarding the acquisition of interests in real property necessary for the construction of County Road Bond Project 064142 - Hayfield Road Improvements, Segments I and II on **July 31, 1995 at 5:00 p.m.** Without objection, it was so ordered.

Supervisor Frey called the Board's attention to Administrative Item Seven - Creation of a Work Group to Study the Possible Application of Traffic Light Signal Violations, Photo-Monitoring Systems in Fairfax County and asked unanimous consent that the Board direct staff to include other jurisdictions who have conducted similar projects. Without objection, it was so ordered.

Chairman Hanley called the Board's attention to Administrative Item Nine - Supplemental Appropriation Resolution (SAR) as 96005 Totalling \$163, 982 for the Comprehensive Services Act Trust Fund Grant. A brief discussion ensued with input from Verdia Haywood, Deputy County Executive for Human Services.

The question was called on the motion to approve the Administrative Items, 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."

ADMIN 1 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE LEASING OF COUNTY-OWNED PROPERTY TO THE YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **July 17, 1995 at 5:00 p.m.** regarding the leasing of County-owned property located at Tax Map Number 17-3 ((1)) 1-B to the Young Men's Christian Association (YMCA).

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO EXPAND THE ANNANDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **July 17, 1995 at 5:00 p.m.** regarding the proposed amendment 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 Bristow Drive (Route 2784) from Rocart Drive to the end, into the existing Annandale RPPD, District 14.

ADMIN 3 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE FAIRHAVEN PHASE VI COMMUNITY DEVELOPMENT PROJECT (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **July 17, 1995 at 4:30 p.m.** regarding the acquisition of certain land rights necessary for the construction of Project 003848 - Fairhaven Phase VI Community Development Project.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN DEDICATIONS AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF COUNTY ROAD BOND PROJECT - HAYFIELD ROAD IMPROVEMENTS, SEGMENTS I AND II (LEE DISTRICT)

- (A) (NOTE: Earlier in the meeting, action was taken on this item to change the date of the proposed public hearing. See page 16.)

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO ABANDON AND VACATE PORTIONS OF CENTREVILLE ROAD (ROUTE 657) (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board of Supervisors on **July 31, 1995 at 4:30 p.m.** to consider abandoning and vacating portions of Centreville Road.

ADMIN 6 - REVISED AGREEMENT BETWEEN THE SCHOOL BOARD AND THE BOARD OF SUPERVISORS GOVERNING AFTER-HOUR USE OF SCHOOL FACILITIES

- (NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#142.)

ADMIN 7 - CREATION OF A WORK GROUP TO STUDY THE POSSIBLE APPLICATION OF TRAFFIC LIGHT SIGNAL VIOLATIONS, PHOTO-MONITORING SYSTEMS IN FAIRFAX COUNTY

(NOTE: Earlier in the meeting, the Board took additional action regarding this item. See page 16.)

Authorized the creation of a work group to study the possibility of using photo-monitoring systems at traffic lights in Fairfax County as authorized by the Code of Virginia, Section 46.2-833.01.

ADMIN 8 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 95064 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT A VIRGINIA DEPARTMENT OF EMERGENCY SERVICES GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 95064 in the amount of \$25,000 from the Federal Emergency Management Agency for the Fire and Rescue Department's Urban Search and Rescue (US&R) team. This grant will provide funds for the purchase or maintenance of US&R team equipment and supplies and/or US&R Training.

ADMIN 9 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96005 TALLING \$163, 982 FOR THE COMPREHENSIVE SERVICES ACT TRUST FUND GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96005 from the Virginia State Executive Council in the amount of \$163,982 for the early intervention services for at-risk youth and their families.

ADMIN 10 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96004 FOR THE HEALTH DEPARTMENT'S MINORITY AIDS PROJECT GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96004 in the amount of \$96,421 from the Virginia Department of Health (VDH) to expand HIV prevention efforts targeted to minority communities.

ADMIN 11 - AUTHORIZATION FOR THE HEALTH DEPARTMENT TO APPLY FOR A GRANT TO INCREASE THE PUBLIC'S AWARENESS ABOUT THE NEED FOR RADON TESTING AND REMEDIATION OF ELEVATED RADON LEVELS

Authorized the submission of the Health Department's application for a grant in the amount of \$10,000 for radon testing.

ADMIN 12 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96007 FOR THE OFFICE OF TRANSPORTATION RIDESOURCES PROGRAM (ALL DISTRICTS)

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96007 in the amount of \$236,866 from the Virginia Department of Rail and Public Transportation (VDRPT) for the Ridesharing Program.

ADMIN 13 - GRANT TO COUNCIL OF GOVERNMENTS FOR TECHNICAL SERVICES - I-95 LANDFILL (MOUNT VERNON DISTRICT)

Authorized the County Executive to sign the grant to the Metropolitan Washington Council of Governments (COG) for technical services at the I-95 landfill.

ADMIN 14 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96009 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT \$434,555 FROM THE WASHINGTON/BALTIMORE HIGH INTENSITY DRUG TRAFFICKING AREA PROJECT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96009 in the amount of \$434,555 from the Washington/Baltimore Area High Intensity Drug Trafficking Area (HIDTA) Project. These funds will be used to provide residential substance abuse treatment to incarcerated substance abusers and to provide enhanced day treatment services for clients referred by Probation and parole.

ADMIN 15 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96010 FOR FAIRFAX COUNTY CIRCUIT COURT AND RECORDS PRESERVATION PROGRAM GRANT

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96010 in the amount of \$74,079 from the Virginia State Library and Archives to preserve photostat deed books.

ADMIN 16 -SUPPLEMENTAL APPROPRIATION RESOLUTION AS 96008 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT \$77,771 FROM THE VIRGINIA DEPARTMENT OF CORRECTIONS DISTRICT NUMBER 29 PROBATION AND PAROLE OFFICE

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96008 in the amount of \$77,771 from the Virginia Department of Corrections District Number 29 Probation and Parole Office. This grant will provide substance abuse assessment, intervention, treatment, and case management services to probation and parole offenders.

ADMIN 17- STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, HUNTER MILL, LEE AND SULLY DISTRICTS)

(R) Approved the request that certain streets listed in the Memorandum to the Board dated June 26, 1995 be recommended for acceptance in the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Horvath's Addition to the Great Hampton	Dranesville	Hampton Oak Court Spring Hill Road, Route 684, Additional Right-of-Way only
Kingstream, Section 4A	Dranesville	Kingstream Circle, Route 6963 Woodvale Court
Brookside West Section 2	Hunter Mill	Cheddar Drive, Route 6775 Brookhill Lane Brookstone Lane Brookstone Court
Villages at Huntington Section 1	Lee	Shaffer Drive, Route 4324 Bayliss Place
Camberley West	Sully	Camberley Forest Drive Wilbury Road
Stuart Mill Landing	Sully	Stuart Mill Court Stuart Mill Road, Route 671, Additional Right-of-Way only

14. **A-1 - AUTHORIZATION TO PAY FISCAL YEAR (FY) 1996 FIRST QUARTER WASHINGTON METROPOLITAN AREA TRANSPORTATION AUTHORITY (WMATA) BILLING (COUNTYWIDE)** (Tapes 2-3)

(R) Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Hyland moved that the Board concur in the recommendation of staff and:

- Adopt the Resolution authorizing payment of the Fiscal Year (FY) 1996 first quarter transit operating and capital billing in the net amount of \$12,852,629 to the Washington Metropolitan Area Transportation Authority (WMATA) of the WMATA; and
- Reaffirm the payment of \$435,126 to WMATA as its local match for the FY 1995 Metrobus replacement program.

This motion was seconded by Supervisor Trapnell and **CARRIED** by a recorded vote of eight, Supervisor Berger, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander abstaining, Supervisor Connolly being out of the room.

15. **A-2 - AUTHORIZATION TO MAKE COMMUTER RAIL PAYMENT (BRADDOCK, LEE, MASON, MOUNT VERNON AND SPRINGFIELD DISTRICTS)** (Tape 3)

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor McConnell moved that the Board concur in the recommendation of staff and authorize payment of \$1,205,815 to the Northern Virginia Transportation Commission (NVTTC) for Fairfax County's share of the Fiscal Year (FY) 1996 Virginia Railway Express (VRE) payment due on July 3, 1995. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of nine, Supervisor Alexander abstaining.

16. **A-3 - REVISIONS TO CHAPTER 10 OF THE PERSONNEL REGULATIONS REGARDING SICK AND FAMILY AND MEDICAL LEAVE** (Tape 3)

On motion of Supervisor Trapnell, seconded by Supervisor Connolly, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapter 10 of the Personnel Regulations regarding sick and family and medical leave.

17. **A-4 - COMMUNITY IMPROVEMENT ADVISORY COMMITTEE RECOMMENDATION TO APPROVE TWO NEW NEIGHBORHOODS FOR THE COMMUNITY IMPROVEMENT PROGRAM (CIP)** (Tape 3)

Following a lengthy discussion, with input from William J. Leidinger, County Executive, and John W. di Zerega, Director, Department of Public Works, and staff of the Department of Housing and Community Development, Supervisor Trapnell moved that the Board concur in the recommendation of staff and endorse the Community Improvement Advisory Committee's actions as summarized in the Memorandum to the Board dated June 26, 1995. This motion was seconded by Supervisor Connolly, and **CARRIED** by a recorded vote of five, Supervisor Berger, Supervisor Bulova, Supervisor Dix, and Supervisor Frey voting "NAY," Supervisor Alexander being out of the room.

18. **A-5 - APPROVAL OF THE ESTABLISHMENT OF THREE ADDITIONAL MANAGEMENT ANALYST II POSITIONS IN THE FAIRFAX COUNTY EMERGENCY SERVICES SECTION** (Tape 3)

Supervisor McConnell moved that the Board concur in the recommendation of staff and approve the establishment the three additional Management Analyst II (S-23) positions in the Fairfax County Emergency Services Section, Police Department. This motion was seconded by Supervisor Dix.

Following discussion, with input from Major W. A. Baranyk, Police Department, Supervisor Berger moved a substitute motion to defer this item and refer it to the Board's Financial and Programs Auditor for review and recommendation. This motion died for lack of a second.

Following further discussion, Supervisor Alexander moved to call the question. This motion, the second to which was inaudible, carried by unanimous vote.

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

AR:ar

19. **A-6 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING FREESTANDING SIGNS IN SIGN CONTROL OVERLAY DISTRICTS** (Tape 4)

(A)

(R) On motion of Supervisor Hyland, seconded by Supervisor McConnell, 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," the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 6, 1995 and before the Board on **October 16, 1995 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding free standing signs in Sign Control Overlay Districts.

20. **A-7 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING VEHICLE RENTAL ESTABLISHMENTS BY SPECIAL EXCEPTION IN THE C-3, C-4, I-3, I-4 AND I-5 DISTRICTS** (Tape 4)

(A)

(R) On motion of Supervisor Dix, seconded by Supervisor McConnell, 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," the Board concurred in the recommendation of staff and adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 6, 1995 and before the Board on **October 16, 1995 at 4:00 p.m.** on proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding vehicle rental establishments by Special Exception in the C-3, C-4, I-3, I-4 and I-5 Districts.

21. **A-8 - PROPOSED STREET NAME CHANGE FOR A PORTION OF PINEY BRANCH ROAD (SULLY DISTRICT)** (Tape 4)

Supervisor Frey moved that the Board concur in the recommendation of staff and approve an official street name change from Piney Branch Road in the Official Street Names and Property Numbering Atlas, to Brentwood Farm Drive for the portion originating at lots 32A and 33A of Brentwood, Section 2, to its terminus near Braddock Rod on Tax Map Numbers 056-3 and 067-1. This motion was seconded by Supervisor Hyland.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board direct staff to respond with information regarding what happens to residents when streets names are changed; specifically, what action is necessary with the Department of Motor Vehicles (DMV), for example. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

Supervisor Frey asked unanimous consent that the Board direct staff to provide information on what has been done previously by the County to assist residents in the event of a street name change. Without objection, it was so ordered.

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

22. **A-9 - PROPOSED STREET NAME CHANGE FOR A PORTION OF CANNONBALL ROAD (SULLY DISTRICT)** (Tape 4)

On motion of Supervisor Frey, seconded by Supervisor Bulova, and carried by a vote of nine, Supervisor Alexander being out of the room, the Board concurred in the recommendation of staff and approved an official street name change from Cannonball Road in the Official Street Names and Property Numbering Atlas, to Castner Court for the portion of Cannon ball Road that originates west of the Fairfax County Parkway on Tax Map Number 055-4.

23. **A-10 - STREET NAME CHANGE FOR A PORTION OF FAIR LAKES PARKWAY (SULLY DISTRICT)** (Tape 4)

On motion of Supervisor Frey, seconded by Supervisor Trapnell, and carried by a vote of nine, Supervisor Alexander being out of the room, the Board concurred in the recommendation of staff and approved an official street name change from Fair Lakes Parkway in the Official Street Names and Property Numbering Atlas, to Northbourne Drive for the portion of Fair Lakes Parkway from its intersection with Stringfellow Road to existing Northbourne Drive on Tax Map Number 055-1.

24. **A-11 - APPROVAL OF FISCAL YEAR (FY) 1996 CLOSE MANAGEMENT INITIATIVES (CMI) PROCESS** (Tape 4)

Supervisor Dix moved that the Board concur in the recommendation of staff and approve the Close Management Initiatives (CMI) process for Fiscal Year (FY) 1996. This motion was seconded by Supervisor Berger.

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

25. **A-12 - ABANDONMENT OF A PORTION OF SILVERBROOK ROAD (ROUTE 600) (MOUNT VERNON DISTRICT)** (Tape 4)

(R) On motion of Supervisor Hyland, seconded by Supervisor Berger, 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, the Board concurred in the recommendation of staff and adopted the Resolution abandoning portions of Silverbrook Road (Route 600).

26. **A-13 - AUTHORIZATION TO PURCHASE ABSENTEE BALLOT TABULATING EQUIPMENT FOR USE IN THE CENTRAL ABSENTEE VOTING ELECTION DISTRICT (CAVED)** (Tape 4)

On motion of Supervisor Berger, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the acquisition of the Global Elections systems Accu-Vote tabulating equipment to include 12 Tabulating Units complete with ballot boxes, an additional 12 ballot boxes plus the necessary software and hardware at a cost of \$101,450 for use in the Central Absentee Voting Election District (CAVED) in time for the November 7, 1995 General Election.

27. **C-1 - AUTHORIZATION FOR A SEWER TAP FOR 7225 DELL AVENUE [85-((2))-6] IN THE TOWN OF CLIFTON (SPRINGFIELD DISTRICT)** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated June 26, 1995 presenting a request for a sewer tap for a single family dwelling at 7225 Dell Avenue [85-2((2))-6] in the Town of Clifton.

At the request of the County Attorney, Supervisor McConnell asked unanimous consent that the Board defer consideration of this Item until after today's Executive Session. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken by the Board on this Item. See Clerk's Summary Item CL#100.)

28. **C-2 - REPORT BY THE FINANCIAL AND PROGRAMS AUDITOR TO THE BOARD OF SUPERVISORS ON SPACE UTILIZATION** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated June 26, 1995 presenting the analysis and recommendations set forth in the June 1, 1995 memorandum from James J. Hogan, Financial and Programs Auditor to the Board, subject: Review of the Status of Leased Space by Fairfax County.

Supervisor Dix moved approval of the three recommendations outlined on page two of Attachment One of the Memorandum to the Board dated June 26, 1995, with the understanding that staff will report with an implementation plan. The second to this motion was inaudible.

Following discussion, with input from Fred K. Kramer, Director, Department of General Services, Chairman Hanley referred to Chart C on handwritten page 11. She relinquished the Chair to Vice-Chairman Dix and asked to amend the motion to direct staff to move forward with an immediate plan to bring into owned space the Office for Children and the Park Authority because those two leases expire within a year, and this was accepted.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

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

Supervisor Berger congratulated Mr. Hogan and staff on the preparation of an excellent report.

29. **C-3 - FUNDING TO PROCEED WITH A "VISION PLAN" FOR TRANSPORTATION RELATED ISSUES** (Tape 4)

The Board next considered an Item contained in the Memorandum to the Board dated June 26, 1995 presenting a recommendation for funding to proceed with a "Vision Plan" for transportation related issues.

Supervisor McConnell moved approval of funding to allow for support of a "Vision Plan" for transportation related issues to occur during the Fall of 1995. This motion was seconded by Supervisor Bulova.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Supervisor Alexander moved a substitute motion to defer consideration of this Item pending discussion with the Transportation Advisory Commission (TAC). This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Following discussion regarding the need for regional coordination, the question was called on the main motion, as substituted, which carried by unanimous vote.

30. **I-1 - STAFF SUMMARIES OF MARCH AND APRIL, 1995 TRANSPORTATION ADVISORY COMMISSION (TAC) MEETINGS (COUNTYWIDE)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 presenting the staff summaries of March and April, 1995 Transportation Advisory Commission (TAC) meetings.

31. **I-2 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) ENHANCEMENT PROGRAM PROJECTS (COUNTYWIDE)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 5, 1995 presenting the transportation enhancement projects approved by the Commonwealth Transportation Board (CTB).

There was a brief discussion regarding this Item.

32. **I-3 - APPROVAL FOR TAX CREDIT APPLICATION FOR FOREST GLEN AT SULLY STATION (SULLY DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for staff to sign the letter to the Virginia Housing Development Authority (VHDA) for First Centrum for their tax credit application being submitted for the second phase of the Forest Glen at Sully Station seniors' apartment project.

The staff was directed administratively to proceed as proposed.

33. **I-4 - POLICY AND PROCEDURES FOR CITIZEN REQUESTS TO UPGRADE EXISTING STREET LIGHTS (COUNTYWIDE)** (Tape 4)

(P) The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for staff to implement the Policy and Procedures for Citizen Requests to Upgrade Existing Street Lights contingent upon Board approval of a funding source for this program. The Policy and Procedures are summarized as follows:

- Requests to upgrade existing street lights will be limited to replacing the existing fixtures and lamps from a mercury vapor light source to a high pressure sodium vapor light (HPSV) source or increasing the intensity of the existing HPSV street lights to meet current Virginia Department of Transportation (VDOT) and American Association of State Highway and Transportation Officials (AASHTO) illumination standards;
- The upgrade of existing street lights will be limited to locations where the current illumination levels do not meet adopted VDOT

- and AASHTO roadway lighting standards;
- A petition must be submitted for all requests to upgrade existing street lights in order to demonstrate that a majority of the residents whose properties are impacted by the proposed street light upgrade are in concurrence with the proposal;
- Requests to upgrade existing street lights will be implemented contingent upon the availability of sufficient funds. The requests will be processed in sequential order based on the date that a valid petition is submitted to the County;
- The Department of Public Works (DPW) will establish the final scope of work in order to ensure that adopted roadway lighting standards are achieved;
- Requests to upgrade existing street lights within the boundaries of a defined subdivision shall be limited to a total cost to the County of \$2,000/year;
- Requests to upgrade existing street lights outside the boundaries of a defined residential subdivision shall be limited to a reasonable grouping of lights where the total cost to the County does not exceed \$2,000; and
- Locations where existing street lights will be upgraded as a part of a proposed land development project currently being processed through the Department of Environmental Management (DEM) shall not be eligible for this program.

The staff was directed administratively to proceed as proposed.

Following discussion, with input from John W. di Zerega, Director, DPW, Supervisor Hyland asked unanimous consent that the Board direct staff to provide a list of those areas that do not have street lights and the costs of providing those lights for which petitions have already been submitted.

Supervisor Dix asked to amend the request to direct staff to submit its plan for beginning to once again accept petitions for installations, and this was accepted.

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

34. **I-5 - REQUEST TO ESTABLISH PRE-RECORDED MESSAGES AT EACH BRANCH TAX OFFICE** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 presenting the staff response to the request to establish pre-recorded messages at each Branch Tax Office.

Following discussion with input from Kevin C. Greenlief, Director, Department of Tax Administration, Supervisor Hyland asked unanimous consent that the Board direct staff to reexamine the issue with regard to access and service in each Branch Tax Office. Without objection, it was so ordered.

Supervisor Berger asked unanimous consent that the Board direct staff to provide an Information Item at the next Board meeting showing the number of constituents who use each Branch Tax Office. Without objection, it was so ordered.

35. **I-6 - THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S (DEM) INTERACTIVE VOICE RESPONSE SYSTEMS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 presenting the Department of Environmental Management's (DEM) Interactive Voice Response Systems.

36. **I-7 - STATUS REPORT ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING HOME OCCUPATION PERMITS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 presenting a status report on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding Home Occupation Permits.

Supervisor Dix expressed his appreciation to staff for this status report.

37. **I-8 - PROVISION OF INFORMATION ON CURRENT COUNTY GOVERNMENT ACTIONS TO NON-INCUMBENT CANDIDATES FOR THE BOARD OF SUPERVISORS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 announcing the provision of information on current County Government actions to non-incumbent candidates for the Board of Supervisors.

38. **I-9 - AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE HOUSING OPPORTUNITIES FOUNDATION TO ASSIST MODERATE INCOME HOMEBUYERS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for the Fairfax County Redevelopment and Housing Authority (FCRHA) to enter into an Agreement with the Housing Opportunities Foundation (HOF) to assist moderate income families become homeowners in Fairfax County.

The staff was directed administratively to proceed as proposed.

39. **I-10 - CONTRACT AWARD - INSTALLATION OF LIGHTING SYSTEM AND RELATED WORK AT LEVELLE W. DUPELL PARK (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for staff to award a contract to EMF Associates, Incorporated in the amount of \$72,330 for the installation of lighting system and related work at Levelle W. Dupell Park as part of Project 475588, Community Park Development, in Subfund 451, Park Authority Bond Construction.

The staff was directed administratively to proceed as proposed.

40. **I-11 - AWARD OF CONTRACT - MULTIMEDIA INFORMATION KIOSKS** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for staff to award the remaining portion of the contract to George Mason University for multimedia information kiosks.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board authorize staff to review less expensive ways of proceeding on this Item prior to award of this contract. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

The staff was directed administratively to proceed as proposed.

41. **I-12 - AWARD OF CONTRACT - FAIRFAX COUNTY PARKWAY NOISE WALLS (NORTH SECTION) (HUNTER MILL DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for staff to award a contract to J.T.E. Constructors, Incorporated in the amount of \$3,983,658.96 for construction of Fairfax County Parkway Noise Walls (North Section), Project 064148, in Subfund 463, Primary and Secondary Road Bond Construction.

The staff was directed administratively to proceed as proposed.

42. **I-13 - AWARD OF CONTRACT - I-66 TRANSFER STATION WATER MAIN (SULLY DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for staff to award a contract to J.R.G. Contractors, Incorporated in the amount of \$195,746.93 for construction of the I-66 Transfer Station Water Main, in Project 174002, I-66 Transfer Station Expansion in Subfund 174, Refuse Disposal.

The staff was directed administratively to proceed as proposed.

43. **I-14 - ENGINEERING CONTRACT AWARD TO PATTON, HARRIS, RUST AND ASSOCIATES, P.C., FOR THE DESIGN OF PROJECT K00301, LORTON PUMPOVER SEWER SYSTEM (MOUNT VERNON DISTRICT)** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for staff to:

- Award a contract to Patton, Harris, Rust and Associates, P.C., in the amount of \$1,435,477 for a sewage delivery system; and
- Reallocate funds as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

44. **I-15 - RETIREMENT SYSTEMS CONTRIBUTION RATES FOR FISCAL YEAR (FY) 1996** (Tape 4)

The Board next considered an Information Item contained in the Memorandum to the Board dated June 26, 1995 requesting authorization for staff to proceed to implement the retirement contribution rates recommendations for Fiscal Year (FY) 1996 for the three County Retirement Systems as outlined in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

ADDITIONAL BOARD MATTERS

45. **SCHOOL BOARD APPOINTMENT** (Tape 4)

(NOTE: Earlier in the meeting, the Board considered appointments to the School Board. See Clerk's Summary Items CL#8 and CL#10.)

Supervisor Dix asked unanimous consent that, later in the meeting, when a vote is taken on the outstanding School Board appointment, a full Board will be present for this consideration. Without objection, it was so ordered.

(NOTE: Later in the meeting, action was taken by the Board on this appointment. See Clerk's Summary Item CL#94.)

46. **PRESENTATION OF THE NEW ECONOMIC DEVELOPMENT AUTHORITY (EDA) VIDEOTAPE** (Tape 4)

Chairman Hanley requested the presentation of the new Economic Development Authority (EDA) videotape at this time.

47. **PARALYMPIC GAMES** (Tape 4)

Chairman Hanley stated that the Paralympic Games will be held in 1996 in Atlanta, Georgia immediately following the Olympic Games. She noted that the qualifying competition will be held in Fairfax County July 5-10, 1995. Due to the special needs of these athletes, the event organizers have determined the need for several tents.

Accordingly, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved that the Board direct staff to waive the permit fees for up to five tents so that the athletes can be accommodated. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

48. **FIRE AND RESCUE RETIREMENT ASSOCIATION'S GOLF TOURNAMENT AT EVERGREEN COUNTRY CLUB** (Tape 4)

Supervisor Hanley noted that once again this year the Fairfax County Fire and Rescue Retirement Association is sponsoring a golf outing at the Evergreen Country Club on July 10, 1995. The proceeds from the outing will be used to fund donations to members of the Fire and Rescue Department who have met with catastrophic illness or financial difficulties.

Supervisor Hanley stated that this year the Department is asking the Board to sponsor one tee or green at a cost of \$250 or \$25 per Member. A large sign will be placed at the green or tee indicating the sponsor's name and affiliation. The Board has also been asked to field a team to play in the tournament. However, because most of the teams will be made up of Fire and Rescue personnel, Chief Gaines has warned that he can't guarantee the team a win - only that the Board Members will have a good time.

Therefore, Supervisor Hanley moved that the Board accept Chief Gaines' invitation to sponsor a tee with \$250 raised through donations of \$25 per member, and that the Board field a team consisting of four members with the understanding that Supervisor Frey will be the captain of the team. This motion was seconded by Vice-Chairman Dix and carried by unanimous vote.

49. **RIBBON CUTTING CEREMONIES** (Tape 4)

Supervisor Hanley called the Board's attention to her June 12, 1995 letter to Secretary of Transportation Martinez requesting coordination of any scheduled ribbon cutting ceremonies with the County. With particular notation of the upcoming completion of the Fairfax County Parkway segment between Braddock Road and Route 123 in July 1995, Supervisor Hanley asked unanimous consent that the Board direct staff to work with the State to establish a ribbon cutting ceremony in recognition of the opening of this segment of the Parkway. Without objection, it was so ordered.

50. **OCCOQUAN WATERSHED** (Tape 5)

Supervisor Hanley noted that the Occoquan Watershed supplies drinking water for approximately 500,000 people in the region, as well as parkland and wetland wildlife habitats. Because of the special circumstances involving the Occoquan Reservoir and the need to protect safe drinking water, it would be useful to know more about how other areas of the country have treated reservoirs and surrounding transportation needs.

Therefore, Supervisor Hanley moved that the Board direct staff to research whether other areas of the country have bridges that carry traffic across reservoirs, under what circumstances, and whether vehicles carrying hazardous material are prohibited. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

(NOTE: Later in the meeting, this issue was revisited. See Clerk's Summary Item CL#141.)

51. **REQUEST FOR RECOGNITION OF MR. BYRON WALDMAN AND MR. RICHARD LOCKWOOD** (Tape 5)

Supervisor Hanley stated that Mr. Byron Waldman has been the Northern Virginia member of the Commonwealth Transportation Board (CTB) for a number of years, but he is leaving this position at the end of this month. Mr. Waldman, over the years, has provided significant assistance on various transportation matters involving funding and design. In addition, he played a key role in matters involving High Occupancy Vehicles (HOV) issues and has chaired the Northern Virginia Transportation Coordinating Council since its creation. Accordingly, Supervisor Hanley moved that the Board direct staff to invite Mr. Waldman to appear before the Board so that it can express its appreciation for his long service to Fairfax County as a member of CTB. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

In addition, Supervisor Hanley asked unanimous consent that the Board direct staff to prepare a letter for the Chairman's signature to Richard C. Lockwood, Transportation Planning Engineer, Virginia Department of Transportation (VDOT), who is also retiring this month, expressing the Board's appreciation for his services and wishing him well. Mr. Lockwood has been involved directly, and through being VDOT's representative on a number of transportation matters in Northern Virginia and Fairfax County. Without objection, it was so ordered.

Vice-Chairman Dix relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that Mr. Lockwood be invited to appear before the Board as well. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Vice-Chairman Dix.

52. **EXPANSION OF THE HEALTH CARE ADVISORY BOARD TO INCLUDE AN ADDITIONAL AT-LARGE MEMBER** (Tape 5)

(BACs)

Supervisor Hanley moved that the Board approve the expansion of the Health Care Advisory Board by converting the previously approved additional member to an At-Large member. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

53. **MEETING OF THE INFORMATION TECHNOLOGY SUBCOMMITTEE** (Tape 5)

Supervisor Hanley asked unanimous consent that the Board direct staff to schedule a meeting of the Information Technology Subcommittee and include an invitation for a presentation on the Northern Virginia Project. Without objection, it was so ordered.

54. **MINUTES OF THE TENANT/LANDLORD COMMISSION** (Tape 5)

Supervisor Hanley called the Board's attention to the minutes of the Tenant/Landlord Commission and asked unanimous consent that the Board direct staff to review these minutes with specific attention being given to the Building Revitalization Code and any Board action or comments which may be necessary. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

55. **UPPER HOLMES RUN ENVIRONMENTAL MONITORING ADVISORY COMMITTEE** (Tape 5)

(BACs)

Supervisor Connolly noted that there are several Providence District vacancies on the Upper Holmes Run Environmental Monitoring Advisory Committee. He stated that his staff has been in contact with the former Providence District members as well as the chairman of this committee, and the chairman reports that the committee is preparing its final report.

Since the former Providence District members question the ongoing usefulness of their positions, Supervisor Connolly moved that the Board direct staff to reexamine the purpose of this committee, and in particular, any requirements for further Providence District representation. This motion was seconded by Supervisor Trapnell and carried by unanimous vote.

56. **REQUEST TO WAIVE APPLICATION FEES FOR EXPANSION OF OAKTON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)** (Tape 5)

Supervisor Connolly called the Board's attention to its unanimous approval on May 22, 1995 of the expansion of the Oakton Residential Permit Parking District (RPPD)

to include Brightlea Drive from Crossbow Court to Oleander Avenue.

Supervisor Connolly noted that the Office of Transportation is now preparing the necessary paperwork to complete this expansion and will appear before the Board on July 17, 1995 to request scheduling of the public hearing for the remaining section. In preparation of the completion of this project, application fees must be waived by the Board.

Therefore, Supervisor Connolly moved to waive the application fees for the petition for the expansion of the Oakton RPPD to include Brightlea Drive from Logway Road to Edglea Road, and Logway Road from Brightlea Drive to Snowbound Court. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

57. **REQUEST FOR OUT-OF-TURN PLAN AMENDMENT** (Tape 5)

Supervisor Connolly stated that a Rezoning Application has been filed in Providence District on a six acre lot located at the corner of Old Nutley Street and Lee Highway. During the Area Plan Review process for 1994, this parcel was recommended to have primary access from Old Nutley Street and a secondary access from Lee Highway. The applicant has proposed to construct 29 single family homes with an access provided only from Old Nutley Street. The Office of Transportation has reviewed this proposal and believes that the primary access from Old Nutley Street is sufficient to meet the traffic needs of this development.

Accordingly, Supervisor Connolly moved that the Board:

- Authorize an Out-of-Turn Plan Amendment to evaluate the Comprehensive Plan recommendation for property located at Tax Map Reference 48-4((3))(36) parcels 9-16, 31A, and 31B; and
- Direct staff to schedule a public hearing on this Out-of-Turn Plan Amendment as soon as possible.

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

58. **EXPEDITED PROCESSING OF SPECIAL EXCEPTION APPLICATION SE 95-P-037** (Tape 5)

Supervisor Connolly moved that the Board direct staff to:

- Schedule an expedited public hearing for Special Exception Application SE 95-P-037 for a date and time certain following the Planning Commission's public hearing scheduled for September 13, 1995; and
- Concurrently process the Site Plan for this application.

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

PMH:pmh

59. **HAYFIELD ROAD IMPROVEMENT PROJECT** (Tape 6)

Supervisor Alexander said that the Hayfield Road improvement project consists of the improvement of Hayfield Road as a four-lane roadway between Telegraph Road and Manchester Lakes Boulevard. One section of the road will be constructed by the developer of Kingstowne and the other section will be constructed by the County using transportation bond referendum funds.

Supervisor Alexander moved that the Board direct the Department of Environmental Management (DEM) to review the developer's plans for Hayfield Road concurrently with land acquisition by Fairfax County and the waiving of the appropriate fees. He added that he would coordinate with the County Executive for the waiver of fees associated with this project. This motion, the second to which was inaudible, carried by unanimous vote.

60. **SPECIAL EXCEPTION APPLICATION SE 95-H-013 (EXXON CORPORATION)**
(Tape 6)

Supervisor Dix said that Exxon Corporation has filed Special Exception Application SE 95-H-013 to renovate the Exxon service station at the Fox Mill Shopping Center. This application is scheduled to be heard by the Planning Commission on June 29, 1995, and before the Board on July 31, 1995.

Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to accept the Site Plan for concurrent processing with this request. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of this Special Exception Application in any way. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

61. **DEVELOPMENT PLAN AMENDMENT APPLICATION DPA A-502-5 (MARTIN LUTHER KING, JR. CHRISTIAN CHURCH)** (Tape 6)

Supervisor Dix said that Martin Luther King, Jr. Christian Church has filed a Development Plan Amendment Application to construct a church and related facilities and a child care center in Reston. This application is scheduled to be heard by the Planning Commission on July 26, 1995, and before the Board on July 31, 1995.

Supervisor Dix moved that the Board authorize the Director of the Department of Environmental Management (DEM) to accept the PRC Plan for concurrent processing with this request. This motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and it does not prejudice the consideration of this Special Exception Application in any way. This

motion was seconded by Supervisor Connolly and carried by unanimous vote.

62. **REQUEST FOR INFORMATION FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION REGARDING AN INCREASE IN THE SPEED LIMIT ON THE FAIRFAX COUNTY PARKWAY** (Tape 6)

Supervisor Dix stated that the Virginia Department of Transportation (VDOT) has increased the speed limit on a segment of the Fairfax County Parkway.

Supervisor Dix moved that the Board direct staff to correspond with VDOT and request background information on:

- The increase in the speed limit on the Fairfax County Parkway;
- What process was utilized prior to that decision being made; and
- What consultation was made with Fairfax County and the elected officials in whose District the Parkway runs before the decision was made.

This motion was seconded by Supervisor Frey.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, the question was called on the motion which carried by unanimous vote.

63. **STATUS REPORT ON WELCOME TO FAIRFAX COUNTY SIGNS ON THE DULLES TOLL ROAD** (Tape 6)

Supervisor Dix referred to the Welcome to Fairfax County signage on the Dulles Toll Road and requested a status report.

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, Supervisor Dix asked unanimous consent that the Board direct staff to proceed with a "Welcome to Fairfax County" sign in English to be installed on the Dulles Toll Road. Without objection, it was so ordered.

64. **VIRGINIA MUNICIPAL LEAGUE (VML) MEETINGS SCHEDULED FOR OCTOBER 8, 9, 10, 1995** (Tape 6)

Supervisor Dix announced that the Virginia Municipal League (VML) has scheduled meetings on October 8, 9, 10, 1995. He asked unanimous consent that the Board meeting scheduled for October 9, 1995 be changed to October 16, 1995.

David P. Bobzien, County Attorney, and Cathy Chianese, Assistant to the County Executive, reported that the meeting had been changed.

65. **BOARD OF ZONING APPEALS (BZA) DID NOT HOLD SCHEDULED MEETING DUE TO A LACK OF QUORUM** (Tape 6)

Supervisor Dix announced that the Board of Zoning Appeals (BZA) did not hold a scheduled meeting due to a lack of quorum.

Supervisor Dix asked unanimous consent that the Board direct staff to send a letter to the BZA expressing the Board's concern about the lack of a quorum.

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked to amend the request to include:

- How often this situation has occurred; and
- How the BZA notifies the public if there will not be a quorum,

and this was accepted.

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

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

66. **COMMUTER TAX** (Tape 6)

Supervisor Dix referred to the issue of a commuter tax and he moved that the Board direct staff to send a letter to the Mayor and the Members of the District of Columbia City Council expressing its opposition to a commuter tax. This motion was seconded by Supervisor McConnell.

Supervisor Connolly asked that the motion be amended to send the letter to the Virginia Delegation, and this was accepted.

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

67. **REQUEST FOR ESTABLISHMENT OF BLUE RIBBON COMMITTEE TO DEVELOP A PROGRAM TO GENERATE NEW FUNDS FOR THE HOUSING TRUST FUND (HTF)** (Tape 6)

Supervisor Hyland said that he recently received a letter from Sharon Kelso, Chairman of the Homeless Oversight Committee as a follow-up to their recent report by urging the Board to take immediate action on the Housing Trust Fund's (HTF) recommendation to reorganize the HTF so that new funds can improve its capacity to provide affordable housing resources in every area of Fairfax County.

Supervisor Hyland noted that providing affordable housing in areas near work centers throughout the County is a major step in alleviating homelessness in the community. He

added that it is essential to have those who work in the jobs taken for granted in the communities live nearby so that the often limited income of these persons is not eroded by commuting costs.

Therefore, Supervisor Hyland moved that the Board establish a Blue Ribbon Committee to develop a fund raising program to generate new funds for the HTF with the composition of the Committee to include employers in the County with a vested interest in developing affordable housing for their employees.

Following discussion, Supervisor Hyland withdrew the motion and asked unanimous consent that this issue be deferred allowing the Chairman of the Fairfax County Redevelopment and Housing Authority (FCRHA) to meet with the Chairman of the Homeless Oversight Committee to determine if the efforts of the FCRHA are consistent with the recommendations of the HTF. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct the Chairman of the Housing Subcommittee to ensure that notification of its meeting is reaching the housing advocates. Without objection, it was so ordered.

68. **REQUEST FOR ENABLING LEGISLATION CONCERNING THE INCREASING USE OF MOPEDS** (Tape 6)

Supervisor Hyland said that the president of the Hollin Hall Citizens Association called to his attention the problems they have been experiencing with an increasing usage of mopeds in their community.

Supervisor Hyland said that the concern was reckless driving and handling of mopeds to driver safety issues and licensing of these motorized vehicles. The president of the Association cited an instance where two citizens in the community were riding their bicycles on a nearby trail when two youths on mopeds who were driving carelessly frightened them causing one to get almost knocked down and the other, in an effort to get out of the way of oncoming mopeds, fell and broke his arm. Despite the fact that the moped drivers could be cited for reckless driving under the current provisions of the law, the lack of licensing made it difficult for the victims to report them to the police.

Supervisor Hyland said that presently there are only minimal limitations placed on the operation of mopeds. Licensing is not a requirement and while a public hearing has been scheduled for July 17, 1995 at 3:30 p.m., the proposed Ordinance change will address only the safety equipment necessary for moped operators.

Therefore, Supervisor Hyland moved that the subject of licensing mopeds be referred to the County Attorney for review with the Department of Motor Vehicles (DMV) and that a recommendation for action be submitted to the Board. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Dix being out of the room.

69. **JAIL OVERCROWDING CAUSED BY STATE PRISONERS** (Tape 6)

Supervisor Hyland said in a recently published article in the newsletter of the Virginia Municipal League (VML) he read about the serious overcrowding in local jails caused by the detention of State-responsible prisoners.

Therefore, Supervisor Hyland moved that the Board refer this issue to staff so that they may determine:

- How many State-responsible prisoners are housed in Fairfax County jails;
- For how long; and
- What commitment the County has from the State to remove these prisoners and reduce costs to Fairfax County.

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

70. **REQUEST THAT THE COUNTY EXECUTIVE COORDINATE WITH THE SUPERINTENDENT, FAIRFAX COUNTY PUBLIC SCHOOLS (FCPS) TO OBTAIN ANTICIPATED FCPS BUDGET FUNDS TRANSFER REQUIREMENTS FOR FISCAL YEAR (FY) 1997** (Tape 6)

Supervisor Hyland said that over the past several years it has become obvious that the Board, the County Executive, the School Board, and the Superintendent, Fairfax County Public Schools (FCPS) need to develop a process for working more closely together on a continuing basis to address all of the funding needs of the County. He noted that each spring there have been late funding disagreements which have adversely affected the funding plans for County departments and agencies as well as for the FCPS. These disagreements distracted both boards from other issues important to each. Further, it has created last minute crises at the end of the year at a time when both should be at work implementing approved funding levels to ensure the continuity and economy of services. As a start, the County Executive needs to obtain the current estimate information from the Superintendent about what the FCPS's funding requirements for the upcoming fiscal year (FY) will be so that the County Executive can better plan for the budget guidelines he will propose in August. Further, this estimate information will give the Board earlier warning about shortfalls that will need to be addressed by both boards.

Supervisor Hyland stated that the information from the Superintendent should include his estimate of total funding requirements for the County and a brief explanation of the reason(s) for the increase/decrease in funding requirement from the current FY.

Supervisor Hyland asked unanimous consent that the Board direct the County Executive to work with the Superintendent to obtain estimate information concerning FCPS's funding requirements for FY 1997 with a brief explanation of changes from the FY 1996

funding level. These are to be considered in developing the budget funding guidelines provided to the Board in August. The Superintendent's estimate information should be provided along with the County Executive's proposed budget guidelines.

Following input from William J. Leidinger, County Executive, without objection, the request, was so ordered.

71. **FAIRFAX RELEAF COST-BENEFITS OF TREES ANALYSIS IS COMPLETE**
(Tape 6)

Supervisor Hyland said that with the assistance of many trained volunteers and members of Fairfax ReLeaf, the analysis on the value of trees in Fairfax County has been completed. He said that the results are interesting and he suggested that Fairfax ReLeaf provide a briefing to the Board before the Environmental Subcommittee at the next available date which is August 7, 1995 in room 232.

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

- Schedule this briefing for August 7, 1995 at 8:00 a.m. in Room 232 at the Government Center; and
- Make the appropriate notification to the public at large.

Without objection, it was so ordered.

72. **ROBERT DOYLE, UNIT DIRECTOR, VIRGINIA COOPERATIVE EXTENSION SERVICE, IS RETIRING** (Tape 6)

Supervisor Hyland announced that Robert Doyle, Unit Director, Virginia Cooperative Extension Service, is retiring. He noted that Mr. Doyle has been an extremely effective leader in the environmental community as well as being the leader in the green industry.

Supervisor Hyland asked unanimous consent that the Board direct staff to invite Mr. Doyle to appear before the Board for a farewell salute, Resolution, and Certificate of Appreciation. Without objection, it was so ordered.

73. **REQUEST FOR CONCURRENT PROCESSING FOR THE GUNSTON HALL FOREST SITE PLAN AND THE BOARD OF ZONING APPEALS (BZA) SPECIAL PERMIT APPLICATIONS** (Tape 6)

Supervisor Hyland distributed a letter from Henry and Henry, who represent FURP,L.P. the owners of Gunston Hall Forest, a new community which will be located along the Potomac River on Mason Neck. Because this property is located next to Gunston Cove, they will be constructing a boat ramp and 14-slip pier which will provide direct access to Gunston Cove for the owners.

Supervisor Hyland noted that FURP has a pending application before the Board of Zoning Appeals (BZA) for a Special Permit for waterfront use (Special Permit Application SP 95-V-023) and they are submitting to the Department of Environmental Management (DEM) a revision to its approved Site Plan (Number 7955-RGP-01-3) requesting approval for waterfront use. The owner has secured all other necessary permits and approvals and is ready to proceed. They believe concurrent processing is justified based on the hardship "time of year" restriction imposed by the Virginia Marine Resources Commission for the project:

- A time of year restriction of March 15 - June 30 during each year of life of the permit is imposed on any construction authorized herein in order to minimize impacts to anadromous fish species in the area.

The BZA public hearing is scheduled for July 5, 1995. Thus if the owner obtains BZA approval before the Site Plan is reviewed, it is likely that the commencement of construction would be delayed for a year.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to concurrently process the Gunston Hall Forest Site Plan with the BZA Special Permit Actions. Without objection, it was so ordered.

74. **SUMMER SCHOOL FUNDING** (Tape 6)

Supervisor Frey referred to the issue of funding for Summer School and he moved that the Board direct the County Executive to include an amount of up to \$850,000 as a part of the Carryover Budget Review Process for the Board to consider in September. This motion was seconded by Supervisor McConnell.

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

75. **CHANTILLY YOUTH ASSOCIATION** (Tape 6)

- (R) Supervisor Frey said that the Chantilly Youth Association has expressed a desire to utilize the cleared portion of the Southwest part of Land Bay A of the Government Center site for a multi-use ball field until such time as the County has plans for the permanent development for the site. He said that the Association has arranged to have donated or will bear the cost to provide the necessary labor and materials for the design and construction of said field.

Therefore, Supervisor Frey moved that the Board adopt the Resolution to:

- Initiate on Board's Own Motion a Proffered Condition Amendment/Final Development Plan Amendment Application (PCA/FDPA 86-W-001) to permit the temporary use of a ball field;

- Direct staff to schedule a public hearing as expeditiously as possible;
- Direct the Director of the Department of Environmental Management (DEM) to process any required Grading Plans and Site Plans simultaneously with the PCA/FDPA;
- Direct the Director of the Department of General Services to prepare and coordinate with the Department of Community and Recreation Services and the County Attorney's Office an appropriate lease agreement to lease said property on a temporary basis to the Chantilly Youth Association, and that staff coordinate the public hearing on this matter simultaneously with that of the PCA/DPA; and
- Direct staff to be available to expeditiously review and approve the design and construction of said facility at this location, and if necessary to allow fill to be brought in from off-site and grading to be conducted pursuant to a Grading permit while the PCA/DPA amendment is being processed.

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

Following discussion, with input from Shiva K. Pant, Director, Office of Transportation, the question was called on the motion which carried by unanimous vote.

76. **SOUTHWEST YOUTH ASSOCIATION (SYA)** (Tape 6)

Supervisor Frey said that through the cooperative efforts of the School Board, Park Authority, Supervisor McConnell's Office, his office, the Southwest Youth Association (SYA), the William A. Hazel Company, and the Virginia National Guard, improvements will soon be made to a play area at Braddock Road Park that will be a win/win opportunity for everyone involved.

The Virginia National Guard will provide the labor for the project and at the same time utilize the opportunity for on-site training. One of the things the County can do to assist in this joint-effort project is to provide the Guard with fuel for their equipment.

Therefore, Supervisor Frey moved that the Board authorize:

- The Department of General Services to coordinate with Major Steve Goins of the Virginia National Guard to determine the details and work out the logistics of providing fuel for equipment used on this project; and

- An expenditure of up to \$2,000 for the gasoline needed by the Guard.

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

77. **TWIN LAKES PARK - GOLF COURSE** (Tape 6)

Supervisor Frey asked unanimous consent that the Board direct staff to meet with the Virginia Department of Transportation (VDOT) regarding the Twin Lakes Park Golf Course and resolve the access concerns. Without objection, it was so ordered.

78. **BULL RUN COUNTRY JAMBOREE** (Tape 6)

Supervisor Frey announced that the Bull Run Country Jamboree was held on Sunday, June 25, 1995. He commended the Police Department and Department of Fire and Rescue for their efforts in making this event successful.

NV:nv

79. **REVERTER PROVISION FOR DEED FOR BAILEY'S CROSSROADS VOLUNTEER FIRE DEPARTMENT** (Tape 7)

Supervisor Trapnell reminded the Board that in 1991 the Board conveyed to the Bailey's Crossroads Volunteer Fire Department, Incorporated, the property on which the Department had operated a fire station for many years. The deed by which the property was conveyed included an automatic reverter provision which provides that title to the property will revert to the County in the event that any part of the property is leased to any person or entity other than a volunteer fire department.

Supervisor Trapnell stated that the Department has been approached by Cellular One about leasing a small portion of the property for a monopoly. The Department would like to enter into a lease with Cellular One but does not want to violate the reverter provision in the deed.

Accordingly, Supervisor Trapnell moved that the Board direct the staff to work with the Department to determine if there is a mutually satisfactory way in which the automatic reverter provision issue can be resolved with respect to a lease for a monopoly. She added that the suitability of a monopoly for this site would be the subject of a separate Section 15.1-456 Public Facilities hearing by the Planning Commission; staff is being asked to investigate the automatic reverter provision in the Department's deed only. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being out of the room.

80. **RESTRICTIONS ON CUT-THROUGH TRAFFIC IN BUFFALO HILLS** (Tape 7)

Supervisor Trapnell moved that the Board:

- **CANCEL** the Board Decision on Measures to Restrict Cut-Through Traffic in the Buffalo Hills Area scheduled for 4:30 p.m. today; and
- Authorize the staff to advertise a new public hearing to be scheduled before the Board on **July 31, 1995 at 5:00 p.m.** on the cut-through traffic problem with the new restrictions.

Supervisor Trapnell stated that the new restrictions would prohibit right hand turns at Nicholson Street and Carolyn Drive from Sleepy Hollow Road between the hours of 6:30 a.m. to 9:30 a.m, Monday through Friday for a period of 90 days.

This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being out of the room.

(NOTE: Later in the meeting, at the appropriate time, the Board reiterated this action. See Clerk's Summary Item CL#118.)

81. **SCHEDULING OF A PUBLIC HEARING FOR SPECIAL EXCEPTION APPLICATION SE 95-M-021, EXXON CORPORATION** (Tape 7)

Supervisor Trapnell stated that Exxon Corporation has filed Special Exception Application SE 95-M-021 to renovate the existing service station located at 6550 Edsall Road in the Mason District. She said that the Planning Commission public hearing is scheduled for July 12, 1995 and that the applicant would like to have the public hearing before the Board scheduled prior to the August recess.

Accordingly, Supervisor Trapnell moved that the Board direct staff to schedule the public hearing before the Board for Special Exception Application SE 95-M-021 prior to the August recess. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor Alexander being out of the room.

82. **TASK FORCE ON MONOPOLES** (Tape 7)

(BACs)

Supervisor Trapnell related that a citizen of the Mason District recently contacted her office regarding the current Ad Hoc Task Force on Monopoles and suggested that this committee become permanent with its being composed of one citizen from each district as well as the appropriate County staff. With the increase in the number of monopoles in the County, Supervisor Trapnell stated that this Committee could specify the criteria for monopole installations throughout the County.

Accordingly, Supervisor Trapnell moved that the Board consider this change to the current Task Force on Monopoles. This motion was seconded by Supervisor Connolly.

Following discussion, Supervisor McConnell moved a substitute motion to defer action on this motion until the Board receives the report from the current Task Force. This motion was seconded by Supervisor Bulova.

Following further discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked to amend the substitute motion to add the understanding that the report would be followed by either public hearings or referral to a citizen group, and this was accepted.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

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

83. **SIMULTANEOUS PROCESSING FOR SITE PLANS AND REZONING APPLICATION RZ 94-M-031, COLD STREAM DEVELOPMENT, LIMITED**
(Tape 7)

Supervisor Trapnell stated that Cold Stream Development, Limited, has filed Rezoning Application RZ 94-M-031 to build six single family attached homes on 1.4 acres located on the east side of Backlick Road between Kendel Court and Cindy Lane. Due to the multiple deferrals of this application, Supervisor Trapnell moved that the Board direct staff to simultaneously process the Rezoning Application and the Site Plans. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Alexander being out of the room.

84. **DEDICATION OF PARCEL A IN THE BARCROFT FOREST SUBDIVISION DIRECTLY TO THE FAIRFAX COUNTY PARK AUTHORITY** (Tape 7)

Supervisor Trapnell explained that Thomas B. White, Jr., Mason District Representative on the Park Authority, has requested that the developer be instructed to dedicate Parcel A in the Barcroft Forest Subdivision directly to the Fairfax County Park Authority. She stated that the request is necessary due to a situation as described in a memorandum from Mr. White, copies of which were distributed to the Board.

Therefore, Supervisor Trapnell moved that the Board:

- Make an exception to its normal policy of accepting land in the name of the Board of Supervisors for park purposes and direct staff to advise the developer of Barcroft Forest Subdivision to make and direct his dedication of a portion of the property embraced within

the said Subdivision, being more particularly the "Parcel A" as shown on the plat of Barcroft Forest and noted thereon as to be dedicated "for park purposes," to the Fairfax County Park Authority; and

- Direct staff to assess the value of "Parcel A" and add it to the value of those 12 parcels transferred by the Board to the Park Authority in exchange for its conveyance to the Board of a 9.0 parcel of land located at Tax Map Number 17-3((1))1-B in Reston.

The second to this motion was inaudible.

Following a brief discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion which carried by a vote of nine, Supervisor Alexander being out of the room.

85. **EXPANSION OF ACCOTINK ACADEMY** (Tape 7)

Supervisor Trapnell stated that Supervisor McConnell is planning to expand her school, Accotink Academy, located at 8519 Tuttle Road in Springfield. In conjunction with the expansion, the Academy would like to explore with the County the potential for a joint use of storm water detention at the West Springfield Governmental Center site. This is strictly exploratory and would be done in accordance with standards used by others in seeking similar approvals including any costs associated with the shared use.

Accordingly, Supervisor Trapnell moved that the Board direct staff to work with Accotink Academy's engineer in pursuing these issues. This motion was seconded by Supervisor Dix and **CARRIED** by a recorded vote of nine, Supervisor McConnell abstaining.

86. **TRANSFER OF DEDICATED LAND IN BALMORAL GREENS TO THE PARK AUTHORITY** (Tape 7)

Supervisor McConnell stated that subsequent to the County Plan Number 8796-SD-01, known as Balmoral Greens, park land has been dedicated to the Board of Supervisors. Located within this dedicated open space are recognized and unique Civil War artifacts and structures. In a recent meeting, Department of Public Works (DPW) representatives expressed their frustration to adequately monitor and protect the site from further and future vandalism.

Supervisor McConnell continued to say that Springfield District Park Authority Member, Greg Evans, in conversations and correspondence, has committed the Authority's expertise and other necessary resources to properly secure and protect this site for future study and use.

Accordingly, Supervisor McConnell moved that the open space originally dedicated as public park land to the Board of Supervisors indicated in Plan Number 8796-SD-01 of

Balmoral Greens be scheduled for a public hearing before the Board for a proposed conveyance in fee simple to the Fairfax County Park Authority. She added that it is understood that the Park Authority will assume a liability and all responsibility for this property and its unique and historical resources. Furthermore the Park Authority will agree to work with other County agencies should any future location of utilities, roads, or other easements be necessary on these parcels. This motion was seconded by Supervisor Berger.

Following a query to David P. Bobzien, County Attorney, the question was called on the motion which carried by unanimous vote.

A brief discussion ensued with input from Mr. Bobzien.

87. **WEST SPRINGFIELD HIGH SCHOOL GIRLS' SOCCER TEAM AND CENTREVILLE HIGH SCHOOL GIRLS' SOFTBALL TEAM WIN STATE CHAMPIONSHIPS** (Tape 7)

Supervisor McConnell announced that the West Springfield High School Girls' Soccer Team won the State Championship. Accordingly, she moved that the Board direct staff to invite the team to appear before the Board to be recognized for this accomplishment at a Board meeting in the fall. This motion was seconded by Supervisor Dix.

Following discussion, Supervisor McConnell amended her motion to invite the team to appear before the Board as soon as possible, and this was accepted.

Supervisor McConnell announced that the Centreville Girls' Softball Team won the State Championship and moved that the Board direct staff to invite the team to appear before the Board to be recognized for this accomplishment. This motion was seconded by Supervisor Frey.

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

88. **FUNDS FOR CHERNOBYL VICTIMS** (Tape 7)

Supervisor McConnell called the Board's attention to an article which appeared in the *Washington Post* on Sunday, June 25, 1995 regarding the child victims of the radiation aftereffects from the Chernobyl disaster. She stated that the director from the school she operates, Accotink Academy, has been meeting with groups that have been in touch with Embassy representatives. Supervisor McConnell expressed her understanding that many of the children could be saved with medication and treatment.

Supervisor McConnell stated that the nine-year-old girl mentioned in the article requires a \$25,000 operation to treat her cancer. She stated that she will be setting up through her office (telephone 703-451-8873) funds for the family to bring this child to the United States for treatment. She also stated that she has contacted INOVA's Hospital Board for additional support.

Supervisor Bulova expressed her desire to participate with Supervisor McConnell and stated that she would publicize this cause by contacting persons associated with the Moscow Sister City Program.

89. **MORARITY PLACE REDEVELOPMENT AREA** (Tape 7)

Supervisor Bulova stated that on November 20, 1991, at a meeting of the City of Fairfax/Fairfax County Committee, a task force was formed to prepare a comprehensive recommendation for redevelopment of an area, Morarity Place, in southern Fairfax City and adjoining Fairfax County. The study area, which is adjacent to a health care facility owned by INOVA Health Systems, comprises over 17 acres, and consists of the Eleven Oaks site owned by the Fairfax County School Board and used for administrative offices and bus parking, four parcels owned by the Fairfax County Redevelopment and Housing Authority (RCRHA), seven private residences, and a narrow parcel along University Drive owned by George Mason University (GMU).

Supervisor Bulova reported that the Task Force is comprised of representatives from the County Department of Housing and Community Development (DHCD), the City of Fairfax, GMU, INOVA Health Systems, Fairfax County Schools, and the Braddock District Supervisor's office. She stated that it has met periodically to discuss development options and has concluded that the two jurisdictions should initiate a formal joint effort to redevelop this area.

Supervisor Bulova stated that redevelopment of this site represents a unique opportunity to create an aesthetically pleasing mixed-use commercial and residential development at the "southern gateway" into the City of Fairfax, or the "northern gateway" into the Braddock District. However, the general existing conditions, diverse ownership and jurisdictional control of the land, current development patterns, and other conditions are preventing a proper development of the area.

Therefore, Supervisor Bulova moved that the Board, with the concurrence of the Fairfax City Council, request that the FCRHA, through the DHCD prepare an Existing Conditions Report on Morarity Place to determine if the area is suitable for redevelopment in accordance with Title 36 of the *Code of Virginia of 1950*, as amended. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

90. **REGULATORY REVIEW TASK FORCE** (Tape 7)

Supervisor Berger stated that nationwide studies prove that the main and overriding deterrent to any locality's economic well-being is the regulatory burden borne by businesses and the professions. Citizens are impacted as well, including a 30 to 35 percent increase in the cost of housing caused by regulations and ordinances. He added that this fact was recognized by the Economic Advisory Commission's (EAC) Economic Strategic Plan recently unanimously adopted by the Board.

Supervisor Berger stated that Article 4.1.1 of the Plan stipulates "County regulations and ordinances should be written to encourage business development and expansion. All regulations and ordinances should be written with this in mind and the economic impact must be assessed where there is an indication the regulations or ordinances will impact the economic health of the County."

To speed the process of the implementation plan, Supervisor Berger moved that the Board:

- Establish a Regulatory Review Task Force to serve as the implementing body for the EAC's recommendations on regulatory review, and to be composed of businesses most impacted by regulation, along with citizen representatives, to conduct a complete inventory and to prepare recommendations for keeping, changing, or eliminating regulations that do not conform to the Economic Strategic Plan;
- Separate the Task Force into four groups to examine Zoning Ordinances, the Public Facilities Manual, the County Code other than Zoning, and any others not included in the first three groups; and
- Direct staff to report to the Board by July 17, 1995 if they can determine a better way to divide the various ordinances for review.

This motion was seconded by Supervisor Dix.

Supervisor McConnell moved a substitute motion to refer this matter to the Economic Advisory Commission for its recommendations. This motion was seconded by Supervisor Connolly.

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

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board direct staff to refer the development pamphlet to the Commission also. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

91. **LANGLEY OAKS PETITION FOR RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)** (Tape 7)

Supervisor Berger stated that the Langley Oaks Homeowners Association has submitted a petition to establish a Residential Permit Parking District (RPPD) on the following streets:

- Ridge Road;
- Sandy Knoll Court; and
- Weartherford Court.

Supervisor Berger reported that all of these streets are within 1500 feet from the pedestrian entrance to Langley High School. The Homeowners Association has also requested that the application fees in connection with this petition be waived.

Accordingly, Supervisor Berger moved that the Board waive the application fees for this petition. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor Alexander being out of the room.

92. **SURPLUS SCHOOL PROPERTY** (Tape 7)

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

- Ask the Superintendent of Schools again for the status of a request for a review of surplus school property; and
- Report with an Information Item.

William J. Leidinger, County Executive, reported that he had renewed his earlier request of the School Board.

93. **APPOINTMENT TO THE AIRPORTS ADVISORY COMMITTEE** (Tape 7)

(APPT)

(NOTE: Earlier in the meeting, this appointment had been deferred. See Clerk's Summary Item CL#9.)

Chairman Hanley moved the appointment of Mr. Robert Wright as the At-Large Representative to the Airports Advisory Committee. This motion was seconded by Supervisor Dix and carried by unanimous vote.

94. **APPOINTMENT TO THE SCHOOL BOARD** (Tape 7)

(APPT)

(NOTE: Earlier in the meeting, this appointment was deferred. See Clerk's Summary Items CL#8, CL#10, and CL#45.)

Chairman Hanley called the Board's attention to a written opinion from the County Attorney regarding appointments to the School Board. She noted that the holdover doctrine applies to Board appointments to the School Board.

Chairman Hanley moved the appointment of Ms. Ernestine Heastie as the At-Large (Minority) Representative to the School Board. This motion was seconded by Supervisor Connolly.

Supervisor Dix moved the reappointment of Mr. Ralph Miles as the At-Large (Minority) Representative to the School Board. This motion was seconded by Supervisor Frey.

The question was called on the motion to appoint Ms. Heastie which **FAILED** by a recorded vote of five, Supervisor Alexander, Supervisor Bulova, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley voting "**AYE.**"

The question was called on the motion to reappoint Mr. Miles which **FAILED** by a recorded vote of five, Supervisor Berger, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Supervisor Trapnell voting "**AYE.**"

Chairman Hanley clarified that until this 5-5 deadlock is resolved, the holdover doctrine, retaining Mr. Miles on the Board, would be in effect.

Discussion continued with input from David P. Bobzien, County Attorney.

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

At 2:20 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:

- Hunter Tract Associates, L.P. versus Board of Supervisors of Fairfax County, Virginia, et al., At Law Number 128996;
- Approval of Certificate and Release to Settle Claims of Overcharges on Medical Services by National Medical Enterprises, Incorporated between January 1, 1989 and August 31, 1993;
- Tisoft, Incorporated versus County of Fairfax and Kevin Greenlief, At Law Number 137565;
- Fairfax County Code § 41-7-1 and the Keeping of Wolf-Hybrids;
- Agreement with Piper and Marbury regarding the Fairfax County Resource Recovery Facility;
- Legal Issues concerning Authorization for a Sewer Tap for 7225 Dell Avenue in the Town of Clifton; and

- McLean Hamlet Citizens, Incorporated, et al., versus the Board of Supervisors of Fairfax County, Virginia, et al., In Chancery Number 137177.

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

CM:cm

At 4:05 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

ACTIONS FROM EXECUTIVE SESSION

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

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 Hyland and carried by unanimous vote.

97. **AUTHORIZATION OF SETTLEMENT OF TISOFT, INCORPORATED VERSUS COUNTY OF FAIRFAX AND KEVIN GREENLIEF AT LAW NUMBER 137565** (Tape 8)

Supervisor Dix moved that the Board approve the settlement offer in the case of Tisoft, Incorporated versus County of Fairfax and Kevin Greenlief, At Law Number 137565 for the reasons outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

98a. **AUTHORIZATION OF SETTLEMENT BETWEEN BLUE CROSS/BLUE SHIELD OF THE NATIONAL CAPITAL AREA AND NATIONAL MEDICAL ENTERPRISES, INCORPORATED** (Tape 8)

Supervisor Connolly moved that the Board authorize the participation of Fairfax County in the settlement agreement negotiated between Blue Cross/Blue Shield of the National Capital Area and National Medical Enterprises, Incorporated, as outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

98b. **VIRGINIA CENTER LIMITED PARTNERSHIP VERSUS BOARD OF SUPERVISORS, AT LAW NUMBER 128977** (Tape 8)

Supervisor Connolly moved that the Board reject the settlement offer made in Virginia Center Limited Partnership versus Board of Supervisors, At Law Number 128977, and

authorize a counterclaim in the amount of \$24,238.00 against Virginia Center Limited Partnership for the reasons outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

99. **AGREEMENT WITH 1994 FUND I L. C.** (Tape 8)

Supervisor Frey moved that the Board enter into the agreement, as distributed to the Board, with 1994 Fund I L.C. for the purpose of determining the costs of renovating the Sulway Building for use as the Fairfax County Public Safety Academy so that a decision can be made whether the parties wish to enter into a lease with an option to purchase the Sulway Building. This motion was seconded by Supervisor McConnell and carried by unanimous vote.

100. **C-1 - AUTHORIZATION FOR A SEWER TAP FOR 7225 DELL AVENUE (85-((2))-6) IN THE TOWN OF CLIFTON (SPRINGFIELD DISTRICT)** (Tape 8)

(NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item CL#27.)

The Board next considered an Item contained in the Memorandum to the Board dated June 26, 1995 presenting a request for a sewer tap for a single family dwelling at 7225 Dell Avenue [85-2((2))-6] in the Town of Clifton.

Supervisor McConnell moved approval of the request for the sewer tap. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Hyland being out of the room.

SBE:sbe

101. **3:30 P.M. - PH ON THE ENACTMENT OF AN ORDINANCE APPROVING A JOINT AGREEMENT WITH THE TOWN OF VIENNA REGARDING A COMMERCIAL REVITALIZATION PROJECT TO IMPROVE CHURCH STREET (HUNTER MILL DISTRICT)** (Tape 9)

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 June 9 and June 16, 1995.

Following the public hearing, Supervisor Dix moved that the Board:

- Adopt an ordinance approving a joint agreement with the Town of Vienna to implement the construction of certain streetscape improvements funded by Commercial Revitalization Bonds; and
- Authorize the County Executive to execute the agreement as outlined in the Memorandum to the Board dated June 26, 1995.

This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander and Supervisor Hyland being out of the room.

102. **3:30 P.M. - PH ON REZONING APPLICATION RZ 94-P-041 (J. A. LOVELESS HOMES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tape 9)

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

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

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

Supervisor Connolly moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-P-041 be amended from the R-1 District to the R-5 District subject to the revised proffers dated June 1, 1995;
- Waiver of the minimum district size requirement; and
- Waiver of the open space requirement.

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

103. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-Y-066 (FIDELITY PAWN BROKERS, INCORPORATED) (SULLY DISTRICT)** (Tape 9)

Mr. Scott C. K. May reaffirmed the validity of the affidavit for the record.

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

Supervisor Frey disclosed the following contribution which he had received:

- The Friends of Michael Frey has a lease arrangement for the campaign headquarters with A. J. Dvoskin Company on a reduced value of the rent will result in an in-kind contribution greater than \$200.

Supervisor Bulova disclosed the following contribution which she had received:

- The Friends to Reelect Sharon Bulova has entered into an in kind lease with A. J. Dvoskin Company on a reduced value of the rent will result in-kind contribution greater than \$200.

Following the public hearing, Lorrie Kirst, Senior 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-066 subject to the development conditions dated April 27, 1995. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Alexander, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

104. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) RELATING TO EATING ESTABLISHMENTS IN THE C-3 AND C-4 DISTRICTS** (Tape 9)

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 June 9 and June 16, 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) to allow eating establishments by right in the C-3 and C-4 Districts as recommended by the Planning Commission. This motion was seconded by Supervisor Bulova.

Following discussion, with input from staff, Supervisor Bulova moved a substitute motion to direct staff to return with language that would allow eating establishments within C-3 and C-4, but in C-3, to restrict free-standing eating establishments to approval by a Special Exception. This motion was seconded by Supervisor Trapnell.

Following discussion, with input from staff, the question was called on the substitute motion which carried by a vote of seven, Supervisor Alexander, Supervisor Hyland, and Supervisor McConnell being out of the room.

The question was called on the main motion, as substituted, which carried by a vote of seven, Supervisor Alexander, Supervisor Hyland and Supervisor McConnell being out of the room.

105. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE); OUT-OF-TURN COMPREHENSIVE PLAN AMENDMENT; CHAPTER 101 (SUBDIVISION ORDINANCE); AND PUBLIC FACILITIES MANUAL (PFM) RELATING TO MAJOR UNDERGROUND PIPELINE UTILITIES** (Tapes 9-10)

(Os) 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 June 9 and June 16, 1995.

Following the public hearing, which included testimony by five speakers, Supervisor Dix moved adoption of the following amendments as recommended by the Planning Commission, with additional staff-suggested minor editorial revisions as set forth in Attachment One of the Memorandum to the Board dated June 26, 1995, relating to major underground pipeline utilities, **to become effective on June 27, 1995 at 12:01 a.m.;**

- Code of the County of Fairfax, Chapter 112 (Zoning Ordinance);
- Out-of-Turn Comprehensive Plan Amendment;
- Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance); and
- Public Facilities Manual (PFM),

and that preliminary Subdivision Plats which have been approved prior to, and which are valid as of the effective date of this amendment, be grandfathered from the provisions of paragraph six of Section 2-306 provided that within 12 months of the effective date of this amendment the final Subdivision Plat is approved and recorded among the land records of Fairfax County and further provided that under Part 4 of Article 1, proper rezonings which have plans or conditions which conflict with the revised provisions of paragraph six of Section 2-306 shall be grandfathered from that paragraph.

This motion was seconded by Supervisor Hyland 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."

106. **3:30 P.M. - PH ON OUT-OF-TURN PLAN AMENDMENT S94-CW-T4 TO ADD THE PROPOSED REALIGNMENT OF UNIVERSITY DRIVE (BRADDOCK DISTRICT)** (Tape 10)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 9 and June 16, 1995.

Following the public hearing, Supervisor Bulova moved approval of Out-of-Turn Plan Amendment S94-CW-T4 as recommended by the Planning Commission. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Alexander and Supervisor Berger being out of the room.

107. **3:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), ARTICLE 2 (SUPPLEMENTAL RETIREMENT SYSTEM); ARTICLE 3 (UNIFORMED RETIREMENT SYSTEM); AND ARTICLE 7 (POLICE OFFICERS RETIREMENT SYSTEM) RELATING TO A THREE PERCENT INCREASE IN RETIREMENT BENEFITS** (Tapes 10-11)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 9 and June 16, 1995.

Following the public hearing, which included testimony by 10 speakers, Supervisor Trapnell moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Article 2 (Supplemental Retirement System); Article 3 (Uniformed Retirement System); and Article 7 (Police Officers Retirement System) granting a three percent increase in retirement benefits to all current and future employees and retirees, excluding service-connected disability retirees. This motion was seconded by Supervisor Connolly.

Following discussion, with input from William J. Leidinger, County Executive, and staff, Supervisor Bulova asked unanimous consent that the Board direct staff to provide funding options for this item. Without objection, it was so ordered.

Supervisor Berger moved a substitute motion to table this item until next Spring when the Board is considering the budget for Fiscal Year (FY) 1997. This motion was seconded by Supervisor Frey and **FAILED** by a recorded vote of seven, Supervisor Berger, Supervisor Dix, and Supervisor Frey voting "AYE."

Following discussion, the question was called on the main motion, which **CARRIED** by a recorded vote of seven, Supervisor Alexander, Supervisor Bulova, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Berger, Supervisor Dix, and Supervisor Frey voting "NAY."

108. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-L-001 (THE FISCHER GROUP) (LEE DISTRICT)** (Tape 11)

Mr. Gregory Riegle reaffirmed the validity of the affidavit for the record.

Mr. Riegle 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 Alexander moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

Supervisor Alexander moved approval of Special Exception Application SE 95-L-001 subject to the development conditions dated June 23, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Berger, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

109. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-P-022-3 (SUNRISE ASSISTED LIVING LIMITED PARTNERSHIP II) (PROVIDENCE DISTRICT)** (Tape 11)

Mr. David P. O'Brien reaffirmed the validity of the affidavit for the record.

Mr. O'Brien 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.

Chairman Hanley disclosed the following campaign contribution that she had received:

- From Paul J. Klaassen in the amount of \$500.

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

Supervisor Connolly moved:

- Approval of Special Exception Amendment Application SEA 87-P-022-3 subject to the proposed development conditions contained in Attachment One of the Addendum and dated June 8, 1995;
- Modification of the Transitional screening and barrier requirement around the periphery of the site in favor of that shown on the Special Exception plat and further stipulated in the proposed development conditions dated June 8, 1995; and
- That the Board direct the Director of the Department of Environmental Management (DEM) to waive the construction requirement for frontage improvements in favor of an escrow for these improvements, as detailed in Development Condition Number Seven found in the development conditions dated June 8, 1995.

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

110. **4:00 P.M. - PH ON THE PROPOSED 1995 PUBLIC FACILITIES MANUAL (PFM)** (Tape 11)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 9 and June 16, 1995.

Following the public hearing, Supervisor Connolly moved adoption of the proposed 1995 Public Facilities Manual (PFM) as recommended by the Planning Commission, **to become effective on July 1, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room.

111. **4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE BAILEY'S ROAD IMPROVEMENTS PHASE C COMMUNITY DEVELOPMENT PROJECT (MASON DISTRICT)** (Tape 11)

- (R) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 9 and June 16, 1995.

Following the public hearing, Supervisor Trapnell moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Project 003846 - Bailey's Road Improvements Phase C Community Development Project.

This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor Trapnell, and Chairman Hanley, voting "AYE," Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room.

112. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 61 (BUILDING PROVISIONS); CHAPTER 64 (MECHANICAL PROVISIONS); CHAPTER 65 (PLUMBING AND GAS PROVISIONS); AND CHAPTER 66 (ELECTRICAL PROVISIONS) RELATING TO CONTRACTOR LICENSING AND TRADESMAN CERTIFICATION** (Tape 11)

- (Os) 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 June 9 and June 16, 1995.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 61 (Building Provisions); Chapter 64 (Mechanical Provisions); Chapter 65 (Plumbing and Gas Provisions); and Chapter 66 (Electrical Provisions) concerning contractor licensing and tradesman certification **to become effective on July 1, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor Trapnell, and Chairman Hanley, voting "AYE," Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room.

113. **4:00 P.M. - PH ON THE ACQUISITION OF CERTAIN DEDICATIONS AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF NOISE BARRIERS ALONG THE FAIRFAX COUNTY PARKWAY FROM STRINGFELLOW ROAD TO FOX MILL ROAD (SULLY AND HUNTER MILL DISTRICTS)** (Tape 11)

- (R) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 9 and June 16, 1995.

Following the public hearing, which included testimony by two speakers, Supervisor Frey moved adoption of the Resolution authorizing the acquisition of the necessary property interests for the construction of noise barriers along the Fairfax County Parkway from Stringfellow Road to Fox Mill Road, Project 064148. This motion was seconded by Supervisor Bulova and **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Berger voting "NAY," Supervisor Alexander, Supervisor Dix, and Supervisor McConnell being out of the room.

AM:am

114. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-P-014 (MAYFAIR PARTNERS, LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)** (Tape 12)

Mr. Bernard M. Fagelson reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved approval of Special Exception Application SE 95-P-014 subject to the development conditions dated June 19, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room.

115. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-L-011 (DOUGLAS AND JOYCE JEMAL) (LEE DISTRICT)** (Tape 12)

The Board moved to defer the public hearing on Special Exception Application SE 95-L-011 until **July 31, 1995 at 4:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Dix, and Supervisor McConnell being out of the room.

116. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-Y-007 (RIDGEVIEW COUNTRY CLUB LIMITED PARTNERSHIP) (SULLY DISTRICT)** (Tape 12)

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

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

- In an amount in excess of \$200 from John DeBell.

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

Supervisor Frey moved approval of Special Exception Application SE 95-Y-007 subject to the development conditions dated June 21, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

Supervisor Frey moved that the interior parking lot landscaping requirement within the existing and proposed parking lots be waived. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

Supervisor Frey moved that the Board direct staff to send a letter to the Chairman of the Board of Zoning Appeals (BZA) expressing its support for bringing the Country Club into compliance by approving their Special Permit Application so that the Board can begin the

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

117. **4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) RELATING TO PARTIAL AND FINAL BOND RELEASE AND SIGHT DISTANCE REQUIREMENTS (COUNTYWIDE)** (Tape 12)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 9 and June 16, 1995.

Following the public hearing, Supervisor Frey moved adoption of the proposed amendments to the Public Facilities Manual (PFM) relating to partial and final bond release and sight distance requirements **to become effective on July 1, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Alexander, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor Trapnell and Chairman Hanley voting "AYE," Supervisor Berger, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

118. **4:30 P.M. - BOARD DECISION ON MEASURES TO RESTRICT CUT-THROUGH TRAFFIC IN THE BUFFALO HILLS AREA (MASON DISTRICT)** (Tape 12)

(NOTE: On May 22, 1995, a public hearing was held and decision deferred until June 26, 1995.)

Supervisor Trapnell moved that the Board withdraw measures to restrict cut-through traffic in the Buffalo Hills Area and advertise a new public hearing on **July 31, 1995 at 5:00 p.m.** on the revised restrictions. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

119. **4:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATIONS PCA 88-C-039-5 AND PCA 88-C-091-5 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 89-C-027-5 (BAHMAN BATMANGHELIDJ) (HUNTER MILL DISTRICT)** (Tape 12)

Mr. Paul Kraucunas reaffirmed the validity of the affidavit for the record.

Mr. Kraucunas 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 Frey 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 six, Supervisor Connolly, Supervisor Dix, Supervisor

McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 88-C-039-5 subject to the executed proffers dated May 2, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Proffered Condition Amendment Application PCA 88-C-091-5 subject to the executed proffers dated May 2, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 89-C-027-5 subject to the development conditions contained in Appendix Two of the staff report. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved that the Board reaffirm a waiver of the barrier requirement and modifications of the screening requirement in favor of the landscaping depicted on the combined General Development Plan/Special Exception (GDP/SE) Plat. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor McConnell, and Chairman Hanley being out of the room.

120. **5:00 P.M. - PH ON REZONING APPLICATION RZ 95-P-001 (MERRIFIELD COMMONS, L.C.) (PROVIDENCE DISTRICT)** (Tape 12)

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Connolly moved:

- That the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-P-001 be amended from the R-3 and Highway Corridor Districts to the PDH-20 and Highway Corridor Districts subject to the proffers dated June 15, 1995 and consistent with those contained in Appendix One, as modified by the Planning Commission; and

- Waiver of the 600-foot maximum length limitation for private streets within residential developments in accordance with Section 11-302 of the Zoning Ordinance.

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

(NOTE: Later in the meeting, additional action was taken regarding this item. See Clerk's Summary Item CL#123.)

121. **5:00 P.M. - PH ON REZONING APPLICATION RZ 94-M-031 (COLD STREAM DEVELOPMENT LIMITED) (MASON DISTRICT)** (Tape 12)

Mr. Sterling W. Montague 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.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#124.)

122. **ORDERS OF THE DAY** (Tape 12)

Acting-Chairman Alexander announced that the Board would reconsider its earlier action regarding Rezoning Application RZ 94-P-001.

123. **RECONSIDERATION REGARDING REZONING APPLICATION RZ 95-P-001 (MERRIFIELD COMMONS, L.C.) (PROVIDENCE DISTRICT)** (Tape 12)

(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item CL#120.)

Supervisor Connolly moved to reconsider the Board's earlier action regarding Rezoning Application RZ 95-P-001. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Chairman Hanley being out of the room.

Acting-Chairman Alexander called for speakers and there being none, closed the public hearing.

Supervisor Connolly moved:

- That the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 95-P-001 be amended from the R-3 and Highway Corridor Districts to the PDH-20 and

Highway Corridor Districts subject to the proffers dated June 15, 1995 and consistent with those contained in Appendix One, as modified by the Planning Commission; and

- Waiver of the 600-foot maximum length limitation for private streets within residential developments in accordance with Section 11-302 of the Zoning Ordinance.

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

124. **CONTINUATION OF PH ON REZONING APPLICATION RZ 94-M-031 (COLD STREAM DEVELOPMENT LIMITED) (MASON DISTRICT)** (Tape 12)

(NOTE: Earlier in the meeting, the public hearing was called. See Clerk's Summary Item CL#121.)

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

Supervisor Trapnell moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 94-M-031 be amended from the R-2 District to the R-5 District subject to the proffers dated June 8, 1995. This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Frey, and Chairman Hanley being out of the room.

Supervisor Trapnell moved:

- Modification of the transitional screening in favor of that shown on the proposed General Development Plan (GDP), dated February 22, 1995, and the Landscape Plan dated February 21, 1995, in accordance with paragraph three of Section 13-104 of the Zoning Ordinance; and
- Waiver of the minimum district requirements for the R-5 District in accordance with Section 9-610 of the Zoning Ordinance.

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

125. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-M-065 (THE CONGRESSIONAL SCHOOLS OF VIRGINIA, INCORPORATED) (MASON DISTRICT)** (Tape 12)

Mr. Royce A. Spense reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Trapnell moved:

- Approval of Special Exception Application SE 94-M-065 subject to the development conditions dated April 25, 1995;
- Waiver of the barrier requirement and modification of the screening requirement in favor of that depicted on the Special Exception Plat and as required by the proposed development conditions; and
- Waiver of the trails requirements along Sleepy Hollow Road and within the Tripps Run Stream Valley.

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

126. **5:00 P.M. - PH ON THE LEASING OF COUNTY-OWNED PROPERTY AT THE JEFFERSON FIRE STATION TO AMERICAN PERSONAL COMMUNICATIONS (APC) (MASON DISTRICT)** (Tape 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 June 9 and June 16, 1995.

Following the public hearing, Supervisor Trapnell moved that the Board:

- Authorize the County Executive to execute a lease with American Personal Communications (APC) for the purpose of installing a cellular communications base station on County-owned property at the Jefferson Fire Station, 3101 Hodge Place, Tax Map Number 50-3((4))B in accordance with the general terms and conditions outlined in the Memorandum to the Board dated June 26, 1995; and
- Authorize Cellular One to negotiate a sublease agreement with APC to allow the installation of their cellular communications equipment on the existing monopole at this location.

This motion was seconded by Supervisor Berger and carried by a vote of eight,

Supervisor Dix and Supervisor Hyland being out of the room.

127. **5:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), SECTION 82-1-6, ADOPTION OF STATE LAW** (Tape 12)

- (O) A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 9 and June 16, 1995.

Following the public hearing, Supervisor Berger moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Section 82-1-6, Adoption of State Law **to become effective on July 1, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor McConnell, and Chairman Hanley voting "AYE", Supervisor Dix, Supervisor Hyland, and Supervisor Trapnell being out of the room.

128. **5:30 P.M. - PH ON REZONING APPLICATION RZ 94-V-063 (HADDON GROUP, INCORPORATED) (MOUNT VERNON DISTRICT)** (Tape 12)

Mr. Paul R. Jeannin reaffirmed the validity of the affidavit for the record.

Mr. Jeannin 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 eight, Supervisor Alexander and Supervisor Dix being out of the room.

Supervisor Hyland moved that the Zoning Ordinance as it applied to the property which is the subject of Rezoning Application RZ 94-V-063 be amended from the R-1 and R-5 Districts to the R-4 District subject to the proffers dated June 9, 1995. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

129. **5:30 P.M. - PH ON REZONING APPLICATION RZ 94-Y-061 (BATAL BUILDERS, INCORPORATED) (SULLY DISTRICT)** (Tapes 12-13)

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

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

- In an amount in excess of \$100 from a partner at Hunton and Williams.

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

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

Supervisor Frey moved that the Zoning Ordinance at it applied to the property which is the subject of Rezoning Application RZ 94-Y-061 be amended from the R-1 and Water Supply Protection Overlay Districts to the PDH-2 and Water Supply Protection Overlay Districts subject to the proffers dated May 16, 1995. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

Supervisor Frey moved approval of Conceptual Development Plan Application CDP 94-Y-061 subject to the proffers dated May 16, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

Supervisor Frey moved that the Board direct the Director of the Department of Environmental Management (DEM) to modify the Public Facilities Manual (PFM) to allow the tot lot to be located within the tree save area with the least disturbance possible along either or both sides of the internal trail to permit trees to be selectively removed within this tree save area and to permit the various tot lot components to be separated rather than consolidated. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

Supervisor Frey moved that the Board direct the Director of DEM to grant approval for simultaneous processing of the Preliminary and Final Subdivision Plans. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

130. **5:30 P.M. - PH ON REZONING APPLICATION RZ 94-S-027 (RICHMOND AMERICAN HOMES OF VIRGINIA, INCORPORATED) (SPRINGFIELD DISTRICT)** (Tape 13)

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Julie Schilling,

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

Supervisor McConnell moved to defer Board decision on Rezoning Application RZ 94-S-027 until **July 17, 1995 at 5:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Dix being out of the room.

131. **5:30 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT DPA A-502-4 (FAIRWAYS AT RESTON CORPORATION) (HUNTER MILL DISTRICT)**
(Tape 13)

Ms. Megan Kieffer reaffirmed the validity of the affidavit for the record.

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

- In the amount of \$100 from Mr. John Stump.

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

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

Supervisor Frey moved approval of Development Plan Amendment Application DPA A-502-4 subject to the execution of the proffers dated June 19, 1995, as amended by the Planning Commission. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

Supervisor Frey moved approval of the transitional screening and barrier requirements along the southern periphery of the site in favor of that shown on the Development Plan. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

Supervisor Frey moved waiver of the 600-foot maximum length for private streets. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

Supervisor Frey moved waiver of the 200 square foot privacy yard fence for single family attached units. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

132. **ORDERS OF THE DAY** (Tape 13)

Chairman Hanley announced that the public hearing on the Memorandum of

Understanding (MOU) with Bailey's Crossroads Revitalization Corporation (BCRC) would be moved to the end of the scheduled public hearings.

(NOTE: Later in the meeting, the public hearing on the MOU was held. See Clerk's Summary Item CL#136.)

133. **5:30 P.M. - PH REGARDING THE SALE OF APPROXIMATELY 11.5 ACRES OF COUNTY-OWNED PROPERTY LOCATED IN THE 8700 BLOCK OF CENTER ROAD (SPRINGFIELD DISTRICT)** (Tape 13)

Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and moved to defer the public hearing on the sale of approximately 11.5 acres of County-owned property located in the 8700 Block of Center Road, Springfield, until **July 17, 1995 at 5:00 p.m.** to resolve outstanding legal and contractual issues. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Berger and Supervisor Dix being out of the room.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

134. **5:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-Y-016 (GABLE SIGNS AND GRAPHICS, INCORPORATED) (SULLY DISTRICT)** (Tape 13)

Ms. Kim T. Brown reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Denise James, Senior 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-016 subject to the development conditions dated April 26, 1995. This motion was seconded by Supervisor Alexander and carried by a vote of nine, Supervisor Dix being out of the room.

135. **5:30 P.M. - PH ON THE VACATION OF PORTIONS OF POTOMAC ROAD AND LANTANA TRAIL (MOUNT VERNON DISTRICT)** (Tape 13)

A Certificate of Publication was filed from the Editor of the Fairfax Journal showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of June 9 and June 16, 1995.

Following the public hearing, which included testimony by seven speakers, Supervisor Hyland moved to:

- Defer Board decision on the vacation of portions of Potomac Road

and Lantana Trail until July 17, 1995 at 5:00 p.m.; and

- Direct staff to communicate to the Board of Zoning Appeals (BZA) the action that the Board has taken and request the BZA to consider rescheduling its public hearing after the Board makes its decision.

This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor Frey being out of the room.

136. 5:30 P.M. - PH ON THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE BAILEY'S CROSSROADS REVITALIZATION CORPORATION (BCRC) (MASON DISTRICT) (Tapes 13-16)

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 June 9 and June 16, 1995.

Following the public hearing, which included testimony by 34 speakers, Supervisor Trapnell moved that the Board:

- Dissolve the Memorandum of Understanding (MOU) with the Bailey's Crossroads Revitalization Corporation (BCRC); and
- Recommend a meeting of the BCRC and Bailey's Crossroads Improvement Committee (BCIC).

This motion was seconded by Supervisor Berger.

Supervisor Hyland moved a substitute motion that the Board require the BCRC and BCIC and a third group come together with the help of the County Executive and George Mason University staff for conflict resolution within the next 60 days and prior to the election in September, with a view toward finding what organization in that community can represent the interest of residents and businesses and appear before the Board to determine if there is a way for the community to act as one. This motion was seconded by Supervisor Bulova.

Following discussion, with input by Joseph E. Sunday, Director, Office of Road Program Management, Department of Public Works (DPW), Supervisor Dix called the question on the substitute motion, which **FAILED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley voting "AYE."

The question was called on the main motion (Supervisor Trapnell's) which **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Hyland, and Chairman Hanley voting "NAY."

137. **5:30 P.M. - PH REGARDING THE SALE OF APPROXIMATELY 11.5 ACRES OF COUNTY-OWNED PROPERTY LOCATED IN THE 8700 BLOCK OF CENTER ROAD (SPRINGFIELD DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#133.)

138. **5:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-Y-016 (GABLE SIGNS AND GRAPHICS, INCORPORATED) (SULLY DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#134.)

139. **5:30 P.M. - PH ON THE VACATION OF PORTIONS OF POTOMAC ROAD AND LANTANA TRAIL (MOUNT VERNON DISTRICT)** (No Tape)

(NOTE: Earlier in the meeting, action was taken on this item. See Clerk's Summary Item CL#135.)

140. **5:30 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tapes 16-17)

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 June 9 and June 16, 1995.

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

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

- Roy Mendelsohn regarding pornography in the community;
- Gloria LaFay regarding county drainage;
- Tim Berkoff regarding North Hill development;
- Tom Barrale regarding High Occupancy Vehicles (HOV) waiver for exit 7900 (the Franconia-Springfield Parkway);
- Vicki Bodnar regarding Business and Professional License

(BPOL) for commercial property;

- Robert McCormick regarding the proposed signal on Maple Avenue;
- Craig Day regarding the freezing of the \$20,000 grant for a traffic light on Route 123 in Vienna at the bike trail; and
- John Neely regarding the freezing of the \$20,000 grant for a traffic light on Route 123 in Vienna at the bike trail.

Following the testimony of Gloria LaFay (Speaker Two) regarding the drainage problems on Crosswoods Drive, Supervisor Trapnell asked unanimous consent that the Board direct staff to review this situation. Without objection, it was so ordered.

Following the testimony of Tom Brarrale (Speaker Four) regarding a suggestion for a High Occupancy Vehicles (HOV) waiver for exit 7900 (the Franconia-Springfield Parkway), Supervisor Bulova asked unanimous consent that Board direct staff to report with recommendations. Without objection, it was so ordered.

Following the testimony by Vicki Bodnar (Speaker Five) regarding Business and Professional License Tax (BPOL) on commercial property, Supervisor Dix asked unanimous consent that the Board direct the staff to contact Ms. Bodnar. Without objection, it was so ordered.

ADDITIONAL BOARD MATTERS

141. **OCOQUAN WATERSHED** (Tape 17)

(NOTE: Earlier in the meeting, there was discussion on this item. See Clerk's Summary Item CL#50.)

Supervisor McConnell moved that the Board direct staff to request the Virginia Department of Transportation (VDOT) to prohibit hazardous materials from crossing the Yates Ford Bridge until staff has researched whether other reservoir areas of the country have bridges that carry traffic across reservoirs, under what circumstances, and whether vehicles carrying hazardous material are prohibited. This motion was seconded by Chairman Hanley.

Following discussion, Supervisor Frey asked to amend the motion to ban hazardous materials from crossing the bridges that cross the Occoquan Reservoir, and this was accepted. The question was called on the motion which carried by a vote of nine, Supervisor Alexander being out of the room.

142. **ADMIN 6 - REVISED AGREEMENT BETWEEN THE SCHOOL BOARD AND THE BOARD OF SUPERVISORS GOVERNING AFTER-HOUR USE OF SCHOOL FACILITIES** (Tape 17)

(NOTE: Earlier in the meeting, there was discussion on this item. See Clerk's Summary Item CL#13.)

Supervisor Dix moved that the Board authorize the Chairman to execute on behalf of the Board of Supervisors the Agreement with the Fairfax County School Board governing the after-hour uses of school facilities. This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Alexander being out of the room.

143. **BICYCLE BRIDGE OVER MAPLE AVENUE IN THE TOWN OF VIENNA** (Tape 17)

(NOTE: Earlier in the meeting, during Public Comment, this issue was raised. See Clerk's Summary Item CL#140.)

Supervisor Connolly moved that the Board direct the County Executive to inquire of the officials in the Town of Vienna as to their disposition on the practicality of erecting a bicycle bridge over Maple Avenue. This motion was seconded by Supervisor Bulova.

Supervisor Trapnell offered a substitute motion that the previous motion be withdrawn and that Supervisor Dix and Supervisor Connolly discuss this issue. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of six, Supervisor Bulova, Supervisor Connolly, and Chairman Hanley voting "NAY," Supervisor Alexander being out of the room.

144. **BOARD ADJOURNMENT** (Tape 17)

At 12:05 a.m., Tuesday, June 27, 1995, the Board adjourned.