

**SBE:sbe**

The meeting was called to order at 9:50 a.m. with all Members being present, with the exception of Supervisor Alexander, and with Chairman Hanley presiding.

Supervisor Alexander arrived at 9:55 a.m.

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.

2. **CERTIFICATE OF RECOGNITION PRESENTED TO DR. MARK CRAIN, CHAIRMAN, FAIRFAX COUNTY PRIVATIZATION OVERSIGHT COMMITTEE**  
(Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Dr. Mark Crain, Chairman, Fairfax County Privatization Oversight Committee, for leadership and service as its Chairman. This motion was seconded jointly by Supervisor Berger and Supervisor Hyland and carried by a vote of nine, Supervisor Alexander not yet having arrived.

3. **PROCLAMATION DESIGNATING AUGUST 1, 1995 AS "NATIONAL NIGHT OUT" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Trapnell moved approval of the Proclamation designating August 1, 1995 as "**National Night Out**" in Fairfax County. This motion was seconded by Chairman Hanley and carried by unanimous vote.

4. **PROCLAMATION DESIGNATING SEPTEMBER 2, 1995 AS "FAIRFAX COUNTY'S DAY OF APPRECIATION"** (Tape 1)

Supervisor Connolly moved approval of the Proclamation designating September 2, 1995 as "**Fairfax County's Day of Appreciation**" honoring all County veterans of World War II." This motion was seconded by Supervisor Hyland carried by unanimous vote.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO VOLUNTEERS AND SPONSORS OF THE RESTON FESTIVAL** (Tape 1)

Supervisor Dix moved approval of the Certificates of Recognition presented to volunteers and sponsors of the Reston Festival, 1995 recognizing their extraordinary efforts. This motion was seconded by Chairman Hanley and carried by unanimous vote.

6. **CERTIFICATES OF RECOGNITION PRESENTED TO VOLUNTEERS AND SPONSORS OF VIVA VIENNA** (Tape 1)

Supervisor Dix moved approval of the Certificates of Recognition presented to volunteers and sponsors of Viva Vienna, 1995 recognizing their extraordinary efforts. This motion was seconded by Chairman Hanley and carried by unanimous vote.

CM:cm

7. **10:00 A.M. - APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tape 2)

(BACs)  
(APPTs)

**RESIGNATION FROM AND APPOINTMENT TO THE REDEVELOPMENT AND HOUSING AUTHORITY**

Supervisor Alexander read a letter he received from Dana Kauffman, Lee District Representative to the Redevelopment and Housing Authority, stating that since he is now a candidate for the Lee District Supervisor's seat, he is resigning from the Authority so that there are no perceived conflicts.

Supervisor Alexander moved the appointment of Mr. Albert McAloon to fill the unexpired term of Mr. Kauffman as the Lee District Representative to the Redevelopment and Housing Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**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.)

**ATHLETIC COUNCIL**

**CONFIRMATION:**

Supervisor Connolly moved that the Board confirm the following appointment to the Athletic Council:

- Mr. Dennis Baughan as the Town of Herndon Representative.

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

[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.]

**COMMISSION ON AGING**

Chairman Hanley moved the appointment of Mr. Tho Vinh as the At-Large Representative to the Commission on Aging. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION**

(NOTE: The appointment of the Braddock District Representative to the Commission on Organ and Tissue Donation and Transplantation was deferred.)

**COMMUNITY ACTION ADVISORY BOARD**

Supervisor Alexander moved the appointment of Ms. Florence Stewart as the Lee District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Bulova moved the appointment of Ms. Iona Levin as the Braddock District Representative to the Community Action Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

**COMMUNITY IMPROVEMENT COMMITTEE**

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

**CRIMINAL JUSTICE ADVISORY BOARD**

(NOTE: The appointment of the Mount Vernon District Representative to the Criminal Justice Advisory Board was deferred.)

#### **ELECTRICAL ADVISORY AND LICENSING BOARD**

Supervisor Dix moved the appointment of Mr. Roger Seeman as an At-Large (Professional Engineer) Representative to the Electrical Advisory and Licensing Board. This motion was seconded by Chairman Hanley and carried by unanimous vote.

[NOTE: The appointment of an At-Large (Tradesman) Representative to the Electrical Advisory and Licensing Board was deferred.]

#### **ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

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

#### **FAIRFAX AREA DISABILITY SERVICES BOARD**

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

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

Chairman Hanley moved the appointment of Ms. Emilie Miller as the At-Large Representative to the Fairfax/Falls Church Community Services Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

#### **HUMAN SERVICES COUNCIL**

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

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

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

#### **ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD**

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

**TREE COMMISSION**

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

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

Supervisor Frey asked unanimous consent that the Board direct staff to determine why alternate representatives are needed on this Committee. Without objection, it was so ordered.

[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**

(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 Trapnell moved the appointment of Ms. Carolyn A. Contos as the Mason District Representative to the Task Force on County Revenues and Expenditures. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**CONFIRMATIONS:**

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

- Ms. Sally Edmiston as the American Association of University Women (Fairfax) Representative;
- Mr. Mohammed M. Eghtedari as the Citizens for Sensible Taxation Representative;
- Mr. Purvis Dawson as the Employees Advisory Council Representative;

- Mr. Phillip Niedzielski-Eichner as the Fairfax County Council of Parent Teacher Association's (PTA) Representative;
- Mr. Kevin Bell as the Human Services Council Representative;
- Mr. Thomas Hyland as both the Northern Virginia Transportation Alliance and the Apartment and Office Building Association Representative;
- Mr. Patrick J. McEvoy as the National Association of Industrial and Office Properties (Northern Virginia) Representative;
- Mr. Roger M. McKinley as the Taxpayers Alliance Representative; and
- Mr. William Lecos as the Restaurant Association of the Metropolitan Area Representative; and
- Ms. Jeannemarie Devolites as the Small and Minority Business Enterprise Program Advisory Committee Representative.

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

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

Supervisor Dix moved approval of the Administrative Items. 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."

**ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, LEE, MASON, MOUNT VERNON, PROVIDENCE, SPRINGFIELD AND SULLY DISTRICTS)**

- (R) Approved the request that certain streets listed in the Memorandum to the Board dated July 31, 1995, be recommended for acceptance into the State Secondary System as follows:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Carlin Terrace	Dranesville	Carlin Lane, Route 6469

Sycamore Lakes, Section 1	Hunter Mill	Cedar Glen Lane Piney Glade Road Monroe Street, Route 666, Additional right-of-way only
Sycamore Lakes, Section 3	Hunter Mill	Piney Glade Road
Crestleigh Subdivision	Lee	Brockett's Crossing Simms Road, Route 4157 Bulfinch Court Beulah Street Route 613, Additional right-of-way only
Lacey Boulevard	Mason	Magnolia Lane, Route 1869 Munson Road Route 795
Crosspointe, Section 16	Mount Vernon and Springfield	Cross Chase Circle Route 8336 Chase Pointe Way Cross View
Flint Hill School	Providence	Academic Drive, Route 8042
Crosspointe, Section 17A	Springfield	Wood Pointe Way Wood Pointe Court Silver Pointe Way
Evening Hills	Springfield	Luton Hill Way Tarn Hill Drive Newby Hall Court Compton Road, Route 658, Additional right-of-way only
Centre Ridge, Land Bay 12A	Sully	Store House Drive Sutler Store Court St. Germain Drive, Route 5402 Store House Court

Gate Post Estates, Section 2	Sully	White Post Road Route 7510 Hickory Post Court Green Post Court Red Post Court
Sully Place	Sully	Metrotech Drive, Route 8390 four lanes
Walney Glen	Sully	Pickwick Road, Route 1021 Newhall Court Helmsly Court Shelburne Street Shelburne Court Whorton Lane, Route 1166, Additional right-of-way only Leland Road, Route 1021, Additional right-of-way only

**ADMIN 2 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 80-L-139, MOUNT VERNON KNIGHTS OF COLUMBUS CLUB, INCORPORATED (LEE DISTRICT)**

- (AT) Authorized the request for six months of additional time to commence construction for Special Exception Amendment Application SEA 80-L-139 until January 13, 1996 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 3 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 94-L-031, FIRST UNION NATIONAL BANK (LEE DISTRICT)**

- (AT) Authorized the request for 30 months of additional time to commence construction for Special Exception Application SE 94-L-031 until December 14, 1997 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 4 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 91-V-020, PATRICK W. AND JOSEPHINE H. ARNOLD (MOUNT VERNON DISTRICT)**

- (AT) Authorized the request for 24 months of additional time to commence construction for Special Exception Application SE 91-V-020 until July 27, 1997 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.



**ADMIN 5 - AUTHORIZATION TO ADVERTISE PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING APPEALS**

(A)

(R) 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 4:30 p.m.** on the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) regarding appeals applications.

**ADMIN 6 - BOARD CONCURRENCE OF A PROPOSED UPPER OCCOQUAN SEWAGE AUTHORITY (UOSA) ADMINISTRATIVE POLICY FOR DETERMINATION OF THE UOSA SERVICE AREA (SULLY DISTRICT)**

Authorized the County Executive to advise the Upper Occoquan Sewage Authority (UOSA) Board of the Board of Supervisors' concurrence with the proposed UOSA Administrative Policy for determining the boundary of the UOSA Service Area.

**ADMIN 7 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96019 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT VIRGINIA SEXUAL ASSAULT CRISIS CENTER SERVICES GRANT**

(SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96019 for the Fairfax-Falls Church Community Services Board (CSB) to accept \$39,970 of grant funding from the Virginia Department of Health for continuation of sexual assault counseling services with the Fairfax Victim Assistance Network (VAN) through June 30, 1996.

9. **A-1 - AGREEMENT BY THE CITY OF FAIRFAX AND THE COUNTY OF FAIRFAX FOR THE ESTABLISHMENT OF A MULTI-JURISDICTIONAL COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)** (Tape 2)

(BACs)

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

- Approved the Agreement between the City of Fairfax and Fairfax County to establish a multi-jurisdictional Community Criminal Justice Board (CCJB); and
- Selected Option B.

10. **A-2 - DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM** (Tape 2)

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

following individual, identified with his registration number, as a Plans Examiner:

- Paul A. Wilder (134).

11. **A-3 - APPROVAL OF REVISIONS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PRIORITIES AND FUNDING ALLOCATION PROCESS (COUNTYWIDE)** (Tape 2)

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

- Approve the revised Community Development Block Grant (CDBG) priorities and funding allocation process as described in the Memorandum to the Board dated July 31, 1995; and
- Direct the Department of Housing and Community Development (HCD) to initiate a Section 108 loan application for funding to continue public improvements in several of the County's adopted Conservation Areas.

This motion was seconded by Supervisor Alexander.

Following a query from Supervisor Dix, a discussion ensued among Board Members, with input from Bruce A. LaVal, Director, Community Development Division, Department of Housing and Community Development; Verdia L. Haywood, Deputy County Executive for Human Services; and David P. Bobzien, County Attorney.

Following further discussion, Supervisor Dix moved a substitute motion to refer the issue of the revised Community Development Block Grant (CDBG) priorities and funding allocation process to the Housing Subcommittee for comment and review.

Supervisor Frey amended the motion to direct staff to also include information regarding how this fiscal year's allocations fit with the annual goals, and this was accepted.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that a copy of the annual goals adopted every year be circulated to Board Members. Without objection, it was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

The substitute motion, as amended, was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Alexander being out of the room.

12. **A-4 - PARKING REDUCTION FOR MARTIN LUTHER KING, JR. CHRISTIAN CHURCH, PHASE ONE (HUNTER MILL DISTRICT)** (Tape 2)

Supervisor Dix moved that the Board defer the issue of parking reduction for the Martin Luther King, Jr. Christian Church until later in the meeting. 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, action was taken regarding this item. See Clerk's Summary Item CL#105.)

**AM:am**

13. **A-5 - PROPOSED COMMENTS TO STATE CORPORATION COMMISSION (SCC) REGARDING LOCAL EXCHANGE TELEPHONE COMPETITION, CASE NUMBER PUC950018** (Tape 3)

Supervisor Hyland moved that the Board concur in the recommendation of staff and authorize the filing of comments (contained in the Memorandum to the Board dated July 31, 1995) with the State Corporation Commission (SCC) in Case Number PUC950018 regarding local exchange competition, including adoption of rules pursuant to the Code of Virginia, Section 56-265.4:4.C.3. This motion was seconded by Supervisor Bulova.

Following discussion, with input by Ronald B. Mallard, Director, Department of Consumer Affairs, Supervisor Berger moved a substitute motion to defer this item. This motion died for lack of a second.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and moved a substitute motion that the Board:

- Defer this item until later in the meeting; and
- Direct Mr. Mallard to contact the telephone providers and inform them of the proposed comments to be filed with the SCC.

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

Vice-Chairman Dix returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, this item was discussed. See Clerk's Summary Items CL#82 and CL#122.)

14. **A-6 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - PRODUCTION CONTROL SPECIALIST SERIES AND COMPUTER SYSTEMS PROJECT MANAGER** (Tape 3)

On motion of Supervisor Trapnell, seconded by Supervisor Connolly, and carried by a vote of nine, Supervisor Alexander being out of the room, the Board concurred in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans necessary to establish, abolish and reinstate the following classes:

<u>CLASS TITLE</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Production Control Specialist I	S-10	\$20,113 - \$31,132
Production Control Specialist II	S-13	\$23,118 - \$35,780
Production Control Specialist III	S-15	\$25,374 - \$39,275

Abolish the following three classes:

<u>CLASS TITLE</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Computer Support Clerk	S-08	\$18,374 - \$28,433
Computer Control Clerk I	S-11	\$21,093 - \$32,648
Computer Control Clerk II	S-13	\$23,118 - \$35,780

Reinstate the previously abolished class:

<u>CLASS TITLE</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Computer Systems Project Manager	S-28	\$46,544 - \$72,040

15. **A-7 - AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS - CREATION OF DIRECTOR, DOCUMENT SERVICES DIVISION CLASS AND SUBSEQUENT ABOLISHMENT OF COMMUNICATIONS DIRECTOR AND ASSISTANT DIRECTOR OF COMMUNICATIONS CLASSES**  
(Tape 3)

On motion of Supervisor Trapnell, seconded by Supervisor Frey, and carried by a vote of nine, Supervisor Alexander being out of the room, the Board concurred in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans necessary to establish the following class:

<u>CLASS TITLE</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Director, Document Services Division, Department of Information Technology	S-30	\$51,253 - \$79,056

and to subsequently abolish the following classes:

<u>CLASS TITLE</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Communications Director	S-32	\$56,314 - \$83,013
Asst. Director of Communications	S-29	\$48,795 - \$75,525

16. **A-8 - ASSIGNMENT OF PUBLIC SAFETY COMMUNICATIONS ASSISTANTS AND POLICE COMMUNICATIONS ASSISTANTS TO THE P PAY PLAN** (Tape 3)

Following discussion, Supervisor McConnell, moved that the Board concur in the recommendation of staff and approve Option One (outlined in the Memorandum to the Board dated July 31, 1995) to move Public Safety Communications Assistants and Police Communications Assistants from the S to the P Pay Plan effective payroll 1, January 1996. This motion was seconded by Supervisor Berger.

Supervisor Dix moved to amend the motion to include the additional cost to add a 10 percent differential between steps five and six when creating grades P-11, 12, 13, and 14. This motion was seconded by Supervisor Connolly.

Following discussion, with input by Peter J. Schroth, Director, Office of Personnel, the question was called on the motion to amend which carried by unanimous vote.

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

17. **C-1 - AUTHORIZATION FOR AN ADDITIONAL SEWER TAP FOR 12744 RICHARDS LANE (75-4-002-13) IN THE TOWN OF CLIFTON (SPRINGFIELD DISTRICT)** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for an additional sewer tap for Richards Lane (75-4-002-13) in the Town of Clifton.

Supervisor McConnell moved approval of the staff recommendation. This motion was seconded by Supervisor Dix and carried by unanimous vote.

18. **C-2 - ESTABLISHMENT OF TWO NON-COUNTY FUNDED POSITIONS IN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR COMPUTER NETWORK SUPPORT** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization to establish two positions approved and funded by the Fairfax County Redevelopment and Housing Authority (FCRHA).

Supervisor Trapnell moved approval of the staff recommendation. This motion was seconded by Supervisor Connolly.

Following discussion, with input by William J. Leidinger, County Executive, Supervisor Frey moved a substitute motion to defer this item until the FCRHA can identify two positions that will be eliminated to compensate for the two requested positions. This motion was seconded by Supervisor Berger.

The question was called on the substitute motion which **FAILED** by a recorded vote of five,

Supervisor, Berger, Supervisor Bulova, Supervisor Frey, Supervisor Hyland, and Supervisor McConnell voting "AYE."

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

19. **C-3 - CONVERSION OF CERTAIN TARGET POSITIONS TO FULL TIME STATUS** (Tape 3)

The Board next considered an Item contained in the Memorandum to the Board dated July 31, 1995 presenting a proposal to convert certain seasonal positions allocated to the Fairfax County TARGET program to full time status.

Supervisor McConnell moved approval of the staff recommendation. This motion was seconded by Supervisor Bulova.

Following discussion, with input by William J. Leidinger, County Executive, Supervisor Bulova withdrew her second and the motion died.

Supervisor Bulova moved that the Board direct staff to include this item in the Carryover Budget. This motion was seconded by Supervisor Trapnell and carried by unanimous vote.

20. **I-1 - CERTIFICATION FOR DULLES TOWN CENTER II TAX CREDIT APPLICATION (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for staff to sign the letter to the Virginia Housing Development Authority (VHDA) for the Dulles Town Center II Associates, Limited Partnership, tax credit application.

The staff was directed administratively to proceed as proposed.

21. **I-2 - APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF A NEW BIKE TRAIL ALONG GAMBRILL ROAD AT MIDDLE RUN (SPRINGFIELD DISTRICT)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for staff to proceed to execute the agreement with the Virginia Department of Transportation (VDOT) in the amount of \$43,335 to reconstruct the approach roadways and bridge for Gambrill Road at Middle Run.

The staff was directed administratively to proceed as proposed.

22. **I-3 - APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF A NEW SIDEWALK AND BIKE TRAIL ALONG BRADDOCK ROAD FROM**

**UNION MILL ROAD TO CLIFTON ROAD (SPRINGFIELD AND SULLY DISTRICTS)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for staff to proceed to execute the agreement with the Virginia Department of Transportation (VDOT) in the amount of \$67,391 to widen Braddock Road from Union Mill Road to Clifton Road.

The staff was directed administratively to proceed as proposed.

23. **I-4 - APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF A NEW SIDEWALK AND BIKE TRAIL ALONG BEULAH STREET FROM WOODLAWN ROAD TO KINGSTOWNE VILLAGE PARKWAY (LEE AND MOUNT VERNON DISTRICTS)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for staff to proceed to execute the agreement with the Virginia Department of Transportation (VDOT) in the amount of \$43,602 to widen Beulah Street from Woodlawn Road to Kingstowne Village Parkway.

The staff was directed administratively to proceed as proposed.

24. **I-5 - APPROVAL OF AN AGREEMENT PROVIDING FOR THE CONSTRUCTION OF A NEW SIDEWALK AND BIKE TRAIL ALONG BEULAH STREET FROM KINGSTOWNE VILLAGE PARKWAY TO THE FRANCONIA-SPRINGFIELD PARKWAY (LEE DISTRICT)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for staff to proceed to execute the agreement with the Virginia Department of Transportation (VDOT) in the amount of \$61,286 to widen Beulah Street from Kingstowne Village Parkway to the Franconia-Springfield Parkway.

The staff was directed administratively to proceed as proposed.

25. **I-6 - AWARD OF CONTRACT - REHABILITATION OF LEWINSVILLE CENTER RESIDENCES (DRANESVILLE DISTRICT)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for staff to:

- Award a contract to Don-Lynn Construction Corporation in the amount of \$118,111 for the rehabilitation of Project 003969, Lewinsville Center Residences; and
- Reallocate funds as outlined in the Memorandum to the Board dated July 31, 1995.

The staff was directed administratively to proceed as proposed.

26. **I-7 - AWARD OF A CONSTRUCTION CONTRACT FOR THE RENOVATION OF WASHINGTON PLAZA (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for staff to award a contract to Worcester Brothers Company, Incorporated in the amount of \$697,733 for the renovation of Washington Plaza, Project 013990.

The staff was directed administratively to proceed as proposed.

27. **I-8 - AMENDMENT TO THE ARCHITECTURAL CONTRACT AWARD WITH DEWBERRY AND DAVIS FOR THE DESIGN OF THE PUBLIC SAFETY FACILITY PHASE II IMPROVEMENTS (SULLY DISTRICT)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for staff to award a contract amendment to Dewberry and Davis in the amount of \$268,858 for Public Facility Phase II, Project 009102, within Subfund 476, Public Safety Construction.

The staff was directed administratively to proceed as proposed.

28. **I-9 - DRAFT LETTER FROM BOARD OF SUPERVISORS TO FAIRFAX DELEGATION CONCERNING THE IMPACT OF THE WORKFORCE TRANSITION ACT (WTA)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 presenting a draft letter which would convey to the Fairfax Delegation the Board's concern about the impact on services to Fairfax citizens if State funding for positions affected by the Workforce Transition Act (WTA) is withdrawn.

A brief discussion ensued.

29. **I-10 - CONTRACT PROJECT ASSIGNMENT - DESIGN SERVICES FOR CORE FACILITIES RENOVATIONS AT LAKE FAIRFAX PARK (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an Information Item contained in the Memorandum to the Board dated July 31, 1995 requesting authorization for the Park Authority to assign the renovation of the core facilities project at Lake Fairfax Park to Shaffer, Wilson, Sarver and Gray Consulting Engineers in Reston, Virginia in the amount of \$121,845.

The staff was directed administratively to proceed as proposed.

**BOARD MATTERS**



30. **RIBBON CUTTING FOR OPENING OF THE NEW SECTION OF THE FRANCONIA/SPRINGFIELD PARKWAY** (Tape 4)

Chairman Hanley stated that the Board had the opportunity to be present at the ribbon-cutting ceremony for the opening of the new section of the Franconia/Springfield Parkway which has been named in honor of former Fairfax County Board Chairman John F. "Jack" Herrity.

31. **THE VIRGINIA MUNICIPAL LEAGUE (VML) ESTABLISHES A TELECOMMUNICATIONS COMMITTEE** (Tape 4)

Chairman Hanley informed the Board the Virginia Municipal League (VML) is establishing a telecommunications committee. She relinquished the Chair to Vice-Chairman Dix and moved the appointments of Mr. Ronald Mallard and Mr. Skip Munster to this Committee. This motion was seconded by Vice-Chairman Dix and carried by unanimous vote.

32. **FAIRFAX COUNTY DELEGATION TO JIADING, SHANGHAI, CHINA** (Tape 4)

Supervisor Hanley stated that a delegation from Jiading, Shanghai, China had planned to arrive in the area in time to attend today's meeting of the Board. However, due to a change in their travel plans, they were unable to be here today. Supervisor Hanley stated that she met with the delegation on Saturday, July 29, for breakfast where they had an enjoyable brief meeting and exchanged experience of the two communities.

A delegation from Fairfax County traveled to Jiading in April 1994 and the County officially established Sister County-District relations with the Jiading government on October 31, 1994. The visitors are anxious to know when a Fairfax County delegation will return to Jiading.

Therefore, Supervisor Hanley moved that the Board direct the Economic Development Authority (EDA) to:

- Explore the possibility of a return visit of a Fairfax County delegation to Jiading;
- Outline how Fairfax County might expand the Sister County-District relations; and
- Call upon the resources of the U.S.A.-Asian Business Council in this effort.

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

Supervisor Bulova asked unanimous consent that the Board direct staff to provide information regarding an earlier request to set up a display of the items received from the three sister cities in the Government Center. Without objection, it was so ordered.

33. **REQUEST FOR FULL TIME POSITION FOR THE OFFENDER AID AND RESTORATION OF FAIRFAX COUNTY, INCORPORATED (OAR)** (Tape 4)

Supervisor Hanley stated that she had received a memorandum from the Offender Aid and Restoration of Fairfax County, Incorporated (OAR) indicating its case load increase and its request for a full time position. She asked unanimous consent that the Board direct staff to include this as a Consideration Item at the Carryover Budget in September. Without objection, it was so ordered.

34. **HOUSING AND URBAN DEVELOPMENT (HUD) SUPER NOFA AWARD** (Tape 4)

Supervisor Hanley informed the Board that Fairfax County has been very successful in obtaining grant money under the Housing and Urban Development (HUD) Super NOFA Award. She stated that County staff submitted eight grant requests and was awarded four grants.

Supervisor Hanley congratulated the staff that worked on the applications and announced that the County is working to be sure that it can obtain the kinds of programs through federal grants that are available.

35. **REGIONAL STANDARDIZATION OF THE BUSINESS, PROFESSIONAL AND OCCUPATIONAL LICENSE (BPOL)** (Tape 4)

Supervisor Hanley asked Kevin C. Greenlief, Director, Department of Tax Administration, to give a brief update on the efforts for regional standardization of the Business, Professional and Occupational License (BPOL).

Following input from Mr. Greenlief, Supervisor Hanley mentioned that it would be useful to circulate these regional standardization activities to the entire Board.

36. **FAIR CAMPAIGN PRACTICES** (Tape 4)

Supervisor Hanley informed the Board that she had received a reply from the Democratic Committee expressing its interest in participating and renominating the two people they had nominated last time to the Fair Campaign Practices Commission

Following discussion, Supervisor Hanley stated that the Republican Party will raise this matter before the full County Committee in September.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

37. **RECOGNITION OF BERNICE VON ZUR MUEHLEN, A TEACHER AT MADISON HIGH SCHOOL** (Tape 4)

Supervisor Dix stated that Madison High School has successfully been recognized as the AAA Virginia High School League Creative Writing Champion six times in the last nine years under the leadership of Ms. Bernice von zur Muehlen, a teacher at Madison High School.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Ms. von zur Muehlen to appear before the Board this fall to be recognized for this outstanding academic achievement on behalf of her students. Without objection, it was so ordered.

38. **"PEACE IN THE STREET JAM" AT LAKE ANNE PLAZA** (Tape 4)

Supervisor Dix expressed his appreciation to WPGC Radio, the Fairfax County Police Department, Lake Anne Condominium Association, and the Merchants Association for their help in coordinating the "Peace in the Street Jam" at Lake Anne Plaza in Reston. The event was hosted by WPGC Radio in an effort to bring the community together to celebrate diversity in the community in a peaceful activity and to talk about the need to join hands together to face some of the social challenges in the communities.

39. **FEDERAL AND STATE MANDATES** (Tape 4)

Supervisor Dix expressed his appreciation to staff for the comprehensive compilation of a survey of Federal and State mandates on Fairfax County which draws some very substantive conclusions as it relates to the amount of money that the County is obligated to fund in the general operating budget annually to fulfill the requirements of Federal and State mandates.

Supervisor Dix moved that the Board direct staff to:

- Provide a copy of this Report to the Task Force on County Revenues and Expenditures (C-REx) so that it may establish a subcommittee to examine the issues related in this Report.

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

Supervisor Dix asked unanimous consent that the Board direct staff to provide information as to what programs Fairfax County is providing in excess of the requirements of the Federal and State mandate. Without objection, it was so ordered.

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

- Provide the Virginia Association of Counties (VACo) a copy of report on Federal and State mandates; and

- Confirm that the confinement of State prisoners in the County's system is not having a major impact because of the amount of reimbursement.

Supervisor Dix asked unanimous consent that the Board direct staff to provide information as to the fee recovery received in terms of revenue generated from any of those programs. Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct staff to review and comment on letting taxpayers know what percentages and what amounts of their tax bills are directly related to the requirements outside of the local government due to Federal and State mandates. Without objection, it was so ordered.

40. **REQUEST FOR PROPOSAL (RFP) FOR SCHOOL/COUNTY HEALTH INSURANCE PLAN** (Tape 4)

Supervisor Dix asked further questions regarding the Request for Proposal (RFP) for the School/County Health Insurance Plan. Peter J. Schroth, Director, Office of Personnel answered questions concerning the triple option plan versus the dual option plan.

41. **VIENNA NINE AND 10 YEAR OLD LITTLE LEAGUE ALL-STAR TEAM AND THE 14 AND 15 YEAR OLD BABE RUTH ALL-STAR TEAM** (Tape 4)

Supervisor Dix stated that the Vienna nine and 10 year old Little League All-star Team which was invited to the Board Meeting today for recognition of their athletic achievements is still playing in the state tournament and are playing a team from Tuckahoe today; hopefully they can attend the Board Meeting next week.

Supervisor Dix further stated that the Vienna 14 and 15 year old Babe Ruth All-star Team won the State tournament and are advancing to the regional competition. Therefore, Supervisor Dix asked unanimous consent that the Board direct staff to invite the team to appear before the Board to congratulate them. Without objection, it was so ordered.

42. **NATIONAL ASSOCIATION OF COUNTIES (NACO) ANNUAL MEETING** (Tape 4)

Supervisor Dix stated that he attended the National Association of Counties (NACo) Meeting and that Supervisor Hyland would be providing a report of the activities of the meeting.

(NOTE: Later in the meeting, Supervisor Hyland reported on the NACo meeting. See Clerk's Summary Item CL#54.)

PMH:pmh

43. **INSTALLATION OF STOP SIGNS IN NEIGHBORHOODS TO ADDRESS PROBLEMS OF SAFETY AND SPEEDING** (Tape 5)

Supervisor Bulova said that the State is considering a new policy regarding the installation of stop signs in neighborhoods to address problems of safety and speeding. She said that there is a draft policy available.

Following discussion, Supervisor Bulova asked unanimous consent that the Board direct staff to:

- Circulate the draft policy to Board Members for comment at the August 7, 1995 meeting; and
- Report with recommendations and guidance for the Virginia Department of Transportation (VDOT) regarding how this new policy may be jointly implemented.

Without objection, it was so ordered.

Supervisor Hyland noted that a community in the Mount Vernon District put up stop signs prior to the approval of VDOT, and they have been legitimized thanks to the cooperation and assistance of VDOT.

44. **REQUEST BOARD'S SUPPORT TO PETITION THE NATIONAL PARK SERVICE (NPS) TO CONTINUE SAFE OPERATION OF THE BELLE HAVEN MARINA** (Tape 5)

Supervisor Hyland said that the National Park Service (NPS) has issued a report that concludes that the Belle Haven Marina's life is about to end. He noted that the recreational interests of Northern Virginian's are met by this facility.

Because of the recreational interests and to maintain a significant resource in the community, Supervisor Hyland moved that the Board:

- Direct the Chairman to petition the NPS to approve a competitive bidding process on the necessary repairs for the continued operation of the Belle Haven Marina; and
- Direct staff to determine a way to continue the operation of the Marina either through the NPS' efforts or through privatization.

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

45. **CONSIDERATION ITEM: UNION FARMS BICYCLE/PEDESTRIAN TRAIL** (Tape 5)

Supervisor Hyland said that Union Farms, a subdivision in the Mount Vernon District, built around 1988-1989, had promised to build a bicycle/pedestrian trail for the community. Unfortunately, in the interim the builder defaulted and the \$8,000 escrow amount proved to be inadequate to construct the entire trail.

Supervisor Hyland pointed out that the residents and the Mount Vernon District Representative to the Countywide Non-Motorized Transportation (Trails) Committee have reviewed the site and indicate that a 120 foot extension link from the existing Grist Mill Park trail to the existing curb-cut on Pear Tree Landing Road would help in creating a safer resident access for pedestrians and bikers.

Supervisor Hyland moved that the additional \$8,000 for completion of the Union Farms Bicycle/Pedestrian Trail be included as a Consideration Item at Carryover. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Berger and Supervisor McConnell being out of the room.

46. **SCHOOL CROSSING GUARD AT THE CHENEY ELEMENTARY SCHOOL AT FORT BELVOIR** (Tape 5)

Supervisor Hyland said Cheney Elementary School is not provided with the support of a School Crossing Guard and he moved that the Board direct staff to include as a Consideration Item at Carryover one School Crossing Guard for Cheney Elementary School.

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

47. **CONGRATULATIONS TO THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR NEW PUBLICATION BUSINESS VENTURE** (Tape 5)

Supervisor Hyland said that he recently received and reviewed a copy of the Fairfax County Economic Development Authority's (EDA) new supplement, Business Venture, for small and women-owned businesses.

Supervisor Hyland expressed his appreciation to EDA for the publication and for their efforts in terms of small businesses and minority-owned businesses in Fairfax County.

48. **PROPOSED ADJUSTMENT TO CHRISTIAN RELIEF SERVICES (CRS) HOMES FOR HOMELESS (ONE DOLLAR LEASE) PROGRAM FOR FISCAL YEAR (FY) '96** (Tape 5)

Supervisor Hyland said that on April 24, 1995, the Board allocated \$114,818 in Community Development Block Grant (CDBG) funds to Christian Relief Services (CRS) to continue the Homes for the Homeless (One Dollar Lease) Program. Under this program, CRS leases units from the U.S. Department of Housing and Urban Development (HUD) and, in turn, offers

these units to homeless families and handicapped individuals for lease along with supportive services such as substance abuse counseling and mental health treatment to help them become self-sufficient.

Supervisor Hyland noted that the Board appropriation anticipated the rehabilitation of 10-15 units under the CRS program. The remaining funding was for the personnel and operating costs associated with providing supportive services to the clients.

Supervisor Hyland said that CRS has asked to revise the program description to include the rehabilitation of only five units. HUD has indicated that no additional units are available for this program. Therefore, CRS projects have only five units currently in their program that will be in need of rehabilitation with CDBG funds.

Supervisor Hyland stated that with 54 HUD units now under lease, CRS has a need for a full-time Property Manager to manage these units and oversee ongoing maintenance and rehabilitation. CRS regards upkeep and maintenance of the units as a critical task, demonstrating a commitment to the tenants and their needs and protecting the investment of funds for rehabilitation to support this additional position.

Supervisor Hyland moved that the Board approve the request by CRS to revise the description of the Homes for the Homeless Program to be funded in Fiscal Year (FY) 1996 through CDBG funds. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor McConnell being out of the room.

49. **REQUEST TO DEVELOP A POLICY REGARDING BETTER LAND USE COORDINATION** (Tape 5)

Supervisor Hyland stated that in working with the Mount Vernon District Zoning Enforcement Inspector he learned that Zoning Inspectors are not involved in land use applications and do not have input into Rezoning, Special Permit, Special Exception Applications, etcetera.

Supervisor Hyland said that while Mr. Campbell, the Lorton area Zoning Enforcement Inspector was investigating a complaint he learned that there was a pending land use zoning application. With that knowledge he was able to work with the Office of Comprehensive Planning (OCP) to make his findings known to the Staff Coordinator, who included that new information as part of the analysis. In turn Mr. Campbell was able to work with the owner of the property to get the violation cleared, using his new information from OCP. This coordination resulted in both branches having more complete information and allowed for a better work product.

Supervisor Hyland moved that the Board direct staff to:

- Develop a policy and procedure whereby when OCP receives a land use application, that part of the staff review will include the Zoning Enforcement Division; and

- Report with recommendations by the August recess.

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

50. **REQUEST FOR STATUS/MEETING ON BOARD MATTERS CONCERNING ROUTE ONE** (Tape 5)

Supervisor Hyland indicated that his Board Matter requesting status/meeting on Board Matters concerning Route One have been addressed by a memorandum regarding Carryover and a Consideration Item of \$500,000 to assist in providing for the studies regarding Route One.

(NOTE: Later in the meeting, there was action regarding this item. See Clerk's Summary Item CL#52.)

51. **REQUEST FOR WAIVER OF FEES FOR HABITAT FOR HUMANITY** (Tape 5)

Supervisor Hyland referred to a request for waiver of fees for Habitat for Humanity of Northern Virginia which is proposing to construct a home on a property located in the Mount Vernon District.

Supervisor Hyland moved that fees associated with the construction on Memorial Street by Habitat for Humanity be waived and include the following:

- RPA Waiver (three at \$100);
- Variance - Lots 477 and 478 (one at \$110);
- Grading Plan Submission (three at \$500);
- Public Improvement Plan (one at \$1,560); and
- Department of Environmental Management (DEM) Inspection Fee (\$745).

The total of the fees are \$4,215.

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

52. **ADDITIONAL INFORMATION REGARDING THE REQUEST FOR STATUS/MEETING ON BOARD MATTERS CONCERNING ROUTE ONE** (Tape 5)

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



Chairman Hanley referred to Supervisor Hyland's earlier Board Matter regarding the request for status/meeting concerning Route One. She relinquished the Chair to Acting-Chairman Alexander and asked unanimous consent that a copy of the memorandum that Supervisor Hyland referred to be provided to her. Without objection, it was so ordered.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

53. **NEED TO ADDRESS JET SKIS** (Tape 5)

Supervisor Hyland referred to the issue of jet skis in the waterways along the Potomac River and in the embayment areas. He said that approximately two years ago the County received loaned jet skis from a private business owner so the police could patrol shallow waters to more adequately apprehend violators on their jet skis rather than having to wait until they left the shallow waters to make an arrest. Although violators are being apprehended, it would be better use of the law enforcement officers' time if they had the use of jet skis in the future. He added that two years ago, the press published an inaccurate article saying it cost the County too much money that influenced the Board to stop the use of jet skis before it conducted a proper analysis regarding costs and benefits.

Supervisor Hyland moved that the Board:

- Refer the issue of jet ski enforcement to staff to determine the benefits of using jet skis for law enforcement purposes;
- Direct staff to review the Commonwealth's changes to its laws to determine if Fairfax County needs to make changes in its law; and
- Report its findings and recommendations before the August recess.

This motion was seconded by Supervisor Frey.

Following discussion, Supervisor Frey asked to amend the motion to direct staff to report where Fairfax County jurisdiction is on the waterways, and this was accepted.

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

54. **NATIONAL ASSOCIATION OF COUNTIES (NACO) CONFERENCE** (Tape 5)

(NOTE: Earlier in the meeting, there was a brief discussion of this item. See Clerk's Summary Item CL#42.)

Supervisor Hyland presented to the Board 10 awards received by Fairfax County from the National Association of Counties (NACo).

Supervisor Hyland reported that NACo continues to be involved with the issue of flow control and he added that the matter is not yet resolved.

Supervisor Hyland said that there is NACo support of the Peanut Program.

55. **RECOMMENDATION TO CONSIDER PURCHASE OF TWO ADDITIONAL "SMART TRAILERS" TO ASSIST POLICE IN COMBATTING NEIGHBORHOOD SPEEDING** (Tape 5)

Supervisor Connolly stated that in September 1994, after a study of various alternatives for controlling speeding through Fairfax County neighborhoods, Chairman Hanley, then Providence District Supervisor, recommended that the County purchase two "Smart Trailers," the data-gathering computers best known for their large, digital "gotcha" display boards.

Supervisor Connolly said that Officer William Knost did an extensive investigation of the Smart Trailers. He and Chairman Hanley became convinced these state-of-the-art, data-gathering devices would be an invaluable tool for police in combatting the growing problem of speeding through residential neighborhoods and major thoroughfares.

Therefore, Supervisor Connolly moved that the Board direct staff to draft an item to consider purchase of two additional Smart Trailers, if funds are available at Carryover. Costs for this purchase are estimated at \$29,000. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

56. **REQUEST FROM THE FALLS CHURCH MOTEL TO WITHDRAW FROM THE SMALL SANITARY DISTRICT FOR THE PURPOSE OF LEAF COLLECTION SERVICES** (Tape 5)

Supervisor Connolly moved that the Board direct staff to proceed with action to withdraw the Falls Church Motel located at 7155 Lee Highway from the Small Sanitary District for the purpose of leaf collection services. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

57. **SCHEDULING OF REZONING APPLICATION RZ 94-P-057 (THE LAWRENCE DOLL COMPANY)** (Tape 5)

Supervisor Connolly stated that the Lawrence Doll Company has filed a Rezoning Application to rezone 6.21 acres of land from the R-1 District to the PDH-3 District. The subject property is located at the intersection of Idylwood Road and Morgan Lane. He said that this application was originally scheduled for public hearing before the Planning Commission on June 20, 1995 and decision was deferred until September 7, 1995. The applicant has requested that a public hearing before the Board be scheduled.

Supervisor Connolly moved that the Board direct staff to schedule a public hearing to be held before the Board on **September 11, 1995 at 4:30 p.m.** on Rezoning Application RZ 94-P-057. This motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor McConnell being out of the room.

58. **SCHEDULING OF REZONING APPLICATION RZ 94-P-002 (NUTLEY/LEE HIGHWAY PROPERTY)** (Tape 5)

Supervisor Connolly stated that Mr. David Bernstein has filed a Rezoning Application to rezone 6.31 acres of land from the R-1 District to the R-5 District. The subject property is located at the northeast intersection of Nutley Street and Lee Highway. He said that this application is the subject of an Out-of-Turn Plan Amendment to evaluate the necessity for secondary access to this development. The applicant has requested that a public hearing before the Planning Commission and the Board be scheduled.

Supervisor Connolly moved that the Board direct staff to schedule a public hearing to be held before the Planning Commission and the Board by October 30, 1995 on Rezoning Application RZ 94-P-002. This motion was seconded by Supervisor Trapnell.

Following discussion, Supervisor Dix asked to amend the motion to request staff from Supervisor Connolly's Office to provide the Town of Vienna with a copy of the rezoning action, and this was accepted.

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

59. **CONCURRENT PROCESSING OF THE PRELIMINARY AND FINAL SUBDIVISION/SITE PLANS ASSOCIATED WITH PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-L-021 (WILLIAM E. SCHURTZ/BEULAH ROAD, L.I.C.) AND REZONING APPLICATION RZ 95-L-023 (BEULAH ROAD, L.I.C.)** (Tape 5)

Supervisor Alexander moved that the Board authorize concurrent processing of the Preliminary and Final Subdivision/Site Plans associated with Proffered Condition Amendment Application PCA 89-L-021 (William E. Schurtz/Beulah Road, L.I.C.) and Rezoning Application RZ 95-L-023 (Beulah Road, L.I.C.) This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

60. **REQUEST FOR STATUS REPORT ON VIOLATORS IN THE INDUSTRIAL DISTRICTS** (Tape 5)

Supervisor Alexander asked unanimous consent that the Board direct staff to provide a status report on violators in the Industrial Districts. Without objection, it was so ordered.

61. **GRAFFITI** (Tape 5)

Supervisor Alexander said that he previously provided the Board with a report on graffiti. He said that he received a request from the Virginia Department of Transportation (VDOT) regarding identification of the specific areas where graffiti was located.

Supervisor Alexander asked unanimous consent that the Board direct staff to report to VDOT that he was referring to the sound wall on the north side of I-95 adjacent to Bison Street in Springfield Estates. Without objection, it was so ordered.

62. **RESULTS OF PROPOSITION 13 IN CALIFORNIA** (Tape 5)

Supervisor Alexander said that while on a trip to the west coast he read an article regarding San Diego and the result of Proposition 13. He said that the local jurisdictions have not been able to raise real estate taxes. He added that they have mortgaged county buildings, parks, schools etcetera for collateral for capital programs.

63. **SCREENING WALL BEHIND THE VIRGINIA RAIL EXPRESS (VRE) STATION PLATFORM** (Tape 5)

Supervisor Alexander referred to a screening wall behind the Virginia Rail Express (VRE) Station Platform that abuts the homes in the Windsor Estates Subdivision. He added that this issue is scheduled for the August 7, 1995 Board meeting. However, he said that he may not be at the meeting early in the day.

Supervisor Alexander requested Supervisor Bulova to handle this issue if he is unable to be present.

**NV:nv**

64. **ACORN STREETLIGHTS** (Tape 6)

Supervisor Trapnell stated that commercial revitalization bond projects developed for Annandale and Bailey's Crossroads include acorn streetlights that are included in the municipal street light contract, but have not yet been authorized for use by the Board of Supervisors. She added that developers have also shown the acorn lights on plans, but have not been allowed to install them.

Supervisor Trapnell explained that previous talks to resolve this issue stalled because of the high costs of an acorn system, but that Virginia Power has added an acorn fixture which carries a more reasonable cost. The new Virginia Power lights are spaced approximately the same distance as cobrahead fixtures and provide adequate light for both sidewalks and roadways. In addition, Virginia Power has a new cost-saving installation plan. Therefore, Supervisor Trapnell moved that the Board direct staff to present a Policy for the Board's adoption to utilize this fixture on an experimental basis within the boundaries of the Board-designated commercial revitalization areas. This motion was seconded by Supervisor

Berger.

Following discussion, Chairman Hanley clarified the motion as directing staff to:

- Develop a Policy for the Board's adoption;
- Provide estimates of the cost involved; and
- Develop a demonstration project for these fixtures in all revitalization areas or in one designated area to determine if this is a viable alternative.

The question was called on the motion which carried by a vote of nine, Supervisor McConnell being out of the room.

65. **VIDEO MAGISTRATE SYSTEM** (Tape 6)

Supervisor Trapnell stated that the Mason District Police Station now has a video magistrate system in place to provide an initial arraignment to persons arrested by the Fairfax County Police Department. The video magistrate system increased the number of defendants being held in custody awaiting transport to the Fairfax County Adult Detention Center (ADC). Prior to the video magistrate, it would take a police officer one to three hours to transport one arrestee to the ADC for arraignment and to return to the assigned patrol area. During the transport, the officer would be unavailable for any service calls.

Supervisor Trapnell explained that current practice has the Police Department operating the Mason District Station lockup and holding in custody multiple arrestees, thereby minimizing the transports required. She questioned whether this is the best use of police resources or whether the Sheriff's Office would be a more appropriate agency to operate the lockups.

Accordingly, Supervisor Trapnell moved that the Board direct staff to coordinate with the Sheriff's Office and the Police Department to:

- Determine:
  - Whether the Mason lockups would be more effectively and efficiently operated by one agency over the other, and, if so, the benefits;
  - The legal requirements for such an arrangement; and
  - Advantages and disadvantages to the citizens of the County; and
- Report within 60 days.

This motion was seconded by Supervisor Alexander.

Following discussion, Chairman Hanley relinquished the Chair to Acting-Chairman Alexander and asked to amend the motion to direct staff to include in the response a determination if this function could be accomplished by the Sheriff's existing designated officers, and this was accepted.

Acting-Chairman Alexander returned the gavel to Chairman Hanley.

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

66. **RECONSIDERATION OF SPECIAL EXCEPTION APPLICATION SE 95-M-020, QUICK FAMILY MARKET** (Tape 6)

Supervisor Trapnell stated that on July 17, 1995 the Board approved Special Exception Application SE 95-M-020 by the Quick Family Market for a quick service food store and fast food restaurant on property located at Tax Map 72-2 ((1)) 66 in the Mason District. She explained that Development Condition Number Seven, which required a minimum number of parking spaces to be designated on site for the use has created an undue burden upon the applicant, who is now required to submit a parking tabulation and pay a filing fee which would otherwise have been unnecessary. She added that she had consulted with staff and that more than adequate parking is available on the site under the shopping center rate.

Accordingly, Supervisor Trapnell moved that the Board:

- Reconsider its decision; and
- Approve Special Exception Application SE 95-M-020, subject to the development conditions dated July 17, 1995 to be amended as follows:
  - Condition Number Seven should read: "Parking, loading and handicapped spaces shall be provided subject to the provisions of Article 11 of the Zoning Ordinance, as determined by the Department of Environmental Management (DEM)."
- Reaffirm all waivers and modifications previously approved by the Board.

This motion was seconded by Supervisor Alexander.

Following discussion, Supervisor Connolly asked unanimous consent that the Board defer consideration of this item until appropriate staff could be present to address this issue. Without objection, it was so ordered.

A brief discussion continued.

(NOTE: Later in the meeting, action was taken on this issue. See Clerk's Summary Item CL#84.)

67. **POLICY FOR LAND USE APPLICATIONS WHICH FALL WITHIN REVITALIZATION AREAS** (Tape 6)

Supervisor Trapnell called the Board's attention to an incident involving a minor Site Plan modification in the Culmore area. The Plan was required due to an increase in the size of a loading dock. She expressed her dissatisfaction that it took over one month to review this Site Plan before it reached the Urban Forester for another review.

Supervisor Trapnell reiterated her previous position that revitalization areas must be treated differently from new development. Accordingly, she asked unanimous consent that the Board direct staff to provide a follow-up to her Board Matters presented at the May 9, 1994 and April 17, 1995 meetings of the Board which directed staff to develop a separate Policy for applications which fall within revitalization areas. She stated that this issue will be addressed in a revitalization Policy which will be presented to the Board at the meeting scheduled for September 11, 1995. Without objection, it was so ordered.

68. **RECOGNITION OF THE NORTHERN VIRGINIA SWIMMING LEAGUE** (Tape 6)

Supervisor Trapnell stated that the Northern Virginia Swimming League, the largest swim league in the country, was founded in 1956 to sponsor competitive swimming and diving in and among the community swimming pools and to develop in the children affected by this program "a love for the sport, advanced aquatic skills, teamwork, and the principles of good sportsmanship." She stated that she had attended the July 19, 1995 Annual All-Star Relay Carnival Swim Meet at the Forest Hollow Swim Club hosted by the League.

Because of its contribution to the youth of the County, Supervisor Trapnell asked unanimous consent that the Board direct staff to invite the Northern Virginia Swimming League to appear before the Board on August 7, 1995 to be recognized. Following discussion, without objection, the request was so ordered.

69. **PROPOSED OUT-OF-TURN PLAN AMENDMENT TO AMEND THE PLAN FOR LAND UNIT D OF THE BELTWAY SOUTH INDUSTRIAL AREA** (Tape 6)

Supervisor Trapnell stated that Horning Brothers has a contract with Atlantic Research Corporation to purchase approximately 20 acres located west of I-395 immediately north of Cherokee Avenue. The property is identified on Tax Map 81-1((1)) 19A and is currently zoned I-6. The Comprehensive Plan currently recommends the property for industrial and office use at a .30 Floor Area Ratio (FAR).

Supervisor Trapnell explained that Horning Brothers and Atlantic Research Corporation have requested that the Board consider an Out-of-Turn Plan Amendment to allow for an option for residential use at 16 to 20 dwelling units per acre on the basis that it would have substantially fewer impacts on the surrounding residential community than development under the existing I-6 zoning.

Accordingly, Supervisor Trapnell moved that the Board direct the staff of the Office of Comprehensive Planning (OCP) to review an Out-of-Turn Plan Amendment to amend the Plan for Land Unit D of the Beltway South Industrial Area to permit an option for residential use at 16 to 20 dwelling units per acre for this property. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being out of the room.

70. **SCHEDULING OF SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-M-132, AMOCO CORPORATION** (Tape 6)

Supervisor Trapnell stated that the Amoco Corporation has filed a Special Exception Amendment Application SEA 84-M-132 to add a car wash and to make minor modifications to the existing service station located at 6950 Braddock Road in the Backlick Shopping Center. To ensure that the project proceeds in a timely manner, she moved that the Board direct staff to expedite the process to ensure that the application will be heard before the Board by its meeting of October 30, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

71. **REQUEST TO EXCLUDE NEW HOMES ON JAGUAR TRAIL AND ROUTE 50 FROM THE TAXING DISTRICT FOR REFUSE AND LEAF COLLECTION** (Tape 6)

Supervisor Trapnell stated that homes currently being built at Jaguar Trail and Route 50 have been annexed recently into the Yacht Club Homeowners Association which is excluded from the County's refuse and trash collection. This development, located in Mason District, is requesting that the Board remove it from the taxing district for the purposes of refuse and leaf collection by the County.

Accordingly, Supervisor Trapnell moved that the Board direct staff to consider this request. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

72. **SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 95-Y-033** (Tape 6)

Supervisor Frey stated that Dr. Fred Garrison, a local veterinarian in Centreville, has filed a rezoning application in keeping with a Plan Amendment granted last year that will enable him to rebuild his existing veterinary clinic. To encourage this small, community-based business which desires to expand, Supervisor Frey moved that the Board direct staff to schedule the public hearing for Rezoning Application RZ 95-Y-033 to be heard before the



Board on October 30, 1995. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

73. **SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 95-Y-015** (Tape 6)

Supervisor Frey moved that the Board direct staff to schedule the public hearing for Rezoning Application RZ 95-Y-015 in the name of Centex Real Estate Corporation to be held before the Board on **September 18, 1995 at 4:00 p.m.** This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

74. **CONCURRENT PROCESSING OF A PRELIMINARY SUBDIVISION PLAN WITH REZONING APPLICATION RZ 94-Y-006 (WALNEY ROAD L.C.)** (Tape 6)

Supervisor Frey said that Rezoning Application RZ 94-Y-006 (Walney Road L.C.) is currently scheduled to be heard by the Board on September 18, 1995. This application was delayed for an extended period of time pending resolution of the airport noise issue, and the applicant has requested assistance in having the plans processed concurrent with consideration of the Rezoning Application.

Therefore, Supervisor Frey moved that the Board authorize concurrent processing of a Preliminary Subdivision Plan with Rezoning Application RZ 94-Y-006. This approval does not affect the necessity of the Applicant having to make any changes necessary due to actions taken at the time of the zoning. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

75. **EXPEDITED REVIEW FOR SITE PLAN DISTRIBUTION FACILITY FOR MJ DESIGNS, INCORPORATED, AND GOVERNMENT TECHNOLOGY SERVICES, INCORPORATED** (Tape 6)

Supervisor Frey stated that the Cambridge Property Group and Security Capital Industrial Trust have been engaged to develop a 45-acre site, zoned I-5, at the corner of Willard Road and Route 50 in Chantilly, Tax Map 33-2 ((1)) 5-C. The development entails a build-to-suit structure that will serve as a major regional distribution facility for MJ Designs, Incorporated, and Government Technology Services, Incorporated, if the building can be provided under a very stringent time frame. These two firms will provide employment for more than 200 personnel.

To assist the developers in meeting the required and anticipated occupancy time frame, Supervisor Frey moved that the Board authorize an expedited review for the as-yet-to-be-submitted Site Plan for this proposed development, and any other plans, permit, or waiver requests. He stated his understanding that the developer will submit the plans today or shortly thereafter. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor McConnell being out of the room.

76. **BOARD MATTERS FOR SPRINGFIELD DISTRICT SUPERVISOR MCCONNELL**  
(Tape 6)

Chairman Hanley announced that Supervisor McConnell had to leave the meeting and that she had no Board Matters to present. She would be returning later in the day.

77. **WORK PLAN FOR THE AUDITOR TO THE BOARD** (Tape 6)

Supervisor Berger explained that at the last meeting of the Audit Committee, they held a discussion concerning the Auditor's work plan for the next year. The consensus developed was to have the Auditor to the Board concentrate on issues involving the organizational structure of the County Government.

Supervisor Berger moved that the Board direct the Auditor to the Board to:

- Examine the charter, mission statement, statement of objectives, and other documents showing the approved purpose(s) of agencies, organizational units, and other discrete elements of County Government; and
- Evaluate the actual operation of the agencies, organizational units, and other discrete elements of government to determine whether or not they are being operated, funded, and focused in accordance with their stated and approved purpose(s). The Public School System shall not be evaluated.

Supervisor Berger stated that the goal of this evaluation will be to determine whether or not the various organizational elements are:

- Performing the specific functions for which they are responsible; and
- Performing functions for which they are not specifically responsible.

Supervisor Berger added that the priority for organizational evaluation will be determined by the Auditor using, as a preliminary screening technique, changes (positive or negative) in the funding level of the elements which appear to the Auditor to be inconsistent with any changes (or lack of changes) in population, demographics, or other criteria which might logically be assumed to affect funding levels. This motion was seconded by Supervisor Hyland.

Following discussion, Supervisor Dix asked to amend the motion to direct the Auditor to provide an update on his current work assignments, and this was accepted.

Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked to amend the motion to add the words "establishment of new programs or changes in state or federal law" to the last sentence between ". . . demographics," and "or other criteria . . .," and this was accepted.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

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

78. **EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITY APPLICATION 456-D95-22 FOR AMERICAN PERSONAL COMMUNICATIONS** (Tape 6)

Supervisor Berger stated that on July 29, 1995 the Planning Commission deferred its decision on Public Facilities Application 456-D95-22 by American Personal Communications to construct a telecommunications base station facility on the site of the future Wolf Trap Fire Station Number 43 at 9501 Leesburg Pike. To accommodate the additional review time required for this Application, Supervisor Berger moved that the Board extend the Application review period for Public Facilities Application 456-D95-22 until December 15, 1995. This motion was seconded by Supervisor Dix and carried by a vote of nine, Supervisor McConnell being out of the room.

79. **SCHEDULING OF PUBLIC HEARING FOR REZONING APPLICATION RZ 95-D-040 AND SPECIAL PERMIT APPLICATION SP 95-D-044, SAINT JOHN'S CHURCH AND YOUTH APOSTLES INSTITUTE** (Tape 6)

Supervisor Berger moved that the Board direct staff to schedule the public hearings for Rezoning Application RZ 95-D-040 and Special Permit Application SP 95-D-044, Saint John's Church and Youth Apostles Institute, to be heard before the Board no later than October 30, 1995. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor McConnell being out of the room.

A brief discussion ensued with input from Catherine A. Chianese, Assistant to the County Executive.

80. **FEE WAIVER FOR MCLEAN WINE FESTIVAL** (Tape 6)

Supervisor Berger announced that he will be hosting the Annual McLean Wine Festival, a charitable fundraising event, on September 9 and 10, 1995. He moved that the Board direct staff to waive the tent permit fee for this year's event. This motion was seconded by Supervisor Connolly.

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

Supervisor Berger added that Southern Living had mentioned this festival in its magazine as "a" festival to attend in the South.

81. **CHANGES IN AFFIDAVITS FOR LAND USE APPLICATIONS** (Tape 6)

Supervisor Connolly stated his concern with last minute changes to affidavits submitted for land use applications. Following discussion, with input from David P. Bobzien, County Attorney, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked unanimous consent that the Board direct staff to present a Consideration Item at the meeting scheduled August 7, 1995 regarding a Policy for deadlines for receipt of the affidavits in the County Attorney's Office and receipt by the Board for the land use cases to be heard.

Following discussion, Supervisor Hanley amended her request to include a recommendation by the Procedures Subcommittee provided that it can meet prior to Wednesday, August 2, 1995. Without objection, the request, as amended, was so ordered.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

82. **A-5 - PROPOSED COMMENTS TO STATE CORPORATION COMMISSION (SCC) REGARDING LOCAL EXCHANGE TELEPHONE COMPETITION, CASE NUMBER PUC950018** (Tape 6)

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

Chairman Hanley called the Board's attention to A-5 - Proposed Comments to State Corporation Commission (SCC) Regarding Local Exchange Telephone Competition, Case Number PUC950018 and noted that the staff had distributed copies of the Policy regarding utility company notification.

Following discussion, with input from Ronald B. Mallard, Director, Department of Consumer Affairs, Supervisor Dix moved that the Board change the Policy by directing staff to share comments impacting utility companies with them in advance to determine whether there is anything the Board might need to know as it refines the comments. This motion was seconded by Supervisor Berger.

Supervisor Bulova moved a substitute motion that the Board direct staff to change the procedure by distributing to utility companies copies of the Board's Meeting Index in advance of the meeting routinely. This motion was seconded by Supervisor Alexander.

Chairman Hanley ruled that the substitute motion could be an amendment to Supervisor Dix's motion, and this was accepted.

Following discussion, with input from David P. Bobzien, County Attorney, and Mr. Mallard, Supervisor Dix withdrew his motion.

Supervisor Bulova moved that the Board direct staff to distribute to utility companies copies of the Board's Meeting Index in advance of the meeting routinely when the Board package is distributed. This motion was seconded by Supervisor Trapnell.

Supervisor Hyland moved to amend the motion to send a copy of any pertinent Board Item with the proposed testimony along with a copy of the Index, and this was accepted.

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

Following further discussion, Supervisor Hyland moved that the Board:

- Defer action on this item until the end of the day;
- Direct staff to contact the affected parties and ask them to provide input for consideration; and
- Consider those comments and take action.

Supervisor Alexander moved to table the motion to defer. This motion was seconded by Supervisor Connolly.

Following discussion, Supervisor Alexander withdrew his motion to table the deferral.

The question was called on the motion to defer which **CARRIED** by a recorded vote of six, Supervisor Alexander, Supervisor Connolly, and Supervisor Frey voting "NAY," Supervisor McConnell being out of the room.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#122.)

83. **ELECTION YEAR POLICY REGARDING MAILING PRIVILEGES** (Tapes 6-7)

Supervisor Dix raised the issue of the current Policy regarding mailing privileges of items from Members of the Board during an election year. He expressed specific concern regarding the fact that the Policy does not address newsletters.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Dix asked unanimous consent that the Board direct the County Attorney to provide his response in writing as a Consideration Item for action at the meeting scheduled for August 7, 1995.

Following discussion, Supervisor Dix withdrew his request and stated that he would review this issue and possibly present a proposal to the Board at the meeting scheduled for August 7, 1995. He stated that he would address the distinction in the Policy between cable television programs on Channel 16 and district-wide newsletters.

A brief discussion continued.

84. **RECONSIDERATION OF SPECIAL EXCEPTION APPLICATION SE 95-M-020, QUICK FAMILY MARKET** (Tape 7)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#66.)

Supervisor Trapnell called the Board's attention to her pending Board Matter regarding the reconsideration of Special Exception Application SE 95-M-020 by the Quick Family Market. Following an explanatory statement by Kris Abrahamson, Senior Staff Coordination, Zoning Evaluation Division, Office of Comprehensive Planning (OCP), Supervisor Trapnell moved that the Board reconsider Special Exception Application SE 95-M-020. This motion was seconded by Supervisor Berger and carried by a vote of nine, Supervisor McConnell being out of the room.

Supervisor Trapnell moved that the Board:

- Approve Special Exception Application SE 95-M-020, subject to the development conditions dated July 17, 1995 to be amended as follows:
  - Condition Number Seven should read: "Parking loading and handicapped spaces shall be provided subject to the provisions of Article 11 of the Zoning Ordinance, as determined by the Department of Environmental Management (DEM)."
- Reaffirm all waivers and modifications previously approved by the Board.

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

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

At 1:25 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:

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

- Lorton Town Center Site Exchange Agreement between Board of Supervisors and Richmond, Fredericksburg, and Potomac (RF&P) Properties, Incorporated, April 14, 1994.

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

**CM:cm**

At 3:30 p.m., the Board reconvened in the Board Auditorium with all Board Members being present, and with Chairman Hanley presiding.

### **ACTIONS FROM EXECUTIVE SESSION**

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

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

87. **REJECTION OF SETTLEMENT OF PRC, INCORPORATED** (Tape 8)

Supervisor Berger moved that the Board reject the settlement offer in PRC, Incorporated, et al., versus Board of Supervisors of Fairfax County, as outlined by the County Attorney in Executive Session, and that no counteroffer be made at this time. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

### **ADDITIONAL BOARD MATTER**

88. **INTENT TO DEFER PUBLIC HEARING ON REZONING APPLICATION RZ 94-M-060 (PULTE HOME CORPORATION) (MASON DISTRICT)** (Tape 8)

Supervisor Trapnell announced her intent to defer the public hearing on Rezoning Application RZ 94-M-060 (Pulte Home Corporation) Mason District until **August 7, 1995 at 4:30 p.m.**

(NOTE: Later in the meeting, at the appropriate time, this hearing was formally deferred. See Clerk's Summary Item CL#96.)

SBE:sbe

89. **3:30 P.M. - PH ON REZONING APPLICATION RZ 90-L-044 (MOWBRAY ARCH/EDGE HILL, L.C.) (LEE DISTRICT)** (Tape 9)

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

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

Following the public hearing, Donna McNeally, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor McConnell disclosed the following contribution which she had received:

- In excess of \$250 from Stephen J. Garchik.

Supervisor Berger disclosed the following contribution which he had received:

- In excess of \$300 from Stephen J. Garchik.

Supervisor Alexander moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 90-L-044 be amended from the R-1 and Natural Resources Districts to the R-4 and Natural Resources Districts subject to the revised proffers dated July 28, 1995. This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

Supervisor Alexander moved that the Board direct staff to petition the Virginia Department of Transportation (VDOT) to limit traffic on this new street to local or no through traffic. This motion was seconded by Supervisor Berger and carried by a vote of nine, Chairman Hanley being out of the room.

90. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-P-061-3 (HENRY D. WEBB, JR., DENNIS R. ZAUNER AND BAHRAM SHAHRIARI) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Proffered Condition Amendment Application PCA 88-P-061-3 until **August 7, 1995 at 4:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of nine, Chairman Hanley being out of the room.



91. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-Y-043 (FOX TELEVISION) (SULLY DISTRICT)** (Tape 9)

Supervisor Frey moved to defer the public hearing on Special Exception Application SE 95-Y-043 until **September 11, 1995 at 4:30 p.m.** This motion was seconded by Supervisor Connolly and carried by unanimous vote.

92. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-B-019 (THE WASHINGTON POST COMPANY AND ROBINSON TERMINAL WAREHOUSE CORPORATION) (BRADDOCK DISTRICT)** (Tape 9)

Mr. C. Thomas Hicks reaffirmed the validity of the affidavit for the record.

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

Supervisor Bulova moved approval of Special Exception Application SE 95-B-019 subject to the development conditions dated July 19, 1995. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

Supervisor Bulova moved waiver of the transitional screening and barrier requirements along the northern and eastern boundaries of the I-6 property located south of Wimsatt Road. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

Supervisor Bulova moved modification of the transitional screening and barrier requirements along the southern property boundary, subject to a landscape plan to be submitted with each phase of development, in accordance with the development conditions. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

Supervisor Bulova moved modification of the transitional screening and barrier requirements along the western property boundary to that which is shown on the Special Exception Plat dated July 19, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

93. **3:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-C-065 (AMERICAN PCS, LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)**  
(Tape 9)

Mr. Steven E. Muscarella reaffirmed the validity of the affidavit for the record.

Mr. Muscarella 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 Dix moved approval of Special Exception Amendment Application SEA 83-C-065 subject to the development conditions dated July 12, 1995. This motion was seconded jointly by Supervisor McConnell and Chairman Hanley and carried by a vote of eight, Supervisor Alexander and Supervisor Frey being out of the room.

94. **3:30 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING APPLICATIONS FOR RENEWAL OF SPECIAL PERMIT AND SPECIAL EXCEPTION USES** (Tape 9)

- (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 July 14 and 21, 1995.

Following the public hearing, Supervisor Connolly moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to incorporate applications for the renewal of Special Permit and Special Exception uses into the amendment application process for such uses **to become effective on August 1, 1995 at 12:01 a.m.** This motion was seconded by Chairman Hanley and carried by a vote of seven, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander, Supervisor Dix, and Supervisor Frey being out of the room.

95. **3:30 P.M. - PH ON THE LEASING OF COUNTY-OWNED PROPERTY TO THE YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) (HUNTER MILL DISTRICT)** (Tapes 9-12)

(NOTE: On July 17, 1995, this public hearing was deferred until July 31, 1995.)

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 30 and July 7, 1995.

**BOARD MATTER****CODE RED AIR QUALITY HEALTH ADVISORY** (Tape 10)

Following the testimony of Speaker 11, Priscilla Ames, Chairman Hanley announced that the Metropolitan Washington Area Council of Governments (COG) had officially declared a Code Red Air Quality Health Advisory for the Washington Metropolitan Region because of monitored violations of the Federal Ozone Health Standard. It was to be in effect until sundown.

Following the public hearing, which included testimony by 33 speakers, Supervisor Dix moved that the Board authorize the County Executive to:

- Execute a lease for the County-owned property located at Tax Map Number 17-3((1))1-B with the Young Men's Christian Association (YMCA) for the purpose of building a recreation/teen center on the property; and
- Include in the final document a clear articulation relating to the community liaison structure and the financial policy dealing with the ability to pay.

This motion was seconded by Supervisor Frey.

Following discussion, Supervisor Hyland asked to amend the motion to amend the lease to:

- Describe the existing programs that the County has at the current facility; and
- To the extent possible and practicable, offer those programs at the new facility provided that these services are considered to be necessary and desirable by the community.

The amendment was accepted with the understanding that the Board would vote to execute the lease tonight with the revisions that were made.

Following discussion, with input from a representative from the YMCA; David P. Bobzien, County Attorney; and William J. Leidinger, County Executive; the question was called on the motion which **CARRIED** by a recorded vote of eight, Supervisor Berger and Supervisor Hyland voting "NAY."

96. **4:00 P.M. - PH ON REZONING APPLICATION RZ 94-M-060 (PULTE HOME CORPORATION) (MASON DISTRICT)** (Tape 12)

Supervisor Trapnell moved to defer the public hearing on Rezoning Application RZ 94-M-060 until **August 7, 1995 at 4:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Frey being out of the room.

97. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-H-013 (EXXON CORPORATION) (HUNTER MILL DISTRICT)** (Tape 12)

Mr. Jay du Von reaffirmed the validity of the affidavit for the record.

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

Supervisor Dix moved approval of Special Exception Application SE 95-H-013 subject to the development conditions dated July 12, 1995. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor McConnell and Supervisor Trapnell being out of the room.

Supervisor Dix moved modification of the transitional screening and barrier requirements along the southern and western perimeters of the site in favor of that shown on the Special Exception Plat, and as further stipulated in the development conditions. This motion was seconded by Supervisor Berger and carried by a vote of eight, Supervisor McConnell and Supervisor Trapnell being out of the room.

**AR:ar**

98. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING EDITORIAL REVISIONS** (Tape 13)

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

Following the public hearing, Supervisor Frey moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) to correct a number of minor editorial inconsistencies and oversights which have resulted from the adoption of previous amendments, and to correct outdated references to the Virginia Department of Transportation (VDOT) **to become effective on August 1, 1995 at 12:01 a.m.** This motion

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

99. **4:00 P.M. - PH ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 114 (AGRICULTURAL AND FORESTAL DISTRICTS OF STATEWIDE SIGNIFICANCE) REGARDING THE OPEN SPACE BENEFITS OF WATERSHED PROTECTION AND WILDLIFE HABITAT** (Tape 13)

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

Following the public hearing, Supervisor Berger moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 114 (Agricultural and Forestal Districts of Statewide Significance) to incorporate the open space benefits of watershed protection and wildlife habitat into the policy and purpose statement **to become effective on August 1, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell being out of the room.

100. **4:00 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 115 (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS)** (Tape 13)

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

Following the public hearing, which included testimony by one speaker, Supervisor Berger moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal Districts) to reduce the minimum acreage requirement from 25 to 20 acres; to insert provisions for an initial notice upon receipt of an Agricultural and Forestal District application consistent with those of the Code of Virginia; and to modify the guidelines for the establishment of a district as they pertain to historic sites **to become effective on August 1, 1995 at 12:01 a.m.** This motion was seconded by Supervisor Alexander and carried by a vote of seven, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, and Chairman Hanley voting "AYE," Supervisor Dix, Supervisor McConnell, and Supervisor Trapnell being out of the room.

101. **4:00 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-D-079 (AMERICAN PCS, LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT)**  
(Tape 13)

Mr. Steven E. Muscarella reaffirmed the validity of the affidavit for the record.

Mr. Muscarella 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 Berger moved:

- Approval of Special Exception Amendment Application SEA 83-D-079 subject to the development conditions dated July 11, 1995; and
- Modification of the screening and barrier requirements in favor of the existing screening and barrier, with supplemental plantings, as recommended in the development conditions dated July 11, 1995.

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

102. **4:30 P.M. - PH ON REZONING APPLICATION RZ 95-L-023 (BEULAH ROAD, L.L.C.) AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-L-021 (WILLIAM E. SCHURTZ/BEULAH ROAD, L.L.C.) (LEE DISTRICT)** (Tape 13)

Mr. Gregory A. Riegler reaffirmed the validity of the affidavit for the record.

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

- In the amount of \$300 from Stephen J. Garchik.

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

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

Supervisor Alexander moved approval of Proffered Condition Amendment Application PCA 89-L-021 subject to the revised proffers dated July 28, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Alexander moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-L-023 be amended from the R-1 District to the PDH-4 District subject to the revised proffers dated July 28, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Alexander moved that the Board direct the Director of the Department of Environmental Management (DEM) to approve the appropriate modification to the Public Facilities Manual (PFM) so as to allow the private road which serves approved Lots 12, 12A, 13, and 13A to be constructed as shown on the approved Conceptual Development Plan (CDP) and Final Development Plan (FDP). This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley being out of the room.

103. **4:30 P.M. - PH ON REZONING APPLICATION RZ 94-Y-059 (PARK STREET, INCORPORATED) (SULLY DISTRICT)** (No Tape)

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

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

Vice-Chairman Dix announced a change in the Orders of the Day in order to proceed with the public hearing on Development Plan Amendment Application DPA A-502-5.

105. **4:30 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION DPA A-502-5 (MARTIN LUTHER KING, JR. CHRISTIAN CHURCH) (HUNTER MILL DISTRICT) AND ACTION ITEM A-4 - PARKING REDUCTION FOR MARTIN LUTHER KING, JR. CHRISTIAN CHURCH, PHASE ONE** (Tape 13)

(NOTE: Earlier in the meeting, Action Item A-4 was deferred pending the completion of the public hearing on Development Plan Amendment Application DPA A-502-5. See Clerk's Summary Item CL#12.)

Mr. Horace McClerklin reaffirmed the validity of the affidavit for the record.

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

Supervisor Dix moved approval of Development Plan Amendment Application DPA A-502-5 subject to the revised development conditions dated July 27, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

Supervisor Dix moved modification of the transitional screening requirement as specified in the development conditions and a waiver of the barrier requirement along all property lines. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

Supervisor Dix moved modification of the interior parking lot landscaping requirement as specified in the development conditions. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

Supervisor Dix called the Board's attention to Action Item A-4 - Parking Reduction for Martin Luther King, Jr. Christian Church, Phase One (Hunter Mill District) and moved that the Board concur in the recommendation of staff and approve a 13.0 percent reduction of the required on-site parking for the Martin Luther King, Jr. Christian Church, Phase One pursuant to paragraph four, Section 11-102 of the Zoning Ordinance and subject to the conditions outlined in the Memorandum to the Board dated July 31, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of nine, Supervisor McConnell being out of the room.

106. **4:30 P.M. - PH ON REZONING APPLICATION RZ 94-Y-059 (PARK STREET, INCORPORATED) (SULLY DISTRICT)** (Tapes 13-14)

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

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

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 94-Y-059 be amended from the R-1 and Water Supply Protection Overlay Districts to the R-3 and Water Supply Protection Overlay Districts subject to the revised proffers dated July 27, 1995. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.



Supervisor Frey moved:

- Modification of the transitional screening and barrier requirements in accordance with paragraph one, Section 13-304 of the Zoning Ordinance; and
- Waiver of the service drive requirement in accordance with Section 17-103 of the Zoning Ordinance.

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

Supervisor Frey moved that the Board direct the Office of Transportation to begin working with his office and the residents of the community to disseminate the information necessary to begin the implementation of the cut-through traffic process and address potential solutions to this problem. This motion was seconded by Supervisor Alexander and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

107. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-L-011 (DOUGLAS AND JOYCE JEMAL) (LEE DISTRICT)** (Tape 14)

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

Following discussion, Supervisor Alexander moved to defer the public hearing on Special Exception Application SE 95-L-011 until **September 11, 1995 at 4:30 p.m.** This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Dix being out of the room.

108. **4:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-D-068 (AMERICAN PCS, LIMITED PARTNERSHIP) (DRANESVILLE DISTRICT)** (Tape 14)

Supervisor Berger moved to defer the public hearing on Special Exception Application SE 94-D-068 until **October 16, 1995 at 5:00 p.m.** This motion was seconded by Supervisor McConnell and carried by a vote of nine, Supervisor Dix being out of the room.

109. **4:30 P.M. - PH ON A PROPOSAL TO ABANDON AND VACATE PORTIONS OF CENTREVILLE ROAD (ROUTE 657) (HUNTER MILL DISTRICT)** (Tape 14)

- (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 July 14 and 21, 1995.

Following the public hearing, and on behalf of Supervisor Dix, Supervisor McConnell moved adoption of the Ordinance abandoning and vacating portions of Centreville Road (Route 657) as outlined in the Memorandum to the Board dated July 31, 1995. This motion was seconded by Supervisor Frey and carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Acting-Chairman Alexander voting "AYE," Supervisor Berger, Supervisor Connolly, Supervisor Dix, and Chairman Hanley being out of the room.

110. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-L-020-7 AND SPECIAL EXCEPTION APPLICATION SE 95-L-010 (ALBERT J. DWOSKIN, TRUSTEE) (LEE DISTRICT)** (Tape 14)

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

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

- In the amount of \$190 from a partner in the law firm of Venable, Baetjer and Howard.

Supervisor Bulova disclosed the following:

- Use of vacant office space in an amount over \$200 at 11215-D Lee Highway in a shopping center owned by Albert J. Dwoskin.

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

- In the amount of \$250 from Stephen Garchik.

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

- In the amount of \$300 from Stephen J. Garchik.

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

Following the public hearing, Donna McNeally, Branch Chief, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Alexander moved approval of Proffered Condition Amendment Application PCA 84-L-020-7 subject to the executed proffers dated July 5, 1995. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Chairman Hanley being out of the room.

Supervisor Alexander moved approval of Special Exception Application SE 95-L-010 subject to the development conditions dated July 10, 1995. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Chairman Hanley being out of the room.

Supervisor Alexander moved modification of the transitional screening requirements and a waiver of the barrier around the site periphery. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Chairman Hanley being out of the room.

Supervisor Alexander moved that the Board direct staff to enter as a Consideration Item at Carryover funding for books for the public library facility to be constructed by the applicant on this site. This motion was seconded by Supervisor Berger and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Chairman Hanley being out of the room.

111. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-P-022 (EXXON CORPORATION) (PROVIDENCE DISTRICT)** (Tape 14)

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, Robby Robinson, 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-022 subject to the development conditions dated July 11, 1995. This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Chairman Hanley being out of the room.

112. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 95-M-021 (EXXON CORPORATION) (MASON DISTRICT)** (Tape 14)

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, Julie Schilling, 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 95-M-021 subject to the revised development conditions dated July 26, 1995, with the following revisions:

- Development Condition Three to reflect the Special Exception Plat revision date of July 28, 1995;
- Development Condition Six to read: "The total area of the freestanding sign shall not exceed 107 square feet;" and
- Development Condition 10 to read: "Not more than six employees shall be permitted on site at any one time."

In addition, Supervisor Trapnell moved modification of transitional screening and barrier requirements along the north and west property boundaries in accordance with paragraph two, Section 13-304 of the Zoning Ordinance.

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

113. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 94-P-063 (TACO BELL CORPORATION) (PROVIDENCE DISTRICT)** (Tape 14)

Ms. Mary T. Flynn reaffirmed the validity of the affidavit for the record.

Ms. Flynn 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, Phyllis Wilson, 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 94-P-063 subject to the revised development conditions dated July 27, 1995; and
- Modification of the transitional screening requirement pursuant to paragraphs two and four of Section 13-304 of the Zoning Ordinance in favor of that depicted on the Special Exception Plat and subject to the development conditions dated July 27, 1995.

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

114. **5:00 P.M. - PH ON THE 1995 SCHOOL BOND REFERENDUM** (No Tape)

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item CL#117.)

115. **ORDERS OF THE DAY** (Tape 14)

Chairman Hanley announced a change in the Orders of the Day in order to proceed with the public hearing on Rezoning Application RZ 94-P-064.

116. **5:00 P.M. - PH ON REZONING APPLICATION RZ 94-P-064 (1994 FUND III L.C.) (PROVIDENCE DISTRICT)** (Tape 14)

Mr. Francis A. 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, Kevin Guinaw, Senior 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-064 be amended from the I-4 and Highway Corridor Districts to PDH-30 and Highway Corridor Districts subject to the revised proffers dated July 27, 1995; and
- Approval of the Conceptual Development Plan (CDP) subject to the development conditions dated July 13, 1995.

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

Supervisor Connolly moved modification of the minimum setback requirement for residential buildings from interstate highways and the Dulles Airport Access Road, as shown on the Conceptual/Final Development Plan (C/FDP), subject to the proffers dated July 27, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

Supervisor Connolly moved modification of the maximum length limitations specified in the Zoning Ordinance for private streets in a residential development as shown on the CDP/FDP, subject to the proffers dated July 27, 1995. This motion was seconded by Supervisor Trapnell and carried by a vote of eight, Supervisor Alexander and Supervisor Dix being out of the room.

Supervisor Connolly moved that the Board:

- Direct staff to study the transitional screening issue raised by situations created under the Tysons Urban Center Plan in which the conversion of office or industrially zoned land to residential uses is recommended and where the buffer to provide screening between non-residential and residential uses is recommended to be provided on the residential property rather than on the adjacent office or industrial properties. The issue is whether subsequent transitional screening waivers or modifications which may be requested by adjacent non-residential uses in these situations can be approved under the current Zoning Ordinance; and
- If this objective cannot be accomplished under the current Zoning Ordinance, direct staff to place this issue on the Zoning Ordinance Amendment Work Program.

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

117. **5:00 P.M. - PH ON THE 1995 SCHOOL BOND REFERENDUM** (Tapes 14-15)

- (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 July 14 and 21, 1995.

Following the public hearing, which included testimony by 13 speakers, and input from Alton C. Hlavin, Assistant Superintendent, Department of Facilities Services, Fairfax County Public Schools, Supervisor Frey moved adoption of the Resolution requesting the Circuit Court to order an election to be held on November 7, 1995 on a School Bond Referendum in an amount totaling \$204,050,000. This motion was seconded by Chairman Hanley and carried by a vote of eight, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Hyland, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Dix\* and Supervisor McConnell being out of the room.

(NOTE: \*Later in the meeting, upon his return to the Board Auditorium, Supervisor Dix asked to be recorded as voting "AYE" on the 1995 School Bond Referendum. See Clerk's Summary Item CL#120.)

118. **5:00 P.M. - PH 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)** (Tape 15)

(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 July 14 and 21, 1995.

Following the public hearing, Supervisor Alexander moved adoption of the Resolution authorizing the acquisition of certain dedications and easements necessary for the construction of County Road Bond Project 064142 - Hayfield Road Improvements, Segments I and II. This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Alexander, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Trapnell and Acting-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor Frey, Supervisor McConnell, and Chairman Hanley being out of the room.

119. **5:00 P.M. - JOINT PUBLIC HEARING WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) CONCERNING MEASURES TO RESTRICT CUT-THROUGH TRAFFIC IN THE BUFFALO HILLS AREA (MASON DISTRICT)** (Tape 15)

(Verbatim)

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 July 14 and 21, 1995.

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

- Approve the measures proposed by the Virginia Department of Transportation (VDOT) to reduce cut-through traffic and enhance safety in the Buffalo Hills area as outlined in Attachment I of the Memorandum to the Board dated July 31, 1995; and
- Request VDOT to use Secondary Road Funds, allocated for cut-through measures, to pay for permanent measures.

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

120. **REQUEST TO RECORD VOTE** (Tape 15)

(NOTE: Earlier in the meeting, the public hearing on the 1995 School Bond Referendum was held. See Clerk's Summary Item CL#117.)

Supervisor Dix asked unanimous consent to be recorded as voting "AYE" on the Resolution adopted earlier in the meeting on the 1995 School Bond Referendum. Without objection, it was so ordered.

121. **5:00 P.M. - PH ON REZONING APPLICATION RZ 95-D-005 AND SPECIAL EXCEPTION APPLICATION SE 95-D-004 (VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY AND THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA) (DRANESVILLE DISTRICT)** (Tapes 16-17)

Mr. Jonathan P. Rak reaffirmed the validity of the affidavit for the record.

Mr. Rak 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 11 speakers, Lorrie Kirst, Senior Staff Coordinator, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff and Planning Commission recommendations.

Supervisor Berger moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 95-D-005 be amended from the R-1, R-5 and Highway Corridor Districts to the C-3 and Highway Corridor Districts subject to the executed proffers dated July 31, 1995;
- Approval of Special Exception Application SE 95-D-004 subject to the development conditions dated July 26, 1995;
- Modification of the transitional screening requirements; and
- Waiver of the barrier requirements for all the property boundaries in favor of those depicted on the General Development Plan/Special Exception (GDP/SE) Plat.

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

122. **A-5 - PROPOSED COMMENTS TO STATE CORPORATION COMMISSION (SCC) REGARDING LOCAL EXCHANGE TELEPHONE COMPETITION, CASE NUMBER PUC9500018** (Tapes 17-18)

(NOTE: Earlier in the meeting, this item was deferred pending additional input from staff. See Clerk's Summary Items CL#13 and CL#82.)



Following input from Ronald B. Mallard, Director, Department of Consumer Affairs, outlining a few minor changes, Supervisor Bulova moved that the Board concur in the recommendation of staff and approve the proposed comments to State Corporation Commission (SCC) regarding Local Exchange Telephone Competition, Case Number PUC950018, to include the changes as outlined by Mr. Mallard. This motion was seconded by Supervisor Berger and carried by unanimous vote.

123. **BOARD ADJOURNMENT** (Tape 18)

At 12:05 a.m. on August 1, 1995, the Board adjourned.