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The meeting was called to order at 9:35 a.m. with all Members being present, with the exception of Supervisor Alexander and Supervisor McConnell, and with Chairman Hanley presiding.

Supervisor McConnell arrived at 9:40 a.m.

Supervisor Alexander was absent from the entire meeting.

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; and Nancy Vehrs, Clerk to the Board of Supervisors.

BOARD MATTER

2. **RECOGNITION OF PENELOPE A. GROSS, SUPERVISOR-ELECT, MASON DISTRICT** (Tape 1)

Chairman Hanley acknowledged the presence of Penelope A. Gross, Supervisor-Elect, Mason District, and warmly welcomed her to the Board Auditorium.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. ELLA MILLER** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Ms. Ella Miller for her outstanding community contributions and to celebrate her 115th birthday, which will be December 6, 1995. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell not yet having arrived, Supervisor Alexander being absent.

Students from Sunrise Valley Elementary School of Reston serenaded Ms. Miller with a special music presentation.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. MARY GORMLEY** (Tape 1)

Supervisor Trapnell moved approval of the Certificate of Recognition presented to Ms. Mary Gormley for her achievement on being elected President of the Virginia Congress of Parents and Teachers Association (Virginia PTA). This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Alexander being absent.

ADDITIONAL BOARD MATTER

5. **RECOGNITION OF DANA KAUFFMAN, SUPERVISOR-ELECT, LEE DISTRICT** (Tape 1)

Chairman Hanley introduced Dana Kauffman, Supervisor-Elect, Lee District, and warmly welcomed him to the Board Auditorium.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. JOAN DOYLE, PRESIDENT OF MAGNACOM COMMUNICATION CORPORATION** (Tape 1)

Supervisor McConnell moved approval of the Certificate of Recognition presented to Ms. Joan Doyle, President of Magnacom Communication Corporation, for her outstanding efforts with the Police Department's FASTFAX network. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. BILL CLAY** (Tape 1)

Supervisor Trapnell moved approval of the Certificate of Recognition presented to Mr. Bill Clay for his many years of service to the senior citizens of Fairfax County. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Frey being out of the room, Supervisor Alexander being absent.

8. **ADMINISTRATIVE ITEMS** (Tape 1)

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

ADMIN 1 - ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 88-C-043, HILTON SUITES (HUNTER MILL DISTRICT)

- (AT) Approved the request for 30 months of additional time to commence construction for Special Exception Application SE 88-C-043 until August 13, 1988 pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN-2 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 96052 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO ACCEPT ADDITIONAL SUBSTANCE ABUSE PREVENTION AND TREATMENT BLOCK GRANT FUNDING

- (SAR) Approved Supplemental Appropriation Resolution (SAR) AS 96052 for the Fairfax-Falls Church Community Services Board (CSB) to accept \$47,822 from the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services.

AM:am

9. **A-1 - DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM** (Tape 2)

On motion of Supervisor Frey, the second to which was inaudible, and carried by a vote of seven, Supervisor Berger and Supervisor Hyland being out of the room, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and designated the following individual, identified with his registration number, as a Plans Examiner:

- Nasser S. Alikhani (137).

10. **A-2 - USE OF SECTION 108 LOAN AND ECONOMIC DEVELOPMENT INITIATIVE (EDI) FUNDS FOR THE BUSINESS LOAN PROGRAM ADMINISTERED BY SOUTH FAIRFAX REGIONAL BUSINESS PARTNERSHIP, INCORPORATED** (Tape 2)

On motion of Supervisor Hyland, seconded by Supervisor Trapnell, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and authorized the use of up to \$1,000,000 in Section 108 Loan funds and \$150,000 in Economic Development Initiative (EDI) funds for the business loan program to be administered by South Fairfax Regional Business Partnership, Incorporated, and authorized the County Executive to enter into an agreement and appropriate amendments with the Corporation for use of the Section 108 Loan and EDI funds consistent with the applications for these funds as approved by the Board.

11. **A-3 - AUTHORIZATION TO AWARD \$25,000 FROM THE PREDEVELOPMENT FUND TO ROBERT PIERRE JOHNSON HOUSING CORPORATION TO CONDUCT PRELIMINARY STUDIES FOR THE ACQUISITION AND REHABILITATION OF ORRINGTON COURT APARTMENTS (PROVIDENCE DISTRICT)** (Tape 2)

On motion of Supervisor Connolly, the second to which was inaudible, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and authorized the award of \$25,000 from the Predevelopment Fund to RPJ for preliminary studies relating to the acquisition and rehabilitation of Orrington Court Apartments.

12. **A-4 - ADOPTION OF FINAL COMMUNITY IMPROVEMENT PROGRAM ASSESSMENTS FOR THE COURTLAND PARK, PHASE II COMMUNITY (MASON DISTRICT)** (Tape 2)

- (Rs) Following discussion, Supervisor Trapnell moved that the Board concur in the recommendation of staff and adopt the Resolutions establishing the final assessments for Courtland Park, Phase II. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander being absent.

13. **A-5 - VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) LOCATION PUBLIC HEARING FOR ROUTE 123 FROM THE PRINCE WILLIAM COUNTY LINE (OCCOQUAN RIVER) TO BURKE LAKE ROAD (ROUTE 645) (SPRINGFIELD AND MOUNT VERNON DISTRICTS)** (Tape 2)

Supervisor McConnell moved that the Board concur in the recommendation of staff and endorse the corridor for Route 123 improvement/widening of Route 123 as graphically depicted on Attachments I-IV of the Memorandum to the Board dated December 4, 1995.

This motion was seconded by Chairman Hanley.

Supervisor Hyland moved a substitute motion to defer Action Item A-5 - Virginia Department of Transportation (VDOT) Location Public Hearing for Route 123 From the Prince William County Line to Burke Lake Road (Springfield and Mount Vernon Districts) until December 11, 1995. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Alexander being absent.

14. **A-6 - AUTHORIZATION TO FUND THE CONSTRUCTION OF A PEDESTRIAN TRAIL TO LORTON COMMUTER RAIL STATION (MOUNT VERNON DISTRICT)** (Tape 2)

On motion of Supervisor Hyland, seconded by Supervisor Berger, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and authorized the use of \$121,000 to acquire the necessary land rights and to design and construct a pedestrian trail between the Washington Square Townhouse Subdivision and the entrance driveway to the Lorton Commuter Rail Station.

ADDITIONAL BOARD MATTER

15. **WELCOME TO STUART MENDELSON, SUPERVISOR-ELECT, DRANESVILLE DISTRICT** (Tape 2)

Chairman Hanley recognized the presence of Stuart Mendelsohn, Supervisor-Elect, Dranesville District, in the Board Auditorium and warmly welcomed him.

16. **A-7 - CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), PROVISIONS FOR TRUCK AND TRAILER RENTALS** (Tape 2)

Following discussion with input by Jane W. Gwinn, Zoning Administrator, Zoning Administration Division, Office of Comprehensive Planning (OCP), Supervisor Dix moved that the Board:

- Authorize consideration of an amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) that would permit truck and trailer rental uses by Special Exception in the C-5 through C-8 Districts; and
- Refer this to the Development Process Committee for prioritization in the work program.

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

17. **A-8 - APPOINTMENT OF COMMUNITY REPRESENTATIVE TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)** (Tape 2)

(APPT)

On motion of Supervisor Hyland, seconded by Supervisor Berger, and carried by a vote of nine, Supervisor Alexander being absent, the Board concurred in the recommendation of staff and appointed Ms. Eleanor Thornton as a Community Representative to the Community Policy and Management Team (CPMT).

CM:cm

18. **C-1 - ENDORSEMENT OF RECOMMENDATION FROM THE PLANNING COMMISSION AND THE TRANSPORTATION ADVISORY COMMISSION CONCERNING FORMATION OF CITIZEN TASK FORCES TO STUDY TRANSPORTATION-RELATED ISSUES FOR THE 21ST CENTURY (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated December 4, 1995 regarding a process to initiate an informal public discussion of transportation elements of the Policy Plan to coincide with the 1996 Policy Plan Review.

Supervisor Connolly moved approval of the Planning Commission and Transportation Advisory Commission (TAC) recommendation to initiate an informal public discussion of transportation elements of the Policy Plan to coincide with the 1996 Policy Plan Review. This motion was seconded by Supervisor Berger.

Following discussion, with input from Anthony H. Griffin, Deputy County Executive for Planning and Development, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked to amend the motion in regard to the \$5,000 request for clerical support and supplies to direct staff to request TAC to:

- Recognize staffing constraints by channeling its staff resources into the new initiative rather than continuing to hold regular TAC meetings requiring staff support; and
- Limit staffing to providing only answers, rather than responding to additional demands, for the task forces.

This was accepted.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

Following further discussion, Chairman Hanley called the Board's attention to Information Item I-3 - 1996 Policy Plan Review Year.

Following discussion, Chairman Hanley relinquished the Chair to Vice-Chairman Dix and asked to amend the motion to put a time frame on the TAC review process so that it will be concluded and reported by March 29, 1996, 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 Alexander being absent.

19. **I-1 - STAFF SUMMARIES OF SEPTEMBER AND OCTOBER, 1995 TRANSPORTATION ADVISORY COMMISSION (TAC) MEETINGS (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated December 4, 1995 presenting the Transportation Advisory Commission (TAC) staff summaries of September and October, 1995 meetings.

20. **I-2 - ENGINEERING CONTRACT AWARD TO MICHAEL BAKER, JR., INCORPORATED, FOR THE ENGINEERING ANALYSIS AND DESIGN OR REGIONAL POND C-20, PROJECT CU0020 (SULLY DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated December 4, 1995 requesting authorization for staff to award an engineering contract to Michael Baker, Jr., Incorporated, in the amount of \$86,342.03 for the implementation of a wet regional stormwater management pond, Project CU0020, in Subfund 490, Pro Rata Share Storm Drainage Construction.

In regard to the reconstruction of the clubhouse for the International Country Club and its stormwater retention and Best Management Practices (BMP) requirements, Supervisor Frey asked unanimous consent that the Board direct staff to respond as soon as possible to a memorandum he had sent to the Department of Environmental Management (DEM) to provide answers to the Club. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

21. **I-3 - 1996 POLICY PLAN REVIEW YEAR (COUNTYWIDE)** (Tape 3)

(NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item CL#18.)

The Board next considered an item contained in the Memorandum to the Board dated December 4, 1995 requesting authorization for the Planning Commission and staff to proceed according to the recommended work program as outlined in the Memorandum to the Board.

Following a brief discussion, staff was directed administratively to proceed as proposed..

ADDITIONAL BOARD MATTERS

22. **REQUEST FOR NATIONAL PEARL HARBOR REMEMBRANCE DAY** (Tape 3)

Chairman Hanley stated that she had a request from the Pearl Harbor Survivors' Association of the National Capital Area regarding a National Pearl Harbor Remembrance Day. Accordingly, she relinquished the Chair to Vice-Chairman Dix and moved that the Board:

- Designate December 7, 1995 as “**National Pearl Harbor Remembrance Day in Fairfax County;**” and
- Direct staff to prepare a Proclamation.

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

23. **FAIRFAX RELEAF** (Tape 3)

Chairman Hanley stated that she had received a letter from Fairfax ReLeaf expressing its interest in coordinating the Earth Day/Arbor Day activities and requesting a long range plan to address the continuity and stability of this event. Accordingly she asked unanimous consent that the Board direct staff to review this letter and present its findings to the Board as an Information Item at the Board Meeting scheduled for December 11, 1995. Without objection, it was so ordered.

24. **PROPOSED REGULATORY ACTION REGARDING STATE AIR POLLUTION CONTROL BOARD** (Tape 3)

Chairman Hanley said that she had received a Notice Of Intended Regulatory Action for proposed regulations concerning the State Air Pollution Control Board. Noting that comments must be submitted by December 14, 1995, she asked unanimous consent that the Board direct staff to:

- Review this item;
- Determine whether it includes hazardous materials issues; and
- If there is testimony which staff believes the Board must make, circulate the proposed testimony with comments as necessary.

Without objection, it was so ordered.

25. **RECOGNITION OF MASTER POLICE OFFICER ROBBIE G. CLOYD UPON HIS RETIREMENT** (Tape 3)

On behalf of Supervisor Alexander who was out of town, Chairman Hanley moved that the Board direct staff to invite Master Police Officer (MPO) Robbie G. Cloyd to the Board Meeting scheduled for December 11, 1995 to be recognized for his years of service. Chairman Hanley noted that MPO Cloyd has been with the Police Department for 25 years, serving 19 of those years as the Crime Prevention Officer at the Franconia District Police Station. This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Frey and Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Vice-Chairman Dix returned the gavel to Chairman Hanley.

26. **LAKE BRADDOCK SECONDARY SCHOOL FOOTBALL TEAM WINS DIVISION CHAMPIONSHIP** (Tape 3)

Supervisor Bulova announced that the Lake Braddock Secondary School Varsity Football Team won the Division Six Northern Region Football Championship. Citing the temporary absence of Supervisor Frey, Supervisor Bulova stated that she would defer this item until his return.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#28.)

27. **TRAFFIC LIGHTS** (Tape 3)

Citing the successful traffic signal synchronization in the City of Fairfax, Supervisor Bulova reported that the County may have the opportunity to synchronize traffic signals with the Virginia Department of Transportation's (VDOT) installation of a Tri-County Traffic Light Synchronization Project. Because lights will be controlled by a central controller, staff can put traffic lights on "blink" during times of day or night when there is little traffic.

Accordingly, Supervisor Bulova moved that the Board direct staff to:

- Work with VDOT to explore what traffic corridors might be candidates for putting traffic lights on "blink," and at what hours; and
- Return to the Board with the feasibility and potential plans for doing so.

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

28. **LAKE BRADDOCK SECONDARY SCHOOL FOOTBALL TEAM WINS DIVISION CHAMPIONSHIP** (Tape 3)

(NOTE: Earlier in the meeting, action was deferred on this item. See Clerk's Summary Item CL#26.)

Supervisor Bulova announced that the Lake Braddock Secondary School Varsity Football Team won the Division Six Northern Region Football Championship. Accordingly, she moved that the Board direct staff to provide the Lake Braddock Secondary School Varsity Football Team with a Certificate in recognition of this outstanding accomplishment. This motion, the second to which was inaudible, carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

Discussion continued regarding the wager Supervisor Bulova and Supervisor Frey had made regarding the outcome of the championship game.

AM:am

29. **UNITED NATIONS INTERNATIONAL CHILDREN'S CONFERENCE** (Tape 4)

Supervisor Dix said that two students from Fox Mill Elementary School, sixth grader Tara Foose and fifth grader Sally Peed, along with their teacher, Ms. Barbara B. Nelson, attended the United Nations International Children's Conference on the Environment held in Eastbourne, England. Tara and Sally were the only Americans who made a presentation at the conference.

Accordingly, Supervisor Dix asked unanimous consent that the Board direct staff to invite Ms. Foose, Ms. Peed and Ms. Nelson to appear before the Board on December 11, 1995 to be recognized for this outstanding achievement. Without objection, it was so ordered.

30. **PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS**
(Tape 4)

Supervisor Dix stated that the Vienna Town Council held a public hearing on November 20, 1995, and approved the submittal of two projects for funding consideration in the 1997 Transportation Enhancement Program. These are the Moorefield Restoration and the Maple Avenue Enhancement Project.

Therefore, Supervisor Dix moved that the Board concur in endorsing the forwarding of these projects for the Town of Vienna through the Transportation Planning Board (TPB) along with the other Fairfax County projects. This motion was seconded by Supervisor Frey and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor Alexander being absent.

31. **INDEMNIFICATION RESOLUTION** (Tape 4)

Supervisor Dix stated that there are various organizations within Fairfax County that provide assistance to Fairfax County agencies but their members are not covered by the indemnification Resolution. This is so because the Resolution only covers volunteers appointed to advisory groups by the Board. He stated there is concern that these dedicated individuals expose themselves to unwarranted personal liability while giving invaluable service to Fairfax County, merely because they were not appointed directly by the Board.

Supervisor Dix stated that providing indemnification for these individuals is something the County should consider. Accordingly, Supervisor Dix moved that the Board direct the County Executive and the County Attorney to review the matter and report to the Board on the feasibility and legality of including such individuals under the indemnification resolution. This motion was seconded by Supervisor Hyland and carried by a vote of eight, Supervisor McConnell being out of the room, Supervisor

Alexander being absent.

32. **PROPOSED LEGISLATIVE PROGRAM THAT THE COUNTY WILL PRESENT TO THE 1996 VIRGINIA GENERAL ASSEMBLY** (Tape 4)

Supervisor Dix announced there was an updated version of the proposed Legislative package and that copies were available in the Board Auditorium this morning.

33. **FAIRFAX COUNTY PERSONNEL PRACTICES AS TO THE HIRING OF THE DISABLED** (Tape 4)

Supervisor Connolly stated that a constituent has expressed concern that there may be barriers in Fairfax County personnel practices as to the hiring of disabled persons. He stated that his constituent believes that Fairfax County's record is not comparable to that of private businesses in the area and that Fairfax County government should be setting a positive example in this regard.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct staff to prepare an Information Item in response to this concern including:

- The number of Fairfax County employees who are disabled;
- How these numbers have progressed over the years; and
- What current plans the Office of Personnel has to encourage hiring disabled persons.

Without objection, it was so ordered.

NV:nv

34. **REQUEST FOR INFORMATION CONCERNING THE COUNTY'S INTEREST IN RIGHTS-OF-WAY IN NEW ALEXANDRIA** (Tape 5)

Supervisor Hyland explained that there is a substantive issue in the New Alexandria community concerning a number of small pieces of property in front of homes that were dedicated years ago for possible future road widening. He stated that it is clear that the County has no further need for these very small parcels and in addition, there are some larger parcels in that community that raise many questions.

Referring to the five questions contained his written Board Matter, as distributed to Members of the Board and staff, Supervisor Hyland asked unanimous consent that the Board direct the County Attorney to provide a reply to these questions to enable Supervisor Hyland to respond to the community. Without objection, it was so ordered.

35. **PARTNERSHIPS AGAINST VIOLENCE NETWORK (PAVNET) ONLINE**
(Tape 5)

Supervisor Hyland explained that Partnerships Against Violence Network (PAVNET) is a resource available to those communities that may have an interest in accessing this guide through the Internet. He stated that PAVNET has information on such programs as child abuse prevention, community violence prevention, family violence prevention, gang violence prevention, rape prevention, et cetera.

Supervisor Hyland moved that the Board direct staff to:

- Explore the opportunities and benefits of access to the PAVNET system;
- Perform a cost-benefit analysis to determine if this would be of benefit as a resource for the County and at what cost; and
- Return to the Board with the staff review and recommendations.

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

36. **EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITIES APPLICATION 456-V95-9** (Tape 5)

Supervisor Hyland stated that there is a pending Public Facilities Application 456-V95-9 by Nextel Communications of the Mid-Atlantic, Incorporated to construct a telecommunications facility at 8139 Richmond Highway. An initial extension was granted as a result of the Planning Commission's intention to defer the case. Supervisor Hyland said that a further extension is necessary to accommodate additional review time required for this Application.

Accordingly, Supervisor Hyland moved that the Board extend the Application review period for Public Facilities Application 456-V95-9 to a date certain of June 30, 1996. Supervisor Hyland stated that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations, or adopted standards, and does not prejudice the consideration of the land use Application in any way. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

37. **SUPERVISOR HYLAND TO ATTEND FUNERAL** (Tape 5)

Supervisor Hyland announced that he would be leaving the meeting early today to attend a 1:00 p.m. funeral for a close personal friend.

38. **GINGERBREAD COOKIES** (Tape 5)

Chairman Hanley announced that the gingerbread cookies provided annually to the Board and staff were baked by Ms. Chris Litzenberg. On behalf of the Board, she expressed her appreciation to Ms. Litzenberg.

39. **EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITIES APPLICATION 456-M95-18** (Tape 5)

Supervisor Trapnell stated that on November 29, 1995 the Planning Commission deferred its decision on Public Facilities Application 456-M95-18 by American Personal Communications to construct a telecommunications base station facility at 6800 Columbia Pike. To accommodate the additional review time required for this Application, Supervisor Trapnell moved that the Board direct staff to extend the review time for Public Facilities Application 456-M95-18 to a date certain of June 30, 1996. This motion was seconded by Supervisor Frey and carried by a vote of nine, Supervisor Alexander being absent.

40. **SECURITY OVERVIEW AS PART OF THE LAND USE APPLICATION PROCESS**
(Tape 5)

Supervisor Trapnell stated that a constituent had called to her attention the possibility of a security overview by the Police Department as being part of the land use application process. She noted that this review can be requested by the applicant but is not mandatory. Accordingly, she asked unanimous consent that the Board refer this issue to the Development Process Committee recognizing the fiscal limits and the Board's interest in expediting, not impeding, the land use process. Without objection, it was so ordered.

41. **REQUEST TO DISPLAY MANGER SCENE IN FRONT OF GOVERNMENT CENTER** (Tape 5)

Supervisor McConnell stated that her office has received a request from an individual who wishes to place a manger scene in front of the Government Center. The request cited a Supreme Court ruling which allowed the display of such a scene. Accordingly, Supervisor McConnell asked unanimous consent that the Board direct staff to report on December 11, 1995 with an Information Item reviewing and commenting on this issue. Without objection, it was so ordered.

Following discussion, Supervisor Frey asked unanimous consent that the Board direct staff to extend its review to non-religious display requests. Without objection, it was so ordered.

Following further discussion, Supervisor Dix asked unanimous consent that the Board direct staff to solicit information from the Town of Vienna regarding its experience with this issue. Without objection, it was so ordered.

42. **EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITIES APPLICATION 456-S94-14** (Tape 5)

Supervisor McConnell stated that on August 7, 1995 the Board extended the application review period to December 15, 1995 for Public Facilities Application 456-S94-14 by American Personal Communications to construct a telecommunications base station facility at 6353 Rolling Road. To accommodate additional review time required for this Application, Supervisor McConnell moved that the Board extend the Application review period for Public Facilities Application 456-S94-14 to a date of July 31, 1996. This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor Dix being out of the room, Supervisor Alexander being absent.

43. **NO BOARD MATTERS FOR SULLY DISTRICT SUPERVISOR FREY** (Tape 5)

Noting that Supervisor Bulova had already announced the results of the high school football division championship, Supervisor Frey announced that he had no Board Matters to present today.

44. **PROPOSED MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD)** (Tape 5)

(A) Supervisor Berger stated that the residents in the vicinity of McLean High School have petitioned to establish a Residential Permit Parking District (RPPD) in their neighborhood and have asked that the application fees be waived. Accordingly, Supervisor Berger moved that the Board:

- Waive the application fees; and
- Authorize a public hearing to be held as soon as possible to amend the proposed McLean RPPD to include that portion of Sea Cliff Road from Margie Drive to Warner Avenue which was inadvertently omitted from the recent advertisement required for the establishment of the McLean RPPD.

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

45. **SIMULTANEOUS PROCESSING FOR PRELIMINARY AND SUBDIVISION PLANS FOR GOULDMAN ACRES** (Tape 5)

Supervisor Berger moved that the Board direct the staff to simultaneously process the Preliminary and Subdivision Plans for a by-right development consisting of a 10 acre parcel, into five two-acre parcels identified as Gouldman Acres, Lots D2 and D3 of Parcel D, Section One (Tax Map 7-4-008-D2-D3) zoned RE. This motion was seconded by Supervisor Trapnell.

Following a brief discussion, the question was called on the motion which **CARRIED** by a recorded vote of seven, Chairman Hanley abstaining, Supervisor Dix being out of the

room, Supervisor Alexander being absent.

46. **DEATH OF MS. SUSIE WYLAND** (Tape 5)

Supervisor Berger announced the death of Ms. Susie Wyland who was tragically killed in an automobile accident Friday, November 24, 1995. He noted that she had been a philanthropist in the McLean community. On behalf of the Board, Supervisor Berger extended sympathy to Ms. Wyland's husband Darryl and their children.

47. **RECESS/EXECUTIVE SESSION** (Tape 5)

At 11:05 a.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;
- Northern Virginia Transportation Commission Allocation Formula; and
- Fire Mutual Aid Agreement.

Following a query to David P. Bobzien, County Attorney, this motion was seconded by Supervisor Trapnell and carried by a vote of nine, Supervisor Alexander being absent.

Citing Supervisor Hyland's attendance at a 1:00 p.m. funeral today, Chairman Hanley announced that the Board would immediately proceed into Executive Session and recess for lunch afterward.

AR:ar

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

ACTIONS FROM EXECUTIVE SESSION

48. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION** (Tape 6)

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

during the Executive Session. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Berger, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Hyland, Supervisor McConnell, Supervisor Trapnell, and Chairman Hanley voting "AYE," Supervisor Alexander being absent.

49. **AUTHORIZATION OF SETTLEMENT OF MICHAEL J. AND DIANE E. MICHNICK VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AT LAW NUMBER 137355** (Tape 6)

Supervisor Frey moved that the Board authorize the settlement of *Michael J. And Diane E. Michnick versus Board of Supervisors of Fairfax County, Virginia, At Law Number 137355* according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Alexander being absent.

SBE:sbe

50. **3:30 P.M. - PH ON A POLICY CHANGE TO PERMIT THE OPTION OF INSTALLING NEW MERCURY VAPOR STREET LIGHTS (COUNTYWIDE)** (Tapes 7-8)

- (P) 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 November 17 and November 24, 1995.

Following the public hearing, which included testimony by six speakers, Supervisor Dix moved that the Board authorize staff to pursue the matter of establishing mercury vapor lighting as an option for the citizen petition and developer street light programs in Fairfax County, to include authorizing, processing of an amendment to the County's Public Facilities Manual (PFM) and other appropriate regulatory processes while reviewing the timing and process issues related to the Virginia Municipal League/Virginia Association of Counties (VML)/(VACO) contract with Virginia Power and the County's contract with Northern Virginia Electric Cooperative (NoVEC). This motion was seconded by Supervisor Berger.

Following discussion, with input from John W. di Zerega, Director, Department of Public Works (DPW), and John Koenig, Director, Utilities Planning Design Division, DPW, Supervisor Frey moved a substitute motion that would reaffirm the current Policy of allowing only the high pressure sodium vapor lights. This motion was seconded by Supervisor Bulova.

The question was called on the substitute motion which **FAILED** by a recorded vote of seven, Supervisor Bulova and Supervisor Frey voting "AYE," Supervisor Alexander being absent.

Supervisor Hyland asked to amend the main motion to direct staff to include in the staff report a formula that will provide the Board with a means to recoup any increased cost that would result from a community opting for one type of light as opposed to the other.

Following discussion, with input from Stephen D. Sinclair, Utilities Analyst, Department of Consumer Affairs, the amendment was accepted.

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

A brief discussion ensued following the vote.

51. **3:30 P.M. - BOARD DECISION ON THE ACQUISITION OF ADDITIONAL LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE FAIRFAX COUNTY PARKWAY (ROUTE 123 TO HOOES ROAD/POHICK ROAD) (SPRINGFIELD DISTRICT)** (Tape 8)

- (R) (NOTE: The public hearing on the acquisition of additional land rights necessary for the construction of the Fairfax County Parkway (Route 123 to Hooes Road/Pohick Road) on November 20, 1995 and Board decision deferred until December 4, 1995).

Supervisor McConnell moved adoption of the Resolution authorizing the acquisition of additional interests in real property necessary for the construction of Project 064146 - Fairfax County Parkway (Route 123 to Hooes Road/Pohick Road). This motion was seconded by Supervisor Berger and carried by a vote of six, Supervisor Berger, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor Frey, and Supervisor Trapnell being out of the room, Supervisor Alexander being absent.

52. **4:00 P.M. - PH TO RECEIVE COMMENT FROM CITIZENS ON THE PROPOSED LEGISLATIVE PROGRAM THAT THE COUNTY WILL PRESENT TO THE 1996 VIRGINIA GENERAL ASSEMBLY** (Tape 8)

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 November 17 and November 24, 1995.

Following the public hearing, which included testimony by four speakers, Supervisor Dix moved that the Board:

- Direct the comments received in the public hearing to staff;
- and

- Adopt this program as presented at the Board Meeting scheduled for December 11, 1995.

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

Supervisor Dix announced that the Legislative Committee Meeting scheduled for December 6, 1995, at 9:00 a.m. would be cancelled because it was unnecessary.

Supervisor Dix introduced Susan Mittereder, Legislative Liaison; Karen J. Harwood, Senior Assistant County Attorney; and Suzanne M. Famellette, Management Analyst, Department of Family Services, as the staff team representing the Board at the Legislative Meetings and he expressed his appreciation to them for their assistance.

ADDITIONAL BOARD MATTERS

53. **DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S (DEM) PROCESSING OF PROPERTY LOCATED AT TAX MAP REFERENCE 56-2((147)), THE DENNIS PROPERTY** (Tape 8)

Supervisor Bulova moved that the Board direct staff of the Department of Environmental Management (DEM) to expedite the review and processing of a simple subdivision application for the property located at Tax Map Reference 56-2((147)), also known as the Dennis Property, in an effort to complete the subdivision before the end of the calendar year. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

54. **FAIRFAX BAR ASSOCIATION FORUM ON GUNS AND VIOLENCE TO BE TAPED** (Tape 8)

Supervisor Connolly announced that the Fairfax Bar Association has scheduled a Forum on Guns and Violence to be held in the Board Auditorium on Tuesday evening, December 5, 1995, and has requested the Cable Programming staff to tape the meeting. Therefore, Supervisor Connolly moved that the Board direct the staff of the Department of Consumer Affairs, Cable Programming Division (Channel 16), to tape the Bar Associations' Forum. This motion was seconded by Supervisor Hyland and carried by a vote of nine, Supervisor Alexander being absent.

55. **BOARD ADJOURNMENT** (Tape 8)

At 4:55 p.m., the Board adjourned.